

Animal Welfare and Animal Rights

Key Terms

Abolitionists	Reformists
Animal rights	Sentient
Animal welfare	Speciesism
Anthropomorphism	3 Rs
Downer cow	Vegan

INTRODUCTION

Since the 1980s, no other animal-related social issue has generated as much emotion, rhetoric, and ill will as the discussion surrounding animal welfare/animal rights. Some of the uproar is simply a function of how a democratic society resolves disputes. When a major social issue emerges and beliefs and policies are challenged, anger and conflict arise. Media hype, distorted information dissemination, emotional responses, and chaotic debate usually follow. Such is true of this debate. Yet there is more to this issue. People on both sides are affected in a very visceral way. Belief systems are challenged, people feel threatened, and reason is often hard to find.

Additional factors add to the confusion on this issue. Perhaps the most important is that this is not just one issue, but many, often lumped together in people's minds. The animal rights/animal welfare issue affects **sentient** animals used for every conceivable purpose, including those used for food, research, companionship, and recreational activities. Thus, many levels of society are affected (Figure 28-1). In addition, this issue surfaced at a time when agriculture was experiencing an economic crisis of such magnitude that it changed the structure of agriculture profoundly, and with it the lives of agriculturists. The biomedical research community was also facing tough economic times, yet rapidly increasing the world's knowledge and ability to help humanity with cures and preventatives for a myriad of diseases. The research community was outraged at the notions of those who would say, "A rat is a dog is a pig is a boy" as justification for ending lifesaving research. When hunters, trappers, and product testers also came under attack, a wide spectrum of the population discovered this issue affected them.

The idea of giving an animal rights is rooted collectively in several philosophical ideas and theologies, some of which come to us from

Learning Objectives

After you have studied this chapter, you should be able to:

- Describe the basis for the general concern, but the lack of a consensus opinion, relating to animal welfare and animal rights.
- Compare and contrast animal welfare issues and animal rights issues. If possible, reconcile whether animal rights and animal welfare are different or the same issue to you.
- Cite the major pieces of legislation that have been passed in the United States regarding animal welfare and animal rights.
- Describe the major philosophical differences among various groups that have an interest in this subject.
- Outline a view of the issues likely to be debated for legislative action.

Sentient Creatures that experience pain and pleasure.

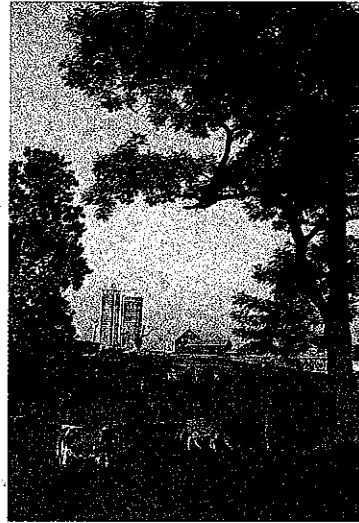


Figure 28-1

Animal rights/animal welfare. The animal rights/animal welfare issue includes concerns over animals used for every conceivable purpose.

ancient times. Thus, the notion of having animal rights tied up in the human value system is not new. Writings from many religions have successfully incorporated animal use, rights, and admonitions about care into human mythology. Some assert animal equality on several levels, and the very existence of these writings serves to point out that humans have long considered the relationship to animals as something to ponder. Why then has this issue gained so much attention at this point in history?

The answer is complex. Several factors have contributed. In many ways, attitudes on animal use have changed because of startling advances in technology and the efficiency those advances have brought. Technological innovation has led to profound changes in society's structure, organization, and goals. Agricultural efficiency has freed millions of people to pursue other avenues of livelihood. It has left few people with any contact with agriculture and no reason to share the modern agrarian ethic. If they have any concept of the agrarian ethic at all, it is either that of the antique or relic family farm of 60 years ago, or it is one developed as a complete outsider of the modern reality of agriculture. Being so removed from agriculture, the general population does not have the same connection with animals and farmers/ranchers that previous generations had (Figure 28-1). Their most common contact is with companion animals that yield no economic benefit to their owners and are often treated as a member of the family. As Ruckelshaus (1995) points out, "a primarily utilitarian view of animals has been superseded

**Figure 28-2**

When more people were directly involved in agriculture, a much greater percentage of the population had some tie to a family farm. Agriculture's efficiency has freed millions from the need to grow their own food. With no ties to agriculture, most people have no reason to share the agrarian ethic.

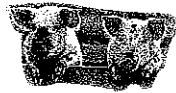
(Photographer Scott Bauer. Courtesy USDA-Agricultural Research Service.)

a more personal and comradely view." This, as well as popular culture icons such as those in Disney movies, has led many people to a highly **anthropomorphic** view of animals. With this view, it is hard for them to be objective and critical of information they receive. Technological innovations in human health are also the products of highly specialized production systems. Yet most people do not really understand that they are living longer because of research done with animals because they have no contact with the research or the researchers that make the discoveries. Nor do they tie medicinal production or product safety to animals. In sum, they do not really understand how much of their way of life depends on both agricultural and research animals. Even if they do hold such general understanding, the philosophies of the animal rights movement make the case that the animal rights philosophy does not allow humans the luxury of these pragmatic reasons for using animals. Those who argue for animal rights hold the view that humanity's quest for efficiency, productivity, knowledge, medical progress, and product safety is responsible for most of animal suffering and that these ends do not justify the means.

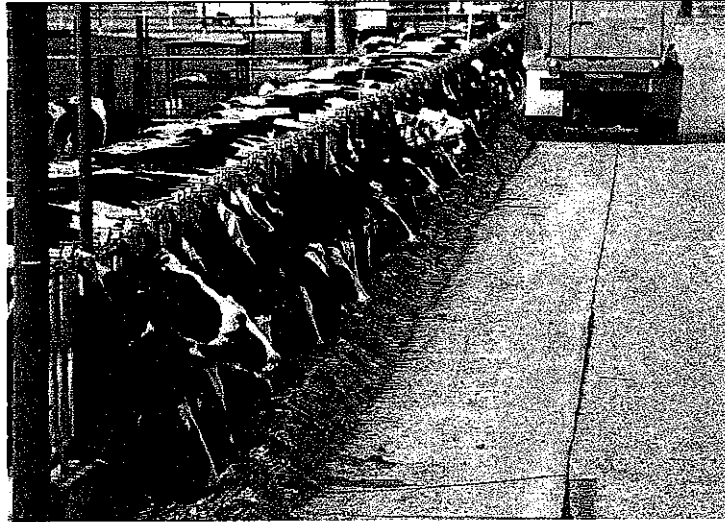
At the core of the focus on farm animal rights is the fact that farming is very different today in production systems compared to the more traditional role and treatment of animals in yesteryear's small family farm. Today's farm is often called a "factory farm" and the implication is intended to condemn. As Rollin (1995) points out, "The key feature . . . of traditional agriculture was good husbandry." In this traditional view, the animal's interests and the farmer's interests were so closely intertwined that few questioned that animal care was as good as it could be. Thus, very few would ever suggest that there should be laws dictating husbandry practices. However, modern, highly productive, industrial approaches to agriculture have little resemblance to the quaint family farm of the first part of the 20th century. Barnyard chicken flocks have been moved into battery cages. Baby calves that once ran by their mothers have been put into veal crates. Fenced pastures have been replaced by concrete and cable enclosures. Although many animals can be housed efficiently and food can be grown more economically in these modern systems, the general population does not have the comfort level

Anthropomorphism

Attributing human thoughts, emotions, and characteristics to animals, gods, objects, and so on.

**Figure 28-3**

Modern confinement systems of animal production, such as feedlots and battery cages for laying hens, bear little resemblance to production practices of the past. Many people are uncomfortable with what they view as "factory farming."
(Photographer Jeff Vanuga. Courtesy USDA-Natural Resources Conservation Service.)



with modern animal agriculture that preceding generations had with traditional agriculture (Figure 28-3).

Add to all of this the fact that activism is an established phenomenon of the modern age. The Vietnam War, women's issues, and the environmental movement were training grounds for a very competent breed of activist. People are also better educated on the whole than at any other point in history, and they are richer with more discretionary time. Added to this is the influence of several very effective writers and philosophers. The writings of Jeremy Bentham in 1789, Albert Schweitzer in 1903, Peter Singer in 1975, and Tom Regan in 1983 have all influenced modern thinking. Bentham is credited by some as the originator of the animal rights movement. Singer's influence cannot be underestimated. The publication of Ruth Harris' *Animal Machines—The New Factory Farming Industry* in 1964 brought agriculture and its animal production methods under real public scrutiny. The establishment and emergence of People for the Ethical Treatment of Animals (PETA) must be viewed as a pivotal event in the animal rights activism observed in this country today. During the decade of the 1980s, PETA and other restructured animal welfare/anti-cruelty groups were able to organize, collecting millions in donations, and influencing many Americans to become more animal rights minded. They successfully took the idea through the emerging stages of social consciousness and have turned it into a contemporary social issue. That is no small feat, and their skill and tenacity in accomplishment was extraordinary.

The new animal ethic accepted and openly advocated by some, while stringently opposed by others, presents challenges to individuals who work with animals in large capacity. Who prevails, on what issues, and how society comes to view the overall issues will determine the standards society adopts for all in the future. People educated on the issues and willing to enter the public debate should determine those standards. That debate is far from over. However, both providing and receiving education on emotional and controversial issues are usually difficult. When we are angry and embroiled in conflict, opinion is easily polarized. This makes it hard to get information one can trust as being objective, and hard to truly listen to when it is presented. Therefore, responsible citizenship demands of us the ability to differentiate between opinion and fact, emotional responses from objective ones, and rhetoric from information. With so much at stake, it is necessary for us all, on both sides of any issue, to com



understand the varying viewpoints. It is also morally incumbent that we find a position that is ethically defensible to support in the debate. Regardless of which position we adopt, it is further important that we be willing to inform others of our position and defend it.

ANIMAL RIGHTS VERSUS ANIMAL WELFARE

Although lines between the two tend to blur, animal rights philosophy and animal welfare philosophy are generally argued as separate issues. **Animal welfare** concerns began with the first domesticators of animals and have continued to the present with progressively responsible animal husbandry practices. The animal welfarist is concerned with an animal's treatment and well-being while the animal provides for human needs. The basis of the welfarist position is the idea that using animals obligates people to tend to basic needs considered to be good husbandry. These needs include feed, water, protection, shelter, health care, alleviation of pain and suffering, and other similar needs. Most would call these the necessary elements of humane care. In agriculture, providing for animal welfare determines whether or not animal production systems make money. Attending to welfare is an issue of biology (Figure 28-4). Providing for the welfare of an animal does not necessarily require giving it rights. Agriculturists fear that ascribing rights to animals will affect costs. As long as ascribing rights to animals does not change the way the production systems function, then there are no costs associated with the rights. However, if ascribing rights to the animals causes changes to be made purely for the sake of animal rights, then the rights have economic consequences.

Animal rights deals with philosophy, sociology, and public policy as they apply to the standing of animals in relation to human society. The most extreme animal rightists assign rights to animals that most human societies reserve for people alone, thus removing the moral barriers between people and animals. Their view is that animals have a right not to be used by humans for any purpose. To those taking the extreme animal rights position, the idea of humane care is an oxymoron. Of course, not all animal rights supporters take the extreme position. Many are more moderate and practical in their approach and work to abolish what they consider unacceptable situations of animal suffering. Many animal rightists support animal use if they can believe that both animal and human benefit. An example is keeping animals as pets. By contrast, the extreme animal rights position views pet keeping as an inappropriate exploitation that should cease. To some, biomedical research with animals is

Animal welfare The treatment and well-being of animals while they provide for human needs; humane use.

Animal rights Philosophy, sociology, and public policy as they deal with the standing of animals in relation to human society.

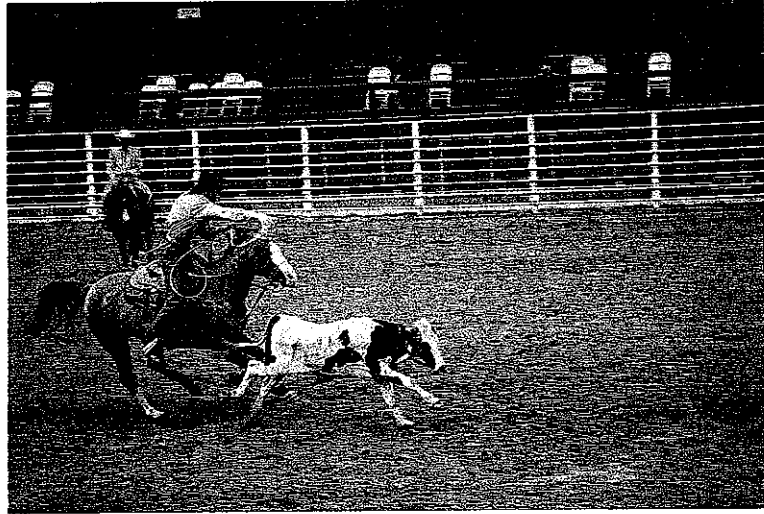


Figure 28-4

The animal welfarist is concerned with the animal's treatment and well-being while it is being used to provide for human needs.

**Figure 28-5**

To some animal rightists, biomedical research with animals is acceptable, but rodeo events, such as roping, are unacceptable exploitation.



Vegan Someone who eschews the use of any animal product, including the nonfood products.

Reformists Animal rights proponents who focus on changing methods of animal use.

Abolitionists Animal rights proponents who advocate the total abandonment of any animal use.

Speciesism Placing the interests of one species above that of another species.

acceptable, but calf-roping events at rodeos are not. To those who hold this position, the ultimate value of the use is what decides whether the use is justified (Figure 28-5). The anti-use animal rights philosophy leaves no room for compromise and is not open to change. It is based on a philosophy of no use. Many who subscribe to this view are **vegans**, people who use no animal products of any kind. By contrast, treatment of animals under a pro-use animal rights philosophy can change as the expectations of the greater society change and as new scientific understandings of animals develop. Some rights are already preserved in law, such as humane slaughter, and are not considered extreme by any segment of society. The new concern probably stems from the change in focus of animal rights advocates. Prior to the 1980s, almost all animal rights concerns focused on cruelty issues and generally exempted animals used for economic and recreational benefit. This distinction kept animal agriculture, research, racing, rodeo, hunting, and other similar uses from being considered in the cruelty laws. Animal rights advocates now include all of these animal uses in their agenda for change. Laws and policies are beginning to reflect the change in thought.

With this difference in philosophy, we naturally see different kinds of rights advocates—usually either reformists or abolitionists. **Reformists** may believe in the views of philosophers of the movement but generally are willing to work within the system to achieve their goals. **Abolitionists** focus on promoting total abandonment of any animal use. Some abolitionists have resorted to violence, vandalism, and theft as methods to destroy the veal and fur industries, and to stop product testing, animal research, and hunting. Regardless of the tactics, their goal is to stop animal use. Most members of these abolitionist groups use the term **speciesism**, or the placing of the interests of one's own species above the interests of another, to describe what they view as mankind's unconscionable arrogance against other species.

Bernard Rollin (1995) argues that the new animal ethic is not defined by the abolitionist view and that those opposed to animal rights make a mistake by characterizing the mainstream movement in abolitionist terms. His argument with specific regard to agriculture follows:

Rather, it is an attempt to constrain *how* they can be used, so as to limit their pain and suffering. In this regard, as a 1993 *Beef Today* article points out, the thrust for protection of animal natures is not at all radical; it is very conservative, *asking for the same sort of husbandry that characterized the overwhelming majority of animal use during all of human history, save the last fifty or so years*. It is not opposed to animal use; it is opposed



to animal use that goes against the animals' natures and tries to force square pegs into round holes, leading to friction and suffering. If animals are to be used for food and labor, they should, as they traditionally did, live lives that respect their natures. If animals are to be used to probe nature and cure disease for human benefit, they should not suffer in the process. Thus this new ethic is conservative, not radical, harking back to the animal use that necessitated and thus entailed respect for the animals' natures. It is based on the insight that what we do to animals matters to them, just as what we do to humans *matters* to them, and that consequently we should respect that mattering in our treatment and use of animals as we do in our treatment and use of humans. And since respect for animal nature is no longer automatic as it was in traditional agriculture, society is demanding that it be encoded in law.

Not all people agree that animal welfare and animal rights are separate issues. Some have begun to argue that continuing to separate the ideology of animal welfare from animal rights is no longer very practical. If it is true that the vast majority of society believes in both animal use and animal rights, then the argument has merit. Rollin (1995) suggests a new way of confronting the issue: "[I]f it is the case that the notion of animals rights is a pivotal part of the emerging mainstream social ethic for the treatment of animals, there is little value in maintaining the dualism of animal welfare versus animal rights. It is rather that the traditional notion of animal welfare is being socially augmented and explicated by the notion that animals have certain rights." However, it will be difficult for some in society to accept this view. Traditional agriculturists are highly unlikely to agree anytime soon to the idea that there is no difference between animal welfare thinking and animal rights thinking. Nor are animal rights supporters likely to be in accord with this idea. In *Rain without Thunder*, Gary Francione (1996) states, "The welfarists seek the *regulation* of animal exploitation; the rightists seek the abolition. The need to distinguish animal rights from animal welfare is clear not only because of the theoretical inconsistencies between the two positions but also because the most ardent defenders of institutionalized animal exploitation themselves endorse animal welfare."

Animal agriculturists usually take the position that they are practicing animal welfarists because a well-cared-for animal performs better and thus is more profitable. However, social issues do not generally arise without provocation. Animal rightists have raised concerns about some common practices in the animal industries that reasonable people in the livestock industry have been quick to support. The entire "downer cow" handling that animal rightists exposed at some slaughter plants provoked a cry of outrage from many levels of agriculture.

Clearly, it is difficult to discuss this issue without becoming confused about who is a rightist and who is a welfarist, and what each wants. As a means of distinguishing between animal welfare and animal rights, the author favors using the term *animal rights* in its political sense. In this sense, animal rights describes ideas and actions that have potential political action as a possibility or goal. It pertains to such goals regardless of the species. Animal rights, then, becomes any change or attempted change in the legal status of animals that challenges the status quo. *Animal welfare*, in the author's view, refers to well-being and care in its biological sense.

Downer cow A nonambulatory cow.

PHILOSOPHY, HISTORY, AND LEGISLATION

Modern animal rights philosophy has been influenced by many thinkers and their ideas. However, the philosophies of Peter Singer (*Animal Liberation*, 1990) and Tom Regan (*The Case for Animal Rights*, 1983) have unquestionably had tremendous influence. It is outside the scope of this text to put forth the particulars of their



philosophies. Gary Francione (1996) does a good job of distilling these two theories to their basics in the first chapter of *Rain without Thunder* for those of you who wish to explore them further. Of course, a thorough understanding requires a reading of the books (and considerable reflection on the ideas). The point that is important for this discussion is that there have been philosophies put forth for people to believe in. The implications for the animal movement have been enormous.

Pro-animal use has a philosophical base also. In most of the Western world including the United States, pro-animal use philosophy is based on the Judeo-Christian philosophy. The justification for animal use is essentially tied to the Old Testament concept of humans' dominion over animals. Interestingly, few people who oppose animal rights or abolitionist views ever evoke their philosophical reasons for doing so. Instead, they fall back on pragmatic arguments like "research saves lives" and "animal products help feed the world." Animal rights arguments however, are usually based on adherence to a philosophical stance that is in opposition to the use of animals for any use. Peter Singer himself acknowledges the relationship between Christianity and the Western attitude toward animals. He goes on to say, "A more enlightened view of our relations with animals emerges gradually, as thinkers begin to take positions that are relatively independent of the Church" (Singer, 1990).

In recent years, some moral philosophers have taken a stance against enhancing the moral standing of animals. In the preface to *The Animals Issue*, Peter Carruthers (1992) states that although "almost all the books and articles recently published on this issue have argued in favor of the moral standing of animals" this is simply because "most of those who take the opposite view have chosen to remain silent." His book sets forth a nonreligious, moral basis for animal use and against "forbidden hunting, factory farming, or laboratory testing of animals." He concludes his book with the flat assertion "that those who are committed to any aspect of the animal rights movement are thoroughly misguided."

In 1873, the first federal law was enacted to prevent animal cruelty in the United States. Table 28-1 lists the most important pieces of legislation enacted since that time.

ANIMAL WELFARE/ANIMAL RIGHTS GROUPS

Because opinions, beliefs, and views vary widely from individual to individual, it is logical that the same would be so of the organizations that develop around this complex issue. Groups exist on a continuum, from the most extreme militant groups on one end to pro-animal use groups on the other. Depending on how the various groups are categorized, there are probably 10,000 or so of them, all told. They are decidedly mixed in their goals and styles, and range from animal product groups to humane societies to terrorist organizations. They may be local, national, or international. They may be pro-use or anti-use. They may be reformist, abolitionist, or protectors of the status quo. They may be political action groups, militant activists. They may count among their ranks agriculturists, militant animal rights activists, animal scientists, philosophers, and others from service industries. They may be environmental groups, wildlife conservation groups, and nature groups. Almost all people involved have a polarized viewpoint, or they probably would not have joined any group at all. Table 28-2 offers a sampling of groups whose agendas favor either the expansion of animal rights or the opposition to the expansion of animal rights. Some focus on specific issues, while others direct their attention to a wide range of issues.

**Table 28-1****SOME IMPORTANT LAWS GOVERNING HUMANE ANIMAL USE**

The Federal Humane Slaughter Act of 1958, as amended in 1978, regulates slaughter practices. It requires federally inspected meat plants to meet humane slaughter conditions including rendering animals unconscious before slaughtering.

The Horse Protection Act of 1970 was enacted in order to prevent soring of Tennessee Walking Horses but covers all breeds of horses.

The Marine Mammal Protection Act of 1972 regulates the killing, capturing, and harassing of marine mammals.

The Animal Welfare Act (PL-89-544) with amendments in 1970 (PL-91-579), 1976 (PL-94-279), 1985 (PL-99-198), and 1990 (PL-101-624). This federal legislation and its amendments protects pets from theft; defines minimum holding times for pets in pounds sold to dealers; deals with basic animal management and veterinary care; and regulates research facilities, animal dealers, animal exhibitors, intermediate handlers of animals, including air and truck lines; and prohibits certain forms of animal fighting.

The Food Security Act of 1985 (PL-99-198) was the first omnibus farm legislation to include animal welfare issues. As a result of this legislation the Secretary of Agriculture is required to set standards for humane care, treatment, and transportation of animals by dealers, research facilities, and exhibitors. Included were minimum requirements for handling, housing, feeding, watering, sanitation, ventilation, shelter, veterinary care, separation of species, exercise for dogs, and the provision of an environment considered adequate for the psychological well-being of nonhuman primates. Further, research facilities were required to have a committee to monitor animal care and practices, and to provide training for anyone handling or using research animals. An information service on employee training and animal experimentation to reduce animal pain and stress was established at the National Agricultural Library.

The Health Professions Educational Assistance Amendments of 1985 provided for federal fund availability so that schools of veterinary medicine could develop curricula for humane care of laboratory species, for distress limiting methodology, and for the use of alternatives to animals in research and testing.

The Health Research Extension Act of 1985 (PL-99-158) put forth standards for research animals, which had been a matter of Public Health Service policy since 1971. Animal care committees, research plans for the reduction of or alternatives for animals in research, as well as the reduction of animal pain and discomfort were all addressed in this legislation. It was an amendment to the **Public Health Service Act [U.S.C. 42 §§ 289d(b) & (c)]**, which regulates projects funded by the Public Health Service or one of its agencies.

The Public Health Service Policy on Humane Care and Use of Laboratory Animals (OPRR-NIH) was first established in 1971 and was revised several times, most recently in September of 1986 to implement the Health Research Extension Act of 1985. The policy required institutions to use the *Guide for the Care and Use of Laboratory Animals* (NIH Publication 86-23; revised 1985) as the basis for developing the institution's animal use program.

The Animal Facilities Protection Act of 1992 made destruction of animal research or production facilities a federal crime if damage exceeds \$10,000. This legislation was prompted by incidents of vandalism, theft, and threats to research workers.

Good Laboratory Practice Standards were established under 3 different pieces of legislation: Toxic Substances Control Act (TSCA) (15 U.S.C. § 2603 *et seq.*) (40 C.F.R. 792.1 *et seq.*); Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. § 136 *et seq.*) (40 C.F.R. § 160.1 *et seq.*); and Federal Food, Drug, and Cosmetic Act (FFDCA) (21 U.S.C. § 321 *et seq.*) (21 C.F.R. § 58.1). Included are regulations for the care and housing of test animals in addition to regulations for other areas of laboratory management. Data to be submitted to the Food and Drug Administration and/or the Environmental Protection Agency must be collected under these rules.

State and Local Laws address issues such as pound animals, cruelty, regulation of research facilities, and educational use of animals.

Source: Compiled from Bennett et al., 1994, pp. 3-10; Katz, 1999; and Guither and Swanson, 1999.

ANIMAL RIGHTS ISSUES PRESENT AND FUTURE

Animal rights issues involve all species of animals and could conceivably develop in an infinite number of directions. Thus, predicting the issues of the future can be difficult. Nevertheless, many indicators suggest the probable issues of the future. The most likely are discussed in this section. The directions that public policy could take include protecting the status quo, leaving the issue to individual states, controlling public lands and not private lands, and setting policy for some issues at the national level while leaving others to the states.

**Table 28-2****ANIMAL RIGHTS AND ANIMAL WELFARE GROUPS****Groups targeting animal use**

Farm Animal Concerns Trust
 Animal Welfare Institute
 Humane Society of the United States
 Humane Farming Association
 Animal Legal Defense Fund
 Farm Animal Reform Movement
 People for the Ethical Treatment of Animals
 American Vegan Society
 Animal Liberation Front

Groups defending animal agriculture and biomedical research

National Livestock and Meat Board
 American Farm Bureau Federation
 Animal Industry Foundation
 Animal Agriculture Alliance
 Farm Animal Welfare Coalition
 Americans for Medical Progress Educational Foundation
 Foundation for Biomedical Research

Groups promoting voluntary guidelines for animal use and care

Association for the Accreditation of Laboratory Care
 American Medical Association
 American Psychological Association
 American Veal Association
 American Veterinary Medical Association
 Fur Farm Animal Welfare Coalition
 National Cattlemen's Association
 National Institute for Animal Agriculture
 National Pork Producers Council
 Numerous other scientific organizations

Defining and Measuring Animal Welfare

Currently, agriculturists choose management practices based on economic principles (i.e., they choose the production practices that will yield the most profit within the constraints). If government is to regulate care of agricultural animals by passing agricultural animal rights legislation, then an acceptable definition of humane care must be developed within the context of agricultural production systems. The methods of handling, transporting, and confining animals will need legal definition. Presumably, the development of such definitions would be a part of legislation aimed at restricting and directing animal management practices within production systems.

One problem with determining practices that promote the best welfare for stock is in defining and measuring physiological welfare. Often, the production of a useful product is measured. The supposition is that if the animal is gaining weight or producing milk at a high level, its needs are being met. However, modern animal production systems are not always designed to measure individual production and, if so, only at the end of the production phase. Another problem is that good production does not prevent animals from being subjected to distress. Other indicators such as physiological measurements (blood parameters, and so on), animal behavior, preference tests, or other measures, including simple observation, may measure an animal's state of care and distress. Measuring the psychological well-being of animals is an even more challenging task. Ultimately, a combination of meas-



will probably be used to measure the welfare provided in various management systems. Currently, the research necessary to make such determinations is not receiving the funding and the effort it sorely needs. Even though precise systems for measuring animal welfare need further development, those who work with animals have been developing guidelines for animal use rapidly and working to educate and implement standard practices (Table 28-3).

Regulation may involve establishment of boards and commissions that would define humane care and management, and then interpret, oversee, and arbitrate the legislative mandates. Alternatively, laws could be written through the public hearing process and enforced through regular law enforcement mechanisms. Still another alternative might include a system of labeling for food products that describes the production practices under which they were manufactured, allowing consumers to make informed spending choices.

This would no doubt increase the costs associated with food production and the cost of the products, and reduce the returns to the agricultural sector. Reduced supplies and increased consumer prices could result. The addition of new policies would also lead to regulatory bureaucracies, added taxes, and other forms of public support. However, some analysts argue, quite persuasively, that if all producers are required to make the same changes in production techniques, thereby raising costs to all and giving advantage to none, that consumers would then absorb the costs. They further argue that those costs would be so little per consumer as to be inconsequential to all but the very poorest (see Webster, 2001). If these arguments are correct, then producers would be compensated for providing improvements in the welfare of their livestock, consumers would absorb the costs, and production would continue.

It must be pointed out that certain avenues for defining animal welfare do not require broad consensus or even majority opinion and methods of enforcing

Table 28-3

SOME IMPORTANT GUIDELINES FOR CARE AND USE OF ANIMALS

American Association for the Accreditation of Laboratory Animal Care (AAALAC). A voluntary accreditation body that requires compliance with the *Guide for the Care and Use of Laboratory Animals* and the *Guide for the Care and Use of Agricultural Animals in Agricultural Research and Teaching*. Peer evaluation is used to ensure the proper care and use of research animals, as well as to protect people from dangers associated with conducting research with animals, and minimizing variables that can negatively affect the quality of research.

Guide for the Care and Use of Laboratory Animals. The *Guide* sets forth recommendations on policy, veterinary care, husbandry practices, and requirements for research facilities and the animals used for research in them. It further emphasizes that the responsibility for animal care is with the institution. Published by the National Research Council, the *Guide* is the resource explaining the requirements enforced under the Public Health Service Policy on Humane Care and Use of Laboratory Animals.

Guide for the Care and Use of Agricultural Animals in Research and Teaching. This guide is published by the Federation of Animal Science Societies (FASS). It is voluntary but has received wide acceptance, support, and use by those who use agricultural animals in research and teaching. It includes guidelines for institutional policies, general husbandry guidelines, health care, environmental enrichment, physical plant, handling and transport, biosecurity, genetically engineered and cloned animals, beef cattle, dairy cattle, horses, poultry, sheep, goats, and swine.

Policy on Personnel Ethics in Youth Livestock Activities. Oklahoma Cooperative Extension Service. This is an excellent example of a policy designed to retain and promote what is good about youth livestock programs. Many states have adopted policies on youth livestock programs relating to exhibitions. Such policies spell out unethical and illegal practices and the penalties for infractions.

AVMA Guidelines on Euthanasia. Presents acceptable methods of euthanasia.

Guidelines for Ethical Conduct in the Care and Use of Animals. Developed by the American Psychological Association's Committee on Animal Research and Ethics.

Source: Compiled from Bennett et al., 1994, pp. 3-10; Katz, 1999; and Guither and Swanson, 1999. Updated from various sources.



adherence to the definition, even if not all agree with the rubric assigned. For companies have been facing mounting pressure to develop animal welfare plans which their suppliers of animal products are then expected to follow. This gives the food companies a way to assure their consumers that the food animals are treated in a fashion they are willing to defend to their consumers. Several high-profile companies have taken this step. There seems little doubt that others will do the same. The marketplace may be the ultimate arbitrator, rendering legislation unnecessary.

Webster (2001) offers the following view of welfare, "The welfare of a sentient animal is good if it can sustain fitness and avoid suffering: i.e., stay fit and happy." An avenue for supporting that definition can be found in the "Five Freedoms" (Table 28-4) put forth by the Farm Animal Welfare Council, an independent advisory body established by the British government in 1979. (Note: the FAWC closed as part of a reorganization in March 2011.) Areas considered are affective states (pain, pleasure, suffering), natural living (conditions that allow the animal's nature and aptitudes), and basic health. Ultimately, a consensus will be reached through one or more avenues.

Cloning When the world found out about Dolly, the cloned sheep, the inevitable debate ensued over the ethics of cloning animals and humans (Figure 28-6). Cloning is likely to continue as a hotly contested issue in the future. In a policy paper issued in January 2008, the FDA declared cloned animals safe to eat. Many have couched their opposition argument in animal rights terms. Legislative agendas have already developed around this issue and will continue to do so.

Table 28-4

THE FIVE FREEDOMS OF THE FARM ANIMAL WELFARE COUNCIL

The welfare of an animal includes its physical and mental state and we consider that good animal welfare implies both fitness and a sense of well-being. Any animal kept by man must at least be protected from unnecessary suffering.

We believe that an animal's welfare, whether on farm, in transit, at market or at a place of slaughter should be considered in terms of **five freedoms**. These freedoms define ideal states rather than standards for acceptable welfare. They form a logical and comprehensive framework for analysis of welfare within any system together with the steps and compromises necessary to safeguard and improve welfare within the proper constraints of an effective livestock industry.

1. Freedom from hunger and thirst—by ready access to fresh water and a diet to maintain full health and vigor.
2. Freedom from discomfort—by providing an appropriate environment including shelter and a comfortable resting area.
3. Freedom from pain, injury or disease—by prevention or rapid diagnosis and treatment.
4. Freedom to express normal behavior—by providing sufficient space, proper facilities and company of the animal's own kind.
5. Freedom from fear and distress—by ensuring conditions and treatment that avoid mental suffering.

Stockmanship—The Key to Welfare

Stockmanship, plus the training and supervision necessary to achieve required standards are key factors in the handling and care of livestock. A management system may be acceptable in principle but without competent, diligent stockmanship the welfare of animals cannot be adequately safeguarded. We lay great stress on the need for better awareness of welfare needs, for better training and supervision.

Source: Adapted from Farm Animal Welfare Council. <http://www.fawc.org.uk/index.htm>.

**Figure 28-6**

Dolly, the cloned sheep, was just the first of many cloned animals to follow. Many consider the ethical debate over creating clones to be issue an animal rights issue. (Photo courtesy Viagen, Inc.)

Control of Predatory Species Predators and wild grazers affect the ability of production agriculturists to produce inexpensive food because they increase the costs of producing crops and livestock. Sheep have long been the target of coyotes. Deer and other related species can do tremendous damage to crops. In addition, several predator species have adapted to human encroachment on their space by harvesting our pets as their food supply. Herbivores freely roam some suburbs, damaging expensive landscapes. At issue is whether or not to control the problem species in order to protect the domestic plants and animals. Policy alternatives range from banning any control, to allowing almost any form of control. Alternatives in between those options include restricting some practices to minimize damage to nontargeted species, developing better control methods, and allowing the damage but instituting a method of reimbursement to those who suffer economic losses.

Hunting and Trapping For the short term, the debate over this issue will probably center on whether or not to allow hunting on public property, whether those who interfere with hunters on public property should be restricted, and whether or not leg-hold traps should be allowed. Many groups have interests in this issue. Animal rights groups generally object to all hunting and trapping (Figure 28-7). Conservationists favor restrictions on hunting and trapping to ensure species health and survival,

**Figure 28-7**

Animal rights groups tend to object to hunting wild-life species, whereas many other groups support hunting for many reasons. (Photographer Scott Bauer. Courtesy of USDA-Agricultural Research Service.)

**Figure 28-8**

Advanced laboratory techniques are giving researchers tools to reduce the number of animals needed in biomedical research. Cell cultures can sometimes be used as alternatives for live animals in research. Here, animal physiologist Caird Rexroad inspects bovine embryonic cells. (Photographer Keith Weller. Courtesy of USDA.)



including both endangered and nonendangered species. The sale of hunting rights private property gives agriculturists an economic stake. Property rights debates ensue when restrictions on private property are considered. Revenues from hunter's fees and licenses are used in conservation programs aimed at preserving wildlife species.

Research Legislation that regulates and controls management of animals used in research already exists. The next step would be to determine if the government would exercise value judgments and determine the exact uses for animals in research, to determine if they are to be used at all. This could mean prohibiting all animal research, or restricting some types, such as agricultural animal or cosmetics research but allowing other types, such as biomedical research, to continue. This could negatively affect development of new drugs, cures for diseases, and the general health and well-being of the human population, and could increase the costs of health care. It is estimated that advances from animal research have added 25 to 30 years to the average American life span since 1900. Medical advances that will add even more years certainly remain to be discovered, as do discoveries that will add to quality of life. Medical research depends on the use of animals as models and will continue to do so in the near future. Animals are also used in research to benefit animal health and improve production methods, resulting in healthier, longer-lived pets and health more productive livestock.

The number of animals used in research in the United States has been decreasing for several years, partly because of the costs of the regulations that have been imposed. However, a significant amount of reduction in animal use is also due to the increased use of in vitro cultures, mathematical models, and the substitution of lower organisms (Figure 28-8). Researchers have accomplished much of this through the concept of replacement, reduction, and refinement (the **3 Rs**). The success that researchers achieve in carrying out this concept may ultimately decide what laws are enacted.

SOURCES OF INFORMATION

The Animal Welfare Information Center (AWIC) is an information service established at the National Agricultural Library in Beltsville, Maryland. It was established as a result of the 1986 amendments to the Animal Welfare Act. Its mandate includes providing information on subjects relating to animal welfare. It is the single most important resource on this topic in the United States. Address: Animal Welfare

3 Rs Replacement (substitute something else for higher animals), reduction (reduce the number of animals needed), and refinement (decrease in inhumane procedures).



Information Center, National Agricultural Library, 10301 Baltimore Ave, Room 410, Beltsville, MD 20705. Phone: (301)504-6212; fax (301)504-7125; http://awic.nal.usda.gov/nal_display/index.php?info_center=3&tax_level=1&tax_subject=185.

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SUMMARY AND CONCLUSION

All things considered, there is little wonder that widely divergent attitudes, philosophies, and ethics that challenge more traditional values regarding animal use have developed. Thus, although animal rights is not merely some modern notion, at no time in history has the idea of rights for animals been accepted by so many and thus debated by so many. Nor have the numbers of people involved directly with noncompanion animals ever been so few. Consequently, at no other time have the conditions ever been so ripe for the issue actually to gain a following and grow.

Changing animal welfare concerns and emerging animal rights considerations have broad potential

benefits and costs to humans and our society on many levels. These include philosophical, social, legal, economic, biological, emotional, and political perspectives. The interested parties encompass a range of people from agriculturists and consumers, to the most extreme animal rights abolitionist advocate. The different viewpoints pit such issues as the hard, practical consideration that animal agriculture is a major part of the economy of this country against the more esoteric considerations associated with the belief systems of those who have equated animal rights to human rights. Should the most extreme approach to animal rights be accepted by society, then all uses of animals for food,



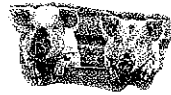
clothing, leisure, or research purposes would cease. Few believe this could ever occur.

The level of concern for animal rights issues among the general population of the United States indicates that more concern for these issues will grow in the future. Proponents of animal rights issues will join with environmental, diet, health, and food safety groups to pursue an agenda to support their goals. It is probable that they will influence future policies. Many argue that it is only a matter of time until farm animal welfare is legislated in the United States. Agriculturists, agribusiness entities, consumers, and all the rest, along with their organizations, must join the

discussion if they are to be part of the policy-making process. In fact, as Getz and Baker (1990) suggest, process may ultimately improve animal agriculture because challenges to the status quo often lead to change. Many argue that it has already done so for biomedical research. Those who graduate with degrees in agriculture, biomedicine, and related fields are likely to be thought leaders of the future on this issue. It is necessary to work intelligently, follow the issue diligently, distribute good information widely, and respond to criticisms from outside groups. The entire future of animal use in all its forms depends on an informed debate.

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