



# ANIMAL LAW & POLICY PROGRAM

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## HARVARD LAW SCHOOL

— 2019–2020 —

Year in Review



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**Animal law is a vitally important and rapidly growing field. Our new Animal Law & Policy Clinic will give students real-world experience in this burgeoning field, build on Harvard Law School’s long tradition of innovative pedagogy, and prepare future graduates to address significant societal challenges.”**

— *John F. Manning ’85, Morgan and Helen Chu  
Dean and Professor of Law*

## INTRODUCTION & EXECUTIVE SUMMARY

As we celebrate our sixth anniversary, the [Animal Law & Policy Program](#) (ALPP) at Harvard Law School (HLS) is proud to share the work we have done to benefit the lives of animals farmed for food, animals used in biomedical research, animals affected by climate change, and those suffering a multitude of other harms. We also have continued our efforts to benefit animals by addressing the regulation of plant-based and cell-based alternatives to animal products and working to achieve justice for families affected by noxious factory farms being built beside their homes.

The interconnected dimensions of injustice have never felt more present, and highlight that we cannot simply pull out one strand and work on it in isolation without an awareness of how others might be impacted. This past fall and spring, the work of the Program, the Clinic, and our faculty, staff, and Visiting Fellows has reflected our commitment to these principles. Such work includes Visiting Fellow Amy Fitzgerald's focus on animals in Intimate Partner Violence, Executive Director Chris Green's efforts to reduce the number of dogs killed by police, and Clinical Instructor Nicole Negowetti's advocacy for just food systems.

Other contributions include Visiting Professor Justin Marceau's research rethinking criminal punishment in animal law, Clinic Director Katherine Meyer's supervision of the Clinic's challenging the environmental impacts of the proposed border wall, and Faculty Director Kristen Stilt's work at the intersection of animal protection and religion. The Program itself also recently launched a collaborative international research project with a team of institutional partners to examine the global regulation of live animal markets and their role in the spread of zoonotic disease.

In these times, such work and collaboration, at home and around the world, are more important than ever. When the pandemic caused us to shift our work to a remote format in March 2020, we rapidly adapted to the virtual realities and reached even broader and more diverse audiences. This report highlights the work of the past year, showing our substantial impact through our extensive activities, scholarship, and policy work. Because our Program and Clinic are entirely donor funded, this work would not be possible without the generous support of individuals and institutions that include:

- **Bob Barker**
- **Virginia Coleman**
- **Simone Friedman**
- **Brad Goldberg**
- **Phillip and Lynne Himelstein**
- **Ariel Nessel / Mobius**
- **Charles Thomas**
- **Animal Welfare Trust**
- **Brooks Institute for Animal Rights Law & Policy**
- **Stray Dog Institute**



# PEOPLE

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## Animal Law & Policy Program Faculty and Staff

The Animal Law & Policy Program is led by Harvard Law School Professor [Kristen Stilt](#), who launched the Program in 2014. She also directs Harvard's Program on Law and Society in the Muslim World. For the past three years, Professor Stilt served as Deputy Dean of Harvard Law School, helping guide the institution's response to the global pandemic and ongoing societal struggles to remedy deeply embedded problems of inequality, racism, and abuse of power. Her Deputy Dean term concluded on June 30, 2020, and in the upcoming academic year she will be the [Maury Green Fellow at the Radcliffe Institute](#).

Executive Director [Chris Green](#) works with Professor Stilt to oversee the Program's strategic planning, coordinating, and development efforts. Program Administrator [Ceallaigh Reddy](#) manages all administrative and organizational needs. For the past year, Visiting Assistant Clinical Professor [Katherine Meyer](#) has been the Director of our Animal Law & Policy Clinic, working alongside Clinical Instructor [Nicole Negowetti](#). [Sarah Pickering](#) has overseen the Program and Clinic's media efforts as Communications Manager, and [Kate Barnekow](#) has served as our first Clinical Fellow. [Ann Linder](#) also joined the team in June as a Research Fellow managing our live animal markets project.



**[Kristen Stilt](#)**  
Faculty Director



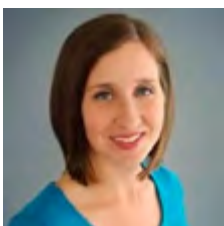
**[Chris Green](#)**  
Executive Director



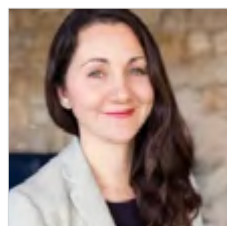
**[Ceallaigh Reddy](#)**  
Program Administrator



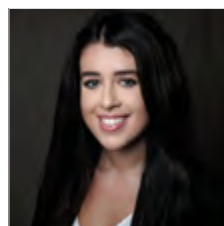
**[Katherine Meyer](#)**  
Clinic Director, Visiting  
Assistant Clinical Professor



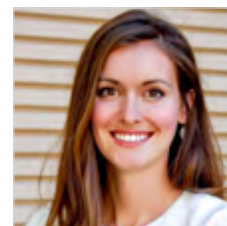
**[Nicole Negowetti](#)**  
Clinical Instructor



**[Sarah Pickering](#)**  
Communications Manager



**[Kate Barnekow](#)**  
Clinical Fellow



**[Ann Linder](#)**  
Research Fellow

## Visiting Fellows & Researchers

In addition to our core team, each year the Animal Law & Policy Program hosts several Visiting Fellows and Visiting Researchers. These visiting appointments provide opportunities for outstanding scholars from a range of disciplines and legal practitioners to spend a semester or academic year in residence at HLS working on their own research, writing, and scholarly engagement on projects in the field of animal law and policy. During their stay they make use of the research facilities of the Law School and the University, participate in the intellectual life of the community, and present their scholarship in academic workshops. This past year we hosted eight Visiting Fellows (whom we fund after a formal application and selection process), and two Visiting Researchers (who come to HLS with outside funding).

The work of the Visiting Fellows and Researchers garnered significant media coverage over the past year, drawing public attention to animal law and policy issues. The outlets providing such exposure included: *CNN*, *CBS*, *Daily Mail*, *Financial Times*, *Fox*, *The Guardian*, *Independent*, *The Intercept*, *Medium*, *The New York Times*, *The Washington Post*, and *Wired*.

Our 2019–2020 Visiting Fellows and Researchers are listed alphabetically below with their research project titles:



### **Hadar Aviram**

*Professor, UC Hastings College of the Law*

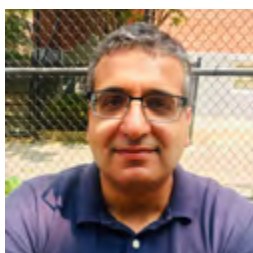
“Criminal Legal Consciousness” and Legal Mobilization Strategy  
Among Open Rescuers from Factory Farms



### **Charlotte Blattner**

*Senior Lecturer and Researcher, Institute of Public Law, University of Bern*

Critical Intersections of Animal and Environmental Law



### **Omar Farahat**

*Assistant Professor, McGill University Faculty of Law*

Personhood in Islamic Legal Theory



**Amy Fitzgerald**

*Associate Professor, Great Lakes Institute for Environmental Research,  
University of Windsor*

Social Recognition of Animals Ab(Used) in the Context of Intimate Partner  
Violence: A Strategic Avenue for Broader Socio-Legal Change



**Helen Harwatt**

*Independent Researcher*

Assessing the Impacts of Food Systems on Environmental Sustainability,  
Public Health, and Ethics



**Jim Keen**

*Professor, University of Nebraska*

A Tapestry of Cruelty and Waste: Failed Federal Intramural Animal Research



**Jayasimha Nuggehalli**

*Co-Founder and Chief Operating Officer of Global Food Partners; Former  
Managing Director, Humane Society International – India*

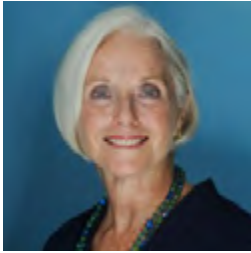
Helping Companies Meet Animal Welfare Commitments through  
Certificate Trading Platform



**Steven Niemi**

*Former Director, Office of Animal Resources, Harvard University  
Faculty of Arts and Sciences*

Ethical Gaps in Today's Pet Breeding Standards



**Gale E. Rasin**

*Senior Judge, Baltimore City Circuit Court*

Animal Hoarding: The Judicial Response



**Saskia Stucki**

*Senior Research Fellow, Max Planck Institute for Comparative Public Law and International Law*

Elements of a Legal Theory of Animal Rights

Human Rights and Animal Rights

Intersectional Humanitarian Law and Animal Welfare Law





# Program Work & Achievements

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**The Animal Law & Policy Program and Animal Law & Policy Clinic had a productive year of scholarly activity, research, events, and litigation. Below we outline many of these accomplishments.**

## Live Animal Markets Project

In June, the Program embarked on an ambitious project studying policy responses to live animal markets, which have been identified as sites that facilitate the transmission of zoonotic diseases such as avian influenza, Severe Acute Respiratory Syndrome (SARS), and COVID-19. These markets and the supply chains that support them are the source of many types of high-risk human-animal and animal-animal interactions. Animal markets exist throughout the world, including in the United States.

The project aims to provide a comprehensive assessment that will aid policymakers considering regulatory decisions, contribute to public education about these issues, and serve the human health and animal protection NGO communities. It will include individual country case studies conducted by international partner institutions. Former ALPP Fellow Ann Linder has returned to serve as the Research Fellow managing the project, which will culminate in a substantial published report in early 2021.

Collaborating partners on the project include New York University's Center for Environmental and Animal Protection, Federal University of Bahia (Brazil), Lewis & Clark Law School's Center for Animal Law Studies, National Academy of Legal Studies & Research (India), University of Denver's Sturm College of Law, University of Ghana's College of Health Sciences, University of KwaZulu-Natal (South Africa), Universidad del Pacífico's Environmental Management Clinic (Peru), University of Toronto Faculty of Law, University of Victoria Faculty of Law, Vietnam One Health University Network, Yale Law School's Law, Ethics & Animals Program, and Zhongnan University of Economics and Law (Wuhan, China). The project is being supported by generous funding from the Brooks Animal Studies Academic Network (BASAN).





## Brooks Animal Law Digest

Clinical Fellow Kate Barnekow performs daily research on recent developments in the field of animal law and policy as well as relevant items in environmental law, food law, and administrative law. She then creates weekly summaries of the latest developments in federal and state case law, new and pending federal and state legislative initiatives and enactments, federal regulatory actions, published scholarship, and international news related to animal law. The resulting [Brooks Animal Law Digest](#) is disseminated exclusively by the Brooks Institute for Animal Rights Law & Policy without charge for the benefit of the animal welfare community at large, including practitioners, academic clinics and programs, and scholars.

These weekly updates draw from a wide swath of subject areas that impact nonhuman animals' lives, including the regulation of animal testing and research, the advertising and sale of animal products, breed-specific restrictions, setting up trusts for the care of companion animals, the treatment of companion animals in domestic violence cases, the conditions of animal breeding and slaughter operations, cultivated meat products, hunting, pollution, and wildlife in captivity. The digest also follows litigation, legislation, and regulation under key animal law statutes and other statutes often utilized in the field, such as the Animal Welfare Act, the Endangered Species Act, the Marine Mammal Protection Act, the Federal Meat Inspection Act, the Humane Methods of Slaughter Act, the Poultry Products Inspection Act, the Freedom of Information Act, and the Administrative Procedure Act. These updates also cover a wide variety of types of animals, including aquatic animals, companion animals, animals used for food and fiber, and captive wild animals. The Brooks Animal Law Digest serves as a valuable resource for anyone seeking to keep up to date on the latest developments in the field of animal law and policy. Anyone interested can subscribe to the [Brooks Animal Law Digest](#).

### Brooks Animal Studies Academic Network (BASAN)

BASAN is a network of academics and their institutions with the mission of advancing scholarly knowledge and academic opportunities in animal law, policy, and related animal studies.

Current member institutions include:

- Harvard Law School's Animal Law & Policy Program
- Lewis & Clark Law School's Center for Animal Law Studies
- New York University's Center for Environmental and Animal Protection
- University of Denver's Sturm College of Law
- University of Toronto Faculty of Law
- University of Victoria Faculty of Law
- Wesleyan University, Animal Studies
- Yale Law School's Law, Ethics & Animals Program



Credit: Martha Stewart

## Animal Law & Policy Clinic

The launch of the Animal Law & Policy Clinic (ALPC) in September 2019 has enabled Harvard Law School students to work directly on real-time animal law cases and policy projects, providing them with hands-on experience in policymaking, research, litigation, legislation, administrative practice, and organizational governance—both in the US and internationally.

As Harvard Law School Dean John Manning noted, “Animal law is a vitally important and rapidly growing field. Our new Animal Law & Policy Clinic will give students real-world experience in this burgeoning field, build on Harvard Law School’s long tradition of innovative pedagogy, and prepare future graduates to address significant societal challenges. I am delighted to welcome Katherine Meyer to the Harvard Law School community and congratulate her, Kristen Stilt, and Nicole Negowetti on the launch of this terrific initiative.”

Clinic Director Katherine Meyer joined HLS as one of the most experienced animal protection litigators in the country, having founded the nation’s leading environmental and animal public interest law firm, Meyer & Glitzenstein, 26 years ago. Clinical Instructor Nicole Negowetti is a nationally recognized food systems policy expert who has focused her teaching, scholarship, and advocacy on the impacts of industrial livestock production on animal welfare, the environment, and human health. In addition to her work at ALPC, in the 2019 fall semester Nicole also taught a reading group on “Disruptive Food Technologies: Law, Politics, and Policy.” Recent HLS graduate Kate Barnekow serves as our first Clinical Fellow assisting on Clinic projects and research.

Two of the Clinic’s most recent cases filed to protect primates used in research and protect families from noxious factory farms were chronicled in exclusive

**“ I got real substantive experience working on a wide variety of types of animal advocacy. Kathy and Nicole are great and were strongly encouraging and supportive. I appreciate feeling like I can turn to them in the future for mentorship.”**

features in the *Boston Globe* and *Indianapolis Star*. Those articles and coverage of the Clinic's other projects appear in a media timeline on page 22 of this report. Following is a chronological list of the Clinic's most important work of the past year.

In October 2019, the students participated in a public meeting held by the US Food and Drug Administration (FDA) in Washington, DC, which was seeking input on the agency's efforts to update its "standards of identity" for alternatives to animal-based food products. Clinic student [Gabriel Wildgen '20](#), [provided oral testimony](#) calling for flexibility in food labeling in the interests of both consumers and innovation. The Clinic subsequently submitted [a detailed letter to the USDA](#) recommending a labeling scheme that does not ban the use of common and usual meat and poultry terms on cell-based meat products and only requires disclosures when they are necessary to protect consumers. The letter was drafted by student Kelley McGill '20 under the supervision of Clinic Instructor Nicole Negowetti and generated substantial attention, especially among meat industry outlets.

The Clinic filed its first lawsuit in November. The case was brought against the USDA under the Administrative Procedure Act over the agency's unreasonable delay in failing to take action on a petition to upgrade the standards for the psychological well-being of primates used in biomedical research. The case was filed on behalf of the New England Anti-Vivisection Society (NEAVS), Animal Legal Defense Fund, and the International Primate Protection League. The [Boston Globe did a major story on the case](#), quoting Clinic student, Brett Richey '21, who took the lead on the project:

"We are bringing this case to compel the USDA to put in place clear, enforceable laws that will ease



“ We are bringing this case to compel the USDA to put in place clear, enforceable laws that will ease the burden of suffering on nonhuman primates, some of our closest relatives in the animal kingdom. These animals deserve our protection.”

— Clinic student Brett Richey '21



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During the fall term students also prepared detailed evidentiary analyses of chronic violations of the Animal Welfare Act (AWA) to assist with the passage of the Animal Welfare Enforcement Improvement Act, H.R. 4211. That legislation was introduced in August 2019 by Congressman Raja Krishnamoorthi (D. Ill.), and would create a much-needed private right of action under the AWA. The students also prepared a synopsis of the proposed legislation and an analysis of the problems with current enforcement of the AWA to be used in lobbying efforts by the animal protection community. The clients in that matter were the Animal Welfare Institute and People for the Ethical Treatment of Animals.

At the beginning of the spring semester, the Clinic filed an amicus brief before the US Supreme Court over the potential wildlife impacts from construction of a border wall between Mexico and the United States. The brief was filed on behalf of the National Butterfly Association and the National Butterfly Center in Texas in support of a petition for certiorari by the Center for Biological Diversity, Animal Legal Defense Fund, Defenders of Wildlife, and Southwest Environmental Law Center. That petition asked the Court to review a lower court decision concerning

the constitutionality of the Trump Administration’s waivers of all environmental laws that would ordinarily apply to construction of the border wall. The ALPC brief was drafted by graduating student Ashley Maiolatesi ’20 with help from Clinical Fellow Kate Barnekow. You can read an [interview with Ashley in \*Harvard Law Today\*](#) in which she discusses the impact of the border wall on animals and the ecosystem.

The Clinic also filed an amicus brief in the Ninth Circuit Court of Appeals on behalf of six scientists in support of a case by the Center for Biological Diversity challenging the Trump Administration’s refusal to list the Pacific walrus as “threatened” under the Endangered Species Act. The legal challenge is based on the deleterious effects of climate change on sea ice in the Arctic, upon which the walrus depends for essentially all of its life functions. The brief was drafted by Rebecca Garverman ’21 and Kate Barnekow.

In June, the Clinic filed a [comprehensive petition with the National Institute of Health’s](#) Public Health Service calling on the agency to include cephalopods (octopus, squid, and cuttlefish) among the “animals” entitled to receive the minimum protections for “humane handling and care” required for federally funded animal research. The petition argues that Congress intended its legislation





Credit: Jo-Anne McArthur/We Animals

governing research to protect *all* animals, not just vertebrates, and was submitted on behalf of NEAVS, the American Anti-Vivisection Society, Physicians Committee for Responsible Medicine, Humane Society of the United States, Humane Society Legislative Fund, and eight of the world's leading scientific experts on cephalopods.

In July, the Clinic filed a [petition for certiorari](#) to the US Supreme Court in a lawsuit challenging the constitutionality of Indiana's Right to Farm Act, which eliminated the ability of homeowners to sue for any remedy when large industrial hog farms or Concentrated Animal Feeding Operations (CAFOs) are sited next to their homes. The lawsuit was filed on behalf of the Hoosier Environmental Council (HEC) and two families that have had to endure noxious fumes and toxic particles invading the houses where they have lived for decades.

Clinic students Boanne Wassink '20 and Andrew Stawasz '21 prepared the petition under the supervision of Clinic Director Katherine Meyer and HEC attorney Kim Ferraro. The petition argues that the Indiana statute violates the Takings Clause of the US Constitution because it deprives the families of the value of their property without any compensation.

The [Indianapolis Star published this exclusive story](#) on the petition. The case has broad significance beyond Indiana as many other states also have amended their Right to Farm Acts to enact similar provisions that deprive homeowners of any recourse for nuisance and trespass damages against CAFOs—at the behest of industry groups like the Farm Bureau and National Pork Producers Council. The Clinic anticipates having to draft a reply brief for this matter during the 2020 fall term.

The Clinic filed another lawsuit in July on behalf of NEAVS and ALDF challenging the USDA's denial of the Rulemaking Petition seeking better standards for the psychological well-being of primates used in research (which the USDA issued after the Clinic filed its unreasonable delay case discussed above). That case that will be litigated during the upcoming academic year. The complaint was prepared by Brett Richey '21 and Rebecca Garverman '21 and was [covered by the Boston Globe](#).

In August, Clinic Director Katherine Meyer filed another amicus brief with the US Supreme Court on behalf of the Center for Biological Diversity and Defenders of Wildlife in a Freedom of Information



Act case that the Court will be considering next term. The underlying case, brought by the Sierra Club, involves the public's right of access to scientific analyses concerning the adverse impacts of federal actions on endangered and threatened species. The Trump Administration is arguing that all records that pre-date an agency's *final* decision are exempt from disclosure because they are "deliberative" in nature, regardless of whether those records contain purely factual and scientific information. If the Supreme Court accepts that position, the public will no longer be able to monitor whether the government is accurately representing the scientific (and other) impacts of its actions, including, for example, whether those actions are contributing to climate change and whether the government is taking adequate steps to address a global pandemic, such as COVID-19. The brief was filed in conjunction with Eric Glitzenstein, Director of Litigation for the Center for Biological Diversity, who will be teaching Wildlife Law at Harvard Law School in spring 2021.

Also in August, the [Clinic filed another lawsuit against the USDA](#) to compel humane handling of poultry at slaughter, representing plaintiffs the Animal Welfare Institute and Farm Sanctuary.

The lawsuit claims that the USDA's failure to require humane handling results in adulterated (i.e., damaged or contaminated) products that violate the Poultry Products Inspection Act. It demands that the Food Safety and Inspection Service develop regulations requiring the humane handling of chickens, turkeys, and other birds at federally inspected slaughter facilities to address the systematic mistreatment of these animals, which number over 9 billion annually. Such handling goes beyond the slaughter process itself, as in one instance nearly 10,000 birds froze to death after being transported and held for at least 22 hours in unprotected trucks during extreme cold at a Butterfield Foods slaughterhouse in Minnesota. The filing attracted much attention, especially in industry trade journals such as *Meating Place*, *Poultry Producer*, *The Poultry Site*, and *Agrimarketing*.

The Clinic's other continuing projects include working on efforts to reduce the use of plastic due to the pervasive effects on wildlife, strategizing about ways to address climate change, and challenging certain state hunting laws. The Clinic has a full slate of new projects and cases that it will be initiating in the coming year.





# ACADEMIC COURSES

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## Animal Law Course

During the spring semester, Professor Justin Marceau from the University of Denver Sturm College of Law was a Visiting Professor at Harvard Law School. While here he taught our core [Animal Law](#) course and also a course on Criminal Procedure: Investigations. Professor Marceau is an alumnus of Harvard Law School and an experienced litigator who was the lead attorney on the successful constitutional challenges that overturned several state Ag-Gag laws. His course examined the broad range of legal contexts that implicate the status and well-being of nonhuman animals, including larger definitional and philosophical questions.

The class explored a variety of animal law topics and approaches for understanding “animal rights,” but an overriding theme was to understand whether and to what extent animal protection should be considered a civil rights movement. This entailed examining probing questions, such as: What is the role of activists versus lawyers? What is the role of criminal law in advancing the agenda of the movement? What is the role of constitutional law, and of science? Do some species deserve more legal protections than others, and if so, why?

To enrich that inquiry, Professor Marceau enlisted the knowledge of weekly “guest experts” who would join the class either in person or remotely to share their real-world experiences and take questions from the students. One novel element of the course was having three PETA attorneys involve the students in a live workshop of a litigation theory for a cutting-edge case they were preparing. As one student explained:

“ We had the chance to read a lawsuit drafted by PETA, and the amazing opportunity to give them our honest feedback in real time. Although as an LLM I already have been practicing law for five years, I think this was a great exercise for us and JDs alike to feel like we were real life animal lawyers.”

## Animal Law Course

**This year's other guest experts included:**

- **Amanda Arrington**, Director, Pets for Life at The Humane Society of the United States
- **Hadar Aviram**, Professor, UC Hastings Law School
- **Josh Balk**, Vice President, Farm Animal Protection at The Humane Society of the United States
- **Amanda Howell**, Staff Attorney, Animal Legal Defense Fund
- **Wayne Hsiung**, Co-Founder, Direct Action Everywhere
- **Cheryl Leahy**, General Counsel, Animal Outlook
- **Katherine Meyer**, Director, HLS Animal Law & Policy Clinic
- **PETA Litigation Team:**
  - **Jeff Kerr**, General Counsel, PETA Foundation
  - **Caitlin Hawks**, Deputy General Counsel, PETA Foundation
  - **Asher Smith**, Litigation Manager, PETA Foundation
- **Marlon Reis**, First Gentleman of Colorado
- **Kevin Schneider**, Executive Director, Nonhuman Rights Project
- **Kristen Stilt**, Professor, Harvard Law School
- **Rabbi Shmuly Yanklowitz**, Founder & CEO of Shamayim: Jewish Animal Advocacy

**The 47 students who took the Animal Law course gave great reviews of both Professor Marceau and the course:**

“**Professor Marceau is an excellent professor! He is clear, engaging, and really cares about the material he’s teaching. He is also very available to students and excited to get to know us. I would be very happy to see him join the permanent faculty at HLS.”**



“ Professor Marceau was extremely generous with his time, willing to converse further with us in office hours, discuss and read our papers, get us in touch with the speakers, and think about ways to continue with our commitment and interest in animal law. I feel very lucky and honored to have been a part of the class as it was exactly what I expected to receive from Harvard.”

“ This was one of my favorite courses I’ve taken at HLS thus far, strengthening my interest in animal law and leading me to apply for a seat in the Animal Law & Policy Clinic.”

Those taking the Animal Law course also included students who were being exposed to these ideas for the first time:

“ I took this course without any previous knowledge about Animal Law or the Animal Rights Movement. I think this was an excellent class at the intersection of social justice and doctrinal law... applying legal concepts to a very different scope helped to broaden my perspective on how we understand legal rights, litigation strategies, legal protection, and more.”

This year, 3L Boanne Wassink was the student Teaching Assistant for the course.

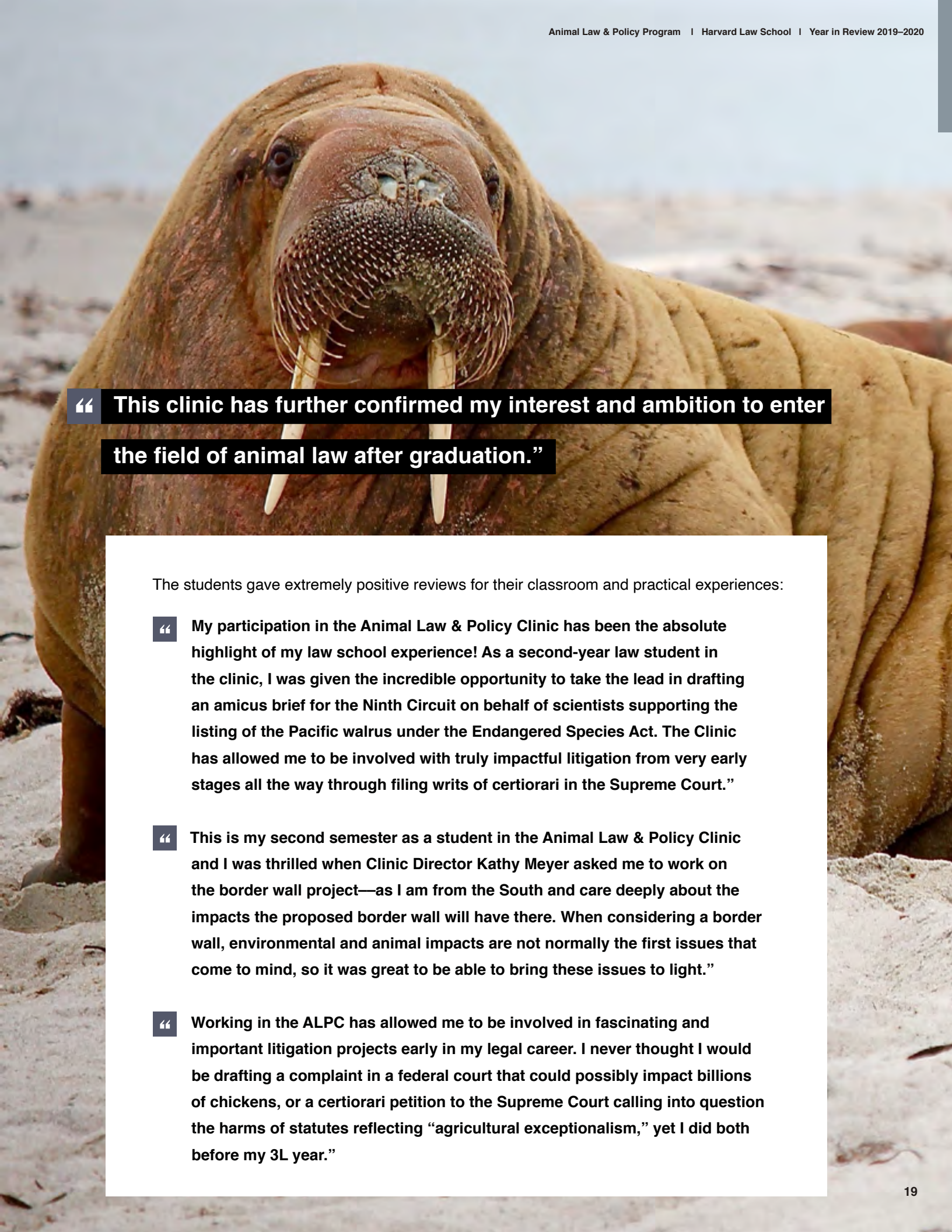


## Animal Law & Policy Clinic Seminar

The [Animal Law & Policy Clinic Seminar](#) is the required classroom component for students enrolled in the Animal Law & Policy Clinic. In the course, Clinic Director Katherine Meyer and Clinical Instructor Nicole Negowetti introduced students to the broad range of substantive areas of law that animal law advocates face in their work, including the Animal Welfare Act, Endangered Species Act, Humane Slaughter Act, Marine Mammal Protection Act, National Environmental Policy Act, Wild Horse and Burros Act, Administrative Procedure Act, Article III standing, and state animal cruelty codes. Students learned how to pursue animal advocacy through several law and policy vehicles, including litigation, legislative initiatives, administrative rule-making petitions, open-government laws, and organizing strategies.

The Clinic Seminar also brought in several practitioners from the field who shared their extensive experience with the students. The guests this past year and the topic they discussed included:

- **Kim Ferraro**, Director of Agriculture Policy, Hoosier Environmental Council  
*Right to Farm Act laws and related litigation*
- **Eric Glitzenstein**, Director of Litigation, Center for Biological Diversity  
*The Endangered Species Act*
- **Nick Lawton**, Eubanks & Associates  
*The National Environmental Policy Act and litigation to protect wild horses*
- **Laura Hagan**, Massachusetts State Director, Humane Society of the United States  
*Using ballot initiative and referendum laws to protect animals*
- **Stephanie Harris**, Senior Legislative Affairs Manager, Animal Legal Defense Fund  
*Using ballot initiative and referendum laws to protect animals*
- **Delcianna Winders**, Director, Animal Law Litigation Clinic, Lewis & Clark Law School  
*Litigation to protect captive animals*
- **Nancy Perry**, Senior Vice President of Government Relations, American Society for the Prevention of Cruelty to Animals  
*Using legislation/lobbying to protect animals*



**“ This clinic has further confirmed my interest and ambition to enter the field of animal law after graduation.”**

The students gave extremely positive reviews for their classroom and practical experiences:

**“ My participation in the Animal Law & Policy Clinic has been the absolute highlight of my law school experience! As a second-year law student in the clinic, I was given the incredible opportunity to take the lead in drafting an amicus brief for the Ninth Circuit on behalf of scientists supporting the listing of the Pacific walrus under the Endangered Species Act. The Clinic has allowed me to be involved with truly impactful litigation from very early stages all the way through filing writs of certiorari in the Supreme Court.”**

**“ This is my second semester as a student in the Animal Law & Policy Clinic and I was thrilled when Clinic Director Kathy Meyer asked me to work on the border wall project—as I am from the South and care deeply about the impacts the proposed border wall will have there. When considering a border wall, environmental and animal impacts are not normally the first issues that come to mind, so it was great to be able to bring these issues to light.”**

**“ Working in the ALPC has allowed me to be involved in fascinating and important litigation projects early in my legal career. I never thought I would be drafting a complaint in a federal court that could possibly impact billions of chickens, or a certiorari petition to the Supreme Court calling into question the harms of statutes reflecting “agricultural exceptionalism,” yet I did both before my 3L year.”**

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“ Kathy is the best supervisor anyone could ask for! She is extremely knowledgeable and passionate about many areas of animal law, and really loves working with students. She met with my colleague and I nearly every week throughout the semester to talk about the next steps on our projects, and was always available to answer questions or give advice about our work. She also provided very thorough comments and edits on several drafts of each written product we produced, which has helped me work on improving my legal writing.”

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“ Nicole Negowetti was my supervisor. She is a world-leading expert in the fields in which we were working (food law and policy around plant-based and cell-based foods), and she shares her knowledge openly, and in an easy-to-understand way.”

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“ One of the best things about working for Prof. Meyer is that she has a TON of practical knowledge and wisdom gained from her years as a leader in the field, and she gladly shares it with students. I learned a lot from her. She’s also very willing to support and mentor students and is good at it.”

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“ Nicole is a great supervisor and adapts projects and work to student interest. She is truly caring and responsive to student needs and wants to help students learn while contributing to meaningful work.”

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“ Participating in the clinic has been by far the most meaningful and rewarding part of law school for me! I never thought that as a second-year law student I would file two cases in federal court or be quoted three times in the *Boston Globe*, but these are just a few of many incredible learning opportunities I’ve had. As I’m interviewing for jobs this year, employers are so astounded and impressed with the rigorous practical litigation training I’ve received, and I could not be more grateful to Kathy and everyone at the clinic for helping me to reach my potential as a passionate animal advocate and future trial attorney!”

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## Disruptive Food Technologies: Law, Politics, and Policy Reading Group

For the fall term, Clinical Instructor Nicole Negowetti taught a weekly one-credit reading group examining the legal, political, and policy-related aspects of emerging disruptive food technologies. It provided a venue for students to engage in robust discussions of timely topics such as the future of food, sustainability, the ethics of bioengineering crops and animals, and the challenges and opportunities of cell-based meat. Given that feeding a growing population within planetary limits is a key question of our time, the participants explored and assessed the merits and risks of technological solutions to food insecurity and climate change. They also discussed and debated the key socioeconomic, political, and regulatory issues related to novel food technologies, such as gene editing, plant-based meat, dairy, and eggs, and cellular agriculture—the developing science of producing animal products from cells instead of from live animals. Because the emergence of these technologies can be highly disruptive not only to the agricultural industry and livelihoods of producers, but also to consumers and their sociocultural interactions with the products, the students examined the roles of policymakers, businesses, and the public in deploying disruptive food technologies in a way that advances sustainability, health, and equity.





# ANIMAL LAW & POLICY PROGRAM IN THE MEDIA

## Harvard Suggests FSIS Go Slowly on Labelling “Lab-Grown” Meat and Poultry *Food Safety News*

On July 27, *Food Safety News* and other outlets covered USDA Food Safety Inspection Service’s response to a 20-page letter that ALPC sent to the agency. Student Kelley McGill ’20 and Clinical Instructor Nicole Negowetti worked on the letter, which urged the agency to adopt a labelling approach for cell-based meat and poultry that does not overly restrict speech and that respects the First Amendment. In the US, language on product labels is generally protected as commercial speech.

## Animal Rights Activists Sue Federal Government over Treatment of Research Primates *The Boston Globe*

On July 9, the *Boston Globe* wrote an exclusive on the lawsuit ALPC bought against the USDA for failure to protect primates used in research. The article quotes the Clinic’s Director Katherine Meyer and ends with a quote from Brett Richey ’21, who took the lead on the complaint for the Clinic: “The current regulations allow research labs to make their own rules. The lives of nonhuman primates who think, feel, care, regret, imagine, and invent, just like us, are on the line. We cannot ignore their suffering any longer.”



## Program/Clinic

## USDA Sued by Animal Welfare Groups Claiming Mishandling of Poultry Slaughter *Talk Business & Politics*

On August 17, the main news outlet where Tyson is headquartered published this feature on the Clinic’s poultry handling lawsuit against the USDA. It notes that Tyson Foods had 29 incidents around humane handling issues between 2016 and 2018, according to USDA inspection reports. Furthermore, the Tyson plant in Decatur was listed as being tied for the sixth-highest number of inhumane handling incidents of birds during slaughter.



## Right to Farm: Indiana Families Ask US Supreme Court to Weigh In on Case over Factory Farm *The Indianapolis Star*

On July 24, the *Indianapolis Star* published this exclusive feature on the ALPC petition to the Supreme Court challenging the constitutionality of Indiana’s Right to Farm Act. The article quotes Andy Stawasz ’21, who worked on the case. Noting that any property owner has the right to reasonably use and enjoy one’s land, he said:

“The takings clause in the Federal Constitution says that if the government takes that away, it needs to pay for that or it shouldn’t do that. Seems in that sense a pretty clear violation of the Constitution not to compensate those homeowners at the very least.”

### At Home with Harvard: The Secret Lives of Animals

*Harvard Magazine*

On May 7, ALPP was featured in a *Harvard Magazine* series “At Home with Harvard,” a guide to what to read, watch, listen to, and do while social distancing. The article features excerpts from *Harvard Magazine*’s favorite past animal-related stories and talks about the work of the Program.

### Clinic Fight against Border Wall in Amicus Brief

*The Harvard Crimson*

On March 5, the *Harvard Crimson* featured ALPC’s first Supreme Court brief in support of a petition challenging the Trump Administration’s waiver of all environmental and other laws in connection with the construction of a massive border wall along the Mexico-United States border.



### The Case of the Psychologically Unprotected Primates

*The Animal Law Podcast*

On November 26, 2019 ALPC Director Katherine Meyer and students Brett Richey and Boanne Wassink spoke with Mariann Sullivan about the first case filed by the Animal Law & Policy Clinic, *New England Anti-Vivisection Society v. Perdue*.

### Petition Aims to Extend Research Animal Protections in the US

*Lethbridge News*

In January, Vox published an in-depth feature on Ag-Gag legislation in the wake of Iowa’s 2012 law being struck down in federal court. The article contained several quotes by Chris Green.

### A Day in the Life of Harvard Law School’s Legal Clinics

*Harvard Law Today*

On April 10, ALPC’s efforts to advance justice for animals was featured in this *Harvard Law Today* article exploring the daily work of Harvard’s clinics.

### “Game Changers” Puts Muscle Behind Plant-Based Diet

*The Harvard Gazette*

On February 12, the *Harvard Gazette* covered ALPP’s film screening and Q&A with the filmmakers and athletes featured in the documentary *The Game Changers*. The panels at both Harvard Business School and Harvard Law School included world-record-holding ultramarathoner Scott Jurek, bodybuilder Nimai Delgado, and producer Nirva Patel.

### Animal Welfare Groups Sue Government over Treatment of Research Primates

*The Boston Globe*

In November, the *Boston Globe* wrote an exclusive about the first lawsuit filed by the ALPC: “We are bringing this case to compel the USDA to put in place clear, enforceable laws that will ease the burden of suffering on nonhuman primates, some of our closest relatives in the animal kingdom,” said Brett Richey ’21, who helped file the lawsuit. The lawsuit also was covered by the *Harvard Crimson* and *Sentient Media*.

JUNE 2020

MAY 2020

APRIL 2020

MARCH 2020

FEBRUARY 2020

NOVEMBER 2019

## Faculty & Staff

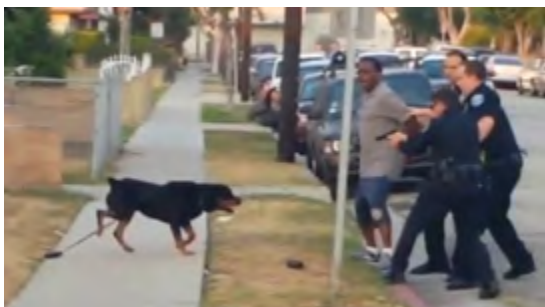
**Chris Green**  
*Executive Director*



### **Dog Experiments at VA Necessary ‘For Only a Few Areas of Research,’ Panel Says in Sweeping Report**

*Washington Post*

On July 1 when the report was released after 18 months of service on the committee, Chris Green was quoted in the *Washington Post*: “If it is absolutely vital that dogs are the only option to conduct an experiment that VA determines to be a valid, necessary biomedical experiment, then you make sure the dogs are treated as well as you possibly can,” he said.



### **Report Finds Most Experiments at the VA Unnecessary**

*ABC News Richmond*

On July 8, Chris talked to Kerri O’Brien of ABC News 8 Richmond about the findings of a National Academies of Sciences Committee he served on to assess the Department of Veterans Affairs use of dogs in biomedical research. The committee report found that not only was it unnecessary in most cases to use dogs in biomedical research, but that the VA lacked any proof of making serious attempts to explore alternatives. “We certainly did see that some of the justifications traditionally given for using dogs in biomedical research...were no longer valid in our opinion.”

### **ABA House Supports Animal Encounter Training for Law Enforcement**

*ABA Journal*

In April, the *American Bar Association Journal* covered the adoption of an ABA Resolution Chris drafted urging legislation to provide animal encounter training to police officers in order to reduce the unnecessary use of lethal force against animals. The article quotes Chris saying, “When things go wrong, the physical, emotional, legal and financial consequences can be catastrophic.” Chris added how after states such as Texas and cities such as Chicago implemented nonlethal animal encounter training programs, they reduced unnecessary shootings involving police officers and animals by as much as 90 percent.

JULY 2020

APRIL 2020

## Fellows



### Meet the Activists Risking Prison to Film VR in Factory Farms

*Wired*

On December 5, Hadar Aviram was quoted in this *Wired* magazine article about how animal liberation organization Direct Action Everywhere actually wants to be put on trial to force jurors to wear VR headsets and immerse them in the suffering of animals bound for slaughter.

### People in Abusive Relationships Face Many Barriers to Leaving—Pets Should Not Be One

*The Conversation*

Amy Fitzgerald authored this article with Betty Barrett, Patti Fritz, Deborah McPhee, and Rochelle Stevenson noting how the COVID-19 pandemic has exacerbated the problem of leaving an abusive partner—especially when companion animals are involved, as most domestic violence shelters in Canada don't accommodate pets.

### Hadar Aviram

*ALPP Visiting Fellow*

JANUARY 2020

### Factory Farm Industry Quietly Lobbies California Officials to Criminalize Animal Rescue Activism

*The Intercept*

In January, the *Intercept* reported on how the California Farm Bureau has been working to limit legal exemptions for open rescues. The article discussed the legal consultation Hadar has provided to Direct Action Everywhere.

### Amy Fitzgerald

*ALPP Visiting Fellow*

JUNE 2020

### How Slaughterhouses Became Breeding Grounds for Coronavirus

*Financial Times*

ALPP Fellow Amy Fitzgerald, who has written on the social history of slaughterhouses, states in this *Financial Times* article that, “No one has really wanted to think about how meat is produced and any attention that’s brought to the industry and their culture is helpful.” The article underscored her position positing that if any good came from the pandemic regarding the meat industry, it would be to heighten awareness about the industrial production process.





## Helen Harwatt

*ALPP Food & Climate Policy Fellow*

MARCH 2020

### **The Milk Situation – Americans Have Been Souring on Dairy Milk for Decades. Here’s How Farmers are Trying to Win Them Back**

*New York Times*

On March 16, Helen Harwatt, ALPP’s Food & Climate Policy Fellow, was quoted in a *New York Times* article on the environmental impacts of dairy. “Dairy is the second highest emitting livestock product accounting for 4 percent of all global emissions,” she said. She added that farming almonds for almond milk is “much less” harmful to the environment, as almond milk takes half as much water to make than the same amount of dairy, and produces a quarter of the emissions.

DECEMBER 2019

### **Scientists Call for Renewed Paris Pledges to Transform Agriculture**

*The Lancet Planetary Health*

In December, *The Lancet Planetary Health* published an open call to action Helen spearheaded—convening over 50 of the world’s top climate scientists to urge the inclusion of key “Peak Meat” animal agriculture measures in revised commitments to the Paris Agreement. This call to action was coordinated to coincide with the UN Climate Change Conference (COP25) in Madrid.

Helen’s article generated substantial international media coverage in outlets that included: [\*CNN\*](#), [\*CBS News\*](#), [\*The Guardian\*](#), [\*Salon\*](#), [\*Independent\*](#), and [\*The Hill\*](#), along with a live interview she did with BBC World News.

## Students



### Ashley Maiolatese '20

[Animal Law & Policy Program Files Amicus Brief in Supreme Court Challenging Border Wall](#)  
*Harvard Law Today*

In March, 3L Ashley Maiolatese was interviewed in *Harvard Law Today* about the US Supreme Court brief she drafted addressing the “devastating” impact of the border wall on animals and the ecosystem. She states, “The amicus brief aims to illuminate the struggle that animals, many endangered and unique to the area, will face if the border wall proceeds as planned. Over 40 federal laws, in addition to many state and tribal laws, were waived in order to expedite the building process—that means that there was absolutely no consideration of the impending environmental impacts the border wall will cause. Additionally, there was no consideration of less harmful alternatives or mitigation measures that would have helped to minimize the border wall’s environmental toll.”



### Elizabeth McLampy '21

[Growth in Animal Law Advocacy](#)  
*HLS Clinical and Pro Bono Programs*

In February, 2L Elizabeth McLampy published this account about her winter term litigation externship with farmed animal protection organization Animal Outlook (formerly Compassion Over Killing). She states, “I have had an opportunity to research federal agricultural subsidy programs, allowing me to understand how complex and deeply rooted the agricultural exceptionalism is in our society. I have written memoranda on a variety of topics relating to regulations on farm animal raising and slaughter. I even got to write an Op-Ed relating to a recent decision in Kansas striking down an ‘ag-gag’ law that impermissibly restricted investigators’ First Amendment right to record and publish the operations of industrial animal farms.”



### Boanne Wassink '20

[Fairfield Native Fights for Animal Rights at Law School](#)  
*Southeast Iowa Union*

In December, 3L Boanne Wassink’s hometown newspaper published this inspiring feature about how she overcame personal adversity and found a home at Harvard Law School to pursue her passion of protecting animals. “Harvard has a really strong animal law program, one of the few law schools in the country to have one. I decided that I wanted to do that for a career, that I wanted to specialize in that kind of law.” Here at HLS, Boanne served as Vice President of the Harvard Animal Law Society and was the Teaching Assistant for this spring’s Animal Law course. Boanne graduated with honors in May, achieving *cum laude* distinction, and was recognized for donating more than 1,000 hours of pro-bono work through the Animal Law & Policy Clinic.



## ALPP Student Writing Prize

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One of the goals of the Program is promoting student research and writing. Accordingly in May, we judged our fifth HLS **Animal Law & Policy Writing Prize**, an annual competition that awards \$1,000 for the best student paper related to animal law written in conjunction with a course, seminar, clinic, or as an independent study project at the Law School. Winners were LLM student Isabella Ariza '20, for her paper "Transition in Colombia: An Opportunity to Repair Animals in Cities and Animals in War," and 2L Andy Stawasz for his draft law review article, "Correcting the Regulatory State's Massive Blind Spot: On Valuing Nonhuman Animals in Cost-Benefit Analyses."

# Policy & Practice

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The ALPP receives many requests each year to informally and formally share its expertise on aspects of Animal Law & Policy from law firms, academics, authors, animal rights practitioners, government agencies, international organizations, and the media, and provides answers and assistance as appropriate.

## Professor Kristen Stilt | Faculty Director

Professor Stilt participated in a variety of activities related to practice and policy that included serving on editorial boards, writing external peer reviews for academic publishers, advising animal protection advocates and organizations, and informing journalists. She serves on the Editorial Board of *Law & Social Inquiry* and has served as an external reviewer for Cambridge University Press, Oxford University Press, the University of Chicago Press, *Law & Social Inquiry*, *Law and Society Review*, *Journal of Law and Religion*, and *Anthrozoös*.

In the 2019–2020 academic year, Kristen conducted research for her book project, *Halal Animals: Food, Faith, and the Future of Planetary Health*. Her research involved meetings with academics, animal protection practitioners, human rights practitioners, *halal* certifiers, *halal* producers, governmental regulators and ministries, and international organizations in the US, UK, India, Singapore, Malaysia, Jordan, Australia, and New Zealand. These meetings were opportunities for exchanges of information that not only informed her book project but also strengthened the Program's connections and influence around the world.

Kristen also contributes to the animal law and policy academic and practice community through her work with the [Brooks Institute for Animal Rights Law & Policy](#), which is pursuing a paradigm shift in animal rights law and policy. She serves on the [Executive Committee](#), the [Scholars Committee](#), and is a member of the Leadership Committee of the [Brooks Animal Studies Academic Network](#) (BASAN) and of the [Brooks Animal Sentience and Cognition Initiative](#) (BASCO). The Scholars Committee follows the latest developments in animal law and policy; surveys, reviews, and advises the Brooks Institute on programs and projects to advance academics and scholarship in animal law, animal policy, and related interdisciplinary animal studies; and plans scholarly gatherings. BASAN is a network of academics and their institutions with the mission of advancing scholarly knowledge and academic opportunities in animal law, policy, and related animal studies. The goal of BASAN is to facilitate interdisciplinary research and collaborations across universities (current member schools are listed on page 9). The BASCO Initiative aims to create new bridges among law, science, and narrative techniques to prompt a paradigm shift for nonhuman animal protection and rights.



## Chris Green | Executive Director

### *American Bar Association Resolution on Animal Encounter Training for Police*



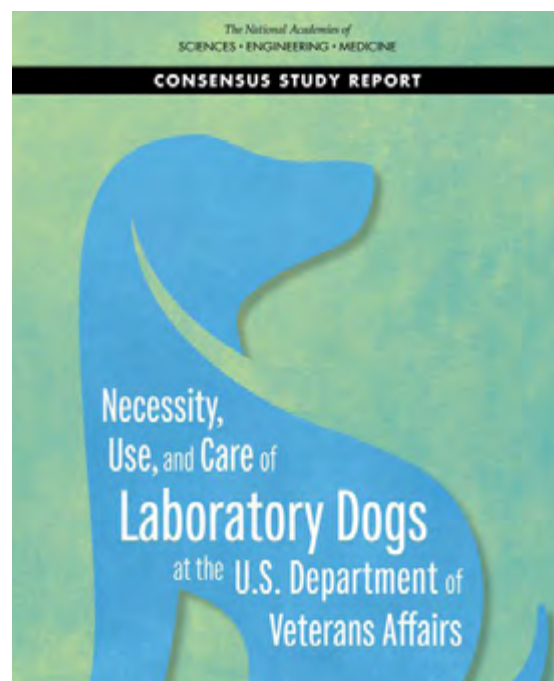
After achieving a unanimous vote of approval from the ABA's Tort Trial and Insurance Practice Section Council at the Section Conference last October, ALPP Executive Director Chris Green presented the resolution he drafted to the full 600-member ABA House of Delegates at the Mid-Year Meeting in February. That [Resolution](#) urges all federal, state, local, territorial, and tribal legislative bodies and/or governmental agencies to enact laws that provide for comprehensive, nonlethal animal encounter training to law enforcement officers in order to better secure the safety of such officers, protect public health, and ensure the humane treatment of the animals encountered. Chris first helped defeat a motion that this issue was not germane to the mission of the ABA, and following his presentation the delegates then voted to [adopt the Resolution](#) as the official policy of the American Bar Association. Providing such training to law enforcement officers benefits all involved: members of the public, families and their pets, police officers, the governmental entities they work for, and the taxpayers or insurance companies who bear the ultimate financial liability for such fatal mistakes. The mandatory training law that the State of Texas passed in 2015 has now resulted in a greater than 90% reduction in the number of dogs shot by police statewide—from 281 dogs in 2014 to only 17 last year.



***Committee on Assessment of the Care and Use of Dogs in Biomedical Research Funded by or Conducted at the US Department of Veterans Affairs***

This year Chris Green continued to serve on a [National Academy of Sciences Committee](#) tasked with assessing whether the Department of Veterans Affairs (VA) should continue funding and conducting biomedical research on dogs. The VA paid \$1.2 million for the study, which commenced in December 2018. That 20-month process concluded in July culminating in a published consensus report on the issue, [Necessity, Use, and Care of Laboratory Dogs at the U.S. Department of Veterans Affairs](#). That report found that most dog research at the VA was “unnecessary.” The report made several recommendations that, if adopted, will ensure that laboratory dogs will not be used in VA biomedical research unless absolutely necessary to meet very limited scientific objectives relevant to veterans’ health. And even then, dogs may be used only if the anticipated harms to them are outweighed by the potential benefits for veterans. Furthermore, the report’s recommendations ethically mandate that in instances where it is not scientifically necessary to use a laboratory dog, no greater harm or burden will be incurred by any other species of animals. The report also strongly urges the VA to promote development of alternatives to using animals in biomedical research and to require their robust consideration throughout the process of evaluating and approving research protocols. In those limited instances where the VA determines it still is necessary to use a laboratory dog in a particular experiment, the report’s recommendations would require that decision to have been transparently certified

through multiple stringent layers of scientific and ethical review. For any dogs who ultimately are used in such research, the report details several recommendations for materially enhancing their care and welfare above and beyond existing institutional or legal requirements.



The report generated major media attention, including articles in the [Washington Post](#), [USA Today](#), and several other outlets. Two weeks after the National Academies’ report was released, the VA Inspector General released a [further report](#) that found the Department violated federal law by conducting research on dogs without proper authorization. In response to both of these reports, several members of Congress are now moving to completely eliminate all further dog research at the VA.



### ***Farmed Animal Legislative Retreat***

On September 25–26, Chris participated in a retreat with 20 representatives from nine animal advocacy groups to strategize about future legislative initiatives to protect farmed animals. The event was hosted by the ASPCA's Government Relations Department at its offices in Washington, DC. The vehicles discussed included ballot initiatives, regulations, and potential bills at the federal and state levels, potentially addressing issues from extreme animal confinement to right-to-farm acts and plant-based or cultivated alternatives to animal products.

### **Nicole Negowetti | Clinical Instructor**

#### ***Yale Roundtable on Animal Agribusiness Reform***

On September 9–10, Nicole and Chris Green both participated in a roundtable organized to explore ideas for reforming animal agribusiness and the way it currently is regulated. The event was hosted by the Stray Dog Institute and Yale's Law, Ethics & Animals Program and convened three dozen advocates and experts from a range of disciplines. The topics covered included government subsidies, the growth of biogas fermenters, environmental externalities, the nexus with labor rights, options for farmers to transform to other types of food production, and the promotion of plant-based and cultivated alternatives to conventional meat and dairy products.

### **Amy Fitzgerald | Visiting Fellow**

During her Fellowship Amy Fitzgerald was invited to Boston City Hall to consult with the Boston Mayor's office regarding developing a program to shelter the companion animals of those seeking services from domestic violence shelters.



## Helen Harwatt | Food & Climate Policy Fellow

Much of Helen's published scholarship outlines specific tangible policy steps that can be taken to shift food systems to more healthy, humane, and sustainable models. To help disseminate the results of her research, Helen often presented her findings to policymakers.

### Examples of Helen's policy briefings include:

- *"Repurposing UK Agricultural Land to Meet Climate Goals,"* presentation of UK Pathways Report to Welsh farming minister at the Welsh Assembly, Cardiff, Wales (July 3, 2019).
- *"Repurposing UK Agricultural Land to Meet Climate Goals,"* presentation of UK Pathways Report to UK Policy Makers and Farmers at Tolhurst Veganic farm, Reading, UK (September 6, 2019).
- *"Eating Away at Climate Change with Negative Emissions: Repurposing UK Agricultural Land to Meet Climate Goals,"* presentation at the Liberal Democrats Annual Party Conference Event and Panel with RSPB, Bournemouth, UK (September 16, 2019).
- *"Eating Away at Climate Change with Negative Emissions: Repurposing UK Agricultural Land to Meet Climate Goals,"* panel presentation at the Labour Party Annual Party Conference Event 'Labour's Menu for Change: The Role of Food in Tackling the Climate Emergency,' Brighton, UK (September 22, 2019).
- *"Repurposing UK Agricultural Land to Meet Climate Goals,"* panel presentation at Green Party National Conference 2019, Newport, Wales (October 5, 2019).
- *"Repurposing UK Agricultural Land to Meet Climate Goals,"* presentation to the DEFRA Food Strategy Team, UK Department of Environment Food and Rural Affairs, London (November 19, 2019).
- Food Strategy Team, UK Department of Environment Food and Rural Affairs, London (November 19, 2019).



## PROGRAM EVENTS

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During the course of the 2019–2020 academic term, the Animal Law & Policy Program hosted and co-sponsored over 30 events. These included presenting more than 20 notable animal law speakers to the broader Law School and Harvard communities. While the in-person attendance for the past year's events reached over 1,500 people, now that we have moved our events to the virtual realm we are able to have even broader reach. Many of our lectures and events are collaboratively co-sponsored by the student-run Harvard Animal Law Society, along with other partnering research programs, institutions, and organizations. Our most notable events from this year are described in more detail below.

### Animal Law & Policy Workshop Series

During the past academic year, every other week more than a dozen participants met for an afternoon session of our [Animal Law & Policy Workshop Series](#) to review and critique drafts of each other's scholarship in progress.

In addition to the Program's faculty, staff, visiting affiliates, HLS SJD and LLM students, and Harvard University graduate students, we also welcomed the JD Student Board of the Harvard Animal Law Society to participate, along with others from outside the immediate Harvard community. The mid-spring transition to holding our workshops via Zoom went incredibly smoothly and allowed us to continue holding these important conversations.

The authors and topics covered in this year's Workshop Series included:

**Steven Niemi**

*October 1, 2019*

Animal Law & Policy Visiting Fellow

**Harm-Benefit Analyses Can Be Harmful**

**Jayasimha Nuggehalli**

*October 15, 2019*

Animal Law & Policy Visiting Fellow

**Helping Companies Meet Cage-Free**

**Commitments in Asia through Cage-Free**

**Credits**

**Gale Rasin**

*October 29, 2019*

Animal Law & Policy Visiting Fellow

**Animal Hoarding: One Judge's Perspective**

**Jim Keen**

*November 12, 2019*

Animal Law & Policy Visiting Fellow

**A Tapestry of Cruelty and Waste—Failed**

**Federal Intramural Animal Research**

**Hadar Aviram**

*December 3, 2019*

Animal Law & Policy Visiting Fellow

**“Criminal Legal Consciousness” and Legal  
Mobilization Strategy among Open Rescuers  
from Factory Farms**

**Saskia Stucki**

*December 10, 2019*

Animal Law & Policy Visiting Researcher

**Humanizing the “War on Animals”:**

**“Animal Warfare Law” and the Formation of a  
Complementary Animal Rights Regime**

**Justin Marceau**

*March 3, 2020*

Visiting Professor, Harvard Law School

**Expanding the Critique of Carceral Animal**

**Law and Animals and the Law of Animus and  
Indifference**

**Kristen Stilt**

*April 7, 2020*

Professor, Harvard Law School; Faculty Director,  
Harvard Animal Law & Policy Program

**Halal Animals: Food, Faith, and the Future of  
Planetary Health**

**Steven Niemi**

*April 14, 2020*

Animal Law & Policy Visiting Fellow

**Ethical Considerations (chapter for *Learning  
from Disease in Pets: A “One Health” Model  
for Discovery*)**

**Omar Farahat**

*April 28, 2020*

Animal Law & Policy Visiting Fellow

**A Preliminary Framework for the Rights of  
Nonhuman Animals in Islamic Legal Theory**

**Amy Fitzgerald**

*May 12, 2020*

Animal Law & Policy Visiting Fellow

**Social Recognition of Animals in the Context  
of Domestic Violence: A Strategic Avenue for  
Broader Socio-Legal Change?**

**M.H. Tse**

*May 19, 2020*

SJD Candidate

**Animal Farming as a Regime of Force and  
What it Means to Be Property: Property Law  
Theory and Animal Rights Debates**

## Food Innovation Panels

On September 25th, our Animal Law & Policy Clinic partnered with Kansas State University’s Food Science Institute, North Carolina State University’s Genetic Engineering and Society Center, and University of California Davis’s World Food Center for a half-day educational program on food technology and innovation. The program was part of a virtual conference series pioneered by the Institute on Science for Global Policy’s “The Forum” and was called @NextGenFood: Innovation You Can Eat. The sessions were livestreamed on Facebook and watched by more than 600 people—including a panel discussion we hosted featuring our Clinical Instructor Nicole Negowetti.

## Harvard Animal Law Week(s) 2020

During the last week of February and first week of March, we co-hosted the 6th Harvard Animal Law Week with Harvard Law School’s Animal Law Society. Each day we hosted a lunchtime lecture and provided a free plant-based buffet to all who attended. This year’s Animal Law Week extended into a second week to allow for additional speakers. Following is the full list of speakers, with hyperlinks to videos of the lectures where available:



**Feb. 24 – Professor Kristen Stilt**, *Deputy Dean of Harvard Law School and Faculty Director of the Animal Law & Policy Program and the Program on Law and Society in the Muslim World*

**“Islamic Conceptions of Animal Rights”**



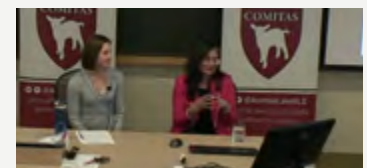
**Feb. 25 – Professor Rajesh K. Reddy**, *Director of the Animal Law LLM Program at the Center for Animal Law Studies at Lewis & Clark Law School*

**“The Politics of Meat, Milk, Murder, and Moral Progress in India”**



**Feb. 26 – HLS Clinical Instructor Nicole Negowetti and Deepti Kulkarni**, *Partner in the Food, Drug and Medical Device Regulatory Practice at Sidley Austin LLC*

**“Cell-Based Meat: The Pathway to Market and Implications for Society”**





**Feb. 27 – Astha Sharma Pokharel, Bertha Justice Fellow at the Center for Constitutional Rights**

**“Defending Dissent: Challenging State & Private Movement Suppression”**



**Feb. 28 – Professor Christine Korsgaard, Arthur Kingsley Porter Professor of Philosophy at Harvard University**

**“A Precipice of Fellow Creatures: A Kantian Account of Our Obligation to Animals”**



**Mar. 2 – Tracye McQuirter, Author and Nutritionist**

**“It’s about Your Greens Not Your Genes: Why I’m Helping 10,000 Black Women Go Vegan in 2020”**



**Mar. 3 – Megan Watkins, CEO of Farm Sanctuary**

**“The Power of Sanctuary”**



**Mar. 4 – HLS Visiting Professor Justin Marceau, Professor at the University of Denver Sturm College of Law and Visiting Professor at Harvard Law School, and ALPP Visiting Fellow Hadar Aviram, Thomas Miller Professor of Law at the University of California Hastings College of the Law**

**“Animal Rights and the Criminal Process”**



**Mar. 5 – Timothy Pachirat, Associate Professor of Political Science at the University of Massachusetts at Amherst (not recorded as content will form part of his forthcoming book, “Our Own Souls to Damn: Industrialized Animal Agriculture in an Age of Complicity”).**



## Animal Law & Policy Speaker Series

This year we held half a dozen guest speakers prior to COVID-19 preventing us from hosting further events on campus. Recordings of these talks, including from Professor Cass Sunstein, Ralph Nader, and our first ALPP Academic Fellow, Delcianna Winders, who runs the Animal Law Litigation Clinic at Lewis & Clark Law School, can be clicked on below or found on our [Animal Law & Policy Program YouTube channel](#).

**Feb. 11 – Delcianna Winders**, *Clinical Professor at Lewis & Clark Law School and Director of its Animal Law & Litigation Clinic*

**[“Protecting Animals in an Era of Deregulation”](#)**



**Nov. 18 – Charlotte Blattner**, *Animal Law & Policy Program Visiting Researcher*, in discussion with HLS Professor Kristen Stilt

**[“Protecting Animals Within and Across Borders”](#)**



**Nov. 7 – Leah Garcés**, *President of Mercy for Animals*

**[“GRILLED: Turning Adversaries into Allies to Change the Chicken Industry”](#)**



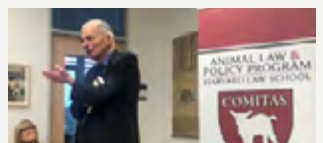
**Oct. 22 – Lou Cooperhouse**, *CEO & Founder of BlueNalu, a cultivated seafood start-up*

**[“A Global Solution for Our Seafood Supply Chain That Is Healthy for People, Humane for Sea Life and Sustainable for Our Planet”](#)**



**Oct. 9 – Ralph Nader '58**, *Leading consumer advocate, author, and HLS alumnus*

**[“Advocating for Nonhuman Animals”](#)**



**Sept. 30 – Professor Cass Sunstein**, *Robert Walmsley University Professor at Harvard Law School*

**[“Where Do Dogs Come From?”](#)**



## Animal Law & Policy Film Series

This spring semester we hosted the producers and featured athletes of the movie *The Game Changers* as part of our Animal Law & Policy Film Series in collaboration with the Harvard Animal Law Society. The film was directed by Oscar-winning documentary filmmaker Louie Psihoyos and its producers include James Cameron and Arnold Schwarzenegger. It showcases elite athletes, soldiers, visionary scientists, cultural icons, and everyday heroes, who examine how switching to plant-based diets leads to gains in strength, speed, stamina, and overall optimal performance. The screening of the movie filled Harvard Law School's largest auditorium and was followed by a Q&A with the producers and several athletes from the film. The event was hosted in collaboration with Harvard's Office for Sustainability and was [featured in the \*Harvard Gazette\*](#). A [recording of the panel discussion](#) also is available with closed captions on our YouTube channel.



# PLACEMENT

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## HLS Graduates

The Animal Law & Policy Program works to help our students secure full-time employment after graduation, as well as summer and January term internships and in-school externships during the academic year. One of our 2019 JD graduates, [Kate Barnekow](#), declined other offers to instead remain at HLS to become the first Clinical Fellow of our new Animal Law & Policy Clinic. Former HLS SALDF President Alene Anello '16 worked as the Legal Counsel for the Good Food Institute this year, providing support on a variety of legal matters related to GFI's mission and nonprofit status, before later becoming a Litigation Staff Attorney at the Animal Legal Defense Fund.

## Current Students

This past year, five current HLS JD students also spent time working with a wide range of outside organizations related to animal protection—either via in-person internships or externships during the academic term. Those organizations included Animal Outlook, the Conservation Law Foundation, the Humane Society of the United States, Mercy for Animals, and PETA. One student also spent the past summer as a research assistant for our Animal Law & Policy Clinic.





# PLACEMENT

## ALPP Fellows & Visiting Researchers

Our Visiting Fellows and Researchers also have successfully obtained full-time positions in both animal protection and academia after their time with the Animal Law & Policy Program. [Delcianna Winders](#) was the first Academic Fellow of the Harvard Animal Law & Policy Program from 2015 to 2017. After then serving as the Deputy General Counsel and Vice President for the PETA Foundation, this past year Delci returned to academia to join Lewis & Clark Law School's Center for Animal Law Studies as an Assistant Clinical Professor where she now directs their new [Animal Law Litigation Clinic](#) focused on the legal protections and rights of farmed animals.

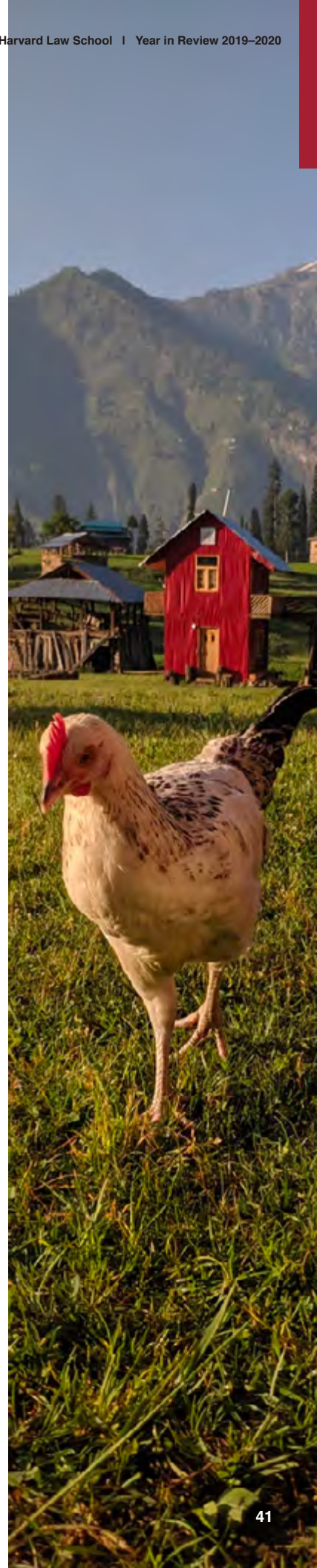
**“ My experience as a Fellow in Harvard’s Animal Law & Policy Program was invaluable in helping me forge a pathway that perfectly balances law teaching, practice, and scholarship.” — *Delcianna Winders***

Having spent the past two years as our Food & Climate Policy Fellow, [Helen Harwatt](#) became a Senior Researcher at Chatham House this past July. The mission of Chatham House is to be a “world-leading source of independent analysis, informed debate and influential ideas on how to build a prosperous and secure world for all”—making it an ideal vehicle for Helen’s perfect blend of scholarship and policy work regarding more equitable food systems.

**“ My Fellowship experience on the Animal Law & Policy Program has exceeded all expectations. I’ve had the opportunity to vastly expand the reach of my research and focus on some key outputs that would not have been possible otherwise. I have really appreciated the freedom to deepen my knowledge and add to the scientific understanding regarding food system solutions—all with full support from the Program throughout.” — *Helen Harwatt***

[Charlotte Blattner](#) received her LLM from Harvard Law School in 2019 after which she joined the Animal Law & Policy Program as a Visiting Researcher for most of this past year. In April, she then joined the Faculty of Law, Institute of Public Law, University of Bern, Switzerland as a Senior Lecturer and Researcher, where she now specializes in animal law, environmental law, and climate law.

Former Fellow [Ann Linder](#) spent much of the past year as a Research Analyst at Mercy for Animals, but then rejoined the Animal Law & Policy Program in June as a Research Fellow overseeing our current research project analyzing policy responses to animal markets around the world.





## Scholarship & Presentations

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### ALPP Faculty, Staff, and Fellows

Beyond facilitating the scholarship of others in the animal law and policy community, Faculty Director Kristen Stilt and the Program's staff, Visiting Fellows, and Visiting Researchers further conducted academic research, produced published scholarship, and presented publicly on a wide variety of animal law and policy topics. That work from the past year is summarized in the following pages.



## Professor Kristen Stilt – Faculty Director

Professor Kristen Stilt – Faculty Director

### PUBLICATIONS

#### Book Chapters

- “Trading in Sacrifice,” in *Studies in Global Animal Law*, ed. Anne Peters (Berlin: Springer, 2020).

#### Works in Progress

- “Rights of Nature, Rights of Animals” (article, forthcoming in *Harvard Law Review Forum*, March 2021).
- *Halal Animals: Food, Faith, and the Future of Planetary Health* (book manuscript, under contract with Oxford University Press).
- “The Handbook of Global Animal Law” (ed. with Anne Peters and Saskia Stucki) (book manuscript, under review by Oxford University Press for the Oxford Handbook series).
- “The End of the Ritual Bubble” (article).

#### Papers, Presentations, Panels

- “Ethics and Animal Ethnography,” Wesleyan University, workshop hosted by Professors Lori Gruen and Elan Abrell (May 7–8, 2020).
- “Halal Animals: Food, Faith, and the Future of Planetary Health,” Harvard Law School, Animal Law & Policy Program Workshop Series (April 7, 2020).
- “Islamic Conceptions of Animal Rights,” University of Victoria Faculty of Law, Animals & Society Research Initiative Distinguished Lecture Series (March 10, 2020).
- “Islamic Conceptions of Animal Rights,” Harvard University, Crossroads Emerging Leaders Program (March 6, 2020).
- “Islamic Conceptions of Animal Rights,” Harvard Law School, Animal Law Society Animal Law Week (February 24, 2020).
- “Protecting Animals Within and Across Borders: A Discussion with Book Author Charlotte Blattner, Animal Law & Policy Program Visiting Researcher,” Harvard Law School (November 18, 2019).



Professor Kristen Stilt – Faculty Director

- “Islamic Conceptions of Animal Rights,” Cambridge Centre for Animal Rights, Keynote Presentation, European Animal Rights Law Conference (September 14, 2019).
- “Animals and Religion,” The National Academy of Legal Studies and Research (NALSAR), Hyderabad, India, (July 25, 2019).

### **Guest Lectures**

- In the Animal Law course, Harvard Law School (March 11, 2020).

**“ I came to law school interested in legal academia and quickly found a fantastically rich niche in animal law. The close mentorship I’ve received from Professor Stilt and everyone in the ALPP has shown me that this path is possible and set me up to have the best shot possible at attaining it. I’ve learned so much from experiences such as serving as Professor Stilt’s Research Assistant to participating in academic workshops and attending all the terrific academic programming that the Animal Law & Policy Program and Animal Law Society have hosted.” — Andy Stawasz ’21**





**Chris Green – Executive Director**

Chris Green – Executive Director

## PUBLICATIONS

### Reports

- *Necessity, Use, and Care of Laboratory Dogs at the U.S. Department of Veterans Affairs*, Consensus Study Report, National Academies of Science, Engineering, and Medicine (2020).

### Works in Progress

- “Solving the ‘Epidemic’ of U.S. Police Officers Shooting People’s Pets” (article).

### Papers, Presentations, Panels

- “Solving the ‘Epidemic’ of U.S. Police Officers Shooting People’s Pets,” Illinois State Bar Association 11th Annual Animal Law Conference (March 6, 2020).
- “Animal Law Education at Harvard Law School,” New York University, Animal Advocacy, Animal Law, and Animal Studies Summit (February 22, 2020).
- “The Game Changers—Athletes & Filmmakers,” Moderator, Harvard Law School (February 11, 2020).
- “The Game Changers—Athletes & Filmmakers,” Moderator, Harvard Business School (February 11, 2020).
- “Providing Law Enforcement Officers with Comprehensive Animal Encounter Training,” American Bar Association Mid-Year Meeting (February 17, 2020).
- “Animal Law & Policy in the United States,” Jilin International Studies University (October 23, 2019).
- “Animal Law & Policy in the United States,” Changchun University of Architecture and Civil Engineering (October 22, 2019).
- “Solving the ‘Epidemic’ of U.S. Police Officers Shooting People’s Pets,” Asia for Animals Conference (October 19, 2019).

Chris Green – Executive Director

- “Providing Law Enforcement Officers with Comprehensive Animal Encounter Training,” American Bar Association TIPS Fall Leadership Meeting (October 17, 2019).
- “Regulating ‘Exotic’ or Dangerous Wild Animals,” Canadian Animal Law Conference (October 6, 2019).
- “Animals, Justice, & the Moral Community,” Moderator, Canadian Animal Law Conference (October 5, 2019).
- “Alternative Animal Advocacy: Channeling Public Sentiment into Substantive Welfare Advances,” University of Illinois, Animal Studies Summer Institute (July 19, 2019).
- “Academia & Animal Law Education at Harvard Law School,” China Animal Welfare Forum, Beijing (July 12, 2019).
- “Alternatives in Animal Advocacy: Using Laws Creatively to Protect Animals,” China Animal Welfare Forum, Beijing (July 11, 2019).







**Katherine Meyer – Clinical Director**

Katherine Meyer – Clinical Director

## GUEST LECTURES

- “Using the Endangered Species Act to Protect Animals in Captivity” in the Wildlife Law course, Lewis & Clark Law School (May 29, 2020).
- “The Animal Welfare Act” in the Animal Law course, Harvard Law School (March 25, 2020).
- “New Jersey Soc. For Prevention of Cruelty to Animals, et al. v. N.J. Dep’t of Agriculture, 955 A.2d 886 (N.J. 2008): Strategy to Successfully Remove the Generally Accepted Agricultural Practice Exemption from New Jersey’s Animal Cruelty Code” in the Animal Law Litigation Clinic, Lewis & Clark Law School (March 10, 2020).



**Nicole Negowetti – Clinical Instructor**

Nicole Negowetti – Clinical Instructor

## PUBLICATIONS

### Articles

- “Scientific, Sustainability and Regulatory Challenges of Cultured Meat,” *Nature Food* 1 (2020), 403–415 (with Mark Post, Shulamit Levenberg, David L. Kaplan, Nicholas Genovese, Christopher J. Bryant, Jianan Fu, Karin Verzijden, and Panagiota Moutsatsou).
- “Ten Years Post-GAO Assessment, FDA Remains Uninformed of Potentially Harmful GRAS Substances in Foods,” *Critical Reviews in Food Science and Nutrition* (2020), 1–9 (with Cameron Faustman, Daniel Aaron, and Emily Broad Leib).

## Works in Progress

- “Taking (Animal-Based) Meat and Ethics Off the Table: Food Labeling and the Role of Consumers as Agents of Food Systems Change” (article, forthcoming in *Oregon Law Review*, 2020).
- “Planetary Health Approach to the Labeling of Plant-Based Meat” (article, forthcoming in *Journal of Food and Drug Law*, 2020).

## Papers, Presentations, Panels

- “Red Meat, Meat Alternatives, and Beyond: Health, Environment, Policy, and the Media,” Harvard T.H. Chan School of Public Health (January 27, 2020).
- “Modernizing Food Labeling: The Narratives of Food Innovation and Deciphering Mixed Messages,” Food and Drug Law Journal Symposium: Going Viral: Safeguarding Public Health in the Modern Era, Food and Drug Law Institute (November 15, 2019).
- “Legal and Regulatory Issues Surrounding Emerging Meat Alternatives,” American Institute of Chemical Engineers, Emerging Meat Alternatives Conference (November 2, 2019).
- “Sustainability of Plant-Based Meat Alternatives,” Tufts Friedman School of Nutrition Science and Policy, Food Innovation Summit (October 22, 2019).
- “War Over Words: Plant-Based, Cellular, and Novel ‘Meats’ and ‘Dairy’ Products,” Food Law and Drug Institute, Food Advertising, Labeling, and Litigation Conference: For the Food and Dietary Supplement Industries (September 26, 2019).
- “Implications of Novel Ingredients,” Moderator and Panelist, Institute on Science for Global Policy (ISGP) Forum, NextGenFood Virtual Conference (September 25, 2019).
- “Genetic Engineering: The Good, the Bad, and the Necessary,” Moderator and Panelist, Environmental Law Institute (September 11, 2019).

“ The Animal Law & Policy Program has been an invaluable part of my law school education. The Program and Clinic’s faculty and staff have supported my academic and professional goals, helping me find opportunities and build skills to succeed in the field. As I learn more substantive animal law, I see a real opportunity to develop legal scholarship and help shape the academic outlook of animal law. Many of the people in the Program have shown me what a career in legal academia might look like when used to advance the interests of animals. The interdisciplinary nature of the field combined with the energetic advocacy I see and contribute to each day have inspired me to pursue a career at this intersection. I am lucky to be able to learn—both practically and intellectually—from the amazing advocates in the Program.”

— Elizabeth McLampy ’21







## Hadar Aviram – Visiting Fellow

Hadar Aviram – Visiting Fellow

**During my Animal Law & Policy Program Fellowship** in Fall 2019 I worked on my book manuscript, tentatively titled “Standing Trial for Lily: How Open-Rescue Activists Perceive and Deploy their Criminal Prosecutions to Promote Animal Liberation.” In this project I combine empirical fieldwork (participant observations and interviews) with content analysis of social media and archival materials to examine Direct Action Everywhere (DxE), an animal rights organization. As I explain in the manuscript, DxE activists openly perform rescues of animals from factory farms, explicitly and strategically seeking criminal prosecution, balancing the protection and success of the open rescue with the need to generate cases that might become pro-animal precedents. I explain how DxE activists plan their actions, how they engage with law enforcement, how they seek legal representation and political support, and how they engage with the legal questions that arise from their actions, such as the necessity defense. I presented the manuscript at the Animal Law & Policy Program workshop, and later in spring 2020 during Harvard’s Animal Law Weeks. I also presented my findings in a digital workshop on whistleblowers in the animal farming industry with journalist Glenn Greenwald and DxE cofounder Wayne Hsiung to an audience of hundreds of animal rights activists.

Pedagogically, I introduced materials pertaining to my research into my seminar *Environmental Criminology*. I now devote a special unit in the seminar to the discussion of open rescue and persecution of ecoactivists. In addition, I was fortunate to audit Philip Torrey’s Crimmigration course at Harvard Law School, which has allowed me to develop a crimmigration unit for my course *Criminal Procedure: The Adjudicative Process*.

My time away from teaching and other institutional obligations also enabled me to advance additional projects, including ushering the publication of my book *Yesterday’s Monsters: The Manson Family Cases and the Illusion of Parole* (University of California Press, 2020.) I benefited greatly from my interactions with colleagues at the Animal Law & Policy Program and at the Program on Law and Society in the Muslim World, as well as from the amazing library resources and colleagues at the Radcliffe Institute and at Harvard Law School.



Credit: Jo-Anne McArthur/We Animals



Kate Barnekow – Clinical Fellow

Kate Barnekow – Clinical Fellow

## PUBLICATIONS

### Reports

- *Brooks Animal Law Digest*, The Brooks Institute (2019–2020, weekly).
- *The Brooks Congress 2020 Report*, The Brooks Institute (2020).

### Works in Progress

- “Dear Effective Altruist Who Seeks the Advancement of Animal Law” (chapter in forthcoming collection *Dear Effective Altruists*, ed. Carol Adams, Lori Gruen, and Alice Crary).
- “Threatened Species Permits Under the Endangered Species Act: History, Policy, and Challenges” (article).

### Papers, Presentations, Panels

- “Animal Law Advising,” Harvard Law School (November 13, 2019).

“Working at Harvard Law School’s Animal Law & Policy Program enabled me to maximally profit from the local expertise in animal law, collaborate with critical stakeholders in environmental law, and reach a broad audience converging on these interests. During this 18-month project, I was able to write and publish close to 20 articles and hold over a dozen presentations at scientific conventions.” — *Charlotte Blattner*



Charlotte Blattner – Visiting Researcher

Charlotte Blattner – Visiting Researcher

**My research project** “Environmental Law Beyond Anthropocentrism: Current Landscape, Regulatory Gaps, Future Paths” at the Animal Law & Policy Program sought to fill critical research gaps at the intersection of environmental law and animal law. Rather than covering all possible areas where there is the potential for synergies between environmental law and animal law, my project adopted a more organic, multifaceted approach, focusing on those areas that require our attention most urgently. During my 18-month research period, the following operated as key areas linking and further developing animal law and environmental

Charlotte Blattner – Visiting Researcher

law: animal agriculture (including the role of agriculture in violating core human rights and ways to transition away from it using Just Transition as a concept), core areas of environmental law (including the role of animals in environmental law, the consideration of animals in impact assessments, and migration), and agency (including the concept of animal agency generally, animal personality, animal agency in community, and victim standing in criminal law). It was also during this time that two of my books were published (*Protecting Animals Within and Across Borders*, OUP 2019 and *Animal Labour*, OUP 2019) and I was able to launch them at Harvard.

## PUBLICATIONS

### Books

- *Animal Labour* (Oxford: Oxford University Press, 2019).
- *Protecting Animals Within and Across Borders* (New York: Oxford University Press, 2019).

### Book Chapters

- “Trophy Hunting, the Race to the Bottom, and the Law of Jurisdiction,” in *Studies in Global Animal Law*, ed. Anne Peters (Berlin: Springer, 2020).
- “Global Migration Crises, Non-Human Animals, and the Role of Law,” in *Like an Animal: Critical Animal Studies Approaches to Borders, Displacement, and Othering*, ed. Natalie Khazaal and Núria Almiron (Boston: Brill, 2021).
- “Animal Impact Assessments: Contesting Denial, Changing the Future?,” in *What Can Animal Law Learn from Environmental Law?*, ed. Randall Abate (Washington, DC: ELI Press, 2020).



Charlotte Blattner – Visiting Researcher

## Articles

- “Animal Labor, Ecosystem Services,” *Journal of Animal & Natural Resource Law* 16 (2020), 1–38.
- “Right to Work or Refusal to Work: Disability Rights at a Crossroads,” *Disability & Society* (2020), 1–37.
- “Should Animals Have a Right to Work? Promises and Pitfalls,” *Animal Studies Journal* 9 no. 1 (2020), 32–92.
- “Advancing Ethical Principles for Non-Invasive, Respectful Research with Animal Participants,” *Society & Animals* 28 no. 2 (2020), 171–190 (with Lauren van Platter).
- Review: Elke Diehl & Jens Tuider (Hrsg.), *Haben Tiere Rechte? Aspekte und Dimensionen der Mensch-Tier-Beziehung*, 12(20) *TIERethik* 133–137 (2020).
- “Just Transition for Agriculture? A Critical Step in Tackling Climate Change,” *Journal of Agriculture Food Systems, and Community Development* 9 no. 3 (2020), 53–58.
- “Secondary Victimization of Animals in Criminal Procedure: Lessons from Switzerland,” *Journal of Animal Ethics* 10 no. 1 (2020), 1–32.
- “Animal Agriculture and Farmers’ Rights: Exploring the Human Rights Nexus,” *Journal of Food Law & Policy* 15 no. 2 (2020), 92–151 (with Odile Ammann).
- “Animal Agency in Community: A Political Multispecies Ethnography of VINE Sanctuary,” *Politics & Animals* 6 (2020), 1–22 (with Sue Donaldson and Ryan Wilcox).
- “Beyond the Goods/Resources Dichotomy: Animal Labor and Trade Law,” *Journal of International Wildlife Law and Policy* 22 no. 2 (2019), 63–89.
- “Tiernutzung aus ernährungs-, tier- und umweltethischer Perspektive (review),” *Tierstudien* 16 (2019), 179–181.

## Works in Progress

- “The Political Turn in Animal Studies – A Systematic Literature Review” (article under peer review at *Politics & Animals*).
- “The Four Quarters of Animal Oppression and Liberation: Speciesism, Sexism, Racism, and Ableism” (book manuscript).
- “Drafting Principles of Transitional Justice for an Interspecies Society” (book manuscript).
- “Turning to Animal Agency in the Anthropocene,” in *Animals in Our Midst: The Challenges of Co-existing with Animals in the Anthropocene*, ed. Bernice Bovenkerk and Josef Kulartz (Berlin: Springer).

## Papers, Presentations, Panels

- “Accelerating the Transition towards Animal-Free Innovations,” Dutch Ministry of Agriculture, Nature and Food Quality, Pioneer-2-Policymaker Conference (November 28, 2019).
- “Protecting Animals Within and Across Borders,” Harvard Law School (November 18, 2019).
- “Climate Emergency, Migration Crisis, and Interspecies Resilience,” University of Victoria, Animals & Society Research Initiative (November 14, 2019).
- “Drafting Principles of Transitional Justice for a Post Conflict Interspecies Society,” Canadian Animal Law Conference (October 5, 2019).
- “The Swiss Primate Case—A Stroke of Luck or Justice in Action?” St. Edmund’s College and Cambridge Centre for Animal Rights Law, European Animal Rights Law Conference (September 14, 2019).
- “Just Animals? The Future of the Political Turn in Animal Ethics,” University of Manchester, MANCEPT Workshops (September 10, 2019).

## Guest Lectures

- “Toward Non-Invasive, Respectful Research with Animal Participants” in the Animals in Research: Law, Policy, and Humane Sciences course, Johns Hopkins University (January 27, 2020).
- “Globalization & Animal Law: Relationship, Antagonisms, and Future Paths” in the Animals, Culture, and the Law course, University of Victoria, BC (November 13, 2019).

## Grants & Awards

- Animal Labor Law: Developing Recognition, Status, Rights, and Institutions for Working Animals, Swiss National Science Foundation (postdoc, declined).



## Helen Harwatt – Food & Climate Policy Fellow

Helen Harwatt – Food & Climate Policy Fellow

### PUBLICATIONS

#### Book Chapters

- “Feeding a Growing Population Within Planetary Boundaries: A Three-Step Strategy Identifying the Fierce Necessity of ‘How?’ in the Fierce Urgency of Now,” in *Environmental Nutrition: Connecting Health and Nutrition with Environmentally Sustainable Diets*, ed. Joan Sabate (Amsterdam: American Press, 2019).

#### Articles

- “Scientists Call for Renewed Paris Pledges to Transform Agriculture,” *The Lancet Planetary Health* 4 no. 1 (2019) (with William Ripple, Matthew Betts, and Matthew Hayek).

#### Works in Progress

- “The Crucial Role of ‘Best Available Food’ in Creating Paris-Compliant Food Systems” (article, forthcoming in *Impakter*).
- “A Paris-Compliant Emissions Trajectory for the Livestock Sector: A Survey of International Experts” (with Matthew Hayek, Sarah Higginson, Gidon Eshel, and William Ripple) (article).
- “Substituting Beans for Beef as a Contribution Toward Achieving the Paris Agreement” (with Matthew Hayek, Gidon Eshel, and William Ripple) (article).
- “Feed to Food and Forage to Forest: An Alternative Food Strategy for the UK” (with Matthew Hayek) (article).
- “Animals, Nature and Us: How our Historic Relationship with Animals has Brought Us to the Sixth Mass Extinction, and What We Can Do to Avoid It” (book manuscript).

#### Papers, Presentations, Panels

- “Eating Away at Climate Change with Negative Emissions: Repurposing UK Agricultural Land to Meet Climate Goals,” Plant-Powered Expo, Climate Summit (February 1, 2020).
- “Eating Away at Climate Change with Negative Emissions: Repurposing UK Agricultural Land to Meet Climate Goals,” Livestock, Environment and People Conference (December 10, 2019).



Helen Harwatt – Food &amp; Climate Policy Fellow

- “Eating Our Way Out of Trouble? The Crucial Role of Food Systems in Creating a Sustainable Future,” The University Caterers Organisation Annual Conference (December 4, 2019).
- “The Role of Food Systems in Creating a Sustainable Future,” United Kingdom Alliance for Sustainability Leadership in Education (November 26, 2019).
- “Eating Our Way to Extinction? The Need to Create Sustainable Food Systems, and the Role We Can Play,” Keynote Presentation, VESNA Conference (November 9, 2019).
- “Livestock and Climate Change – Is It ‘Just’ a Methane Issue, and What Can Scientists Do to Influence the Discourse?,” VESNA Conference (November 7, 2019).
- “Climate Change and Food—Do Our Choices Matter?,” UK VegFest, Climate Summit (October 26, 2019).
- “Eating Our Way to Extinction? Reconfiguring Food Systems to Help Tackle the Wildlife Crisis,” UK VegFest, Wildlife Summit (October 26, 2019).
- “Creating Sustainable Food Systems: Do Our Food Choices Matter?,” MACE Group and the Northern Trust (October 24, 2019).
- “Eating Our Troubles Away? The Crucial Role of Food Systems in Tackling Climate Change,” TUCO Sustainability Group Board Meeting (September 11, 2019).



Omar Farahat – Visiting Fellow

Omar Farahat – Visiting Fellow

**My project at ALPP was at the intersection of Islamic law and animal law theory,** which made ALPP a perfect place to start outlining its broad conceptual parameters. In early 2020, I took advantage of the library resources and conversations with the many experts in both of those areas to begin my inquiry into the idea of personhood in Islamic legal theory. Through this research, attending ALPP events, and the many Islamic-law related programs at Harvard, I began to anchor my inquiry within the idea of right (*ḥaqq*) in Islamic jurisprudence. It became clear that a framework for the rights of animals in Islam should begin from the idea of a right that is unrelated to personhood, but rather is tied to moral responsibility. After elucidating this unique concept of right, it would be necessary to ask: What moral duties do we owe to nonhuman animals that would justify a concept of right?

Omar Farahat – Visiting Fellow

Here, Islamic ethical and exegetical treatises are filled with justifications for the need to respect animals, not just as divine creatures, but as *worshippers* of God. Finally, a framework for animal rights in Islam must answer the question why such rights were absent in classical substantive laws and what social mechanisms are there to protect nonhumans, which is an inquiry into the concept of social responsibility to command what is right and forbid what is wrong (*hisba*).

## PUBLICATIONS

### Works in Progress

- “A Framework for the Rights of Nonhuman Animals in Islamic Jurisprudence” (article).



Amy Fitzgerald – Visiting Fellow

Amy Fitzgerald – Visiting Fellow

**During my Fellowship** I was able to focus on my ongoing work on the co-occurrence of animal abuse and intimate partner violence. I also began a new line of inquiry examining the recent proliferation of laws and policies aimed at protecting human and nonhuman animals impacted by intimate partner violence, notably via the inclusion of animals in protection orders. I developed an inventory of pieces of legislation that incorporate animals vis-à-vis intimate partner violence, analyzed their relative strengths and weaknesses, as well as their potential to imbue animals with more-than-property status, and post-Fellowship I have been examining legal judgements referencing this new way that animals are being protected by the law and the broader socio-legal implications. I found the Animal Law & Policy Program space extremely conducive to productive contemplation, discussions, and writing. Unfortunately, my time in the space and on campus was cut short by the COVID-19 pandemic, but that disruption is small compared to that endured by so many others. We were able to continue our discussions and Fellows Workshops online, and my work was strengthened immensely by learning more about what others in the ALPP community are working on and through receiving feedback on my project. On a personal note, the experience left me reinvigorated and excited by all the work being done with the aim of better understanding and improving the socio-legal positioning of animals, which is—as the COVID-19 pandemic has so dramatically demonstrated—interconnected with our own wellbeing.

## PUBLICATIONS

### Articles

- “The Connection Between Animal Abuse, Emotional Abuse, and Financial Abuse in Intimate Relationships: Evidence from a Nationally Representative Sample of the General Public,” *Journal of Interpersonal Violence* (2020) (with Betty Barrett and Allison Gray).
- “Governmentality and Environmental Rights: Regulatory Failure and the Volkswagen Emissions Fraud Case,” *Critical Criminology* 28 (2020), 43–63 (with Dale Spencer).

### Works in Progress

- “Domestic Violence and Animal Abuse,” in *The Routledge Handbook of Domestic Violence and Abuse*, ed. John Devaney, Caroline Bradbury-Jones, Stephanie Holt, Rebecca Macy, and Caroline Øverlien (Routledge, 2021), ch. 4–7 (with Betty Barrett, Rochelle Stevenson, and Patti Fritz).
- “The Animals Reader: The Essential Classic and Contemporary Writings,” 2 ed. (Routledge) (with Linda Kalof) (book manuscript).
- “Animal Companionship, Engagement in Physical Activities, and General Health Among Aging Canadians: Complicating ‘The Pet Effect’” (with Betty Barret, Huda Al-Wash, and Mohammad Musa) (article).
- “Domestic Violence, Companion Animal Abuse, and Help-Seeking: The Mediating Role of Fear of Lethal Violence” (with Betty Barrett, Amy Peirone, and Chi Ho Cheung) (article).
- “Predicting Animal Abuse and Physical Intimate Partner Violence: Evidence from a Representative Canadian Sample” (with Betty Barrett and Allison Gray) (article).
- “Animal Companionship and Psycho-Social Well-Being: Findings from a National Study of Community-Dwelling Aging Canadians” (with Betty Barrett, Huda Al-Wash, and Mohammad Musa) (article).
- “Integrating Animals into Definitions of, and Efforts to Mitigate, Intimate Partner Violence: A Review of the Legislative Landscape in the United States” (article).
- “Social Recognition of Animals (Ab)Used in the Context of Intimate Partner Violence: A Strategic Avenue for Broader Socio-Legal Change?” (article).



Amy Fitzgerald – Visiting Fellow

- “Animal Abuse as Part of the Constellation of Stalking Behaviours” (with Patti Fritz and Betty Barrett) (article).
- “The Correctional Service of Canada’s Proposed Prison Farm—an Intensive Livestock Operation: An Examination of Drawbacks and Potential Alternatives” (with Amanda Wilson and EVOLVE Our Prison Farms) (report).

### Papers, Presentations, Panels

- “Book Talk: *Animal Advocacy and Environmentalism: Understanding and Bridging the Divide*,” Boston College (April 21, 2020).



Steve Niemi – Visiting Fellow

Steve Niemi – Visiting Fellow

**My Visiting Fellow appointment was a bit unconventional** compared to previous Animal Law & Policy Program participants in that I am a lab animal veterinarian with experience in both commercial biotech and animal-based academic biomedical research. Nevertheless, my time at Harvard Law School was enriched by learning more about the grounds on which opponents of animal research base their stance, accompanied by many respectful conversations about the multiple and complicated dimensions of that subject. During the year, I conducted research for a book project on a similarly knotty and contentious topic involving animal welfare, namely purebred dogs and cats. I also devoted time to another book concept, validated and enhanced by my Visiting Fellowship, on why and how the biomedical research community should reach out to animal activists to work towards shared objectives (e.g., eliminating unnecessary animal research and testing). I also was fortunate to be allowed to audit the HLS course on Animal Law.

### PUBLICATIONS

#### Book Chapters

- “Ethical Considerations,” in *Learning from Disease in Pets: A ‘One Health’ Model for Discovery*, ed. Rebecca Krimins (Boca Raton: Taylor & Francis, 2020).

## Articles

- “From Unpleasant to Unbearable – Why and How to Implement an Upper Limit to Pain and Other Forms of Suffering in Research with Animals,” *ILAR Journal* (January 30, 2020) (with Anna Olsson, Christine Janet Nicol, and Peter Sandøe).
- “Harm-Benefit Analyses Can Be Harmful,” *ILAR Journal* (August 12, 2020).

## Guest Lectures

- “Laboratory Animals and Animal Law” in the Animal Law course, Harvard Law School (March 25, 2020).
- “Laboratory Animals & Animal Law—An Insider’s Perspective” in the Animal Law course, Lewis & Clark Law School (July 24, 2020).



**Jayasimha Nuggehalli – Visiting Fellow**

**My project at the Animal Law & Policy Program at HLS** was to research the possibility of establishing a credit trading system to help food businesses to fulfil cage-free commitments. During my Fellowship I was able to establish contact with roundtables and commodities trading companies to understand the functioning and efficacy of credit trading as a tool. My fellowship was immensely useful in researching different market methods that help companies fulfil cage-free sourcing commitments. It helped open doors to make important connections with sustainability initiatives for various commodities and learn from their success and failures, and also fine-tuned the concept through workshopping it with the other fellows.

The Program creates a community that is inspiring and builds a collegium that is valued for life. My time at the Animal Law & Policy Program helped me develop the idea of Impact Incentives and today, Global Food Partners, the consultancy that I co-founded while with the Program, is a co-founder of the Impact Alliance. This partnership with Impact Alliance is a first of its kind collaboration between leading sustainability standard owners and organizations, including Textile Exchange (leather and cotton), Global Roundtable for Sustainable Beef, Proterra (soy), and Global Food Partners (cage-free eggs). The Alliance helps businesses accelerate their sustainable sourcing goals across key commodities. Our participation in Impact Alliance will be an important tool for our clients and partners who are working to meet their cage-free egg commitments, particularly in challenging Asian markets.

Jayasimha Nuggehalli – Visiting Fellow

Through the Alliance, food businesses can purchase cage-free Impact Incentives and participate in Impact Partnerships, which help them advance their cage-free egg commitments, accelerate the production of cage-free eggs, and provide financial incentives to farmers who meet heightened animal welfare standards.

The idea of Incentives has been around for years, modeled after other established credit trading platforms such as RSPO (Roundtable on Sustainable Palm Oil) and RTRS (Roundtable for Responsible Soy). We now are applying the technology and learnings to other commodities, including cage-free eggs.



**Judge Gale Rasin – Visiting Fellow**

Judge Gale Rasin – Visiting Fellow

**My project at the Animal Law & Policy Program was to study the issue of animal hoarding** and consider how to best handle animal hoarding cases in the criminal justice system. My focus was on “rescue hoarders,” those individuals who believe that they are saviors of animals, but ultimately victimize animals through extreme neglect. Through the Harvard Law School Library I obtained the available books about animal cruelty and neglect as well as articles in a range of professional journals, from veterinary journals to law review articles. I also interviewed a range of professionals, several in the Boston area, including prosecutors, defense attorneys, mental health professionals, and animal shelter care providers. I met with the staff of the Massachusetts SPCA, which investigates animal hoarding cases. The insights I gained from these interviews were critical in informing my findings.

I wrote an article intended to be a manual for trial judges, which focused on the mental health issues involved in animal hoarding cases in the criminal justice system. I used a case I handled as the presiding judge in the Mental Health Court in the Circuit Court for Baltimore City as an example. There I found a defendant incompetent to stand trial because he suffered from a fixed delusional disorder that caused him to be convinced that he was saving animals, rather than neglecting them. My monograph is entitled “The Man Who Married His Pigeon,” based upon an actual instance of a California lawyer who hoarded pigeons. I will use the content of the monograph in appearances (now virtual) in front of various groups such as the ABA Animal Law Section and the Animal Legal Defense Fund.

### Grants & Awards

- One of [America’s Top Ten Animal Defenders for 2020](#), Animal Legal Defense Fund.



## Saskia Stucki – Visiting Researcher

Saskia Stucki – Visiting Researcher

**During my time as a visiting researcher with the Animal Law & Policy Program,** I worked on my postdoctoral research project “Trilogy on a Legal Theory of Animal Rights.” The Trilogy consists of three separate but interrelated articles, each exploring a different facet of animal rights law, namely: legal animal rights in general, human rights-like fundamental animal rights in particular, and the relationship between animal welfare law and animal rights. The first article, entitled “Toward a Theory of Legal Animal Rights: Simple and Fundamental Rights” was recently published in the *Oxford Journal of Legal Studies* (2020). The third article, entitled “Beyond Animal Warfare Law: Humanizing the ‘War on Animals’ and the Need for Complementary Animal Rights” has been submitted to various US law journals, and I expect it to be published by early 2021. I am currently finalizing the second article, entitled “(Non) Human Rights for Animals: Towards an Integrative One Rights Approach.”

## PUBLICATIONS

### Book Chapters

- “Animal Rights,” in *Encyclopedia for the Philosophy of Law and Social Philosophy*, ed. Mortimer Sellers and Stephan Kirste (Amsterdam: Springer, 2020) (with Visa Kurki).
- “(Certified) Humane Violence? Animal Production, the Ambivalence of Humanizing the Inhumane, and What International Humanitarian Law Has to Do with It,” in *Studies in Global Animal Law*, ed. Anne Peters (Berlin: Springer, 2020).

### Articles

- “Towards a Theory of Legal Animal Rights: Simple and Fundamental Rights,” *Oxford Journal of Legal Studies* 40 no. 3 (2020), 1–28.

### Blog Posts

- “The Elephant in the (Court)Room: Interdependence of Human and Animal Rights in the Anthropocene,” *EJIL: Talk!* (2020) (with Tom Sparks).
- “Of Chicks and Men: Anmerkungen zum BVerwG-Urteil über die Tötung männlicher Küken,” *Verfassungsblog* (2019) (with Christoph Winter).



Saskia Stucki – Visiting Researcher

### Works in Progress

- “Animal Rights: Interconnections with Human Rights and the Environment” (article forthcoming in *Journal of Human Rights and the Environment*).
- “Beyond Animal Warfare Law: Humanizing the ‘War on Animals’ and the Need for Complementary Animal Rights” (article).
- “(Non)Human Rights for Animals: Towards an Integrative One Rights Approach” (article).
- “The Handbook of Global Animal Law” (ed. with Anne Peters and Kristen Stilt) (book manuscript, under review by Oxford University Press for the Oxford Handbook series).

### Papers, Presentations, Panels

- “Humanizing the War on Animals,” Harvard Law School, Animal Law & Policy Workshop (December 10, 2019).
- “Humanizing the War on Animals,” New York University, Animal Studies Reading Group (October 25, 2019).
- “Legal Animal Rights,” University of Lucerne, 29th IVR World Congress (July 11, 2019).
- “Legal Animal Rights: Simple and Fundamental,” University of Cambridge, Cambridge Centre for Animal Rights Law (April 26, 2019).



**The Program offered excellent opportunities and conditions for writing, testing, refining, and revising my work. The unique intellectual environment both at the Program and at Harvard Law School provided valuable stimuli and input to challenge and further advance my thinking about animal law. Notably, the regular meetings organized by the Program, informal daily chats with other fellows, and the opportunity to workshop draft papers in the Animal Law & Policy workshop series were especially conducive to my work. Overall, the Program and Harvard Law School afforded both excellent individual support as well as an ideal institutional setting for producing cutting-edge research.” — Saskia Stucki**

# Looking Forward to the 2020–2021 Academic Year

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For the coming academic year, all learning, teaching, academic programming, and events will be conducted remotely. While we look forward to the time when our community can come together again on campus, in the meantime we are taking full advantage of the new opportunities that a remote environment offers. Such advantages include using technology to share our work widely throughout the world and attracting new listeners who can engage with our events in real time.

As the Animal Law & Policy Program continues to forge ahead in this new mode, we will offer a full slate of activities that include hosting an impressive new cohort of Visiting Fellows, continuing our Animal Law & Policy Workshop Series, adding new course offerings, welcoming guest speakers, and creating new events. We also will be launching our new Animal Law & Policy Program website, where you can stay connected to our progress by accessing news about our work, information about events and opportunities, and closed-captioned recordings of our speaker series and symposia.

For the 2020–2021 academic year we will be hosting nine Fellows. We also will be welcoming Eric Glitzenstein as a Lecturer on Law to teach our Wildlife Law course.

## The 2020–21 Fellows are listed below with their research project titles:

**[Rohini Banskota](#)** | *Clinical Research Fellow*

Policy Analysis of Biogas Capture and Production at Animal Agriculture Facilities

**[Kate Barnekow](#)** | *Clinical Fellow*

*Brooks Animal Law Digest*

**[Jan Dutkiewicz](#)** | *Law & Policy Fellow*

Politics and the Law in the Age of Food Animal Obsolescence

**[Helen Harwatt](#)** | *Food & Climate Policy Fellow*

Assessing the Impacts of Food Systems on Environmental Sustainability, Public Health, and Ethics

**[Jim Keen](#)** | *Law & Policy Fellow*

A Tapestry of Cruelty and Waste: Failed Federal Intramural Animal Research

**[Ann Linder](#)** | *Research Fellow*

Global Policy Responses to Live Animal Markets

**[Alicia Rodriguez](#)** | *Law & Policy Fellow*

Identifying Strategic Options for Building Long-Term Political Power for the US Farmed Animal Protection Movement

**[Martha Smith-Blackmore](#)** | *Law & Policy Fellow*

Impediments to the Prosecution of Animal Cruelty

**[Gabriel Wildgen](#)** | *Law & Policy Fellow*

Identifying Strategic Options for Building Long-Term Political Power for the US Farmed Animal Protection Movement



**ANIMAL LAW &  
POLICY PROGRAM**  
HARVARD LAW SCHOOL

#### ADDRESS

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Animal Law & Policy Program  
1585 Massachusetts Avenue  
Cambridge, MA 02138

#### CONTACT INFORMATION

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[alpp@law.harvard.edu](mailto:alpp@law.harvard.edu)

+ 1 (617) 496-5145

#### CONNECT WITH US

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 [animal.law.harvard.edu](http://animal.law.harvard.edu)

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