In response to student concerns, alternatives to exercises that harm animals have proliferated. Video discs present high-resolution diagrams, photos, and moving images. Via computer, students can determine a lesson’s focus and pace.

Lifespan
Video discs, and other packages are now available to replace dissection and other inhumane exercises. The alternatives span all educational levels and a broad range of disciplines, including psychology, physiology, and pharmacology. Although studies evaluating such alternatives’ effectiveness are few, those that have been completed suggest that the alternatives equal or surpass dissection and vivisection as teaching tools.

While students undoubtedly provide the greatest impetus toward more humane educational curricula, organizations such as The HSUS have helped to facilitate such change. As conscientious teachers have responded to student concerns, NAHEE has responded in turn. In 1985, NAHEE produced two brochures on dissection and vivisection, alternatives, and humane guidelines for animal study. “Does the Idea of Dissecting or Experiencing on Animals in Biology Class Distract You,” currently being updated, is available for students, and “The Living Science: A Humane Approach to the Study of Animals in Elementary and Secondary School Biology,” for teachers. In 1990, NAHEE produced and distributed “Alternatives to Dissection,” a portfolio of thirteen project, activity sheets, and resource lists for students and teachers.

To complement NAHEE’s youth-education programs, The HSUS recently expanded its reform efforts regarding animal use in post-secondary education. Such use commonly includes dissection of cadavers, dogs, and other animals in biology and anatomy courses; vivisection of frogs and turtles in physiology courses; and use of dogs in medical (including veterinary) schools to demonstrate and practice various invasive procedures; and use of cats and kittens in training paramedics to perform endotracheal intubation, in which a tube is passed down the trachea.

The HSUS assists secondary and college students who seek humane alternatives by providing information on such alternatives, letters that express support for the students’ ethical convictions, and advice on how the students can successfully negotiate with their school. We also evaluate and publicize new humane educational materials, promote their development, and encourage schools to implement progressive policies regarding animal use. As more and more students question the harmful use of animals in education and, through their actions, encourage others to do the same, more alternatives become available, and as school policies change, the momentum toward more humane curricula should continue to build.

Meanwhile we must urge middle and secondary schools, as well as colleges and universities, to implement alternatives to harmful animal use. Students should determine whether their schools offer such alternatives and request them if they do not. For now, schools that formally offer humane alternatives, and students who seek them, are in the minority. Interestingly, however, students are “pulling” schools—and society—toward empathy.

### NEW FROM HSUS

The HSUS has a new booklet for pre-college and college students titled To Harm or Not to Harm: Animals and Your College Education. Designed to inform, sensitize, and motivate students, the booklet describes ways in which animals are exploited in higher education, problems inherent in such exploitation, humane alternatives currently available, and ways in which students can negotiate with their college instructors for humane guidelines on animal use. Copies are available at a cost of $1.00 each.

### NON-INVASIVE STUDIES OF PLANTS AND ANIMALS IN THEIR NATURAL HABITAT

Non-invasive studies of plants and animals in their natural habitat develop students’ observational skills.

Use of life-like models can replace dissection and other inhumane exercises. Studies indicate that alternatives equal or surpass dissection and vivisection as teaching tools.
and respect for animals.—Jonathan Balcombe, Ph.D., HSUS assistant director for education, Laboratory Animals.

The HSUS will gladly provide any interested student, teacher, or school administrator with a copy of its guidelines regarding animal use in elementary and secondary school biology. We are committed to assisting students who seek a humane education.

Long before Free Willy, the HSUS had expressed concern about captive whales in aquariums and marine parks. Last year we urged the National Marine Fisheries Service (NMFS) to prohibit capturing whales for public display and keeping them in captivity.

In a poignant scene from Free Willy, “Jesse” (played by Jason James Richter) saves “Willy” (played by Keiko).

In the wild, whales live in family groups. Family bonds often last many years—in some species, a lifetime. Whales born in captivity are separated from their mothers after only two or three years.

Free-living whales travel long distances each day. Sometimes, over a period of hours or days, they swim several miles along a coastline and then retrace their path. At other times, they traverse 50–100 miles of ocean. At best, the tank holding a captive whale is only seven times the whale’s length. A beluga or orca would have to circle a tank 300 times or more to travel 50 miles.

Whales can dive up to 500 feet and stay underwater for as long as 30 minutes. Although an adult male orca is 27–30 feet long, the deepest orca tanks are only 35 feet deep. Free-living whales spend only 10–20 percent of their time at the surface, but captive whales spend more than half their time there.

Compared to their wild counterparts, captive belugas, orcas, pilon whales, and pseudorcas have low birth rates. For three decades humans have attempted to breed whales in captivity; yet, as of February 1993, only ten captive-born calves (three belugas and seven orcas) were alive.

In an interview, as well as newspaper coverage, HSUS President Paul G. Irwin and I appeared on CBS’s news program “Up to the Minute”; CNN carried a debate between John W. Grandy, Ph.D., HSUS vice president, Wildlife and Habitat Protection, and Brad Andrews, curator of Sea World.

In our efforts to protect marine mammals from capture and confinement, the HSUS is also lobbying Congress. On July 14 Senator Barbara Boxer, Representative Gerry Studds, and HSUS Executive Vice President Patricia Forkan hosted a congressional screening of Free Willy that may have contributed to the sudden scheduling of a July 28 senate hearing on the issue of public display of marine mammals (see page 3).

The Marine Mammal Protection Act (MMPA)—which forms the legal basis for preventing the exploitation, harassment, killing of any marine mammal and which is being reauthorized this year—currently permits the capture of whales and other marine mammals for public display. In an effort to strengthen their protection of marine mammals, the HSUS has joined forces with sixteen other organizations to form the Marine Mammal Protection Coalition (MMPC). On behalf of the MMPC, the HSUS has submitted testimony urging Congress to amend the MMPA to prohibit both captive and U.S. import or export of marine mammals. We have asked Congress to consider an HSUS report on captive whales when deciding whether or not to amend the MMPA to prohibit all display of whales.

The HSUS intends to campaign hard to stop the exploitation of whales in aquariums and marine parks. We believe that removing whales from the wild causes them intense suffering and that it is humane to confine whales to small concrete tanks. We hope that, with increased public awareness, the practice of holding belugas, orcas, pilot whales, and pseudorcas in captivity will soon become a thing of the past.—Naomi A. Rose, Ph.D., HSUS marine mammal scientist.
A Legal Defeat for Animals

U.S. Supreme Court permits ritual sacrifice

I

In June the Supreme Court of the United States handed down a decision voiding several ordinances enacted in 1987 by the City of Hialeah, Florida—prohibiting the killing of animals in religious and other rituals (see the Winter 1990, Fall 1992, and Winter 1993 HSUS News). Previously, in response to a lawsuit filed by a Santeria church that had announced its intention to practice ritual animal sacrifice, two lower federal courts had upheld the ordinances. The Santeria church argued that the ordinances violated the First Amendment’s guarantee of free exercise of religion.

The high court’s voiding of the Hialeah ordinances, in which all nine justices concurred, was a great disappointment to The HSUS and other animal-advocacy organizations that had filed friend-of-the-court briefs supporting the City of Hialeah.

The long-term impact of the Santeria decision, however, will depend on the extent to which the court was reacting to the immediate circumstances surrounding the enactment of the Hialeah ordinances and to their particular text and structure.

The court described, and expressly condemned, the open hostility and prejudice against the Santeria religion and its practices that were evident during the Hialeah city council’s deliberations. In addition, rather than attempting to apply existing anti-cruelty laws, the city chose to enact a series of five ordinances containing prohibitions as well as intricate exemptions to those prohibitions—that had the effect of prohibiting only religiously motivated killings of animals while allowing many other forms of animal killing, including Kosher slaughter.

The court considered this legislative scheme a “religious gerrymander” specifically designed to target the Santeria church and its practices.

The case against Santeria animal sacrifice would have been much stronger, two justices noted, had the Santerias been requesting an exemption from a generally applicable anti-cruelty law rather than from the customized prohibition that, in the court’s view, the Hialeah ordinances represented.

The court perceived fundamental public-policy inconsistencies regarding the treatment of animals that may be difficult for drafters of future laws aimed at suppressing ritual killing of animals to overcome. In response to Hialeah’s assertion of a vital interest in protecting animals, the court listed the nonreligious killings of animals that are allowed under Hialeah and Florida law—including killings related to hunting and fishing, extermination of vermin, euthanasia of unwanted animals, and animal experimentation—and found no satisfactory explanation as to why these killings should be permitted if religious killings are not. “The ordinances,” the court declared, “have every appearance of a prohibition that society is prepared to impose upon Santeria worshippers but not upon itself.” (The HSUS had argued that killing animals for reasons of ideology, particularly highly subjective ideology, should not be constitutionally protected—distinquishing such killing from the killing of animals for reasons grounded in more tangible, objectively established human needs such as obtaining food and preventing or treating disease, or for humane reasons such as ending suffering by means of euthanasia. In our view, the court’s opinion did not adequately address this argument.)

The overall message is clear: religion is enshrined in the First Amendment as a primary social value; religious motivations for killing animals cannot be devalued for the sake of a purported societal interest in protecting animals so long as that interest is not similarly applied in nonreligious arenas, such as sport hunting.

The Santeria case highlights the need for broader, more uniform protection of animals.—Roger A. Kindler, HSUS general counsel

THE LAW

A Santeria priest prepares to sacrifice a goat at a public ceremony in Miami in June. The HSUS believes that animal sacrifice should be prohibited.

Don’t Overlook Our Overstock!

The HSUS has available a limited number of back issues of the HSUS News:

- Summer 1992 (including 1991 Annual Report, Iditarod, Kentucky Derby, Slaughter)
- Spring 1992 (including Animal Care Expo ‘92, Elephants in Africa, Lota and the Milwaukee Zoo)
- Fall 1991 (including Wild Birds in Honduras, Wildlife Immunocontraception, Healing Society’s Relationship with Animals)
- Summer 1991 (including 1990 Annual Report, Iditarod, “Until There Are None, Adopt One”)

For the cost of postage and handling, we’ll send you a carton of 180 of any one of these issues, while supplies last. Distribute copies at “information days” or other events, or give them to local libraries. Contact The HSUS, 2000 L Street, NW, Washington, DC 20037 for shipping costs to your address.