

A conversation with Lewis Bollard, February 23, 2017

Participants

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Note: These notes were compiled by the Open Philanthropy Project and give an overview of the major points made by Lewis Bollard.

Summary

Luke Muehlhauser spoke with Lewis Bollard as part of the Open Philanthropy Project's investigation into the history of philanthropy. The conversation covered the history of the modern animal welfare movement, with a particular focus on farm animal welfare. Topics included the founding and history of major advocacy groups, legal action (e.g. ballot measures and legislative lobbying), corporate campaigns, the influence of thinkers (e.g. Peter Singer) on the movement, and major funders.

Early days (1800s – 1950s)

The Royal Society for the Prevention of Cruelty to Animals (RSPCA)

While there have been various strains of individual animal advocacy for centuries (e.g. within various religious traditions, and in places such as India), the animal welfare movement as an organized force began in the early 1800s in Great Britain, particularly with the founding of the RSPCA in 1824. While the RSPCA's main focus early on was the treatment of draft and working animals (e.g. horses pulling carriages), there was some concern for farm animal welfare. For instance, Richard Martin, one of the founders of the RSPCA, had helped pass the Cruel Treatment of Cattle Act (nicknamed "Martin's Law") in 1822.

A number of the founders and early members of the RSPCA (e.g. William Wilberforce) were also prominent in other conservative social reform movements at the time (e.g. abolition, children's welfare).

The American Society for the Prevention of Cruelty to Animals (ASPCA)

The ASPCA was founded in 1866 in New York City by Henry Bergh (who was influenced by the RSPCA). It initially focused on draft and working animals.

The American Humane Association (AHA) and the Twenty-Eight Hour Law

The AHA was founded in 1877. One of its first actions was working to enforce the "Twenty-Eight Hour Law" governing the transport of farm animals across state lines, which had been passed in 1873. This law stated that animals could not be transported for longer than twenty-eight hours without five hours of rest, which was quite progressive for the time.

Enforcement of the Twenty-Eight Hour Law was strong for a few decades and then declined. A set of provisions in the early 1900s weakened the law, and enforcement essentially stopped. A version of the law is still in place and remains among the strongest federal laws on farm animal welfare, but enforcement is still low (Lewis is not aware of any enforcement actions in the last several years, and he is aware of violations).

The Twenty-Eight Hour Law applies to all animals in "common carriers," "vessels transporting animals," or "vehicles." The US Department of Agriculture (USDA) only expanded its interpretation of this to include trucks (which account for about 95% of farm animal transport) in 2007.

The Humane Methods of Slaughter Act

Throughout the 1800s and early 1900s, slaughter practices were very inhumane. While states had some humane slaughter regulations, the first federal regulations came under the Humane Methods of Slaughter Act, passed in 1958. The Humane Society of the United States (HSUS), which had split off from the AHA in 1954, heavily advocated for the bill. At first the Humane Methods of Slaughter Act only applied to the slaughter of animals being sold to the federal government; in 1978, it was amended to apply to all federally inspected slaughterhouses (i.e. any slaughterhouse intending to sell across state lines, which is the majority). Lewis is not aware of other major actions on farm animal welfare by the animal welfare movement in the 1950s.

Early focus on areas other than farm animals

The animal movement in the US and UK between the 1870s and 1950s mainly focused on issues other than farm animal welfare. These included animal testing and companion animal welfare, including setting up networks of animal shelters and humane societies and ensuring they treated animals well (i.e. either adopted them out or euthanized them humanely).

This focus on other areas was in part because farming systems posed less significant concerns at the time. Factory farming as a system began to develop in the 1920s, and only grew significantly much later. The earliest chicken factory farming and cage systems for hens appeared in the 1920s and expanded after World War II, when there was a need for high chicken production. Factory farming of pigs, in the sense of continuous, intense confinement, began in the 1970s and 80s.

Growth in the 1960s through 80s

Animal Machines and the Brambell Report

In 1964, Ruth Harrison published *Animal Machines*, an exposé on British factory farming which created public outrage over factory farming practices. The British government convened a commission led by Professor Roger Brambell (a professor of Zoology at Bangor University). The commission produced the "Brambell Report," which determined that factory farming systems had serious animal welfare

problems and recommended regulations, including proposing the "Five Freedoms of Animal Welfare," which remain influential.

Peter Singer and *Animal Liberation*

Philosopher Peter Singer read *Animal Machines*, and wrote a review of *Animals, Men and Morals* (a collection of essays on animal welfare which included work by Harrison and others) in the New York Review of Books in 1973. He expanded on the ideas in that review in his book *Animal Liberation* in 1975; the modern animal welfare movement can in some ways be traced to this book.

Animal Liberation focuses mainly on factory farming and animal testing; in general, animal testing received more attention from activists and the public in the 1970s and 80s (even though it affects fewer animals). This may in part have been driven by a general anti-establishment sentiment, since a lot of animal testing was funded by government agencies (e.g. the Department of Defense). Animal testing was also associated with emotionally vivid images (e.g. monkeys being restrained).

Henry Spira

Henry Spira, an activist in New York who encountered Peter Singer's ideas, founded Animal Rights International (ARI) in 1974. ARI focused on animal testing, running campaigns against, e.g., the American Museum of Natural History (which was experimenting on cats) in 1976 and Revlon (for cosmetic testing on animals) in 1980. Spira did grassroots organizing and provided support for more radical animal rights activism than had happened previously. A helpful resource on Spira's work is Singer's biography of Spira, *Ethics Into Action*.

People for the Ethical Treatment of Animals (PETA)

PETA was founded in 1980. Early on, it focused primarily on animal testing (though it also promoted veganism to some extent). PETA first received significant public attention in 1981 for its investigation into mistreatment of monkeys at a laboratory in Silver Spring, Maryland.

1990s

In the early 1990s, Henry Spira decided to shift his focus to factory farming in order to impact more animals. His earliest campaigns focused on cattle branding and slaughter practices. PETA also began focusing on the treatment of animals in slaughterhouses and of layer hens in factory farms. In particular, Spira and PETA led a campaign against McDonald's, which resulted in the first major commitments brought about by corporate campaigns (see below). Not many other groups were focused on factory farming at this time.

(A number of people who led PETA's factory farm work at the time are now in other positions in the movement – e.g. Bruce Friedrich, formerly at PETA, is now Executive Director of the Good Food Institute, which promotes plant-based and cultured alternatives to animal products.)

Fast food industry reforms

Slaughterhouse reforms

In the late 1990s, in part in response to campaigning by PETA, several fast food companies — including McDonald's and Burger King — decided to address slaughter practices, guided by a survey of slaughterhouses conducted in 1996 by Temple Grandin for the USDA. Grandin recommended design changes for slaughterhouses and stricter inspection stipulations; e.g., finding more than 1% of cattle to be conscious when hoisted up for slaughter (“sensible on the rail”) would be grounds for automatic failure, and companies (e.g. McDonald's) would stop buying from that farm. This resulted in a very rapid shift (within roughly a year) from a high proportion of animals being incorrectly stunned and slaughtered to general compliance with the 1% regulation. These reforms affected cattle and pig slaughterhouses (especially cattle slaughterhouses, which were providing beef to McDonald's, Burger King, etc.). Lewis views this as the first major change brought about by modern animal rights campaigning.

Improvements for egg-laying hens

In 2000, in part due to corporate campaigning, McDonald's, Burger King, and other fast food companies began requiring egg suppliers to provide a minimum cage size of 67 to 72 square inches per hen (up from 48 square inches per hen). While this is not a major improvement, it does allow hens to move and turn around to some extent (though probably not flap their wings).

These companies also called for an end to forced starvation molting for egg-laying hens. Formerly, producers would force-molt hens at the end of every egg-laying cycle (roughly, each year) by withholding feed for two weeks, which signals hens to restart the laying cycle and lay more eggs. Forced molting is now accomplished by giving birds feed that feels filling but is less nutritious.

HSUS

In the 1980s, HSUS focused almost exclusively on non-farm animal issues. HSUS did speak out against veal production (though it didn't achieve reforms in this area until much later). Activists in general vocally opposed veal crates and foie gras early on.

By the 1990s, HSUS had a sustainable agriculture department, but it took a very moderate approach. Lewis believes HSUS had fewer than three staff working on farm animal welfare. It did not run corporate campaigns.

Other grassroots groups

A number of other grassroots groups appeared in the 1980s and 90s, including:

- Farm Sanctuary, founded in 1986, which ran a sanctuary for rescued farm animals and did public education work. It was involved in ballot measure efforts in the early 2000s (see below), though it is less involved in the legislative side today.

- Vegan Outreach, founded in 1993, did leafleting (Lewis estimates it has now distributed tens of millions of leaflets).
- Compassion Over Killing (COK), founded in 1995 by Paul Shapiro while he was in high school. Activists such as Josh Balk joined COK and began doing “open rescues” on factory farms.
- Mercy For Animals (MFA), founded in Illinois in 1999 by Nathan Runkle. MFA focused on undercover investigations of factory farms for its first 10 years or so and received media attention for these. MFA is now the largest US group focused specifically on farm animal welfare.

COK and MFA focused exclusively on factory farming, whereas groups formed earlier had typically had other main focuses.

The 2000s and ballot measures

In the early 2000s, HSUS launched a ballot measure campaign focused on factory farming. At the time, Wayne Pacelle was leading HSUS's legislative team. Pacelle became president of HSUS in 2004 and further increased the organization's work on factory farming, including bringing in Paul Shapiro and Josh Balk in 2005 to lead HSUS's farm animal protection work. (The HSUS had previously proposed ballot measures on other issues, e.g. wildlife and companion animals, during the 1980s and 90s.)

Ballot measures are particularly useful because they allow a single issue to be put directly to a popular vote. Passing animal welfare laws in a state legislature is typically much more difficult because of resistance from agricultural lobbies.

Florida and Arizona ballot measures

In 2002, a Florida ballot measure banning gestation crates narrowly passed. In 2006, an Arizona ballot measure banned gestation crates and veal crates. While these measures did not directly affect many animals (in Florida, roughly 1,000 pigs were affected, and in Arizona, none were affected), they were valuable for setting precedent and building momentum.

After the Arizona ballot measure passed, the American Veal Association announced that it would phase out veal crates across the industry by 2017. (Veal consumption had already decreased significantly at the time.) Lewis impression is that this timeline was followed (i.e. the final veal crates are being phased out this year). The veal industry consists of fewer than a million calves a year from two main producers, Strauss Veal and Marcho Farms, which primarily supply upscale restaurants (e.g. Wolfgang's Steakhouse). Because these restaurants have made humane treatment a key part of their marketing, Lewis thinks producers are very likely complying with the veal crate ban.

California Proposition 2

The passage of California Proposition 2 in 2008 was a major event in modern farm animal rights history and helped start a broader national discussion around the issue.

Prop 2 was a ballot measure banning gestation crates and veal crates (though there weren't any of these in California at the time) and also designed to ban battery cages (though it did not fully succeed because California regulators interpreted it to allow for merely larger cages). At the time, there were 20 million hens in battery cages in California. HSUS campaigned heavily for Prop 2, with support from Farm Sanctuary, MFA, and other groups. Animal advocates spent roughly \$10 million total campaigning for Prop 2, and the egg industry spent a similar amount opposing it. The measure ultimately passed with roughly 67% of the vote.

Hallmark/Westland undercover investigation

Publicity around a 2008 undercover investigation by HSUS may have contributed to the success of Prop 2.

The investigation targeted a Hallmark/Westland Meat Packing Company slaughterhouse in Chino, California for "spent" dairy cows. Slaughterhouses for spent cows tend to be especially inhumane because the cows have been raised much longer than beef cows and often have physical problems; for instance, many are "downer" cows (i.e. unable to stand on their own). Downer cows at the plant were being processed into the meat supply; this was legal at the time, but concerns had been raised about the practice because being "downer" can be a symptom of mad cow disease. Cows at the plant were also being treated very inhumanely (e.g. dragged with chains, picked up with forklifts, hosed in the eyes to make them move, etc.).

HSUS's investigation of Hallmark/Westland got much more attention than previous undercover investigations: for instance, it received prominent news coverage, Barack Obama made a statement about it, and the US Secretary of Agriculture testified about it before Congress. (Lewis estimates there had been 40 or 50 undercover investigations of factory farms prior to this, which received varying degrees of media attention.)

The USDA ruled that Hallmark/Westland had violated its regulations. The slaughter plant was closed, and Hallmark/Westland recalled over 143 million pounds of beef, the largest meat recall in US history. Some of this meat had gone into school lunch programs. Hallmark/Westland faced many lawsuits and ultimately went out of business.

After this investigation, serious enforcement actions by the USDA increased from around five per year to around 100. USDA inspection reports also began to treat violations more seriously (for instance, finding a cow "sensible on the rail" might warrant shutting down the slaughterhouse for a day, where before it would not have been treated as important). In Lewis's view, humane slaughter of mammals has generally improved significantly over the last eight or nine years. (This only applies

to mammals, since birds and fish aren't covered by USDA regulations or the Humane Methods of Slaughter Act).

Proposed ballot measures in Michigan and Colorado

After Prop 2 passed in California, HSUS announced its intention to introduce a similar ballot measure in Michigan. To avoid the full potential impact of a ballot measure, Michigan agricultural producers instead successfully lobbied the state legislature for a law banning battery cages and gestation crates, which included more lenient timelines and other regulations than a ballot measure would likely have allowed. HSUS also announced a ballot measure in Colorado, focused on the pork industry, which similarly drove pork producers to lobby for a legislative ban on gestation crates.

Lewis thinks the most important factor in these industries' decision to support legislative reforms rather than face potential ballot measures was wanting to avoid spending millions of dollars on an unsuccessful counter-campaign instead of simply pushing for a law with better terms than a ballot measure would have included. The industry was probably not especially concerned with the effect that HSUS's campaigning around a ballot measure would have had on public perception of the industry (individual consumer demand for e.g. cage-free eggs is not very significant).

Ohio ballot measure and compromise

HSUS announced plans for a similar ballot measure in Ohio, which was the third largest egg-producing state in the US (with about 30 million hens) and also had a large pork industry. However, unlike Michigan and Colorado, Ohio's agriculture industry didn't choose to support a more lenient legislative ban to avoid a ballot measure, so HSUS began campaigning for its ballot measure in 2010. It was not clear whether the measure was likely to pass. The agriculture industry and HSUS eventually reached a compromise that included a ban on gestation crates and veal crates but only put a moratorium on building new battery cage facilities (i.e. did not impact existing facilities).

Washington and Oregon ballot measures and proposal of a federal bill

In 2012, HSUS began battery cage ballot measure campaigns in Washington and Oregon, which are both fairly large egg-producing states (around 10 million hens each) and fairly liberal.

At first, the egg industry encouraged local humane groups to advocate for less significant reforms to try to preempt HSUS's ballot measures. Later in the campaign, HSUS and United Egg Producers (which accounts for around 90% of US egg production) made a "grand bargain," agreeing to jointly lobby for a federal bill requiring the use of "enriched" cages (enriched cages are cheaper for producers than going cage-free, but provide hens with about twice as much space as battery cages as well as nesting boxes and perches). The proposed federal bill also included

some labeling provisions. In return, HSUS agreed not to push for ballot measures, cage-free laws, etc. at the state level.

This bill went to Congress in 2012. However, other animal agriculture groups, especially the pork and beef industries, were concerned about the potential precedent set by a federal animal welfare law and lobbied heavily against the bill, which ultimately did not pass.

The federal bill process took several years, during which time HSUS's corporate campaign division shifted focus to gestation crates.

Corporate gestation crate pledges

Smithfield Foods

In 2007, Smithfield Foods, the largest pork producer in the US, pledged to phase out gestation crates, likely in response to the passage of the Arizona ballot measure and the (then upcoming) California ballot measure, as well as some corporate advocacy around gestation crates. It set a timeline of 10 years for phase-out on company-owned farms and 20 years for contract farms (which were the majority). In 2009, Smithfield announced that it would not be able to keep to this timeline (due to impacts of the Great Recession), but it recommitted in 2011 under pressure from HSUS and other groups.

There were a few other gestation crate pledges between 2009 and 2011.

McDonald's

In 2012, McDonald's pledged to phase-out its use of gestation crates. This was spurred by investor Carl Icahn, who told the CEO of McDonald's that he would buy enough shares to get on the McDonald's board and make changes unless McDonald's pledged to stop using gestation crates. This was a major catalyst for other pledges in the fast food sector and from other food companies.

Concerns about the impact of gestation crate ballot measures and pledges

Lewis thinks the expected impact of bans and corporate pledges around gestation crates is somewhat less than for battery cages, for a few reasons:

1. Gestation crate bans typically don't entail a total elimination of gestation crates. Producers are still using gestation crates at the start and end of pregnancy, and sows still spend most of their lives in complete confinement, either farrowing crates or gestation crates.
2. A smaller proportion of the food sector has pledged to stop using gestation crates (between 60 and 70 companies have made gestation crate pledges, while more than 200 have made battery cage pledges).
3. Lewis's impression is that the pork industry is generally more resistant to change than the egg industry. While the egg industry seemed to accept relatively easily that it would need to eventually go cage-free, the pork

industry appears to have not taken much action in response to pledges (possibly expecting companies not to follow through).

Corporate cage-free campaigns

The earliest corporate cage-free campaigning occurred at universities between roughly 2004 and 2009, with HSUS and other organizations helping student groups to organize campus campaigns against battery cages. Although any given college campus consumes relatively few eggs, these campaigns helped create momentum.

HSUS also got some large companies (e.g. Unilever, Burger King, etc.) to make battery cage pledges. Initially, these were pledges to reduce the proportion of battery cage eggs used by e.g. 5%, rather than to go 100% cage free; at the time, a very small proportion (roughly 3%) of egg production was cage-free, and companies could have plausibly claimed there was not enough cage-free supply to meet their needs. However, these pledges were also important for building momentum.

The current round of corporate cage-free campaigns began around 2014, after the federal bill on hen welfare discussed above failed to pass.

Other farm animal activism

Other farm animal activism during the 2000s included:

- Farm Sanctuary's sanctuaries for farm animals, which influenced the creation of other sanctuaries, and its public education work.
- MFA's undercover investigations and online ad campaigns.
- PETA's undercover investigations and celebrity promotion of veganism.
- Various activities by smaller groups, e.g., COK, the Farm Animal Rights Movement, and the Humane Farming Association.

Europe

The UK banned veal crates in 1987 and gestation crates in 1991 (with several years allowed for phase-out). Sweden banned gestation crates and battery crates (with a ten-year phase-out) in 1988, and other Scandinavian countries also banned gestation and veal crates around this time. Switzerland phased out battery cages by 1991.

Lewis's impression is that European animal welfare reforms have, in general, been driven more by the efforts of technocratic officials than by organized advocacy groups, with the exception of Compassion in World Farming (CIWF), which has contributed through organizing, lobbying, and petitioning. CIWF was founded by a UK dairy farmer in 1967 in order to lobby for better regulations on new factory farming systems, first in the UK and then at the EU level.

The European Commission had the European Food Safety Authority's Scientific Committee prepare a report on farm animal welfare, and it has used the analysis and recommendations in that report to guide its implementation of regulations, including:

- A partial EU-wide ban on gestation crates (which included a relatively long phase-out and came into full force in 2013).
- An EU-wide ban on veal crates (which came into full force around 2012).
- A ban on battery cages and a transition to enriched cages.

Europe has significantly stronger and more comprehensive farm animal welfare regulations than the US. Advocates in the US have had to focus on relatively narrow issues (veganism, battery and gestation crates, slaughter practices, etc.). In Europe, there is more comprehensive legislation encompassing less central issues (e.g. transportation of farmed fish, slaughter of rabbits).

International

Outside of the US and Europe, there was relatively little organized animal welfare work until the last decade.

SPCA groups similar to the UK's RSPCA exist in many nations.

The Constitution of India includes animal rights provisions (though none specifically about farm animals). India has fairly strong animal welfare laws, but they are not well enforced. The Animal Welfare Board of India, a quasi-official entity, advises the Indian government and tends to be fairly progressive. There was not much organized animal advocacy in India until the last five to ten years, when the Humane Society International, PETA, and some other groups began working there.

In Latin America, some small grassroots groups have appeared in the last five to ten years.

To Lewis's knowledge, there is very little farm animal advocacy in China.

Important factors for movement building

While Lewis isn't highly confident in his views on this, he thinks the most important factors in building the animal welfare movement have included:

1. Writing and advocacy by Peter Singer and other philosophers. *Animal Liberation* sold millions of copies, and Lewis has heard the modern animal welfare movement described as "the first social movement started by a philosopher." Early on in his position at the Open Philanthropy Project, Lewis asked roughly 40 current leaders in the animal welfare movement (e.g. Nathan Runkle, Paul Shapiro) what had originally influenced them to get involved, and over half mentioned *Animal Liberation*.
2. Publicity generated by undercover investigations, and to some extent, leafleting and other forms of outreach and activism. (After *Animal Liberation*, these types of activism were the next-most cited influences by the movement leaders Lewis spoke to.)
3. PETA, which played a particularly important role in getting publicity and mobilizing the movement early on.

4. Prop 2 in California, which seems to have served as more of a rallying point for the movement than other ballot measures. (Some of the movement leaders Lewis asked about their influences mentioned Prop 2.)

More recently, groups like MFA and COK have been important influences on the movement. Although MFA (for example) is only about 15 years old, many activists in the movement are in their 20s, so it is plausible that relatively young groups like MFA have played a role in influencing that generation.

Funders

There was not much funding for farm animal welfare in the US until the 1970s and 80s. Most animal welfare organizations were member-based, and Lewis's sense is that, until fairly recently, both large groups and newer grassroots groups (e.g. COK, MFA) relied primarily on members and small donors for funding. HSUS still relies primarily on small donors.

Bob Barker

In the 1990s, Bob Barker made gifts to about 100 top law schools in the US of about \$1 million to teach animal law every year, or \$500,000 to teach it every other year. Nearly every top law school now offers a course in animal law (Yale is a notable exception).

These endowments include portions to pay for an adjunct lecturer to teach the course, to fund student campus groups on animal law, and some general funds for the schools. While the adjunct lecturer portion is required, Lewis's impression is that how schools have used the rest of their endowments varies significantly: some have funded speaker series, student activities, etc. on animal law, while others seem to have used the funds for things only tangentially related to animal law.

Lewis sees this as clear strategic decision by a funder to build a field, and thinks Barker probably believed that, to achieve fundamental change, it was necessary to influence the future lawyers, politicians, etc. attending these law schools.

Barker was not particularly focused on farm animal welfare; his main issue was companion animals.

Other major funders

Brad Goldberg, a retired New York investment banker who is now a full-time philanthropist, started giving to animal welfare groups in the 1990s. He founded the Animal Welfare Trust in 2001, which gives a few million dollars a year to advocacy groups (e.g. it was an early funder of MFA) and to scholarships for law students to work on animal law. It is focused particularly on farm animal welfare and on field building.

An anonymous donor funds vegan advocacy and meat reduction. Lewis's impression is that this donor has funded MFA, the Humane League, PETA, and likely Vegan Outreach (to a lesser extent). In particular, this donor has provided significant

resources to vegan advocacy groups and helped them grow. About five years ago, groups began buying ads (e.g. on Facebook) that directed people to videos of inhumane practices and encouraged them to go vegan; the donor has been the primary funder of these ads. Roughly \$3 million a year is currently spent on ads like this.

Lewis estimates that Sam Simon gave over \$10 million to PETA, as well as smaller amounts to MFA and other groups. He also funded less mainstream groups like the Sea Shepherd Conservation Society. Simon was concerned about companion animal welfare, animal testing, etc., in addition to farm animal welfare.

The GRACE Communications Foundation funds sustainable agriculture and promotes robust animal welfare certification schemes. GRACE President Helaine Lerner and her husband, Sid Lerner, also founded the Monday Campaigns, which includes Meatless Mondays.

In the UK, the Jeremy Coller Foundation, founded in 2002, supports cultured meat research (e.g. New Harvest) and some advocacy groups.

All Open Philanthropy Project conversations are available at <http://www.openphilanthropy.org/research/conversations>