

HARVARD ANIMAL LAW & POLICY PROGRAM

2015-2016 ACADEMIC YEAR UPDATE

Establishment of the Harvard Animal Law & Policy Program

Under the direction of Professor Kristen Stilt, the [Harvard Animal Law & Policy Program](#) is committed to analyzing and improving the treatment of animals in the legal system. The Program engages with academics, students, practitioners, and decision makers to foster discourse, facilitate scholarship, develop strategic solutions, and build innovative bridges between theory and practice in the rapidly evolving area of animal law and policy.

A [generous grant](#) from Bradley Goldberg has helped launch a new level of activity in animal law at Harvard—funding curriculum development, experiential learning, scholarly gatherings and exchanges, forums for discussion and debate, and establishing an Academic Fellows program. This builds on the work that began 14 years ago with the Bob Barker Endowment for the Study of Animal Rights at HLS, Harvard being the [first of several law schools](#) to receive such a gift in Bob Barker's honor.

The Harvard administration has been incredibly supportive of the new Animal Law & Policy Program and of the subject more broadly as a vitally important legal discipline. As Dean Martha Minow has noted:

“Once at the margins, legal questions about the status, interests, and treatment of animals increasingly take their rightful place across society. Now is the time for the resources of tort, property, family law, environmental law, constitutional law, and legal change strategies to make a crucial difference in the lives of animals. We are thrilled that Brad Goldberg has chosen Harvard Law School to advance his visionary work and enable faculty, students, and practitioners to propel new thinking and action on animals and the law.”

Harvard Law School's connection with animal law and policy goes back nearly 150 years when HLS alumnus George Thorndike Angell founded the Massachusetts Society for the Prevention of Cruelty to Animals, one of the nation's first animal protection organizations. Two months later in 1869, Angell achieved passage of Massachusetts' first general anticruelty legislation, *An Act for the More Effectual Prevention of Cruelty to Animals*. Angell is considered to be the architect of the modern animal protection movement and saw education as a key component of that effort—later founding both the American Humane Education Society and Bands of Mercy, a national network of humane-education clubs in schools around the country.

Now in 2016 the Harvard Animal Law & Policy Program is in full stride both operationally and programmatically. Having just completed our first academic year, we thought we would take this opportunity to recap the accomplishments these resources have enabled us to achieve.

Animal Law & Policy Team

[Professor Stilt](#) joined the Harvard faculty in September of 2014, formerly teaching at Northwestern School of Law. She also co-directs Harvard's Islamic Legal Studies Program and her interest in animal issues developed while conducting research in Egypt for her Ph.D. in History at Harvard University. While overseas Kristen became involved with several nascent animal advocacy groups, and still helps fund an Egyptian animal rescue project—in addition to personally rescuing dozens of dogs and cats off the streets of Cairo (two of whom now reside here in Cambridge). Animal Law then became a central focus of Kristen's scholarship, which also includes the areas of Human Rights, Women's Rights, and Comparative Constitutional Law. Last fall she was interviewed about the convergence of these issues in a *Harvard Law Today* feature entitled, [The Intersection of Animals, Law, and Religion](#).

In September, we added [Chris Green](#) as the first Executive Director of the Animal Law & Policy Program. Chris is a Harvard Law School graduate who enrolled in the school's first Animal Rights Law course in the spring of 2000 (taught by Steven Wise) and also served on the board of the HLS Student Animal Legal Defense Fund. At the time, Harvard was only the ninth U.S. law school to offer a course in Animal Law (now just 16 years later, 156 law schools have followed suit). In conjunction with that course, Chris spent two years developing his own scholarship, writing "[The Future of Veterinary Malpractice Liability in the Care of Companion Animals](#)," which was published in the 10th Anniversary Issue of the *Animal Law Review*. He then worked closely with Steven Wise on his innovative [law review article](#) applying *habeas corpus* to chimpanzees that helped establish the theoretical underpinnings for the work of the Nonhuman Rights Project. Most recently, Chris spent the previous two years as the Director of Legislative Affairs for the Animal Legal Defense Fund. He also is the immediate past-Chair of the American Bar Association's Animal Law Committee where he initiated the ABA's 2015 [Resolution to prohibit the private possession, sale, breeding, import, or transfer of dangerous wild animals](#). In those professional capacities Chris has lectured at over a dozen academic institutions, testified at scores of legislative hearings, and appeared in a variety of international print and television media outlets.

In August we welcomed our first Academic Fellow, [Delcianna Winders](#). The Animal Law & Policy Fellowship is a two-year, full-time residential program designed to identify, cultivate, and promote promising animal law scholars as a pathway for them to enter the academic profession. Delci is ideal for the role. As a student she was instrumental in the development of Animal Law at NYU Law School, was Senior Notes Editor of the *NYU Law Review*, and had two of her own scholarly works published: "[Confronting Barriers to the Courtroom for Animal Advocates](#)" in the *Animal Law Review*; and "[Combining Reflexive Law and False Advertising Law to Standardize "Cruelty-Free" Labeling of Cosmetics](#)" in the *NYU Law Review*. Delci later clerked for the Sixth Circuit Court of Appeals, taught Animal Law at both Tulane and Loyola University New Orleans law schools, and spent the past eight years practicing animal law in a variety of private practice and non-profit settings.

Rounding out the Animal Law & Policy team is our Graduate Scholar, [Jessica Eisen](#), a Harvard S.J.D. student who is writing her dissertation on "Animals in the Modern State" under the supervision of Dean Martha Minow. Jessica was Editor-in-Chief of the *University of Toronto Faculty of Law Review*, and already has several of her own scholarly works published—including "[Liberating Animal Law: Breaking Free from Human-Use Typologies](#)," in the *Animal Law Review*. In addition to her academic work, Jessica has spent several years practicing human rights and employment law, including serving as a litigator for the Ontario Ministry of Labor.

This coming academic year, the Animal Law & Policy Program will be adding a new Farmed Animal Policy Fellow and a new Clinical Fellow who will oversee student work on Animal Law & Policy projects.

Animal Law & Policy Students

The Animal Law & Policy Program is fortunate to have an exceptional abundance of highly engaged students from a diverse array of backgrounds. The board of our [Harvard Student Animal Legal Defense Fund](#) (SALDF) chapter embodies this well: the outgoing president graduated from Harvard College then spent 3 years working for PeTA; the incoming co-president also graduated from Harvard College then spent several years working directly for the CEO of a global investment firm; one board member spent 5 years working in philanthropy; another taught high school science; another simply had his life changed by reading Peter Singer's *Animal Liberation* and decided to pursue a career in Animal Law. The HLS SALDF has become impressively active, growing from hosting only one event in 2013 to organizing an average of 15 events in each of the past two school years. In recognition of these achievements, the Harvard SALDF was awarded the [2015 SALDF Chapter of the Year Award](#) at the annual Animal Law Conference in Portland last October.

Seven of our current students have spent their summers or winter terms doing internships with animal protection organizations such as the Animal Legal Defense Fund, Animal Welfare Institute, International Fund for Animal Welfare, Mercy for Animals, and the Humane Society of the United States. This winter, three of our students undertook Animal Law clinical placements or writing projects for their January Term studies. One worked with HSUS in Washington D.C. analyzing the current Massachusetts Ballot Initiative to protect farm animals, another worked for the ALDF in Los Angeles on Puppy Mill litigation, while the

third traveled overseas to meet with the New Zealand Animal Law Association and write about that country's recently amended Animal Welfare Act—which banned cosmetic testing and now recognizes “animals as sentient.” Next year another of our students is planning to apply for HLS's Government Lawyer: Semester in Washington program that will allow him to receive credit for spending a semester-long internship with the USDA.

We further have several new students enrolling at Harvard this coming fall who intend to focus on Animal Law. One recent admit spent the past five years working for Humane Society International and turned down scholarships from top law schools to join our new Harvard Animal Law & Policy Program. We also are attracting Graduate law students interested in studying and writing about animal law for Harvard LL.M. and S.J.D. degrees. These degrees are similar to a M.A. or Ph.D. and are sought primarily by international students looking to enhance their education, enter academia, or transition from traditional practice. One of this year's LL.M. students, Alice Lee, wrote her thesis analyzing the U.S. and Taiwan's legal protections for endangered dolphins. She is heading to Washington D.C. this fall to work on marine mammal issues for the National Oceanic and Atmospheric Association. HLS Communications recently profiled Alice in what turned out to be *Harvard Law Today's* most popular student profile ever published: [*From Practicing Corporate Law to Making the Case for Dolphins: Alice Lee's Journey*](#). As mentioned, our Graduate Scholar, Jessica Eisen, is an S.J.D. student from Canada writing her dissertation on animal legal issues, and this fall we will welcome a Canadian LL.M. who is writing her thesis on “Nonhuman Personhood.” Both Prof. Kristen Stilt and Chris Green also recently participated in Harvard Law School's Admitted Students Weekends to assist in recruiting and informing prospective students about all the opportunities that exist to pursue Animal Law & Policy studies at Harvard Law School.

To familiarize students with the practice of animal law and policy, and help get them integrated into the practitioner network, this March we helped organize an “Animal Law Field Trip” to Washington D.C. Over two days the students visited six offices of animal protection organizations, as well as the Senate offices of two legislators who are strong supporters of animal protection issues (Senators Cory Booker & Richard Blumenthal). The offices visited included ASPCA's Government Relations, the Animal Welfare Institute, Defenders of Wildlife, the Humane Society of the United States—Gaithersburg (farm animal protection, wildlife, equine, puppy mills), HSUS—L Street (litigation), and People for the Ethical Treatment of Animals. In all, the students interacted with 34 practicing animal attorneys and over a dozen other policy staff. Wayne Pacelle & Mike Markarian at HSUS even spent nearly an hour with us as well. The overall experience was invaluable for our students to get a feel for the cultures and environments at the different organizations and learn about the various paths these experts took in their own careers.

Earlier in November, Chris Green, Delci Winders and several other practitioners participated in an Animal Law Careers Panel at Harvard Law School—inspiring one student to spend her summer working for an animal protection organization. The event was so successful that we replicated it at Suffolk Law School a few months later. Chris also formed the first Harvard SALDF Alumni Advisory Board, comprised of academics, practitioners, and recent graduates who provide a permanent resource to our students. These alumni are available to offer mentoring and career advice, while also serving as a bridge to ensure organizational continuity and leadership succession within the Harvard SALDF.

The Animal Law & Policy Program additionally is collaborating with the [Harvard Food Law and Policy Clinic](#) to formulate innovative student clinical research projects that address animal protection and welfare. One such project is already underway with [The Good Food Institute](#), a newly created venture working with scientists, investors, and entrepreneurs to develop cultured and plant-based alternatives to products derived from animals. This past year several of our students worked on GFI projects exploring potential regulatory hurdles that might arise regarding the inspection, certification, labeling, and marketing of cultured and plant-based meat, dairy, and egg alternatives. We one day hope to have our own full-time Animal Law & Policy clinical fellow to oversee many more of these projects.

This May we also instituted Harvard Law School's first [Animal Law & Policy Writing Prize](#), an annual competitive award for the best student paper written in conjunction with a course, seminar, clinic, or as an independent study project at the Law School. This inaugural year we received 11 submissions covering a broad range of topics, such as international whaling regulation, the treatment of wild horses on federal lands, strategies for litigation, and state-level regulatory approaches to conservation. Several of the submissions were written for non-animal related courses, including a Negotiation Workshop analysis of the HSUS-United Egg Producers legislative alliance and an Environmental Law paper on “Pope Francis,

Laudato Si, and a Catholic Right of the Environment.” This year’s Animal Law & Policy Writing Prize was awarded to Alice Lee for her thesis, “Endangered and Entangled: A Comparative Study of the United States’ and Taiwan’s Law on Protection of Endangered Marine Mammals.”

In addition to programming geared toward students already determined to pursue a career in animal law, we have been collaborating with the SALDF to co-sponsor a Harvard Animal Law & Policy Speaker Series that disseminates information about the field to the broader Harvard community. These lunchtime lectures draw crowds averaging around 75 students with some bringing in over 125 attendees. Not all of those students are likely to practice animal law full-time, but they are intelligent people who may hold influential positions in the future when it might matter that they heard a lecture by Steve Wise, Vandhana Bala, Bruce Friedrich, Naomi Rose, Josh Tetrick, or Michael Greger. We record each of these events and soon will be making them available for public viewing on the Animal Law & Policy Program website—providing a clearinghouse of information on the subject matter and a one-stop shop to experience presentations by the field’s most relevant leaders and scholars. The “[For Students](#)” section of our website already provides a substantial amount of information and resources for current and prospective students interested in the field. To further help spread the word about our programming and animal legal issues generally, the Animal Law & Policy Program team and several students have written substantive articles for HLS’s school newspaper, the *Harvard Law Record*, which published 12 such features during the past school year.

Numerous avenues exist for Harvard Law students to contribute substantially to improving the lives of animals—whether that involves working full-time for a non-profit organization, doing pro-bono work at a major law firm, entering public service at a government agency, becoming a judge, elected official, or founding a start-up to create plant-based meat alternatives (as one current student is planning to do). Indeed, one of our graduating J.D. students immediately plans to devote her career to farmed animal issues by working for a major animal protection group after she completes a year clerking for a federal judge. Two other recent graduates already have sought our advice on providing pro-bono legal assistance for animal organizations while working at prestigious traditional law firms. Collectively, the major animal protection groups have several thousand such attorneys in their pro-bono networks, representing a majority of Top-20 U.S. law firms. These experienced lawyers are permitted to spend a percentage of their firms’ required billable hours providing free legal work to animal non-profit organizations. Last year, ALDF alone received 10,895 pro bono hours devoted to various animal protection projects and legal cases—totaling \$3,475,565 in free legal work performed by some of the country’s most accomplished attorneys and litigators. Given that Harvard Law School confers over 750 J.D. and Graduate law degrees every year, the contribution our graduates could make to that effort is extremely valuable.

Animal Law & Policy Courses

The fundamental purpose of any academic institution should be to develop the educational resources necessary to provide students with the best training and instruction possible—thereby equipping them to make successful contributions to the field of Animal Law & Policy, or whatever career path they ultimately may choose. Notably, when Harvard Law School graduate Justin Marceau (‘04) took David Wolfson’s Animal Law course at HLS it altered the course of his career, inspiring him to become a tenured professor and practitioner who now occupies the nation’s first [endowed Chair in Animal Law](#). Accordingly, one immediate goal of the Program is for Harvard students to have the opportunity to take multiple Animal Law & Policy courses during their three years at the law school.

Last fall, we offered HLS’s first course in [Wildlife Law](#), taught by Jonathan Lovvorn, Senior Vice President & Chief Counsel for Animal Protection Litigation at The Humane Society of the United States. Mr. Lovvorn has litigated extensively on behalf of animals and the environment, winning dozens of cases under the Endangered Species Act and other environmental laws. The Wildlife Law seminar explored the subject with a focus on high-profile wildlife conservation disputes—including current controversies surrounding international whaling, captive marine mammals, endangered wolves, and dwindling polar bear populations. The seminar also examined the history and evolution of wildlife conservation law, highlighting the major constitutional, ecological, political, and economic issues that shape wildlife resource protection in the 21st century. For the final meeting of the Wildlife Law class in December the Director of the U.S. Fish & Wildlife Service spent a full hour addressing seminar students and answering

their questions from the course (Dan Ashe is the highest ranking wildlife official in the U.S. government). We will be offering the Wildlife Law seminar with Mr. Lovvorn again this coming year in the Fall 2016 term.

This spring, Prof. Kristen Stilt taught Harvard's primary course in [Animal Law](#). The class covered the broad range of contexts in which animals are affected by the law, including larger definitional and philosophical questions about our treatment of animals, basic cruelty protections, the use of animals in research, entertainment, and food production, recent rights-based litigation efforts, comparative and international law, as well as religious and cultural implications of animal protection. The course analyzed each of those issues in terms of the way they fit within the larger structure of how humans recognize animals through the legal system. To supplement that inquiry we enlisted the knowledge of weekly "guest experts" who would video-conference into the class to share their real-world experiences and take questions from the students. These experts comprised a Who's Who of the Animal Law field, including notable authorities such as Peter Singer, Joyce Tischler, Steven Wise, Nancy Perry, Paul Shapiro, and Bernadette Juarez (the USDA official entrusted with enforcing the Animal Welfare Act). Forty-one students enrolled in the class, a new record for any Animal Law-related course at HLS, including two undergraduates from Harvard College. Prof. Stilt will be expanding the Animal Law course to 3 credits for the Spring 2017 term and also would like to develop a future course in Comparative and International Animal Law.

For the Fall 2017 term we will be offering a new course on Farmed Animal Law & Policy taught by David Wolfson. David taught Animal Law at Harvard in 2003 and has published extensively on the subject—most notably writing "Beyond the Law: Agribusiness and the Systemic Abuse of Animals," published in the *Animal Law Review*, and co-authoring the chapter "Foxes In The Hen House; Animals, Agribusiness and the Law: A Modern American Fable" (with Mariann Sullivan) for the book *Animal Rights: Current Debates And New Directions*, co-edited by HLS Professor Cass Sunstein. As the future of food increasingly occupies a central role in public and economic policy discussions, the course will deconstruct the legal framework underlying the use of animals for food. It will do so by familiarizing students with the conditions in which animals are raised, transported, and slaughtered, as well as addressing federal and state laws that currently affect matters such as animal welfare, environmental (including climate change) impacts, global food sustainability, cultural and religious values, issues of personhood and property, free speech issues, health concerns, international trade issues, and economic considerations in food pricing. The course also will discuss the pros and cons of current legal, political, and other efforts to revamp the current system of production, distribution, and consumption of animal-derived foods, including legislation, litigation, regulation, ballot initiatives, and consumer campaigns. The varying approaches to these issues taken by other countries will be studied in a comparative sense as well. Mr. Wolfson is the Executive Director of the international law firm of Milbank, Tweed, Hadley & McCloy, and has taught Animal Law courses at Columbia and NYU law schools, among several others.

One Harvard College undergraduate student, Terilyn Chen, enrolled in both our Animal Law and Wildlife Law courses as part of her Environmental Science & Public Policy concentration (major). She additionally wrote a Senior Honors Thesis, "Using Environmental Statutes to Sue for Animal Welfare Benefits," for which Prof. Kristen Stilt served as her faculty advisor. Terilyn's interest in the subject was spurred by an undergraduate course taught by an HLS Clinical Professor from the Environmental Law Program. At Terilyn's Honors reception, Paul Moorcroft, the head of Harvard College's Environmental Science & Public Policy Program, suggested that Kristen and Chris might collaborate with him to offer a similar undergraduate course in Animal Law & Policy. In a recent [Harvard College profile](#), Terilyn highlighted the impact of being able to enroll in our Animal Law & Policy Program law school courses:

"The most interesting course I took that counts for ESPP is Animal Law. It was a class I cross-registered in at Harvard Law School junior spring that really changed my focus in ESPP as well as just in life. I definitely think more about the animal aspects of environmentalism now, and am super interested in the intersections of animal law and environmental law. I actually think I might want to become an environmental and/or animal lawyer."

Upon Prof. Stilt's recommendation, Terilyn also received a Harvard Postgraduate Traveling Fellowship. She will use the Fellowship to spend the coming year in China studying environmental and animal issues, after which she is planning on applying to Harvard Law School to continue working with the Animal Law & Policy Program.

The Animal Law & Policy Program also is assisting with the development of another promising opportunity for Harvard undergraduate students. A rising Junior at the College recently asked us to serve as advisors for an independent program of study she is creating. If the committee accepts her proposal, the multi-disciplinary program would establish Harvard University's first-ever conferred degree in *Animal Studies*. Already recognizing this interest, this summer Harvard will be offering, [Animal Studies: An Introduction](#), an online course taught by Paul Waldau who also taught Animal Law at Harvard Law School for several years. Independently, Chris Green is part of a team developing a one-week intensive "Animal Studies Institute" at his undergraduate alma mater—which recently won a competitive grant from the Animals & Society Institute to lead and host the new initiative. The summer 2017 event will feature seminars, workshops, and experiential learning for advanced graduate students and early career Ph.D.'s intent on developing their work in human-animal relations.

Animal Law & Policy Scholarship

Another of the Animal Law & Policy Program's primary goals is to advance both the quantity and quality of scholarship in the field. The primary vehicle within legal academia to accomplish this objective is holding closed-door academic workshops—a format that previously has been under-utilized by the Animal Law community. To convene one of these Workshops, Prof. Kristen Stilt and the Animal Law & Policy Program team identify a timely, substantive topic and distribute a call for abstracts. They then select a small handful of participants to come to the Law School and discuss working drafts of the academic papers they prepare for the event. At the Workshop, Kristen then moderates a discussion in which the participants candidly critique each other's scholarship in order to improve each of the works in anticipation of publication.

Harvard's scholarly standing makes us uniquely positioned to organize and host these academic workshops. Not only does the process itself qualitatively improve the caliber of the scholarship produced, but it also quantitatively increases the intellectual capacity of the field by attracting scholars who previously may never have considered writing academic pieces about animal law and policy topics. By offering leading experts in doctrinal areas of law the opportunity to turn that cognitive firepower and specialized knowledge toward animal welfare issues, we can push the field forward significantly with new and innovative scholarship—research that in turn forms the underpinnings for the legal theories and strategies that advocates then can put into practice in the courtroom, legislatures, and many other venues.

The success of this strategy was evident in February when we held our first such event, the [Harvard Workshop on Animals in Comparative Constitutional Law](#). The response to our call for abstracts was overwhelming, drawing 75 submissions from academics representing a diverse array of perspectives and geographic regions. We ultimately selected 21 scholars from 13 different countries to participate as authors, presenters, and discussants (including Australia, China, India, Israel, South Africa, and Switzerland). The authors then prepared full papers about constitutional theory, institutional design, and case studies grounded in the constitutional experiences of particular jurisdictions. We also examined issues of religious law and the religious dimensions of constitutional protections for animals, such as the debate over halal and kosher slaughter and current efforts to ban or protect those practices. The Workshop discussion was opened by Harvard Law Professor Mark Tushnet, considered the field's foundational scholar, who authored the leading casebook, *Comparative Constitutional Law*, with fellow HLS Prof. Vicki Jackson. Decades ago, another book of Prof. Tushnet's about NAACP legal strategies was instrumental to the emerging Animal Law movement's first steps in laying out a historical roadmap for how "law can be used by the weak to reform the structure of power." After the Workshop, one participant, who has been a law professor for 26 years and attends 2-3 such workshops annually, said our inaugural event was the single most substantive academic workshop he ever had participated in.

In May we co-sponsored our second such academic event, the [Workshop on Animals, Law and Religion](#), organized by the Islamic Legal Studies Program. The goal of the workshop was to foster a conversation among scholars about how followers of different religious traditions (Buddhism, Christianity, Hinduism, Islam, Jainism, Judaism) individually and collectively approach the interrelated topics of animals, ethics, and law. Again, the result was incredibly positive and brought together legal academics, religious scholars, and animal advocates who engaged in thought-provoking conversations based on works in progress they submitted. Those papers covered topics as wide-ranging as: "Animal Souls"; "The Christian Ethics of Farmed Animal Welfare"; "Animal Rights as "Religion" Under the Free Exercise Clause"; "The Rabbinic

Rejection of Mercy as Justification for Animal Slaughter”; “Vegetarianism, Religion, and the State in Early Modern Western India”; “The Human-Animal Divide Within Jainism”; and “Situating Islamic Animal Ethics in Modern Environmental Discourse.” The deep interaction among the participants also served to solidify bridges between the Animal Law academy and Animal Studies, which is developing into a distinct multi-disciplinary field of its own (and accordingly was the subject of much conversation during the workshop).

The Animal Law & Policy Program is similarly working to strengthen collaboration among legal institutions by fostering scholarly workshops at other venues, such as the “Second Annual Research Roundtable on Animal Law and Regulation” being held this July at Northwestern University School of Law’s Searle Center for Legal and Regulatory Studies. Last year’s [inaugural roundtable](#) was a successful event that brought together scholars and practitioners to engage in a compelling exchange of ideas about current animal law research projects. This year the roundtable participants will more closely examine “Comparative Animal Protection Regulatory Schemes,” with formal presentations and discussions of draft papers in an academic workshop format. Prof. Stilt, Chris Green, and Jessica Eisen each participated in last year’s roundtable, and all four of the Animal Law & Policy team will take part in this July’s 2016 event. Two of the international participants in our Workshops also have approached the Animal Law & Policy Program about working with us as Visiting Scholars. This would entail these professors taking sabbaticals from their home academic institutions and spending a year in residence at Harvard developing scholarship that furthers the field of Animal Law & Policy—an opportunity we are pursuing enthusiastically.

In addition to spurring the scholarship of others, the Harvard Animal Law & Policy team has produced several notable academic works of our own this year, with many more in development. Prof. Kristen Stilt recently completed “Constitutional Animal Protection in Egypt and the Making of a Social Movement,” a first-hand analysis of the inclusion in the 2014 Egyptian constitution of a provision that requires the state to provide “kindness to animals.” A draft of that article was discussed in our first academic Workshop on Animals in Comparative Constitutional Law and now is under review for publication. Kristen also presented on “Constitutional Protections for Animals” at last October’s 23rd annual [Animal Law Conference](#). In April, Prof. Stilt was invited to Yale University to present a draft of another paper, entitled “Animals in Motion: Slaughter, Animal Welfare, and Islamic Law,” about the live export of animals from Australia to the Middle East for ritual sacrifice. A more developed version of that work, “Do Muslim Animals Need Saving?,” then was featured in our May Workshop on Animals, Law, and Religion. Kristen’s other works in progress include a chapter on “Animals” for the *Oxford Handbook of Islamic Law*, and a chapter on “Law” for the forthcoming *Critical Terms in Animal Studies*—a book edited by Lori Gruen as part of the *Critical Terms* series at the University of Chicago Press. This June, Kristen also received the I-CON Prize, an award recognizing her as the author of the year’s best scholarly article published in the *International Journal of Constitutional Law*. The award was presented to her in Berlin at the International Society of Public Law’s 2016 Annual Conference on “Borders, Otherness, and Public Law.”

Analyzing the international approach to Animal Law more broadly, Professor Stilt and our Graduate Scholar Jessica Eisen just completed a chapter on Animal Protection and the Legal Status of Animals for the forthcoming [Max Planck Encyclopedia of Comparative Constitutional Law](#), published by Oxford University Press. To accomplish this comprehensive undertaking, they enlisted a team of several international Harvard graduate and J.D. student research assistants who each were able to contribute to the understanding of such laws in their home jurisdictions. This July, Kristen will present the related “Survey of Constitutional Provisions Regarding Animal Protection” at Northwestern’s Research Roundtable on Animal Law and Regulation, while Jessica will be presenting “Animals in the Constitutional State.” The two plan to use the process to develop their encyclopedia work into a co-authored law review article. In June, Jessica returned from Paris’s School for Advanced Studies in the Social Sciences where she served as a commentator for an academic workshop on “Making Milk: The Past, Present, and Future of our Primary Food.” The event was co-organized by Mathilde Cohen, who wrote about the topic for our own Workshop on Animals in Comparative Constitutional Animal Law, and the Animal Law & Policy Program helped sponsor Jessica’s participation. At the Paris Workshop Jessica was able to engage with other academics such as Carol Adams and Greta Gaard, two important figures who influenced her own scholarship over the years. Based on Jessica’s contribution to the workshop discussions, those participants then invited her to publish her work alongside theirs by writing a chapter for the forthcoming edited volume of the Making Milk Workshop papers.

Our Animal Law & Policy Fellow, Delci Winders, has been focusing her scholarship on the federal Animal Welfare Act and issues related to its implementation and enforcement. Harvard Law School's luminary Administrative Law expert Cass Sunstein has expressed his enthusiasm for Delci's work and agreed to review the primary article she will use to enter the academic market in the fall, entitled "Regulatory Failure, Regulatory Reform, and the Animal Welfare Act." This May Delci presented that research at the Stanford Program in Law and Society's 2016 Conference, discussing her paper "Administrative Warnings and Compliance Behavior Under the Animal Welfare Act—A Case Study." She also presented at the Texas State Bar Association's [2016 Animal Law Institute](#) on "Legal Efforts to Address Federal Animal Welfare Act Implementation Issues." In July, Delci will join the rest of the Animal Law & Policy team at Northwestern University to present her latest work in progress about the Animal Welfare Act: "Administrative Agency Licensing Renewal Practices, Statutory Purposes, and Due Process: A Case Study." This coming October, Delci will be presenting at two different conferences: first on "Captivity, Welfare, Conservation, and the Law" at Wesleyan University's Human-Animal Studies 10th Anniversary Conference, and then on "Captive Wildlife" at this year's 2016 Animal Law Conference in New York City.

In parallel with the development of the Animal Law & Policy Program, Prof. Stilt also is directing the recently established [Animals, Law, and Religion Project](#) through the [Harvard Islamic Legal Studies Program](#). The Project focuses on both the academic study of how religious laws and practices deal with animals and on the practical implications of such laws and practices in communities around the world. While the Animals, Law, and Religion Project pays significant attention to Islamic law, as a comparative project its interests span all religions. The Project will be sponsoring workshops and conferences featuring emerging and established scholars. It also seeks to place these scholars in dialogue with religious leaders and advocates in religious communities, helping bring theoretical perspectives and practical experiences together towards a deeper consideration of the interests of animals.

Animal Law & Policy Events

In addition to enhancing academic scholarship in the field, the Animal Law & Policy Program has a significant role to play in educating broader audiences about animal protection issues and the law. As with our HLS Speaker Series, by holding larger public conferences and symposia Harvard can bring attention to pertinent topics in the field, spur intellectual deliberation among experts, and lend credence to Animal Law as a critical and important subject.

For example, back in 2002 Harvard Law School held the [Symposium on the Legal Status of Chimpanzees](#)—which combined leading primate scientists, such as Jane Goodall, Richard Wrangham, and Roger Fouts, with prominent legal experts Alan Dershowitz, Cass Sunstein, Steve Wise, David Favre, and Paul Waldau. The symposium was covered widely in the [press](#) and a [full transcript](#) was published in the *Animal Law Review*. The attention the event generated had a catalyzing effect on advancing awareness and scrutiny of the treatment of nonhuman primates (and Animal Law generally) that resonated substantially within the Harvard community, across broader academia, and among the public at large.

Following this model, the Animal Law & Policy Program already has co-hosted several educational conferences and symposia during our first year (and are well into the planning of even larger ones for the coming term). In September we partnered with the Harvard Petrie-Flom Center for Health Law Policy, Biotechnology, and Bioethics to co-sponsor the [Legal and Ethical Considerations of Non-Human Primates in Research](#), a discussion among scientists and scholars about the critical legal, ethical, scientific, and social issues raised by research involving non-human primates (and the research centers that house them). The event can be viewed [online](#) in its entirety. In October, we similarly partnered with a consortium of academic entities to co-sponsor the Second Annual HLS-UCLA Food Law and Policy Conference. This year's topic was [Drugs, Animals, and Food: Law & Policy of Antibiotics in the Food System](#) and featured presentations by leading legal advocates, health sciences experts, and public policy scholars. The other conference sponsors included the Harvard Law School Food Law Lab, The Harvard Food Law and Policy Clinic, the Petrie-Flom Center, and the Resnick Center for Food Law & Policy at UCLA School of Law. Also in October, Prof. Kristen Stilt led a seminar on "Religion and Farmed Animals" for the first [Food Law Student Leadership Summit](#), organized and hosted by the Harvard Food Law and Policy Clinic.

In February, the Animal Law & Policy Program hosted a trio of major events for the benefit of both students and academic scholars, all within a single week. As we did last year, Harvard Law School hosted the [National Animal Law Competitions](#), organized in collaboration with Lewis & Clark Law School's Center for Animal Law Studies. This event uses real-world issues and scenarios to provide students an opportunity to compete in three different types of advocacy competitions: Legislative Drafting & Lobbying, Closing Argument, and Appellate Moot Court. For the second year the Animal Law & Policy Program's Chris Green drafted the Legislative Competition problem while Delci Winders created the Appellate Moot Court case. The judges for NALC included some of the leading authorities in the Animal Law field, ranging from professors to practitioners, as well as sitting Federal Appellate Court Judges. Over the years, several student participants have [earned full-time positions](#) with animal protection organizations (and even federal judicial clerkships) directly as a result of their performance in the Competitions. Indeed, as a student, our own Chris Green won first prize in the Closing Argument Competition at the inaugural NALC held at Harvard in 2004. With a near one-to-one ratio of competitors to judges, the National Animal Law Competitions provides an excellent opportunity for motivated students to interact with each other and receive constructive mentoring from many of the field's key figures.

Coinciding with both NALC and our Workshop on Animals in Comparative Constitutional Law, the Animal Law & Policy Program co-sponsored the Second Annual [Harvard Animal Law Week](#) with the HLS SALDF—presenting notable animal law speakers to the broader law school community each day leading up to the Competitions. Prof. Kristen Stilt spoke the first day about the 2014 Egyptian constitutional provision on animal protection; the second day David Wolfson lectured about legal protection for farmed animals; on day three, Nancy Perry of the ASPCA gave a presentation about the public ballot measure process as a means to advance animal welfare legislation; and on Thursday, PeTA President Ingrid Newkirk drew over 125 people to hear her talk about animal rights and human obligations. On the final day we held two events: the first featured ALDF's Scott Heiser and Niki Caferri of the Queens County Animal Cruelty Prosecutions Unit providing a practitioner's perspective on prosecuting animal cruelty; Prof. Randy Abate then ended the week-long event with a talk about his newly published book, *What Can Animal Law Learn From Environmental Law?*

This year's Animal Law Week again was extremely successful in boosting the visibility of Animal Law to the Harvard community. The *Harvard Law Record* published a thorough summary of the lectures entitled, [In Winning Rights for Animals, Approaches Differ](#). Spreading the word more widely, the Harvard Communications Department then published a full feature article in *Harvard Law Today* under the title [Focusing on Law and the Treatment of Animals](#). The *Harvard Law Today* feature spotlighted the growth of the Animal Law & Policy Program, provided a full review of all the events hosted that week, and embedded full-length videos of the Animal Law Week lectures. *Harvard Law Today* is an effective vehicle for disseminating information about the Animal Law & Policy Program (and the field generally) given its reach throughout the Harvard Law School alumni network as well as its influence with administrators and faculty at other law schools around the world.

In March, the Animal Law & Policy Program sponsored a panel at the "[Just Food? Forum on Land Use, Rights and Ecology—A Conference Exploring Land and the Food System](#)." Organized by the Harvard Food Law Society and the Food Literacy Project, the sold-out conference filled the Law School's largest event space. The forum drew a broad array of scholars, farmers, activists, practitioners, and other authorities to explore the legal, moral, policy, health, historic, and environmental aspects of our modern domestic and international food system. The lecture sponsored by the Animal Law & Policy Program examined [The Impossible Case of Sonny Nguyen](#), a South Carolina farmer and Vietnamese immigrant who provides a compelling example of the exploitative, unjust system in which commercial chickens are raised and large corporations pit poverty-line farmers against one another for basic subsistence. The presentation was spurred by the 2015 Bloomberg expose [Who's Murdering Thousands of Chickens in South Carolina?](#), and later was developed into this [online multi-media piece](#) bearing the same name as the lecture. All of the Conference's panels and lectures were recorded and are available [online](#) for public viewing.

Reaching outside of the Law School, in April the Animal Law & Policy Program co-hosted an event at Memorial Church in Harvard Yard featuring Michael Pollan (author of *The Omnivore's Dilemma*), who interviewed Wayne Pacelle, the President of the Humane Society of the United States, about his new book, *The Humane Economy: How Innovators and Enlightened Consumers are Transforming the Lives of Animals*. The conversation drew several hundred attendees from across the Harvard and greater Boston

communities. Afterwards, the University-wide newspaper, *The Harvard Crimson*, published a full review of the event, "[Authors Advocate for Farm Animal Protection.](#)"

Looking forward, the Animal Law & Policy Program already is deep into organizing our own inaugural academic conference next December. [The Animal Welfare Act at Fifty Conference](#) will mark the 50th anniversary of the AWA's 1966 enactment by convening experts from various fields to examine the evolution and implementation of the Act, assess its successes or failures, and explore areas for future improvement. Our call for abstracts received over 60 submissions from legal scholars, practitioners, government officials, other academics, and animal protection advocates. We now are in the process of organizing the accepted submissions into thematic panels with an emphasis on moderated discussions of the underlying issues. This public Conference will be combined with a related, closed-door Academic Workshop for legal scholars to produce articles with innovative recommendations for the AWA's next half century. We may even publish an edited volume of the scholarship and conference panels.

Thinking beyond our own borders, Harvard's international reach uniquely positions the Animal Law & Policy Program to assist with improving the treatment of animals through legal systems in other countries. In addition to developing innovative legal strategies and scholarship in more developed jurisdictions, a substantial degree of animal hardship can be alleviated simply by helping advocates and academics in other nations institute basic welfare protections that we in the U.S. and E.U. now take for granted. Accordingly, we have been working closely with a several animal advocates (and a celebrity) in Iran to help draft and enact that country's first ever national anti-cruelty law. We further are pursuing talks with the Dean of the University of Tehran School of Law about potential areas of collaboration. We also have been helping advocates in Qatar become the first animal protection groups to qualify for official NGO status—a vital step for being able to advocate publicly and raise funds. As the result of relationships developed with several of our workshop participants, we simultaneously are collaborating with scholars in China, India, Israel, and South Africa to potentially hold joint conferences and workshops in their home countries. Furthering that work, Chris Green has been invited to Beijing to participate in a meeting with officials and scholars in the Prime Minister's State Council Research & Development Center, a think tank for the national leaders on China's commercial dog meat trade. Then in September, Chris and Delci Winders will represent the Harvard Animal Law & Policy Program as official observers to the Convention on the International Trade in Endangered Species (CITES) Seventeenth Conference of the Parties in Johannesburg, South Africa.

Animal Law & Policy Outreach

One of the greatest assets of the Animal Law & Policy Program is the ability to demonstrate to the world that Harvard Law School deems animal protection worthy of its institutional attention and support. As detailed above, nearly all of our academic and public events generate subsequent press coverage that circulates widely through a variety of traditional, online and social media outlets—as well as our own Animal Law & Policy Program [website](#), [Twitter feed](#), and [Facebook page](#).

Since accepting the Executive Director position, Chris Green has continued to have a strong public presence in the field of Animal Law & Policy. He has appeared on [CNN](#), [NPR](#), [China's CCTV](#), and in dozens of major media publications regarding his successful [campaign](#) to convince Delta and 45 other airlines to stop transporting exotic animal hunting trophies (and the subsequent [litigation](#) that ensued). He also has been closely involved in the Massachusetts State Ballot Initiative, *An Act to Prevent Cruelty to Farm Animals*, which seeks to ban extreme forms of factory farm confinement. In that capacity he testified at Massachusetts State House legislative hearings and was interviewed by [The Atlantic](#) and [Pacifica Radio](#). In October, Chris again was a speaker at the 2015 Animal Law Conference, lecturing on the subject "Beyond Litigation: Alternative Advocacy." In November, he then spoke at the Austin Film Festival's world premiere of [Of Dogs and Men](#)—a documentary about the pervasive problem of police shooting family dogs. Chris served as the film's Executive Producer and is featured throughout discussing federal litigation and state legislative efforts to address the issue. He also recently was quoted in the article "[The Case for Treating Animals as Humans](#)" in relation to the premiere of the new documentary [Unlocking the Cage](#), which chronicles the crusade of Steven Wise and the Nonhuman Rights Project in their campaign to win legal personhood for Chimpanzees. This March, Chris further participated in the first annual [Wildlife in Crisis: An International Think Tank](#) in Costa Rica. That summit paired U.S. experts

in animal law and wildlife rescue with Central American conservationists to exchange ideas and develop strategies for combating the illegal trade in endangered species.

Animal Law & Policy Fellow Delci Winders has been very active in commenting about animal law developments in high-profile media outlets as well. These pieces include: "[Arizona Legislators Should Not Protect Puppy Mills](#)," *Arizona Daily Star* (Mar. 28, 2016); "[Who Knew About TB Risk from Elephants?](#)," *Wall Street Journal* (Apr. 4, 2016); "[Elephants' Final Bow Earns Mixed Reviews](#)," *USA Today* (May 3, 2016); "[Don't Force Elephants to Perform](#)," *New York Times* (May 10, 2016); "[Will New Tiger Protections Go Far Enough?](#)," *Houston Chronicle* (May 18, 2016); and "[Seaquarium Still Confines Lolita](#)," *Miami Sun Sentinel* (July 4, 2016). Recently, Delci was interviewed on Boston TV news putting the Harambe gorilla tragedy into the broader context of whether wild animals should be bred or kept in captivity at all: "[Is Zoo Liable for Harambe's Death?](#)," New England Cable News (June 1, 2016). Delci also has played an active role in legislative initiatives related to her areas of animal protection expertise. In February, she provided key testimony and background support for the Cambridge City Council's [unanimous vote](#) in February to pass an ordinance *Prohibiting the Use of Wild and Exotic Animals in Traveling Shows and Circuses*. Then in May, Delci testified at the Rhode Island General Assembly on behalf of a bill to prohibit the use of weapons to control elephants—which is awaiting the Governor's signature to become the nation's first state-wide Bullhook ban.

But nowhere is the impact of Harvard's support more striking than with *Harvard Magazine* publishing "[Are Animals 'Things?' The Law Evolves](#)," a six-page, in-depth feature about the broader field of Animal Law and what we are seeking to accomplish with the Animal Law & Policy Program. The article in the March/April issue opens with a photograph of Prof. Kristen Stilt and Executive Director Chris Green, and includes excerpts of extensive interviews they both did with the author. Importantly, not only is *Harvard Magazine* available online, but a physical copy of the issue was mailed out to over 255,000 alumni, faculty, and staff of every department and school within Harvard University—readers who on average spend a full hour with each issue of the magazine. This exposure has generated a host of positive responses from the media, interested faculty at other institutions, prospective students, and legal experts, such as the former Chief Judge of the United States Court of Appeals for the Second Circuit in New York.

The Harvard Law School Communications Department subsequently used *Harvard Magazine's* photograph of the Animal Law & Policy team (and Prof. Stilt's Egyptian rescue dog) for the landing page of Harvard Law School's own website. It remained so exclusively for the next week then rotated for another month, such that when anyone visited the HLS website the entire browser would fill with the image from *Harvard Magazine* and the caption "HLS Commemorates Animal Law Week." The message that endorsement sent throughout the animal law field, to other law schools, and indeed the legal profession as a whole cannot be overstated. A mere decade ago, in some corners Animal Law was still fighting to be taken seriously as a discipline—with some law school administrators dismissing the subject as fleeting or not substantive enough. Yet in this instance, the Animal Law & Policy Program was being presented as the very face of Harvard Law School to anyone who visited the HLS website. The validation that signal sent to the entire legal community underscores the unique platform and obligation we have to make the most of the incredible opportunity granted to us by the Bradley Goldberg gift and the Harvard Law School administration.

We look forward to further developing our potential as we continue to create new opportunities for students, increase both the quantity and quality of academic scholarship in the field, and contribute to a broader public appreciation of the pressing issues addressed by the Harvard Animal Law & Policy Program.