

# McDonald's to pay \$10 million to veg groups for steaming fries and hash browns in beef fat

## Burger King sells "millions" of BK Veggies



Leo Tolstoy Center for the Ethical Treatment of Animals president Igor Parfenov (framed by posters) helped to rally 5,000 to 7,000 residents of Kharkov, The Ukraine, earlier in 2002 in protest against against the planned location of a McDonald's restaurant. (Leo Tolstoy/CETA photo.)

CHICAGO, MIAMI—Will \$10 million donated by McDonald's Restaurants to U.S. vegetarian groups help veggie activists to promote the new Burger King BK Veggie sandwich?

That will not be known until after August 22, when Cook County Circuit Judge Richard Siebel is to make his final ruling on a proposed settlement of a series of class action lawsuits brought against McDonald's in May 2001 by Seattle attorney Harish Bharti, on behalf of Hindus, Sikhs, and other vegetarians who unknowingly ate fries and hash browns that were steamed in beef fat.

According to a notice Bharti sent in June 2002 to the class action plaintiffs, including **ANIMAL PEOPLE** staff, "The Action alleges that McDonald's provided false and misleading nutritional information to consumers by failing to disclose that its French fries and hash browns contain a small amount of beef flavoring and thus are not vegetarian," despite representations since July 1990 that McDonald's fries and hash browns are cooked only in vegetable oil.

According to McDonald's, fries and hash browns sold in India were not steamed in beef fat, but those sold elsewhere apparently were and are.

"McDonald's denies the allegations made in the Action, and denies any and all liability," the notice from Bharti continues. "Further, McDonald's denies that plaintiffs are entitled to any relief whatsoever. The Court has not decided in favor of either plaintiffs or McDonald's. However, McDonald's has reached a settlement with the plaintiffs.

"As part of the settlement," the Bharti notice stipulates, "McDonald's has agreed to 1) donate \$10 million to charitable organizations in the following percentages: vegetarianism (60%); Hinduism and/or Sikhism (20%); children's nutrition and/or children's hunger relief (10%); and promotion of the understanding of Jewish law, standards and practices with respect to Kosher foods and dietary practices (10%); 2) issue an apology; and 3) establish an advisory board to make reports and recommendations to McDonald's about dietary restric-

tions that apply to various types of vegetarians, as well as guidelines for companies who market to vegetarians. The apology is to be published concurrently with this notice."

The apology appeared as a paid advertisement in recent editions of *Veggie Life*, *VegNews*, *Hinduism Today*, *India Tribune*, *Satya*, and several other publications serving mainly Hindus, Sikhs, and vegetarians.

Also as part of McDonald's proposed settlement, the 11 individuals who first brought the lawsuits are to get \$4,000 apiece. The suits were filed in Chicago, Houston, Los Angeles, Philadelphia, San Francisco, and Seattle.

The proposed settlement, rumored to be close to announcement since March 2002, was open for public comment until July 8.

At least four plaintiffs have reportedly disassociated themselves from the settlement terms and will apparently pursue independent lawsuits.

"Given how long the deception was, \$10 million is a pittance," said

# ANIMAL

News For People Who



# PEOPLE

Care About Animals

July/August 2002

Volume XI, #6

## GERMANY ADOPTS A PRO-ANIMAL CONSTITUTIONAL AMENDMENT

BONN—The Bundesrat, the upper house of the German legislature, on June 21 ratified an amendment to the national Basic Law which adds the words "and animals" to a phrase establishing environmental rights.

As amended, the phrase now reads, "The state takes responsibility for protecting the natural foundations of life and animals in the interest of future generations."

Kate Connolly, Berlin correspondent for *The Guardian*, of Britain, compared the amendment to a 1992 Swiss constitutional amendment which redefined animals as "beings" rather than objects.

"It means that the rights of animals will in theory be viewed more stringently in every area of life," Connolly wrote. "Previous [animal protection] laws, recognized in 11 of the 16 German states, governed only the conditions in which animals are held. The new legislation extends coverage to every type of animal, from household pets to those held in zoos."

"We hope this will bring a whole range of changes," German Animal Protection League president Wolfgang Apel told Connolly.

But Connolly noted that German minister for agriculture and consumer affairs Renate Kuenast, who pushed the amendment into effect, "has admitted that the law is unlikely to bring radical changes overnight."

Agence France-Presse reported that the amended phrase makes Germany "the first country in the European Union to give animals constitutional protection."

After the Bundestag, the lower house

of the German legislature, approved the amendment 543-19 in May, Associated Press issued a similar but erroneous report, asserting—with the Bundesrat vote still pending—that, "Germany has become the first European Union country to guarantee animal rights in its constitution."

Associated Press speculated that the amendment "could curtail experimentation by the cosmetics and pharmaceutical industries."

German minister for agriculture and consumer affairs Renate Kuenast explained, as Agence France-Presse paraphrased, that "The measure could lead to new legislation limiting the testing on animals of products like cosmetics and mild pain relievers. But Kuenast stressed," AFP said, "that human rights would still take precedence over those of animals."

The wording assures the supremacy of human interests by stipulating that the reason for protecting animals is "in the interest of future generations."

As AFP summarized, "Conservative opposition parties for years fought efforts by environmentalists to introduce a constitutional amendment on animal rights, saying it would tie Germany's hands in research and lead to a brain drain. But a widely criticized ruling by the constitutional court in January, authorizing the traditional Islamic [and Jewish] slaughter of animals without use of anesthetic, lent new momentum to the animal rights movement.

"The court ruled," AFP continued, "that religious freedoms were explicitly protected under the Basic Law, while animal

(continued on page 9)



This hyena bathes in a ditch on a scorching day along a back road linking Masai Mara National Park, Kenya, with Serengeti National Park, Tanzania. (Kim Bartlett)

## Is "sanctuary" an illusion?

BULAWAYO, NAIROBI, PRETORIA, LOS ANGELES, SAN ANTONIO—They don't belong. They are hungry, filthy, diseased, well-armed, and dangerous. They don't think like we do. They don't have rights. They cannot be accommodated in the developed world. They have nowhere to go in the underdeveloped world. There is not enough land or money to keep them.

Should they be imprisoned, repatriated, made to earn their keep, or be shot?

As **ANIMAL PEOPLE** went to press, the European Union had just ended another of many inconclusive international conferences on what to about immigration, illegal aliens, and refugees. The debate, and the suffering and struggle of more than 14.5 million people with nowhere safe to call home, was eerily echoed in the urgent discussions of judges, lawyers, legislators, and self-defined sanctuarians of many different outlooks who simultaneously struggled around the world to address the parallel problem of displaced animals.

To some extent, displaced persons cause displaced animals.

Transient people sometimes take captured wildlife with them in hopes that the parrot or monkey or snake they smuggle into

a new nation can be sold to grubstake their start toward building a more secure and prosperous life for themselves and their families.

People with nowhere else to go also tend to encroach upon land set aside for wildlife—and then accuse the wildlife of invading their food plots and villages.

Politicians with a shaky grip on authority, like Zimbabwean President Robert Mugabe, often either ignore or overtly condone the human encroachment on designated wildlife habitat, because displaced animals don't vote or shoot back.

Instead, more than one African leader on the verge of losing power has arranged to collect and export the ivory from marauding elephants, and other marketable parts from "culled" wildlife, to build funds in a Swiss bank account toward eventual retirement in exile.

Ultimately, large numbers of displaced humans and animals are taken into custody. Many others require emergency aid.

And then what? What can be done with them, how, with whose resources? What differentiates pragmatism from exploitation?

From electronic flame wars over

(continued on page 16)

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“Mitzi”  
was like  
a target  
at a car-  
nival  
shooting



April, 2002

Dear Partner,

One day, while I was filling a feeding station in the woods, I saw a gray flash out of the corner of my eye. It didn't move like a squirrel.

I spun around toward the heavy brush, and I caught a quick glimpse of Mitzi's tail as she dashed into the thickness.

I couldn't believe it — a cat! Out here in the middle of nowhere . . . in the midst of the many dogs who visit our forest feeding stations — a little cat! I set a trap and waited for hours, but she was gone . . . and I knew I'd never see her again.

As night fell, I feared for her life because coyotes prowled this area too . . . and owls stationed themselves in nearby trees so they could dive down on some unsuspecting rabbits.

When I returned the next day, there was no sign of Mitzi . . . though the food I put out for her under the bush was gone. But anyone could have eaten it.

And gliding just a few feet above the bushes was a beautiful, large, red-tailed hawk. I usually see them as dark shapes in the sky, but seeing this one's topside, as the sun lit up the red in him, was a gift. Three more circled above.

I put more cat food out under that bush, but in my heart I knew that Mitzi didn't have a chance.

And more, a few days later, I watched an eagle take off from the ground where I saw Mitzi that first time. Weeks passed. Coyotes, owls, hawks . . . even eagles. Poor Mitzi must be long gone . . . another silent victim of man's inhumanity . . . and "nature."

But then, one morning, a month after I first saw her, Mitzi broke cover and raced up to the food dish that I faithfully kept filled! My jaw dropped in amazement. I called to her so she wouldn't eat just yet. Mitzi ducked back into the bushes.

Then I ran to her food dish, scooped it up, and laid it in the trap. I couldn't believe Mitzi was still alive . . . against all odds.

And full of hope, I just stared at the loaded trap . . . thinking I might just get blessed with some good luck after all. Then a few minutes later a hungry Mitzi dashed into the trap to eat. And BANG, like music to my ears, that clanging metal door came down and my heart sang . . . we saved Mitzi from starvation and death!

It was when I ran up to her to put a towel over her cage, that I realized Mitzi was not feral. She didn't fight, or try to get out. She just looked at me with those big, golden eyes. Someone had abandoned her.

Later, at our shelter, we found out that she's barely a year old, and that she's afraid of other cats because she's been alone all her short life. So we'll keep her apart from our other cats.

Sadly, Mitzi doesn't ask for love. If she gets it, she is grateful. All she wants is a safe harbor, a place to live without being hungry . . . or hunted . . . again.

Thanks to people like you, Mitzi has found this place . . . with over 1500 other animals who were also let down by people and dumped in the wild.

Here, as long as you care about them and support them every month, these animals will be safe . . . and showered with love for the rest of their lives.

For the animals,

Le

Leo Grillo, founder

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That's why we now build the *deluxe* "stucco" version. Our materials cost for this stucco version is about \$400, while you can put up the simple building for under \$150. Good news! We put all the building instructions for both versions on video tape for anyone to use, or copy in its entirety. And it's FREE! To help us help precious animals, besides our own 859 dogs and 552 cats, please get this video today and pass it around!

We spent a year making this video tape. Now, for the sake of cold, unsheltered dogs everywhere, we are offering it to anyone *for free*. To pay for duplication and postage, we are asking for a \$6 donation per tape, but only if you can afford it! And we can send the tape to anyone you want. Or you can get one, copy it yourself, then give it to friends.

Write today to get your free video, and then build a house your dog will truly love and enjoy. Send to: **D.E.L.T.A. Rescue, P.O. Box 9, Glendale, CA 91209.** Or call us at **661-269-4010** and get it faster!

Editorial

Congress delivers 9/11 to the Animal Welfare Act

Monday, May 13, 2002, was a date which should live in infamy among American animal advocates. On that day, U.S. president George W. Bush signed into law a new federal Farm Bill which erased Animal Welfare Act protection of rats, mice, and birds used in laboratories.

Rats, mice, and birds constitute more than 95% of all of the warmblooded animals who suffer and die in U.S. biomedical research, testing, and teaching: about 30 million per year.

Entrusted with enforcing the Animal Welfare Act, the U.S. Department of Agriculture in truth never actually did protect rats, mice, and birds as the law directed. Yet for 32 years the Animal Welfare Act did say that the USDA Animal and Plant Health Inspection Service was supposed to protect rats, mice, and birds.

Instead of obeying the law, the USDA evaded the clearly stated intent of Congress by excluding rats, mice, and birds from the regulatory definition of “animal.” Animal welfare groups and concerned individuals repeatedly filed lawsuits against the exclusion, even winning some lower court verdicts, but the USDA and the research industry repeatedly obtained appellate rulings that the plaintiffs had no legal standing to bring their cases—which meant that those cases were never decided on their merits.

This obstacle was overturned in September 1998 by the U.S. Court of Appeals, in a verdict later upheld without comment by the U.S. Supreme Court.

Two years after that, the USDA finally felt obliged to agree to enforce the Animal Welfare Act as written, to settle a case brought by the Alternatives Research and Development Foundation, a subsidiary of the American Anti-Vivisection Society.

Unfortunately, even if the USDA sincerely meant to protect rats, mice, and birds at long last, which may be questioned in view of three decades of dereliction of duty, the research industry had no intention of allowing even the most rudimentary form of humane oversight of most of their activities.

First, through a backdoor budget maneuver, then-Senate Appropriations Subcommittee on Agriculture chair Thad Cochran (R-Mississippi), also a notorious defender of cockfighting, prohibited the USDA from spending any money to amend the Animal Welfare Act enforcement regulations.

Then, just over one year later, Senator Jesse Helms (R-North Carolina) introduced the permanent exclusion of rats, mice, and birds, by means of a late-hour Farm Bill amendment that was never reviewed in committee and never debated at any level, but which won hasty approval on a voice vote.

Even though the House of Representatives had never discussed such an amendment, the Helms amendment was incorporated into the final reconciled version of the Farm Bill, and was ratified by both the House and the Senate—whose members may have been mostly unaware of it, not least because leading animal protection groups did almost nothing to oppose it, even though Helms was expected to introduce his amendment right from the beginning of the current Congress.

Then the biggest groups predictably did even less to inform donors of their failure. The Humane Society of the U.S., for example, responded to the passage of the 2002 Farm Bill with a self-congratulatory 17-paragraph press release that focused on securing an amendment that reinforces 1976 legislation against the interstate transport of fighting cocks. A few fleeting words noted that other pro-animal amendments to the Farm Bill were passed by either the Senate or the House but were excluded from the final draft. The Helms amendment was not even mentioned.

Neither was the Helms amendment mentioned in *any* national animal advocacy group membership magazine or newsletter reaching us since May 13. Only a handful of groups mentioned it in electronic bulletins.

Considering that the Animal Welfare Act provides the framework for almost all federal protection of animals other than wildlife, the silence—especially for lab animals—was as if the World Trade Center was demolished and nobody noticed. This was the single most crushing political defeat in the history of the animal rights and animal welfare movements, turning the clock back with a single rap of a Senate gavel.

The 1966 passage of the original Laboratory Animal Welfare Act, the 1970 expansion of that act into the Animal Welfare Act of today, the 1985 amendments to require attention to the psychological well-being of dogs and nonhuman primates, and the 1990 Pet Theft Act amendment were the four most important legislative accomplishments ever on behalf of U.S. lab animals.

Among them, the biggest gain by far was the 1970 Congressional recognition that all warmblooded animals are sentient beings, capable of suffering and worthy of protection.

The 1985 and 1990 amendments on behalf of dogs, nonhuman primates, and stolen pets who might be sold to laboratories applied only to species that most Americans consider cute and cuddly, but the 1970 language applied—in theory—even to the animals who tend to be most thoughtlessly mistreated.

That is undoubtedly part of why it was repealed so easily.

The National Association for Biomedical Research noted that the 30 million rats and mice used in U.S. labs are far fewer than the 170 million who are bred each year to be fed to pet snakes. And even 170 million is paltry beside the 10 billion chickens, turkeys, ducks, and geese bred and killed each year by the U.S. poultry industry, typically under appalling conditions.

Shelters fail to set example

Weak as the standards required by the Animal Welfare Act are compared to the humane ideal, the act does set a standard for scientists which is higher than any other animal handlers have ever been required to meet—including humane societies.

As **ANIMAL PEOPLE** has often pointed out, dogs do not go kennel-crazy from being in a shelter too long. Rather, they go kennel-crazy because standard cement-floored, tin-roofed chain link dog runs deprive dogs of compatible companions, adequate sunshine, room to run, a place to dig, and security from being stared at and barked at by menacing strange dogs. Cats do not go cage-crazy just from being in a shelter, but rather from being continually surrounded by the din of barking dogs, with nowhere to climb to feel safe. The typical animal shelter, unfortunately, could not have been designed to drive normal animals insane more effectively if it had been assembled by mad scientists as a psychological torture chamber.

But the 1970 Animal Welfare Act language was adopted by Congress before there was an animal rights movement as such, before the major animal-use industries were organized in opposition to establishment of humane standards, and before the humane community had even begun to seriously address pet overpopulation and the treatment and disposal of homeless dogs and cats.

No one even considered in 1970 that legislation should be drafted to protect the well-being of the 115 dogs and cats per 1,000 Americans who were killed each year in shelters, typically by means of decompression or gas, within 24 hours of arrival.

Under the Laboratory Animal Welfare Act of 1966, dogs and cats who were sold for lab use had to be held for at least five days first. This gave them by far the best chance of being rehomed before meeting a miserable end.

Today the shelter killing toll is down to 16.8 dogs and cats per 1,000 Americans. The last decompression chambers used to kill homeless animals in the U.S. are believed to have been scrapped in 1985. Gas chambers too are on their way out. The 300-odd animal dealers who “bunched” stray dogs and cats from shelters for sale to laboratories as of 1970 have dwindled down to just 27.

Though many U.S. shelters remain overcrowded and overwhelmed, the sheltering community collectively has enough cage space, at last, to guarantee all dogs and cats at least a five-day holding period if the necessary cooperative adoption promotion and fostering arrangements could be made.

Yet the Humane Society of the U.S. has for several years led a series of legislative efforts in California to erase the 1998 Hayden Act requirement that shelters must hold all healthy dogs and cats for at least five working days.

Much of the sheltering community has essentially the same objection to the Hayden Act that the research community had to protecting rats, mice, and birds under the Animal Welfare Act: it would cost too much money and be too much work.

Fundraising dictates agenda

The same attitude pervades animal protection campaign strategy.

In 1970, along with nominally protecting all warmblooded animals used in labs, Congress privatized the U.S. Postal Service, authorizing the introduction of bulk mail pre-sort discounts, thereby creating the direct mail fundraising industry.

“We discovered you could create programs by creating them in the mail,” San Francisco direct mail copywriter Jeffrey Gillenkirk admitted to *Sacramento Bee* reporter Tom Knudsen in 2001. “Somebody would put up \$25,000 or \$30,000, and you would see whether sea otters would sell. You would see whether rainforests would sell. You would try marshlands, wetlands, all kinds of stuff. And if you got a response that would allow you to continue—a 1% or 2% response—you could create a new program.”

Campaigns have always been driven by donor support, but now more than ever, major organizations choose their campaigns based on donor response to direct mailings, and invest in direct mail based mostly on what has worked in past mailings.

The major issue driving passage of the 1966 Laboratory Animal Welfare Act, 1970 Animal Welfare Act, and 1990 Pet Theft Act was public fear that missing pets might become subjects of vivisection. Public concern about dogs also drove passage of the 1985 amendments to require attention to the psychological well-being of dogs and nonhuman primates. The sum of all dogs and cats verifiably stolen for laboratory use in the U.S. since 1990 is under 750, more than half of them ex-racing greyhounds who were never anyone’s pet. Yet pet theft for lab use appears to have been the topic of more electronic activist alerts, web sites, protests, and especially direct mailings during the past few months than the exclusion of 30 million rats, mice, and birds per year from any Animal Welfare Act protection. Dogs bring donations; rats, mice, and birds do not.

The worst aspect of the Congressional exclusion of rats, mice, and birds from coverage by the Animal Welfare Act is that pro-animal legislation as sweeping as the 1970 Animal Welfare Act could not be passed today. Congressional restoration of coverage of rats, mice, and birds is not to be expected in the near future, if ever.

This is partly because animal-use industries are now mobilized to thwart any attempt to require them to do anything to ensure even minimal attention to animal well-being, and partly because allowing direct mail fundraising appeals to set campaign priorities has reduced to the vanishing point any chance that unpopular species will ever become more than just accidental beneficiaries of big-group advocacy.

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ANIMAL PEOPLE

News for People Who Care About Animals

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**ISSN 1071-0035. Federal I.D: 14-175 2216**  
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**ANIMAL PEOPLE: News for People Who Care About Animals** is published 10 times annually by Animal People, Inc., a nonprofit, charitable corporation dedicated to exposing the existence of cruelty to animals and to informing and educating the public of the need to prevent and eliminate such cruelty.

**Subscriptions** are \$24.00 per year; \$38.00/two years; \$50/three years.

**ANIMAL PEOPLE** is mailed under Bulk Rate Permit #2 from Clinton, Washington, and Bulk Rate Permit #408, from Everett, Washington.

**Executive subscriptions**, mailed first class, are \$40.00 per year or \$70/two years.

**The base rate for display advertising** is \$7.00 per square inch of page space. Please inquire about our substantial multiple insertion discounts.

The editors prefer to receive queries in advance of article submissions; unsolicited manuscripts will be considered for use, but will not be returned unless accompanied by a stamped, self-addressed envelope of suitable size. We do not publish fiction or poetry.

# LETTERS



## ELEPHANTS

Recently the Supreme Court of India asked the Assam forest authorities to evict encroachers from our national parks, sanctuaries, and forest reserves. Many have built homes of cement slabs with corrugated sheet metal roofs. The forest authorities started an eviction drive, which has been welcomed by most of the people and nonprofit organizations in the community. But to our surprise they have engaged elephants to demolish the illegal construction.

The elephants have difficulty bringing down concrete structures, and have been injuring themselves in the effort. The use of elephants for the demolition has been condemned by the Wildlife Protection Society of India, whose executive director, Belinda Wright, called the use of elephants “outrageous.” Mrs Maneka Gandhi, India’s most renowned animal rights activist, was shocked to hear of their use, and has appealed to the authorities to stop the use of the elephants immediately.

I seek the help and expertise of organisations worldwide to help in this campaign, as the authorities have still not stopped using the elephants. We are planning to take the matter to the court.

The work is continuing daily. When the elephants balk, they are given homebrewed liquor so that they will continue.

—Azam Siddiqui  
Master Trainer  
Animal Welfare Board of India  
107/C, Railway Colony  
New Guwahati 781021  
Assam, India  
Phone: 91-361-558702

*This, including giving the elephants beer, is a case of good intentions gone badly awry. A common problem in India, Thailand, and other places where tractors are rapidly displacing elephants from logging work is that the elephants and their mahouts are either reduced to begging on city streets, a dangerous plight for all concerned, or are released with little or no experience of how to survive as wild animals. Fully habituated to humans, they often destroy crops and homes, and kill people.*

*In most nations, elephants who run amok are shot. In India, they typically spend the rest of their lives in state-run sanctuaries, which are elephant prisons in effect, even when they offer the best of care.*

*The Assamese officials hoped to keep elephants and mahouts usefully busy, but the task assigned was apparently unsuitable.*

*Rewarding working elephants with beer is an old practice of circus trainers as well as logging mahouts. As with humans, small quantities can have a sedative effect. But also as with humans, elephants can become alcoholic, and many of the deadliest elephant rampages occur when addicted but abandoned ex-working elephants raid village breweries and moonshine stills.*

## Building a safety net for pets

“How do we get the word out that pet ownership is a commitment for the entire life of the animal? How do we educate people to not give up or dump their animals?”

We at Maricopa County Animal Care & Control were asking ourselves these questions just over a year ago, but chose not to find fault with the people we encounter and instead find ways to help these people and their animals.

We began by reducing the days in which we would accept owner relinquishments to Tuesday through Friday. We are inundated with lost pets over the weekend and typically had to euthanize owner-relinquished animals to make room for the lost pets picked up by animal control or found by the public, whom we are required to hold.

Limiting acceptance of owner-surrendered pets to Tuesday through Friday helps owners to understand that their animals have a better chance of being rehomed if brought in when we are better able to keep them, and gives the owners time to rethink their decision.

At the time of relinquishment we ask owners why their animals are coming to us. Our service theme is to “create happiness by bringing pets and people together.” Ancillary to that is creating happiness by helping pets and people to stay together.

We partner with the Arizona Animal Welfare League to pro-

vide behavioral counseling, understanding that most issues can be resolved short of relinquishment.

We partner with a local behaviorist and several agility clubs to provide dog obedience and agility training, feeling that anything we can do to enhance the human/animal bond will minimize the likelihood of the animal ever being relinquished.

We partner with PETCO and the West Phoenix Food Bank to provide poor families with pet food to help them through difficult times.

We offer free or low cost spay/neuter and vaccination to the pets of people on public assistance.

We encourage owners to keep sucklings until they are weaned, when we can guarantee the offspring will be adopted after being neutered, and we spay the mother at no cost. We also provide food and medicine to help with this process.

On occasion we have even fostered an animal for a family moving across the country, and have then shipped the animal, once the family was situated.

These are just a few of the tactics that shelters can implement to garner and build community support, one person or family at a time.

—Ed Boks, Director  
Maricopa County  
Animal Care & Control  
2323 S. 35th Avenue  
Phoenix, AZ 85009  
Phone: 602-506-8515  
<EdBoks@mail.maricopa.gov>

## Lab vervets

I received the June edition and couldn’t help but notice a comment attributed to me about Marc Hauser’s vervet colony. I have no record of having ever talked to you about this issue at all. You never asked me for a comment in the first place, but attributed a comment to me that I never made to you.

—Alan Berger  
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Animal Protection Institute  
P.O. Box 22505  
Sacramento, CA 95822  
Phone: 916-731-5521  
Fax: 916-731-4467  
<ahberger@earthlink.net>

### The Editor responds:

*In fact it was Marc Hauser who e-mailed to ANIMAL PEOPLE on May 13, “I just got the final word from Alan Berger and they [the Animal Protection Institute, sponsor of the Texas Snow Monkey Sanctuary] are rejecting the vervets. The board claims that there is no room for them, and that the proposal never went through the proper channels. He said that my agreement with [then-Texas Snow Monkey Sanctuary director] Lou Griffin did not constitute ‘the proper channels,’ and that a formal proposal would have been needed, to be reviewed and discussed by the board.”*

*After obtaining similar accounts from other sources, we asked Alan Berger by e-mail on May 23, “Is this all true? If not, what is not?” Berger did not answer the question, though he replied to the e-mail, and also did not answer when asked again on June 17 and June 18.*

*The vervet colony now resides at Wild Animal Orphanage.*

# Principle must come first

by *Patrice Greanville*

ANIMAL PEOPLE board of directors

“Downplaying the ‘animal rights angle’ will be counterproductive,” ANIMAL PEOPLE publisher Kim Bartlett advised animal advocates who were preparing their lobbying strategy for the spring 2002 legislative sessions.

“If the legislators believe the charade,” Kim continued, and reiterated in the March 2002 ANIMAL PEOPLE editorial, “it perpetuates the notion that nobody cares much about animals. If they don’t buy it, it confirms the view that animal suffering is so inconsequential a concern that even animal advocates are afraid to acknowledge their true interests.”

The results of the spring 2002 legislative sessions are now nearly complete. The so-called “pragmatic” emphasis of animal protection lobbyists on bills linking human and animal concerns brought some stronger prohibitions of abuses which were already illegal, but no landmark gains. De-emphasizing concern for the basic right of animals to enjoy at least a decent state of well-being meanwhile brought the catastrophic loss of status of rats, mice, and birds under the Animal Welfare Act, and the veto by Connecticut governor John Rowland of what would have been the first state law in the U.S. to establish that dogs should not spend their entire lives on chains, outdoors, alone—after the bill had already won overwhelming legislative support.

I agree unreservedly with Kim’s position of putting principle first in seeking to advance animal protection, and believe her views deserve wider attention.

For decades I have maintained that the effort of many animal defenders to obscure their concern for animal suffering is phony, cowardly, and finally self-defeating. It is the track most often taken by those who feel there is always a way to have their cake and eat it too. Perhaps the issue where this tendency has manifested itself most prominently is biomedical research (and of late, food & health issues). Here, even supposedly “fire-eating radicals” have leaned toward a position of “pragmatism,” preaching the shopworn factoid that ani-

mal-based biomedical research has occasionally led to great human tragedies.

Marching under the banner of human self-interest, these cunning defenders tirelessly trot out the 40-year-old Thalidomide affair and a slew of similar research catastrophes. But the fact is, whether we like it or not, biomedical research has yielded both good and bad outcomes from a human perspective.

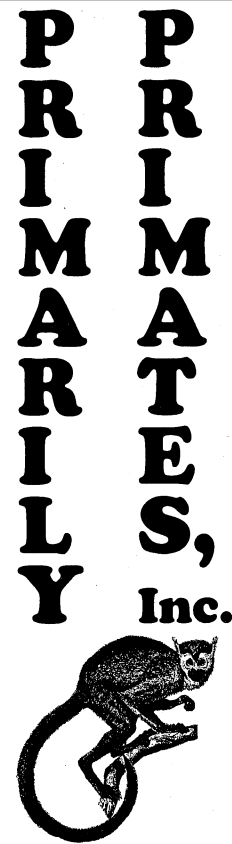
Barring nefarious events caused by corruption or negligence, all types of basic research are likely to show an uneven pattern of yield, because in these areas knowledge is by definition inconclusive and imperfect. Accidents, therefore, are almost inevitable. But do a few accidents warrant termination of a promising field of research? Hardly. Aviation science, for example, suffered many disasters before reliable aircraft were developed.

Even more uncomfortable to accept, in the real world, and taking a strictly pragmatic viewpoint, tainted origins do not necessarily doom the offspring. Nazi research on prisoners to learn more about human tolerance to cold ended up, decades later, being used by cardiologists in open-heart surgery breakthroughs.

In sum, in our case, putting the focus exclusively on human welfare (which we obviously care about, but which is hardly an orphan issue) only leads to eventual disaster and distrust of our efforts. What would these “pragmatists” do if tomorrow it was announced that a cure for cancer or similar scourge had been demonstrably advanced as a result of animal-based research? Their single argument would be immediately wiped out, perhaps for generations if not forever.

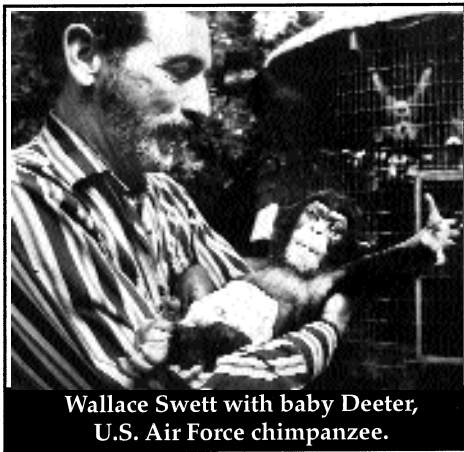
Arguing principle is not only honest but far sturdier, for it stands squarely on pure moral grounds. We oppose biomedical research on animals because it is a form of human fascism, perpetrated on weaker, defenseless creatures by superior force, and justified by a unilaterally proclaimed, self-serving ideology. Period.

If there is a situation where the ends do not justify the means, it is this one. Dated as it may sound in a civilization that breeds opportunists and compromisers by the millions, principle must come first.



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HFA

***Robert Smith,  
(R-N.H.)***

I recently received a brochure from Senator Robert Smith, (R-N.H.), who is running for re-election to the U. S. Senate in the September 10 New Hampshire primary against Representative John Sununu (R-N.H.).

Senator Smith helped to ban the sale of dog and cat fur items priced over \$50 in the U.S., helped to pass a bill to promote the adoption of retired military dogs, has helped lead efforts to ban federal subsidies to the mink industry, and has worked to stop space research involving primates.

—Carole L. VaJames  
Ipswich, Massachusetts  
<caroleandchris@juno.com>

***Brutal cop***

We want the world to know what happened on June 8<sup>th</sup> in Rio de Janeiro. While searching for the murderer of reporter Tim Lopes in the shanty town Morro da Caixa d'Agua, a police officer smashed a kitten. The report and photos were published in the *O Globo* newspaper speak for themselves. In the first photo the police officer looked at the poor animal, and in next photo, smashed her with his boot. Without international protest, probably nothing will happen to this individual.

—Preci H. Grohmann  
Vice President  
Sociedade Zoofila Educativa  
Av. Paulo De Frontin, 499  
Rio Comprido  
Rio De Janeiro, Brazil  
Phone: 55-21-527-7158  
Fax: 55-21-286-3940  
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—Ana Yates  
President  
Uniao Societaria Protetora De Animais  
Praca Santos Dumont, 138/106-B  
Rio De Janeiro, R.J.  
Brazil 22470-060  
Phone/fax: 55-21-4621915  
<gatayates@hotmail.com>

**ANIMAL PEOPLE** has electronic copies of the photo sequence, which thoroughly document an act of deliberate cruelty.

# McDonald’s & Burger King (from 1)

plaintiff Cherie Travers of Downers Grove, Illinois, to Amret Sachdev of the *Chicago Tribune*.

Which groups will receive funding from the settlement will not be determined until after final ruling, Bharti explained at his web site, <www.hbharti.com>. He invited eligible groups to submit information about themselves to <bharti@lawyer.com>. Bharti asked that he be contacted by e-mail only.

Applicants for funding must have nonprofit status; must be dedicated “to the values of Hindu, Sikh and other beef-less dietary rules, vegetarianism, Kosher dietary rules, or children’s nutrition or hunger relief,” and must concentrate their delivery of services within the U.S.

A similar lawsuit is pending in Vancouver, British Columbia, Canada.

In addition, in April 2002 Bharti filed a parallel suit in Seattle on behalf of 15 million U.S. vegetarians and one million U.S. Hindus against Pizza Hut for allegedly using beef products in supposedly vegetarian “Veggie Lovers” pizzas.

Both the McDonald’s and Pizza Hut cases resulted from an investigation by Viji Sundaram, a longtime reporter for the *India-West* weekly newspaper, of San Leandro, California. Her expose, her third to win national honors since 1998, was on June 15 recognized in New York City by the South Asian Journalists Association as the “out-standing story on South Asians of 2001” published within the U.S.

“Viji Sundaram was a cofounder of the Blue Cross of India, and is the sister of Blue Cross chair Chinny Krishna, currently vice chair of the Animal Welfare Board of India,” Blue Cross honorary secretary M. Parthasarathy told **ANIMAL PEOPLE**. “Sundaram is presently a visiting professor at the Indian Institute of Journalism—a joint project with Columbia University—at Bangalore.”

## Welfare standards

The proposed McDonald’s settle-ment with Hindus, Sikhs, and vegetarians almost completely overshadowed the ongoing efforts of PETA to oblige the company to honor a 1994 agreement with the late Henry Spira to implement animal welfare standards for suppliers. McDonald’s had still done little or nothing of a tangible nature, however, when Spira died in September 1998.

A year later, PETA director of veg-etarian outreach Bruce Friedman took up the campaign more-or-less where Spira left off. An 11-month series of PETA-led protests against McDonald’s ensued.

“Dr. Temple Grandin, a humane slaughter systems specialist and a member of the McDonald’s animal welfare panel, told the BBC that she saw more improvement during the final six months of the campaign than she had in the previous 20 years,” Friedman told *Satya*, “which is significant, because she had been working for McDonald’s on the issue for more than five years. McDonald’s is the #1 buyer of eggs in the U.S.,” Friedman continued. “They moved from an industry average of seven or eight hens per cage to a maximum of five, and the death rates fell from almost 20% down to two or three percent per year. For those who are alive, that’s a significant improvement,” Friedman said.

This year, Friedman continued, “after the Animal Alliance of Canada and a coalition of 40 animal groups contacted McDonald’s about making animal welfare improvements in Canada, we submitted a shareholder resolution calling on McDonald’s to internationalize its standards.”

In April, McDonald’s announced some faint movement toward introducing the U.S. standards for suppliers in Canada, but that, Friedman said, was “way too little, too late.” PETA and Trillium Asset Management, a socially conscious investment firm that had

worked closely with Spira, won a legal battle with McDonald’s to ask McDonald’s share-holders to vote on a proposal to extend the U.S. standards for suppliers to all 121 nations in which McDonald’s does business.

The resolution won the approval of only 5% of the shareholders, but that was enough to allow PETA and Trillium Asset Management to reintroduce it in 2003.

Friedman hinted that PETA may revitalize the anti-McDonald’s protests if nec-essary. Fallout from the 1999 campaign mean-while continues to draw at least regional atten-tion, as PETA has taken to the 10th U.S. Circuit Court of Appeals a 2001 ruling by U.S. District Judge Dee Benson that a Salt Lake City school district acted lawfully in prohib-it-ing sidewalk demonstrations near a school that flew a McDonald’s flag after receiving corpo-rate donations.

## BK Veggie debuts

While McDonald’s sought to settle the Bharti lawsuits and reduce vulnerability to protests over animal welfare issues, without actually changing any menu items, arch-rival Burger King in March 2002 reached for the vegetarian market share by introducing the BK Veggie sandwich. The low-priced vegetarian burger looked like a hit, though Burger King did not respond to **ANIMAL PEOPLE** requests for sales data.

Introducing it was an obviously pru-dent business decision, as young adults are the customers of tomorrow, women are the prima-ry U.S. food purchasers, and in the U.S. and Britain, meat consumption per capita has rapidly fallen among both young adults and women of all ages for approximately 15 years.

The introduction was long awaited.

Remembered *VegNews* editor Joseph Connelly, “Nearly a decade ago, Farm Sanctuary persuaded Burger King to import a supply of Spicy Bean Burgers from England, where BK has sold veggie burgers since the 1980s.” The burger was offered at 39 Burger King restaurants in upstate New York. “Within a month,” Connelly continued, “the supply was exhausted. Burger King substitut-ed a different product, called The Griller, and it also sold well. Then it disappeared. Burger King claimed there wasn’t a market. While some of us have our doubts, one thing is cer-tain: over the last nine years many fewer cows would have felt the knife if a meatless burger had been an option at restaurants that serve nearly 25% of the population on a daily basis.”

Yet **ANIMAL PEOPLE** observed at Burger King restaurants in Chicago, Minneapolis, and Seattle that the BK Veggie seemed to be welcomed with more enthusiasm among the general public than among many activists, for whom animal advocacy and veg-etarianism are often mingled with other causes.

Opposition to globalization, for instance, explains the paradox of some veg-etarians aligning themselves with French farmer/ activist Jose Bove, who was ordered to jail for at least 40 days on June 18 for demolishing a partially built McDonald’s restaurant in Millau, France, in 1999. Bove, a leader of the *Confederation Paysanne* agri-cultural union, attacked McDonald’s in protest against U.S. punitive tariffs which had been imposed on imports of French animal-based food specialties. Because France refused to accept U.S. beef produced with the use of steroids, the U.S. more heavily taxed Roquefort cheese and *foie gras* (goose or duck liver paste), among other items.

For *Satya* editor Catherine Clyne, the issue is opposition to capitalism. “Burger King wouldn’t serve a veggie burger if they didn’t think they would profit from it—they’ll drop the option faster than you can say ‘BK Veggie’ if it flops. Fast food giants like Burger King and McDonald’s are fueled by exploitation,” Clyne railed, “and they have made clear that they do not intend to change.” Clyne appealed to ethical vegetarians to “refuse to participate in a rapacious system sustained by greed.”

# “Hog producers are greater threat to U.S. than Osama bin Laden,” says RFK Jr.

**WHITE PLAINS, N.Y.**—Four months after telling an April 5 rally in Clear Lake, Iowa, that “Large-scale hog producers are a greater threat to the U.S. and U.S. democracy than Osama bin Laden and his ter-rorist network,” Waterkeeper Alliance presi-dent Robert F. Kennedy Jr. shows no sign of backing away from his remarks—and has posted not just one but two denunciations of factory-style hog farming originally issued in April at the <www.keeper.org> web site.

The conservation-oriented Water-keeper Alliance is only peripherally involved with animal issues other than protection of habitat from pollution, and Kennedy himself has rarely said much about animals, but after other Waterkeeper Alliance spokespersons tried to tone down his Clear Lake statements or claim they were taken out of context, Kennedy spoke equally forcefully on April 18 at Briar Cliff University, a Catholic institu-tion in Sioux City, Iowa.

Kennedy said he was misquoted, but not about his main points, said *Des*

*Moines Register* staff writer Mark Siebert.

“I lost my law offices in the 9/11 blast, and I lost many friends, so I don’t say this lightly,” Kennedy told the Briar Cliff audience. “What I believe is that the threat that is offered by an outside terrorist like Osama bin Laden, who is clearly evil,” is less than that of “an industry that is lawless in almost every respect.”

Reported Siebert, “He made refer-ences to religion, saying that in the Old Testament, God told Noah to collect two of all the animals, not just those who provide economic gain. In the New Testament,” Kennedy reminded, Jesus “was born in a manger surrounded by animals.”

Said Kennedy, “I wonder what Jesus would have thought about the inside of one of these hog factories.”

Siebert wrote that most of the crowd of about 300 people gave Kennedy a standing ovation, despite vehement on-the-spot response from Iowa Corn Growers Association president Dave Boettger.

## Burger King & USDA

Humane Farming Association chief investigator Gail Eisnitz, author of *Slaughter-house*, said nothing bad about the BK Veggie in a guest essay for the June/July 2002 edition of *Satya*, but ripped the Burger King response after HFA petitioned the USDA to enforce the Humane Slaughter Act, which has not been actively enforced in more than a decade.

“In a press release,” Eisnitz wrote, “Burger King [also] declared USDA enforce-ment of the Humane Slaughter Act ‘unaccept-able,’ and then announced that it too was fil-ing a petition,” which Eisnitz called “a smor-gasbord of essentially meaningless demands designed to supersede HFA’s petition. Burger King also announced that it had established an ‘animal well-being advisory council’ to exam-ine slaughter and production practices,” Eisnitz continued. “Even the meat industry’s own newspaper, *Feedstuffs*, found the effort transparent. Burger King then stated that, as McDonald’s and Wendy’s have recently done, it intended to institute a self-inspection pro-gram to audit slaughterhouses...These pseudo-inspections are intended to lull American con-sumers into a false sense of security about how their burgers and bacon are produced while providing fast food restaurant chains with sig-nificant opportunities for favorable media.”

The USDA announced in February that it would hire 17 additional veterinarians to help enforce the Humane Slaughter Act—but the vets will not be stationed inside slaughter-houses where they can see what goes on.

“What they did was hire a bunch of bureaucrats,” Northeast Council of Food Inspection Locals president Arthur Hughes told Associated Press writer Philip Brasher.

The vets’ main job is expected to be monitoring carcass samples to detect any signs of illnesses such as “mad cow disease” which might be transmitted to humans—and any hint that bioterrorists may be trying to contaminate the U.S. meat supply, a role which is expected to gain prominence if the Animal and Plant Health Inspection Service is transferred from the USDA to a new cabinet-level Department of Homeland Security, as President George W. Bush proposed on June 6.

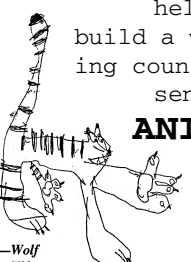
The transfer was opposed on June 9 by the National Association of State Departments of Agriculture.

Animal advocates have often sug-gested that APHIS might better enforce the Animal Welfare Act, Humane Slaughter Act, and other animal-protective legislation if removed from control of the USDA, which has a mandate to promote agriculture.

But Humane Society of the U.S. senior vice president Wayne Pacelle on June 20 said that, “Transferring animal welfare pro-grams to the Department of Homeland Security is an obvious misfit, and would relegate important programs to the margins of a department focused on matters entirely unre-lated to the well-being of animals.”

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## Seeking a safer way for farm animals—safest would be out of the supermarket

**NORFOLK, Va.; DAVIS, Calif.**—McDonald's, Burger King, and other fast-food restaurant chains are international symbols of the meat-heavy American diet, but the 1,750 U.S. Safeway supermarkets and 17 meat and dairy processing plants generates three times as much U.S. revenue, reminds PETA vegan outreach coordinator Bruce Friedrich.

The Kroger chain is even bigger, and Albertson's is also a major competitor.

Therefore Friedrich has spent much of the past two years pressuring Safeway, Kroger, and Albertson's to enforce animal welfare standards for suppliers similar to those that McDonald's has apparently at last begun to implement, eight years after agreeing to.

Friedman has also been "working with the Food Marketing Institute and its animal welfare panel for more than a year on guidelines" for animal husbandry that were imminently due as **ANIMAL PEOPLE** went to press, he said. The FMI guidelines are also supposed to be recommended by the National Council of Chain Restaurants.

Safeway, Albertson's, and Kroger have all agreed within the past two months to abide by the guidelines.

If FMI, NCCR, and the big supermarkets agree to seek major changes in the treatment of pigs, chickens, and other animals raised for meat, they have enough market share to ensure that the changes will be made.

Conversely, if they balk, they may be much less vulnerable standing together behind "humane standards" that require no real changes than any of them would be by themselves. Boycotting one supermarket chain can be done, but effectively boycotting several at once might not be possible.

On the other hand, the supermarket business is intensely competitive, with low profit margins wherever the big chains vie for customers in the same neighborhood. Losing

even a relatively low sales volume can mean a big difference to the economic health of many stores, so in May, after a four-month PETA campaign featuring undercover video footage of employees brutalizing pigs at Seaboard Farms in Guyon, Oklahoma, Safeway—a major Seaboard customer—"pledged to immediately begin unannounced audits of Seaboard, the nation's fourth-largest pig-meat supplier," Friedrich announced on May 15.

"Safeway also pledged to audit all suppliers," Friedrich continued. Suppliers flunking two consecutive animal welfare inspections would lose their contracts."

Friedrich on May 21 asked Kroger to accept the same terms. On May 31, Kroger indicated to *Cincinnati Post* reporter Greg Paeth that it would.

### Whose standards?

The risk that "humane standards" for meat, egg, and dairy suppliers will only codify the status quo and thereby not really improve conditions for animals can be diminished if humane organizations either actively participate in drafting the standards, or themselves form the standards-setting body.

The Royal SPCA of Great Britain formed Freedom Food Ltd. in 1994 to certify farmers who meet basic animal welfare standards. Freedom Food Ltd. started poorly, but within five years about 4,000 farms were certified, serving more than 6,000 retail grocery stores. The project momentum was reportedly stalled, however, by the 2001 hoof-and-mouth disease quarantines, which had the most economic impact on small producers—the producers most likely to avoid factory farming methods. Those whose farms were near any where hoof-and-mouth disease was found were unable to transport animals to market until after the epidemic was eradicated.

The National Farmers' Union of England and Wales countered Freedom Food in June 2000 by introducing their own British Farm Standard seal of approval, also called "Little Red Tractor," after the emblem printed on products from approved producers. Scots producers formed a parallel program called the Quality Meat Scotland Assurance Scheme.

Compassion in World Farming and the Scots group Advocates for Animals gave both the NFU and QMS programs low marks in April 2002 program assessments.

CIWF found that the British Farm Standard was ensuring adequate compliance with only seven of 15 criteria for the well-being of cattle and sheep, and just three of 15 for pigs. CIWF director Joyce D'Silva suggested that the NFU is "deliberately misleading the public about animal welfare."

Advocates for Animals campaign director Ross Minett reported that the QMS

program was ensuring compliance with only three of 15 basic requirements for pig welfare.

### U.S., Canada

The American Humane Association started a subsidiary called Farm Animal Services in mid-2000 to promote a similar certification scheme. Twelve companies are now certified. On July 20 Farm Animal Services announced that after July 1st it will have an independent headquarters at 943 South George Mason Drive, Arlington, VA 22204; telephone 703-486-0262; fax 703-486-0265.

In Canada, the Winnipeg Humane Society began certifying non-factory-farmed meat earlier in 2002, and British Columbia SPCA-certified organically produced eggs and chicken meat debuted at six stores in Vancouver toward the end of May.

An attempt by animal advocacy organizations to develop and promote standards through the USDA Farm Animal Well-Being Task Group apparently came to naught, United Poultry Concerns founder Karen Davis disclosed on May 22.

"UPC was among several organizations, headed by Animal Rights International, which met with the Task Group in May 2000 to address issues that included the forced molting of laying hens, humane treatment of downed animals, enforcement of the Humane Slaughter Act, debeaking of poultry, and forced rapid growth problems in broiler chickens and turkeys," Davis recalled.

The participants agreed to meet again in May 2002, according to Davis, but this year "the USDA declined to meet with all of us, and would meet only with ARI president Peter Singer."

Singer asked USDA undersecretary for marketing and regulatory programs Bill Hawks, as supervisor of the federal school lunch program, to buy only eggs from hens who are not subjected to forced molt.

Hawks refused.

"My overall impression was decidedly negative," Singer reported. "This administration is interested in the welfare of producers, not animals."

### Ducks & horses

The British group Vegetarians International Voice for Animals, better known as Viva!, is also focusing on supermarkets, at least in the U.S.—but while PETA has a campaign staff of close to 100 paid employees at any given time plus an international network of volunteers, the sole Viva! U.S. staff member is Lauren Ornelas, formerly of Atlanta and now living in Davis, California.

Instead of targeting the biggest companies in retail meat marketing, and the most purchased animal products, Ornelas has for

two years been dogging the fast-growing duck industry, with increasing success. Small retailers including Earth Fare, Huckleberry's Fresh Market, Whole Foods Inc., Trader Joe's, and Wild Oats have all stopped selling ducks from the factory-style facilities operated by Grimaud Farms, Woodland Farms, and Maple Leaf Farms (the owner of Woodland), according to Ornelas.

The Viva! campaign may be keeping duck meat from crossing over from the specialty markets into the major chains.

Likewise hitting a vulnerable meat specialty, a British-funded Polish chapter of Viva! with three fulltime staff claims to have begun 43 local groups to try to stop the export of horses to slaughter in Bari, Italy, after enduring hauls lasting 90 to 95 hours by truck. Much of the meat is consumed within Italy; some is sold to France, Belgium, and Japan.

Also a regional campaign focus of Compassion in World Farming and the Anglo/German group Animals Angels, the horsemeat traffic boomed during the "mad cow disease" and hoof-and-mouth disease scares of recent years, which cut deeply into European beef consumption, and coincided with the increasing mechanization of agriculture and transportation in rural eastern Europe, a decade after the collapse of Communism.

About 100,000 horses were exported from Poland to Italy in 2001, according to Maja Czarnecka of Agence France-Presse.

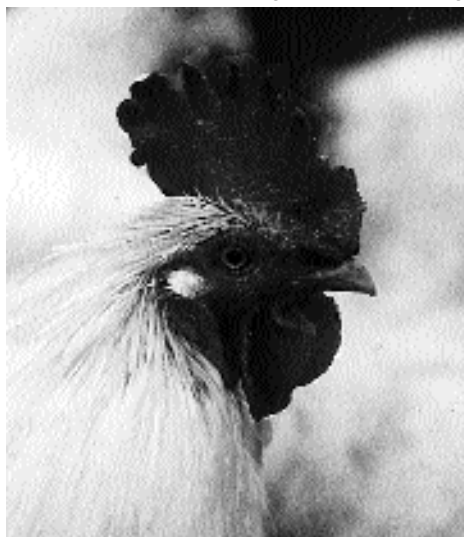
In March 2002, after 20 airings of a Viva! television advertisement using video of horses in distress *en route* to Italy, an opinion poll commissioned by Viva! reported that 40% of the Polish people had heard of the campaign on behalf of the horses, and 73% were opposed to exporting live horses for slaughter.

Branching away from food issues, Viva! is planning an international day of protest on August 31 against the use of kangaroo leather in athletic shoes.

Positioning Viva! as a people-friendly alternative to PETA, Viva! founder Juliet Gellatley in April 2002 announced the debut of the Vegetarian & Vegan Foundation, a "health charity formed to provide reputable science-based information to the media and public on research linking degenerative diseases to diet."

Viva! itself, founded in 1995, will continue "campaigning against the cruelty of livestock farming and its impact on the environment and the developing world."

VVF will be to Viva! more-or-less as the affiliated but officially independent Physicians Committee for Responsible Medicine is to PETA. The first VVF project was publication of a 68-page report called *Safeguarding Children's Health: Defeating Disease Through Vegetarian/Vegan Diets*, downloadable at <[www.vegetarian.org.uk](http://www.vegetarian.org.uk)>.



Hen at Pasado's Safe Haven. (Kim Bartlett)

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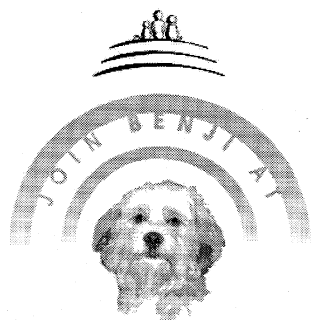
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**SIDMOUTH, DEVON, U.K.—** Fifteen minutes from Exeter, ten minutes from Sidmouth, a seaside resort town, The Donkey Sanctuary is approached along winding roads arched with massive trees, with lush green fields rolling into the hills beyond. The effect is of entering an enchanted storybook land.

We had seen and heard much about The Donkey Sanctuary during our own years of looking after donkeys and other animals at the Ahimsa of Texas sanctuary we founded in Bartonville, Texas, and the Dharma Donkey Sanctuary we recently started in India, but our first visit, actually almost a pilgrimage, came in June 2002.

On arrival, we climbed up to the third floor offices of June Evers, the director of Donkey Sanctuary foreign programs. Evers has been best friend of founder Elizabeth Svendsen, DVM, since they met in grade school at age five. They now live together in the “big house” at the sanctuary, which—showing that The Donkey Sanctuary is not just for donkeys—has a huge net aviary attached.

Evers oversees projects including satellite sanctuaries, tropical disease research, investigation of the transport of donkeys and mules to slaughter in Europe, and the operation of mobile clinics in several nations to assist donkeys and mules, free of charge, and advise their keepers about proper care.

“There are an estimated 59 million donkeys and mules in the world today,” explains The Donkey Sanctuary web site, “and the majority are to be found in developing countries. Incessant droughts resulting in increased cattle mortality have contributed to an increase in donkey usage as draft and pack animals in both rural and urban areas. Donkeys in many circumstances are a lifeline to families in everyday tasks such as water and wood fuel collection, land cultivation, and transportation of produce to market.”

Evers has been almost everywhere that the Donkey Sanctuary works. India was her favorite country, she said. By far the worst conditions she has seen, she added, were at some Mexican animal markets, where sick animals were piled on top of each other to be hauled to slaughter.

## Still charging

Evers and Svendsen are now in their seventies, yet still charge into marketplace crowds at times when they see scenes such as that, screaming and threatening abusive animal dealers as they try to put the sick and injured animals out of their misery.

Svendsen describes many such incidents in her books, among them *A Passion for Donkeys* (1989); *Down Among the Donkeys* (1995); *The Bumper Book of Donkeys* (1996); *In Defense of the Donkeys* (1997); *For the Love of Donkeys* (1998); and *The Professional Handbook of the Donkey* (1998).

Mexico and Spain, Svendsen has written, are the two cruelest nations they have visited, partly because of the prevalence of blood sports such as bullfighting and hunting, and partly because of widespread indifference toward any kind of animal suffering.

But Evers and Svendsen do not exempt Britain from criticism. Evers told me that she wanted to kick all the Brits who raise dairy cows and meat cattle, who cried on TV about having to kill their animals during the big hoof-and-mouth disease outbreak of 2001,

when they would normally just send those same animals to slaughter.

Evers believes English slaughterhouses are as bad as any, and suggests that the tears were really only for lost profits from selling animals for meat.

Evers took us to The Donkey Sanctuary therapeutic indoor riding rink, operated by the separately incorporated Elisabeth Svendsen Trust for Children and Donkeys. There we watched the instructors and physically and/or mentally handicapped children riding and working with donkeys. The children strengthen their bodies, use of speech, and psychological health all at the same time.

The therapeutic riding program started in 1975. In 1989 a parallel program was begun in Birmingham, and a year later another was started in Leeds. Each program serves about 150 children per week.

Unfortunately, we did not meet Svendsen, who had broken her ankle and was housebound.

## Started in 1973

According to The Donkey Sanctuary official history, “Svendsen was born in Yorkshire. Although her love of donkeys started at a very early age, it was not until she was married, with a family, and helping her husband to run the Salston Hotel at Ottery St. Mary in Devon that she was able to own her first donkey.

“Naughty Face joined the family in 1969,” the Donkey Sanctuary history contines, “quickly followed by a donkey named Angelina. Svendsen joined the Donkey Breed Society and became their area representative. But visiting the Exeter Market one day, she saw seven poor little donkeys crammed into a small pen. She tried to buy the donkey in the worst condition, without success, and from that moment on, decided that instead of breeding donkeys, she would try and save them.”

Incorporating the Donkey Sanctuary as a charity in 1973, Svendsen had 38 donkeys under her care by that June, when she inherited the 204 donkeys previously cared for by the late Miss Violet Philpin, who had founded the Helping Hand Animal Welfare League Donkey Sanctuary near Reading in Berkshire.

The charities merged and in 1975 bought Slade House Farm, the first of eight farms which house the ever-growing donkey family. Four nearby farms, together with Slade House Farm, comprise more than 2,000 acres. Three other farms elsewhere in Britain are used to avoid hauling donkeys great distances, and to keep less gregarious donkeys. These farms are not open to the public.

With about 1,800 donkeys in care at any one time, the Donkey Sanctuary has now housed more than 8,500 donkeys altogether.

Visitors are allowed all seven days of the week, free of charge, but donations are welcomed, and additional income is generated by a gift shop and cafeteria restaurant.

Rather than getting directly involved in the complexities of operating a restaurant, The Donkey Sanctuary franchises out the location, in a renovated donkey barn, featuring exquisite country decor. Vegetarian menu items are prominent, but the restaurant is not exclusively vegetarian.

The gift shop was jammed when we were there, on a weekday, albeit part of the four-day Queen’s Jubilee celebration, marking



*Participants at a Dharma Donkey Sanctuary clinic. (Bonny Shah)*

the 50th anniversary of the coronation of Elizabeth II. Svendsen’s story books for children, posters, postcards, and stuffed toys were selling like crazy.

We especially enjoyed the sanctuary geriatric unit, including Snowball, a resident 55-year-old white donkey girl who loved all the visitors, children and adults, particularly those who rubbed her chin and ears. She had hardly any teeth left, yet was fat and fit.

Many of the geriatric donkeys are fitted with special shoes. Lamanitis is a major problem in elderly donkeys, and many also require dental surgery to remove bad teeth.

Signs everywhere convey information for both adults and young visitors. Posters and photographs of donkeys past and present document their histories.

Visitors are not allowed to feed the donkeys, but petting them is encouraged. We entered all of the enclosures, and some don-

## Sincerely flattering The Donkey Sanctuary

Bonny Shah e-mailed “Donkey Heaven,” above, *en route* to the S.S. Mandal School and Dharma Donkey Sanctuary that she and her husband Ratilal sponsor in India.

On June 29 the Shahs planned to host their third annual health care and education camp for donkeys and their keepers.

“We already have 1,000 donkeys registered by owner and village,” Bonny Shah e-mailed on June 20. “Again, thanks to the support of the Brooke Hospital for Animals in the United Kingdom, the worming medicines, the veterinarians, wound dressings, vitamin supplements, and anything else deemed necessary including follow-up treatments will be donated by the Blue Cross of Hyderabad.

“Many of our patients and their owners walk for days to get here,” Bonny Shah continued, “and camp out, waiting for the vets. We feed the donkeys and their owners. Our wonderfully generous nephew-in-law Pakash Madhani, a prominent Bombay architect, is soon to make his second trip in person to oversee the completion of our guest house for the vets, and to help us start drawing up plans for a permanent 24-hour emergency clinic and long-term care facility.”

The Shahs were already rescuing donkeys via their Texas sanctuary, Ahimsa of Texas, before they ever heard of The Donkey Sanctuary—but when Bonny Shah did hear about it, her level of self-confidence and inspiration took a quantum leap.

Globally, The Donkey Sanctuary is known for helping countless younger, smaller, or simply less fortunate organizations to redeem overworked, neglected, and abused donkeys from hell, both by direct aid and by encouragement and example.

“The Donkey Sanctuary currently has projects in Ethiopia, India, Kenya, Mexico, Spain, and other European countries,” says the Donkey Sanctuary web site.

**ANIMAL PEOPLE** has seen small plaques acknowledging Donkey Sanctuary assistance on the donkey shed at the Kenya SPCA in Nairobi, and on the premises of several humane societies in India with donkey care programs.

But the influence of The Donkey Sanctuary goes much farther than that. Sandra Pady of Guelph, Ontario, founded The Donkey Sanctuary of Canada circa 1989 in frank admiration of The Donkey Sanctuary—which, even though there are now dozens of donkey sanctuaries operating worldwide, remains instantly recognizable to donkey people as just The Donkey Sanctuary, not the first but easily the one inspiring the most emulation.

No site could resemble the Devon

keys were loose, following us around.

The pastures and paddocks are surrounded by gorgeous gardens where three of the most famous donkeys are buried. The rest are cremated. People donate trees and benches in memory of loved ones, including beloved animals, and get special plaques honoring the deceased. Huge boards are everywhere on the barns, listing deceased donors.

The barns themselves are immaculate and sweet-smelling.

Attendants are everywhere, but the atmosphere is quite relaxed. Visitors are even allowed to bring their dogs, so long as the dogs are leashed. We saw many dogs with their people. Not one barked at a donkey, and not one donkey became upset with the dogs. It seemed hard to believe that someone had not specially trained all the dogs to behave so well.

If there ever was a donkey paradise, The Donkey Sanctuary is it.

countryside less than the rugged dry mountains surrounding Wild Burro Rescue, east of Death Valley, California. Wild Burro Rescue cofounder Diana Chontos knows The Donkey Sanctuary only from correspondence, printed literature, and a videotape. But Chontos too recently praised The Donkey Sanctuary as her role model, in a cell telephone call that she had to drive several miles from the remote site to be able to make.

Ten years after starting to rescue the Death Valley burros from shooting by the National Park Service, and nearly two years after moving from Onalaska, Washington, to the much larger California site, Chontos has in mind developing local versions of most of the Donkey Sanctuary on-site programs.

There will be differences, of course. The California desert donkeys run about twice as big as the donkeys of most of the rest of the world. Some appreciate petting but others are as wild as their zebra relatives, who are notorious for resisting even rudimentary domestication. Visitors to Wild Burro Rescue must beware of rattlesnakes, and at present are likely to stay in a rugged bunkhouse rather than anything resembling the quaint and comfortable bed-and-breakfast inns at Sidmouth that The Donkey Sanctuary recommends to guests.

Chontos is still working on the fencing needed to allow the donkeys to have the full run of the land, and still finding and cleaning up refuse left during the decades that the site was a “canned hunt,” before Wild Burro Rescue bought it and began, as Chontos puts it, to “Exorcise the ghosts.”

What The Donkey Sanctuary gives her, meanwhile, is an inspiring example that building a donkey heaven can be done.

*Contact The Donkey Sanctuary c/o Sidmouth, Devon, EX10 0NU; telephone 44-01395-578222; fax 01395 579266; <the-donkeysanctuary@compuserve.com>; <www.thedonkeysanctuary.org.uk>.*

*The Dharma Donkey Sanctuary and Ahimsa of Texas may be contacted c/o Maharani, 1720 E. Jeter Rd., Bartonville, TX 76226; <AHIMSATX@aol.com>.*

*The Donkey Sanctuary of Canada welcomes visitors on Wednesdays and Sundays, May through October, at 6991 Puslinch Conc. 4, R.R. #6, Guelph, Ontario N1H 6J3; telephone 519-836-1697; fax 519-821-0698; <info@donkeysanctuary.ca>; <www.donkeysanctuary.ca>.*

*The Wild Burro Rescue & Preservation Project welcomes visitors by appointment, c/o P.O. Box 10, Olancho, CA 93549; takes messages at <760-384-8523>; and receives e-mail c/o either <Burros@kay-net.com> or <wildburrorescue@mail.com>.*



*Donkeys on the job in Peru. (Kim Bartlett)*

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# Canadian anti-cruelty and Species-at-Risk bills die twice

OTTAWA—A once promising session of Parliament for Canadian animal protection bills adjourned on June 21 in Ottawa with both an update of the 107-year-old federal anti-cruelty law and the proposed Species-at-Risk Act effectively dead.

Both bills actually appeared to be dead by mid-April, between the concerted opposition of the Canadian Alliance, the minority party which dominates western Canada, and the opposition of Liberal Rural Caucus chair Murray Calder.

Anne McMillan, previously Justice Minister for the Liberal government, first introduced the revamp of the anti-cruelty law in 1998, and re-introduced it in 2000, but had still not advanced it out of the House of Commons when in January 2002 she was made Health Minister. Her successor as Justice Minister, first-time cabinet member Martin Cauchon, was not expected to push it—but he did, and on June 3 it easily cleared the Commons, after a motion to close the debate passed, 120-71.

The closure motion was the real test of the bill. Despite the overwhelming support in the Commons, however, the bill was not taken up immediately by the Senate.

“With persistent rumors that this parliamentary session may be ended by the government in September to allow a new session, the bill could die as unfinished business,” reported Barry Wilson, Ottawa correspondent for the *Western Producer*, of Saskatoon.

Calder was believed to be behind the delay. “When the Liberal majority forced the bill through the Commons on June 4 by cutting

off debate,” Wilson wrote, “Calder successfully urged reluctant rural Liberals to vote for it because Cauchon had promised an amendment in the Senate guaranteeing that normal farm animal practices would not be at risk. In the Senate, that promise disappeared. Montreal Liberal senator Joan Fraser was designated to shepherd the legislation through the Senate, and she said there was no deal.”

Calder then said he would “speak to the prime minister” about it.

But the appointment of Fraser to push the bill—if indeed she was appointed—may have doomed it right there. Longtime Montreal animal advocate Anne Streeter recalled clashing with Fraser over the Liberal defense of the Atlantic Canada seal hunt, which killed at least 295,000 seals in 2002, 20,000 more than the original quota. The quota was extended when the prices paid for seal pelts proved to be unexpectedly high.

But Fraser’s name did not even appear on an Animal Alliance of Canada list of 15 Senators named to the committee to review the anti-cruelty bill.

The even more hotly debated Species-at-Risk Act would have instituted penalties for killing animals and plants on the Canadian endangered species list.

The Canadian endangered species list currently recognizes that species are endangered or threatened, but does not actually do anything to protect them. Protective legislation for each species may then be passed by Parliament, but of the 402 officially endangered species now recognized in Canada, most have no federal protection at all.

After extensive early-June amendments, the Species-at-Risk Act cleared the House of Commons on June 11, 148-85.

Like the anti-cruelty bill, however, the Species-at-Risk Act is bitterly opposed by the Canadian Alliance, and is also opposed by the Canadian Federation of Agriculture, the largest farm lobby in Canada, mostly because it does not compensate landowners at full market value for any loss of use of property due to the presence of an endangered species.

At the provincial level, Ontario wise-users on June 13 won passage of the Heritage Hunting and Fishing Act, which redefines hunting, trapping, and fishing as rights of Ontarians rather than conditional privileges.

Quebec agriculture minister Maxime Arseneau on May 31 announced the formation of a nonprofit organization called Anima-Quebec to establish and enforce institutional animal care guidelines throughout the province. Named to the steering committee, however, were mainly animal use industry representatives, and Anima-Quebec was given a start-up budget of only \$150,000 (Canadian), with a mandate to seek donations to do more.

Elisabeth Kalbfuss of the *Montreal Gazette* reported that handling similar duties costs the Ontario SPCA \$10 million per year.

“It is a good day for animals and animal lovers,” Montreal SPCA executive director Pierre Barnoti said, “but it is only a first step. We are going to start naming inspectors. How many? Two, three, five? In Ontario there are 347.”

Streeter told **ANIMAL PEOPLE** that she believes Arseneau formed Anima-

# Germany (from 1)

rights were not. The new bill will, however, still give religious and scientific freedom precedence over animal rights.”

In strictest interpretation, the amendment protects species rather than individual animals. Kuenast, however, is a blunt critic of institutional animal exploitation. She is among the senior Green Party office holders, a rare Green free market advocate, the first female agriculture minister in German history, and the third most popular political figure in Germany, according to recent polls.

Chancellor Gerhard Schroder put Kuenast in charge of agriculture in early 2001 to fulfill his election promise to place consumers’ interest in getting healthy food ahead of the agribusiness interest in profits.

Kuenast took office denouncing factory farming, successfully introduced a ban on keeping hens in battery cages after 2007, and recently set about dismantling production quotas and subsidies that encourage factory-style dairy production.

Kuenast indicated that she believes the Basic Law amendment will help her efforts to limit the duration of time that animals *en route* to slaughter may be kept aboard trucks.

Quebec in the first place to keep Barnoti from extending the inspection activities and authority of the Montreal SPCA. Chartered as the Canadian SPCA, the Montreal SPCA historically had the right to pursue anti-cruelty law enforcement anywhere in Quebec, but has rarely had the budget to do so.

## Events

**July 11:** *Grey 2k USA benefit*, Somerville, Mass. Info: 617-666-3526; <christine@grey2kusa.org>.

**July 13:** *Natl. March & Rally Against Factory Farming*, London, U.K. Info: <www.viva.org.uk>. For info on U.S. events: VivaUSA, 530-579-8482, or <www.vivausa.org>.

**July 15-19:** *Humane Education Graduate Course*, Center for Compassionate Living, Surry, Maine. Info: <iihe@compassionateliving.org> or 207-667-1025.

**August 2-4:** *Intl. Humane Education Symposium*, Surry, Maine. Info: 207-667-1025; <iihe@compassionateliving.org>.

**August 3-17:** *Vegan Camp*, Cumbria, U.K. Info: <www.vegancamp.org>.

**August 8-9:** *Louisiana Animal Control Assn. conf.*, Baton Rouge. Info: David Marcantel, 337-439-8879; <dmarcantel@cppj.net>.

**August 8-11:** *Compassion-Fest 2002*, Cincinnati and Las Vegas. Info: <www.compassion-fest.org>.

**August 22-25:** *Conf. on Homeless Animal Management and Policy*, Reno. Info: <www.CHAMPconference.org>; 516-883-7767; fax 516-944-5035.

**Sept. 14-15:** *Sanctuary 101*, Pasado’s Safe Haven, Sultan, Wash.. Info: 360-793-9393; <susan@pasadosafehaven.org>.

**September 19:** *Connecticut Animal Control Officers Assn. conf.*, Cromwell. Info: 860-423-7195.

**September 19-22:** *National Humane Conf.*, Denver. Info: American Humane Assn., 1-800-227-4645.

**Sept. 21:** *75th anniversary*, Humane Society of Baltimore County, Reisterstown, Md. Info: 410-833-2387.

**Sept. 23-28:** *Intl. Orca Symposium*, Chizli, France. Info: <www.cebc.cnrs.fr>.

(continued on page 11)



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# Infiltration and disruption of activism

A federal court jury in Oakland, California, on June 11 ordered the FBI and the Oakland Police Department to pay \$4.4 million in reparations and damages to Earth First! activist Darryl Cherney, 46, and the estate of Judi Bari, who died of cancer at age 47 in March 1997. On May 24, 1990, as Bari and Cherney drove through Oakland on their way to Santa Cruz to rally fellow anti-old growth logging activists, a nail bomb detonated under the seat of Bari's car. Cherney escaped with minor injuries, but a shattered pelvis and lower back injuries left Bari permanently disabled. Although no evidence ever linked Bari and Cherney to the bomb, both were arrested within hours for allegedly possessing it. The charges were later dropped. Local media and private investigators eventually named three other potential suspects, with alleged histories of having threatened Bari, but no other arrests were made. Bari and Cherney sued the FBI in 1991 for allegedly destroying evidence, misrepresenting the facts of the case to news media, ignoring the death threats issued against Bari, and withholding evidence from the investigators representing Bari and Cherney. The case took 11 years to reach court. The jury, after 17 days of deliberation, ordered the FBI to pay \$2.4 million and the Oakland Police to pay \$2 million. Despite her injuries, Bari

remained active with Earth First until her death. The City of Oakland has announced intent to seek reversal of the verdicts, while the Department of Justice is reportedly considering whether to appeal. Nearly thirteen months after filing a similar suit on May 7, 2001, PETA on May 29, 2002 again alleged in an amended complaint against the Ringling Bros. Barnum & Bailey Circus and the parent firm, Feld Entertainment, that the circus hired the private security company Richlin Consultants to infiltrate and disrupt PETA from 1989 until 1992. The spy job was allegedly directed by Clair E. George, who was deputy director of operations for the CIA from July 1984 through December 1987. Responsible for all CIA covert activities, George was convicted of lying to a Congressional committee in 1987, but was pardoned in December 1992 by former President George H. Bush, one-time CIA director and father of the current President. The infiltrations came to light as result of a falling out among the spies, one of whom tried to sell their secrets to Progressive Animal Welfare Society founder Pat Derby, who was also a target of the infiltration. Derby sued Feld Entertainment in June 2000. Feld reportedly settled the case by agreeing to retire several circus elephants to the PAWS sanctuary and fund their upkeep.

# The costs versus benefits of making a big bust

Four almost simultaneous June cases spotlighted the costs and often unpredictable risks to humane societies of confiscating large numbers of animals in cruelty and neglect cases: On June 6, the city of Edgewater, Florida, severed an animal control impoundment contract with the Southeast Volusia Humane Society because the shelter killed 14 dogs and cats who were taken in April from the home of Valerie White, 38. The animals were killed within hours after Volusia County Judge Mary Jane Henderson issued a handwritten order that, "The City of Edgewater may advise the Humane Society that those animals are available for adoption." Edgewater officials disputed the contention of shelter director Suzy Soule that the animals were in poor health. White was charged nearly two weeks later with three counts of unlawful abandonment or confinement of animals, and one count of cruelty. On June 10, activists in Duncan, Oklahoma, protested against a plea-bargain sentence given to dog breeder J.V. Holt, 77, for allegedly neglecting 251 Pomeranians, miniature pinchers, poodles, Chihuahuas, and Yorkshire terriers. The dogs were "living in stacked metal cages filled with old newspapers, urine, and feces," reported Ron Jackson of The Oklahoman. Holt surrendered the dogs to the Stephens County Humane Society,

which sought restitution of \$45,000 but was awarded just \$1,139 by a mediator because private donors contributed about \$45,000 after the case drew extensive news coverage. Associate District Judge George Lindley fined Holt just \$500, reportedly the maximum possible, after Holt agreed to a deal that allowed his son, Jack Holt, to escape charges. In British Columbia, the Williams Lake SPCA had much better luck on the same day, as the B.C. Supreme Court ordered Chilanko Lodge owners Mark and Cheryl Sudweeks and their two adult daughters to pay \$120,000 (Canadian) in care and upkeep expenses for 30 horses and seven dogs seized from their property in January 2001. The lodge is now out of business. The Sudweeks still face four counts of cruelty for allegedly neglecting the animals.

The San Diego Humane Society was meanwhile sued, San Diego Union-Tribune staff writer Greg Moran disclosed on June 12, for allegedly illegally killing 2,000 gamecocks said to be worth \$34,000. The gamecocks were seized in a May 2001 raid on an alleged breeding and training facility for cockfighters, but none of the 10 plaintiffs were convicted of related charges. The plaintiffs contend that the birds should have been returned to them. Instead, the humane society won a court order in December 2001 that allowed them to be killed. The actual killing was done on January 19.

# MEAT IS MURDER

Arms dealer Carl DeSchutter, livestock dealer Germain Daenen, cattle breeder Alex Vercauteren, and traveling fair worker Albert Barrez were convicted on June 3 in Brussels, Belgium, of the 1995 murder of veterinary inspector Karel Van Noppen. Van Noppen was investigating Vercauteren in connection with alleged use of the banned synthetic steroid clenbuterol to expedite the growth of veal calves. "Van Noppen's zeal drew criticism from a superior, who hanged himself after Van Noppen's murder," Agence France-Presse revealed. An informant identified DeSchutter and Barrez, who were

former jail cellmates; DeSchutter implicated Vercauteren and Daenen after his arrest in 1996. Police in Cairo, Egypt, on June 3 arrested Fatima Khalafallah for the alleged contract murder of her husband Tamer Khalafallah, said to have been abusive. Also arrested were two local butchers who carried out the killing and the two Khalafallah daughters who witnessed it but apparently did not intervene. The killing was exposed after a third butcher who was part of the "hit" committed suicide because his family would not allow him to marry one of the daughters, who was allegedly promised to him as part of the deal.

# Animal enterprise cases

San Francisco city attorney Dennis Herrera on June 18 sued Petco for "cruelty and a pattern of brazen violations of city health and safety standards, continued over three years," he told San Francisco Chronicle staff writer Ilene Lelechuk. Herrera reportedly hopes to obtain a court order prohibiting Petco from selling animals within San Francisco. Founded in 1965 with a single store in La Mesa, California, Petco introduced the practice of allowing local animal shelters to offer dogs and cats for adoption, instead of selling puppies and kittens from breeders. Petco now has 573 stores in 42 states, and only rival PETsMART places more shelter animals in homes—but Petco is also under PETA boycott for allegedly failing to enforce high care standards, and for continuing to sell reptiles, birds, and small mammals from breeders.

Kaitaia District Court Judge Thomas Everitt, of Kaitaia, New Zealand, on May 17, 2002 fined the Kaitaia Rodeo Association \$10,000 (N.Z.), after the association pleaded guilty to neglecting a mare and foal so severely in October 2001 that the foal starved to death and the mare had to be euthanized. The fine was the highest yet levied under the 1999 New Zealand Animal Welfare Act. A court in Thessaloniki, Greece, on May 20, 2002 convicted Barcelona Circus manager Mike Lamar of cruelty and sentenced him to four months in prison for allegedly forcing an elephant with an injured leg to perform between January and March 1999. Associated Press reported that Lamar "will be able to buy off his sentence at 4.4 euros per day instead of serving prison time, an arrangement common in Greek misdemeanor cases."

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# San Francisco judge voids murder-by-dog verdict

**SAN FRANCISCO**—Overturning the March 21 verdict of a Los Angeles jury, San Francisco Superior Court Judge James Warren on June 17 voided the second degree murder conviction of attorney Marjorie Knoller, 46, for allowing two Presa Canario dogs to escape her control and kill neighbor Diane Whipple, 33, in January 2001.

“There is no question in this court’s mind that in the eyes of the people, both defendants are guilty of murder,” Warren stated on live television. “In the eyes of the law, they are not.”

Knoller and her husband, fellow attorney Robert Noel, 60, were also convicted

of involuntary manslaughter and keeping a dangerous dog. Warren allowed those convictions to stand, delayed sentencing Knoller until July 15 to give San Francisco district attorney Terrence Hallinan and lead prosecutor James Hammer time to argue that the murder conviction should be reinstated, and hit Noel with the maximum four-year sentence.

Credited with time already served while awaiting trial, and likely to qualify for early release on account of good behavior, Noel is likely to be free before Christmas.

Hallinan questioned why Warren even allowed Knoller to be tried on the murder charge if he disagreed with the 19 grand jurors

who indicted her, as well as the 12 jurors who convicted her, that the evidence of willful negligence was strong enough to warrant the conviction.

Warren earlier granted Knoller the right to petition for a retrial, but the option of seeking a retrial is apparently not open to the prosecution, legal experts mostly agreed, because a retrial requested by the prosecution would violate the constitutional guarantee that defendants may not be tried repeatedly on the same charge.

Knoller and Noel still face a civil suit for damages filed by Sharon Smith, Whipple’s companion of seven years.

dump Cheney’s body in nearby woods.

Associated Press reported that Arthur Cheney is contending that the pit bull attack on Rhonda Cheney caused “long-term physical and mental suffering,” apparently contributing to her cocaine habit and, indirectly, to the circumstances of her killing.

For about 10 years the known upper-end liability payment in a lawsuit against a humane society resulting from a dog attack was the \$425,000 paid by PAWS in 1991 to the family of Nathan Carpenter. Carpenter, 4, was killed by a wolf hybrid in 1988, two hours after the shelter sent the dog to his fourth home in under four months.

# Another mega-bucks pit bull attack award

**BINGHAMPTON, N.Y.**—A New York State Supreme Court jury on June 3 awarded \$208,750 in damages to Maressa Ann Zawisky, 9, for severe injuries to her nose, cheek, and jaw suffered when in March 2000 a chained pit bull terrier belonging to neighbor Willie Harris jumped a fence and mauled her in the yard of her mother and stepfather, Cookie and Robert Rieger.

The apparently unattended pit bull, who had attacked a nine-year-old boy in 1999, gave birth to seven puppies earlier during the morning of the attack.

\$130,000 of the award is to be held in trust for Zawisky until she is 18, but may be released earlier to pay for plastic surgery, as authorized by chief trial justice Joseph P. Hester Jr.

The balance is to compensate attorney Julio Urrutia for pursuing the case on Zawisky’s behalf.

The award was consistent with recent settlements in dog mauling cases, but the case was unusual in that the insurers of the Harris family property chose to go to trial instead of settling. About 95% of all dog-mauling cases are settled before a court verdict is reached, Urrutia told Nancy Dooling of the *Binghampton Press & Sun Bulletin*.

## Did alleged nonresponse to pit bull calls lead to addiction and murder?

**FORT WALTON BEACH, Fla.**—Involved in a landmark case more than a decade ago pertaining to the legal liability of a humane society for dog attacks, the Panhandle Animal Welfare Society was sued again in June 2002 in another case which, if successful, could extend the liability of animal care and control agencies to indirect effects of traumatic incidents.

Arthur Cheney, husband of murder victim Rhonda Kimmons Cheney, 42, contends that PAWS and county officials improperly ignored complaints about aggressive and vicious behavior by a pit bull terrier who lived near Florosa in Santa Rosa County.

In February 2001, according to *Fort Walton Beach Daily News* police reporter Amber Bollman, “Cheney was attacked and nearly killed” by the pit bull. She subsequently “won a lawsuit and would have eventually collected more than \$35,000 from the settlement,” Bollman wrote in September 2001.

However, Cheney was arrested six times on various charges during 2001 in alleged connection with crack cocaine use, and in late August 2001 was beaten to death in a hotel room. Alleged crack addict Raymond James Dunn, 41, of Fort Walton Beach, is charged with the killing, and transient Terry Glenn Long, 47, is charged with helping to

### Events (from page 9)

**September 26-28:** *Pacific NW Animal Care & Control Conf.*, Seattle. Info: Paul Delgado, 425-745-6175; <paul@cityofmillcreek.com>.

**September 27-28:** *Critter-aid Conf.*, Penticon, British Columbia, Canada. Info: <catbuddy@quadrant.net>.

**Sept. 28:** *Charlottesville Vegetarian Festival*, Lee Park, Charlottesville, Va. Info: 434-823-1200 or <cvillevegfest@aol.com>.

**October 3-6:** *Southern Regional Leadership Conf.*, New Orleans. Info: Spay/USA, 1-800-248-SPAY, or <www.spayusa.org>.

**Oct. 4-6:** *Compassionate Living Festival*, Raleigh, N.C. Info: <njregan@nc.rr.com>, or <www.cultureandanimals.org>.

**Oct. 4-6:** *The Culture of Whales*, American Cetacean Society conf., Seattle. Info: <www.acsonline.org>.

**October 16-18:** *North Carolina Animal Rabies Control Assn.* conf., Boon. Info: <www.ncarca.com>.

**Oct. 18-21:** *Natl. Institute for Animal Advocacy* training course. Info: 203-453-6590; <jlewin@igc.org>.

**October 23-25:** *Virginia Animal Control Assn.* conf., Virginia Beach. Info: Mark Kumpf, 757-441-5503; <Mark.kumpf@norfolk.gov>.

**Oct. 25-27:** *No More Homeless Pets* conf., Atlanta. Info: Best Friends Animal Sanctuary, 435-644-2001, x129; <info@bestfriends.org>.

**November 6-8:** *Intl. Conf. on Animal Protection in Spain*, Barcelona. Info: <www.altarriba.org> or <ciplae@altarriba.org>.

**Nov. 11-13:** *Texas Animal Control Association* conf., Abilene. Info: <laural@ci.brownsville.tx.us>.

**Nov. 13-15:** *Intl. Companion Animal Welfare Conf.*, Prague, Czech Republic. Info: <www.icawc.org>.

**November 13-16:** *Florida Animal Control Assn.* conf., Indian Rocks Beach. Info: <asshq@l-tgraye.com>.

**IF YOUR GROUP IS HOLDING AN EVENT,** please let us know—we’ll be happy to announce it here, and we’ll be happy to send free samples of **ANIMAL PEOPLE** for your guests.

## Maddie’s Fund<sup>SM</sup> Revamps Website

[www.maddiesfund.org](http://www.maddiesfund.org): animal welfare’s most comprehensive resource library

The redesigned Maddie’s Fund website contains more than 200 pages of useful information for animal lovers and animal welfare organizations, including:

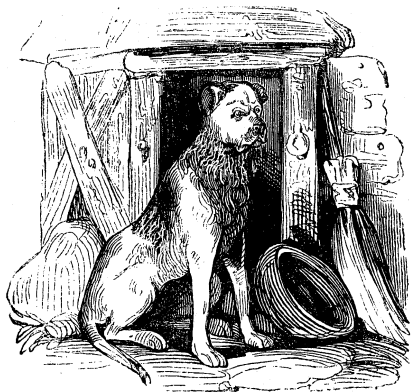
- guidelines and applications for getting Maddie’s Fund grants
- an ever-expanding library of successful life-saving programs and strategies
- articles and essays by animal welfare leaders
- ways the general public can help animals, both through charitable giving and through actual hands-on work with dogs and cats
- a place for animal lovers to read about the communities, individuals, rescue groups and veterinarians who are saving animal lives every day

The Maddie’s Fund website also offers a free monthly e-mail newsletter and discussion forums: [www.maddiesfund.org](http://www.maddiesfund.org). Check it out!



Maddie’s Fund<sup>SM</sup>, the Pet Rescue Foundation, is a family foundation helping to finance the creation of a no-kill nation. The first step is to help create programs that guarantee loving homes for all adoptable (healthy) shelter dogs and cats. The next step will be to save the sick and injured pets in animal shelters. Maddie’s Fund is named after the family’s beloved Miniature Schnauzer who passed away in 1997.

*Maddie’s Fund, 2223 Santa Clara Ave, #B, Alameda, CA 94501, (510) 337-8989, [info@maddiesfund.org](mailto:info@maddiesfund.org), [www.maddiesfund.org](http://www.maddiesfund.org).*



# The Watchdog

The Watchdog monitors fundraising, spending, and political activity in the name of animal and habitat protection—both pro and con. His empty bowl stands for all the bowls left empty when some take more than they need.

## STATE LEGISLATIVE SUMMARIES

A felony cruelty penalty and a statewide system of registration, regulation, and inspection governing private animal rescuers take effect in Virginia on July 1.

The felony cruelty provision applies only to deliberately fatal injuries inflicted upon owned pet dogs or cats. Offenders may be jailed for up to five years.

The bill governing rescuers was requested by the Virginia Federation of Humane Societies in response to complaints about lost animals not being reunited with their families, because the discovery of the animals running at large was never reported to local shelters. The bill also anticipates the possibility that dogfighters may use “breed rescue” as cover to obtain animals, a scam recently uncovered in several other states.

Objected Sharyn and Walt Hutchins of TimbreBlue Whippets & Collies, in Lexington, Virginia, “This law allows warrantless inspections of rescuers’ homes, requires us to post our names, phone numbers and addresses at the pounds in our service areas, pay for listing in our local phone books, register with the state vet, and pay \$100 a year for the privilege of rescuing dogs. Many rescuers who live alone, are disabled, or have small children will give up rescue,” they predicted, rather than comply.

ANIMAL PEOPLE asked the Virginia Federation of Humane Societies to comment, but received no response.

Colorado Governor Bill Owens on June 7 signed into law an anti-crime legislative package that creates two levels of felony penalty for aggravated cruelty to animals.

The Connecticut state legislature on June 24 opted against trying to overturn Governor John G. Rowland’s veto of a bill that would have banned 24-hour-a-day dog chaining—but Fred Leeson of the Portland Oregonian reported on June 21 that the board of commissioners in Multnomah County, Oregon, was expected to unanimously approve a similar measure at their June 27 meeting. The Connecticut and Multnomah County bills both follow the adoption of parallel legislation in numerous communities in British Columbia, Canada.

The New York state legislature on June 21 sent to Governor George Pataki a bill to ban the slaughter and sale of either dog or cat meat for human consumption. “The bill got a boost from the revelation last fall that some Korean-American farmers in Sullivan County had sold dog meat,” James C. McKinley Jr. of The New York Times reported. However, ANIMAL PEOPLE and New York Post reporter Don Kaplan found in separate investigations that the one documented sale was solicited by associates of Channel 11 TV reporter Polly Kreisman—and the dog sold was a coyote, shot by a local hunter.

Hawaii Governor Ben Cayetano on June 5 signed into law a ban on feeding sharks and advertising shark-feeding to attract tourists to nature cruises and dive sites.

New Jersey acting governor Donald T. DeFrancesco on June 12 signed into law expanding the state definition of “dangerous dog” to include dogs who attack other animals, as well as dogs who attack people.

## GAO hits nonprofits for hiding professional fundraising fees

WASHINGTON D.C.—Echoing criticisms of IRS disclosure standards often voiced by ANIMAL PEOPLE, the General Accounting Office urged a crackdown on misleading declarations of fundraising expense in a new report formally known as GAO-02-526: Tax-Exempt Organizations: Improvements Possible in Public, IRS, and State Oversight of Charities.

“Public watchdog groups have expressed concerns about expense reporting, and the IRS has found and acted on instances of inaccurate reporting,” the GAO acknowledged. “However, the IRS has not assessed, and is just beginning to develop plans to assess, the extent to which charities are properly reporting expenses.”

All 501(c)(3) charities must annually submit a public disclosure document called IRS Form 990, if they have \$25,000 in economic activity or assets during the year. However, the IRS does not require all charities to using the same accounting standards.

Therefore the annual ANIMAL PEOPLE “Who gets the money?” feature published each fall and The ANIMAL PEOPLE Watchdog Report on Animal Protection Charities, issued as a separate handbook each spring, include columns separately stating the percentage of budget spent on fundraising and administration as the charities themselves declare it, and the percentage that ANIMAL PEOPLE believes to be more accurate, after applying a uniform accounting standard to all Form 990 filings that we review.

“For example, a charity might contract with a professional fundraiser to raise donations. The fundraiser might raise \$250,000, charge the charity a fee of \$150,000, and give the charity the remaining \$100,000. When reporting to the IRS, the charity ‘nets fundraising expenses’ by reporting the \$100,000 as a direct public contribution and does not report the \$150,000 retained by the professional fundraiser as a fee. Such reporting does not comply with IRS instructions, under which the charity should report the full amount raised (\$250,000) as the direct public contribution, and [should report] the fee retained by the fundraiser.”

ANIMAL PEOPLE suspects “netting” may be practiced by many animal protection charities represented by aggressive direct mail firms. A frequent tip-off to “netting” occurs when an organization with substantial income declares fundraising expenses to be zero, or simply leaves a blank line where fundraising expenses are to be declared.

“A 1999 Urban Institute study of Form 990 expense data found that 59% of 58,127 charities that received public donations either reported zero fundraising expense or left this line blank,” the GAO said. “Using the same criteria as the Urban Institute, our analysis of Form 990 data from 1994 through 1998 found the number, on average, to be 64%.”

### Misrepresentation

Continued the GAO, “As with netting of fundraising expenses, the IRS has found that some charities have misrepresented professional fundraising fees as ‘other’ expenses, but has not measured the extent to which charities do it.” The GAO noted that, “The IRS expressly prohibits reporting professional fundraising fees” as “other” or anything else except what they really are.

“Available data do not show the extent to which charities may fail to properly itemize their expenses such as for professional fundraising,” the GAO added, “but charities from 1994 through 1998 reported 26% of all their expenses as ‘other.’”

Coincidentally, ANIMAL PEOPLE found that 26% of the 130 U.S. animal protection charities whose IRS Form 990 filings we reviewed in 2001 claimed fundraising expense as program service under the headings of “public education” and “other.”

GAO-02-526: Oversight of Charities was delivered in April 2002 as a “Report to the Chairman and Ranking Minority Member, Committee on Finance, U.S. Senate.” It may be downloaded at <www.gao.gov/new.items/d02526.pdf>.

### Concealing costs

“Caution is warranted in using the Form 990 expense data, especially to compare charities,” the GAO agreed, “because charities have considerable discretion in recording their expenses in the program service, general management, and fundraising categories. Different approaches for charging expenses as well as different allocation methods can result in charities with similar types of expenses allocating them differently.”

Added the GAO later in the 76-page report, “Because efficiency is a criterion that donors may use in selecting among charities, charities have an incentive to report their expenses in a manner that makes them appear to be efficient. The IRS has discovered instances in which charity fundraising expenses have been underreported because charities have ‘netted’ such expenses against the funds raised. According to the IRS, fundraising expenses include fees paid to professional fundraisers as well as in-house expenses (e.g. salaries) for fundraising.

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# 20th century leaders squandered the 19th century humane movement legacy

**BOSTON**—Animal Welfare Institute founder Christine Stevens, introduced as “Mrs. Roger Stevens,” may be the only person still alive who was noted as a humane movement leader by William Allen Swallow in *The Quality of Mercy*, a 1963 “history of the humane movement in the United States” published by the Mary Mitchell Humane Fund, a subsidiary of the Massachusetts SPCA.

Stevens may also be the only person whom Swallow mentioned as a contemporary humane movement leader whose name is still widely recognized.

This is not just because *The Quality of Mercy* was published nearly 40 years ago. Rather, Swallow seems to have purposefully omitted mention of almost everyone else whose post-World War II efforts in any way presaged the animal rights movement, the no-kill movement, or otherwise challenged mainstream thinking.

Elisabeth Lewyt, still living, might have been mentioned, along with her deceased friends who in 1954 cofounded the North Shore Animal League America. By 1963 North Shore was already a major and growing institution—but North Shore was ignored.

Likewise the late Helen Jones and Cleveland Amory might have been mentioned, as cofounders in 1954 of the Humane Society of the U.S., which is briefly profiled, and later as founder and a founding board member of the National Catholic Humane Society, begun in 1959. Later renamed the International Society for Animal Rights, the National Catholic Humane Society was in 1963 the most militant animal advocacy group in the U.S.—but Swallow gave it not a word.

Then-North Carolina SPCA president Richard B. Ford, shown in a photograph with his guide dog, literally could not see. His ability to cope despite blindness became somewhat legendary. Swallow had perfectly good eyesight. He too was reputedly good at getting the job done, as he perceived it. He just lacked longterm vision.

## The Tweedle twins

If any one internal villain could be blamed for the institutional inertia that overcame American humane work during the mid-20th century, the late Eric H. Hansen, to whom *The Quality of Mercy* is dedicated, would be a good candidate. Swallow, the author of *The Quality of Mercy*, was his close accomplice for more than 25 years.

Hansen debuted in humane work with the American SPCA, managed the Queens Branch shelter for some years prior to 1931. Thereafter, he was managing director of the Humane Society of Missouri, 1931-1937; managing director of the American Humane Association, 1937-1942; and headed the Massachusetts SPCA from 1942 until some time after *The Quality of Mercy* was published.

Swallow edited *The National Humane Review* for the AHA from 1930 to 1943, then followed Hansen to the MSPCA for the remainder of his career.

Hansen at each stop put the organizations he directed on a relatively sound financial footing. He accomplished this in part by undertaking building programs which inspired donors and enhanced institutional prestige. He also formed alliances with other animal-related institutions, often at cost of dismantling animal advocacy programs which might have made his newfound friends uncomfortable.

By the end of the Hansen era, most mainstream U.S. humane societies did little more than kill dogs and cats in ever-increasing volume. The major philosophical transition accomplished during that time was replacing the ideal of saving animals’ lives with the notion of administering “euthanasia,” whether or not the recipient animals were suffering.

Hansen was neither an animal exploitation industry “plant” nor uninterested in animals of all species. On the contrary, Hansen spent his entire working life in humane work, from his arrival in the U.S. as a 20-year-old Danish immigrant. But Hansen was

the first nationally influential leader of the humane cause in the U.S. who reached prominence by pursuing a career path. Swallow, his sidekick, was likewise a careerist.

Hansen and Swallow were administrators and empire-builders, not social revolutionaries. Neither had more than transient contact with the U.S. humane movement founders whom Swallow wrote about, and neither was involved during the pre-World War I rapid growth phase, when the founders passed on but the founding vision remained intense. Hansen and Swallow were politely concerned on behalf of every sort of animal, but passionate, it appears, about none. Their aspirations were so much confined to the practical that it is hard to discern any difference between their moral perspective and that of the average mid-20th century American.

Hansen and Swallow were interested in wildlife, for example, to the extent of rolling back the former opposition of the AHA and MSPCA to sport hunting, to instead partner with pro-hunting groups in pushing for the creation of wildlife “refuges” where hunting was regulated.

Hansen and Swallow were also interested in farm animals, to the extent of forming “livestock conservation” programs within the AHA and MSPCA, whose major functions seem to have been promoting an “Old McDonald’s Farm” image of the meat industry. Swallow does not indicate that he and Hansen ever actively challenged the introduction of factory farming, which the late Ruth Harrison named and exposed in *Animal Machines* (1964), just one year after Swallow published *The Quality of Mercy*.

The major humane legislative accomplishment of Hansen/Swallow era, much touted by Swallow, was passage of the 1959 Humane Slaughter Act. Never well-enforced, the Humane Slaughter Act essentially codified the mechanized slaughter practices of the biggest meatpacking companies, helped to put small village slaughterhouses out of business, and has been largely unenforced since USDA budget cuts and procedural changes began sharply reducing the slaughterhouse inspection force during the 1980s.

Hansen and Swallow addressed the welfare of laboratory animals, too. In 1958, recalled Christine Stevens in *Animals And Their Legal Rights* (1990) they won the first successful U.S. cruelty prosecution of a lab animal supplier. But Swallow for some reason so little recognized the importance of that as to make no mention of it in his book—or perhaps he felt it might be too controversial.

## Humane education

The Hansen/Swallow approach to humane education is particularly indicative, since it continues to predominate today.

As well as heading the MSPCA from 1942 until the mid-1960s, Hansen headed the American Humane Education Society, begun by MSPCA founder George Angell in 1882 and formally incorporated as an MSPCA subsidiary in 1889. Under Angell, it concentrated for about 30 years on forming schoolroom humane education clubs called the Bands of Mercy.

“More than 265,000 Bands were organized before they fell before the advanced methods of education,” claims *The Quality of Mercy*, adding that “They have their successors in the Society’s Junior Humane groups.”

Not exactly. After MSPCA founder George Angell died in 1909, successor Frances Rowley organized a Band of Mercy convention in Kansas City circa 1912 that drew 25,000 children plus 15,000 parents and teachers. Rowley also started the Jack London Clubs to seek the abolition of animal use in entertainment, inspired by the London book *Michael, Brother of Jerry*. The Jack London Clubs claimed 750,000 members, at peak.

However, Rowley incurred enormous debt in building Angell Memorial Animal Hospital, opened in 1915, dominating the MSPCA program ever since. Financially hobbled

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for more than a decade even before the Great Depression, the MSPCA allowed the Bands of Mercy to disappear and the Jack London Clubs to fade, though they still existed at least on paper as late as 1963.

The MSPCA nonetheless continued as ambitious an advocacy program as Rowley could sustain, even passing an anti-trapping referendum in 1930 that was never enforced by the Massachusetts Department of Wildlife.

Hansen and Swallow ended all that. Whatever crusading spirit remained from the Bands of Mercy was wholly lost in the post-1942 amalgamation of the Junior Humane group programs with activities of the 4-H Clubs and Future Farmers of America. “Humane education” for George Angell and Frances Rowley was synonymous with moral education. Post-Hansen and Swallow, “humane education” mainly meant teaching dog and cat care. Animal use industry influence has subsequently made merely raising moral questions about animal use and abuse in classrooms more controversial than most “humane educators” dare to attempt.

It may be indicative that the Hansen-era MSPCA innovation most often mentioned and praised in *The Quality of Mercy* was the formation of a public relations department—which Swallow directed.

As a public relations pioneer, however, Swallow seems to have consistently overlooked the most newsworthy aspects of much that he mentioned in passing.

“In 1922,” wrote Swallow, “the Pennsylvania SPCA pioneered with radio station WIP in broadcasting the first humane education program ever to go out over the airwaves.” Why did so many decades elapse before animal advocates again made use of broadcast media?

Walt Disney Inc. probably did a better job of broadcast humane education than the mid-20th century humane movement could have. Yet inability to match the appeal and impact of *Dumbo*, *Bambi*, *The Lady & The Tramp*, *101 Dalmatians*, *et al* does not explain why most humane organizations to this day do not buy 15-second spot announcement space to push pet sterilization and adoption.

Swallow seemed to think it was enough for the Pennsylvania SPCA to have achieved a first, of sorts, without exploring what even in 1963 should have looked like an obviously squandered opportunity.

## Missed chances

Another big missed opportunity seems to have been much less obvious—and is still almost completely missed. The Humane Society of Missouri, founded in 1870, in 1885 took on the mission of protecting children as well, Swallow recounted, and tried to reduce the incidence of both children and animals being killed in street accidents by promoting driver education.

The American Humane Association

(continued on page 15)

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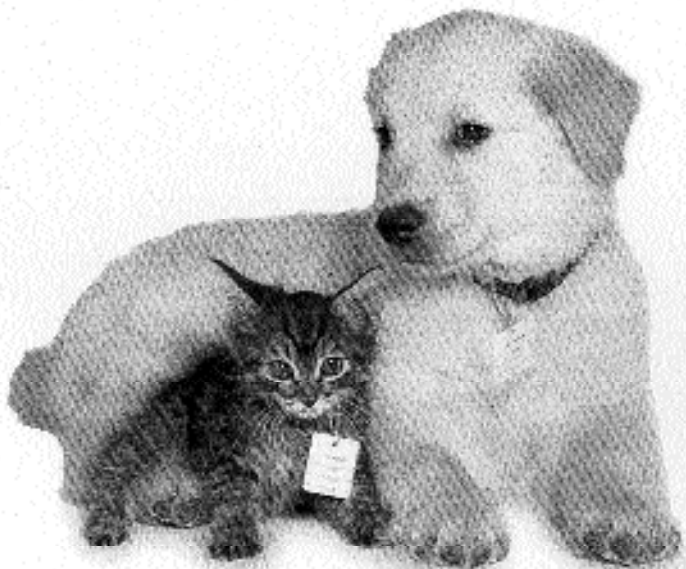
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## 20th century leaders squandered 19th century humane momentum (from 14)

child protection division later saved thousands of children's lives with their "Wear white at night" campaign, and HSUS in 1957 made a brief attempt to study and try to prevent road-kills of wildlife, but the original idea of preventing roadkills through driver education fell by the wayside and has not been revived, even though **ANIMAL PEOPLE** has suggested it at least once per year since 1992.

Roadkills, mostly preventable, are at last declining, largely through the public awareness activities of New Hampshire online science education pioneer Brewster Bartlett, better known as Dr. Splatt, and through many road design improvements pushed by the federal Department of Transportation. Yet road-kills are also still killing half a million mammals, birds, and amphibians per day, according to the best available estimates.

Swallow casually mentioned other squandered opportunities every few pages, without ever identifying them as such.

"In the State of Alabama, the Mobile SPCA was founded in 1885," he wrote. "The Society received nationwide attention in 1892 arising from the arrest and conviction of a groom for using a cruel overcheck rein. At the time it was said to be the first such conviction in the world."

Seventy years later, the Mobile SPCA was still hoping to acquire the funds to open an animal shelter—and 110 years later, that 1892 conviction remains the only humane accomplishment of note in Mobile, whose pounds and shelters kill 70 dogs and cats per year per 1,000 human residents, the worst record of any U.S. city.

Yet another chance was missed almost on Hansen and Swallow's doorstep. The Rhode Island SPCA and Children's Society, founded in 1871, leased shelter space until 1925, when it opened a shelter funded, Swallow wrote, by the estate of "a Negro lady, Sarah E. Gardiner of Newport, whom the Society had helped from time to time in removing stray cats."

The Rhode Island SPCA and Children's Society, like the slightly older American SPCA, MSPCA, and Women's Humane Society of Philadelphia, was begun by pre-Civil War antislavery crusaders, who built on the remnants of the dissolved antislavery societies to which they formerly belonged.

The bequest by Sarah Gardiner suggests that positive relations with Afro-Americans continued through the first 25 years

of the 20th century, when the Ku Klux Klan became so strong in New England that it briefly controlled the legislatures of Maine and New Hampshire.

Why are the once strong black roots of the humane movement not rediscovered, celebrated, and re-established?

### San Francisco

*The Quality of Mercy* includes one account which superficially sounds as if history may be repeating itself. The San Francisco SPCA, recalled Swallow, "in 1954 founded the Northern California SPCA and initiated a Department of Field Services for counseling and advising cities and counties on appropriate and humane kenneling of impounded animals." A year later the SF/SPCA also founded the Western Humane Education Society, intending to further humane education throughout the western states.

These initiatives appear at a glance to have presaged the outreach efforts that were reinvigorated by the SF/SPCA Department of Law & Advocacy, 1994-2000, after the Adoption Pact in 1994 made San Francisco the first U.S. city to end population control killing of dogs and cats.

Swallow did not spell out exactly what the SF/SPCA sought to promote as "appropriate and humane kenneling" and "humane education" in 1954-1955, but it was not what the SF/SPCA stands for today, and was not popular with the public.

By 1976, when Adoption Pact author Richard Avanzino was elected president, the SF/SPCA was virtually bankrupt, the Western Humane Education Society had apparently vanished without a trace, and the chief activity of the organization was killing animals in a decompression chamber, which Avanzino scrapped on his second day.

The SF/SPCA has recently endured two years of catastrophic financial reverses, roughly coinciding with the 1999 exodus of Avanzino and other key staff to Maddie's Fund, but really beginning with the collapse of computer stocks in 2000. The Department of Law & Advocacy imploded with the resignation of all key personnel in November 2000.

Despite the retrenchment, however, the SF/SPCA has kept up several other outreach initiatives, and continues to hold dog and cat killing in the San Francisco shelters to the lowest levels achieved by any U.S. city.

Current San Francisco SPCA presi-

dent Ed Sayres' father, Edwin J. Sayres, appeared in *The Quality of Mercy* as managing director of the St. Hubert's Giralda shelter in Morris County, New Jersey.

### Looking backward

Hansen and Swallow were scarcely the only leaders of the mid-20th century animal welfare movement who lacked vision. Indeed, since their time, the Massachusetts SPCA seems to have reduced program outreach, even though it is now the richest hands-on humane society in the world, with net assets of \$101 million, including more than \$75 million in cash and investments.

The MSPCA is still helping humane work in Morocco via the American Fondouk Association, which spent \$245,331 on program service in 2000: 25% of income and 4% of net worth. The MSPCA is also still aiding humane work in Turkey via the Alice Manning Trust, which spent \$57,528 on program service in 2000: 19% of income, 3% of net worth. But the International SPA that the MSPCA sponsored from 1959 to 1981 is now the separately funded World Society for the Protection of Animals, after a merger with programs of the Royal SPCA and HSUS.

The MSPCA is not visibly more ambitious in Massachusetts, where it operates the same number of animal hospitals as in 1963, but has only six shelters now, down from 11, which had nine adoption centers and law enforcement offices.

But the semi-somnambulance of the recent history of the MSPCA grew out of the zombie-like posture of the organization then. Swallow, for example, praised the incorporation of "lethal rooms" and gas chambers into the design of various then-new shelters, most of which are still in service.

Yet, though *The Quality of Mercy* was published 40 years after the American Veterinary Medical Association endorsed the surgical sterilization techniques for dogs and cats that are still most commonly used today, and six years after the late Alice Herrington founded Friends of Animals to promote low-cost surgical sterilization as an alternative to dog and cat population control killing, *The Quality of Mercy* made not even one mention of dog and cat birth control in any form.

The penultimate chapter discussed establishing "Animal Cemeteries and Rest Farms for Horses" as a major activity of "the nation's animal protection agencies," without

an apparent trace of self-conscious irony.

The brief last chapter, "Projection into the Future," lamented that because of scarce funding, "The movement...can therefore draw only on those who are genuinely interested in animal welfare to such extent that they are willing to forego material success in favor of ethical satisfaction."

Yet alleged lack of material success does not seem to have inhibited Swallow himself from undertaking "extensive travel abroad to study humane work in England, France, Denmark, Germany, The Netherlands, Switzerland, Turkey, and Morocco."

This was not easy when world travel was done chiefly by steamship, required taking months away from regular work, and cost about 10 times more per trip than today, in inflation-adjusted dollars.

Swallow was not necessarily just junketing. A serious humane executive might have had good reason to visit these nations, and—as **ANIMAL PEOPLE** emphasizes—there is a crying need for humane organizations of wealth to assist humane work the underdeveloped world. That includes sending staff from time to time to see in person just what needs to be done and how best to help.

Yet Swallow himself mentioned nothing learned or taught in his travels, which seem to have been mainly to vacation spots. He wrote briefly about the MSPCA outreach to Morocco, cited the MSPCA aid to Turkey in a single sentence, and said not a word about anything else seen or done abroad.

The perquisites and compensation standards for humane executives have risen markedly since Swallow's time. The organizations that Swallow profiled now pay, among them, more than 50 salaries in excess of triple the U.S. median household income.

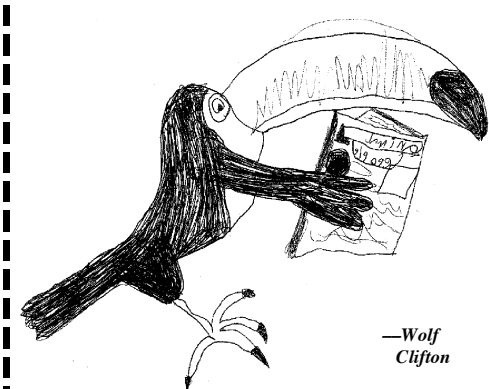
Despite that—with due respect to the post-1976 leadership of the SF/SPCA, and the more recent leadership of a few other old organizations—it may be no surprise that most of the impetus to recent progress has come from organizations which were either founded well after Swallow wrote, or which Swallow neglected to mention.

The ultimate value in reading and reviewing this 40-year-old self-celebration is in seeing through the prism of history how far wrong mainstream perspectives can be, especially when institutional goals, such as achieving financial security, are confused with humane progress.

—Merritt Clifton

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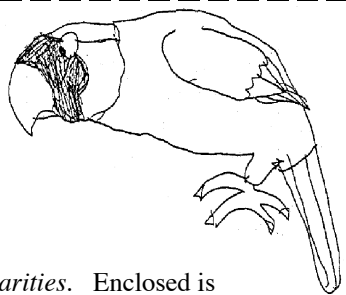
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proposed U.S. sanctuary standards to the ashes of Zimbabwean land conservancies, where illiterates write the definitions in blood, the plight and status of displaced animals may be getting more attention than ever before—and it is ever more apparent that sanctuaries of any size no more afford a permanent solution to the fast-growing problem than tent cities offer a viable longterm answer to handling human refugees.

The underlying causes of displacement must be remedied, somehow. Sanctuarians must rally to provide inspiration, public education, and leadership, even while struggling day to day just to feed the souls in care.

While doing all that, somehow sanctuarians must also do more than just espouse merciful intent to distinguish their facilities from concentration camps and prisons, whose inmates may terrify and perhaps attack their neighbors.

Sanctuarians helping humans have struggled to address these problems for so long that institutional bureaucracies have grown old around them. The United Nations High Commission on the Status of Refugees, for instance, formed to find homes for people displaced by World War II, recently turned 56 with little evident reduction in workload—and some of the same displaced persons still under their care.

Animal sanctuarians are just beginning to look up from shoveling out pens to contemplate their role in relationship to the bigger picture. There is little that more than rump caucuses seem to agree on, including who qualifies to claim the name of “sanctuarian,” and what, exactly, a properly qualified sanctuarian should be doing in the first place.

These disputes have inhibited the growth of The Association of Sanctuaries since 1991, which still represents under 10% of the self-defined sanctuaries in the U.S.; brought the formation of the American Sanctuary Association circa 1997; and split the ASA in mid-2002, bringing the resignations of founding board members Sumner Matthes of Sarasota In Defense of Animals and Carol Asvestas of the Animal Sanctuary of the U.S., also known as Wild Animal Orphanage.

There were already at least two other consortiums of sanctuaries haphazardly operating just in the U.S., and more abroad, struggling even within themselves to present a united front as leaders met and corresponded with the USDA Animal and Plant Health Inspection Service, asking that a set of animal care regulations be developed to distinguish sanctuaries from entertainment venues and the other types of animal care facility for which the USDA issues operating permits.

## Sanctuaries in Zimbabwe?

The issues dividing sanctuarians are not just internal politics. They go to the heart of why sanctuaries exist, and for many animals—and sometimes people—are literally matters of life and death.

Many of the overrun land conservators of Zimbabwe, for instance, define themselves as sanctuarians, and are now appealing to the world for help in evicting the landless “war veteran” supporters of Mugabe who squat on conservancy property, poaching the wildlife.

To most U.S. sanctuarians, however, and even some in neighboring South Africa, the majority of the Zimbabwean conservancies might more accurately be described as canned hunts, within which fenced “game” animals have little realistic chance of long evading their killers.

There are other difficulties with defining the Zimbabwean conservancies as “sanctuaries,” within the common understanding of the term elsewhere. Most are structured as profit-making corporations. They maintain native species, mostly reintroduced, rather than species stranded far from home. They typically do little if any animal rescue.

They are “animal sanctuaries,” actually, only in the sense that they provide habitat to some species who might otherwise have no habitat. They have marketed themselves as “hunting preserves,” most prominently adopting the term “sanctuary” in the past while joining with the Mugabe regime in seeking to weaken the 1990 global ban on ivory trafficking.

“The intensity of silence emanating from most local and international organizations who purport to assist, protect, and inform on matters relating to the flora and fauna of any given country, is indeed ear-splitting,” the Wildlife Producers Association of Zimbabwe complained in June 2002 of non-response to repeated appeals for outside help.

The International Fund for Animal Welfare sent \$10,000 to help the Zimbabwe National SPCA to rescue pets and other animals from overrun farms. Several other U.S. and British charities assisted the ZN/SPCA to a lesser extent.



Lesser kudu, Kenya. (Kim Bartlett)

Beyond that, **ANIMAL PEOPLE** picked up many indications of discomfort from animal advocates worldwide about getting involved in the Zimbabwean catastrophe. Too often the Zimbabwean conservancies have been on the wrong side of Convention on International Trade in Endangered Species debates.

Though some individual conservancy members have been quiet nonparticipants in hunting, too few Zimbabwean conservancy operators have spoken out against consumptive use of wildlife to convince the international animal protection community that authentic sanctuaries are really at risk.

Suspicion is strong that the Zimbabwean conservancies have in truth been mainly sanctuaries for the bygone colonial lifestyle.

Mugabe of late has referred to the properties invaded by the “war veterans” as the last remnants of Rhodesia, the apartheid state his militia overthrew in 1980. That is inaccurate and unfair, because the conservancy owners and farmers whose land is occupied and besieged are in fact the former Rhodesians who opted to stay and help build Zimbabwe.

But the conservancies in particular did sow the seeds of their own destruction by reducing their labor-intensive production of food and fiber crops, and intensifying their economic dependence upon trophy hunting almost from the beginning of the Mugabe years.

## “Everyone was hunting.”

Wildlife Producers Association chair Wally Herbst in a June 13, 2002 address to the membership recalled that in the mid-1980s, “Everyone with a four-wheel drive vehicle, a fox terrier, and a rifle was hunting.”

The members of the WPA, founded in 1985, were assisted by CAMPFIRE, the Communal Areas Management Program for Indigenous Resources, funded since the last phase of the Cold War by the U.S. Agency for International Development.

Eager to avoid the risk that the Marxist-influenced Mugabe might become an African counterpart of Fidel Castro, whose troops had already established an African center for exporting revolution in Angola, the White House under former President George H. Bush, father of the current president, sought ways and means of buying political cooperation.

CAMPFIRE was introduced and touted as a “sustainable development” program intended to benefit poor villagers, but has operated since formation in 1989 as U.S.-sponsored welfare for Mugabe regime insiders, and as protection money, in effect, for the conservancies where rich U.S. good old boys went headhunting—including close associates of both Presidents George H. and George W. Bush, who are both lifetime members of Safari Club International.

Earning about \$2.5 million a year in program revenue, CAMPFIRE began with \$8 million in USAid subsidies, 1989-1996, which rose to \$20.5 million in 1997-2000.

The increased investment significantly boosted the trophy hunting industry. CAMPFIRE program chief Charles Jonga told the *Zimbabwe Herald* that from 1997 to 1998, the number of hunters visiting Zimbabwe jumped from 960 to 2,145, and the number of hunter-days of participation increased from 9,100 to 23,000. Revenue rose from \$7 million U.S. to \$19 million U.S., and reportedly hit \$70 million U.S. in 2001, distributed among about 150 hunting safari operators.

But hunting reservations are now down by as much as 65%, agree Zimbabwean hunting industry sources, while the influx of foreign exchange bought almost the opposite of real economic development.

As Center for Private Conservation director Michael DeAlessi explained in a recent essay entitled *Conservation through Commerce and the Importance of Hunting*, meaning to praise CAMPFIRE, “Photo safaris and other non-consumptive activities can be quite lucrative, but take a great deal of time and investment to set up. Guests expect comfortable accommodations, quality meals and a range of activities. This in turn means a fair number of staff. Hunters, on the other hand, are often more happy with Spartan amenities, and one or two game scouts,” meaning “low overhead and high return.”

Instead of creating jobs and broadly sharing wealth, which would have given many Zimbabweans a vested interest in protecting wildlife and habitat, the conservancies and CAMPFIRE further entrenched the disenfranchisement and bitterness lingering from apartheid.

As the Zimbabwean economy failed under the mismanagement and corruption of the Mugabe regime, many of the demobilized, uneducated, unemployed, and increasingly often hungry war veterans and their families easily came to



Lionesses, Tsavo West, Kenya. (Kim Bartlett)

believe that their misery results from *Bwana* selfishly raising and shooting trophy animals on land that could grow food. Many have told reporters so, almost in those words. Other poor Zimbabweans came to think so too, swelling the ranks of the “war veterans” with recruits too young to even remember the fall of Rhodesia.

That only the best of the conservancy land has enough water or topsoil to grow anything that humans can eat is a fact that displaced land invaders have not had time yet to see. News photos of pathetic efforts to cultivate corn on ex-conservancy grazing land have become almost as symbolic of the Zimbabwean malaise as accounts of wildlife being slaughtered.

## Disaster seen coming

As **ANIMAL PEOPLE** editorially pointed out in June 1994, the trophy hunting-centered Zimbabwean economy was self-doomed to implode just about exactly as it has.

“Trying to convince poor Africans that they should not kill wildlife for food,” **ANIMAL PEOPLE** wrote, “while rich Europeans and Americans kill the same animals for fun, is a new and dangerous idea to people whose own killing is mostly from need, especially when coupled with the idea that thrill-killing has a higher rationale,” called “conservation.”

The argument of CAMPFIRE, the Zimbabwean conservancies, and their allies at the World Wildlife Fund and Safari Club International, **ANIMAL PEOPLE** continued, that “giving poor Africans and Asians a collective economic stock in wildlife will lead to the development of a collective ethic, whereby poachers will become pariahs, overlooks the poachers’ existing collective ethic. Having no faith in corrupt governments that purport to protect wildlife, but in fact sell animals to the highest bidder, they see no reason why they should not poach animals now, before others do and take the profits.

“Africa in particular,” **ANIMAL PEOPLE** concluded, “already suffers too much from the idea that whoever has the most money and firepower is above morality. The example of the Great White Hunter who receives special privileges because he has money reinforces the notion of the Big Man who is above the law because he heads a well-armed tribe.”

An Internet-distributed document called *Report from Zimbabwe Conservation Task Force* in June 2002 documented the extent to which those words were prophetic.

In the Midlands Conservancy region, the report said, “Four of the game ranchers in the area have lost 80% of their wildlife. The others, that have maintained some sort of control, have lost 40 to 50% of the wildlife. In the Kariba area alone, 33 elephants have been poached” in the first 90 days after the March 2002 Zimbabwean national elections, which were openly manipulated with “war veteran” help to increase Mugabe’s grip on power.

Added a report from the Wildlife Producers Association, “The hardest hit conservation areas are the Save Valley Conservancy, the Chiredzi River Conservancy, the Bulye Valley Conservancy, and the Bubiana Conservancy. Among them they cover 2.2 million acres. In some cases the whole viability of the conservancies have been threatened, and some areas are now devoid of wildlife. There is massive deforestation of prime habitat. Snaring and hunting with dogs is constantly on the increase and arrested poachers have revealed that meat is moved out to external markets. The anti-poaching personnel are continuously intimidated. Their effectiveness is negligible. Properties have been burnt, trees cut, tourists have been forced out of safari camps by irate war veterans, and ranch scouts have been disarmed, intimidated, severely assaulted, and even killed as they try to perform their duties.

“Since the invasions,” the WPA report continued, (continued on page 17)

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“about 25% of the Save Valley Conservancy has been almost fully occupied, or is inaccessible to the land owners and their staff, due to threats and intimidation from the occupiers. Over just two months, 214 incidents were reported in the areas of Save which were still accessible to anti-poaching patrols.”

The patrols “recovered 5,677 wire snares, shot 22 hunting dogs, and arrested 94 poachers” during that time, according to the WPA. Almost all of the poachers were soon released by officials of the Mugabe regime.

“Dead animals found totaled 450,” the report said, “comprising 208 impala, 112 kudu, 31 warthog, 27 eland, 19 zebra, nine wildebeests,” and lesser numbers of elephants, rhinos, buffalo, leopards, cheetahs, pythons, and giraffes.

At the Bubiana Conservancy, poachers working in collusion with land invaders have reportedly killed as many as 30,000 animals in 18 months, including 50 black rhinos.

But, across the whole of Zimbabwe, trophy hunters during 2000 killed 238 elephants, 842 buffalo, 799 zebras, 848 kudu, 299 leopards, and 340 sable, according to CAMPFIRE figures. In addition, the *Zimbabwe Herald* disclosed on May 2, at least 255 animals died during translocation for hunting convenience.

The difference between the relatively indiscriminate killing by the “war veterans” and the killing by the paying trophy hunters is the difference between “sustainable use,” which in effect means raising wildlife for slaughter, and total annihilation.

The *Zimbabwe Independent* on June 21 published an estimate that half the wildlife in the nation and 90% of the trophy animals have been killed within the past two years, without replacements being bred and raised.

The lack of replacement activity and lack of an environmental pretext for the land invaders’ killing are of most concern to conservationists. People concerned about animal suffering, however, must question whether the massacres of Zimbabwean conservancy animals significantly differ in either tactics or ruthlessness from the tax-and-donor-funded killings of “invasive” wildlife at other supposed wildlife sanctuaries all over the world.

Killing for nature

For example, The Nature Conservancy, Channel Islands Conservancy, and National Park Service have for more than 20 years hounded, strafed, snared, poisoned, and burned animals in their dens to “restore” the native wildlife habitat of Channel Islands National Park, off the southern California coast. The victims have included 35,000 sheep, 27,000 goats, 20,000 pigs, and 6,500 horses and burros.

Similar efforts underway for even longer in Hawaii have not even come close to eliminating goats, deer, and pigs, let alone smaller non-native species, but USDA Wildlife Services is nonetheless reportedly ready to implement a \$10.7 million four-year plan to extirpate coqui and greenhouse frogs, just as soon as other government agencies guarantee the funding and approve spraying the jungle with caffeine and hydrated lime. The caffeine and hydrated lime will supposedly kill the alien frogs but not native species.

An all-out push to eradicate feral cats, rats, and mongooses from Virgin Islands National Park by means of trapping, poisoning, and shooting is to begin in August.

After killing 19,000 pigs on Santiago Island in the Galapagos since 1973, Ecuadoran wildlife officials declared them

extirpated in early June and set about killing the estimated 100,000 goats of Isabella Island. Rats, rock doves, feral cats, dogs, burros, and cattle are also on the hit list.

Other attempted annihilations in the name of conservation are underway in hundreds more so-called “sanctuaries,” public and private, worldwide. Non-lethal elimination of alleged invasive species might be possible, through expanded use of the neuter/return methods now commonly used to control feral cats and street dogs, and through use of contraceptive baits and chemosterilants which might be more rapidly developed if wildlife agencies were more interested in using them.

Snaring, poisoning, and firearms remain the methods of preference in conservation-related wildlife population control, however, because they are familiar, cheap, and quick. The “war veterans” have a much less sophisticated rationale for what they do than the USDA Wildlife Services trappers, poisoners, and gunners who are paid to kill animals on U.S. wildlife refuges, but whose tactics cause the most suffering can be debated.

Exotic meat scam

Lethal exploitation of the animals for whom sanctuaries of various sorts are created is a familiar problem in the U.S., too, and not just in the traditional form of poaching from the great outdoors. The pretense of taking in displaced exotic species who needed care-for-life in confinement was apparently among the fronts used by the people involved in a web of animal-related businesses in the midwest whom the U.S. Fish and Wildlife Service has prosecuted during the past 18 months for illegally trafficking in the body parts of at least 19 tigers, seven leopards, and a variety of African lions, pumas, a snow leopard, Asian swamp deer, and North American black bears.

Federal agents investigating the case reportedly bought and rescued at least six tigers and leopards who otherwise would have been killed.

None of the businesses had nonprofit status, but several are believed to have acquired former exotic pets as donations from people who were no longer able to keep them.

The first conviction was the January 2001 guilty plea of Woody Thompson, owner of Willow Lake Sportsmen’s Club, of Three Rivers, Michigan. He drew six months of home detention and fines totaling \$28,000.

Todd Lantz, 39, and Vicki Lantz, 40, of Capetown Safari and Lazy “L” Exotics in Cape Girardeau, Missouri, pleaded guilty in February 2002 to conspiracy to sell an endangered species, as did Freddie Wilmoth, 44, of Gentry, Arkansas.

Wilmoth, the son of Wild Wilder-ness Drive Thru Safari owner Ross Wilmoth, drew a fine of \$10,000 and three years on probation. Ross Wilmoth was not charged in the trafficking case, but has been accused by the USDA Animal and Plant Health Inspection Service of multiple Animal Welfare Act violations.

Todd and Vicki Lantz, who is the daughter of 5-H Ranch wildlife dealer David Hale, are still awaiting sentencing.

In April 2002, former Power House Wildlife Sanctuary owner Stoney Ray Elam, 55, pleaded guilty to similar Endangered

Species Act violations.

Still facing trial under late 2001 indictments are three alleged customers of animal parts from Michigan, plus Tim Rivers, 55, of Animals In Motion, in Citra, Florida, best known for promoting the Tim Rivers Diving Mule Act.

Indicted on May 1, 2002, on related charges, were taxidermist Kevin W. Ramsey, 32, of Wisconsin, who pleaded guilty on May 30; Robert J. Czimer Jr., 56, of Czimer’s Game & Sea Foods Inc., in Lockport, Illinois; Steven Galecki, 32, ex-owner of the Funky Monkey Animal Park in Crete, Illinois; and alleged illegal hides and meat dealer William R. Kapp, 36, of Tinley Park, Illinois. Indicted with them were three alleged trophy collectors from the Chicago area. One of them, Timothy R. Laurie, 45, of Elgin, Illinois, has also pleaded guilty.

Penetrating Kenya

While the U.S. Fish and Wildlife Service tries to halt such operations in the U.S., it advises USAid efforts to expand CAMPFIRE-like programs from Zimbabwe to other African nations. The “War on Terror” has given the administration of U.S. President George W. Bush a particular interest in strengthening the U.S. presence in Kenya.

Somali militias have penetrated the Kenyan border to poach and occasionally kidnap tourists since the 1960s, when an eight-member Air France flight crew and their driver vanished in Tsavo National Park. Their bullet-riddled Volkswagen bus became a macabre local landmark. The six female flight attendants were rumored to have been sold into slavery in Somalia, but none of the missing were ever actually seen again.

Since then, the strength of Kenyan border and national park security has waxed and waned, depending mostly on the extent to which longtime president Daniel arap Moi has been willing to back the Kenya Wildlife Service in perennial conflicts with herders who would like to use the parks’ grass and water, farmers annoyed by elephants and other species who stray out of bounds, and corrupt officials involved in illegal wildlife trafficking.

Uncontrolled poaching and several murders of tourists in the late 1980s brought a tourism crash, and the shoot-to-kill antipoaching policy enforced by Richard Leakey, head of KWS from 1989 to 1994.

After the Leakey regime came a return to corruption and lawlessness under his successor at KWS, David Western, who was ousted in 1998 but remains politically well-connected, and continues—as he did at

KWS—to seek reversal of the 1977 prohibition of sport hunting in Kenya.

At some point probably in the mid-1990s, several of the most problematic Somali militias become associated with the Al Qaida terrorist network and Osama bin Laden. They advanced from raiding the Kenyan national parks for fun and private profit, to poaching to raise funds for *jihad*.

Post-September 11, 2001, USAid has become increasingly deeply involved in Kenyan wildlife politics, aligned with Western and his allies. These include the U.S.-based African Wildlife Foundation, founded in the late 1950s by trophy hunter Russell Train in an attempt to forestall the hunting ban that finally took effect 20 years later; several consortiums of owners of private wildlife ranches; and various others who would like to capture some of the trophy hunting business that the Zimbabwean conservancies are suddenly no longer attracting, due to the land invasions.

As in Zimbabwe, the Kenyan landowners call their facilities sanctuaries, and since hunting is still prohibited, they more clearly fit the conventional concept of a sanctuary as a place of merciful refuge. Many are also linked to nonprofit foundations, located in either the U.S. or Europe.

*I Dreamed of Africa* author Kuki Gallman invoked that background in two heated e-mails to **ANIMAL PEOPLE** on May 19 and May 21, 2002, after the April edition of **ANIMAL PEOPLE** mentioned that the Nairobi newspaper *The Nation* had repeatedly identified her as one of the leaders of a pro-hunting faction of landowners organized as the Laikipia Wildlife Forum.

“Ol ari Nyiro is a private land rhino sanctuary, a wildlife reserve, a botanical and fauna oasis, and no hunting activities are allowed,” wrote Gallman of her own property.

But Gallman did not respond after **ANIMAL PEOPLE** reminded her that “hunting activities” could not be allowed at Ol ari Nyiro anyway under present Kenyan law, and asked if she was willing to unequivocally state opposition to hunting and the pro-hunting positions taken by other prominent Laikipia Wildlife Forum members.

“Bird hunting will be licensed in Tsavo National Park to promote tourism,” KWS senior warden in charge of licensing Ibrahim Lubia announced at an end-of-May gathering in Voi, according to Pascal Mwandambo of *The Nation*. Mwandambo said the gathering was hosted by the Taita-Taveta Wildlife Forum and the East Africa

(continued on page 18)

Sultan was confiscated by the Houston SPCa from a breeding facility. He was malnourished and had rickets due to lack of calcium. Hundreds of these animals are sold as pets each year. Many are displaced when they become ill or too costly to keep. Sulton was one of the lucky few—he found a home at Wild Animal Orphanage.



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Giraffe, Tsavo West. (Kim Bartlett)

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# Is “sanctuary” illusion? *(from 17)*

Wildlife Society.

Allowing bird-hunting could actually kill the interest of birdwatchers in Tsavo, markedly reducing tourist visits.

However, if KWS authorizes any hunting on government land, continuing to prohibit hunting elsewhere would probably become legally and politically unviable.

The so-called private sanctuarians of Kenya would thereby be complicit in ending the second-longest national ban of sport hunting still in effect. India, which prohibited sport hunting upon achieving independence from Britain in 1947, is the only other nation to do so in modern times.

## Sanctuaries banned

Limpopo, also known as Northern Province, South Africa, is taking another approach to seeking trophy hunting market share, charges Kalahari Raptor and Predator Sanctuary co-director Chris Mercer.

Whereas some Zimbabwean hunting preserves have attempted to redefine themselves as sanctuaries and some Kenyan sanctuaries are attempting to become hunting preserves, Limpopo in a 50-page internal discussion document leaked to news media in mid-June has proposed to stimulate lion trophy hunting by legalizing the shooting of caged lions and banning the very existence of lion sanctuaries—meaning that any lion found at large will be available as a target.

“Wandering lions are to be classified according to their origins as vagrants or emigrants, and be utilized accordingly,” Mercer wrote in a joint statement endorsed by at least seven South African pro-animal organizations. “The priority urged for such animals is their removal from the environment quickly, efficiently and permanently. Such lions, say the officials, should be made available to captive breeders or the hunting industry wherever possible. There is no provision whatever for humanely capturing wandering lions and removing them to a reputable wildlife sanctuary for care and protection.

“No provision is made for lions to be protected from exploitation,” Mercer continued. “Facilities such as rehabilitation centers and sanctuaries will continue to be prohibited,” as they are now, “on the indefensible claim that they are ‘unnecessary.’

“Public officials should be banning the industry and closing down the captive breeding businesses,” Mercer opined, “which, if allowed to continue, will threaten the tourism industry in South Africa. Instead, our public officials are actively promoting unlawful and unethical practices. We glean from the proposed policy that there are approximately 2,500 captive-bred lions in South Africa, confined in cages awaiting execution.

“By contrast,” Mercer finished, “predator sanctuaries such as Enkosini and the Kalahari Raptor Centre, whose only mission is to save these animals from cruelty and extermination, are prosecuted, defamed, victimized and unlawfully excluded by provincial nature conservation officials,” whom Mercer and partner Beverly Pervan recently fought for more than a year on behalf of three orphaned caracal kittens. The government of Limpopo wanted to kill them as alleged future menaces to livestock. Pervan and Mercer—who is a semi-retired lawyer—eventually won their case. Two caracals were successfully rehabilitated and returned to the wild. A three-legged caracal is now a permanent resident of KRC.

## New Jersey tigers

Half a world away, New Jersey officials may wish they could have excluded sanctuaries for large and exotic cats before Joan Byron-Marasek was ever able to start the Tigers Only Preserve in Jackson Township. Byron-Marasek founded the 12-acre preserve in 1975 with five tigers she kept after a five-year stint as a trapeze artist for the Ringling Bros. and Barnum & Bailey Circus. She did not have all of the tigers sterilized. They

reproduced; she now has 24.

In 1999 one tiger allegedly escaped and was shot by police. The New Jersey Department of Environmental Protection refused to renew her operating permit. Wild Animal Orphanage agreed to take the tigers, but Byron-Marasek balked at giving them up. She has gone through six attorneys and a series of failed legal actions, proposing alternative relocations to at least two sites in New York, one in Missouri, and one in Minnesota.

The New York Department of Environmental Conservation cancelled her permit to take the tigers into New York on May 28, however, which was the only option that appeared possibly viable.

The Missouri option apparently never really existed, and the Minnesota option reportedly amounted to just one discussion by an intermediary with Nancy Kraft, founder of the not-quite-two-year-old BEARCAT Hollow exotic animal park.

Located in Racine, Minnesota, BEARCAT Hollow was fined by USDA-APHIS in early December 2001, for inadequately fencing an enclosure from which a tiger escaped in July 2001, injuring a seven-year-old girl. Just a few days after the fine was announced, a bear escaped.

Tigers Only has always claimed to be strictly a sanctuary, closed to the public although open to regular volunteers and donors. Though not accredited by the American Zoo Association, BEARCAT Hollow has always claimed to be a zoo. Many of the animals are former rescue cases.

That a “roadside zoo” was even mentioned as a possible destination for animals from a “sanctuary” illustrates how blurred the definitions of such facilities have become—and indeed have always been, as sanctuaries typically grow out of private rescue efforts by exotic animal fanciers, or changes of attitude and lifestyle by former breeders and show business animal handlers.

## Failures & rules

Just a few years ago, most of the animals in urgent need of sanctuary care at any given time came from private individuals. As many animals as ever are coming from exotic petkeepers, but now greater numbers are coming from failed sanctuaries, whose founders gathered more animals than they could raise funds enough or find help enough or secure land enough to look after.

Scarcely a week goes by now that **ANIMAL PEOPLE** does not hear about a care-for-life animal sanctuary on the verge of closure, and sometimes several.

In the first week of May 2002, for example, Christin Burford of the CARE Foundation in Christmas, Florida, reportedly lost the lease on the site she used for six years to house a black leopard, a tiger, a jaguar, and a puma, as well as many smaller animals.

May 7 was the deadline date set by the USDA-APHIS for the closure of the Siberian Tiger Conservation Association, near Gambier, Ohio.

The six tigers and two lions belonging to founder Diana Cziraky, 33, now known as Diana McCourt, had reportedly bitten at least 11 people since March 2000.

Failing sanctuaries have usually done something that oversteps the definitions of “sanctuary” and rules for sanctuary operation advocated by The Association of Sanctuaries cofounder Pat Derby and American Sanctuary Association cofounder Carol Asvestas.

Both once exhibited animals to the public, but are now philosophically opposed to any kind of animal exhibition for entertainment. Both believe sanctuaries should not be open to the public other than on guided tours. Both are opposed to breeding animals under any pretext, including the preservation of endangered species, even under the auspices of a U.S. Fish and Wildlife Service species recovery program.



*Sleeping lions, Tsavo National Park, Kenya. (Kim Bartlett)*

Both emphasize that sanctuaries should not keep animals on property they do not own.

Both are no strangers to just about every kind of trouble a sanctuary can have, and both are still fighting the usual battles.

As if by way of reminder that no good deed goes unpunished, Derby and partner Ed Stewart, cofounders of the Performing Animal Welfare Society, were ready on May 11 to move the first two of their six resident elephants to their new \$3.7 million ARK 2000 facility near San Andreas, California. The 2,300-acre site was touted as setting a new standard for sanctuary elephant care. African elephant expert Cynthia Moss flew in from Kenya for the scheduled dedication. But the elephants could not be moved because of a legal dispute with neighbor John Ham.

Derby and Asvestas each wrote much of their personal perspective from dealing with such setbacks into the TAOS and ASA membership criteria. Their rules help to exclude would-be sanctuarians who are likely to get into trouble, but as Andy Davis of the *Arkansas Democrat-Gazette* pointed out recently, they also exclude everyone claiming to operate a sanctuary in the state of Arkansas.

“The owners of the Riverglenn Feline Conservatory, Turpentine Creek Wildlife Refuge, and Riddle’s Elephant and Wildlife Sanctuary say they provide refuges for unwanted exotic animals, but none are accredited by TAOS or ASA,” Davis wrote, because all have recent histories of breeding animals.

“If your premise is based on there being too many animals out there with no place to go, then it is counterproductive to breed,” ASA director Vernon Weir told Davis. “When you breed more animals, you are taking away space from the animals who already have no place to go.”

**ANIMAL PEOPLE** has had occasion to cancel advertising from Riverglenn over the breeding issue, publish several exposes of animal care and accountability problems pertaining to Turpentine Creek, and point out that Scott Riddle, the founder of Riddle’s, has been repeatedly accused of brutalizing elephants at one institution after another since 1986. None of the three attract many good words from sanctuarians whose facilities **ANIMAL PEOPLE** regards highly.

But other aspects of how Derby and Asvestas believe sanctuaries should operate conflict with the practices of some of the best.

TAOS membership requirements from the beginning excluded Wildlife Waystation, for instance.

Founded by Martine Colette in 1973, Wildlife Waystation is according to Asvestas “the mother of all sanctuaries,” and Asvestas has prominently defended the Waystation against some noisy detractors.

Yet Asvestas recently recommended ASA accreditation standards which would also have excluded the Waystation—and resigned from the ASA when they were rejected.

One of Asvestas’ recommendations was “No handling, or encouraging the handling, of any non-domestic animal in public view,” lest this encourage the public to want exotic pets. “Animals must never be handled for educational, entertainment or emotional

purposes,” Asvestas insisted.

“I love the animals here, and I am going to handle them if they need and ask to be handled,” Colette told **ANIMAL PEOPLE**. “We have animals here who are totally emotionally imprinted on the human beings who unfortunately then gave them up, or were forced to give them up by legal restrictions. Some of these animals need to be handled affectionately, frequently. They will die without that emotional reassurance. I am sure Carol does not mean I should not give it to them, and if I show a visitor that it is all right to love an animal, what is the harm in that? If a volunteer or even a guest enjoys a rapport with an animal, who remains here in good care, what is the harm in their friendship?”

Also to discourage interest in acquiring exotic pets, Asvestas proposed prohibiting “presenting any hands-on activity in newsletters, promotional items, educational materials, websites, media packages or videotapes.”

Asvestas further suggested, “No taking non-domestic animals off premises for educational purposes.”

This would oblige Colette to discontinue the Safari Brunch and awards ceremony that is the biggest Waystation fundraising event each year. The star guests are several of the most gregarious Waystation animals, who appear to enjoy the attention.

“Sanctuaries must be located in an area where zoning issues will not become a threat to operation,” Asvestas continued.

“I wish there were a way that could be done,” Colette said. “When we moved out to Little Tujunga Canyon in 1973, we never anticipated any of the zoning problems that we have had recently. We moved away from the city, and the city expanded out to grab us.”

“The land on which the sanctuary is located must be owned or mortgaged in the name of the organization, and not in the name of the founders, board members, or any other individual,” Asvestas proposed.

Typically, however, the individual founders of sanctuaries have the credit to buy land. Newly founded organizations do not. Thus many founders, like Colette, buy land in their own names, of necessity, and then lease it to their sanctuaries for the price of the mortgage payments. Colette, having no children, has from the beginning made the Waystation the sole beneficiary of her estate—also a common arrangement of sanctuarians.

Neither Asvestas nor Colette spoke disparagingly of the other. That their disagreements were so deep as to split the ASA merely reflected the fragility of efforts to bring realistic definition to the sanctuary community.

## Accrediting bodies

Both TAOS and the ASA were formed with some idea in mind of emulating the success of the American Zoo Association over the past half century in steadily lifting the standards of accredited zookeeping.

But neither TAOS nor the ASA has ever even approached the membership reach of the AZA, which from the very beginning included the majority of the biggest, best-known, and most influential zoos in the U.S.

*(continued on page 19)*


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# Why sanctuaries scare the

Governmental agencies are usually happy to step in and regulate: expanded duties make bureaucrats more secure.

Yet the whole idea of recognizing sanctuaries as a class of entity distinct and separate from zoos, game preserves, and dog-and-cat-oriented animal shelters tends to make regulators nervous—and not just because of the many contentious practical issues and personalities they might have to deal with.

Historically, the concepts of “sanctuary” and “civil government” have rarely harmonized for long. The whole notion of “sanctuary” is of religious rather than secular origin, and abolishing it was among the major accomplishments of the post-Protestant Reformation separation of church from state.

Henry the Eighth of England, for example, founded the Church of England as much to end the use of sanctuary privileges by his political opponents as to gain the ability to divorce his wives.

From his time to this day, no legal concept of “sanctuary” is recognized in most nations, including the U.S., whose legal codes are based on British law.

“Sanctuary” is not recognized for animals because it is not recognized for people, and it is not recognized for people because it proved profoundly dangerous to the stability of secular states.

This was not the original idea.

In religious definition, a sanctuary is just a place of holy refuge, often for either humans or animals. The monasteries, convents, and temples of Christianity, Judaism, Islam, Buddhism, Hinduism and Jainism have all historically provided sanctuary of various sorts, to principled or penitent fugitives, the ill, the injured, the elderly, the pregnant-out-of-wedlock, the orphaned, and the destitute.

The social relief work done by modern religious orders grew parallel to the concept of sanctuary, and as an extension of sanctuary aid into the community.

Hindu, Jain, and Buddhist institutions became most closely associated with providing sanctuary to animals. Gaushala cow-shelters, where the cattle work, and pinjrapole cow-shelters, where they simply live out

their lives, became as common to Indian life as long as 3,000 years ago as animal pounds and humane societies are in the west today.

The temple elephant, supposedly an orphan or ex-working animal, is often the best-known feature of Buddhist temples, and sometimes of Hindu temples. Both Hinduism and Buddhism also have temples which provide refuge to miscreant monkeys—and sometimes to other species. There is at least one major Hindu rat temple. Several Buddhist monasteries in Thailand provide both sanctuary care-for-life and on-the-street outpatient care to street dogs.

The Buddha Mondhol religious center in Nakhon Pathom, for instance, 700 miles north of Bangkok, was featured in the June 25 edition of *The Straits Times*, of Singapore, for providing care to more than 200 dogs who have been abandoned on the grounds.

But giving sanctuary to animals has never been fully unique to the eastern religions. Every major religion worldwide, including animism in Africa and the sun worship of ancient South and Central America, seems to have had holy places where devotees nursed injured or sick birds back to health and then released them. Every major religion seems to have had holy figures like St. Francis of Assisi, who are most commonly depicted rendering aid or friendship to animals.

From the perception of bird release as a theologically approved act of mercy, each major religion seems to have developed at least one location where in witless perversion of the original intent, people wishing to make a display of holiness simply buy birds from vendors for the purpose of release. This inevitably brought the growth of an enormously cruel and ecologically destructive wild bird capture and transport industry—a big problem in India and many other parts of Asia, and a regional problem in parts of Latin America.

Snakes and turtles are also captured and sold for ritual release in much of southern Asia. The practice has spread among Buddhist immigrants to the U.S. and Britain.

But secular law came to mistrust and reject the concept of sanctuary long before recognizing the problems associated with animals.



*The Ahimsa of Texas sanctuary, near Dallas. (Bonny Shah)*

In human affairs, throughout the world, and regardless of which religion was dominant, the tradition of theological institutions providing refuge inevitably came to be represented by religious authorities as a doctrine that their activities were above the law.

Most notoriously, the crusader Hugh de Payens and eight friends in 1118 founded a sanctuary movement of sorts to protect religious pilgrims during the Crusades. Their organization split into two orders, the Knights Hospitalers and the Knights Templars. By offering sanctuary to many of the most talented dissidents in Europe, they accumulated economic and military strength enough to threaten the established regimes of at least a dozen nations. By 1314, after a seven-year virtual crusade against them, led by France and the Vatican, the orders were destroyed, though their history is echoed in the activities of the network of service lodges named after Jacques de Molay, the last Knights Templar grand master.

Never again would established governments allow a sanctuary order to become so large or influential, though subsequent history is filled with examples of other sanctuary movements that did eventually challenge the stability of nations.

The “midrassah” schools stoking militant Islamic fundamentalism throughout much of the world are only the latest examples of why civil lawmakers concerned with establishing liberty, egalitarianism, and one code of justice for all have typically made the abolition of “sanctuary” a political priority.

This human history is important to animal sanctuarians, even if the sanctuarians do not know it, because what animal sanctuaries attempt to do is also, in effect, to exempt themselves and the animals in their custody from governmental authority.

The exemption occurs because civil law recognizes only two categories of nonhuman animal: livestock and wildlife.

Livestock are animals kept for an economic purpose. Their value or economic output is taxed, partially to fund regulation in accord with maintaining and furthering the economic purpose, which includes protecting public health and safety.

Pet-related law has evolved out of livestock-related property law. The concept of impounding stray dogs and cats while seeking to rehome them came directly from the practice of impounding stray horses, pigs, and cattle, first codified in the U.S. by the

*(continued on page 20)*

## Is “sanctuary” an illusion? *(from*

The AZA enjoyed that advantage because it was originally a subcommittee of an association of urban planners which included every city in the U.S. that received federal funding for public works.

When the AZA split away as an independent organization, it inherited the membership of every city zoo in the U.S.

The first AZA accreditation standards were based on responses to a survey which sought to determine the median achievements and goals of the member institutions. Achieving accreditation meant rising to the median level. As more zoos reached the median, the standards were lifted.

As recently as 20 years ago there were barely 50 AZA-accredited zoos. There are now more than 180—and facilities which easily met the standards of 20 years ago have much work to do to rise to the current mark. The breadth of representation within the AZA, however, ensures that most zoos with serious aspirations want to be accredited, and work hard to obtain and keep it.

Starting out as a broadly representative body, the AZA has also from the beginning been able to withstand deep philosophical division without risk of organizational fracture. Instead, it has an almost institutionalized internal divide between the “New York” and “San Diego” perspectives.

The New York emphasis, reflecting the priorities of the Wildlife Conservation Society, is on conservation, including abroad, funded by donations and bequests.

The San Diego emphasis, reflecting the operating style of the San Diego Zoological Society, does not ignore conservation, but centers upon raising income from program service. Paid admissions and concession sales matter more; grants and bequests are smaller and fewer.

Between these poles, the AZA is able to give zoo management representing a broad spectrum of opinion a feeling of belonging, which in turn gives the AZA the authority to enforce the standards that it does.

TAOS and ASA accreditation experiences more resemble those of the dog and cat sheltering community.

The American Humane Association was the original shelter accreditation body, as

a confederated umbrella for most and perhaps all of the humane societies existing as of 1878. However, as visiting humane societies to accredit them was costly and seemed to confer little tangible benefit to the accredited organizations, the AHA did not seriously promote accreditation until after 1954, when the Humane Society of the U.S. debuted as an upstart rival and introduced an accreditation program of its own.

The AHA and HSUS ran competing shelter inspection and accreditation programs until 1991, when the AHA finally found the rivalry too draining to continue.

Early in the competition, the AHA and HSUS differed in their views on the acceptability of selling impounded animals to laboratories, the use of decompression chambers, and other matters of substance.

By 1980, however, there was virtually no difference in their standards and recommendations. Both advocated the methods and policies that are today the norm among conventional animal shelters—and neither ever verifiably accredited more than about a third of all the major shelters serving U.S. cities.

No organization is today broadly accepted as the one representative standard-setter for the greater portion of the sheltering field. A relative newcomer, the National Animal Control Association, does inspection-and-assessment visits to agencies holding animal control contracts, but both HSUS and NACA tend to be called upon to do inspections only after shelter management is already embroiled in public controversy.

Then, deciding which standards to try to meet tends to begin with a political fight at the board and/or town council level. Inevitably these days, a no-kill faction suggests adopting no-kill accreditation standards instead—and discovers that no one, so far, has even seriously attempted to draft any.

Whether the sheltering community could have followed the AZA accreditation model may be debated. What may be observed, however, is that the AZA members have elevated animal care standards much faster than the sheltering community.

Circa 1970, the animal care facilities at AZA zoos and dog-and-cat shelters were very similar. Bare cement floors, cinder

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# Why sanctuaries scare the Crown—but extermina-

Massachusetts Bay Colony in 1641.

The breaking-edge issue in pet-related law today involves efforts to establish as a legal verity that pets have an intrinsic value above and beyond the mere cost of physical replacement. This is essentially a value-added concept, multiplying replacement cost by the difficult-to-quantify investment of love. It is problematic not because it involves any real departure from familiar property law concepts, since the law has long recognized that a trained fast horse is worth more than an untrained slow one, but because it involves trying to set an economic value on qualities which cannot be objectively measured.

At no point are livestock, including pets, fully exempt in principle from either taxation or regulation. This is a point of much confusion among operators of tax-exempt animal care facilities, whose legal existence actually owes ancestry to the political trade-off that banished the concept of religious sanctuary from civil law.

As a concession originally granted to religious institutions in order to bring them peacefully under secular rule, governments allow private institutions operating purportedly in the public interest to enjoy exemption from taxation. But while a nonprofit shelter is exempt, the animals who live there are not: the moment they are adopted out, they may be taxed, usually in the form of licensing.

In legal terms, the public service is tax-exempt, but not the economic unit. The theoretical and hypothetical involvement of the animals in commerce, in turn, is the source of the right to regulate, beyond simply prohibiting activities that might injure neighbors.

Wildlife are “the king’s deer.” Because they are normally not confined, fed, bred, and worked for human economic pur-

pose, wild animals belong only to the state. The state may designate wild animals for economic use, as in issuing hunting licenses, but the public may not.

Under certain circumstances, such as in permitting the operation of zoos, the state may transfer animals from the status of wildlife to the status of livestock.

As commerce involving wildlife is a state monopoly, however, the public is not allowed to take wildlife into private care without special permission—including significant restrictions on any future economic use of the animals captured.

The concept of “sanctuary,” as applied to animals, blurs the distinction between livestock and wildlife. In effect, an animal sanctuary purports to remove animals from the status of livestock, who are kept for economic purpose. If the sanctuary also does wildlife rehabilitation, and keeps orphaned, ill, or injured animals who cannot survive in the wild, it also removes those animals from the possibility of economic use by the state.

An animal sanctuary thus usurps the common law basis for animal regulation. Yet a self-defined sanctuary may not actually remove the animals entirely from commerce. If visitors pay to see the animals, whether as touring members of the public, photographers doing special shoots, or high donors given special visiting privileges, there is little basis in the existing structure of law to distinguish the facility accepting only the old, ill, injured, abandoned, or dangerous, from the facility which breeds or buys exotic species just to attract more visitors.

Tax-exempt zoos typically manage to exist in a sort of legal limbo by defining themselves as institutions of public education. Some sanctuaries take the same approach, but

that further obscures the difference between a zoo and a sanctuary.

A sanctuary closed to the public is even more a paradox: if it is closed to the public, how does it perform the public service upon which the right of nonprofit operation is conditional?

If a closed sanctuary claims education as its reason for existence, and asserts that it educates the public by direct mailings, then direct mail fundraising becomes in effect the central part of the program, and keeping animals becomes incidental.

If a closed sanctuary claims to serve the public by removing dangerous animals from streets and yards, exterminators may ask why they too are not tax-exempt.

The Internal Revenue Service has in fact recognized one exterminator, White Buffalo Inc., of Hamden, Connecticut, as a 501(c)(3) charity.

The tax-exempt purpose of White Buffalo, according to its IRS Form 990, is “To conserve native species and ecosystems by sponsoring, supporting, and conducting scientific research and educational efforts to improve the understanding of natural resources for the purpose of conservation. To aid and assist in the management of wildlife populations through reduction or enhancement.”

The White Buffalo board of directors consists of Anthony J. DeNicola, Ph.D., paid \$54,000 a year after expenses; Deborah L. Cuddy, listed at the same address and paid \$36,000 a year; and attorney Eric M. Grant.

What DeNicola actually does is hunt deer. Within the past two years DeNicola has reportedly killed 590 deer in Iowa City, Iowa; 472 in Fairmount Park, Pennsylvania; and 373 in Princeton Township, New Jersey,

according to local news accounts.

The others are support staff.

Whatever “scientific research and educational efforts” White Buffalo does seem to be directed primarily and perhaps exclusively at self-promotion—for instance, by way of “education,” public appearances at which DeNicola denounces contraceptive means of controlling deer populations.

A closed sanctuary may argue that it also serves the public by providing the spiritual comfort that many people obtain from knowing that particular animals are safe and sound, not being hunted. But DeNicola, in choosing the name White Buffalo, clad his deer-hunting business in Native American spiritual imagery.

Ironically, because White Buffalo works almost exclusively under contracts from government agencies—\$220,319 worth in 2000—and works within the hunting-oriented traditional wildlife management paradigm, it may arguably claim a more evident direct relationship to recognized public service than sanctuaries which protect animals’ lives.

Further, the more a sanctuary separates healthy animals from the public, the more it looks to wildlife management agencies like just a pretext for keeping large numbers of potentially problematic exotic pets.

As most of the species in sanctuaries are not breeding members of endangered or threatened species, are not native, and are not recognizably useful to anyone, agencies oriented toward killing “nuisance wildlife” typically cannot comprehend why the animals in care should not simply be killed.

And sometimes that happens, when a sanctuary fails due to overcrowding, underfunding, or loss of facilities, and no other

## Why Bad Ads Happen to Good Causes by Andy Goodman Cause Communications, 2002. Free for downloading at <www.agoodmanonline.com>.

Anti-hunting activists may be transiently comforted to know that the ads designed by the anti-gun proliferation group CeaseFire tend to be more effective, as measured by readership surveys, than the ads of the National Rifle Association.

Otherwise, *Why Bad Ads Happen to Good Causes* should provoke just about everyone who buys ads to rethink ad strategy.

“The story behind this book begins on Halloween 2000,” Andy Goodman begins, “and it is appropriately a little scary.”

That morning Goodman read a *New York Times* article entitled, “What’s wrong with dot-com ads?”

The article described a Roper Starch Worldwide report on dot-com ad readership which in hindsight more-or-less predicted the failure of online advertising that presaged the dot-com investment collapse of the next few months. That collapse produced, as a ripple effect, a nonprofit fundraising slump that began well before the events of September 11, 2001, and has only deepened since.

“A lot of advertisers on the Internet are just not paying attention to the basics,” Roper Starch Worldwide report author Philip Sawyer told *The New York Times*—and the results showed in poor readership scores.

Readership scores do not measure how many people see an ad. Rather, they measure how much information people retain from it, which is in turn provides an indication of how likely they are to respond. A good ad can be very successful, even in a low-budget location. A badly designed ad can flop in the best space money can buy.

“As a communications consultant to nonprofits and foundations,” Goodman explains, “I pay close attention to public interest advertising. Much of what I see also appears to ignore the basics: headlines that ramble on forever, realms of dense text, layouts that give the eye no clue where to begin.”

Goodman learned that although no public interest organization had ever commissioned a study of nonprofit advertising, Roper Starch Worldwide had collected relevant data since 1990. Funded by the Pew Charitable Trusts, Goodman ordered a study of 200 nonprofit ads published in high-profile mass media, and confirmed his hunch that nonprofit organizations have for at least a decade been making essentially the same mistakes as the failed dot-coms.

Goodman does not delve deeply into why, but two commonalities are almost self-

evident: ad campaign supervisors who lack background in results-oriented commercial advertising, and ad design personnel whose creativity and computer skill typically far exceeds their understanding of how to communicate specific ideas.

Goodman identifies seven principles of advertising that cannot be ignored with any realistic hope of success: **1)** Capture the reader’s attention like a stop sign and direct it like a road map. **2)** Make an emotional connection before attempting to convey information. **3)** Write headlines that offer a reason to read more. **4)** Use pictures to attract and convince. **5)** If you want people to read your text, make it readable. **6)** Test before, measure after. **7)** When everyone zigs, it’s time to zag.

Goodman also notes that, “Public interest advertisers have displayed a strong inclination to target just two emotions: fear and shame. Despite a vast palette to choose from—joy and sorrow, love and hate, all the complex feelings that make us human—good causes have tended to paint with these same two colors over and over again. Unquestionably these are strong motivators, but if they are the only ones we use, we turn ourselves into the fear-and-shame people. And who wants to hear from them?”

Another way to phrase that is, what works in direct mailings is not always what will work within a newspaper or magazine.

**ANIMAL PEOPLE** can confirm, as a newspaper sustained in large part by advertising, that Goodman knows what he is talking about. We have learned through the years that we can recognize a successful advertisement almost the moment we see it, and can also recognize an ad account that we are going to lose soon because the ad design makes fundamental mistakes.

Unfortunately, we have also learned that advertisers tend to fall in love with their ads. Warning an advertiser that a bad ad is about to happen to a good cause is usually no more effective than warning someone that his chained dog is a heck of a lot more dangerous than he thinks, or that feeding the bears is going to get them shot.

The education must be done before the errant person commits to the deed.

We recommend *Why Bad Ads Happen to Good Causes* to everyone who might eventually want to advertise here, in the hope that all of our advertisers can become as successful as the many who have stayed with us through the years. —M.C.



Jill Mountjoy of the Humane Farming Association at the Suwanna Ranch sanctuary. (K.B.)

## The use of Animals in Laboratory Experiments by The Revd. Hugh Broadbent Anglican Society for the Welfare of Animals (P.O. Box 7193, Hook, Hampshire RG27 8GT, U.K.), 2002. Inquire for ordering details c/o <AngSocWelAnimals@aol.com>.

“We are a Christian organization who are trying to raise awareness of animal welfare within the Church here in the United Kingdom and also amongst other Christians,” Anglican Society for the Welfare of Animals corresponding secretary Samantha Chandler wrote to **ANIMAL PEOPLE** in the cover letter accompanying *The Use of Animals in Laboratory Experiments*.

“Sadly,” Chandler continued, “we find that Christians are some of the most difficult people to convince about the importance of compassion for our fellow creatures. We produced this leaflet to try to encourage discussion on this controversial subject. Many in the animal rights movement will probably find it too moderate, as it gives both sides of the argument and allows the reader to form his/her own conclusions. However, this is not a leaflet aimed at those already involved in animal rights. Rather, it is aimed at Christians who might not have given the subject very much thought. We felt that if we wrote a very one-sided leaflet, it would immediately be dismissed as propaganda.

“The leaflet received quite a lot of interest at a large Christian exhibition and conference, particularly from teachers of religious studies, who were pleased to find a leaflet which covered this subject from a Christian angle,” Chandler finished.

Her description is accurate. *The Use of Animals in Laboratory Experiments* succinctly summarizes the history of the antivivisection movement, reviews the major

arguments pro and con, and proceeds to a theological assessment of the arguments which would probably be as relevant to Catholics and most Protestants as Anglicans.

The painter Joseph Wright of Derby produced the cover art, “An experiment on a Bird in the Air Pump,” in 1768, when both scientific vivisection and anti-vivisection activism were just beginning.

According to The National Gallery in London, “A travelling scientist is shown demonstrating the formation of a vacuum by withdrawing air from a flask containing a white cockatoo, though common birds like sparrows would normally have been used. Air pumps were developed in the 17th century and were relatively familiar by Wright’s day. The artist’s subject is not scientific invention, but a human drama in a night-time setting. The bird will die if the demonstrator continues to deprive it of oxygen, and Wright leaves us in doubt as to whether or not the cockatoo will be reprieved. The painting reveals a wide range of individual reactions, from the frightened children, through the reflective philosopher, the excited interest of the youth on the left, to the indifferent young lovers concerned only with each other. The figures are dramatically lit by a single candle, while in the window the moon appears. On the table in front of the candle is a glass containing a skull.”

There are few more inclusive and representative depictions of human attitudes toward animal research. —M.C.

**The Story of Rats: *Their impact on us, and our impact on them*, by S. Anthony Barnett**

**Allen & Unwin (c/o Independent Publishers Group, 814 North Franklin St., Chicago, IL 60610), 2001. 216 pages, paperback. \$14.95.**

“Early in the Second World War,” explains the back cover of *The Story of Rats*, “Tony Barnett was drafted into the sewers, wharves, food stores, and other rat-infested environments offered by a London bombed nightly by the Luftwaffe.”

Now emiritus professor of zoology at the Australian National University, Barnett has studied how to kill rats ever since, including for many years as more-or-less a Pied Piper hired to rid India of rat problems. Bennett has also extensively studied the domestication of rats for laboratory use.

In both pursuits, Barnett found investigation of rat intelligence essential. Most of *The Story of Rats* concerns his findings about how rats think, including their tendency to avoid unfamiliar objects. This, Bennett argues, is why rats tend to learn to avoid traps and poisoned grain. Barnett applied this finding to become a very successful rat-killer.

Little of *The Story of Rats* actually explores “their impact on us, and our impact

on them,” in any dimension other than pest control. Barnett only briefly discusses how rats have affected human history and culture, and barely considers at all the role of rats in urban ecology, as a major predator of mice and in turn the primary prey of street dogs.

Nor does Barnett show appreciation of rat individuality. He would probably dismiss as anecdotal the story of eight-month-old Fido the rat, who at two a.m. on April 12, 1998, was in his cage on the ground floor of the Lisa Gumbley home in Torquay, Devon, U.K.. Gumbley, 29, was asleep upstairs with daughters Megan, 9, and Shannon, 3. As an electric heater shorted out, setting fire to the carpet and furniture, Fido somehow managed to unfasten the door to his cage. Then, instead of racing outside or away, Fido climbed 15 eight-inch steps to scratch at the bedroom door until Megan awakened, discovered the fire, and alerted the others, including the family dog. All escaped safely.

The traditional scientific rebuttal to such heroic animal stories is that the animal

only sought to save himself—but heat and smoke rise, and dogs kill rats.

Was Fido as desperate as the World Trade Center victims who raced to the rooftop, were unable to get out, and so leaped through windows to certain death?

Or did Fido have a latent capacity for altruism and heroism which could be stimulated in other rats by giving them kind treatment similar to his experience?

Professor John K. Chapin of the State University of New York’s Downstate Medical Center in Brooklyn is taking an invasive approach to betting on the latter. Chapin and colleagues disclosed in the May 2 edition of *Nature* that they have surgically implanted wires in rats’ brains which direct the rats to turn left or right by simulating the touch of whiskers that suggests turning to a rat. and rewards a turn in the requested direction with a pleasurable sensation similar to being stroked. Each rat carries a backpack with a radio antenna and a tiny video camera that transmits an image of whatever is in front of

the rat to Chapin’s laptop computer.

Chapin and team envision using “bionic rats” to help in jobs such as combing the rubble of the World Trade Center to locate buried survivors, penetrating caved-in mine-shafts, and detecting landmines.

“Unlike robots, animals can quickly adapt to new terrain,” explained Kenneth Craig of *The New York Times*. “The researchers were able to take rats who had never been outdoors and get them to climb trees, scurry along branches, turn around, and come back down.” Robots, so far, cannot do any of this.

“A wireless computer network could ferry data among a pack of rats so that if one rat were out of direct contact with the operator, its signal could still be transmitted through the network,” wrote Craig. “Over time, perhaps people could learn to like rats.”

Agreed Chapin, “Maybe if it becomes widely known that there are these rescue rats, people wouldn’t be scared” to see a rat. —M.C.

**Maverick Cats: *Encounters with Feral Cats***

**Expanded and Updated Edition**

**by Ellen Perry Berkeley, with illustrations by Sandra Westford**

**The New England Press (P.O. Box 573, Shelburne, VT 05482), 2001.**

**159 pages, paperback. \$14.95.**

“Fewer than a dozen research papers had been published by the mid-1970s,” about feral cats, recalls Ellen Perry Berkeley in a new final chapter of her 1982 classic *Maverick Cats*. “We now have more than 20 times that number.”

*Maverick Cats* was the first serious book-length look at the lives and ecological roles of feral cats, the first volume to pull together all of the research findings available as of 20 years ago, and perhaps the first description published in the U.S. of the neuter/return method of feral cat control.

Berkeley did not begin her research as a “cat person,” and certainly did not expect to become the figurative grandmother of neuter/return in North America. Formerly senior editor of *Architectural Forum*, Berkeley was and remains a strong advocate of environmentally friendly design: of living harmoniously with nature, not trying to fight it.

If Berkeley had accepted the dogma prevailing both then and now among wildlife managers and mainstream environmentalists, *Maverick Cats* might have become a treatise on how to kill an alleged invasive species, appreciative of the wariness of the species but only to the extent that any hunter admits the difficulty of dispatching animals who run and hide.

Berkeley has long emphasized thoroughly understanding natural dynamics, however, before presuming to know how nature “should” influence a particular piece of property, and she brought the same patience and attention to detail to her investigation of the lives of the feral cats she discovered sharing the property she and her husband Roy inhabit near Shaftsbury, Vermont.

Thus *Maverick Cats* instead became an appreciation of how well feral cats have fit themselves into the natural environment as amended by humans, filling the niches left by less adaptable and less fecund native predators like the North American lynx, fisher, and pine marten, who were long ago trapped, shot, or poisoned to regional endangerment.

**Exposes anti-cat claims**

“I have kept the original book intact,” Berkeley wrote to **ANIMAL PEOPLE** in the cover note accompanying our review copy, “but have added two chapters. I am very glad to have done this updating, to report on the most important new research and on the growing acceptance of neuter/return. In addition, my explicit refutation of the claims of the American Bird Conservancy includes material I have not seen in print until now,” from B.M. Fitzgerald, author of a paper entitled *Feeding Ecology of Feral House Cats in New Zealand Forest*, which has been extensively misrepresented by ABC, the National Audubon Society, and the Humane Society of the U.S. in their ongoing campaigns against neuter/return.

“The ABC claimed that ‘extensive studies’ over half a century had identified birds as comprising ‘20 to 30 percent’ of the prey of free-roaming cats,” Berkeley recounts in *Maverick Cats*. “I asked the ABC for the source of this unlikely figure, thinking that perhaps the ABC had merged mainland and island studies: a serious error.”

Indeed, this is what the ABC did. Further, Fitzgerald confirmed, the ABC, National Audubon Society, and HSUS have all misrepresented studies of the sometime occurrence of types of prey in cat diets with the frequency of cats actually consuming that prey. Thus, if the diets of cats marooned on islands with little except birds to hunt are included, about 21% of all feral cats appear to hunt birds on occasion. Overall, however, Fitzgerald found that under 10% of feral cats in mainland habitats hunt birds, and even cats who do hunt birds subsist mainly on small mammals—especially mice and rats.

The view that feral cats are an alien menace destroying native birds is politically attractive worldwide to government agencies, developers, and others who would like to foist off the blame for species losses which are almost always actually the result of depleted nesting and feeding habitat.

For those with a vested interest in misattributing to

cats the consequences of human activity, it is additionally convenience to blame the presence of the cats on the very people who are working hardest and most effectively toward eliminating the feral cat population by means of neuter/return, regular feeding, and socialization for eventual adoption placement of the cats who can be socialized.

In the U.S. northeast, where Berkeley lives and writes, the major reasons for bird losses are deer nibbling away the forest understory, as result of wildlife agencies encouraging overproliferation of deer to stimulate sport hunting; loss of the open grasslands which prevailed for about 200 years to the combination of urban sprawl and former farm land reverting to forest; and very heavy human use of beaches.

At Cedar Beach, Long Island, *Newsday* reported on June 16, 2002, a group called Caring for the Animals and Recovery of the Environment “has reduced the cat population from 75 to about 15 by spaying and neutering them, and has found homes for those tame enough to adopt, said member Linda Dow.”

The 80% reduction in feral cat numbers, after three years, is quite typical of the accomplishments of hundreds of similar all-volunteer organizations who use the neuter/return approach—whereas, traditional catch-and-kill only produces annual boom-and-bust cycles of cat populations who replenish themselves within months, and become progressively warier, as only the most furtive cats reproduce successfully. Only slow population reduction through natural attrition and nonreproduction avoids leaving a vacant habitat that attracts immigrant cats, and allows native predators such as the much less fecund hawks and owls the time they need to breed up to the carrying capacity of the habitat niches that are gradually opened to them.

Despite the success of the CARE program, the U.S. Fish and Wildlife Service and Town of Brookhaven have ordered that the last 15 feral cats at Cedar Beach be removed immediately, to protect endangered piping plovers, and are attempting to discourage the practice of cat-feeding neuter/return anywhere in the area.

CARE “could not have picked a worse place to drop these cats,” insisted local biologist Wendell Giebel to *Newsday* staff write Ann Givens, oblivious to the reality that CARE did not “drop” any cats anywhere. Rather, the cats are still right where CARE found them, but are now sterilized and vaccinated. They have persisted in their waterfront habitat for generations and will probably recover to persist for many more generations if surveillance and neuter/return facilitated by regular cat-feeding is ended.

This same scenario is underway at other waterfront habitats throughout the world as result of a “Policy Letter Preventing Feral Cat and Dog Populations on Navy Property” issued on January 10, 2002 by Admiral Vern Clark, Chief of Naval Operations.

Explains Alley Cat Allies president Becky Robinson, “The policy expressly prohibits feeding feral animals and/or implementing trap/neuter/return programs,” and requires “humane capture and removal of all free roaming cats and dogs” by January 1, 2003.

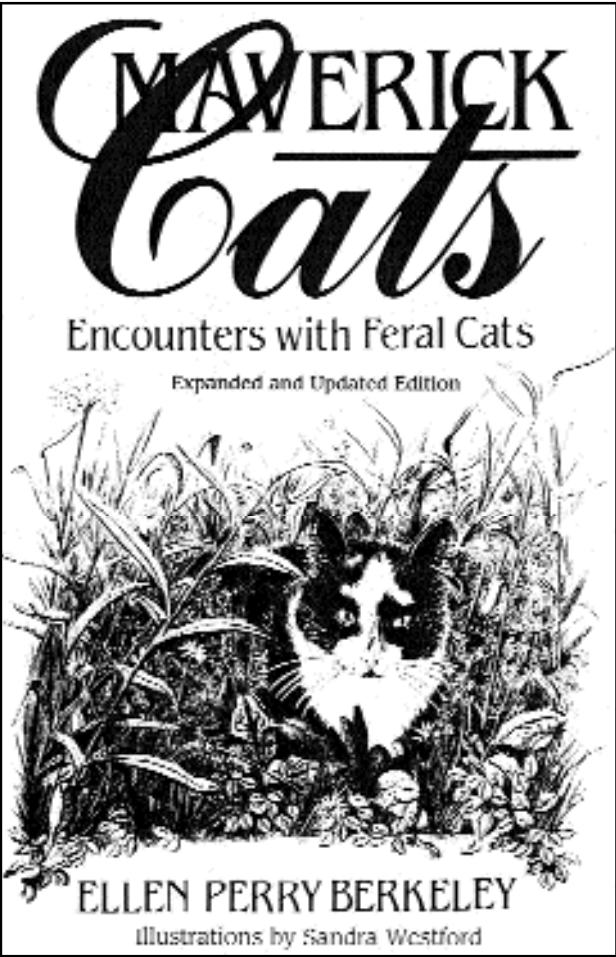
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Navy, means extermination as a self-perpetuating make-work project for USDA Wildlife Services trappers. It will be self-perpetuating because no fast-breeding mammal species has ever been lastingly extirpated from mainland habitat by means of catch-and-kill. As with the 62-year-old Wildlife Services war on coyotes, thousands of cats will be trapped and killed, and millions of dollars will be wasted, before the effort is widely recognized as a complete waste. Even then, it may be as politically difficult as the ongoing coyote massacre to halt or even restrain, between the need of the Navy for someone else to blame for shoreline and sea bird losses, and the need of Wildlife Services to find an ever-expanding mission so as to avoid the Congressional budget ax.

Incidentally, while killing cats to save birds, the Navy on June 7, 2002, obtained from the U.S. Court of Appeals for Washington D.C. an emergency stay of a permanent restraining order twice issued by U.S. District Judge Emmet Sullivan against ongoing use of Farallon de Medinilla for target practice. The small cat-free island in the northern Marianas chain is nesting habitat for at least two dozen protected bird species, including great frigatebirds, masked boobies, and endangered Micronesian megapodes. The Navy and other U.S. armed forces hope to soon obtain legislation permanently exempting them from obeying the Endangered Species Act, Marine Mammal Protection Act, and Migratory Bird Treaty Act. Meanwhile, naval bombardment of the island continues.

The republication and update of *Maverick Cats* is certainly timely. It is an essential primer for anyone concerned with cats at large. —M.C.

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In memory of Tucker.  
—Nancy Winchester & Bur

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Prometheus (3/21/81), Friendl (10/30/87),  
Lizzie (5/8/84), Boy Cat (12/26/85),  
Miss Penrose (11/18/98), Duke (11/1/98)  
and Blackie (9/9/96).

ANIMAL OBITS

**Buddy**, 4, a black Labrador retriever who spent 12 days waiting beside the remains of his master Bill Hitchcock in February 2002 on Knight Island in Prince William Sound, Alaska, and then led rescuers to the body, was killed in April 2002 by Anchorage Animal Control at request of Chignik mayor Jim Brewer. Brewer was chosen to adopt Buddy by Hitchcock’s employers, Rober and Marilyn Stowell of Spokane, Washington, from among an estimated 1,000 applicants—but Brewer had Buddy killed after Buddy bit his hand, inflicting a wound that required 14 stitches, soon after Buddy was neutered. Buddy was nominated for the Lewyt Award for Heroic and Compassionate Animals, though he did not win, and is remembered by the Friends of Buddy Memorial Fund created by the Gastineau Humane Society to assist other orphaned pets.

**Arnold**, 18, for six years the mis-named female bar cat at DJ’s Wheelhouse in Seward, Alaska, and then for 12 years a resident of the nearby Brown & Hawkins clothing store, died on June 5. Probably the most famous cat in Alaska, Arnold stole the show when as part of a special called *The Great Alaska Train Adventure*, Oregon Public Broadcasting tried to interview Brown & Hawkins owner Hugh Darling, whose grandfather built the store in 1903. Thereafter, Darling recalled, visitors would ask for Arnold by name. Her demise rated a full obituary in the *Seward Phoenix Log* newspaper.

**Chandrasekharan**, 70, head elephant and idol-holder at the Thiruvambady Devaswom temple in Thrissur, India, died on May 16. Originally belonging to the Travancore royal family, Chandrasekharan fell on hard times during the 1960s and worked as a logging elephant until Bhaskaran Menon of Thrissur bought her and donated her to the temple in 1973.

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HUMAN OBITUARIES

**William George, M.D.**, in his early eighties, died at the Hamad General Hospital, Qatar, on June 1. George was a longtime member of the International Primate Protection League advisory board. “I first heard of him when I read his devastating critique of the gruesome cat experiments at the American Museum of Natural History back in the 1970s,” recalled IPPL founder Shirley McGreal. “I could not believe that a medical doctor could be so compassionate, and suspected that the critique was a fake. I checked with the coalition formed by late Henry Spira to protest against the cat experiments, and was told that Dr. George practised in Miami. I was in Miami soon afterward and called him. His pro-animal actions were too many to list, but two stand out. First, in the 1980s he posed as a Middle Eastern medical researcher seeking endangered primates for research. He successfully exposed a Belgian animal dealer for ape smuggling. Second, as late as September 2001, long after he was diagnosed with the cancer that took his life, he joined in a campaign to return to Africa two chimpanzees who were confiscated in Qatar. He got up from his sickbed to see the animals off as they were flown to new homes at the Chimfunshi Wildlife Orphanage in Zambia. Dr. George always supported generously overseas rescue centers,” McGreal continued, “including Limbe in Cameroon,” which is a special project of IPPL. “Dr. George was a dermatologist,” McGreal added. “During one visit to IPPL, he removed a small growth from the finger of an adult female gibbon who was not anesthetized—no mean feat. He attended several biennial IPPL Members’ Meetings, the most recent being in March 2002. He was very, very ill, but decided that he just had to be with his primate and human friends here in Summerville one last time.”

**Dorothy Spelko**, 86, died on May 22 in Euclid, Ohio. A founding member of Citizens for Pet Responsibility, Spelko “was one of Euclid’s first animal control officers,” for whom a municipal shelter built in 1983 was named, and for 55 years “rescued stray and homeless animals in and around Cuyahoga County,” recalled friend Beverly Ankert. “She recently cofounded the Spelko-Pal Chow Animal Rescue Group,” Ankert added, “and was actively helping with the animals until April.”

**Phang Jampa**, 27, a cow elephant whose suffering from infection after the death of a calf in her womb had much of Thailand praying for her, died on June 9 despite the efforts of the Kasetsart University Animal Hospital to save her. She was among 30 elephants hired to carry tourists by the Elephant & Conservation Club of Kanchanaburi.

**Onyx**, 38, better known by the nickname Big Mac, 38, died in mid-May from a ruptured intestine at the Dickerson Park Zoo in Springfield, Missouri. Onyx was imported from Thailand in 1965 by Arlen Seidon a.k.a. Murray Hill, of Fordland, Missouri, who trained him to perform. In 1980 Hill donated him to the Dickerson Park Zoo in Springfield, where he sired 12 calves.

**Dorothy Reynolds**, 86, died on November 29, 2001, in Jackson, Michigan. Reynolds in 1960 learned that Jackson County Animal Control was using strychnine to kill homeless dogs and cats. She complained to the Cascades Humane Society, but found them killing animals in a gas chamber. Both shelters also sold dogs and cats to laboratories. Reynolds formed the Jackson Animal Protective Association to pressure them into reform. She also clashed often with local hunters and trappers, including rock-and-roller-turned-hunting-promoter Ted Nugent. By her later years, Reynolds had outlived virtually all of her old foes and her local supporters as well. Younger activists and humane workers who did not recall the conditions she fought against during the 1960s and 1970s were bewildered by her lingering vehemence.

**Milton C. Shedd**, 79, died from cancer on May 27 in Newport Beach, California. Originally an investment banker, Shedd was involved in marine conservation most of his life, “but his most famous project was SeaWorld San Diego,” Associated Press recalled, which “began as a plan by four fraternity brothers to open a restaurant with a marine show. With an initial investment of \$1.5 million, SeaWorld opened in 1964,” soon after the debut of another Shedd project, the Hubbs-SeaWorld Research Institute. Shedd later led the expansion of SeaWorld to Orlando, Florida, and Akron, Ohio. The Akron site was recently sold to Six Flags Inc.

**Ioan Bodoga**, 46, keeper of a four-year-old bear named Serban at the Oradea Zoo in Romania since the bear was born, was fatally mauled and reportedly partially eaten by the bear in early June, soon after the bear was separated from his mother.

**Qi Jinshou**, a zoo bear-keeper in Hangzhou, China, was fatally mauled on May 25 while cleaning two bears’ cage. Co-worker Hu Shunliang was critically injured in attempting to rescue him, but was reported out of danger by May 27.

**Bhim Dev Varma**, a former member of Animal Welfare Board of India, remembered by the AWB as “father and benefactor to all the homeless dogs of Khan Market, Golf Links, and Lodhi Park” in New Delhi, died on April 9. “His wife Reeta is carrying on his mission,” the AWB said.

**Tuss**, 50, a cow elephant born in Assam, India, who was the Bronx Zoo matriarch since 1976, died on May 16.

**Scarlet the Rottweiler**, 15 months, died suddenly in mid-June at her adoptive home with Angela Fredrickson, of Victoria, British Columbia, due to a sudden bad reaction to an insect bite. “Kept day and night on a short chain [by her original keeper], living in her own excrement with no human companionship or exercise, her howls attracted attention,” earlier in 2002, recalled Malcolm Curtis of the Victoria *Times Colonist*. Pressured by the Animal Advocates Society of B.C., the British Columbia SPCA confiscated her in February, in one of the first B.C. cases of a dog being seized due to prolonged chaining.

**Caroline Knapp**, 42, died on June 3 from lung cancer in Cambridge, Massachusetts, just six weeks after she was diagnosed and three weeks after her marriage to companion Mark Morrelli. A columnist for the *Boston Phoenix*, 1985-1999, Knapp enjoyed her first big success with her 1996 memoir *Drinking: A Love Story*, about her life as a “high-functioning alcoholic” and anorexic. The affection and loyalty of her dog pulled her back from the brink of self-destruction. “I am in love with my dog,” Knapp confessed in her most popular book, *Pack of Two: The Intricate Bond Between People and Dogs* (1998). “I’m 38 and I’m single, and I’m having my most gratifying relationship with a dog. But we all learn about love in different ways, and this way happens to be mine.”

**Emanuel Rodriguez**, 56, of Margate, Florida, was killed in front of his wife on June 18 when he left their car to try to remove a turtle from Boynton Beach Boulevard and was hit by a car driven by Rochelle Roth, of Boynton Beach. The turtle survived.

**Joe Watson**, home developer and board president of the Pets ‘n’ Friends animal rescue society in Apple Valley, California, died on May 28—the day Pets ‘n’ Friends received notice that it had until June 30 to relocate from the warehouse it has occupied since 1996, to make room for a stereo store.

—Wolf Clifton

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