VOICELESS 2010 ANIMAL LAW LECTURE SERIES- KEYNOTE ADDRESS

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Thank you for coming out tonight. I am going to speak slowly, so that if you have a problem with my thick American accent hopefully you'll be able to understand me.

When I am asked why I work to protect animals, I often think of a quote from Harriet Beecher Stowe, a 19th century American abolitionist, who wrote a book called *Uncle Tom's Cabin*. It was a searing indictment of slavery in the United States, and she wrote "It's a matter of taking the side of the weak against the strong," something the best people have always done. I'm not suggesting that I'm the best or that I'm better than anyone else - far from it - but I do strive to be the best person that I can be, the sort of person my dogs think I am.

Within the American legal system, activist lawyers have a strong tradition of working to provide a voice for the disenfranchised and the unprotected members of our society. In the 1960s and 1970s in the United States, my people were deeply divided over such key issues as racism, civil rights, a war in Vietnam and sexism, and social movements abounded at that time. Many of them started in the 60s and 70s – movements to protect African-Americans and farm workers, women and children, and people with disabilities. Each of these social movements turned to the use of the law in the very litigious society that I come from, and growing up in that atmosphere caused many of us to become social activists. A natural outgrowth of this kind of socially conscious lawyering is the animal law movement that began in the 1970s. Compassionate, empathetic people want to alleviate the suffering of others – and so why, we asked, should animals be left behind? Animals feel pain, they feel pleasure, they suffer, and they are exploited in ways and in numbers that are mind numbing. So I would like to take you on a journey back in time, to the beginning of animal law in the United States and tell you what we learned, how we learned it and how that relates to American and Australian society today and the movements that we've created. I will tell you that some of the slides are graphic, and I will tell you in advance when they are coming up, because I know some people are sensitive to that and wish to turn away.

There's the 60s and the 70s, and you can see some of our major movements:Vietnam, gay, lesbian and transgender rights, civil rights and the rights of farm workers. The very first animal lawyer in the United States was a gentleman named Henry Mark

Holzer, who is now retired and lives in California, but back then he lived in New York City and he was a law professor at Brooklyn Law School. He specialised in American constitutional and administrative law. His introduction to animal suffering came in 1971, when he heard about a federal law called the *Humane Methods of Livestock Slaughter Act* of 1958. This was the first major piece of federal legislation passed in the United States to provide minimum protections to animals during slaughter, and it specified that in order for slaughter to be considered humane, livestock had to be rendered unconscious before they were shackled, hoisted into the air, their throats cut and they were bled to death and dismembered.

Now, the *Humane Slaughter Act* had a rather glaring loophole. It specifically exempted what is called ritual or kosher slaughter, where the animal would be shackled and hoisted into the air fully conscious and then a person would slit the animal's throat, in an effort to slit the carotid artery. A sharp knife would be used. I should point out that I am Jewish and Holzer is Jewish. This law suit was not an attack on Jews; rather, it was a challenge to the practice.

As traditionally carried out in ancient times and since then, kosher slaughter had been considered humane. In fact, it was considered one of the more humane methods of slaughter. The animal would be held down on the ground and the carotid artery would be slit, quickly producing unconsciousness.

This next slide is graphic. Modern American health laws precluded holding an animal on the ground, so slaughterhouses developed the shackle and hoist method in which the animal would be chained by a rear leg and hoisted into the air fully conscious so that he would be hanging upside down. A human would then approach the animal and slit his throat. I've been to slaughterhouses and watched this method and other methods of kosher slaughter, and I have to tell you this method is rather ghastly. The animal is terrified. They've been lifted off the floor, they're flailing around. Sometimes hips dislocate, sometimes the terrified animal struggles and the artery is not even cleanly cut, so therefore the meat is not kosher. In my opinion, having watched it, unconsciousness was not happening quickly.

The First Amendment of the United States constitution, part of our Bill of Rights, protects amongst other things freedom of religion. It's generally interpreted to mean that the U.S. Government cannot pass laws that prefer one religion over any other religion. So Holzer, being a constitutional lawyer, thought that by exempting kosher slaughter from this *Humane Slaughter Act* the American Congress was indeed providing special protections for the dietary preferences of a particular religious group, and that that violated the First Amendment. Initially when he heard about this law he was more interested in the constitutional issue, but as he read more about slaughter and about farmed animals his thinking evolved. He filed, in January 1973, a suit called Jones v Butz. To my knowledge this was the very first true animal protection law suit. Animals were not merely an ancillary subject to the law suit,

they were the key element of the law suit. It was their interests that were at stake, and this law suit grew out of essential tension between those who wanted to protect farmed animals and those who wanted to protect the religious practice of ritual or kosher slaughter.

Did the law suit succeed? No, it did not. In April 1974 the court granted the government's motion for summary judgment, holding that the *Humane Slaughter Act* did not in fact violate the First Amendment. What Holzer experienced with that very first law suit is something that has plagued animal lawyers in my country ever since – human interests trump animal interests in many, if not most, of these cases. Holzer was challenging the shackle and hoist method, which is clearly inhumane, so why did he lose? Because kosher slaughter was politically a very sensitive issue, the court was not going to attack the dietary practice of a religious minority that had been almost annihilated by the Nazis. In fact, the court bent over backwards to find for the government. The legal reasoning in this case is strained, and it's shoddy, and that is a criticism that applies to many of the decisions which deny protections to animals. But Jones v Butz was Holzer's entry into the world of animal protection, and he was open to learning all that he could about the abuse and exploitation of other species. He didn't merely represent the clients, as most lawyers in private practice do. He joined the cause, consciously extending the concept of public interest law to the plight of animals.

A year after Jones v Butz was decided, back here in Australia Peter Singer published *Animal Liberation*, and the philosophical arguments that he provided became the underpinnings of the animal rights movement in America and elsewhere, and attorneys took notice. In San Francisco, California, in late 1978, two attorneys met. I was one, and the other was Larry Kessenick. I had come of age in the late 1960s and the early 1970s and I cut my teeth on social issues. I went to law school because I believed lawyers should use the legal system to create a more just society, and I had seen and read about lawyers actively involved in other social movements, but I honestly had no idea whether or not there were other attorneys who shared my values about animals until I met Larry.

He was a partner in a large San Francisco firm, and I was an associate in an Oakland firm next to San Francisco. When we met, we discussed our mutual interest in animal protection, and we placed an ad in our little local legal newspaper announcing that there would be a meeting. Six other lawyers showed up, and that was our core group. We would meet once a month with these lawyers and there were no classes, there were no journals, there was no nothing. But each month, someone would present a report on some federal law, or Californian law relevant to animals, or some recently published book or article, and through this process we taught ourselves. We taught ourselves about the laws. We taught ourselves about the legal issues relating to companion animals, and farmed animals, and animals used in research, and eventually

we started to bring law suits.

The first major law suit that I was involved in involved these absolutely lovely creatures called feral burros. Some people call them donkeys. On a Thursday afternoon in March 1981, I received a phone call, and through that phone call I learned that the United States Navy has a naval weapons testing centre in the south-eastern part of California in the desert, and I've shown you a map of that. I found it very amusing that the U.S. Navy is out there in the desert, where there are no ships! In that desert and at that facility there is an aeroplane landing strip, and at night feral burros come up to the landing strip because it's warm – the planes are taking off and landing – and because there's water, and if you're a feral burro in the middle of the desert you need water and you need some warmth.

Well, there's a problem with that. Burros are hard to see at night, and so a burro could have downed an aeroplane. I understood the problem. What I didn't understand was the Navy's solution, which was they wanted to shoot and kill five thousand burros. They had started the weekend before I got that call, and they had shot and killed six hundred burros, and they were planning to shoot another five hundred two days after I got that call, the next Saturday. They were going to keep shooting on those weekends until they killed five thousand burros.

So I sued the Navy, and I was relying on a federal environmental law called the *National Environmental Policy Act*, and that law offers procedural remedies. If the U.S. Government is going to take a significant action that is going to impact the environment, it has to prepare something called an environmental impact statement. That is a document in which it analyses the impact of the action it is going to take and it reviews what the alternatives are to that action. Now, I knew I couldn't stop the shooting forever through this procedural mechanism, but I could slow it down and I could make it expensive and embarrassing. I was right. I went into court the next day and I won a temporary restraining order, which told the Navy to halt what it was doing, and after several months of meeting with the Navy, negotiating and cajoling and begging and whatever else needed to be done, we actually did settle that case, and no more burros were killed.

This case didn't establish rights for animals, but it did achieve several things. First of all, more pictures of my beloved burros. They're cute, aren't they? They're sort of like horses with bigger ears, and they're smaller – they're just darling.

What we did accomplish is that we did save the lives of an estimated five thousand or so burros in southern California. We also signaled that while environmentalists would not utilise federal environmental law to halt the mass slaughter of a non-endangered and, in fact, non-native species, animal rights lawyers would, and within a few months after I got that temporary restraining order my client in the case, a group called the Animal Protection Institute, offered us a grant of $6,000 which allowed me to leave

private practice and become the American animal law movement's first full-time staff attorney in June 1981. It may not seem like a lot of money, but it got us going.

Attorneys in other parts of the United States were also waking up to the plight of animals. Here you see pictured David Favre, who was a law professor and still is in Detroit, Michigan. He had just published an article called *Wildlife Rights: The Ever Widening Circle.* That article marked a very important emotional and intellectual shift for David. As an environmentalist, he had the traditional environmental view of animals as species, or as groups, but now he had started thinking of them as individuals. That other young gentleman, a scrappy little lawyer from Boston named Steve Wise, had read *Animal Liberation* in 1979, and he thought Peter Singer made a rather compelling argument, so he decided to take his first animal law case. It was a veterinary malpractice case. He kept taking those cases and they were unusual, so he was invited to talk to radio moderators, and he started talking about applying what Peter Singer was saying to the law in the U.S., and creating legal rights for animals. In New York City there was an attorney named Jolene Marion. Jolene and I had actually gone to college together, and we ran a somewhat illegal campus cat shelter, and we placed about a hundred cats a year. At any rate we lost contact, but then coming back into the early 1980s she was organising a group of attorneys in New York, and I had organised our little group with Larry in San Francisco, and through that we got back in touch.

One of my favourite stories to tell is about – he's smiling there, but he didn't smile often – a very hard-nosed criminal prosecutor named Roger Galvin. Galvin was in Maryland, and his life got turned upside down by a small group of animal activists and some research monkeys. He described himself as "a blissfully ignorant meat and potatoes kind of guy" and he had no interest in animals whatsoever. He was moving up the ladder, prosecuting the most violent felony cases, when his supervisor assigned him to a mere misdemeanor involving an animal researcher in Maryland, who was charged with cruelty to the monkeys who were being used in his establishment for medical research. These monkeys were being given inedible food, they were forced to live in their own feces, they had open wounds, open sores and infections, and they were denied all veterinary care. The living conditions that they were in had nothing to do with the actual research protocols. In fact, the living conditions would actually render the research results potentially questionable. Activists had gone into the facility, had found these conditions and had reported them to the police. The police raided, took the monkeys out of there and brought it to the prosecutor for prosecution and that's where Roger Galvin came in.

As part of his research and evidence gathering, he went to visit the monkeys, and someone handed him some grapes and told him to give a grape to the monkey. Roger said "Okay, I shall give a grape to the monkey," and he reached his fingers through the mesh wire to give a monkey named Sarah a grape, and that's when epiphany

struck because instead of taking the grape, Sarah grabbed onto his hand.

He said he looked at her hand and he said to himself "This is a miniature of my own", and he also said that the way she grabbed his hand was not aggressive, it was dependant. And from that moment on he said "I felt more of a sense of responsibility for their future than in just another criminal case." He visited those monkeys again and again and he began to notice that they had personalities, they weren't just dumb creatures, and he realised that he was going to have to think a lot more deeply about these animals and the situation that they were in. Well, he won that case at the trial level, the researcher was found guilty of failure to provide veterinary care, but then the case went up on appeal and the Maryland Court of Appeals, the highest court in that state, reversed the conviction claiming that the state anti-cruelty law is simply inapplicable to this researcher and the laboratory.

At the appellate level, what we see is a legal system grappling with a highly controversial issue – the use of animals in medical research – and ultimately they took the easy and intellectually dishonest way out of holding a wrongdoer responsible for his actions, and his failure to provide proper care. For Roger Galvin, this prosecution instigated a significant change in his life, on both a personal and professional level. As a result of this case, he became a vegan. Within the next few years he joined our board of directors, he left the State's Attorney's office in Maryland and he formed the first animal rights law firm, Galvin Stanley and Hazzard. It no longer exists but it paved the way for later firms to come.

So as you can see, there were pockets of interest in various parts of the United States but they needed to be brought together, and that's where we come back to that very first animal law practitioner, Henry Mark Holzer. He was actually the visionary at that time. He was the one who could see that the whole could be greater than the sum of its parts. What he did was in 1981 he held the first animal law conference. It drew approximately sixty people. About half of them were lawyers and law students, the other half were activists, and that's where we all met. We were all in the same room and for once we were meeting people who shared our values. After that conference, we formed a national board of directors which I find amusing because we didn't even have enough people to form a rugby team, but we were a national board – and that's where Steve Wise, David Favre, Roger Galvin, Jolene Marion, Larry, me and some others came together. It was a tiny group and it stayed quite small for a number of years. But we supported each other, emotionally and intellectually. We were passionate and we were, quite frankly, rather naïve about how the legal system worked. We wanted to try out new legal theories, and we thought we were smart enough, and tenacious enough, to convince judges to treat animals as beings whose lives and interests would matter. We read as much as we could from other American social movements. We paid particular attention to the civil rights movement and the environmental movement because they seemed to be the closest to what we were

trying to achieve.

I have a picture there of Thurgood Marshall, who may not be well known in this country. He was one of the earliest and most brilliant civil rights attorneys. He went on to become the first black American to sit on the U.S. Supreme Court, our highest court in the land. We learned that between 1920 and 1955, the civil rights movement conducted a campaign of litigation, challenging the segregation of blacks and whites in the U.S., and they asked themselves questions such as: should we file law suits on the state level or the federal level? Should we target schools, or lunch counters, or buses, or other settings? Should we approach this as a class struggle or a black/white struggle? And they wrote white papers in which they discussed and debated, and set up networks of attorneys in various southern states where the segregation was most obvious. They learned a lot of lessons, and those lessons helped us understand some of what we were going to face in the cases that we brought.

The overwhelming majority of animals in your country and in mine are brought into this world solely and specifically to be exploited: for use as food, clothing and research subjects, as entertainment, and as targets for hunting. So how do we frame litigation aimed at convincing judges and courts that those same animals have interests, and that those interests ought to be protected and respected?

We asked ourselves the same questions that the early civil rights lawyers had. Should we file at the state level or in the federal courts – which was going to provide a friendlier venue? Should we focus on animals in research, or animals who are in factory farms – I hate to call them farms, they're factories - circus animals, or animals in some other context? Here we see chickens in intensive confinement in battery cages, a rabbit being used in toxicity testing, pigs in what are called sow stalls, where as you can see they can't do anything other than lay or stand up, and a dog in a really bad shelter. We asked ourselves – should animals have rights? What exactly does that mean? Does that mean the right to life, the right to freedom of movement, the right to control over one's own body – and if they should have rights, how could our legal system accommodate those rights? Would it? What would have to change? Was any of this possible?

Back then, email didn't exist, fax didn't exist, the internet didn't exist, and so we communicated mainly by phone and by writing our own white papers, and we got together for long weekends. We'd go to Steve Wise's house in Boston or Roger Galvin's house in DC, we'd all bring our sleeping bags and we'd sleep on the floor, and we'd spend the weekend dreaming together. We'd talk about the most effective ways to challenge the conditions that animals are forced to live and die in. In those early days, and still today, many people contacted us and asked us to handle their individual cases dealing with dogs and cats. We get that, we get thousands of those calls every year. It makes sense that people are asking us to handle those cases, because most people deal only with dogs and cats, companion animals. They don't

get into factory farms or research facilities. But we knew there were bigger institutionalised problems, and we wanted to create law suits aimed at larger scale institutionalised abuse, and the exploitation of animals at major impact litigation levels.

For example, many state anti-cruelty laws in the U.S. specifically exempt farmed animals from the reach of the anti-cruelty laws so it is not cruel by definition, no matter what happens to a farmed animal. There are only two federal laws related to farmed animals. There's a law related to slaughter, and a law related to transport, and there's no law at all which establishes humane conditions for the animals while they are living, which is 99% of the time that they're on this planet. If it sounds familiar it should, because you have the same situation in Australia, and as in the U.S., agribusiness controls the drafting of the laws that exist, and those laws protect the most standard and customary practices including tail docking, de-horning, de-beaking and the worst of all, intensive confinement. So how could we find ways to protect farmed animals, when the laws either did not exist at all, or were written to protect the most egregious acts?

I am going to go to another graphic slide. This is veal calves in intensive confinement in the U.S. Our first attempt to address the plight of farmed animals came in 1984. We filed a law suit called Animal Legal Defense Fund v Provimi Veal. Provimi was the originator of what is called the milk-fed veal industry in the United States. The dairy industry considers male calves to be useless. They don't make milk, so Provimi decided to create a use – to remove the male calves from their mothers, put them into crates just like this one, or these, which is intensive confinement. You don't want them to move around, because if they move around they develop muscle, and fat is tastier. You want to give them an iron deficient diet, because then the meat will be white, instead of the normal colour of red, and white meat, at least at that time, was preferred by consumers.

Anyone who has hung out with normal healthy calves knows they are a lot like puppies. They're playful and they're full of energy. Calves raised by this method, on the other hand, are frustrated, they're isolated, and they're sickly because they're anaemic, they're not getting enough iron. We decided to sue Provimi based on an innovative use of state – Massachusetts, in this case – cruelty laws, and state consumer protection laws. First, we tried to enjoin Provimi from selling the meat of these veal calves because the total confinement of the calves violates anti-cruelty laws and the meat is tainted and unhealthy – it lacks iron. Second, we tried to require anyone selling this milk-fed veal to display on the package a truthful explanation of how the calves are raised, so that the consumer knows what he or she is buying and can make a choice.

We lost. There's a comprehensive federal scheme that regulates the labeling, packaging and marketing of meat, and it pre-empts the state law that we were

attempting to apply, and the court said to us "You're really trying to do an end run around the cruelty laws - you can't civilly enforce criminal law."

I have to tell you that we lose a lot, and it's not that we're inept as lawyers. It's that we're dealing with a legal system that wants to maintain the status quo. But you don't stop trying. You just go back to the blackboard and start all over again. In 1985 we brought another law suit. It was brought by one of our board members, Peter Lovenheim. He had developed a different approach, and it was highly innovative, and this one turned out to be a success. As a hobby Peter liked to invest in stock, and so he bought some shares in a company called Iroquoi Brands, and Iroquoi carries health, vitamins and natural foods. But a few months after he purchased the stock he got the company's annual report, and he realized that they were also marketing pâté de foie gras, which is goose liver pate imported from France. Another disturbing graphic slide.

Peter was upset, because he knew that pâté de foie gras is produced by painfully force feeding geese so that their livers enlarge, but he decided to use his status as a stockholder to address the exploitation of these geese. He sent a letter to Iroquoi Brands asking them to discontinue marketing the product. They said no thank you, so he drafted a shareholder proposal. In it, he described in great detail the force feeding process, and actually he got that description from French agribusiness journals. The force feeding starts when the geese are four months old. They are immobilized, their necks are stretched, a funnel is inserted ten to twelve inches into the throat of the geese and 400 grams of mash are pumped into the geese's stomach. An elastic band is put around the goose's neck so that she can't regurgitate the mash. This is done two to four times a day for twenty-eight days. The goose's liver enlarges from 150 to 900 grams. That's huge, it's also diseased, and then the goose is slaughtered and her liver is made into pâté. It's an absolutely disgusting practice.

Peter asked the company to form a committee to study the methods by which its French company produced this pâté, report its findings to the shareholders, and if they determined that this process causes undue distress, pain or suffering – which he knew it would – then to discontinue distribution of this product until a more humane production method is developed. Iroquoi of course refused to include his proposal in their proxy statement, so Peter filed suit in Federal Court asking the court to bar the company from excluding his proposal, and the court agreed. They held that the humane treatment of animals is an ethical and social issue that is among the moral foundations of Western culture.

Following this court victory, Peter – who you can see there laughing the hardest – went to the Iroquoi Brands shareholder meeting and he presented his proposal. It was roundly defeated but his point had been made in court and the case was covered by the mainstream American press. The media talked about the case, and more importantly they described the force feeding of geese in detail. What could have

been treated as a fringe issue was viewed seriously in the context of a corporate shareholder proposal. Peter realized that he had created a vehicle that could be used on a broader basis. He brought this idea to activist groups, who have been using this ever since. They have filed shareholder proposals with dozens of pharmaceutical and cosmetic companies.

One other point about this law suit – through this we learned that sometimes valuable legal tools present themselves in areas of the law that we might not normally consider. Shareholder proposals, wills, trusts, estates, even the U.S. *Patent and Trademark Act* are all things we have litigated under.

Since those earliest law schools – showing you some of our clients – we have used a wide variety of federal and state laws and worked on a broad spectrum of issues for all possible species. Each case has taught us not only about the laws and the problems faced by animals, but also about how the legal system works – how it resists change, but how to find opportunities to create change.

In the time that I have left, before they get the hook, I am going to talk not about the current case load, because you can see descriptions of all of our cases on our website at www.aldf.org, but I do want to mention one case, the latest case we have filed just a few weeks ago, and this is going to be a truly disturbing image, one that's very much on my mind. The man-made disaster in the Gulf of Mexico is right now killing thousands of marine mammals, sea turtles, shore birds, fish and other creatures. There you can see a juvenile sea turtle. If you look in the muck where that net is, you can barely see – how hard it is to find a sea turtle in that muck. You also see an oil covered bird. A few weeks ago we sued BP and the U.S. Coastguard, because in trying to disperse the oil they were setting fire to the oil in controlled burns. They would take these booms and put them into a square, but what they were refusing to do was allow rescuers to get in there to remove the sea turtles before they would set fire, so turtles were being burned alive.

We were able to stop that. We are now looking for other ways in which we can help animals. It's a depressing, frustrating situation because to be quite honest with you at this point in time there is very little that we can do for them through the law. The oil is killing them, the dispersants are killing them, we are destroying their habitat and their homes have been seriously damaged, perhaps forever. But even with this sad image, we do have to remind ourselves that there has been progress. Thirty-six years after Henry Mark Holzer's first law suit, twenty-seven years after that first conference, there has been a lot. In the U.S. we now have 145 student chapters. There are eight in other countries, including our first chapter that's formed in New Zealand. There are 121 animal law classes in the U.S. and Canada and there are now nine animal law classes here in Australia. That tiny handful of American lawyers has now been joined by prestigious lawyers here in Australia as well as lawyers in India, Portugal, England, China, Japan, Brazil and a host of other countries who are

carrying on the tradition of creative social lawyering, and they are speaking for those who cannot speak for themselves. Thirty-six years is not a very long time for a social movement. We are only beginning to explore the legal theories that can be argued to provide greater protections for the animals.

So, what have we learned? Well, one thing we've learned is that changing how our respective societies view and treat animals is really hard. That may seem obvious, but I didn't know it when I was twenty-six and formed ALDF. I feel that, generally speaking, humans are self-centered and we do what's in our best interests, and honestly it's in our best interests to exploit animals. So we in the movement have to be constantly on the lookout for creative ways to convince humans that it can be in their best interests to act in a way that *doesn't* always exploit and harm animals. Most of the law suits we have filed in the U.S. over the past thirty years have legal theories that are novel and somewhat experimental, and we are able to do that because we are not going to be killed with very expensive fees if we lose. That's different than it is here in Australia. Now, that doesn't mean that we file law suits in the United States that are frivolous, because we could face expensive fees if we did. But we try to apply existing laws in new ways, so that animals are protected, as they have not been protected in the past. We have to take calculated risks, and at the same time convince judges that what we are asking them to do is not a big leap – it's a small, logical step.

When we started, I thought that what we were doing was analogous to the work of the American Civil rights movement of the 1920s, 30s and 40s. I now think that a closer analogy is the abolitionist movement that existed in the United States in the 1850s, when the Africans who were kidnapped and brought to my country were still slaves, still property and still viewed as less than human. Animals are property. In essence, they're slaves. The major difference is that animals are not human, and for many people that's a critical difference. They will never be able to open their minds and their hearts to the ideas that we espouse. We have to look for those people who can. In Australia, I would suggest that you follow what we did in the U.S. – study the Aboriginal and feminist movements, and see what you can apply from those.

Another finding is that change occurs incrementally. We must establish a foundation of law suits that we win, and build on a solid foundation. We have to be opportunistic. The most significant changes for animals may not happen within my lifetime, I'm just a lowly worker building that foundation. Along the same line, we need to understand the economic and other interests that are aligned against us – agribusiness, research, hunters, trappers, the entertainment industry. They all have more money and political connections and power than we do. We can't save every animal, so we have to make smart choices. We have to be savvy. We have to pick winnable fights and pick our cases very carefully.

Who is that strange lady hugging that cow? Poor Howie. Howie loves to be hugged and petted. He's a steer who got out and is in a sanctuary. In American society,

there are three tools needed to create large-scale change: litigation, legislation – the passing of laws. and the waking up of citizens through public debate and education, and discussion, and activism, and letter writing and petitioning. All three of these skills have to work together, they are interdependent. What are the tools that you need here in Australia?

Finally, passion for animals is not a substitute for high quality legal work. Animal lawyers have to be trained. They have to be mentored to create a seasoned lawyer who understands both the philosophical underpinnings and how to practice law in a highly competent manner, and that's what brings me to Voiceless. Voiceless is doing that critically important educational work here in Australia, and there is no substitute for that, and they didn't pay me to say that. So I encourage you, please support their work, it is essential.

As I bring this talk to a close, I want to say that those of us who practice animal law understand – as few other lawyers do – what it feels like to throw your heart and your soul into your work. This is work that changes you, for the better I might add. It is food for the soul. When you win a case, you know that you have saved sentient precious beings from suffering and death. On the other hand when you lose, you are painfully aware that your client is going to be kept in a persistent state of suffering or maybe die, and that is a heavy load – but I wouldn't have it any other way.

I'd like to leave you with members of my family, and one of my favourite quotes from the poet Wendell Berry: "We clasp the hands of those that go before us, and the hands of those who come after us." We must learn from the past and support each other, so that we can move successfully toward a brighter future for the animals. Those of us who are lucky enough to have been at the birth of animal law still carry a vision of the world in which the lives and the interests of all sentient beings are respected in the legal system. We envision a world in which animals are not exploited and terrorised and tortured or controlled, to serve frivolous or greedy human purposes, and we look to the new generation to write the next chapter in this story, to share our vision and to walk down the road with us toward a far more just and compassionate society.

Thank you.

Animal Legal Defense Fund