

“Right to Painless Death”: The Fight for Humane Animal Slaughter in the Cold War United States

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Abstract

During the 1950s, animal welfare advocates launched a campaign for the passage of a law to require the use of improved slaughtering methods in packinghouses across America. The campaign ignited a widespread debate between animal welfare advocates, religious communities, and the packing industry, all of whom held differing positions on the proper role of the federal government. While animal welfare organizations and citizen activists argued for Congress to create a moral standard through legislation for the treatment of farmed animals, representatives of the nation's Haredi Orthodox Jewish community feared a humane slaughter law would impede on their religious freedom to practice shechita, or Jewish ritual slaughter. The packing industry also opposed regulation, claiming that federal intervention in the slaughterhouse was a government overstep.

This dissertation features these claims and argues for the significance of the 1958 Humane Slaughter Act in understanding the U.S. during a time of increased modernization, scientific innovation, production, and consumption following World War II. The fight for humane slaughter represents a growing intolerance of suffering among some Americans and demonstrates a crucial moment in U.S. history when Americans became increasingly aware of their relationship with food animals. It also illustrates heightened fears of increased government involvement in business and religious practices while stressing the importance of the U.S. as an exemplar of a humane, democratic society. It places the ethical, business, and religious arguments concerning a humane slaughter bill at the center of its analysis by focusing on how these beliefs manifested during the Cold War period and examines how Congress navigated these realms of concern. This contributes to a broader understanding of how ethical, economic,

and religious values influenced political decisions and led to an expanded role for the federal government—one that regulated the human-food animal relationship.

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List of Abbreviations

AAA	Agricultural Adjustment Administration
AHA	American Humane Association
AMI	American Meat Institute
ASPCA	American Society for the Protection of Cruelty to Animals
AVMA	American Veterinary Medical Association
AWI	Animal Welfare Institute
BEA	Bureau of Agricultural Economics
DOD	Department of Defense
FDA	Food and Drug Administration
HSUS	Humane Society of the United States
MID	Meat Inspection Division of the USDA
MSAPC	Massachusetts Society for the Prevention of Cruelty to Animals
NIMPA	National Independent Meat Packers Association
SAPL	Society for Animal Protective Legislation
USDA	United States Department of Agriculture
VSD	Ventilation Shutdown

Introduction: Managing Meat in an Era of Transition

In 2020, amidst a global pandemic and nation-wide slaughterhouse closures, livestock producers caught in financial binds were left with millions of animals in their care—animals ready for processing using standardized equipment, but in the absence of workers to move them through the system. Public awareness of the conditions for slaughterhouse workers emerged early in the COVID era, but an understanding of the associated outcomes for farmed animals rarely followed in the reporting on these vulnerable communities. Desperate for a convenient and cost-effective solution to overwhelming numbers of animals ready for slaughter, many producers implemented an “emergency depopulation” method, Ventilation Shutdown, or VSD. There are two forms of Ventilation Shutdown. The first entails turning off the facility’s ventilation systems, leaving the animals to suffocate—a torturous process that takes several hours. A second method, VSD+, involves pumping steam and gas into the buildings while the conscious animals are baked alive. Animals that survive the ordeal are shot in the head with a pistol gun the following day. According to the American Veterinary Medical Association (AVMA) and the United States Department of Agriculture (USDA), these methods are permissible under dire, “constrained” circumstances, such as natural disasters, war, toxic chemical spills, contagious animal diseases, and zoonotic or pandemic diseases, and only when other termination methods are unavailable. Therefore, VSD and VSD+ should be used only as a last resort.¹

Animal welfare advocates and veterinary professionals argued that livestock producers in 2020 loosely interpreted the guidelines set forth by the AVMA in their haste to destroy the

¹ “AVMA Guidelines for the Depopulation of Animals: 2019 Edition,” American Veterinary Medical Association, <https://www.avma.org/sites/default/files/resources/AVMA-Guidelines-for-the-Depopulation-of-Animals.pdf>, 56, (accessed December 30, 2020); Glen Greenwald, “Hidden Video and Whistleblower Reveal Gruesome Mass-Extermination Method for Iowa Pigs Amid Pandemic,” The Intercept, <https://theintercept.com/2020/05/29/pigs-factory-farms-ventilation-shutdown-coronavirus/> (accessed December 30, 2020).

animals efficiently and cheaply. In December 2020, Kitty Block, the president and CEO of the Humane Society of the United States (HSUS) and CEO of Humane Society International, stated that most veterinarians and animal protection advocates rejected VSD because it does not “cause immediate loss of consciousness, which makes it inhumane.” Matt Bershadker, president and CEO of the American Society for the Prevention of Cruelty to Animals (ASPCA) echoed these concerns, stating, “Ventilation shutdown is an incredibly barbaric response to challenges resulting from COVID-related disruptions, and we condemn any attempts to use cruelty as a pathway to cost-efficiency and convenience.”² Although an unprecedented situation, the use of VSD around the country raised new alarms among animal welfare advocates concerning what occurred in slaughterhouses and how animals, destined to be killed and consumed, were treated in the moments before they died.

While jarring to many Americans’ sensibilities in the twenty-first century, the use of VSD in 2020 was not the first time the country implemented emergency termination methods of livestock. In 1933, the Agricultural Adjustment Administration (AAA) devised a program to purchase and slaughter surplus pigs from farmers and packers in order to raise the prices of livestock on the market. Prices were suffering due to decreased pork exports to Europe and the stagnant economy of the Great Depression. Through the Emergency Hog Slaughtering Program, the government purchased over six million pregnant sows and piglets—eighty percent of which were inedible due to their small size. While some of the meat and meat byproducts went to relief programs or were turned into lard, animal feed, or fertilizer, tens of thousands of tons of dead

² Kitty Block, “Factory farms are baking pigs alive during the pandemic. Veterinarians call for changing guidance on this barbaric killing method,” A Humane World, Kitty Blocks Blog, The Humane Society of the United States, <https://blog.humanesociety.org/2020/12/slaughterhouses-are-baking-pigs-alive-during-the-pandemic-veterinarians-call-for-changing-guidance-on-this-barbaric-killing-method.html> (accessed December 30, 2020).

pigs were either burned, buried, or dumped into waterways.³ According to an AAA staffer, the hog slaughter caused a “horror” throughout the country and newspapers reported on the “inhumane and heartless butchery of millions of innocent pigs.”⁴

The Emergency Hog Slaughtering Program in 1933-1934 and the use of VSD in 2020 reveal that in the face of national and global tragedies, farmed animal suffering increases. While humans endured grave challenges of their own during the Great Depression and the Covid Pandemic, less discussed is the anguish experienced by the nation’s animals—more specifically its farmed animals. And while these significant events are unique unto themselves, very few moments in U.S. history have focused American attention to the life (and death) of farmed animals. During the 1950s, however, farmed animal slaughter and the conditions of their deaths consumed national attention.

Language used in 1933 and 2020 to describe the emergency termination methods—barbaric, inhumane, cruel—resembles the language used by animal welfare advocates during the 1950s to depict common slaughterhouse practices, as similar concerns about the fate of farmed animals and conversations about how they were slaughtered circulated widely among politically engaged Americans. In response, animal welfare leaders, private citizens, and individual legislators called upon Congress to ensure farmed animals, specifically cattle, pigs, and to a lesser extent, sheep and lambs, received a painless, humane death. Their efforts resulted in the passage of the 1958 Humane Slaughter Act—one of only two federal safeguards for farmed animals. The Humane Slaughter Act used federal authority under the Commerce Clause to require federal agencies to purchase meat and meat products from packers that used humane

³ George T. Blakey, “Ham That Never Was: The 1933 Emergency Hog Slaughter,” *The Historian* 30, No. 1 (November 1967): 53.

⁴ George T. Blakey, “Ham That Never Was: The 1933 Emergency Hog Slaughter,” *The Historian* 30, No. 1 (November 1967): 56, 49.

slaughter practices as determined by the Secretary of Agriculture.⁵ While current events reveal that the debate over how to treat farmed animals humanely is far from over, mid-twentieth century debates and actions regarding humane slaughter uncover the uneasy, historically contingent relationship Americans have long had with the animals they eat.

In *A Sand County Almanac* (1949), author and ecologist Aldo Leopold wrote, “There are two spiritual dangers in not owning a farm. One is the danger of supposing that breakfast comes from the grocery, and the other that heat comes from the furnace.”⁶ As ever fewer people lived on farms in the mid-twentieth century, food production systems became increasingly invisible, and Americans decreasingly associated their food with farms and their meat with animals. However, eating connects us to nature, as it encompasses our most intimate relationship with the non-human world. Americans during the 1950s were reminded of this relationship as slaughterhouse cruelty was brought into the public eye.

People have debated their obligations to animals for millennia. Within Christianity, the justification for either animal husbandry or exploitation is grounded in the Bible, which grants dominion to humans over the earth and its non-human creatures. Leading Western philosophers, such as René Descartes (1596-1650), argued that humans have no responsibility towards animals because they are mere machines that lack reason and communication.⁷ In “Duties Toward Animals and Spirits,” Immanuel Kant (1724-1804) agreed that animals could not reason, but he claimed humans should treat animals benevolently, not out of duty to the animal itself, but

⁵ *Humane Slaughter Act of 1958*, Public Law 85-765, 85th Cong., 2nd sess. (August 27, 1958), 862.

⁶ Aldo Leopold, *A Sand County Almanac: With Essays on Conservation From Round River* (New York: Ballantine Books, 1949, 1996), 6.

⁷ Lynn White Jr., “The Historical Roots of Our Ecological Crisis,” *Science*, New Series, vol. 155, no. 3767 (March 10, 1967): 1203-120; René Descartes, “Animals Are Machines,” *Environmental Ethics: Divergence and Convergence*, S. J. Armstrong and R. G. Botzler, eds. (New York: McGraw-Hill, 1993): 281-285; Immanuel Kant, “Duties Toward Animals and Spirits,” *Lectures on Ethics*, translated by Louis Infield (New York: Harper & Row Publishers, 1963).

because it reflects how humans treat one another—a philosophy on the treatment of animals familiar to those prevalent throughout the nineteenth century. On the other hand, when granting moral considerability to non-human animals, Jeremy Bentham (1748-1832), argued that we should not ask whether the animal can reason, but whether it can suffer. He also argued for legal protections for animals, stating, “It is proper... to forbid every kind of cruelty exercised towards animals.” While he agreed that humans should be allowed to kill animals when necessary, he believed there was no excuse to torment animals. Bentham explained, “Death, by artificial means, may be made less painful than natural death: the methods of accomplishing this deserve to be studied and made an object of police. Why should the law refuse its protection to any sensitive being? The time will come, when humanity will extend its mantle over everything which breathes.” He continued, “We have begun by attending to the condition of slaves; we shall finish by softening that of all the animals which assist our labours or supply our wants.”⁸

The extension of legal protections to animals became the basis for modern animal rights arguments and philosophies, as articulated in moral terms during the late nineteenth and early twentieth century by animal rights activists, including those pushing for humane slaughter legislation in the 1950s.⁹ These ideas were further developed by public intellectuals in the 1970s, including that of the philosopher Peter Singer. In addition to animals’ ability to suffer, Singer argued that humans should consider animals’ interests, expectations for a decent quality of life,

⁸ Jeremy Bentham, “The Cultivation of Benevolence,” *The Works of Jeremy Bentham* John ed. 561, (1843), 562.

⁹ For a historical prospective on animal welfare in America, see Janet M. Davis, *The Gospel of Kindness: Animal Welfare & the Making of Modern America* (Oxford: Oxford University Press, 2016). For other academic disciplines’ perspectives on U.S. animal welfare organizations and the animal rights movement, see Amy J. Fitzgerald, *Animal Advocacy and Environmentalism: Understanding and Bridging the Divide* (Hoboken: Wiley, 2018), Gary Francione, *Rain Without Thunder: The Ideology of the Animal Rights Movement* (Chicago: Temple University Press, 1996), Emily Gaader, *Women and the Animal Rights Movement* (New Brunswick: Rutgers University Press, 2011), James M. Jasper, *The Animal Rights Crusade: The Growth of a Moral Protest* (New York: Free Press, 1992), and Bernard Oreste Unti *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington, D.C. Humane Society of the United States, 2004).

and desire to avoid pain—the latter being particularly important to animal welfare advocates who endorsed the use of humane slaughter methods.¹⁰ And while animal activists asserted that consumers and the government had a moral obligation to end the use of inhumane slaughter practices, they never grounded their positions explicitly in the language of moral philosophy of either the Enlightenment philosophers or the animal rights activists of the 1970s. Even so, these ethical frameworks are useful when situating the arguments on humane slaughter and perceptions on the treatment of food animals during the 1950s.

Like the Earth's natural resources, animals and their byproducts have long been commodified.¹¹ For the animal agriculture industry, akin to most industries, maximizing output and profit dominates business models. And while many scholars have demonstrated that there is no ethical consumption under capitalism, others have wondered whether there might be ethical considerations built into the systems of production.¹² During the mid-twentieth century, Americans who fought for the passage of a humane slaughter bill showed that the two could coexist, as did select meatpackers who worked independently to develop economical and safer slaughtering methods. When their bottom line justified innovation, forward-thinking meatpacking companies such as Geo. A. Hormel & Co., Seitz Packing Company, and Oscar Mayer & Co. inadvertently created more humane practices. In part, as a result of this process of technological innovation emerged a national conversation about the ethical consideration of farmed animals and their right to a painless death, which ultimately contributed to animal

¹⁰ Peter Singer, *Animal Liberation: The Definitive Classic of the Animal Movement* (New York: Harper Perennial Modern Classics/HarperCollins Publishers, 1975, 1990, 2002, 2009).

¹¹ Ted Steinberg, *Down to Earth: Nature's Role in American History* (New York: Oxford University Press, 2002).

¹² Donald Worster, *Dust Bowl: The Southern Plains in the 1930s* (New York: Oxford University Press, 1978, 2004); Donald Worster, *Shrinking the Earth: The Rise & Decline of American Abundance* (New York: Oxford University Press, 2016); Naomi Klein, *This Changes Everything: Capitalism vs the Climate* (New York: Simon & Schuster Paperbacks, 2014).

welfare organizations' assertion that the federal government should take a stronger role in protecting farmed animals and regulating the human-animal relationship.

The incremental involvement of local, state, and federal governments in regulating human-animal relationships is part of what Susan J. Pearson and Kimberly K. Smith have termed the animal welfare state, which developed throughout the nineteenth and twentieth centuries.¹³ Prior to 1866, animals lacked direct state protections. However, the common law tradition provided indirect protections for companion animals and work animals, such as horses. Like arguments made against animal cruelty during the seventeenth, eighteenth, and well into the nineteenth centuries, cruelty towards animals was considered a crime against the social order and a threat to private property and the public good. Because animals were conceived as property, it was illegal to destroy, steal, or harm another's belongings. In this sense, the crime of cruelty was not against the animal, but the animal's owner. Additionally, it was illegal to harm an animal in public, as it could degrade the public's sensibilities. While such juridical practices might have deterred some instances of animal mistreatment (those in public spaces and against another person's animal), they did not prevent harm to one's own animals, nor did it dissuade against cruelty towards animals in homes, on farms, or in processing facilities. This legal framework changed after the establishment of the American Society for the Prevention of Cruelty to Animals (ASPCA) in 1866, as the organization began to advocate for legal protections for animals. By the 1870s, most states had anticruelty laws, typically enforced in urban centers by local animal welfare organizations.¹⁴ As the animal welfare state expanded over the course of the

¹³ Susan J. Pearson and Kimberly K. Smith, "Developing the Animal Welfare State," in *Statebuilding from the Margins: Between Reconstruction and the New Deal*, Carol Nackenoff and Julie Nokov, eds. (Philadelphia: University of Pennsylvania Press, 2014): 118-139.

¹⁴ Susan J. Pearson, "The Cow and the Plow": Animal Suffering, Human Guilt, and the Crime of Cruelty," *Studies in Law, Politics, and Society* 36 (2005): 77-101.

twentieth century, animal welfare advocates continued to demand greater protections for a wide range of animals.

Federal protections for farm animals, however, remain limited. The Twenty-Eight Hour Law, the 1958 Humane Slaughter Act and 1978 Humane Methods of Slaughter Act (which amended the 1958 law), are the only federal laws that regulate the treatment of farmed animals, and they only go into effect once the animal leaves the farm (while in transit and once they arrive at the slaughtering facility). Instead, the states are tasked with setting standards for and regulating the treatment of farmed animals. Although there are a few indirect laws that provide protections for farmed animals, such as the Animal Health Protection Act, which focuses on controlling animal diseases and pests. But in spite of their important position as a staple in the average American diet, farmed animals were largely overlooked by lawmakers and regulators, and the attempts to alleviate farmed animals suffering fell flat until Congress intervened, at the behest of the public, during the 1950s.

Animal welfare leaders' desire to create protective legislation for farmed animals represented an emerging consciousness and a growing awareness of animal sentience, coupled with widespread concern about the treatment of animals raised for meat production during the mid-twentieth century. Alarmed by the rapidly increasing demand for meat, and the expanding scale of slaughterhouses across the nation, animal welfare advocates around the United States felt a sense of responsibility to counter the perceived harmful effects of mass production. The fight for humane slaughter legislation is emblematic of this shifting set of concerns during the postwar era. Farmed animal welfare advocates, collaborating with powerful allies in Congress, organized in an attempt to bring an end to the use of slaughter methods they considered inhumane.

By empowering citizen activists through a mass letter-writing and educational campaign, animal welfare leaders were following a budding trend in advocacy that reflected recent developments within the growing environmental movement. The strategies employed by humane organizations—gaining the support of the public, inspiring citizen activism, collaborating with the industry, and allying with politicians—were not unique. Other groups, such as the Sierra Club and the Audubon Society, used similar strategies to advocate for political change and environmental protection during the moment of transformation in public life. During the 1950s, conservationists embraced their political power by orchestrating successful campaigns for the passage of several pieces of early environmental legislation.¹⁵ By demanding change and calling for new regulations, conservationists in Congress and beyond created new legal avenues that permitted citizens to influence federal and state decisions regarding environmental protection. Animal welfare organizations successfully used many of these same tactics to secure the passage of a series of federal animal welfare legislation, such as the 1958 Humane Slaughter Act and the 1959 Wild Horse and Burro Act. The 1959 law, also known as the Wild Horse Annie Act, banned the hunting of wild horses and burros from aircrafts and vehicles on public lands and prohibited poisoning and/or polluting their waterholes. Placing these early animal welfare efforts, particularly the Humane Slaughter Act, into the context of nascent environmentalism highlights the influence of the methods adopted by conservationists and illuminates the importance of citizen activism in post-war America.

¹⁵ Karl Boyd Brooks, *Before Earth Day: The Origins of American Environmental Law, 1945-1970* (Lawrence: University of Kansas, 2009); Mark Harvey, *A Symbol of Wilderness: Echo Park and the American Conservation Movement* (University of Washington Press, 1994).

Responding to the immense public interest in humane slaughter, individual members of Congress invested significant legislative energy in drafting humane slaughter legislation. Between 1956 and 1958, lawmakers introduced fourteen humane slaughter bills in Congress, and the legislature held three public hearings, two in the Senate and one in the House of Representatives. Members from animal welfare organizations, women's groups, meatpackers, government agencies, trade unions, and religious organizations shared their opinions and suggestions on the humane slaughter bills. Throughout the hearings, Congress looked for ways to satisfy each of the parties. Doing so took several years and resulted in a significant compromise by those in favor of and opposed to a compulsory humane slaughter law. This dissertation examines these compromises, as well as what was at stake for each party.

Despite the 1958 Humane Slaughter Act's significance to the history of animal welfare in America, little scholarship has been dedicated to its importance—in fact, only a few pages in broader works on animal welfare activism.¹⁶ However, the trajectory of this law intersects with larger trends evolving simultaneously in the Cold War United States—the quickening pace of industrial meat production, the growth of citizen activism, an increase in scientific innovation, and the expanded sensitivity to the intricacies of cultural and religious politics—and deserves more sustained attention. These themes informed political decisions and policymaking and can

¹⁶ For condensed histories of the Humane Slaughter Act, see Diane L. Beers, *For the Prevention of Cruelty: The History and Legacy of Animal Rights Activism in the United States* (Athens: Swallow Press/Ohio University Press, 2006); Christopher Deutsch, “‘We dislike to see suffering’: the fight for humane slaughter in the United States in the 1950s,” *History of Retailing and Consumption* 5, no. 1 (2019): 8-28; Susan J. Pearson, “Developing the Animal Welfare State,” in *Statebuilding from the Margins: Between Reconstruction and the New Deal*, Carol Nackenoff and Julie Nokov, eds. (Philadelphia: University of Pennsylvania Press, 2014), 118-139; Bernard Oreste Unti, *The Quality of Mercy: Organized Animal Protection in the United States, 1866-1930*, (Ph.D. diss., American University, 2002); Benard Oreste Unti, *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington, D.C. Humane Society of the United States, 2004); Jeff Welty, “Humane Slaughter Laws,” *Law and Contemporary Problems* 70:175 (Winter 2007): 175-206.

be better understood through a close examination of the legislative fight to guarantee that farmed animals receive a humane death.

Few scholars have acknowledged the connection between humane slaughter and the United States' Cold War efforts to portray itself as a benevolent, religiously tolerant, and scientifically progressive nation. Placing the fight for humane slaughter legislation within the context of the Cold War battles for global leadership and moral authority situates the human-animal relationship near the center of that conversation.¹⁷ It also reveals another facet of the nation's concerns about its global reputation in the larger geopolitical arena. As Americans were actively trying to promote themselves as a humane nation, they were forced to confront the realities of their own country's treatment towards food animals, leading many Americans to embrace the campaign for slaughterhouse reform.¹⁸

By examining the passage of the Humane Slaughter Act within the Cold War context, this dissertation reveals a lesser-known feature of the Cold War's influence on domestic policies. While scholars have dedicated vast amounts of attention to the economic and social impacts of the Cold War, few have examined how it affected human relationships with food animals.¹⁹

¹⁷ For more on the United States' global role and reputation during the Cold War, see Thomas Borstelmann, *The Cold War and the Color Line* (Cambridge: Harvard University Press, 2001); Mark Philip Bradley, *The World Reimagined: Americans and Human Rights in the Twentieth Century* (New York: Cambridge University Press, 2016); Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy: Politics and Society in Twentieth Century America* (Princeton: Princeton University Press, 2000); Odd Arne Westad, *The Global War* (Cambridge: Cambridge University Press, 2007).

¹⁸ Janet M. Davis, *The Gospel of Kindness: Animal Welfare and the Making of Modern America* (New York City: Oxford University Press, 2016).

¹⁹ See Eric Arnesen, "Civil Rights and the Cold War at Home: Postwar Activism, Anticommunism, and the Decline of the Left," *American Communist History* 1, no. 1 (2012): 5-44; Robert Cherny, William Issel, and Kiernan Walsh Taylor, eds., *American Labor and the Cold War: Grassroots Politics and Postwar Political Culture* (New Brunswick: Rutgers University Press, 2004); Alison J. Clarke, *Tupperware: The Promise of Plastic in 1950s America* (Washington D.C.: Smithsonian Institution Press, 1999); Gary Gerstle, *American Crucible: Race and Nations in the Twentieth Century* (Princeton: Princeton University Press, 2001); Andrew Hartman, *Education and the Cold War: The Battle for the American School* (New York: Palgrave Macmillan, 2011); Jonathan P. Herog, *The Spiritual-Industrial Complex: America's Religious Battle Against Communism in the Early Cold War* (New York: Oxford University Press, 2011); Stanley I. Kutler, *The American Inquisition: Justice and Injustice in the Cold War* (New York: Farrar Straus & Giroux Inc., 1982); Lary May, ed., *Recasting America: Culture and Politics in the Age of the Cold War* (Chicago: University of Chicago Press, 1989); William M. McClenahan, Jr. and William H. Becker,

Further, the Humane Slaughter Act and its extension of federal protections to farmed animals during slaughter challenges the notion of the 1950s as a legislatively conservative era and is significant to understanding the ethical framing of American relationships to animals during this period.²⁰

This dissertation also highlights the role of individual animal welfare activists, meatpacking industry representatives, Jewish religious leaders, and members of Congress who dedicated their time to the fight for (and against) the passage of humane slaughter legislation. It also shows the role that a broad cross-section of the American public and citizen activists, not just interest groups, had in advocating for congressional action. This emphasis demonstrates the impact of individual actors and the public upon the larger legislative process.²¹ It also illustrates varying perspectives on the role of Congress and the federal government during the 1950s.

Chapter one, “‘Unnecessary Cruelty’: Early Animal Welfare and the Impetus for Federal Legislative Action,” introduces readers to the process of farmed animal slaughter and the practices animal welfare advocates viewed as cruel and outdated. It also highlights specific

Eisenhower and the Cold War Economy (Baltimore: Johns Hopkins University Press, 2011); Ruth Oldenziel and Karin Zachmann, *Cold War Kitchen: Americanization, Technology, and European User* (Cambridge: MIT Press, 2009); Naomi Oreskes and John Krige, *Science and Technology in the Global Cold War.* (Cambridge: MIT Press, 2014); Ellen Schrecker, *Many Are The Crimes: McCarthyism in America* (Princeton: Princeton University Press, 1998); Stephen J. Whitfield, *The Culture of the Cold War*, 2nd ed. (Baltimore: Johns Hopkins University Press, 1996).

²⁰ As Jennifer A. Delton explains, the 1950s were actually a time of government expansion, whether through increased taxes, wealth distribution, industry regulation, and public works projects—thus continuing the New Deal agenda. Jennifer A. Delton, *Rethinking the 1950s: How Anticommunism and the Cold War Made America Liberal* (New York: Cambridge University Press, 2013). See Eric Arnesen, “Civil Rights and the Cold War at Home: Postwar Activism, Anticommunism, and the Decline of the Left,” *American Communist History* 1, no. 1 (2012): 5-44; H. W. Brands, *The Strange Death of American Liberalism* (New Haven: Yale University Press, 2001); Donald Critchlow and Nancy MacLean, eds. *Debating the American Conservative Movement, 1945-present* (Landham, MD: Rowman & Littlefield, 2009); Kim Phillips-Fein, *Invisible Hands: The Making of the Conservative Movements from the New Deal to Reagan* (New York: N. W. Norton, 2009); Paul Edward Gottfried, *Conservatism in America: Making Sense of the American Right* (New York: Palgrave, 2009).

²¹ During the 1950s, interest groups typically dominated politics, leaving little room for the public to influence policy. However, during the fight for humane slaughter legislation, the public drove reform. See V. O. Key, Jr., *Public Opinion and American Democracy* (New York: Alfred A. Knopf, 1964); Charles E. Lindholm, “Political Science in the 1940s and 1950s,” *Daedalus* 126, no. 1 (Winter 1997): 225-252.

leaders who led the fight for humane slaughter legislation, and features the innovations designed by progressive companies that developed improved slaughter devices.²² This chapter engages with the histories of activism, business, and technology and contextualizes humane slaughter activism within our understanding of the industrial growth occurring all over the nation, particularly within the meatpacking industry during a time of increased meat production and consumption.²³ The innovation of more humane slaughter practices by a few meatpacking companies, and the lack of industry-wide adoption of the new methods, ultimately prompted animal welfare organizations to reconsider their decades-old strategy of working with industry and encouraging voluntary adoption. By the mid-1950s animal welfare organizations had grown frustrated with recalcitrant business leaders and resolved to instead call for federal action.

Following the technological innovations by packers such as Geo. A. Hormel & Company, Seitz Packing Company, and Oscar Mayer & Company, meatpackers could no longer argue that more humane devices did not exist, nor could they continue to promise that once new methods were developed, they would implement them in their facilities (arguments they had previously relied upon to avoid updating their facilities). Therefore, the burgeoning availability of technological

²² In *Green Capitalism*, scholars examine the emergence of green capitalism, or “eco-capitalism.” Influenced by the rise of 1970s-environmentalism, large corporations began adopting “green” business models. Their motives for doing so varied—some companies saw the economic advantage, while others succumbed to the pressure from environmental organizations. This chapter joins that conversation; however, it demonstrates that this movement toward “eco-capitalism” was not novel to the 1970s, and that some corporations within the meat industry, motivated by profit and worker-safety, adopted humane methods early on. Hartmut Berghoff and Adam Rome, eds., *Green Capitalism?: Business and the Environment in the Twentieth Century* (Philadelphia: University of Pennsylvania, 2017).

²³ For more on the industrialization of agriculture, see Deborah Fitzgerald, *Every Factory A Farm: The Industrial Ideal in American Agriculture* (New Haven: Yale University Press, 2003); Monica Gisolfi, *The Takeover: Chicken Farming and the Roots of American Agribusiness* (Athens: University of Georgia, 2017). For readings in Science, Technology, and Society, or STS, see Wiebe Bijker, Thomas P. Hughes, and Trevor Pinch, *The Social Construction of Technological Systems* (Cambridge: MIT, 1987); Edmund Russell et al., “The Nature of Power: Synthesizing the History of Technology and Environmental History,” *Technology and Culture* 52 (2011): 246-259; John Staudenmaier, S. J. “Rationality, Agency, Contingency: Recent Trends in the History of Technology,” *Reviews in American History* 30 (2002): 168-181; Jeffrey K. Stine and Joel A. Tarr, “Technology and the Environment: The Historian’s Challenge,” *Technology and Culture* 39 (1998): 601-640.

innovations in humane slaughter—and notably, the industry’s reluctance to embrace them—led to a nationwide wave of attention to the practices within the meatpacking industry and, eventually, federal regulation.²⁴

Chapter two, “‘NOW YOU HOLD THE KEY’: Emboldening Kitchen-Table Activism and Urging the Nation to a Moral Standard,” embeds the history of social activism and consumer culture into animal welfare organizations’ mass letter-writing and educational campaigns and their larger efforts to convince the public, meatpacking industry executives, and members of Congress of the need for compulsory humane slaughter legislation.²⁵ Animal welfare leaders found success in these campaigns by alerting the public to the horrors of the slaughterhouse through print media. The materials overwhelmed readers with graphic images of inhumanely slaughtered farmed animals.

This chapter argues that through these explicit materials, animal welfare organizations challenged the idea of the United States as a righteous global leader by comparing it with other nations with humane slaughter laws. As a result, humane organizations revealed to Americans that the nation was not superior to other nations in its treatment of animals. By situating the U.S. as holding onto barbaric and immoral slaughterhouse practices, humane leaders inspired citizen activism, which proved instrumental to the passage of the 1958 Humane Slaughter Act.²⁶ The

²⁴ James Salzman and Barton H. Thompson, Jr., *Environmental Law and Policy*, 4th ed. (St. Paul, MN: Foundation Press, 2003), 137.

²⁵ For more on consume culture following World War II, see Lizabeth Cohen, *A Consumers’ Republic: The Politics of Mass Consumption in Postwar America* (New York: Vintage Books, 2004); Sheldon Garon and Patricia MacLachlan, eds., “The Consumers Republic: An American Model for the World after 1945,” in *The Ambivalent Consumer: Questioning Consumption in East Asia and the West* (Ithaca: Cornell University Press, 2006); Shelley Nickles, “More Is Better: Mass Consumption, Gender, and Class Identity in Postwar America,” *American Quarterly* 54, no. 4 (Dec. 2002), 581-622.

²⁶ Americans’ fear of losing the country’s role and reputation as a global leader not only guaranteed federal protections for farmed animals during 1950s. We can observe similar arguments being used for other reform movements simultaneously—especially among the emerging civil rights movement. By threatening the position of the United States in the world, racial tensions and the oppression of Black Americans led the Supreme Court to rule the segregation of public schools unconstitutional in *Brown v. Board of Education of Topeka* in 1954. In 1957, with an eye to the nation’s global reputation, Congress passed the Civil Rights Act. And while animal welfare advocates

Cold War context of this moral campaign resonated with lawmakers and with citizens who sought to solidify U.S. global leadership.²⁷

Chapter three, “‘Roadblocks to Progress’: The Meat-Packing Industry’s Efforts to Cast Doubt on Humane Slaughter and Delay Regulation,” examines industry’s reluctance to adopt humane slaughter devices and the rhetorical framework of their opposition to the animal welfare societies and congressional legislation. A disdain for federal regulation lay at the center of their opposition, and industry leaders and representatives used a variety of common tactics used by industries to delay or halt legislative action. Their approaches relied upon attempts to sow uncertainty about the humaneness, efficiency, and economic feasibility of newly developed humane slaughter devices. Industry also built upon their existing alliances with federal agencies to persuade government officials to support the meatpacking industry’s interests.²⁸ This chapter demonstrates how meatpacking industry representatives shaped legislation by emphasizing the

did not draw direct connections to racial relations and politics throughout their campaign, it is clear that both calls for reform utilized similar arguments about the nation’s struggle to maintain its global superiority. For more on racial reform following World War II and concerns about the U.S.’ superiority in light of its racial relations and politics, see Thomas Borstelmann, *The Cold War and the Color Line: American Race Relations in the Global Arena* (Cambridge: Harvard University Press, 2001) and Gary Gerstle, *American Crucible: Race and Nation in the Twentieth Century* (Princeton: Princeton University Press, 2001). For more on the United States’ reputation during the Cold War, see Mark Philip Bradley, *The World Reimagined: Americans and Human Rights in the Twentieth Century* (New York: Cambridge University Press, 2016); Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy: Politics and Society in Twentieth Century America* (Princeton: Princeton University Press, 2000); Odd Arne Westad, *The Global War* (Cambridge: Cambridge University Press, 2007).

²⁷ See George C. Herring, *From Colony to Superpower: U. S. Foreign Relations Since 1776* (New York: Oxford University Press, 2011).

²⁸ By forming alliances with federal agencies, including the United States Department of Agriculture, and to a lesser extent, the Department of Defense (who wanted to maintain autonomy over executive decision making), the meat industry practiced a type of “agency capturing” in which they influenced federal agencies to support their corporate interests. Agency capture occurs when federal agencies side with special or corporate interests that serve themselves and industry, rather than the public’s interest. This compromises their responsibility to serve citizens and uphold the democratic process. The meatpacking lobby accomplished this through close relationships between key lobbyists, such as Aled P. Davies and the Secretary of Agriculture, Ezra Taft Benson. We can view similar instances of agency capture throughout the histories of chemical and plastic regulations. See Nancy Langston, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2010) and Gerald Markowitz and David Rosner, *Deceit and Denial: The Deadly Politics of Industrial Pollution* (Berkeley: University of California Press, 2002). For more on agency capture, see Senate Subcommittee on Administrative Oversight and the Courts of the Committee on the Judiciary, *Hearing* 111-905, 111th Congress, 2nd Session, August 3, 2010, <https://www.govinfo.gov/content/pkg/CHRG-111shrg64724/html/CHRG-111shrg64724.htm> (accessed March 2, 2021).

idea of uncertainty and places the fight for humane slaughter legislation into conversation with other industries' efforts to avoid federal regulation.²⁹ The meatpacking lobby did so by stressing that more research on the new methods was needed before the devices could be installed in slaughterhouses across the country, and argued that the costs of the improved technologies were unattainable for most packers due to the expenses involved in purchasing and installing the equipment. They also argued that compulsory humane slaughter legislation would negatively affect small packers and the agricultural industry overall. These efforts allowed the meatpacking industry to create a roadblock to progress and to legislation.³⁰

Chapter four, “‘The Kosher Problem’: Navigating Jewish Cultural and Religious Politics,” analyzes Haredi Orthodox Jewish activism in the context of the postwar battle for humane slaughter legislation. It centers around how Haredi rabbis framed their arguments against legislation which they feared would restrict their religious slaughtering practice, shechita, and create an anti-Semitic backlash.³¹ This chapter also examines how intra-Jewish politics

²⁹ On scientific uncertainty and the use of scientific uncertainty to delay regulation, see Allan M. Brandt, *The Cigarette Century: The Rise, Fall, and Deadly Persistence of the Product that Defined America* (New York: Basic Books, 2007); Nancy Langston, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2010); Gerald Markowitz and David Rosner, *Deceit and Denial: The Deadly Politics of Industrial Pollution* (Berkeley: University of California Press, 2002); Naomi Oreskes and Erik M. Conway, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* (New York: Bloomsbury Press, 2010); Robert N. Proctor and Londa Schiebinger, eds., *Agnology: The Making & Unmaking of Ignorance* (Stanford: Stanford University Press, 2008).

³⁰ On the relationship between business and government, see Kim McQuaid, *Uneasy Partners: Big Business in American Politics, 1945-1990* (Baltimore: Johns Hopkins University Press, 1993).

³¹ For more on Jewish food rituals, see John Cooper, *Eat and Be Satisfied: A Social History of Jewish Food* (Northvale, N.J.: Jason Aronson, 1993); Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010); Roger Horowitz, *Kosher USA: How Coke Became Kosher and Other Tales of Modern Food* (New York: Columbia University Press, 2016); David Kraemer, *Jewish Eating and Identity Through the Ages* (New York: Routledge, 2007); Ted Merwin, *Pastrami on Rye: An Overstuffed History of the Jewish Deli* (New York: New York University Press, 2015); Jordan D. Rosenblum, *Food and Identity in Early Rabbinic Judaism* (New York: Cambridge University Press, 2010); Shmuly Yanklowitz, ed., *Kashrut and Jewish Food Ethics* (Boston: Academic Studies Press, 2019). For more on anti-Semitism in the United States, see Leonard Dinnerstein, *Antisemitism in America* (Oxford: Oxford University Press, 1995); Jeffery S. Gurock, *Orthodox Jews in America* (Bloomington: Indiana University Press, 2009); Robert Michael, *A Concise History of American Antisemitism* (Lanham: Rowman & Littlefield, 2005); Howard M. Sachar, *A History of the Jews in America* (New York: Knopf Doubleday Publishing Group, 2013); Barry Trachtenberg, *The United States and the Nazi Holocaust: Race, Refuge, and Remembrance* (London: Bloomsbury Publishing, 2018); Lee Shai Weissbach, *Jewish Life in Small-Town America: A History*

influenced the legislative process, and how members of Congress reacted to arguments presented by the rabbis.³² This chapter illustrates how legislators and animal welfare advocates failed to understand the rabbis' fears of persecution, and struggled unsuccessfully to alleviate the rabbis' concerns by altering the language of the humane slaughter bills.

This chapter reveals several facets of animal welfare advocacy and the power and place of the humane treatment of farmed animals during this period. Haredi rabbis could not prevent the passage of a humane slaughter bill. They were, however, successful in delaying the bill's passage and guaranteeing that religious slaughter was not only classified as humane under the law, but also that the law protected their pre-slaughter and handling processes and that the law could not be interpreted to restrict their slaughter practices in the future. Therefore, Jewish opposition limited the scope of the legislation and stunted animal welfare advocates' vision for all-encompassing protections for farmed animals during slaughter. This chapter demonstrates

(New Haven: Yale University Press, 2008). For more on Jewish culture in the United States following World War II, see Rachel Kranson, *Ambivalent Embrace: Jewish Upward Mobility in Postwar America* (Chapel Hill: UNC Press Books, 2017); Jenna Weissman Joselit, *The Wonders of America: Reinventing Jewish Culture, 1800-1950* (New York: Hill and Wang, 1994); Jonathan D. Sarna, *American Judaism: A History* (New Haven: Yale University Press, 2004). For more on Orthodox Jews, see Jenna Weissman *New York's Jewish Jews: The Orthodox Community in the Interwar Years* (Bloomington: Indiana University Press, 1990); Samuel C. Heilman, *Defenders of the Faith: Inside Ultra-Orthodox Jewry* (New York: Schocken Books, 1992).

³² While some scholars have examined Jewish opposition to humane slaughter legislation, they have either limited their analysis to the congressional hearings or the newspaper coverage of the battles for state legislation. While this demonstrates one aspect of Jewish opposition and highlights the experiences of a very small number of Jewish rabbis who feared their beliefs and practices were being threatened, this approach fails to consider intra-Jewish cultural and religious politics, and therefore misses out on an important dimension of humane slaughter legislation. To a lesser extent, some scholars only mention Jewish opposition to humane slaughter legislation in a broad sense, alongside industry opposition, without analyzing their position or differentiating between Jewish branches, of which shared different beliefs on legislation. This chapter provides a novel perspective by examining intra-Jewish politics, especially the relations between Haredi-Jews and non-Haredi Orthodox, Conservative, and Reform Jews. This approach allows us to better understand the complexities which shaped the legislative process. For brief examinations of Jewish opposition to legislation, see Diane L. Beers, *For the Prevention of Cruelty: The History and Legacy of Animal Rights Activism in the United States* (Athens: Swallow Press/Ohio University Press, 2006); Roger Horowitz, *Kosher USA: How Coke Became Kosher and Other Tales of Modern Food* (New York: Columbia University Press, 2016); Bernard Oreste Unti, *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington, D.C. Humane Society of the United States, 2004).

that the humane treatment of animals in the U.S. was rather easily subsumed under a great variety of pressures—moving well beyond the economic hurdles detailed in chapter three. From the introduction of the first humane slaughter bill, this legislation was constantly under threat by interests perceived to be of more pressing political importance. This explains how a very small group of religious Jews altered the course of humane slaughter legislation, and shows it was not just big economic interests that could interrupt animal welfare reform efforts.

Chapter five, “‘Humane Slaughter’ Wins Through’: The Culmination of Legislative Efforts and the Scaling Up of Congressional Prerogatives,” details the legislation’s final enactment process, reactions to the passage of the bill, its implementation, and its enforcement. It also examines the culmination of the activists’ ambitions, including the motivations that drove the 1978 amendments of the law, the Humane Methods of Slaughter Act, which broadened the scope of federal protections for farmed animals during slaughter under the terms of the Federal Meat Inspection Act. This brief look at the 1978 legislation contextualizes the legacy and significance of the 1958 Humane Slaughter Act. The 1978 amendments demonstrate how the 1958 law’s protections for farmed animals during slaughter align with the progression of other federal protections for animals and the environment, which have historically begun with a limited reach by regulating federal activities, and over time, eventually expanding to encompass more sweeping provisions that govern a larger national context.³³

Twenty years after the passage of the Humane Slaughter Act, the issue of farmed animal slaughter regained the attention of concerned Americans and legislators. But in 1978, unlike the

³³ Susan J. Pearson and Kimberly K. Smith, “Developing the Animal Welfare State,” in *Statebuilding from the Margins: Between Reconstruction and the New Deal*, Carol Nackenoff and Julie Nokov, eds. (Philadelphia: University of Pennsylvania Press, 2006), 118-139. Other pieces of animal and environmental legislation mirror this process. It can also be examined in other political contexts, including desegregation, which began in the military and later expanded to all aspects of society. Gary Gerstle, *American Crucible: Race and Nations in the Twentieth Century* (Princeton: Princeton University Press, 2001).

1950s legislative battle, animal welfare leaders did not launch a public mail or educational campaign, nor did they need to convince industry or legislators to support their vision for lessening the suffering for farmed animals during slaughter. Instead, the humane technologies existed and mechanisms for federal expansion were already in place. In this sense, the extension of humane slaughter rules in 1978 was simply a larger product of the efforts put forth by the 1950s activists who fought to modernize slaughter practices and expand the role of the federal government to include protecting farmed animals during slaughter. At the end of the Environmental Decade, the impacts of the 1958 Humane Slaughter Act manifested even more fully, not only guaranteeing that billions of farmed animals received a painless death each year but having served as a steppingstone for the 1978 federal protections and a further means of improving the human-farmed animal relationship.

The fight for humane slaughter legislation represents more than a moment in history where Americans were forced to confront their relationship with food animals. It also reveals the role of citizen activism in shaping legislation during the post-war period and how Americans looked to Congress when they could no longer trust industry to do what they believed to be right. It also shows how negotiations between the federal government and industry over the future of the economy and ethical business practices were in flux and demonstrates how the nation-state expanded as calls for government action grew to include not only increased human rights, but also the rights of non-human animals during the Cold War.

Chapter 1: “Unnecessary Cruelty”: Early Animal Welfare and Industry Efforts to Modernize Farmed Animal Slaughter Methods and the Impetus for Federal Legislative Action

If you have ever seen a hog jerked off its feet, screaming and dangling by one leg as it goes over the huge wheel to the sticker who thrusts a knife into its throat and leaves it hanging to bleed to death, or if you have seen a helpless lamb or calf treated in this manner, I feel sure that you will support a law to require the use of the practical humane methods which eliminate this unnecessary cruelty.³⁴

During the 1950s, the growing awareness of brutal methods in the nation’s slaughterhouses made the current state of meat production increasingly unacceptable among Americans. Seizing upon growing public awareness of practices that they characterized as barbaric and immoral, animal welfare organizations wove together new partnerships and set in motion a plan to modernize slaughter practices and halt what they saw as “unnecessary cruelty.” This cruelty was ubiquitous in slaughterhouses across the country and resulted from the outdated methods used to render an animal unconscious prior to shackling and hoisting—a necessary step before livestock met their ultimate death. The problem was magnified by the growing scale of meat production and consumption in the affluent postwar era.

Over the decades, slaughterhouses had scaled up from the first industrial facilities of the 1840s, when Cincinnati meatpackers began to mechanize hog production. In these early plants, packers hung dead hogs from a horizontal wheel while eight workers prepared the animal for butchering. Butcherers then moved the hogs to a “disassembly line” on which each laborer held a specific role in butchering the hog. Through this “human-chopping machine,” workers disassembled each hog in thirty-five seconds.³⁵ From the butchering floor, workers then prepared the hogs for packing and transportation. But these processes were removed from the public eye

³⁴ Christine Stevens, letter to a newspaper editor, June 12, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁵ William Cronon, *Nature’s Metropolis: Chicago and the Great West* (New York: W.W. Norton, 1991), 228-229.

during the late 1800s, and as the scale of meat consumption grew steadily and slaughterhouses grew ever larger, the problems continued to be magnified on the margins.

This alienation of Americans from food processing was facilitated by nuisance cases in the mid-nineteenth century. In nineteenth-century America, slaughterhouses were often located in the hearts of major cities, and thousands of livestock were driven through the main streets daily. Panicked, hungry, and filthy, these animals had become a part of the urban environment. But their presence, along with their ultimate destination—the slaughterhouse—became increasingly problematic to the growing cities. New sanitary laws enacted in cities such as New York, Chicago, and Philadelphia, required meat processors to relocate their facilities to decrease air and water pollution and reduce the stench produced from the livestock yards, slaughterhouses, and rendering plants.³⁶ These anti-pollution measures drove meat processors from urban areas.³⁷ Later, in the last quarter of the nineteenth century, vertically integrated meat processing industries and a rapid-fire series of innovations in refrigeration and packaging meant that people no longer had much cause to associate their meals with the death of an animal. Over time, bolstered by growing urbanization, a rising demand for meat, and new ways to store and transport the product, packers transformed their businesses into large operations that cumulatively employed hundreds of thousands of workers who could kill millions of animals per day.³⁸

³⁶ James E. Sherow and James P. Ronda, *The Chisholm Trail: Joseph McCoy's Great Gamble* (Norman: University Oklahoma Press, 2018), 15-17; Ernest Freeberg, *A Traitor to His Species: Henry Bergh and the Birth of the Animal Rights Movement* (New York: Basic Books, 2020). For more on anti-pollution laws and nineteenth-century nuisance laws, see Christine Meisner Rosen, "Business Leadership in the Movement to Regulate Industrial Air Pollution in Late-Nineteenth and Early Twentieth-Century America," in *Green Capitalism?: Business and the Environment in the Twentieth Century*, Hartmut Berghoff and Adam Rome, eds. (Philadelphia: University of Pennsylvania Press, 2017), 53-76.

³⁷ For more on livestock in urban areas, see Andrew A. Robichaud, *Animal City: The Domestication of America* (Cambridge: Harvard University Press, 2019).

³⁸ For more on refrigeration and the meatpacking industry, see Susanne Freidberg, *Fresh: A Perishable History* (Cambridge: The Belknap Press of Harvard University Press, 2009). Increased mechanization was not unique to the

Modern innovations in meat processing did not translate to improvements in the treatment of animals in slaughterhouse facilities. Throughout the first half of the twentieth century, slaughtering methods remained almost exactly the same as they had in 1900. One of the most common methods for slaughtering cattle, sheep, and lambs involved a worker striking the animal on the head with a poleaxe. This sharp piece of metal, weighing 5-6 pounds, had to be wielded repeatedly over the course of an eight- or ten-hour shift—a physically demanding act. If a worker was not effective or careful, knocking out the animal could take ten or more blows, often crushing the eyes, nose, and mouth before penetrating the skull, and the violence had only begun. Slaughterers then shackled the animals by one hind leg and hoisted them onto a line and cut their carotid artery so that the animal would bleed to death.³⁹ While using a hammer or a poleaxe was common for downing cattle, lambs, and sheep, pigs involved a different—albeit still dangerous and terrifying—process. Slaughtering pigs required driving the animals into a pen, shackling one hind leg, and then dragging the animals to the sticking area where the workers hoisted them onto a mechanical pulley. While hoisted, the slaughterers cut the pigs’ jugular veins and left the carcasses hanging to bleed to death. The pulley then dropped the hogs into boiling hot water to remove their hair. Slaughterers dropped live and even conscious hogs into the scolding tanks frequently. The cruelty that occurred in slaughterhouses, however, was a low priority for an industry built upon the goal of facilitating increased meat consumption nationwide.⁴⁰

meatpacking sector. During the twentieth, the whole agricultural industry experienced rapid growth and industrialization, facilitated by new technologies, science, and the availability of credit. See Deborah Fitzgerald, *Every Factory a Farm: The Industrial Ideal in American Agriculture* (New Haven: Yale University Press, 2003).

³⁹ Jeff Welty, “Humane Slaughter Laws,” *Law and Contemporary Problems* 70:175 (Winter 2007): 176.

⁴⁰ “Facts About Humane Slaughter,” Society for Animal Protective Legislation, Central Files, General File, GF, 1952-1953, Box 1254, Eisenhower Presidential Library, Abilene, KS.

By 1935, the national average of beef, pork, chicken, and poultry consumption was around 117 pounds per capita.⁴¹ During U.S. involvement in World War II (1941-1945) red meat was rationed to meet the demands of war. But with the return of peacetime conditions in 1946, meat consumption rose significantly. “The postwar boom,” according to historian Roger Horowitz, “could be measured by bacon in the morning, processed meats for lunch, and steaks, pork chops, and roast chicken for dinner.”⁴² Meat was again rationed during the Korean War (1950-1953), but following the war, meat consumption continued to swell. In 1955, Americans consumed around 160 pounds of meat per capita—a twenty-one percent increase over two decades.⁴³ This increase was a result of more accessible and affordable meat products. The industrialization of the meat industry during World War II and the use of more antibiotics and growth hormones in animals increased agricultural production during this time.⁴⁴ Further, new processing, packaging, and transportation technologies resulted in more-readily available products in self-serve meat departments in supermarkets around the country.⁴⁵

⁴¹ “Historical Statistics of the United States, Colonial Times to 1970, Part 1,” Bicentennial Edition, U.S. Department of Commerce: 329-330. https://fraser.stlouisfed.org/files/docs/publications/histstatus/hstat1970_cen_1975_v1.pdf (accessed March 7, 2021).

⁴² “U.S. Meat Consumption Per Person, 1909-2012,” Earth Policy Institute, www.earth-policy.org/datacenter/xls/highlights25_1.xls (accessed April 13, 2019); Roger Horowitz, *Putting Meat on the American Table: Taste, Technology, Transformation* (Baltimore: The Johns Hopkins University Press, 2006), 15-17.

⁴³ “US Per Capita Meat Consumption 1950-2008,” The Humane Society, <https://www.humanesociety.org/sites/default/files/archive/assets/pdfs/farm/Per-Cap-Cons-Meat-1.pdf> (accessed March 6, 2021).

⁴⁴ See Roger Horowitz, *Putting Meat on the American Table: Taste, Technology, Transformation* (Baltimore: The Johns Hopkins University Press, 2006); Allan M. Brandt, *The Cigarette Century: The Rise, Fall, and Deadly Persistence of the Product that Defined America* (New York: Basic Books, 2007); Nancy Langston, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2010).

⁴⁵ For more on supermarkets in America, see Shane Hamilton, *Supermarket USA: Food and Power in the Cold War Farms Race* (New Haven: Yale University Press, 2018).

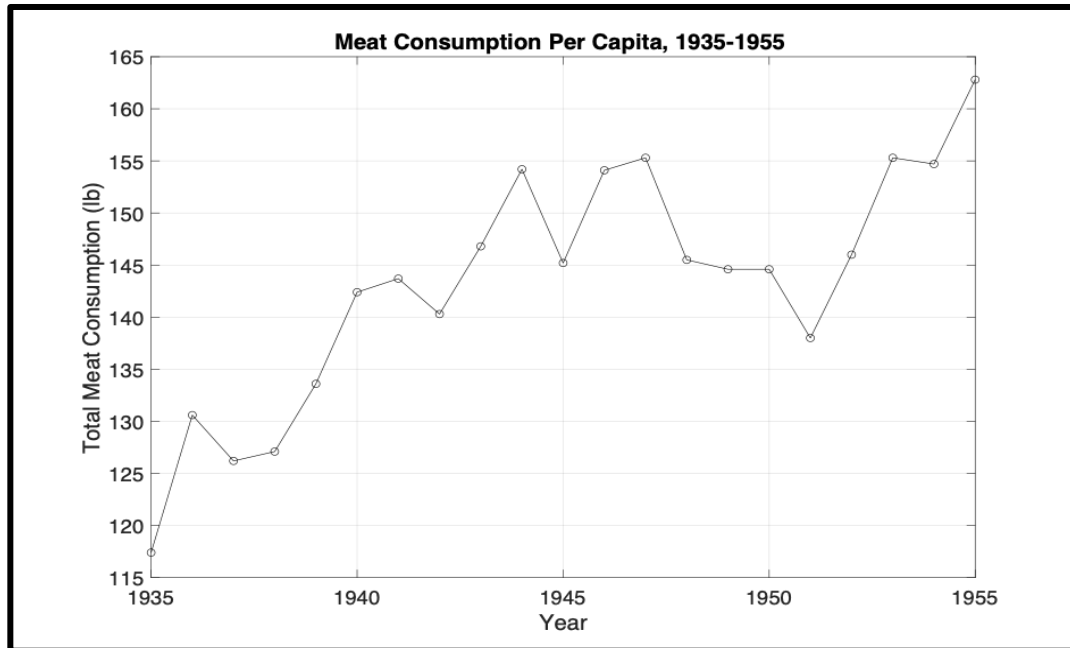


Figure 1: Total beef, pork, and lamb consumption per capita, 1935-1955.
 “Historical Statistics of the United States, Colonial Times to 1970, Part 1,” Bicentennial Edition,
 U.S. Department of Commerce: 329-330.

Rising family incomes also fostered an increase in meat consumption.⁴⁶ In 1955, the average family income was \$4,400 (a six percent increase from the previous year).⁴⁷ Families earning the average income consumed around 787 pounds of meat. Family size, which averaged 3.59 persons, also affected how much meat each household consumed.⁴⁸ Based on 1955 Census data, there were nearly 43 million families in the country; 18 million families earned more than \$5,000, 17.5 million families earned between \$2,000 to \$5,000, and 7.5 million families earned less than \$2,000.⁴⁹ The chart below illustrates the amount of meat consumed per household by

⁴⁶ Roger Horowitz, *Putting Meat on the American Table: Taste, Technology, Transformation* (Baltimore: The Johns Hopkins University Press, 2006), 6.

⁴⁷ “Family Income in the United States: 1955,” United States Census Bureau, April 1958, Report Number p60-24, <https://www.census.gov/library/publications/1957/demo/p60-024.html> (accessed March 6, 2021).

⁴⁸ “Size of U.S. Family Continues to Drop, Census Bureau Says, *The New York Times* (June 2, 1988), <https://www.nytimes.com/1988/06/02/us/size-of-us-family-continues-to-drop-census-bureau-says.html#:~:text=Following%20is%20the%20average%20family,1950%2C%203.54%3B%201940%203.76>. (accessed March 6, 2021).

⁴⁹ “Family Income in the United States: 1955,” United States Census Bureau, April 1958, Report Number p60-24, <https://www.census.gov/library/publications/1957/demo/p60-024.html> (accessed March 6, 2021).

income. The increase in meat consumption, while an indicator of a thriving economy, created new problems (increased animal cruelty, unsafe working conditions in slaughterhouses, and more damaged meat products) that society, specifically the animal welfare organizations and the meatpacking industry, were unprepared to address—making the need for improved slaughter methods more pressing.

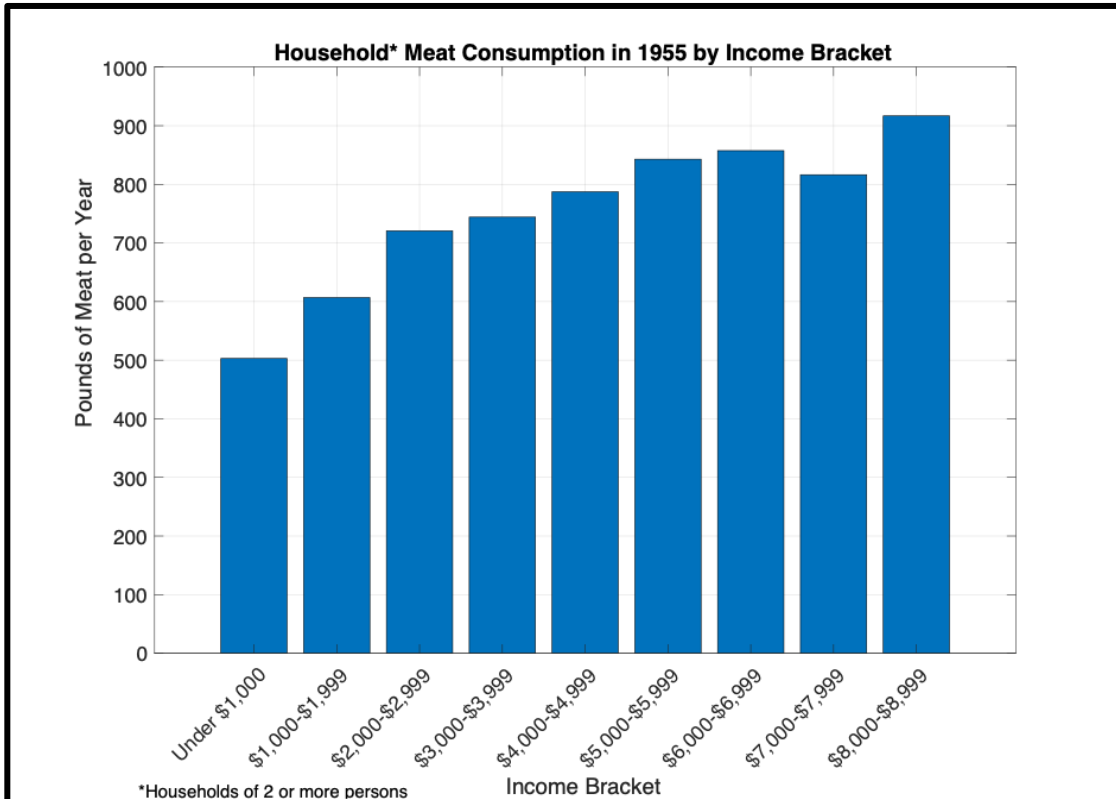


Figure 2: Household Meat Consumption in 1955 by income bracket. The figures on pounds of meat per year is based on weekly consumption between April-June 1955. United States Department of Agriculture, “Household Good Consumption Survey 1955, Report No. 1,” Food Consumption of Households in the United States (Washington, D.C.: U.S. Department of Agriculture, 1955): 19.

While the nation enjoyed more convenient access to meat products, those employed in the slaughterhouses fared less well. The heightened rates of production and consumption resulted in ever-larger numbers of worker accidents and injuries, as well as the mistreatment of the

animals placed in their care.⁵⁰ Improperly slaughtered animals and worker accidents and inefficiencies—whether caused by lack of training, pressure to perform their job quickly, or just carelessness—led to significant economic losses for the packing companies. Further, unions were pressuring packing companies to improve working conditions and implement new safety programs for employees. During the 1950s, over 70,000 of the nation’s roughly 165,000 meatpacking workers were unionized.⁵¹ Nevertheless, the packing firms were slow to experiment in more humane and more safety-oriented methods.

Animal welfare organizations had worked for decades to urge the packing industry to reform their slaughtering methods and to adopt more humane practices, dating back to the late nineteenth century and throughout the early to-mid-twentieth century. During this 80-year period, humane organizations did not lobby Congress nor push for legislative action at the state level. Instead, they often cooperated with the industry by creating joint committees to research and develop humane methods, electing to encourage industry to develop improved practices voluntarily. Some companies, including Oscar Mayer & Co., Geo. A. Hormel & Co., and the Seitz Packing Company, eventually followed through with their promise to do so. However, the

⁵⁰ On the human costs of America’s industrialized meatpacking industry, see Michael J. Broadway and Donald D. Stull, *Slaughterhouse Blues: The Meat and Poultry Industry in North America*, 2nd ed (Belmont, CA: Wadsworth Cengage Learning, 2004, 2013); Deborah Fink, *Cutting into the Meat Packing Line: Workers and Change in the Rural Midwest* (Chapel Hill: University of North Carolina Press, 1998); Eric Schlosser *Fast Food Nation: The Dark Side of the All-American Meal* (Boston: Houghton Mifflin Harcourt, 2001). For non-academic accounts of the treatment of animals in American factory farms, see Daniel Imhoff, ed., *The CAFO Reader: The Tragedy of Industrial Animal Factories* (Watershed Media, 2010); David Kirby, *Animal Factory: The Looming Threat of Industrial Pig, Dairy, and Poultry Farms to Humans and the Environment* (New York: St. Martin’s Griffin, 2010); Erik Marcus, *Meat Market: Animals, Ethics, & Money* (Boston: Brio Press, 2005).

⁵¹ Roger Horowitz, “The Decline of Unionism in America’s Meatpacking Industry,” *Social Policy* 32. No. 3 (2002): 32. During the 1940s, the “Big Four,” Armour, Swift, Cudahy, and Morrel had master agreements with the United Packinghouse Workers of America, Amalgamated Meat Cutters and Butcher Workman of North America, and the National Brotherhood of Packinghouse Workers of America. These companies employed more than half of the industry. Prior to the 1940s, employee-employer negotiations were made on a plant-by-plant basis. Union benefits included accidental death insurance and weekly accident benefits, as well as hospitalization, surgical, and other medical coverage. U. S. Department of Labor, “Collective Bargaining in the Meat-Packing Industry,” *Bulletin No. 1063*, 1952: 5-6, 10. For more on slaughterhouses and unions, see, Amy J. Fitzgerald, “A Social History of the Slaughterhouses: From Inception to Contemporary Implications,” *Human Ecology Review* 17, no. 1 (2010): 58-69.

desire to overcome monetary losses and improve working conditions on the killing floor drove their innovations, not concerns about animal suffering. Nonetheless, their technological innovations, coupled with packers failure to adopt the improved slaughter methods voluntarily facilitated animal welfare organizations' demand for legislation and resulted in the ultimate regulation of the slaughtering process.⁵²

The majority of packers did not adopt the improved techniques for humane slaughter for several reasons. While some companies could not afford the costly facility renovations and equipment installation, others believed their existing practices were humane enough, and therefore they were uninterested in the methods altogether, or they had concerns about the promises of efficiency surrounding the new techniques. Ultimately, the lack of industry-wide adoption frustrated animal welfare organizations and led them to experiment with new strategies for persuading companies to adopt these practices. In an attempt to force the industry to use the improved methods of slaughter, animal welfare organizations finally turned to the federal government to create an incentive for industry reform. Leading the charge was Christine Stevens, who became a central figure in the fight for humane slaughter legislation.

Christine Gesell Stevens, the founder of the Animal Welfare Institute (AWI) and secretary-treasurer of the Society for Animal Protective Legislation (SAPL), an offshoot

⁵² This sequence of technology leading to legislation differs from other calls for reforms dependent on technological innovations, and because there were few demands for federal intervention in the early animal rights movement, it is useful to examine the fight for humane slaughter alongside the environmental movement and major environmental policies, such as the battle for clean air in 1970. The Clean Air Act utilized technology-forcing through regulatory pressures from Congress and the Environmental Protection Agency. To decrease and control air pollutants such as car emissions, legislative action aimed to produce technological inventions that would allow companies to meet the emission standards under the law. Therefore, when comparing the two reform movements, existing technologies (and concerns about the suffering of farmed animals) drove demands for legislation for one, while legislation (and concerns about human health), drove technological innovation in the other. Further, the Humane Slaughter Act, unlike the 1970 Clean Air Act, requires the use of specific technologies, rather than a set of standards which companies must meet. James Salzman and Barton H. Thompson, Jr., *Environmental Law and Policy*, 4th ed. (St. Paul, MN: Foundation Press, 2003).

organization of the AWI, was born in St. Louis, Missouri on March 10, 1918. Her father, Dr. Robert Gesell was later a physiology professor at the University of Michigan. His research focused on the humane treatment of laboratory animals. Gesell's research and compassion influenced his daughter's beliefs on the proper treatment of animals. Stevens also attended the University of Michigan. In 1938, she married Roger Lacey Stevens, a wealthy real estate mogul, theater producer, and philanthropist. In 1951, Roger Stevens, along with two others, purchased the Empire State Building in New York City, where Christine Stevens established the AWI in a rent-free office that same year. Stevens' reform efforts focused on laboratory animals used for research, but she soon broadened her focus to include farmed animal welfare. Between 1952 and 1954, she spent her time researching farmed animal slaughter methods in the U.S. and learning more about other countries' slaughter methods and laws.⁵³

Stevens and her team experimented with a wide variety of tactics before arguing for legislation. Initially she formed relationships with major packers, such as Hormel, and researched and visited other countries' slaughterhouses to help inform the industry of improved slaughter methods. In late 1954, Stevens told filmmaker Arthur Redman that she believed "everyone interested in animal welfare should work together to effect a reform in slaughtering practices in this country."⁵⁴ And while she believed this to be true, Stevens' main objective was always to prevent farmed animals from suffering during slaughter. With humane devices available yet few packers investing in updating their plants to integrate them into the process of

⁵³ "Christine Stevens, 84, a Friend to the Animals," *The New York Times*, October 15, 2002, <https://www.nytimes.com/2002/10/15/us/christine-stevens-84-a-friend-to-the-animals.html> (accessed February 7, 2021).

⁵⁴ Christine Stevens to Arthur Redman, November 23, 1954, Box 1.20, Folder 4, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

slaughter, animal welfare organizations could no longer hold on to hope for voluntary implementation.

In response to the well-placed activists' calls for legislation, sympathetic Congress members introduced several humane slaughter bills over the next four years. Therefore, the evidence of innovation of improved slaughter methods by forward-thinking companies, such as Oscar Mayer, Hormel, and Seitz, and the industry's overwhelming reluctance to use the newly developed devices, motivated animal welfare leaders to move further, and seek legislative action to require packers around the nation to adopt humane slaughtering practices.

Hormel acknowledged the effect of its invention on the industry. In a 1958 Hormel memo to its managers and salesmen stated, "There is no doubt that the development of this process by us prompted people interested in humane societies to seek legislation requiring more humane methods of slaughter."⁵⁵ However, to understand why animal welfare organizations felt it necessary to pressure industry to develop and create improved methods of slaughter, and then turn to Congress for legislative action, we must first examine animal welfare leaders' early efforts to reform slaughtering practices and what they viewed as both inhumane (to humans and non-human animals) and unproductive to a productive and economically efficient industry.

Appeals for Improved Slaughter Methods and Voluntary Reform

Founded in 1866 by Henry Bergh, the American Society for the Prevention of Cruelty to Animals (ASPCA) first brought the issue of inhumane slaughtering practices to national attention beginning in 1868.⁵⁶ Bergh, along with other ASPCA officials, spent a considerable amount of

⁵⁵ Geo. A. Hormel & Co. memo to all Hormel Managers & Salesmen, Austin, Minnesota, September 24, 1958. Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁵⁶ Susan J. Pearson, "The Cow and the Plow": Animal Suffering, Human Guilt, and the Crime of Cruelty," in "Toward A Critique of Guilt: Perspectives From Law and The Humanities," *Studies in Law, Politics, and Society* 36

time monitoring New York abattoirs in which they witnessed animals with ulcerated flesh and “men kicking, clubbing, and setting dogs upon animals in order to move them through the killing line.” However, the organization could not elicit overall support for the modification of common slaughtering methods. They then shifted their focus to more widespread interests, such as the effect of public slaughtering on children and the plight of the farmed animal in transit.⁵⁷

During the late nineteenth century, upon arrival at the stockyards and slaughterhouses, many farmed animals were visibly exhausted, had broken legs, or had already died. In response, humane organizations, including the ASPCA, along with municipal reformers, turned to Congress to address what they saw as animal cruelty during the transportation process. Congress was reluctant to respond. However, the mistreatment of the livestock was not the only issue at hand. Ranchers were also becoming aware of the health of their animals after enduring often several days in transit, which resulted in economics losses for the wealthy investors who often ran large cattle ranches, and whose understanding of the damages to their products led them to speak out in favor of enacting regulations governing animal transportation. Injured and diseased

(2005): 77-1010. For information on animals and animal husbandry in early America, see James C. Bonner, "The Open Range Live- stock Industry in Colonial Georgia," *Georgia Review* 17 (1963): 85-92; Howard M. Chapin, *Dogs in Early New England* (Providence, R.I., 1920); Lewis Cecil Gray, *Agriculture in the Southern United States* (Washington: Carnegie Institution, 1933); Calvin Martin, *Keepers of the Game: Indian-Animal Relationships and the Fur Trade* (Berkeley: University of California Press, 1978). John Soloman Otto, "The Origins of Cattle-Ranching in Colonial South Carolina, 1670-1715," *South Carolina Historical Magazine* 87 (1968): 117-124 and "Traditional Cattle-Herding Practices in Southern Florida," *Journal of American Folklore*, 97 (1984): 291-309.

⁵⁷ Bernard Oreste Unti, *The Quality of Mercy: Organized Animal Protection in the United States, 1866-1930*, (Ph.D. diss., American University, 2002), 114-117; Ernest Freeberg, *A Traitor to Hist Species: Henry Bergh and the Birth of the Animal Rights Movement* (New York: Basic Books, 2020), 141-144. For more on the establishment of the ASPCA, the origins of animal welfare sentiment, and animal welfare efforts and law prior to World War II, see Janet M. Davis, *The Gospel of Kindness: Animal Welfare & the Making of Modern America* (Oxford: Oxford University Press, 2016); Marion S. Lane and Stephen Zawistowski, *Heritage of Care: The American Society for the Prevention of Cruelty to Animals* (Westport: Greenwood Publishing Group, 2008); and Susan J. Pearson and Kimberly K. Smith, "Developing the Animal Welfare State," in *Statebuilding from the Margins: Between Reconstruction and the New Deal*, Carol Nackenoff and Julie Nokov, eds. (Philadelphia: University of Pennsylvania Press, 2006), 118-139; and Susan J. Pearson, "The Cow and the Plow: Animal Suffering, Human Guilt, and the Crime of Cruelty," in *Toward a Critique of Guilt: Perspectives From Law and the Humanities*, volume 36, Matthew Anderson, ed. (Amsterdam: Elsevier, 2005), 77- 101.

livestock also posed a threat to consumer health. Taking these economic and health concerns into account, Congress acted, and in 1873 passed the Twenty-Eight Hour Law.⁵⁸

The Twenty-Eight Hour Law was an ineffectual first step, stipulating that when traveling via railroad, shippers must provide livestock with food, water, and a place to rest every twenty-eight hours. Livestock often changed rail lines and were in transit for extended periods, therefore shippers could not adequately track how long an animal had gone without these basic needs. As a result, the law was rarely enforced. Further, companies only violated the law if they intentionally broke it.⁵⁹ In 1906, Congress expanded these provisions and amended the Twenty-Eight Hour law, creating greater enforcement mechanisms, including mandatory stops and inspections, conducted by the USDA's Bureau of Animal Industry, at food, rest, and water stations. Interest in the plight of farmed animals did not gain widespread attention again until the 1920s.⁶⁰

During the 1920s, concerns over inhumane slaughtering practices resurfaced briefly. The American Humane Association (AHA) spearheaded efforts to develop new methods and guidelines for humane slaughtering practices.⁶¹ Spurred by the increase of farmed animal production during the interwar years, the AHA's early efforts entailed encouraging and guiding meat packers to adopt more humane methods of slaughter, and yet did not include a push for federal regulation of slaughtering methods. Instead, major organizations adopted a strategy of

⁵⁸ Ernest Freeberg, *A Traitor to His Species: Henry Bergh and the Birth of the Animal Rights Movement* (New York: Basic Books, 2020), 121-139; James E. Sherow and James P. Ronda, *The Chisholm Trail: Joseph McCoy's Great Gamble* (Norman: University Oklahoma Press, 2018), 27-28.

⁵⁹ Ernest Freeberg, *A Traitor to His Species: Henry Bergh and the Birth of the Animal Rights Movement* (New York: Basic Books, 2020), 121-139.

⁶⁰ Legal Protections for Farm Animals During Transport," Animal Welfare Institute, <https://awionline.org/sites/default/files/uploads/legacy-uploads/documents/FA-LegalProtectionsDuringTransport-081910-1282577406-document-23621.pdf> (last accessed October 28, 2018).

⁶¹ The American Humane Association formed as a unified effort to bring together humane societies around the country. Their mission extends not only to ensuring the welfare of animals, but also children. "History," American Humane, <https://www.americanhumane.org/about-us/history/> (accessed March 1, 2021).

cooperation, and attempted to work closely with the meat packers who were the target of their efforts at reform in order to bring about change.⁶²

In 1929, the AHA partnered with the American Meat Institute's (AMI) newly established Committee for Improved Slaughter Methods to research more economically feasible and humane methods of slaughter. The formation of the committee and the AMI's commitment to this research led the president of the Massachusetts Society for the Prevention of Cruelty to Animals (MSPCA) to announce at an AHA convention in 1929 that the "packers are with us."⁶³ The collaborators focused on the use of electric shock to render the animal unconscious before shackling and slaughtering. Their studies found that the electrical stunning of hogs caused blood vessels to rupture, creating lesions that were indistinguishable from the those caused by hog cholera. Consequently, inspectors could not determine whether the meat was safe for consumption. Similarly, the electrical stunning of cattle resulted in blood clots in the muscles, making the meat aesthetically unpleasing and unable to pass health inspections.⁶⁴ However, the confidence placed in the AMI to research and adopt humane methods persuaded the animal welfare organizations to not push for further action.⁶⁵

⁶² According to historians Susan J. Pearson and Kimberly K. Smith, many leaders of the animal welfare movement believed federal action would abate more stringent state laws and threaten the power of state humane organizations (the Twenty-Eight Hour law being an exception). Examples of successful state-level initiatives included controlling cat, dog, and nuisance animals from urban areas, whether through sponsoring local humane education and organizations or more violent means, such as culling. Pearson and Smith explain that the authority granted to humane societies at the state level allowed the organizations to "wield state power without being associated with partisan interests." Susan J. Pearson and Kimberly K. Smith, "Developing the Animal Welfare State," in *Statebuilding from the Margins: Between Reconstruction and the New Deal*, Carol Nackenoff and Julie Nokov, eds. (Philadelphia: University of Pennsylvania Press, 2006), 137. Also see Diane L. Beers, *For the Prevention of Cruelty: The History and Legacy of Animal Rights Activism in the United States* (Athens: Swallow Press/Ohio University Press, 2006), 89.

⁶³ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 17.

⁶⁴ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 86.

⁶⁵ Bernard Oreste Unti, *The Quality of Mercy: Organized Animal Protection in the United States, 1866-1930*, (Ph.D. diss., American University, 2002), 113 and Diane L. Beers, *For the Prevention of Cruelty: The History and Legacy of Animal Rights Activism in the United States* (Athens: Swallow Press/Ohio University Press, 2006), 94-95.

Early-twentieth-century interest in humane slaughtering practices waned as the AHA and other humane organizations concerned themselves with other animal welfare issues during the 1910s and 1920s, such as controlling the stray and feral dog and cat populations.⁶⁶ Additionally, economic stressors of the 1930s and overseas affairs surrounding the onset of World War II consumed the nation's attention. Given national concerns with meat shortages and the wartime emergency, the issue of humane slaughter sank into the background until after World War II, when it reemerged in the context of the postwar era's dramatic surge in meat consumption and production, shown in Figure 1. This upturn redoubled the attention to issues relating to the slaughter of farmed animals. The increase alarmed animal welfare advocates, and prompted some activists, like Fred Myers and Arthur Redman, to enter the slaughterhouse to investigate the effects of the amplified meat production and consumption themselves.

Fred Myers was a journalist, editor, and newspaper union organizer. He was born in Kansas City, Missouri in 1904. Myers had worked as a reporter for several news outlets, including the *Associated Press*. He then worked as a public relations director and later the executive director for the Russian War Relief (RWR), a humanitarian organization. Following his time with the RWR, Myers worked with several other communist-affiliated organizations.⁶⁷ In 1952, Fred Myers became the editor of the AHA's *National Humane Review*, first published in 1913. Almost immediately upon being hired, Myers began publishing full-page articles in the magazine on the treatment of food animals. At the 1953 annual AHA convention, he proposed the organization sponsor a study to explore the possibility of federal humane slaughter

⁶⁶ Bernard Oreste Unti, *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington, D.C. Humane Society of the United States, 2004), 42.

⁶⁷ "Fred Myers," HumaneWatch.Org, https://humanewatch.org/person/fred_myers/ (accessed March 2, 2021).

legislation. Those in attendance supported the idea, but nothing came of it that year.⁶⁸ In 1954, dissatisfied with the lack of action of the AHA and his belief that the organization was not aggressive enough in their approach to reform, Myers established the Humane Society of the United States (HSUS), originally named the National Humane Society, in 1954.⁶⁹ Arthur Redman, a filmmaker and Seattle-based animal welfare advocate, became one of the first board members of the newly established organization. The more assertive approach of these two activists, especially as promoted by Redman's films, would eventually result in Americans reconciling the consequences of their dietary choices.

Arthur Redman brought the issue of inhumane hog slaughter to the attention of major animal welfare organizations in 1954. On multiple occasions, Redman took his camera into slaughterhouses and began recording. Unmolested and seemingly unnoticed by the employees or plant managers, Redman captured the graphic nature of hog slaughter—ear-piercing squeals and all. In his most widely distributed film, *Hog Slaughter, American Style*, Redman complied footage from the Federal Meat Company in Tacoma, Washington, and sold the film for \$25 a copy. This 15-minute film led animal welfare organizations to investigate the animals' treatment moments before their death. Redman showed his film at the annual AHA convention, and upon seeing the striking footage, magnified by the jarring sounds of the pigs' cries, many attendees,

⁶⁸ Bernard Oreste Unti, *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington, D.C. Humane Society of the United States, 2004), 42.

⁶⁹ The National Humane Society changed its name to the Humane Society of the United States in 1956. For more on the establishment of the Humane Society of the United States, see Patrick B. Parkes and Jacques V. Sichel, *Twenty-Five Years of Growth & Achievement* (Washington, D.C.: The Humane Society of the United States, 1979) and Bernard Unti, *Protecting All Animals: A Fifty-Year History of the Humane Society of the United States* (Washington, D. C.: Humane Society Press, 2004).

already-engaged members of the AHA or other humane societies, ran out of the room before the film concluded.⁷⁰

The documentary evidence of conditions in the Federal Meat Company slaughterhouse proved transformative. Advocates who had been unaware of Myers' proposal to research options for legislative action during his time with the AHA or his articles in the *National Humane Review* almost certainly believed that the mistreatment of animals in the slaughterhouse had ended long ago. Most preferred not to question how their meat had come to the table, choosing to believe that the mistreatment of farmed animals was no longer occurring within the confines of the slaughterhouse. According to Christine Stevens, some Americans might have assumed that Upton Sinclair's 1906 novel, *The Jungle*, led to reforms that brought an end to the horrors of the slaughterhouse.⁷¹ However, the legislation which followed *The Jungle*—the 1906 Pure Food and Drug Act and the 1906 Federal Meat Inspection Act—did not address the welfare of farmed animals or slaughter methods. Instead, these first-generation legislative efforts focused on sanitation concerns and consumer protection. But most animal lovers had settled into complacency about meat production, insulated from the physical realities of food production by refrigerated butcher cases and the increasingly ubiquitous cellophane and Styrofoam packaging.⁷² This near-universal ignorance about the conditions on the slaughterhouse floor made the film even more unsettling.

⁷⁰ Christine Stevens, interview by Diane Beers and Jill Howard Church, March 16, 1999, October 21, 1999, October 22, 1999, November 4, 1999, and November 5, 1999, Box 2, Animal Rights Network Records, MC 00351, Special Collections Research Center, NC State University Libraries, Raleigh, NC.

⁷¹ Upton Sinclair, *The Jungle* (Oxford: Oxford University Press, 2010, 1906). Christine Stevens, interview by Diane Beers and Jill Howard Church, March 16, 1999, October 21, 1999, October 22, 1999, November 4, 1999, and November 5, 1999, Box 2, Animal Rights Network Records, MC 00351, Special Collections Research Center, NC State University Libraries, Raleigh, NC.

⁷² For more on convenient meats, see Roger Horowitz, *Putting Meat on the American Table: Taste, Technology, Transformation* (Baltimore: The Johns Hopkins University Press, 2005).

After multiple screenings of Redman's film, animal welfare organizations, such as the AWI, HSUS, and the AHA, launched individual campaigns for slaughterhouse reform (although there were some unified campaign efforts). To amplify their cause, they reached out to news outlets around the country to publicize the callous treatment of farmed animals during slaughter. The animal welfare leaders made public the inhumane process of meat production, particularly in factories that disposed of cattle and hogs. In turn, slaughterhouses came under increased scrutiny for their quotidian practices.

The emphasis was on the ethics of the production process. These practices were physically exhausting and dangerous for the laborers, and traumatic for the animals. In the early 1950s an inspector for the Bureau of Meat Inspection for the USDA provided additional corroboration to the cruelty reported by the humane associations, as he wrote to several humane societies in order to express his concern about the treatment of farmed animals. He reported seeing live pigs "deliberately dropped into the scalding tub," and explained that the "fellow that drops [animals] into the tub seems to get quite a kick from all the commotion caused when the live animal hits the scalding water."⁷³ Intentional or not, the "fellows" responsible for slaughtering the hogs were too often not immune to their own forms of suffering from workplace accidents.

There were alternatives. Proper slitting, blowing (hitting an animal on the head with a poleaxe), sticking, and bleeding of the animals, when done correctly, could ensure the overall quality of the meat and worker safety.⁷⁴ However, there was no guarantee that a slaughterer

⁷³ "A Letter From a U.S. Government Inspector in a slaughterhouse to The National Humane Society (and to you)," The National Humane Society, Box 1254, Central Files, General File, GF, 1952-1953, Eisenhower Presidential Library, Abilene, KS.

⁷⁴ Roger Horowitz, *Putting Meat on the American Table: Taste, Technology, Transformation* (Baltimore: The Johns Hopkins University Press, 2005). 37.

would perform the job correctly. According to a 1957 report published by the Society for Animal Protective Legislation (SAPL),

On the first blow with the hammer, the knocker felled the first steer, whereupon the other two terrified animals climbed all over the prone body. With all this stumbling and lunging, it took two blows to fell the others. By the time this was done, the first one was coming to and trying to get to his feet. I counted nine additional blows with the hammer before that one went out! Ten to thirteen blows are not uncommon.⁷⁵

Long hours and a perennial lack of adequate training contributed to these continuous errors.

Depending on the size of the plant, knockers might work between a relatively manageable two to three hours a day, two to three days a week, up to an excruciating eight hours a day, every day of the week.⁷⁶ The dangerous and physical nature of the job, swinging heavy tools repeatedly at a panicked and moving target, was magnified by the pressure to meet the needs of the market, and resulted in reoccurring worker accidents, such as being gouged by a conscious hog's sharp hooves.

The labor implications within the walls of the abattoir were no less dire. The employees experienced nearly double the rate of injury of all other U.S. industries combined. In 1955, approximately 21.3 undefined accidents per million man-hours occurred in the packing industry, most of which happened before and during slaughter, while all other general manufacturers equated to 12.1 undefined injuries per million man-hours.⁷⁷ According to the National Safety Council report of 1955, meatpackers sustained a significant number of disabling injuries (7.38

⁷⁵ "Facts About Humane Slaughter," Society for Animal Protective Legislation, Box 1254, Central Files, General File, GF, 1952-1953, Eisenhower Presidential Library, Abilene, KS.

⁷⁶ S Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 171.

⁷⁷ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 74.

per 1 million man-hours) compared to the machinery (6.31), steel (4.16), chemical (3.21), automobile (2.76), and aircraft manufacturing (2.22) industries.⁷⁸

Job-related illnesses were also common among slaughterhouse workers, such as pulmonary diseases caused by dust and airborne pathogens kicked up by panicked hogs.⁷⁹ Activists leading the fight against the use of inhumane slaughter methods also argued that witnessing and perpetrating such cruelty affected a worker's psyche. Christine Stevens reached out to several hospital employees inquiring about the mental health among slaughterhouse workers. In one reply a nurse informed Stevens that there was a "high percentage of insanity" among the workers.⁸⁰ In response, proponents of reforming slaughtering practices argued that accidents and illness, both physical and mental, were less likely to occur when workers rendered the animal insensible before shackling and slaughtering through humane methods. It would also result in fewer economic losses.

Economic factors were no less important to the activists' arguments. The meat packing industry lost millions of dollars per year due to damaged, unsellable meat. A 1955 study by the Animal Husbandry Department of the University of Minnesota estimated that shackling hogs and hoisting them by one hind leg before slaughter cost the industry \$3 million per year because of damages caused by internal bleeding and bruising. The study also found that ninety-seven percent of the "shackled hams [examined] were damaged and the average loss in meat was \$1.50

⁷⁸ "Accident Facts, 1956 Edition," National Safety Council, 1956, 26.

<https://hdl.handle.net/2027/uiug.30112007657833> (accessed November 22, 2020); Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 163.

⁷⁹ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 60.

⁸⁰ Christine Stevens to Ella Halk, August 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

per animal.”⁸¹ But packing-industry representatives and the animal welfare organizations argued over the exact annual loss caused by the pre-slaughter process of hoisting and shackling. While the University of Minnesota reported \$3 million in losses, animal welfare organization officials often quoted numbers provided by the 1955 Livestock Conservation Handbook, which estimated around \$50 million in handling losses. Refuting this amount, the American Meat Institute (AMI) claimed that only around \$200,000 was lost because of bruising during the handling and shackling process, asserting that the remaining losses resulted from other unrelated factors.⁸² By downplaying the economic losses caused by the slaughter process, industry representatives hoped to thwart claims that their methods were unsound financially. But any loss was a blow to their bottom line. To combat economic losses, several progressive packing companies improved the pre-slaughter process by developing alternative practices voluntarily. These newly developed methods also proved to be more humane and safer for slaughterhouse employees.

Progressive Packers and the Development of Improved Slaughter Methods

In 1947, Oscar Mayer & Co. developed a captive-bolt pistol to stun and render cattle unconscious prior to slaughter. Similar in appearance to an ordinary pistol, the captive-bolt pistol discharged a steel bolt into the animal’s skull. The pistol did not have a free bullet, which eliminated potential injury to workers. The captive-bolt pistol cost between \$100 to \$250. The pistol was easy to use and inexpensive. But those who sold cattle hides and brains refused to use the pistol until a similar device that did not penetrate the skin and skull became available. In 1954, the *National Provisioner*, one of the largest meatpacking trade union magazines, featured

⁸¹ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 83.

⁸² Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 170.

an advertisement for the Koch Cash-X Stunning Pistol which claimed to make slaughtering “easier and more profitable.”⁸³



Figure 3: Koch Cash-X Stunning Pistol advertisement featured in the *National Provisioner* on January 2, 1954.

In 1955, the Remington Arms Company, along with the AHA and the MSPCA, developed a new stunning device. The Remington Humane Animal Stunner had a mushroom-shaped head that concussed the animal and rendered it unconscious upon impact. It did not penetrate the animal’s body and therefore preserved the hide and brain. By 1956 this specific device was still in its testing phase. However, like the original captive-bolt pistol, the Remington stunner was light and provided greater accuracy and “less effort and fatigue for the workmen” than previous methods, such as the poleaxe.⁸⁴

Despite the profitability promised by companies like Koch Supplies and Remington Arms, many packing companies were hesitant to abandon their common practices. Some packers

⁸³ *National Provisioner*, January 2, 1954, 55.

⁸⁴ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 20.

argued that introducing new equipment would interrupt their operations while arguing that the common slaughter practices were satisfactory.⁸⁵ This claim was particularly prevalent among smaller packers who feared that widespread reform within the industry would make them less competitive and hurt them financially. But those who tried the captive-bolt pistol and later the Remington stunner, spoke glowingly of their experiences with the devices. The president of the Great Falls Meat Company, located in Great Falls, Montana, stated that “his company would not be without the captive-bolt pistol.”⁸⁶

The pistol garnered interest from several major companies, but many packers believed that the device still had some problems. While the captive-bolt pistol, when used accurately, was nearly one hundred percent effective at rendering an animal unconscious with a single shot, a frightened animal was not an easy target. Having to strike an animal more than once with the captive-bolt pistol not only wasted time and could damage sellable body parts, but it could also cause immense and unnecessary pain to the animal. A panicked and pained animal might thrash its body, potentially injuring the worker and bruising itself. Therefore, precision when knocking the animal was crucial, not only to ensure humaneness but also to maintain cost effectiveness.

According to E. Y. Lingle, president of the Seitz Packing Company in St. Joseph, Missouri, startled animals usually required more than one blow or stun to the head. For larger and older animals, Lingle admitted, incapacity with one hit with a poleaxe was nearly impossible. He continued,

It is the sad truth that sometimes this type of animal must be pounded into submission with several blows. The necessity for several blows can be eliminated by using a captive-bolt pistol, but it is difficult to get the cattle to cooperate... we

⁸⁵ B. M. Haines to Allen Ellender, February 19, 1958, Box 64, Folder: Sen 85A-E1 s. 1497 (1 of 2), Records of the U. S. Senate, 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry S. 1362 – S. 1497, Record Group 46, National Archives Building, Washington, D. C.

⁸⁶ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 86.

have long wanted to use the pistol rather than the hammer, but felt we would have difficulty using it because of the movement of the cattle.

Lingle admitted that the slaughtering process was “unpleasant, unsafe, costly, and brutal.” To overcome having to knock an animal several times and to alleviate some of the burdens associated with the job, the Seitz Packing Company incorporated the use of bright lights to immobilize or daze cattle prior to stunning them with the captive-bolt pistol. This allowed the packers to have more accurate aim and led to fewer accidents and injuries, although some human error continued to disrupt the streamlined operation.⁸⁷

Lingle boasted about his company’s new slaughter process. “It is so easy to use and so effective that we have no desire to go back to the old hammer method. Our results are better—our operation more efficient—our end product is improved—and, we’re slaughtering cattle in a much more humane fashion,” he exclaimed. He also believed the method was safer for the workers and easier to teach to new employees. Lingle stated that by using the pistol, rather than the hammer, they had fewer dark-cutting cattle—an indicator that the cattle were less stressed upon slaughter. Therefore, the use of the pistol resulted in the reduction in wasted product and more savings for the company.⁸⁸ Exhibiting faith in the combination of lighting and the captive-bolt pistol, the Seitz Packing Company applied for a patent. If granted, Lingle stated, they would only charge a nominal fee because they were “very anxious” for other packers to adopt their method and experience similar benefits for cattle slaughter.⁸⁹

⁸⁷ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 166; Christine Stevens to Texas & Southwestern Cattle, August 27, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 166.

⁸⁸ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 86.

⁸⁹ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 166-167.

Persistent concerns about economic losses and worker safety drove other major packers, including Geo. A. Hormel & Co., a prominent pork producer, to research and develop improved hog slaughtering methods. According to L. W. Murphy from Hormel's Service Division, "Our entire management realized that the cost of shackling was high; that shackling was a rough job for man and hog; that it was noisy and dirty, and in some degree dangerous and that it probably involved operative losses."⁹⁰ Their solution, the carbon dioxide hog immobilizer, provided packers with an effective and safe method of rendering hogs unconscious prior to slaughter. Hormel's leadership also led the industry into a battle with animal welfare organizations over voluntary or compulsory adoption of the device through legislative action.

From its establishment in Austin, Minnesota, in 1892, Geo. A. Hormel & Co. prided itself on innovation. Its founder, George Hormel, challenged himself with a simple motto, "Originate; don't imitate." His son and successor, Jay C. Hormel, held a similar vision for the company: "to do it better" than others.⁹¹ And that is exactly what Hormel did. During its first seventy-five years, Hormel introduced dozens of new meat products to the market, such as sugar-cured pig back bacon, Canadian ham, a variety of meat spreads, canned hams, whole canned chickens, canned stews, and perhaps most famously, SPAM.

Hormel also worked close with the local packinghouse union, Independent Union of All Workers No. 1, which formed in Austin in 1933. In 1937, the workers went on strike against Hormel's decision to switch from an hourly pay rate to a weekly wage. As a result, the company established a joint board with the union to create agreeable policies and procedures. The board

⁹⁰ L. W. Murphy, "Explanation of the Hormel Immobilizer to Members of the Convention of the American Meat Institute," (presentation, Chicago, IL, October 3, 1952), Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁹¹ Richard Dougherty, *In Quest of Quality: Hormel's First 75 Years*, (Austin, Minnesota: Geo. A. Hormel & Co., 1966), 54, 256.

negotiated worker contracts and pay—helping maintain a stable workforce. Hormel also offered incentive pay for its employees, a guaranteed annual wage, a progressive life insurance policy, and other benefits—making them an industry leader for ethical business practices. Union negotiations also centered around improved working conditions for plant employees.⁹²

The company established a hospital on site, staffed with a full-time doctor, nurse, and assistant to treat employees for cuts, infections, and other work-related injuries. Their services went beyond first aid. They also provided physical examinations, physical therapy, minor operations, and they treated ear, nose, throat, and gastrointestinal issues. The Medical Department also emphasized restorative treatments for Hormel employees, including a sweat box, a whirlpool bath for hydro-massages, and equipment for heat and light therapies.⁹³

Hormel's desire for employee satisfaction, safety, and health not only drove innovation in policies and services, but it also led to several technological advances, such as the hog-polisher in 1910, which mechanically removed the animals' hair after it was slaughtered and soaked in scalding water. Previously done by hand, scrubbing the hair off the hog was a tiresome job. Nearly forty-five years later, in the early 1950s, Hormel endeavored to streamline another tedious and often dangerous job, shackling and hoisting live hogs. Recognizing the need for improvement, H. H. Corey, Hormel's president, suggested the company update their slaughtering methods to improve working conditions and decrease economic losses. Research began immediately. Hormel's team first experimented with new shackling and hoisting methods on conscious hogs with poor results. It was dangerous to the worker and damaged the meat. "We

⁹² Richard Dougherty, *In Quest of Quality: Hormel's First 75 Years*, (Austin, Minnesota: Geo. A. Hormel & Co., 1966), 145-146, 246.

⁹³ Richard Dougherty, *In Quest of Quality: Hormel's First 75 Years*, (Austin, Minnesota: Geo. A. Hormel & Co., 1966), 241-242.

needed an immobile hog,” Murphy stated, “Anesthesia was the answer.”⁹⁴ To further research the effects of anesthesia, L. W. Murphy designed the “sleep tunnel.” Manufactured and installed by The Allbright-Nell Company, Hormel built a pilot plant at their headquarters in Austin, Minnesota, to test the device.

The “sleep tunnel,” also known as the carbon dioxide chamber or hog immobilizer, painlessly rendered the animals unconscious prior to slaughter through the inhalation of carbon dioxide converted from dry ice. The tunnels comprised of parallel conveyor belts and the carbon dioxide chamber which measured 16 meters long, 1.75 meters deep, and 75 to 80 centimeters wide. The entire mechanism was around 30 meters long, making it most suitable for larger facilities, such as the Hormel plants which slaughtered between 600 and 1000 hogs per hour, and up to 10,000 hogs per day. The method was most effective when slaughtering hogs. It was ineffective on cattle because their size required larger conveyor belts and chambers. The hogs were first sprayed with cold water to help calm them. Workers then shuffled the hogs into the chamber through a chute. After seven to twelve seconds inside the chamber, the hogs became unconscious and were brought out via conveyor belt. When asked about the behavior of the hogs while in the tunnels or chambers, Murphy stated that they act much like hunting dogs sniffing the air. Upon inhaling the gas mixture, the hogs fell unconscious.⁹⁵ At a 1952 American Meat Institute convention, Murphy presented a talk on Hormel’s newly developed hog immobilization method. He reported,

the hog was presented for shackling on a conveyor, at a level waist-high to the shackler, permitting him to do his job with complete safety, with ease, without

⁹⁴ L. W. Murphy, “Explanation of the Hormel Immobilizer to Members of the Convention of the American Meat Institute,” (presentation, Chicago, IL, October 3, 1952), Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁹⁵ L. W. Murphy to Christine Stevens, January 10, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

having to bend over, or dive down for a hind leg, without having to lug the shackled hog to the traveling hoist, and with cleanliness to himself.

Elaborating on the simplicity of shackling the hog after it exited the chamber, Murphy continued, “The shackle could be put on the hind leg of a hog with no greater effort than a ring may be placed on a lady’s finger, and without the labor of persuasion occasionally associated with the latter job.” The method also proved safer and more humane for the hogs.⁹⁶

In 1953, columnist William H. Hendrix reported on Geo. A. Hormel’s pilot carbon dioxide chamber after reading about the operation in the Animal Welfare Institute’s (AWI) Information Report. “NEWS OF MERCY.” Hendrix explained how at the pilot plant,

hogs are given an anesthetic before driven onto the slaughter floor, so that all pain and fright is eliminated... This practice prevents the damaging of the meat product; but the fact that it ends the torture of animals being prepared for our tables will impress all animal lovers perhaps more than the economic angle.⁹⁷

Similarly, a column in the St. Cloud, Minnesota *Times*, Harold Schoelkepf wrote, “When little piggies go to market from now on, to be transformed into pork chops, hams, and sausages, they will never know what happened to them. Before they are slaughtered, they will be put to sleep by use of carbon dioxide.” Recounting the terrible methods in which most plants slaughtered their hogs, Schoelkepf continued, “previously the hogs and most other livestock... were conked on the head or had their throats slashed without benefit of anesthetic.”⁹⁸ These columns, published

⁹⁶ L. W. Murphy, “Explanation of the Hormel Immobilizer to Members of the Convention of the American Meat Institute,” (presentation, Chicago, IL, October 3, 1952), Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁹⁷ William H. Hendrix, “You and Your Animals,” *Daily News* (March 2, 1953), Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁹⁸ Harold Schoelkepf, “Editor’s Notebook,” *St. Cloud Minnesota Times* (April 24, 1953), Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

shortly after the development of the Hormel carbon dioxide chambers, reveal a belief among the public that humane slaughter for hogs was obtainable.

Hormel was confident in the hog immobilization chambers. According to Murphy, Hormel tested its method on 300,000 hogs and not one died because of carbon dioxide inhalation. As to the effects of carbon dioxide on the meat, Hormel's researchers found none. According to Murphy, the meat from anesthetized and non-anesthetized hogs was indistinguishable. Also, the Meat Inspection Division (MID) of the United States Department of Agriculture approved the meat and the method. Concluding his report, Murphy stated, "demonstrable gains are in operation savings and in working conditions. They alone more than compensate to us the cost of our years of research." This "revolutionary improvement," Murphy believed, should interest all in the hog business.⁹⁹ But the company was not eager to encourage their competitors to adopt it. For Hormel, the carbon dioxide immobilization chambers were a solution to a technical and economic problem. Profit drove the innovation, not the desire to reform industry practices. Although if other packers decided to install the chamber, Hormel would receive a royalty from Allbright-Nell, which obtained the rights from Hormel to manufacture and install the equipment in the spring of 1953.¹⁰⁰

Hormel also did not invent the chamber to gain public favor. Before concerns over inhumane and humane slaughter methods flooded the public and political spheres, Hormel could not predict how positively consumers would react to the method, especially since they did not create the chambers with animal welfare in mind. The animal welfare organizations, however,

⁹⁹ L. W. Murphy, "Explanation of the Hormel Immobilizer to Members of the Convention of the American Meat Institute," (presentation, Chicago, IL, October 3, 1952), Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁰⁰ Estrella Draper to The Allbright-Nell Company, July 24, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

thought differently and strove to convince Hormel to advertise the benefits of the chambers. The humane groups argued to the packers that adopting humane methods would be good for business, as it would increase meat consumption and trust in the company. In a 1954 letter to Hormel, Christine Stevens commended the company on the development of the carbon dioxide hog immobilization chambers, yet she felt that enough attention was not being brought to the company's efforts to advance animal welfare. She stated, "I wish there might be more publicity about this praiseworthy piece of work. I feel certain that it would attract humane-minded customers as no other form of advertising could do."¹⁰¹ Stevens made similar remarks in a series of letters to Hormel's president, H. H. Corey. Stevens told Corey that New York City housewives had asked that local meat market owners increase their stock of Hormel products repeatedly.¹⁰²

The high demand, according to Stevens, was due to Hormel's use of humane methods of slaughter, namely the carbon dioxide chamber. Despite Hormel's refusal to advertise its use, the AWI informed its thousands of recipients about the chambers in one of their 1953 Information Reports. Stevens had also been sending the bi-monthly report to meat buyers and chain meat stores. To increase pressure on meat retailers, Stevens reached out to the AWI's auxiliary organizations and women's groups, requesting they pressure their local butchers to sell Hormel's products. In a 1954 letter to H. Doris Rall of the AWI's Toledo Auxiliary, Stevens wrote, "I

¹⁰¹ Christine Stevens to George Hormel, August 20, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁰² Christine Stevens to H.H. Corey, April 29, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to Geo A. Hormel & Co, January 13, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to H. H. Corey, April 29, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

believe that women shoppers can do more to effect the needed reforms in the packing industry than any other group.” Rall, however, disagreed with Stevens’ approach. She told Stevens that in response to her suggestion, she spoke with the other members of the auxiliary about the best course of action. The members of the Toledo group believed they could make “little impression on slaughtering houses by talking with their butchers.” And instead, they “expressed the opinion that something should be done to try to have enacted laws in the states or the Federal Government in regard to cruelty in slaughter houses.” This sort of community activism helped to drive the AWI and other humane organizations to seek legislative remedies for consumer concerns.¹⁰³

Although Stevens had not officially called for federal legislation yet, it was not far from her mind, as she had been researching humane slaughter laws in other countries. But she was still determined to pressure the industry to adopt humane methods by encouraging consumers to only purchase humanely slaughtered pork. By doing so, the AWI created a demand for Hormel products based on an ethical appeal. It was now just a matter of getting Hormel meat into stores around the country, especially in large urban centers like New York City.¹⁰⁴ However, this proved difficult. Many butcher shops and grocery store owners did not understand why

¹⁰³ H. Doris Rall to Christine Stevens, September 15, 1954, Box 1-027, Doris Rall and AWI, Toledo Auxiliary, Folder 5, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁰⁴ Christine Stevens to H.H. Corey, April 29, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to Geo A. Hormel & Co, January 13, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to H. H. Corey, April 29, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to H. Doris Rall, July 29, 1954, Box 1-027, Folder 5: Doris Rall and AWI, Toledo Auxiliary, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

consumers pressed for Hormel meat, according to Stevens, and therefore did not fulfill their requests.¹⁰⁵

Stevens expressed her growing frustration to T. H. Hocker, Hormel's vice president, over the challenges of finding Hormel products in New York City and the apparent ignorance meat market owners displayed about Hormel's slaughter methods. She suggested that Hormel work to educate shopkeepers about the carbon dioxide chamber. She asked, "Do you think that if your salesmen were fully instructed and if a definite effort were made to merchandize your products on the bases of humaneness and quality that consumption of Hormel products... could be very substantially increased?" Stevens' question suggests that advocates within the animal welfare organizations believed that patronage would rise if packers advertised that they used humane methods of slaughter. The animal welfare groups also hoped the positive attention given to Hormel by their organizations and enlightened consumers would pressure other packers to adopt the humane devices voluntarily.

Hormel refused to market humaneness as part of their product, maintaining that they would not involve themselves with the animal welfare associations' attempts to bring widespread slaughterhouse reform.¹⁰⁶ In 1955, Hocker wrote Stevens, "We are very appreciative of the favorable reaction we have had from all the Humane Societies, but our company deems it inadvisable to become actively associated with any of the Humane Societies in attempting to force use of our new method."¹⁰⁷ Hocker's use of the term "force" suggests that Hormel viewed

¹⁰⁵ Christine Stevens to T. H. Hocker, July 30, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁰⁶ Christine Stevens to T. H. Hocker, July 30, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁰⁷ T. H. Hocker to Christine Stevens, January 15, 1955, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

the humane societies efforts as intrusive, however, Hormel's leaders never lashed out against the humane societies for their efforts. In fact, they were amiable towards animal welfare activists, but remained steadfast in their refusal to help push their campaign towards industry-wide adoption forward. For example, Hocker told Estrella Draper, executive secretary of the AWI, that he could not provide any motion pictures demonstrating the use of the carbon dioxide immobilization chambers (despite having them for other packers interested in the device). He informed Draper, "Our company has adopted the policy of not supplying films for Humane Societies, because we do not want to be involved in forcing the use of our method on the members of our industry, if they do not want to use the method."¹⁰⁸ Further, even if other companies were interested in using the method (and some were), several obstacles, including the equipment's design, cost, and the prevalence of misinformation throughout the industry about the method prevented other companies from moving forward with installation.

Hormel designed the chamber for their own facilities. Hormel built their chambers on the ground floor. Rubber gates separated the hogs as a conveyor belt shuffled them quickly, one by one, into the chambers. Tubes in the chamber released a gas mixture of 75 percent carbon dioxide. Within the 15-to-20 seconds after exiting the chambers, workers shackled, hoisted, and stuck the hogs. But the killing floor reconfigurations were costly. By implementing an expensive yet efficient means of slaughter, Hormel achieved crucial and economically beneficial economies of scale.¹⁰⁹

¹⁰⁸ T. H. Hocker to Estrella Draper, August 8, 1955, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁰⁹ ¹⁰⁹ L. W. Murphy, "Explanation of the Hormel Immobilizer to Members of the Convention of the American Meat Institute," (presentation, Chicago, IL, October 3, 1952), Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; L. W. Murphy to Christine Stevens, March 13, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

Chambers for smaller plants had not yet been developed in the United States, creating limitations for small packers interested in adopting the chambers. According to A. O. Lundell from Allbright-Nell, the Hormel chamber was too large and expensive for plants which operated at lower volumes. Because the chambers were custom built for each plant, prices varied immensely. Along with renovating the killing floor to accommodate the large equipment, total costs for updating to the carbon dioxide chambers could range anywhere from \$50,000 to over \$500,000.¹¹⁰ As for the development and use of smaller chambers, Lundell warned Stevens it would take some time. However, models for U.S. slaughterhouses existed. Inspired by Hormel's method and designed with the assistance of L. W. Murphy, several Denmark slaughterhouses used a similar, smaller version of Hormel's chamber. However, the Danish developer, N. E. Wernberg of Wenbergh & Kragh Co. and Hormel made a gentlemen's agreement that the Wernberg chamber would not enter the U.S. market.¹¹¹

Despite size and price limitations, the carbon dioxide chambers continued to garner considerable attention from packing companies around the country. A. P. Jones from Jones Dairy Farm applauded the device for being more humane to the animals and easier for the workers, although the company ultimately did not adopt the method. Jones noted that the chamber was receiving "universal approval" from the industry. J. M. Foster, president of John Morrell & Company declared, "I felt right from the start it was probably the greatest advance in the meat packing industry over the past half century." The buzz surrounding the carbon dioxide method suggested that industry-wide adoption was near.¹¹² In 1953, Lundell reported to Estrella Draper

¹¹⁰ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 19.

¹¹¹ A. O. Lundell to Christine Stevens and the Animal Welfare Institute, March 15, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹¹² A. P. Jones to Estrella Draper, May 28, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research

of the AWI, that while Hormel was the only plant using the chambers, he expected many packers to adopt the method within a year. But since their design required substantial building renovations, and Allbright-Nell only made one chamber at a time, installation would likely be delayed.¹¹³ Both factors created barriers for several packers who wanted to install the chamber in their plants.

Allbright-Nell caused many obstacles for packers who took the initiative to place orders for the CO2 chambers and contributed to the slow progress of industry-wide adoption of humane slaughter devices. According to J. M. Foster of John Morrell & Company, as soon as he learned that the method was available on the market in April 1953, he placed orders with the manufacturer for installation in both of their hog plants, in Sioux Falls, South Dakota and Ottumwa, Iowa. Foster was eager to get the chambers into operation as soon as possible and conveyed frustration that the manufacturer could not provide a definite installation date. Nearly a year later, A. O. Lundell from Allbright-Nell disclosed to Christine Stevens that since it was still a recent development, he expected slow progress in the installation of the equipment. By September 1954, Morrell still did not have its carbon dioxide chambers installed because of changes made by the manufacturer.¹¹⁴ Foster eventually cancelled his order. Other packers

Center; J. M. Foster to Christine Stevens, letter, April 30, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹¹³ A. O. Lundell to Estrella Draper, July 27, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹¹⁴ J. M. Foster to Christine Stevens, April 30, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; J. M. Foster to Margaret Miller Kolarik, April 13, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; J. M. Foster to Christine Stevens, May 20, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; A. O. Lundell to Christine Stevens, March 15, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; J. M. Foster to Christine Stevens, September 10, 1954,

expressed interest in the method but believed the device was not on the market yet and the manufacturer still had several mechanical issues to work out.¹¹⁵

Frustrated with the lack of certainty regarding the chambers' availability, Stevens wrote both Hormel and Allbright-Nell. According to T. H. Hocker at Hormel, the equipment was available through Allbright-Nell to any packer that wanted it.¹¹⁶ Allbright-Nell did not respond with confirmation; however, Stevens took Hocker's word for it. Eager to alleviate farmed animal suffering and to provide clarity about the chambers to the industry, the AWI published that the chambers were for sale in their upcoming Information Report. Companies who originally conveyed interest to the AWI in having the equipment installed—Jones Dairy Farm, the Rath Packing Company, Armour & Company, and the John Morrell & Company—promised continued consideration, but by the end of 1954, Hormel remained the only packer using the carbon dioxide immobilization chambers, and Allbright-Nell was the clear bottleneck.¹¹⁷

The inaction pushed activists, especially Stevens, to lean on industry contacts for more answers—continuing the meatpacking industry and animal welfare organizations' tradition of cooperation. The “extreme slowness” of the industry's implementation of the carbon dioxide

Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹¹⁵ E. L. Heckler to Margaret Miller Kolarik, April 13, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; A. P. Jones to the Animal Welfare Institute, March 8, 1954, Box 2-020, Folder 2, Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹¹⁶ T. H. Hocker to Christine Stevens, March 1, 1954, Box 2-020, Folder 2, Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to T. H. Hocker, March 3, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to A. O. Lundell, March 12, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹¹⁷ A. O. Lundell to Christine Stevens, March 15, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

method led Stevens to reach out to L. W. Murphy at Hormel, who had designed the apparatus, to express her disappointment. “It seems very wrong that millions of hogs should continue to die in pain and fear when the practical knowledge of how to prevent this suffering has been attained,” she lamented.¹¹⁸ She also wanted answers and used her acquaintance with Murphy to learn more about the industry’s hesitancy towards adopting the chamber. Beyond cost, she asked about what other obstacles stood in the way, a question she posed to those in the industry often. In late 1954, Stevens wrote Edward Swem, editor of the *National Provisioner*, questioning why the industry had not adopted the newly developed humane slaughtering method voluntarily. In his reply, Swem stated, “I am afraid I cannot put my finger on any single reason why the industry has not adopted” the carbon dioxide chambers. And while Swem believed there might be several benefits of using the carbon dioxide chambers to render hogs insensible prior to slaughter, he did not see any short-term economic advantages to outweigh the initial costs.¹¹⁹ The cost of the plant renovation, equipment, and installation were quickly cited as a major challenge to industry-wide adoption of the hog immobilizers, especially because Allbright-Nell had not completed any installation orders besides Hormel’s pilot plant, even by late 1954.

Executives for Allbright-Nell did not speak at length about why they did not manufacture and install the equipment in a timelier manner. They simply stated that the process was slow due to the time-intensive design of customized orders. William Allbright and B. F. Nell founded the company in Chicago in 1902, and specialized in manufacturing industrial equipment, such as

¹¹⁸ Christine Stevens to L. W. Murphy, letter, February 24, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹¹⁹ Christine Stevens to Edward Swem, December 30, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Edward Swem to Christine Stevens, January 4, 1955, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

canning and soap-making equipment, and various machines for the meatpacking industry. The company's primary focus was on designing, manufacturing, and installing their own products. In 1949, Allbright-Nell filed six trademarks for packing house equipment, including scalding tubs, conveyors, hooks and shackles, chilling and heating cabinets, and weighing scales. And while obtaining the rights to Hormel's carbon dioxide chamber in 1953 was likely an exciting opportunity for Allbright-Nell, it was not their main source of revenue.¹²⁰

Concerns over the cost and Allbright-Nell's delay in developing and installing of the chambers aggravated Stevens. To speed up the process of industry-wide adoption, she sought out other companies working on manufacturing the equipment. In early 1954, the Pure Carbonic Company, a division of the Air Reduction Sales Company, established a fellowship for the Agricultural Experiment Station at Iowa State College to research the use of carbon dioxide to immobilize animals prior to slaughter. The goal of the fellowship was to aid the college in supporting research on a more economical and simpler technique than the Hormel method. But the research at Iowa State College progressed too sluggishly for Stevens' liking. In May 1955, Edwin Kline, an assistant professor at Iowa State, told Stevens that their work was still in the "exploratory field."¹²¹ Disappointed, Stevens suggested to A. J. Granata at the Pure Carbonic Company that they establish a second fellowship at Michigan State University. According to Stevens, the school already had a grant from the Humane Society to study electrical stunning. Upon a recent visit, she was impressed by the "spirit and intelligence," of the researchers involved in the project and believed Michigan State to be a "very up and coming place." Further,

¹²⁰ "The History of the Allbright-Nell Company," ANCO, <http://ancoeaglin.com/en/about/> (accessed December 6, 2020); "Allbright-Nell Company, THE Trademarks," Justia Trademarks, <https://trademarks.justia.com/owners/allbright-nell-company-the-32663/> (accessed December 6, 2020).

¹²¹ Edwin Kline to Christine Stevens, May 10, 1955, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

she informed Granata that the university was undergoing the construction of an abattoir, and if the Pure Carbonic Company provided the funds, they could build a carbon dioxide immobilization chamber, which would be a “great value” to the company.¹²² It is unclear if the Pure Carbonic Company took Stevens’ suggestion for establishing a fellowship for Michigan State, however, by 1957, the university was engaged in research on carbon dioxide immobilization.

But still in 1955, with millions of hogs being killed using outdated methods each year, any delay—no matter its cause—had become intolerable to animal welfare organizations and the more than 10,000 recipients of the AWI’s bi-monthly Information Report. Despite the growing public understanding of new alternative methods, and the widespread support for the use of the captive-bolt pistol and the CO2 chambers, packers continued to express either disinterest or difficulties in adopting them. Among animal welfare leaders, patience grew thin as their frustration with the meatpacking industry increased. After eighty years of limited industry action, Stevens and other animal welfare leaders moved to a more activist option: mandatory reform, legislated by Congress.

Call for Legislative Action

While the jump from voluntary innovation to legislative action might seem immense, leading activists only acted to involve the federal government in their efforts once they had come to believe they had exhausted their options for moral suasion. Other animal welfare advocates were hesitant to call for legislative action. Arthur Redman, whose short films brought national

¹²² A. J. Granata, “Statement by Granata of Pure Carbonic Company,” February 12, 1954, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to A. J. Granata, May 31, 1955, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

attention to inhumane hog slaughter only a few years earlier, argued that a governmental commission tasked with researching more humane methods would be most effective in bringing reform. In response to hearing talk about humane legislation from Christian Norgord, Washington representative of the American Humane Society, Redman wrote Edith Goode, a director of the HSUS explaining,

I have no objections to introducing legislation if suitable preparation was made to back it up but it must be born in mind that we are up against a ten million dollar industry and we should be very sure of our ground before entering the arena of combat. On the other hand the introduction of legislation would serve to focus public attention on the matter and even if not successful at first might eventually bring results.¹²³

Fred Myers was also uncertain about the prospects of legislative action. In a meeting with Christine Stevens, Edith Goode, and other animal welfare leaders in March 1955, Myers argued that a humane slaughter bill would not go far in the House of Representatives, and that it would not even leave the Senate committee. Despite his pessimism, Myers pledged to do what he could to help get a humane slaughter bill introduced and passed. “Better to get any bill through and try for perfection later,” he advised his colleagues.¹²⁴

Animal welfare organizations, including the AWI and the AHA, also weighed the options. Ultimately these groups concluded that they could no longer accept decades of inactivity, promises of future progress, and reliance on the argument that more humane devices had yet to be developed. With several humane options now available and the continued resistance within industry to adopt the new devices, animal welfare leaders began advocating for

¹²³ Arthur Redman to Edith Goode, November 19, 1954, Correspondence, Arthur P. Redman, Series 1, Box 1.20, Folder 4: Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹²⁴ Fred Myers, Meeting minutes, National Humane Society, Washington, D.C. March 18, 1955, Legal Box 2-016, Folder 4: Humane Slaughter – Congressional Responses and Clippings, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

compulsory legislation that would require all packers to adopt humane methods of slaughter. In the spring of 1955, Christian Norgord, along with the AHA committee and in consultation with government experts (including members of the USDA), drafted the first humane slaughter bill.¹²⁵ That same year, the AHA asked Senator Hubert Humphrey (D-MN) to introduce their bill into the Senate. They were successful, and the humane organizations efforts resulted in the first humane slaughter bill, S. 1636, entering Congress on March 10, 1955.

This AHA bill, sponsored by Humphrey, sought to “require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes.”¹²⁶ Humphrey argued that the European nations were “far advanced over the United States in such humane methods of slaughter, and that U.S. slaughterhouses should meet European standards, and “eventually lead the nations of the world in humane, noncruel slaughtering.”¹²⁷ Because the bill was designed to regulate slaughterhouses engaged in interstate and foreign commerce, it would only affect an estimated 455 slaughterhouses (out of over 5,000

¹²⁵ In fall of 1953, American Humane Association formed a committee to study humane slaughter methods and legislation. Kerns Wright, “President’s Report,” *The National Humane Review*, Michigan Edition (November-December 1957): 4, Box No. 3066, Folder: Animal Products 1, Humane Slaughter (Case File) 1958, Records of the Office of the Secretary of Agriculture, General Correspondence, 1906-76, 1958 Accounting- Animal Products 1 – Packing House, H. M. Completed 1988, Record Group 16, National Archives at College Park, College Park, MD; R. T. Phillips, “Executive Director’s Report,” *The National Humane Review*, Michigan Edition (November-December 1957): 6, Box No. 3066, Folder: Animal Products 1, Humane Slaughter (Case File) 1958, Records of the Office of the Secretary of Agriculture, General Correspondence, 1906-76, 1958 Accounting- Animal Products 1 – Packing House, H. M. Completed 1988, Record Group 16, National Archives at College Park, College Park, MD; *Information Report* Vol. 4, No. 1, Animal Welfare Institute (January-February 1955): 57, <https://awionline.org/sites/default/files/uploads/documents/AWI-1955-IR.pdf> (accessed March 3, 2021); Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 47.

¹²⁶ It should be noted that this original bill included protections for poultry, however, forthcoming bills excluded poultry. Therefore, the bills focused on decreasing the suffering of cattle and pigs, and to a lesser extent, lambs and sheep. For more on the poultry industry, see, Monica Gisolfi, *The Takeover: Chicken Farming and the Roots of American Agribusiness* (Athens: University of Georgia, 2017); Christopher Leonard, *The Meat Racket: The Secret Takeover of America’s Food Business* (New York: Simon & Schuster, 2014), and Steve Striffler, *Chicken: The Dangerous Transformation of America’s Favorite Food* (New Haven: Yale University Press, 2005).

¹²⁷ Senate Cong. Rec., 84th Cong., 2nd sess., 1955: 3516, Legal Box 2-016, Folder 4: Humane Slaughter – Congressional Responses and Clippings, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

slaughterhouses) nationwide, and furthermore, it allowed for a five-year grace period to allow packers to install the new devices in their facilities. For slaughterhouses that violated the act, the bill included a \$1,000 penalty or one-year imprisonment.¹²⁸ On May 9 and 10, 1956, the Senate's Subcommittee of the Committee on Agriculture and Forestry held the first public hearing to discuss S. 1636. For Humphrey, his main objective for the hearing was to gather facts, particularly details on the costs of humane slaughter methods, that would help the industry implement the practices, no matter what became of the final decision on the legislation.¹²⁹

Humphrey, a South Dakota native, was a liberal politician and a New Dealer. He became the mayor of Minneapolis in 1945 and entered the Senate in 1948. He was an advocate and sought a more compassionate and moral nation. His support for humane slaughter legislation and the plight of farmed animals aligned with his political ideals: He fought for an expanded federal government, increased welfare programs, and civil rights, and he supported farmers and small businesses.¹³⁰ During the 1956 Senate hearing, Humphrey expressed concern about the effects of humane slaughter legislation on small producers. However, since his bill only included packers engaged in interstate commerce, it was not likely to affect small operations. Also, the largest packer in his state, Hormel, designed and implemented the first humane slaughter method for hogs, so legislation would have little effect on his state.

A perennial champion of people (and animals), Humphrey had a reputation for compromising and working closely with his opponents to achieve his political goals. Although

¹²⁸ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 81.

¹²⁹ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 60.

¹³⁰ "Hubert H. Humphrey, 38th Vice President (1965-1969)," United States Senate, https://www.senate.gov/about/officers-staff/vice-president/VP_Hubert_Humphrey.htm (accessed December 20, 2020).

he introduced a humane slaughter bill which required packers to use humane slaughter methods, he wanted to avoid compulsory adoption. He considered the bill a “moderate approach aimed at seeking to work out voluntary agreement on methods before invoking any principle of compulsion.” Humphrey’s bill, then, was a tactical maneuver, used to prompt action from the industry and satisfy the demands of the animal welfare organizations and public. During the 1956 Senate hearing, he said he waited a year between introducing the bill and scheduling hearings intentionally, as he hoped for more acceptance of the objectives of the bill and a “greater willingness to cooperate” between its opponents and proponents. He also hoped that during this time, “all interested groups would have ample time to... do whatever they could and would do voluntarily to lessen the necessity for compulsory action.” Meaning, during this one-year period, he hoped more packers implemented the new methods voluntarily as humane organizations continued to pressure the industry and simultaneously ramped up public outreach. He stated, “I really do believe in the principle of voluntary codes of conduct rather than compulsion—if we can get voluntary observance.” From this perspective, Humphrey’s bill was meant to encourage action among the packers. But after a year’s time, the packing industry made little additional effort to embrace humane slaughter methods—leaving Stevens and other animal welfare leaders more impatient for legislative action. In his concluding remarks during the opening of the Senate hearing, Humphrey reminded everyone, “in our Government compulsion or regulation in any form is usually the result of neglect of individuals or enterprises to make voluntarily the reforms the public interest demands.”¹³¹ The subtext was clear: after years of waiting, the American people had given up on voluntary internal modernization within the meatpacking industry.

¹³¹ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 2.

During the 1940s and early 1950s, some progressive meatpackers developed improved slaughtering methods with undeniable benefits to the companies, workers, and animals. The benefits for workers and animals were numerous. According to Edward Swem, editor of the *National Provisioner*, the carbon dioxide immobilization chambers led to countless sanitary improvements and cut the cost of labor by forty percent.¹³² By contrast, if a worker had to strike the animal up to ten blows by hand with a sledgehammer, this would cost an indeterminable—but not inconsequential—expense in time and labor power and could cause injury to these semi-skilled workers. And yet, the industry still resisted widespread adoption of carbon dioxide chambers and captive-bolt pistols, and so after years of collaboration and attempts at persuasion animal welfare organizations adjusted their strategy. While they continued to work with industry in developing new slaughtering techniques and encouraged reluctant companies to consider adoption, they now shifted their efforts to partnerships with sympathetic politicians who moved to draft legislation to impose humane methods on the industry.

When asked by Senator Humphrey why the animal welfare organizations had not pushed for legislative action previously, Fred Myers explained,

The humane societies of the United States were too patient. The humane societies... have cooperated fully, very fully... with the meat industry in attempts to persuade the industry to make progress voluntarily. [The] American Humane Association... has maintained a joint committee relationship with the American Meat Institute for approximately 30 years in the attempt to get voluntary progress. The decision, finally... to seek legislation resulted basically from the fact that 25 to 30 years of genuine cooperation didn't produce progress.¹³³

¹³² Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 83-85.

¹³³ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 48-49.

His rationale was only partially accurate. For many years, the industry did not strive towards innovation. But with the surge in production, and the growing profitability of meatpacking between 1946 and 1952 individual companies made great progress in partnering with other manufacturers, achieving the development of the captive-bolt pistol, the bright-light process, and the carbon dioxide hog immobilizer.

Notwithstanding Fred Myers' failure to acknowledge these accomplishments in his statement, other humane organizations made known their appreciation for the few packers who made strides in humane slaughter. The American Society for the Prevention of Cruelty to Animals presented its James Hopkins Citation for "outstanding improvement in humane slaughtering practices" to Oscar Mayer in 1954, deeming the company the "pioneer" of humane slaughter, while the AWI praised Hormel for inventing the carbon dioxide chambers repeatedly in its Information Reports.¹³⁴

By 1956, despite expressions of interest by a limited number of packers, Hormel was still the only company that used the carbon dioxide chambers. And while Allbright-Nell was partially responsible for delayed installation in a few plants, most companies did not seriously consider implementing the new method. As for the reasonably priced and easy-to-use captive-bolt pistol, only around a dozen packers used it in their plants. But with an increasing number of farmed animals dying in unnecessary distress each year, the animal welfare organizations were no longer willing to justify waiting for voluntary industry-wide adoption. The animal welfare organizations knew that practical, economical, and humane methods now existed and were available on the market, and so patience was no longer an option. The next step was to lead a nationwide mass

¹³⁴ Oscar Mayer & Co. News Release, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

letter-writing campaign to convince the country and Congress of the need for compulsory legislation.

Chapter 2: “NOW YOU HOLD THE KEY”: Emboldening Kitchen Table Activism and Upholding the Nation to a Moral Standard

On May 28, 1956, the *Washington Post* published a short letter to the editor from Cornella C. Peale of Fairfax, Virginia. She wrote, “I was horrified and shocked to read of the barbarous treatment of animals in our slaughterhouses. Such cruelty should not be tolerated in any civilized country. I just cannot understand why the Humane Society has not done something to put a stop to it long ago.” Until something was done to end the cruelty, Peale declared she was adopting a vegetarian diet.¹³⁵ But the truth was that animal welfare organizations had been working toward reforming slaughtering methods for decades, even though their efforts were inconsistent and had little success.

The ASPCA began working to end the use of inhumane slaughtering methods during the nineteenth century, and the AHA had been working with the packing industry to develop new slaughtering devices since the 1920s. A new era began in 1956, when the AWI formed the Society for Animal Protective Legislation (SAPL) to engage in legislative work, such as campaigning for a humane slaughter bill, without losing the larger organization’s tax-exempt status. The SAPL and the HSUS (originally named the National Humane Society)—established only two years earlier by Fred Myers, dedicated nearly all their time toward the issue of advocating for humane slaughter. However, forcing the nation’s packinghouses to adopt more humane methods of killing farmed animals proved difficult.

Written in 1956, Peale’s letter represented the attitudes of many Americans who had been oblivious to common practices within the confines of slaughterhouses and were increasingly becoming aware of the brutal realities of industrialized meat production. It also demonstrates that most Americans believed that as a “civilized” country, the United States had systems in place to

¹³⁵ Cornella C. Peale, letter to the editors, *The Washington Post*, May 28, 1956, 12.

prevent such cruelties, and that the mere existence of humane organizations ensured the proper treatment of all animals. However, by the 1950s, protecting animals often kept as pets, such as cats and dogs, occupied most animal welfare organizations' time.¹³⁶ The pleas of the few individuals, such as Myers, who advocated for slaughterhouse reform, went largely ignored in the early years of the 1950s. Therefore, most Americans, such as Cornella Peale, remained unaware of the slaughtering process that ended the lives of most farmed animals.¹³⁷

But as meat production and consumption increased during the 1950s, humane societies at large and Americans around the country could no longer remain blissfully ignorant to the suffering of farmed animals. The overall goal of the animal welfare groups, however, was not to encourage the masses to stop eating animals nor to reduce the number of animals slaughtered for food.¹³⁸ Their objective, instead, was to decrease the suffering of farmed animals in the moments prior their death. To achieve this, they argued that experience had made evident that federal regulation was necessary to push the industry forward. The extent of federal involvement and reach needed to be negotiated in order to ensure the passage of a humane slaughter bill.

However, animal welfare groups were steadfast in presenting a new vision for the role of the

¹³⁶ Katherine C. Grier, *Pets in America: A History* (Chapel Hill: North Carolina University, 2006).

¹³⁷ Cornella C. Peale, letter to the editors, *The Washington Post*, May 28, 1956, 12.

¹³⁸ While the animal welfare activists' evolving vision for federal legislation to protect farmed animals at the point of slaughter was contested in the halls of Congress, most animal advocates' beliefs on the role of animals as a food source aligned with that of their adversaries. Those leading the fight for humane slaughter rarely called for the decrease in meat consumption or for vegetarianism. Christine Stevens maintained that vegetarianism was only useful as a tool to intimidate meatpackers into adopting humane methods. Stevens, who purchased her pork from Hormel—but only when meat slaughtered by local packers who shot their animals with a rifle or pistol prior to shackling was unavailable—understood the difficulties humane organizations faced in imposing the new role for the nation-state. The challenges, however, reveal a larger paradox within the fight for humane slaughter. Despite the animal welfare advocates' deep concern for animals, for most, vegetarianism seemed impracticable and was nearly impossible to achieve on a broad scale. Further, promoting vegetarianism risked polarizing the movement since eating meat was engrained in American culture and was considered a staple part of a healthy, balanced diet by most health professionals and the public. For more on meat consumption, see Roger Horowitz, *Putting Meat on the American Table: Taste, Technology, Transformation* (Baltimore: The Johns Hopkins University Press, 2005); Maureen Ogle, *In Meat We Trust: An Unexpected History of Carnivore America* (Boston: Houghton Mifflin Harcourt, 2013); and Jeremy Rifkin, *Beyond Beef: The Rise and Fall of the Cattle Culture* (New York: Penguin Group, 1992).

state in regulating human-food animal relations, and, they believed, upholding the nation to a moral standard. The animal welfare organizations mobilized the United States' reputation as a moral nation explicitly in their campaigns to encourage citizen activism on humane slaughter.

For Americans like Peale, charging animal welfare organizations with the responsibility to reform slaughtering practices nationwide while refraining from eating meat, and therefore not contributing to slaughterhouse cruelties, seemed sufficient; and as an individual act of protest, perhaps it was. But to guarantee industry-wide compliance and truly end the unnecessary cruelty, many animal welfare organization leaders had come to believe that legislative action was required. And while some Americans underestimated the new challenges of designing legislation to govern the packing industry's treatment of farmed animals—which would ultimately entail creating a whole new regulatory realm for the federal government—animal welfare organizations realized the amount of effort necessary, and not just on their part, but also for all Americans concerned with the plight of farmed animals.

To rally support and lead a successful campaign, animal advocacy groups worked to ignite a spark in the American people, who were becoming increasingly concerned about their influence on nonhuman animals and the natural world during the mid-1950s. This concern was demonstrated not only by their interest in farmed animal welfare issues, but also by their involvement in other key public advocacy efforts, such as the battle over the construction of the Echo Park Dam in Dinosaur National Monument in Utah. Like the fight for humane slaughter legislation, ordinary citizens, likely sitting around their kitchen tables, responded to calls for action by putting pen to paper in hopes of halting the construction of the dam. Their efforts were successful.¹³⁹ Shortly thereafter, in response to local birders' observation of massive deaths

¹³⁹ In 1955-1956, the Council of Conservationist launched a mail-campaign to stop the construction of the Echo Park Dam in Dinosaur National Monument. Formed in 1954, the Council of Conservationists comprised of several

following the aerial spraying of DDT on Long Island, a group organized to file a lawsuit against the county, providing a model for community action to protect vulnerable species from chemical threats. Simultaneously, as this awareness emerged about the wide range of unintended consequences of human policymaking, civically active Americans received letters in their mailboxes and read columns in the newspapers about the need for humane slaughter legislation.

Through a nationwide mail campaign, animal welfare organizations cooperated in an effort to rally the American people against inhumane slaughter methods. Brochures informed the public of what occurred behind slaughterhouse walls through graphic images and descriptions of panicked and pained farmed animals during slaughter, and by leveraging fears among Americans about the United States' global reputation as a humane, democratic society throughout their campaign materials. As the understanding that the United States was the leader of the free world spread throughout the country and became a part of more Americans' consciousness and sense of identity following World War II, many politicians and activists became increasingly attentive of potential threats to the United States' position.¹⁴⁰ Therefore, animal welfare leaders framed the United States food production system as relics of a “barbaric” and “uncivilized” past, which prompted citizens and Congress to act to ensure the country's position as a global leader.

organizations—including the General Federation of Women's Clubs, who were also active in the fight for humane slaughter—concerned with the building of the dam and loss of Echo Park. According to historian Mark Harvey, the Council organized “one of the largest mail campaigns in conservation history” to pressure members of Congress to oppose the dam. Major newspapers often published the Council's informational leaflets and flyers—bringing national attention to the controversy and the campaign. Mark Harvey, *A Symbol of Wilderness: Echo Park and the American Conservation Movement* (University of Washington Press, 1994), 260, 270, 271.

¹⁴⁰ For more on the United States' reputation during the Cold War, see Mark Philip Bradley, *The World Reimagined: Americans and Human Rights in the Twentieth Century* (New York: Cambridge University Press, 2016); Mary L. Dudziak, *Cold War Civil Rights: Race and the Image of American Democracy: Politics and Society in Twentieth Century America* (Princeton: Princeton University Press, 2000); Odd Arne Westad, *The Global War* (Cambridge: Cambridge University Press, 2007). For the rise of the U.S. as a world leader, see George C. Herring, *From Colony to Superpower: U. S. Foreign Relations Since 1776* (New York: Oxford University Press, 2011).

For many American citizens and political leaders during the 1950s, the United States' reputation as a benevolent nation was paramount to the Cold War effort and the increasingly widespread idea of American greatness following World War II. The United States prided itself on being a global leader and the treatment of its citizens and their animals was one means of measuring the United States' commitment to bettering the world. Since the nineteenth century, U.S. animal welfare organizations had been working abroad to influence the treatment of animals in other countries and spread the "gospel of kindness" globally. According to Janet M. Davis, those who subscribed to this ideal, which sought to extend compassion to all living creatures, including animals, "preached kindness as an infallible secular and spiritual truth, a mark of human potential and perfectibility, and a guiding moral principle that would uplift the world." However, this "civilizing mission" was often met with resistance from people in other countries who claimed that the animal welfare organizations' insistence on treating animals in a particular way stymied their cultural practices and was itself a form of colonization.¹⁴¹

Many Americans embraced the idea of the United States an exemplar of a humane, civilized country, and portrayed those nations that did not offer animal protection laws as barbarous. However, the U.S. was not the world leader in animal welfare, nor did it offer any protections for farmed animals (with the exception of the loosely enforced Twenty-Eight Hour

¹⁴¹ This was particularly apparent in the Philippines, Cuba, and Puerto Rico, all seized from Spain, as American activists tried to eliminate cock and bullfighting and other forms of animal exploitation which the humane advocates considered cruel. Critics also argued that the organizations' efforts to focus on animal protection ignored class differences and human suffering—a common criticism of animal welfare advocacy. Similar claims emerged when the Massachusetts Society for the Prevention of Cruelty to Animals opened an animal shelter, the American Fondouk, in Fez, Morocco in 1927. The Society and private donors funded the shelter. Shelter officials in Fez worked with the French colonial government and police to enforce protections for laboring animals. Moroccan police brought in animals they deemed too sick or injured to work, causing rifts between the American animal welfare advocates and workers who relied economically on their animals' labor. Despite these concerns, the shelter's free services were popular among Moroccans and its doors remain open today. Further, during the Cold War, the shelter would hold political significance as a symbol of American benevolence to North Africa. Janet M. Davis, *The Gospel of Kindness: Animal Welfare and the Making of Modern America* (New York City: Oxford University Press, 2016).

Law, originally passed in 1873). Many countries around the world had enacted humane slaughter laws decades earlier, a point made repeatedly by animal welfare advocates throughout their fight for the passage of a U.S. humane slaughter law. By publicizing the inhumane methods of slaughter used in U.S. slaughterhouses and stressing the successful operation of humane slaughter laws and methods in other countries, animal welfare organizations focused their “civilizing mission” inward. They began by mobilizing the American people to voice their dismay and to demand that Congress act to end the suffering of millions of farmed animals a year.¹⁴²

Unlike their previous efforts to reform slaughterhouses, which involved working with the packing industry and relying on voluntary compliance, humane organizations now pivoted to mobilize the American people in their fight to persuade Congress to bring about change through legislative action. This shift in strategy reveals how animal welfare advocates absorbed evidence of the shifting role of the federal government during the 1950s. Citizens had long expected Congress to intervene in matters of health, food, economics, and labor conditions. And while the federal government, specifically the USDA, had regulated the packing industry for decades, the fight for humane slaughter represented a new realm for the growth of the nation-state—an arena that began regulating the proper relationship between humans and farmed animals during slaughter. This new role ultimately materialized with the passage of the 1958 Humane Slaughter Act, but first humane organizations had to convince the nation to their new vision for the federal government. Christine Stevens, once again, took the lead in this campaign.

¹⁴² For more on farmed animal suffering, see Daniel Imhoff, *The CAFO Reader: The Tragedy of Industrial Animal Factories* (Watershed Media, 2010); David Kirby, *Animal Factory: The Looming Threat of Industrial Pig, Dairy, and Poultry Farms to Humans and the Environment* (New York: St. Martin’s Griffin, 2010); and Erik Marcus, *Meat Market: Animals, Ethics, & Money* (Boston: Brio Press, 2005).

Putting Pen to Paper: The Mass Letter-Writing and Educational Campaign

In the early 1950s, prior to launching their official outreach campaign to promote humane slaughter legislation, Stevens began contacting government officials and humane organizations in other countries to learn more about their slaughterhouses, slaughtering methods, and their experiences with campaigning for the passage of humane slaughter laws. Switzerland (1874), the Netherlands (1920), Norway (1924), Scotland (1928), Ireland (1932), England (1933), Finland (1934), Sweden (1937), Denmark (1956), and regions within France, Germany, and Austria all had enacted some form of a humane slaughter law. Australia, Fiji, and New Zealand (1951) also required some humane methods. Stevens sought feedback on their campaign plan from organizations such as the Humane Slaughter Association, formed in 1911, in Great Britain.¹⁴³ After compiling information on foreign slaughter laws and methods and receiving suggestions for improvements, The AWI, along with other U.S. animal welfare organizations, publicized the information on other countries' laws to their members during annual conventions and in newsletters and information reports. For the remainder of the decade activists continued to cite European countries as models for compulsory humane slaughter throughout their campaigning materials. This strategy—making international comparisons with other major democratic nations—proved useful as Americans became increasingly aware of the United States' role in the world.

The AWI and SAPL's aims in collecting information on other countries' slaughtering methods and laws, learning about U.S. slaughtering methods, and publishing their findings in pamphlets went beyond educating the American people on inhumane and humane slaughter.

¹⁴³ Christine Stevens to Dorothy Sidley, August 27, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

Stevens and other animal welfare activists, such as Fred Myers, endeavored to create a new regulatory realm for Congress which entailed legislating a more ethical relationship between humans and food animals. This would require convincing the industry to abandon the use of inhumane methods and pressuring Congress to pass legislation which would make doing so mandatory for slaughterhouses across the country. The AWI, in collaboration with other organizations' main strategy to achieve their goals began with what proved to be a highly successful mass letter-writing campaign.

Beginning in 1955, animal welfare groups sent op-eds about farmed animal slaughter to women's organizations and newspapers across the country and mailed pamphlets and letters to their members. The campaign called all citizens concerned with animal welfare to action. In 1955 alone, the HSUS distributed over 800,000 pamphlets containing information on humane slaughter.¹⁴⁴ Pamphlets and op-eds in major newspapers, including the *Wall Street Journal*, *Washington Post*, *New York Times*, and the *Christian Science Monitor*, urged Americans troubled by the cruel treatment of farmed animals to send letters or telegrams to the president, their senators and representatives, and members of congressional committees charged with overseeing the issue of humane slaughter. It was through these printed materials that the humane organizations brought awareness to a problem they saw as unnecessary and heinous, and secured legislative action.¹⁴⁵

Reflecting on her advocacy work with humane slaughter in 1999, Christine Stevens observed that the leaflets, which she credited for bringing in popular and political support, were

¹⁴⁴ Bernard Oreste Unti, *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington, D.C. Humane Society of the United States, 2004), 42.

¹⁴⁵ Christine Stevens, Fred Myers, Pearl Twyne, DeLos Culver, Alice Morgan Wright, and Edith Goode, Meeting minutes, National Humane Society, Washington, D.C. March 18, 1955, Legal Box 2-016, Folder 4: Humane Slaughter – Congressional Responses and Clippings, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

not “particularly savvy.” However, the mailings, which included graphic images of sheep, hogs, and cattle being ushered to their death, were designed by the joint efforts of several animal welfare organizations that joined forces to convince people to support their cause and contact members of Congress.¹⁴⁶ In 1955, representatives from national organizations, including the HSUS and the AWI, met to discuss how to move forward with the letter-writing and educational campaigns. They decided to concentrate on “public indoctrination” through leaflets that contained both horrible and “unhorrible” images of animals with unsettling quotes.¹⁴⁷ One leaflet, which included an image of dozens of live lambs crammed into a small slaughterhouse hallway bluntly stated, “Lambs like these are sacrificed by the million, so that you may eat ... Do you think they should be subjected to unnecessary cruelty on the killing floor?”¹⁴⁸ The following page displayed an image of several lambs hoisted up by one leg. A slaughterhouse employee slits the throat of a lamb in the forefront. The caption reads:

THIS ANIMAL IS FULLY CONSCIOUS and suffering extreme fear and pain. The butcher has pulled it taut by the ear so that he can drive the knife into its throat. Note the tight, iron shackle attached to the chain by which the terrified creature was hauled off its feet and sent along the “assembly line”. It would be easy to make this animal unconscious before slaughter, but the packing industry (with a few praiseworthy exceptions) continues with the old, cruel methods. The method shown is used to kill the great majority of lambs, calves, sheep, and pigs. ... Unconsciousness finally comes from loss of blood. The photograph below shows the animals pushed along the “rail” to “bleed” out”. In their struggles, blood splashes on the wall.¹⁴⁹

¹⁴⁶ Christine Stevens, interview by Diane Beers and Jill Howard Church, March 16, 1999, October 21, 1999, October 22, 1999, November 4, 1999, and November 5, 1999, Box 2, Animal Rights Network Records, MC 00351, Special Collections Research Center, NC State University Libraries, Raleigh, NC.

¹⁴⁷ Christine Stevens, Fred Myers, Pearl Twyne, DeLos Culver, Alice Morgan Wright, and Edith Goode, Meeting minutes, National Humane Society, Washington, D.C. March 18, 1955, Legal Box 2-016, Folder 4: Humane Slaughter – Congressional Responses and Clippings, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁴⁸ Facts About Humane Slaughter,” Society for Animal Protective Legislation, Box 8-034, Folder 5: Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁴⁹ Facts About Humane Slaughter,” Society for Animal Protective Legislation, Box 8-034, Folder 5: Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

These images, followed by evocative descriptions, were crucial to inciting the successful letter-writing campaign, and encouraging people not formerly involved in animal advocacy to add their voices to the call for humane methods of farmed animal slaughter.

The photographs that oriented these pamphlets had been obtained during members' own visits to slaughterhouses or were mailed to the humane groups from concerned citizens, and the organizations shared their best material with one another. In 1957, Christine Stevens wrote to the British Columbia Society for the Prevention of Cruelty to Animals asking if they had any photographs of slaughterhouses that could be used for publicity materials. In his reply, executive director T. I. Hughes informed Stevens that he only had the images provided by the American Humane Society and suggested that Stevens use stills from Arthur Redman's infamous pig-slaughter video. In a follow-up letter, Madeline Bemelmans, president of the SAPL, told Hughes that she acquired photographs from the Ontario Society for the Prevention of Cruelty to Animals, and they should do the same if they wanted more materials on humane slaughter.¹⁵⁰

By publicizing images of suffering animals, the animal welfare organizations used tactics established by their nineteenth-century predecessors. When fighting for the first direct animal welfare protections, ASPCA created a new form of evidence: the wounded animal body. This practice modified early innovations that sought to bring animal cruelty into the "judicial gaze," in which animal welfare advocates brought injured animals into the courtroom as evidence of a person's guilt in cruelty to the animal. For nineteenth-century advocates, the display of suffering was crucial to demonstrating an animal's sentience. These efforts went beyond the court. To

¹⁵⁰ T. I. Hughes to Christine Stevens, March 15, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Madeline Bemelmans to T. I. Hughes, April 13, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

increase support for legislation, they used public education campaigns to teach people how to “recognize and sympathize” with suffering animals.¹⁵¹ Twentieth-century humane slaughter advocates used similar tactics when circulating leaflets with images of frightened and suffering cattle, pigs, sheep, and other food animals. This display of suffering, they believed, would convince people that the animals they consumed regularly experienced immense pain because of outdated and cruel slaughtering practices, and that they deserved legislative protection both on their behalf and in the best interest of consumers.

Testifying to the effectiveness of the images, citizens often wrote to the humane organizations commenting on their emotional responses upon seeing the leaflets. In 1957, M. W. Baldwin stated that an image of a screaming hog brought tears to her eyes, and she claimed that it was the “very best piece of literature I have seen.” She also mentioned that she sent the same leaflet to Congressman Charles Hoeven (R-IA) and hoped it would have the same effect on him.¹⁵² Likely responding to the same image, Marian Storm of Guadalajara, Mexico, asked the SAPL to send her copies of the leaflet with the “fearful picture of the hog in agony.”¹⁵³ Both Storm and Baldwin were likely referring to a widely circulated pamphlet by the SAPL which showed a conscious pig bleeding from the neck and visibly distressed while being stabbed in the abdomen and likely being prepped for cleaning and disassembly.¹⁵⁴ Responding to the

¹⁵¹ Susan J. Pearson, “The Cow and the Plow: Animal Suffering, Human Guilt, and the Crime of Cruelty,” in *Toward a Critique of Guilt: Perspectives From Law and the Humanities*, volume 36, Matthew Anderson, ed. (Amsterdam: Elsevier, 2005), 83-84.

¹⁵² M. W. Baldwin to Madeline Bemelmans, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁵³ Marian Storm to the Society for Animal Protective Legislation, May 6, 1967, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁵⁴ Society for Animal Protective Legislation pamphlet, Box 64, Folder: Sen 85A-E1, S. 1497 (1 of 3), Records of the U.S. Senate, 85th Congress, Sen 85A-E1, Committee on Agriculture and Forestry, S. 1362 – S. 1497, Record Group 46, National Archives Building, Washington, D. C.

image, Storm continued, "If I were a dictator, I would force everyone who eats pork, or mutton or veal, to spend a week in a slaughterhouse. (Although it must be confessed that some would enjoy it)." Lacking the ability to bring citizens to witness conditions in the packing plants, the images printed throughout the materials sought to serve a similar purpose by revealing what happened inside of the walls of slaughterhouses. Storm concluded, "Perhaps we have no remedy but to print and distribute photographs such as this... in the hope that here and there a person will be startled by the truth which he has evaded facing."¹⁵⁵ Once confronted with visual evidence of

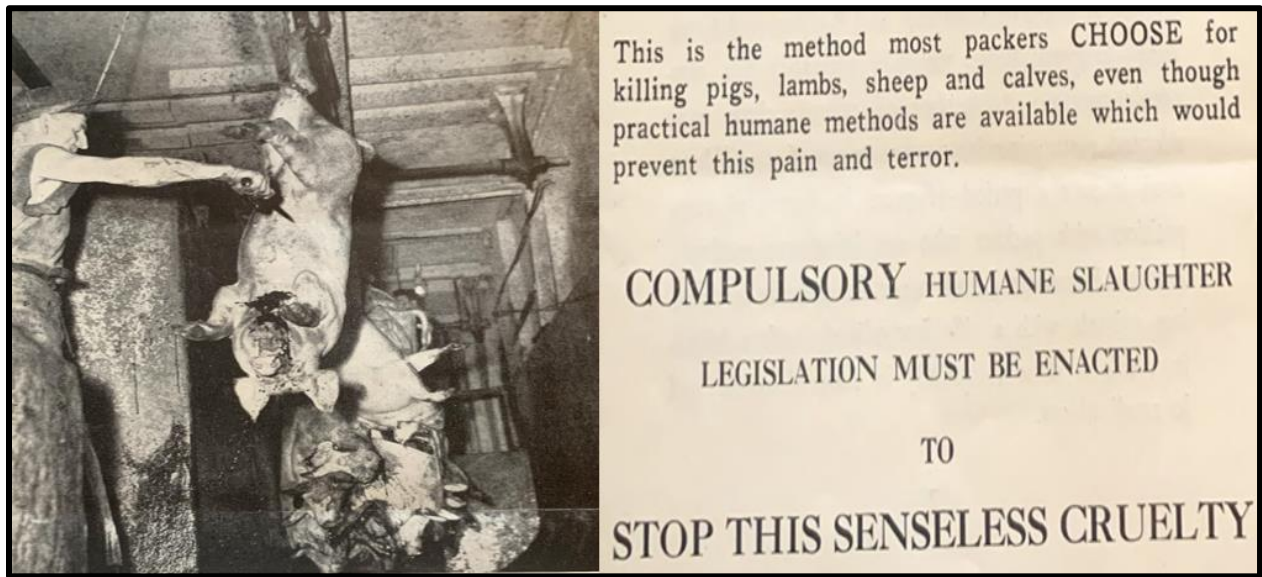


Figure 1: A pamphlet distributed by the Society for Animal Protective Legislation urging for compulsory humane slaughter legislation. The caption read: "Please look at the terrified face of this tortured animal screaming in anguish. She is one of the more than 100,000,000 sentient creatures upon whom this unnecessary suffering is inflicted every year."

slaughterhouse practices many Americans were horrified to learn about the conditions in which their food was produced.

¹⁵⁵ Marian Storm to the Society for Animal Protective Legislation, May 6, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

The brutal images of suffering farmed animals strewn throughout the campaign materials were designed to prompt an initial sense of shock and horror to readers. But the pamphlets also urged action, arguing that there were alternatives, and included information on various slaughtering methods and devices. These pamphlets also took care to publicize that some packing companies voluntarily used humane methods. They explained European humane slaughter laws and methods, described the various bills that had been introduced in Congress, and included information on how to contact legislators to advocate for reform through regulation. As a result, compulsory legislation gained widespread support from concerned Americans.

Writing to SAPL in 1957, Mrs. Fredrick R. Keffer stated that she was “convinced that the majority of people are in complete darkness about these unbelievable cruelties. I cannot understand how human beings can stoop so low as to inflict these horrible tortures to defenseless animals!!”¹⁵⁶ A Mrs. Griffith shared Mrs. Keffer’s dismay. She too wrote to the SAPL upon seeing a recent pamphlet on humane slaughter. Disturbed by what she read, she said she was “shocked beyond words, as I had always believed that death to the animals was instantaneous and humane.” Within a month’s time, Mrs. Griffith made one hundred cards and pamphlets for her friends and family to send to their congressional delegations and local newspapers.¹⁵⁷

By writing to Congress and distributing materials beyond the established organizational networks, citizen activists took up the charge put forth by the humane organizations. In this sense, responsibility to alleviate the animals’ suffering was two-fold. While animal protection organizations argued that it was the federal government’s duty pass a humane slaughter law,

¹⁵⁶ Mrs. Fredrick R. Keffer and Christine Stevens, May 7-14, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁵⁷ Mrs. James V. Griffith and the SAPL, May 28-June 7, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

their pamphlets and broadsides simultaneously charged citizens around the country with the responsibility to bring an end to inhumane slaughter by pressuring Congress and the packing industry through letter-writing. Statements such as, “NOW YOU HOLD THE KEY,” “A BILL CAN BE PASSED—and must be passed—this year if you will support it. PLEASE DO YOUR PART,” and “Your letters will become a ballot for a humane slaughter law,” were frequently used throughout the campaigning materials. Others queried, “Will you invest the price of a 3¢ to win a Humane Slaughter Law for the United States?”¹⁵⁸ By equating the necessary effort and cost required to ensure the passage of a humane slaughter bill to just a few pennies, animal welfare and humane organizations allowed the public few excuses to not act.

Putting responsibility into the public’s hands reflected Christine Stevens’ philosophy on effective campaigning and activism. Commenting on the influence of Upton Sinclair’s *The Jungle*, Stevens stated that many people believed the treatment of farm animals in the slaughterhouses improved following its publication. She continued, explaining that when Sinclair was asked which part of the work he thought was best, he answered that was it the part which described disassembling hogs. Stevens reflected, “it’s interesting that Sinclair chose the pigs on a wheel as his idea of his best writing, which may be why people thought it must have resulted in action, but it never results in action if you don’t push it. You can’t write a book and expect people to change. It’s got to be activists.”¹⁵⁹ Therefore, after years of working with industry, and

¹⁵⁸ “Cast Your Vote for Humane Slaughter,” The American Humane Association, 1958, Box-034, Folder 5: Humane Slaughter 3 of 3, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “Will you invest in the price of 3¢ Stamp to win a Humane Slaughter Law for the United States?” Box-034, Folder 5: Humane Slaughter 3 of 3, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁵⁹ Christine Stevens, interview by Diane Beers and Jill Howard Church, March 16, 1999, October 21, 1999, October 22, 1999, November 4, 1999, and November 5, 1999, Box 2, Animal Rights Network Records, MC 00351, Special Collections Research Center, NC State University Libraries, Raleigh, NC.

trying to push for reform within the system, the humane organizations had begun to argue that it was up to the citizen to force change and doing so required mobilizing the American people.

Almost immediately after the first bills entered Congress in 1955, hand-written, typed, and telegraphed missives concerning humane slaughter flooded the desks of members of Congress. Senator Allen J. Ellender (D-LA), chairman of the Committee of Agriculture and Forestry, said after twenty-two years in office, he knew of no issue, “which has provoked more letter writing and telegraphic communications than the so-called humane slaughter bill.”¹⁶⁰ Many citizens who desired to write their local newspapers and representatives looked to the humane organizations for guidance on what to include in their letters. Reacting to a leaflet on humane slaughter, in 1957 William Jones sent the SAPL a draft of the letter he intended to send to Representative Harold D. Cooley (D-NC), chairman of the House Agriculture Committee. He feared his words were not sufficiently effective and requested coaching or an example of a strong letter. In her response, Madeline Bemelmans, president of the SAPL, sent a sample letter and provided feedback on Jones’ draft. As for suggestions for improvement, Bemelmans stressed that it was imperative that Jones expressed support for the passage of *compulsory* legislation.¹⁶¹ Bemelmans stressed that Jones include “compulsory” in his letter because two humane slaughter bills, which did not include compulsory compliance, were now before Congress.

The accumulation of sustained pressure from animal welfare and women’s organizations and the public prompted the industry to realize that some form of legislation was likely to pass. In defense, they encouraged Representative William J. Bryan Dorn (D-SC) to propose an alternative humane slaughter bill in 1957, H.R. 5820, that reflected the interests of the packing

¹⁶⁰ *Cong. Rec.*, 85th Cong., 2nd sess., 1958, 104: 15368.

¹⁶¹ William Jones and Madeline Bemelmans, April 26-May 1, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

industry. Dorn considered H. R. 5820, “middle-of-the-road” legislation. He explained to the Subcommittee on Livestock and Feed Grains of the Committee on Agriculture in the House of Representatives that the bill, “recognizes that a problem exists and... that improvements should be made, but it provides that improvements will be made in the American way—progress based on scientific facts and proven methods.”¹⁶² The following year, Senator Arthur Watkins (R-UT) introduced S. 1213. These bills were considered “study bills,” directing Congress to appropriate funds and allowing the industry (in partnership with an advisory committee led by the Secretary of Agriculture) more time to conduct research and to further develop humane slaughtering devices. Including these two study bills, fourteen humane slaughter bills were introduced in Congress between 1956 and 1958, leading to widespread confusion over which bills advocates of reform should support in their letters to their representatives.¹⁶³

Citizen activists took several approaches to writing their letters. Some kept things simple, stating only that they urged their representative to support the passage of a compulsory humane slaughter bill. Others were more personal and detailed, including language aimed at arousing an emotional response from the intended recipient. Many reiterated ideas, often verbatim, presented in the humane organizations’ pamphlets, including language accentuating Cold War ideologies and tensions, reminding Congress of its obligation to the American people by upholding the

¹⁶² House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 66.

¹⁶³ In the Senate, the bills included S. 1636, introduced on March 10, 1955, by Hubert Humphrey (D-MN), S. 1213, introduced on February 14, 1957, by Arthur Watkins, (R-UT), and S. 1497 (introduced on March 2, 1957, by Hubert Humphrey, Richard Neuberger (D-OR), and William A Purtell (R-CT). The House bills included H. R. 8540, introduced on January 17, 1956, by Martha Griffiths (D-MI), H. R. 9603, introduced on February 28, 1956, by Edgar Hiestand (R-CA), H. R. 176, introduced on January 3, 1957, by Martha Griffiths, H. R. 2880, introduced on January 14, 1957, George P. Miller, (D-CA), H. R. 3049, introduced on January 16, 1957, by Edgar Hiestand, H. R. 3029, introduced on January 16, 1957, by William A. Dawson, (R-UT), H. R. 5671, introduced on March 6, 1957, by John L. McMillan (D-SC), H. R. 5820, introduced on March 11, 1957 by William J. Bryan Dorn (D-SC), H. R. 6422, introduced on March 27, 1957, by Joseph Loser (D-TN), H. R. 6509, and introduced on March 29, 1957, by DeWitt Hyde (R-MD).

nation as a global leader. For example, a telegram from an anonymous sender appealed to the members of the Senate Committee of Agriculture and Forestry in 1958, asking, “Where do representatives of United States citizens stand on today’s enactment legislation S-1494 [*sic*] Today will reflect your powers but which direction we await. Eradicate intense terrifying suffering of helpless animal creatures with a vote of humane security fulfilling your purpose of American statesmanship for our better world.”¹⁶⁴ This telegram not only highlighted the responsibility of the committee members to act for the greater good, but it also suggests that many Americans viewed the issue of humane slaughter in a global context. By passing humane legislation, and regulating the treatment of farmed animals, the United States would contribute to creation of a better world. Following World War II, many Americans embraced the argument that the United States had the responsibility to spread democracy, benevolence, and humaneness. The animal welfare organizations contributed to this idea throughout their campaigning materials, and this message was reflected throughout the letters sent to Congress by constituents.

Evoking patriotism among its readers, one ASPCA leaflet stated, “The United States is a world leader; its set standards of humaneness should not be inferior to those of the western European democracies.”¹⁶⁵ Letters to newspapers, individual legislators, and even the president echoed this concern. In 1956 a concerned citizen, Amos Manley, pleaded with President Eisenhower, “These are gods [*sic*] helpless animals suffering untold agonies. God is expecting us to help them. Other civilized nations have humane slaughter bills please help us to have even

¹⁶⁴ Anonymous telegram to the Members of the Senate Committee of Agriculture and Forestry, June 18, 1958, Box 64, Folder Sen 85A-E1, S. 1497 (1 of 3), Records of the U.S. Senate 85th Congress, Sen 85A-E1 Committee of Agriculture and Forestry, S. 1362 – S. 1497, Record Group 46, National Archives Building, Washington, D. C.

¹⁶⁵ “Facts About Humane Slaughter,” Society for Animal Protective Legislation, Box 8-034, Folder 5: Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

better humane slaughter bills.”¹⁶⁶ Writers urged the president to add his support to the movement to require slaughterers to render animals insensible to pain prior to slaughter because other countries had already done so.¹⁶⁷ This rhetoric, one that stressed the humaneness and moral obligations of the United States with respect to its European allies contributed to growing concerns over the nation’s global reputation.

Animal welfare organizations also encouraged their members to write their local newspapers, asking editors to publicize information on humane slaughter legislation. As a result, newspapers throughout the nation published an increasing number of editorials and letters to the editor commenting on American producers’ immoral and unnecessarily cruel relationship to food animals. In 1956, an article in the *Albany Times-Union* stated, “To an entire world America stands as an example of industrial and social progress. But in one respect, at least, we are nearly as backward as the most primitive lands; and that is the cruel, antiquated methods we use to slaughter the animals that become our table meat.” The author compared U.S. slaughterhouses to medieval dungeons and concluded, “Something deeper than a squeamish repugnance toward blood motivates those who would see swift reform. It is the abiding conviction that callous brutality has no place in our society.”¹⁶⁸ Similarly, an editorial in the *Christian Science Monitor* noted that the “United States prides itself both on its technical progress and its humanitarian feeling. Strangely, however, it lags in the application of these qualities in the field of humane slaughtering.” The author asked, “is it either reasonable or tolerable for Americans to lag from

¹⁶⁶ Amos Manley, letter to President Eisenhower, April 26, 1956, Box 1254, Dwight D. Eisenhower Library Central Files General Files, Eisenhower Presidential Library, Abilene, KS.

¹⁶⁷ Ruth and Jacob Sobinsohn to Dwight D. Eisenhower, May 3, 1956, Box 1254, Dwight D. Eisenhower Library Central Files General Files, Eisenhower Presidential Library, Abilene, KS.

¹⁶⁸ Madeline Bemelmans and Christine Stevens, “SAPL letter to Humanitarians,” March 22, 1958, Box 8-034, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “For an End of Cruelty,” *Times-Union*, Albany, New York (July 2, 1956), Box 2.020, Folder 1: Humane Slaughter Clippings, 6 of 6, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

30 to 80 years behind other enlightened peoples in adopting more technically efficient and humane practices?”¹⁶⁹ Such comments were common throughout editorials and op-eds during the mid-1950s that challenged the idea of American greatness and role as a global leader.

In addition to writing to elected officials, the president, and newspapers, those called to action by the letter-writing campaign also turned their attention to the packing industry—shaming individual slaughterhouses and companies for their mistreatment of the food animals during the slaughter process. It was widely known among activists that the vice president of Swift & Company, R. W. Regensburger, staunchly opposed mandatory humane slaughter legislation. Animal welfare advocates flooded the offices of industry leaders with letters demanding an explanation. In a letter to Regensburger, Mrs. L. M. Gary wrote:

To say that I was shocked at the mercenary attitude of your company in regard to installing humane equipment for killing animals which come to our tables is putting it very mildly... There is absolutely no excuse for the sadistic cruelty to the animals which are slaughtered in yours and other plants... I would like to know how anyone in this supposedly civilized country could possibly resent or fight humane slaughter. You and those who do oppose humane slaughter are the kind who go abroad and come back with shocking stories of animal sacrifices and think it is horrible. Wherein lies the difference? ¹⁷⁰

Many who felt compelled to write such letters to the major packinghouses also inscribed their vows to stop purchasing their products, hoping the economic pressure would lead to the company’s voluntary adoption of humane slaughter methods and/or their support of legislation. And while some companies did voluntarily adopt humane methods, perhaps as a result of such scathing letters and pressures, most did not.

¹⁶⁹ “A Strange American Lag,” *Christian Science Monitor*, Boston (June 25, 1956), Box 2.020, Folder 1: Humane Slaughter Clippings, 6 of 6, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁷⁰ Mrs. L. M. Gary to R. W. Regensburger, April 2, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

On several occasions, concerned citizens confronted slaughterhouse employees directly about the issue of humane and inhumane slaughter. Animal welfare organizations discouraged citizen activists from doing this, and it often resulted in a less than positive interaction. M. W. Baldwin, who wrote to Madeline Bemelmans hoping to receive copies of a pamphlet, described an argument she had with two meatpackers in Sioux City, Iowa. Baldwin said the packers were insulting and called her crazy after arguing about whether a humane slaughter bill would affect all packing facilities. Baldwin insisted it would, while the packers maintained that small operations would not have to conform. Baldwin, unfortunately, was misguided.¹⁷¹

In a response letter, Christine Stevens clarified that any proposed legislation would not require all slaughterhouses, especially smaller ones that did fall under congressional authority (by engaging in interstate commerce or producing meat for the federal government), to adopt humane methods of slaughter. To reassure Baldwin of the broader logic of legislative action Stevens explained that by forcing the largest packers to use humane methods, most food animals slaughtered each year would receive painless deaths.¹⁷² In a separate exchange addressing similar concerns, Stevens informed Mary W. Wright that she did not think any federal legislation could affect all slaughterhouses nationwide. However, she told Wright that a humane slaughter law would alter conditions during the last minutes of life for 90% of animals slaughtered due to the high number of animals killed by the country's largest packing companies.¹⁷³

¹⁷¹ M. W. Baldwin to Madeline Bemelmans and Christine Stevens to M. W. Baldwin, June 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁷² M. W. Baldwin to Madeline Bemelmans and Christine Stevens to M. W. Baldwin, June 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁷³ Christine Stevens to Mary W. Wright, May 10, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

Animal welfare advocates endeavored to provide the public with accurate information. However, their efforts were met with resistance from industry supporters who were not convinced of the need for legislation. For example, on April 29, 1957, the *New York World Telegram and Sun* reprinted an article entitled “‘Humane’ Slaughtering Costly and Impractical, Meat Men Say.” The article claimed that according to a spokesman for the American Meat Institute, the methods of slaughter proposed by humane groups were not feasible in the United States because of the size of the slaughterhouses and the volume of meat produced each day. The author also suggested that meat prices would rise if Congress required the supposedly “humane” methods of slaughter—a popular argument made by opponents of compulsory legislation.¹⁷⁴

Humane activists maintained their information campaign in response to what they saw as inaccurate reporting in the newspapers and national magazines. In response to the *World Telegram and Sun* article, Christine Stevens wrote a letter to the editor that asserted the misleading nature of the author’s statements. Stevens argued, “The cost of meat has never risen as a result of the installation of humane methods of slaughter. On the contrary, millions of pounds of meat now wasted because of cruel and barbaric slaughtering methods would be saved if humane methods were used throughout the industry.”¹⁷⁵ Similar conversations played out in the newspapers over the years. But apart from counternarratives distributed by industry defenders, many citizens were mobilized by the photographs and information circulating through

¹⁷⁴ United Press, “‘Humane’ Slaughtering Costly and Impractical, Meat Men Say” *World Telegram and Sun* (April 29, 1957), Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁷⁵ United Press, “‘Humane’ Slaughtering Costly and Impractical, Meat Men Say” *World Telegram and Sun* (April 29, 1957), Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to the Editor of the *World Telegram and Sun*, letter, May 21, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

the mail and the media about the suffering of farmed animals during slaughter and the importance of congressional leadership in enacting a compulsory humane slaughter law.

In a letter to Senator Ellender Virginia LaMarche reflected upon the motives of the humane organizations. She wrote, “I honestly do not believe these societies are making up facts about the conditions in our slaughter houses. I do not think there would be much to gain by this!” She continued by asserting her belief that humane slaughter methods would improve the quality of meat and create safer working conditions for slaughterhouse employees. She proclaimed: “The housewife has to pay for damages, not the packers,” and “As a housewife I think we have a moral obligation to know how our meat is prepared, and if it is not killed in a humane manner, we should change the conditions.”¹⁷⁶ Women across America who learned about the treatment of farmed animals, the unsafe working conditions, and the millions of dollars lost every year due to damaged meats through the pamphlets distributed by the animal welfare organizations shared LaMarche’s concerns and acted in an increasingly public sphere to advocate for congressional action and industry reforms.¹⁷⁷

However, the humane organizations’ campaign spread its influence beyond the housewife, consumer, and dedicated members of national and local animal welfare organizations. Animal welfare leaders hoped to convince slaughterhouse workers and the meatpackers’ unions to support the cause. Proponents of compulsory legislation emphasized that more humane methods would improve the conditions and safety for plant employees, and claimed the unions supported the bills’ objectives. In 1956, when asked about the position of the Butchers Workers

¹⁷⁶ Virginia A. LaMarche to Senator Allen J. Ellender, May 14, 1958, Box 64, Folder: Sen 85A-E1, S 1497 (1 of 3), Records of the U.S. Senate 85th Congress, Sen 85A-E1 Committee of Agriculture and Forestry, S. 1362 – S. 1497, Record Group 46, National Archives Building, Washington, D. C.

¹⁷⁷ For women’s role in animal welfare advocacy, see Diane L. Beers, *For the Prevention of Cruelty: The History and Legacy of Animal Rights Activism in the United States* (Athens: Swallow Press/Ohio University Press, 2006).

Union during the 1956 Senate hearing on S. 1636, Senator Richard Neuberger (D-OR), a co-sponsor of Humphrey's original bill in 1955, explained that he had spoken to many workers who disdained the current conditions in slaughterhouses but recognized their lack of power in the companies, believing that they "must follow superior orders."¹⁷⁸ Although, Neuberger admitted that he had not been in contact with the union and so he did not know if they were for or against humane slaughter legislation. However, the following year, during the 1957 House hearing on a number of humane slaughter bills (H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509), representatives of the Amalgamated Meat Cutters and Butcher Workmen of North America, ALF-CIO, which had 350,000 members, 100,000 of which were packinghouse workers, testified on behalf of the union. Arnold Mayer, public relations director, explained the dangers of slaughtering livestock and that most workers prefer to be moved to other jobs within the packing house. "The most heartily disliked job is shackling of hogs," Mayer reported. He also testified that many of the union's members had experience with both carbon dioxide chambers and captive-bolt pistols and found them effective and resulting in improved working conditions. Congress thus heard that the Amalgamated Meat Cutters and Butcher Workmen of North America and its members supported the enactment of mandatory humane slaughter legislation.¹⁷⁹

Farmers in the dairy industry were also interested in humane slaughter legislation and contacted their legislators and animal welfare organizations to voice their support of a mandatory humane slaughter law. The National Farmers Union also supported the first Humphrey bill, S.

¹⁷⁸ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 64.

¹⁷⁹ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 59-61.

1636, and urged its swift passage. Testifying at the 1956 Senate hearing, John A. Backer, coordinator of legislative services of the National Farmers Union stated, “Adoption of S. 1636 would not affect the income of farmers since the cost of putting into practice the more modern methods would be a very minor one and could easily be paid from the oversized profits of commercial packers.”¹⁸⁰ In July 1956, Alfred Altman, president of the National Dairymen’s Association, wrote to Senator Humphrey expressing his support, stating, “I am pleased to write you my whole-hearted compliments and support of your fine position in relation to ‘humane slaughter legislation.’” Altman continued: “It is most astonishing to find that men will act in such a most unhuman manner, at this stage of civilization, as the practices employed in the slaughter of animals... I hope you and your fellow Senators will establish humane slaughter legislation, soon. I assure you that I shall act in every way possible, in this connection.” Upon receiving the letter, Humphrey sent it to Christine Stevens.¹⁸¹

In the following months, Stevens and Altman exchanged a number of telephone calls and planned further collaborations. In September, Stevens helped draft an official letter of endorsement for the National Dairymen’s Association. The letter stressed the importance of giving the animals that have “served us faithfully” by providing milk and meat a merciful and painless death. In addition, Stevens looked to Altman for advice, asking for suggestions on how to ensure the endorsement of other dairy associations, revealing that activists were reaching out

¹⁸⁰ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 137.

¹⁸¹ Christine Stevens to Alfred Altman, August 14, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

to the dairy and cattle interests in an effort to gain the livestock industry's support for the passage of a humane slaughter bill.¹⁸²

While the humane organizations sought to encourage supporters to write letters to Congress, their campaigns also inspired letter-writing on the part of those who opposed legislation. Members of Congress were also lobbied by Jewish organizations, livestock producers, and packing companies of all sizes. In 1958, Senator Ellender received a telegram stating that the "California livestock people" believed H.R 8308, a compulsory humane slaughter bill, included "many impractical features." Instead, they expressed support for the passage of S. 1213, one of the two study bills backed by the meatpacking industry and the Department of Agriculture.¹⁸³

The animal welfare organizations' campaign to educate the public on the issue of humane slaughter and to pressure the packing industry and Congress through a mass letter-writing campaign proved mostly successful. But some Americans were skeptical about the effectiveness of the humane organizations' strategies and worried that letters, telegrams, and calls would be inadequate for driving legislation to reform the nation's slaughterhouses. Some shared their concerns and ideas for improvement with the animal welfare organizations' leaders. In 1956, Robert and Elizabeth Rodger, managers of Bent Creek Ranch in New York, wrote to Christine Stevens presenting an idea about how to ensure the packers get in line. They argued that writing congressmen and committee members—the most popular approach promoted by the welfare organizations—was a waste of time, as most of them were likely "run of the mill type of

¹⁸² Christine Stevens to Alfred Altman, September 26, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁸³ Telegram to Senator Allen J. Ellender, February 17, 1958, Box 63, Folder: Sen 85A-E1, HR 8308 (4 of 4), Records of the U.S. Senate, 8th Congress, Sen 85A-E1, Committee on Agriculture and Forestry, S. 1128 – S. 1356, Record Group 46, National Archives Building, Washington, D. C.

politicians quite willing to yield to pressure from the meat packers to kill the bill.” Instead, they proposed that Stevens meet with the big packers to convince them that their reluctance to the bill will lead to bad public relations. The industry, they asserted, “had antagonized a great group of people by failure to cooperate in its reasonable demands,” and that their ranch only bought Hormel pork. “The packers, will learn eventually that they are not exempt from reprisals by the public,” they concluded. This approach would have resonated with Stevens, who was in near-constant communication with some of the biggest packing companies already, but she was not willing to abandon the hope for legislation nor the letter-writing campaign launched only a year prior.

Stevens was not ignorant about the meatpacking industry’s political influence, and she also recognized that legislation required animal welfare organizations to work with those upon whom they sought to impose regulation.¹⁸⁴ To cultivate a positive relationship with meatpackers, some humane societies looked for ways to promote business for companies that used humane methods. For example, the AWI published lists of packers to support in their bi-monthly Information Report, while the AHA awarded packers their Seal of Approval. To encourage packing companies to adopt alternative methods, the AHA granted businesses that met their standards for humane slaughter with the seal. R. T. Phillips, executive director of the AHA, stated, “We expect the seal of approval to inspire a high spirit among the packers,” hoping that it would result in industry-wide adoption of humane methods.¹⁸⁵

¹⁸⁴ Robert and Elizabeth Roger and Christine Stevens, July 8, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁸⁵ “AHA Seal of Approval,” *The National Humane Review*, Michigan Edition, March-April 1957, page 5, Box No. 3066, Folder: Animal Products 1, Humane Slaughter (Case File) 1958, Records of the Office of the Secretary of Agriculture, General Correspondence, 1906-76, 1958 Accounting- Animal Products 1 – Packing House, H. M. Completed 1988, Record Group 16, National Archives at College Park, College Park, MD.

The AHA developed a set of standards that encouraged packers to ensure that their facilities be clean and free from debris that might harm the animals, such as nails. The standards also mandated that packers provide adequate food and water for the animals and render the animals insensible to pain using methods determined to be humane by the AHA—this included the use of chemical, mechanical, or electrical devices. Companies that qualified for the seal were asked to sign a contract with the AHA, promising to continue using humane methods and following the standards. These slaughterhouses were then subject to annual inspections by the AHA to maintain their status as certified humane producers.¹⁸⁶ Seitz Packing Company was the first to receive the honor for implementing flood lights to daze animals prior to being stunned with a captive-bolt pistol. Hormel’s seal soon followed. The AHA argued that the “initiative shown by Hormel... has been a prime factor in stimulating other progressive packers to adopt improved methods.”¹⁸⁷ The national operations Oscar Mayer, Swift & Company, Wilson & Company, and Armour and Company also received the seal after certifying that they humanely slaughtered cattle using the captive bolt pistol. By 1958, thirteen other packers joined the list after implementing humane methods within individual facilities for beef, veal, and lamb slaughter.¹⁸⁸

¹⁸⁶ AHA Seal of Approval,” *The National Humane Review*, Michigan Edition, March-April 1957, page 5, Box No. 3066, Folder: Animal Products 1, Humane Slaughter (Case File) 1958, Records of the Office of the Secretary of Agriculture, General Correspondence, 1906-76, 1958 Accounting- Animal Products 1 – Packing House, H. M. Completed 1988, Record Group 16, National Archives at College Park, College Park, MD.

¹⁸⁷ Robert and Elizabeth Roger and Christine Stevens, June 8, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁸⁸ American Humane Association Seal of Approval for Humane Slaughtering 1958, General File, Box 1254, Eisenhower, Dwight D.: Records as President, White House Central Files, 1954-1961, Dwight D. Eisenhower Presidential Library, Abilene, Kansas.



Figure 2: The Seal of Approval awarded by the American Humane Association to meatpackers that practiced accepted methods of humane slaughter in 1958.

Some packers' willingness to work with humane organizations, however, was not enough to ensure nationwide adoption of humane methods. Progress occurred too slowly for humane societies, and most packers remained unconvinced by the animal welfare advocates' urging of reform. But animal welfare leaders refused to allow industry opposition to stand in their way. They had successfully convinced the public and several sympathetic legislators that new laws were necessary. To convince those reluctant members of congressional committees tasked with considering the humane slaughter bills, animal welfare leaders had to be equally strategic throughout the 1956, 1957, and 1958 hearings held by the Senate's Subcommittee and Committee on Agriculture and Forestry and the House of Representative's Subcommittee on Livestock and Feed Grains of the Committee on Agriculture.

Intensifying Political Pressure during the Congressional Hearings and Presidential and Congressional Elections

The humane organizations used a variety of tactics to convince Congress of the need for compulsory legislation. In addition to encouraging the public to pressure legislatures through letter-writing, animal welfare leaders testified at the congressional committees and involved

themselves in both the presidential and congressional elections. While some of their approaches proved successful in prompting Congress to support legislation, others resulted in widespread backlash from the public. Either way, animal welfare leaders brought greater attention to the need for legislation and intensified the pressure on Congress to act.

Throughout the congressional hearings, animal welfare leaders from various organizations showed up in full force to defend the voiceless farmed animals. During their testimonies, they consistently framed their positions in two ways: 1) they focused on morality and the role of the United States as the leader of the free world and 2) they presented scientific evidence showing that the use of humane slaughter methods resulted in cost savings, improved employee safety, and reduced animal suffering. Animal welfare advocates repeatedly stressed Americans' moral duty to animals, as well as its role for other nations as a model for a humane society. While they spoke of the United States with a sense of pride, they also stressed that they were ashamed of the meatpacking industry's acceptance of farmed animal cruelty. Supporters of legislation repeatedly stated that the use of inhumane methods went against the "American way," and that the United States needed to join the global leaders on the issue of humane slaughter.¹⁸⁹ By challenging the consistency of American ideals and the United States' reputation, those testifying in favor of humane slaughter legislation suggested that the lack of a humane slaughter law threatened the United States' position in the world.

During the 1956 Senate hearing, Representative Martha Griffiths (D-MI), who introduced a humane slaughter bill similar to Humphrey's into the House, said it was "somewhat inconsistent for us as a Nation to boast of our progress and advancement in most fields and to permit inhumane and cruel slaughtering to continue. As a leader in the free world we most

¹⁸⁹ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 48.

certainly will strengthen our position with this important advance.”¹⁹⁰ At the 1957 House hearing Christine Stevens asked, “Why does our country fall instead into a class with the technologically backward among nations, and far worse, into a class with those nations whose Communist rules have no pity for either people or animals and no shame in the perpetration of cruelty?”¹⁹¹ Fred Myers made similar comparisons to the USSR during the 1958 Senate hearing. He stated, “The world was shocked when the Russians launched Sputnik No. 2 with one single dog in it” but “in this country, as a part of our normal commerce, more unspeakable brutality is inflicted on some tens of thousands of meat animals in our slaughterhouses.”¹⁹² Because the United States prided itself on its morality and decency, Cold War rhetoric and stressing the idea of American greatness helped convince legislators that the United States lagged behind other countries and that the nation needed a humane slaughter bill.

The second approach used by animal welfare leaders throughout the hearings emphasized scientific information on slaughter methods, both humane and inhumane. Because opponents of the bills often labeled supporters as “sentimentalists and impractical dreamers,” animal welfare advocates responded with quantitative data, including information on costs, accident rates, and production rates to support their cause.¹⁹³ They gathered evidence systematically, sponsored university studies on slaughter methods, invited veterinarians and anesthesiologists to testify at the hearings, and visited slaughterhouses on multiple occasions to familiarize themselves with

¹⁹⁰ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 72.

¹⁹¹ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 52.

¹⁹² Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 56.

¹⁹³ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 124.

common slaughter practices. In an effort to provide unbiased and educated opinions on slaughtering practices, the General Federation of Women's Clubs gave their members a "Checklist for Slaughterhouse Inspection." The lists included questions on the condition of the facilities and the different devices used for slaughtering the animals. It also encouraged the reader to pay careful attention to the slaughtering process: "If cattle are being stunned with a hammer, observe the stunning of several animals and then answer this question: Was more than one hammer blow required for any animal?"¹⁹⁴ Being able to provide first-hand accounts of slaughterhouse operations and having cultivated the cooperation of scientific experts allowed the animal welfare organizations to challenge the industry on a financial and practical level, not just on emotional or moral grounds.

Packers emphasized practicality and economic feasibility as crucial to their approval of a humane method, and representatives of the meatpacking industry continued to argue that this could be achieved through industry-sponsored research. While their efforts to develop new devices proved efficient, as evident with the carbon dioxide chambers and captive-bolt pistols, industry research into the humaneness of their products was nearly nonexistent. This research was initiated instead by the animal welfare groups who sponsored university studies at the University of Minnesota and Michigan State University.¹⁹⁵ Through varying efforts to assess the

¹⁹⁴ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 80.

¹⁹⁵ University researchers in animal husbandry departments and the animal welfare advocates were engaging in animal welfare science—a field that was not formally established until the 1980s. However, the field has its roots in the 1960s which saw the publication of many books and articles bringing awareness to farmed animal welfare, including Ruth Harrison's *Animal Machines* in 1964. Animal welfare science uses behavioral and physiological factors as indicators of welfare. This method of assessing and scoring an animals welfare based on visual and auditable factors was made popular within the animal industry by Temple Grandin throughout the 1980s and 90s. The studies and observations undertaken by the animal welfare advocates, especially the General Federation of Women's Clubs, who created a checklist for their members to bring to slaughterhouses to assess welfare, which included assessing the sounds and behaviors of the animals, were a precursor to modern methods of animal welfare science. For more on animal welfare science, see M. W. Fox and Linda D. Mickley, *Advances in Animal Welfare Science* 1984 and 1986/87 (Berlin: Springer Science & Business Media, 2012); David Fraser, "Animal Ethics and

humaneness of different slaughtering methods, researchers at these universities afforded animal welfare advocates with the ammunition they needed to provide evidence of the benefits of humane slaughter. By presenting scientifically backed information on humane slaughter and reminding the congressional committees of the nation's moral responsibilities and position in a global context, animal welfare leaders presented a persuasive argument for the need for humane slaughter legislation.

In addition to testifying at the hearings, animal welfare organizations seized on opportunities outside the walls of Congress to convince congressional members and the president to support humane slaughter legislation. This included leveraging support for politicians in the upcoming presidential and congressional elections. However, the public did not take kindly to some of these tactics. In 1956, Democrat and former Illinois Governor Adlai Stevenson II ran for U.S. president against Republican incumbent Dwight D. Eisenhower, seeking to reverse the results of the election of 1952. While Eisenhower had been quiet on the issue of humane slaughter, animal welfare organizations hoped to gain at least one of the candidates' support for legislation, and pledged, in turn, to promote his candidacy. In a letter to Representative Martha Griffiths, Stevenson wrote that he supported the objectives of humane slaughter legislation and would give it careful consideration. The same day, the SAPL mailed a letter to its members enclosed with Stevenson's statement. The letter read, "Mr. Stevenson is the first candidate for President of the United States ever to pledge his support to help suffering animals." The letter then urged readers to call "your humane-minded friends to inform them of Mr. Stevenson's

Animal Welfare Science: Bridging the Two Cultures," *Applied Animal Behaviour Science* 63, no. 3 (1999): 171-189; David Fraser, *Understanding Animal Welfare: The Science in its Cultural Context* (Hoboken: John Wiley & Sons, 2013); David Mellor, Emily Patterson-Kane, and Kevin J. Stafford, *The Sciences of Animal Welfare* (Hoboken: John Wiley & Sons, 2009); and Bernard E. Rollin, *Farm Animal Welfare: Social, Bioethical, and Research Issues* (Hoboken: Wiley, 2003).

strong stand against cruelty. Every sincere humanitarian should help to elect the man who believes in decent protection for animals.”¹⁹⁶

Promoting Stevenson’s candidacy resulted in backlash from other animal welfare advocates who refused to vote for Stevenson because as governor he had supported an animal seizure bill in Illinois similar to the Metcalf-Hatch Act in New York, which allowed laboratories to use unclaimed cats and dogs at animal shelters for medical research. However, the SAPL maintained that the seizure bill that Stevenson had signed did not have teeth and therefore did not resemble the cruel Metcalf-Hatch Act. Nonetheless, many animal welfare advocates still refused to vote for him and questioned his larger commitment to animal welfare.¹⁹⁷ Eleanor E. Seiling, an animal rights activist and later founder of the United Action of Animal Rights Inc., overheard many people at a HSUS convention say they would rather not vote at all than vote for Stevenson due to his support of the animal seizure bill. Christine Stevens and other SAPL leaders hoped a direct statement from Stevenson in support of humane slaughter legislation would help combat some of the negative publicity surrounding his record on animal welfare.¹⁹⁸

The SAPL’s endorsement of Democrat Adlai Stevenson outraged Republican and Southern Democrat animal welfare advocates. The SAPL received a slew of angry letters. One

¹⁹⁶ Adlai E. Stevenson to Martha W. Griffiths, November 1, 1956, Box 8-034, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Mrs. Ludwig Bemelmans and Robert Gesell, Society for Animal Protective Legislation, letter to Humanitarians, November 1, 1956, Box 8-034, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁹⁷ Dorothy Davis to Madeline Bemelmans, November 5, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Madeline Bemelmans to Dorothy Davis, November 19, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

¹⁹⁸ Eleanor E. Seiling to Adlai Stevenson, October 8, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to Adlai E. Stevenson, November 3, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

person wrote, “If you had wished to divide your society you could do it no better” than calling on members to vote for Stevenson, while another “resent[ed] this insult to my intelligence.” Helen Dickerson from New York wrote that she begrudged the SAPL deeply for sending out the “lowest piece of propaganda.” Dickerson, like several angered welfare advocates, argued that even though they had begun to work through Congress, the issue of humane slaughter was above politics, and suggested the organization not involve the fight for humane slaughter in party politics, “else we may lose many of our good friends working to help our suffering animals.” A. M. Fairbrother, a Southern Democrat and animal welfare advocate, accused the SAPL of engaging in “cheap politics” and believed the SAPL to have “lowered the dignity of the humane movement by using this means of attempting to influence votes.” He continued, “Whether this was part of the Democratic National Committees Campaign to smear [Eisenhower], the man who brought honesty, decency, and dignity to the office of the head of the world’s greatest nation, I have no way of knowing.”¹⁹⁹

Some exchanges were more aggressive. Thomas Goodyear, a turkey farmer from New York, who now renounced his support for the SAPL wrote furiously, “How any organization can be so unbalanced or of such low-grade intelligence as yours seems to be, I cannot understand.”

¹⁹⁹ Unknown to the Society of Animal Protective Legislation, November 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; W. V. A. Waterman to the Society for Animal Protective Legislation, November 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Helen Dickerson to the Society for Animal Protective Legislation, November 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Madeline Bemelmans to Helen Dickerson, November 17, 1956 Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Madeline Bemelmans to H. B. Miler, November 17, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; A. M. Fairbrother to the Society for Animal Protective Legislation, November 8, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

He then called the SAPL “unethical and stupid” for using their funds to circulate the letter calling for support of Stevenson. He continued,

It is impossible to believe that in this day and age of human torture and slaughter, when we can realize that suffering exists throughout the world, some group of sloppy sentimentalists would make the animals the principal issue in the forthcoming Elections. Such distortion of reality irks me so that I would gladly subject the author of your letter to any slow suffering death that one might devise, were it in my power to do so.

He concluded, “I hate you! I LIKE IKE!!” A stamp across the letter, whether placed by the author or the recipient, reads “GO SEE A DOCTOR.”²⁰⁰ It should also be noted that as a turkey farmer, and as a small-scale, local business, Goodyear’s farm would not have been affected by humane slaughter legislation.

Madeline Bemelmans, president of the SAPL, disagreed with those who believed the organizations’ efforts were misguided and that they should stay out of politics. She stood firm in her belief that legislation was necessary and was the only way to protect animals effectively. She reminded those angered by the SAPL’s support for Stevenson that while the president does not make the laws, he can influence his cabinet to support compulsory legislation. In other responses, Bemelmans made clear that she and the organizations’ interest in politics rested solely on electing politicians who supported protecting animal welfare.²⁰¹

In a follow up release to their members, the SAPL quoted one of the dissatisfied letters they received, “Did our beloved president Dwight David Eisenhower say he would not stand against cruelty when animals are slaughtered? Ask him for his support. I think he will do all that

²⁰⁰ Thomas Goodyear to the Society for Animal Protective Legislation, November 5, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁰¹ Madeline Bemelmans to Helen Dickerson, November 17, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Madeline Bemelmans to H. B. Miler, November 17, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

Adlai Stevenson promises and more.” To this statement, Madeline Bemelmans admitted the SAPL might have been wrong to assume Eisenhower did not support the cause. Their previous attempts to gather his position on humane slaughter legislation failed when Eisenhower did not reply to their letters. However, the SAPL assured their readers that they would be overjoyed if the president did in fact support humane slaughter legislation and that they were “anxious for him to prove himself receptive to humane ideas.” Believing it best to “seize the iron while it is hot,” the SAPL encouraged their members to write Eisenhower, asking him to release a statement in favor of compulsory humane slaughter legislation.²⁰²

Between 1956 and 1958, President Dwight Eisenhower received thousands of letters and telegrams encouraging him to support and sign a humane slaughter bill. Many letters specifically called out Eisenhower for not responding to previous inquiries about his stance on humane slaughter legislation, stating that his opponent already pledged his support. Repeating almost exactly what the SAPL wrote in the letter to its members, one person asked if Eisenhower was aware that the Secretary of Agriculture, Ezra Taft Benson, opposed compulsory legislation. The author of the letter wrote, “These are the things that are troubling your friends... and we beg you to say the word that will end Secretary Benson’s opposition... I know you will not fail us.”²⁰³

Laverne and Estelle Piccotti from California pleaded, “I know that you are a Christian man and

²⁰² Mrs. Ludwig Bemelmans and Mrs. Robert Gesell, Society for Animal Protective Legislative letter to Humanitarians, November 19, 1956, Box 8-034, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Madeline Bemelmans to Henry C. Burhell, November 17, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to Martha Griffiths, November 12, 1956, Box 2.18, Folder 3: Series 2, Humane Slaughter, Congressional Letters, 1956-1957, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁰³ Mrs. Raymond Lawrence Harkness to Dwight D. Eisenhower, December 5, 1956; Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

therefore humanitarian so I sincerely ask that you support humane slaughter bills.”²⁰⁴ Ruth and Jacob Sobinsohn from New York wrote, “My dear Mr. President: As one of the great humanitarian leaders of the world, we ask your intercession in favor of the greatly needed legislation for the humane slaughter of meat animals.”²⁰⁵ Republican animal welfare advocates writing Eisenhower also expressed concern that Stevenson publicly supported humane slaughter legislation while Eisenhower did not. Mrs. Margaret M. Kolarik, a “life-long Republican and a staunch admirer of the many fine leaders its Party has had,” wrote, “I cannot bring myself to believe that you are less humane than he... How can a country supposedly civilized permit such cruelties? If other countries can outlaw these barbarities, so can we.”²⁰⁶

Despite public interest in humane slaughter, President Eisenhower remained silent on the issue during the election cycle. For Republican and animal welfare advocate Ira Glackens, her “greatest disappointment in President Eisenhower has been his supine attitude on this subject, while he constantly urges the American public to pray and attend church.”²⁰⁷ Many people questioned the president’s apparent lack of interest for humane slaughter and continually asked him to discuss his stance on the bill. Elizabeth P. Schumann from Lexington, Kentucky, wrote to Eisenhower’s press secretary, James C. Hagerty, inquiring about Eisenhower’s “complete indifference to the Humane Slaughter Bill.” Hagerty wrote to Schumann that the objectives of the humane slaughter bill were “strongly favored. However, there is serious question as to

²⁰⁴ Estelle and Laverne Piccotti to Dwight D. Eisenhower, May 22, 1956, Box 1254, Dwight D. Eisenhower Library Central Files General Files, Eisenhower Presidential Library, Abilene, KS.

²⁰⁵ Ruth and Jacob Sobinsohn to Dwight D. Eisenhower, May 3, 1956, Box 1254, Dwight D. Eisenhower Library Central Files General Files, Eisenhower Presidential Library, Abilene, KS.

²⁰⁶ Margaret M. Kolarik to Dwight D. Eisenhower, December 4, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁰⁷ Ira Glackens to the Society for Animal Protective Legislation, November 5, 1956, Box 2.18, Series 2, Folder 6: Humane Slaughter – Federal Legislation, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

whether it can be accomplished merely by the enactment of a law such as proposed.”²⁰⁸ Sherman Adams, assistant to the president, replied to Schumann that President Eisenhower would take the letters into consideration, but would not discuss his personal views on the matter.²⁰⁹ Despite the president’s reluctance to express his opinion on the bills, letters continued to come in as more Americans urged the passage of a humane slaughter law.

Notwithstanding the animal welfare leaders’ efforts, Eisenhower’s popularity remained solid, and Stevenson’s endorsement of humane slaughter legislation was not enough to guarantee victory in the 1956 election. But the SAPL and other animal welfare organizations continued to use their letter-writing campaign to leverage power over political leaders, including the re-elected president. And despite the negative responses to the SAPL’s endorsement of Stevenson, it was effective in spurring an onslaught of letters to Eisenhower to not only support humane slaughter legislation, but to pressure his cabinet, and especially Secretary of Agriculture Ezra Taft Benson, to support the legislation as well. Whether Eisenhower tried to influence Benson is unclear, however Eisenhower’s continued silence on the matter and Benson’s unwavering objection to compulsory humane slaughter legislation suggest Eisenhower did little to encourage Benson to change his mind, as his opposition to regulation remained throughout the legislative battle.²¹⁰

The SAPL used similar tactics to influence the 1958 congressional election. In a series of news releases, the SAPL updated its members on which Congress members “stood staunchly for honest humane slaughter legislation,” and which members “deliberately killed effective

²⁰⁸ James C. Hagerty to Elizabeth Schumann, July 26, 1956, Box 1254, Dwight D. Eisenhower Library Central Files General Files, Eisenhower Presidential Library, Abilene, KS.

²⁰⁹ Sherman Davis to Felice Bradley, July 24, 1956, Box 1254, Central Files, General File, GF, 1952-1953, Eisenhower Presidential Library, Abilene, KS.

²¹⁰ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958. 278-279.

legislation.” The releases also informed its readers which legislators were up for reelection. In 1958, Senators Edward J. Thye (R-MN) and Spessard L. Holland (D-FL) voted against humane legislation. The SAPL urged that all “humanitarians” in Minnesota and Florida should campaign against their appointments. By contrast, Senators Stuart Symington (D-MO), William A. Proxmire (D-WA), and John J. Williams (R-DE), who supported compulsory legislation and were also up for election should be supported, according to the SAPL.²¹¹ Thye was defeated, while Holland, Symington, Williams, and Proxmire were reelected.

Congressional Support and the Ten Traitors

Animal welfare leaders and citizen activists were not alone in pressuring Congress to act. Legislatures who supported humane slaughter joined the animal welfare organizations and millions of Americans who supported regulatory action in trying to convince their colleagues to approve compulsory legislation. In addition to Hubert Humphrey and Martha Griffiths, the sponsors of the first humane slaughter bills in the Senate and House of Representatives, other members of Congress became vocal allies, including Representative William Poage (D-TX), a member of the House of Representative’s Committee on Agriculture and Subcommittee of Livestock and Feed Grains. Poage introduced H. R. 8308 (the humane slaughter bill that would eventually be enacted into law) and chaired the 1957 House hearing on humane slaughter. A cattle farmer and advocate of federal relief programs for farmers, Poage was deeply concerned about the plight of livestock after they were taken from ranches and farms and brought for slaughter.²¹²

²¹¹ Society for Animal Protective Legislation, letter to its members, June 19, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (1 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.

²¹² Christine Stevens, interview by Diane Beers and Jill Howard Church, March 16, 1999, October 21, 1999, October 22, 1999, November 4, 1999, and November 5, 1999, Box 2, Animal Rights Network Records, MC 00351, Special Collections Research Center, NC State University Libraries, Raleigh, NC.

To gain support for legislation, Poage persuaded Chairman of the Committee on Agriculture Harold D. Cooley (D-NC) to ask members of the House Subcommittee of Livestock and Feed Grains to visit and inspect several Kansas City and Chicago slaughterhouses.²¹³ Some members even used the captive-bolt pistol to render cattle unconscious during their visit.²¹⁴ Senator Neuberger (D-OR) explained that they slaughtered the animals themselves to “be sure that they knew the practical facts about the techniques under question.”²¹⁵ According to an editorial in *The Boston Herald*, “The tour was a horrifying revelation of man’s indifference to the fate of other species,” and confirmed preexisting beliefs among the committee—the country needed humane slaughter legislation. Following this junket, the House passed H. R. 8308, a compulsory humane slaughter bill, by voice vote, 25 to 3, in February of 1958.²¹⁶

Senate members, however, were not eager to visit slaughterhouses, nor did they support compulsory legislation. In July of 1958, the *Boston Herald* reported that the Senate delayed acting on compulsory humane slaughter legislation because senators claimed to need more time for research. However, the editorial also asserted that the Senate Agriculture Committee refused to visit slaughterhouses and watch any films on hog slaughter—that they were “too squeamish.” Instead, the committee amended H. R. 8308 into a study bill and voted favorably on the revised bill 10-5. The editorial chastised the senators, writing,

Perhaps it is easier and more pleasant not to have the hideous facts of life paraded before one. The senators do not have to see the wildly rolling eyes of shackled animals, the welter of bloody trails, the stagger of half-stunned cattle closing with

²¹³ William Poage to Christine Stevens, July 15, 1956, Box 2.18, Folder 3: Series 2, Humane Slaughter, Congressional Letters, 1956-1957, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²¹⁴ House *Cong. Rec.*, 85th Cong., 2nd Session, 1958, 104: 1653.

²¹⁵ Senate *Cong. Rec.*, 85th Cong., 2nd Session, 1958: 15369.

²¹⁶ “No Time for Pain,” *The Boston Herald*, July 12, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (2 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 848, Record Group 46, National Archives Building, Washington, D. C.; “Kindness to Animals Shouldn’t Require ‘Further Study,’” *The Courier-Journal* (June 1958), Box 8-034, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

a knife. Nor do they have to listen to the screams and bellows of animals in agony. Life, in fact, can continue on its cheerful round.

The ten senators who voted for a study bill rather than compulsory legislation, according to the editorial, had convinced themselves that “all’s right with the world and business is business.”²¹⁷

Animal welfare advocates later labeled the senators the “Ten Traitors,” which consisted of Allen Ellender (D-LA), Olin D. Johnston (D-SC), Spessard L. Holland (D-FL), James O. Eastland (D-MS), Herman E. Talmadge (D-GA), Milton R. Young, (R-ND), Edward J. Thye (R-MN), Bourke B. Hickenlooper (R-IA), Karl E. Mundt (R-SD), and Andrew F. Schoeppel (R-KS).

Those who voted against the study bill included Hubert Humphrey (D-MN), Stuart Symington (D-MO), William A. Proxmire (D-WI), Geeorge D. Aiken (R-VT), and John J. Williams (R-DE).²¹⁸

Senator Ellender, one of the Ten Traitors, was the chairman of the Committee on Agriculture and Forestry that oversaw the Senate hearings for humane slaughter legislation. Ellender claimed that he supported humane methods and that he had visited slaughterhouses, like the members of the House subcommittee. He argued that he had witnessed humane methods being used successfully and sometimes unsuccessfully, and that through his observations and research, Ellender he had discovered that much of the publicity surrounding humane slaughter legislation was misguided. Therefore, he asserted that he could not support the compulsory bill before the House because “it was poorly phrased and did not do the job which it was supposed to

²¹⁷ “No Time for Pain,” *The Boston Herald*, July 12, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (2 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.; Christine Stevens, interview by Diane Beers and Jill Howard Church, March 16, 1999, October 21, 1999, October 22, 1999, November 4, 1999, and November 5, 1999, Box 2, Animal Rights Network Records, MC 00351, Special Collections Research Center, NC State University Libraries, Raleigh, NC.

²¹⁸ “Write off Cruelty by Supporting Humane Slaughter Legislation,” ASPCA, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (2 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.

do.” Ellender and others who voted in favor of a study bill also voiced concern that compulsory legislation would harm other federal programs, such as the school lunch programs and others that provided surplus foods to schools and people in need, because the bill would legislate how government agencies procured its meat.²¹⁹

Americans who hoped that the Senate committee would report favorably on a compulsory humane slaughter bill were unimpressed by Ellender’s claims about federal food programs. One person wrote to Ellender, “Perhaps these are legitimate reasons to these departments. To me and many others, they are saying that cruelty is cheaper than humaneness,” continuing, “The American people are thoroughly disgusted with the many phases of the conduct of our Federal Government, and this is one of them.” Another wrote, “The committee has disregarded the wishes of the great majority of the American people... I will buy no meat until the bill is amended to the version passed by the House of Representatives.” Challenging the idea of America’s greatness, Mrs. Virginia C. Purdy believed the Senate committee’s refusal to approve compulsory legislation as a “blot on our national integrity.” She posed the question, “how can we proclaim to the world that we are humanitarian and compassionate, and not a worshipper of the Almighty Dollar?” Despite the negative responses, Ellender defended his vote, arguing that he could not in good conscience approve H. R. 8308, which required packers to adopt humane slaughter methods. He noted that the bill was objected to by every executive agency and therefore he could not support it. But the animal welfare advocates refused to back down.²²⁰

²¹⁹ Allen J. Ellender to Mrs. W. Coda Martin, July 3, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (1 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.; Allen J. Ellender to Edith Coggins, July 23, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (1 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.

²²⁰ Virginia C. Purdy to Allen J. Ellender, July 5, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (2 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.

Letters continued to pour in to Congress in support of compulsory legislation: “These pitiful animals,” wrote one citizen, “do not have their representatives in Congress or their lobbyists, but their terrified screams and frightful suffering are being heard and felt in every corner of this land, and the people are demanding something be done.”²²¹ But still, members of the Senate committee were not swayed, and the pain and suffering experienced by farmed animals moments before their death was not enough for them to enact compulsory humane slaughter legislation.

In 1955, after having achieved little success in persuading the packing industry to adopt humane methods voluntarily, animal welfare organizations decided to push for the passage of a humane slaughter law that would require all meatpackers around the country to adopt humane slaughtering methods. The consequences of such a law, which would ultimately oversee the human-food animal relationship, involved creating a new regulatory realm for the federal government. To further the cause of humane slaughter legislation, the organizations distributed countless pamphlets and seeded letters in newspapers encouraging citizen activists to show their support through a mass letter-writing campaign. Although some of these tactics, such as leveraging support for political candidates, were less effective, the call to action was successful

²²⁰ Letter to Allen J. Ellender, August 6, 1957, Box 65, Folder: Sen 85a-e01 S. 1497 (2 of 3), Records of the U. S. Senate 85th Congress Sen 85A-e1 Committee on Agriculture and Forestry S. 1497 – S. 1747, Records of the U. S. Senate 85th Congress, Record Group 46, National Archives Building, Washington, D.C.; Maria O’Grady to Allen J. Ellender, June 26, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (2 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.; Virginia C. Purdy to Allen J. Ellender, June 26, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (2 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.; Allen J. Ellender to Virginia C. Purdy, June 28, 1958, Box 74, Folder: Sen 85A-E1 HR 8308 (2 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.

²²¹ Letter to Allen J. Ellender, August 6, 1957, Box 65, Folder: Sen 85a-e01 S. 1497 (2 of 3), Records of the U. S. Senate 85th Congress Sen 85A-e1 Committee on Agriculture and Forestry S. 1497 – S. 1747, Record Group 46, National Archives Building, Washington, D.C.

as hundreds of thousands of letters flooded the desks of politicians and industry representatives between 1955 and 1958. To understand why the campaign materials resonated deeply with the American public, it is important consider the Cold War context. The rhetoric and images used by the humane organizations, which stressed the desire to maintain the United States' global reputation as a benevolent nation and to become the world's leader in animal welfare, sparked citizen activism and was key to successful out reaching to a wide range of Americans.

Even though it proved a strong force in influencing political and social opinions, public support for a humane slaughter bill did not guarantee the passage of a bill on its own. The animal welfare organizations had to work with industry representatives and major packinghouses to develop new methods of slaughter and try to garner industry support for compulsory humane slaughter legislation. Their efforts led to frustrations, technological innovations, and negotiations between both political parties, and would ultimately prove effective. However, humane organizations' ability to coordinate public and congressional allies and foster their willingness to work together did not quell opposition to humane slaughter legislation. Therefore, to achieve a resolution, Congress ultimately had to address the arguments put forth by the animal welfare advocates alongside the meatpacking industry, whose opposition rested on their disapproval of compulsory federal regulation of slaughtering methods.

Chapter 3: “Roadblocks to Progress”: The Meat-Packing Industry’s Efforts to Cast Doubt on Humane Slaughter and Delay Regulation

In May 1956, in one of its first editorials on humane slaughter legislation, entitled “Roadblocks to Progress,” the *National Provisioner*, the meatpacking industry’s trade publication, opined,

It is a great pity that exaggeration and emotional appeal are being used on behalf of a bill to force “progress” on the meat industry. Any legislation they might evoke can only endanger the real but necessarily slow progress that is being made on the problem by the meat industry and humane and sanitary authorities.²²²

The *National Provisioner* was correct, the meatpacking industry had made slow progress.

Formal, institutional efforts to research and develop humane slaughtering methods began in the late 1920s with the establishment of the Committee for Improved Slaughter Methods—a joint initiative of the American Meat Institute (AMI) and the American Humane Association (AHA). Their research focused on the use of electrical stunning, a common practice in Western Europe, as a means of rendering hogs unconscious prior to shackling and hoisting.²²³ However, through their research they determined electrical stunning was not a desirable method because it caused hemorrhaging and lesions in the lungs that were nearly indistinguishable from those caused by hog cholera, and therefore the meat could not pass health inspections.²²⁴

Nearly two decades after the committee’s findings on electrical stunning, several major packers had acted on their own initiative to refine animal processing, including Oscar Mayer, Seitz Packing, and Hormel, which had developed several improved, humane slaughtering practices. These companies did not develop the methods with animal welfare in mind, but rather

²²² “Roadblocks to Progress,” *National Provisioner* 134, No. 19 (May 12, 1956): 22.

²²³ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 17.

²²⁴ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 86.

to reduce economic losses caused by bruised meat and injured workers. According to T. H. Hocker, vice president of Hormel, “humane slaughter was not the primary purpose of our installing immobilization of animals prior to slaughter. We did it because we thought it was a better operation as far as our plant was concerned, and that proved to be true.”²²⁵ Even though the new methods, the captive-bolt pistol, the use of flood lights, and the carbon dioxide immobilization chamber, guaranteed economic benefits and improved conditions for the workers and animals, most packers—large and small—did not opt to invest in them. The unwillingness of many in the industry to innovate prompted animal welfare organizations to compel other packers to modernize by launching a vigorous campaign against the industry’s common slaughter practices and demanding the passage of a humane slaughter bill.

The growing call for legislative action elicited immediate and intense opposition from the meatpacking industry and its allies. The AMI, which acted as the industry’s lobbying arm, and other industry representatives argued that they had made significant progress in modernizing their operations and that they were continuing to make progress—but they also argued that they needed more time for research and development.²²⁶ In a 1956 letter to the editors of the *New York Times*, Norman Draper, director of the Department of Public Relations for the AMI, stated that the meatpacking industry had done everything in its power to find more humane methods of slaughter.²²⁷ Yet the records of AMI research projects suggest that the AMI had not engaged in

²²⁵ T. H. Hocker to Mrs. Paul Kiernan, July 10, 1958, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, North Carolina State University, Special Collections Research Center, Animal Welfare Institute Records, MC 00344, Raleigh, NC.

²²⁶ The AMI formed in 1906, at the moment of first congressional action to regulate meatpacking, the AMI represented the interests of the large and small operations, and nearly fifty percent of its members were classified as “small” packers. Large packers could be classified as plants slaughtering upwards of 600 hogs per hour, while small plants might slaughter as few as 60 hogs or less per hour. Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 15.

²²⁷ Norman Draper, “Letter to the Times: Slaughter of Animals: Industry Said to Conduct Research to Improve Methods,” *New York Times*, June 5, 1956.

research for improved slaughter methods since 1945, when Northwestern University completed an eight-year, AMI-funded study on the use of electrical stunning to render livestock insensible to pain prior to slaughter.²²⁸

Much of the industry's inaction rested on past work and counted on the invisibility of slaughterhouses in the public and regulatory realm. For years, when questioned by animal welfare leaders about their headway towards improving slaughter methods, the meatpacking industry used the advancements made by the Committee for Improved Slaughter Methods in the 1930s and the technologies and practices invented by Oscar Mayer, the Seitz Packing Company, and Hormel as examples of industry-driven progress. However, beyond the cost-saving commitments of these individual corporations there was little systematic effort to encourage the use of the new devices in plants around the country or develop other humane methods in the immediate years following their development. Animal welfare leaders contended that the lack of widespread adoption necessitated that the federal government step in to create a new set of regulatory measures for the meatpacking industry.

Resistance to Regulation: Industry and Government Oversight

In 1956, the *National Provisioner* published an article, "Ideas on Easing Humane Slaughter Pressure." The article discussed a presentation on humane slaughter given by William LaRoe, general counsel of the National Independent Meat Packers Association (NIMPA), at the

²²⁸ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 107. Despite the industry's lack of research into improved slaughter methods during postwar period, they were actively engaged in research on chemical use and the development of devices that would make animal production more efficient and economical. This was common during the Cold War—a period marked by technological and scientific innovations and competition. See Carroll Pursell, *Technology in Postwar America: A History* (New York: Columbia University Press, 2007), Ruth Oldenziel and Karin Zachmann, *Cold War Kitchen: Americanization, Technology, and European Users* (Cambridge: MIT Press, 2009), and Naomi Oreskes and John Krige, *Science and Technology in the Global Cold War* (Cambridge: MIT Press, 2014).

most recent NIMPA convention. In one of the few instances the industry encouraged using the newly developed slaughter methods, LaRoe advised meatpackers to “exercise vigilance” and to adopt more humane practices, if possible. He also suggested that the industry implement the use of captive-bolt pistols in their plants. He explained his reasoning, “By doing so, the industry can come before the legislative and other groups with ‘clean hands’ with evidence of willingness to progress.” LaRoe believed that legislators who were sympathetic to compulsory legislation lacked a “complete picture of the packer’s side of the question.” He then urged packers to provide Senator Humphrey and other members of Congress with data on the economic impacts of compulsory legislation for the smaller packing companies.²²⁹

Like other industries that had thrived in an unregulated field during the boom times of the 1940s and 1950s, the meatpacking industry remained staunchly opposed to demands for regulation and any government action that would require the use of humane slaughter methods. According to G. R. “Jack” Milburn, vice president and chairman of the American National Cattlemen’s Association’s legislative committee, “Humaneness to animals is a matter of education, training, and a moral philosophy—not compulsory legislation.”²³⁰ Therefore, industry’s rejection of proposals for humane slaughter legislation was rooted in resistance to government regulation more generally and couched in language about federal overreach over the operations of American businesses. However, the federal government had long been involved in overseeing some parts of the packing industry, which is regulated by the USDA.²³¹

²²⁹ Ideas on Easing Humane Slaughter Pressure,” *The National Provisioner*, Convention Report Issue NIMPA, May 26, 1956, 148-149.

²³⁰ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 33.

²³¹ Government regulation had already severely altered another sector within the animal agriculture industry—the poultry industry. See Monica R. Gisolfi, *The Takeover: Chicken Farming and the Roots of American Agribusiness* (Athens: University of Georgia Press, 2017).

Congress created the USDA in 1862 and charged the department with supporting farmers and promoting agricultural education and research. In 1906, Congress extended the USDA's responsibilities to include consumer protection, spurred by the public outrage following the publication of Upton Sinclair's, *The Jungle*. In that year Congress passed the Federal Meat Inspection Act and the Pure Food and Drug Act, and together, these acts expanded the operations of the federal government by establishing a basic framework of protections for consumers: requiring accurate labelling of food and drugs and preventing the sale of meat and other foods products that were unsafe, adulterated, and processed under unsanitary conditions. The Food and Drug Administration (FDA) enforced the Pure Food and Drug Act, while the Federal Meat Inspection Act granted the USDA authority to inspect farmed animals before and after slaughter, as well as to set sanitary standards for all meatpacking plants.²³² And yet, as is the case with most federal regulations, these laws were limited by legislators to hew to the constitutional prerogatives of Congress, namely the authority to govern businesses engaged in interstate commerce under the Commerce Clause. By restricting the scope of regulation to products moving across state and national borders, the scope of these laws was inherently limited.

Some major meatpackers supported the 1906 Federal Meat Inspection Act since they believed it would reduce competition with packers who could not meet federal standards. But most packers stood firm against the regulations, arguing that they would be harmful to the industry and that more research on sanitary practices was needed before Congress could pass a bill.²³³ Nearly forty years later, the meatpacking industry leaned upon similar arguments to halt

²³² For more on the 1906 Pure Food and Drug Act, see James Harvey Young, *Pure Food: Securing the Federal Food and Drugs Act of 1906* (Princeton: Princeton University Press, 1989).

²³³ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 72.

the passage of a humane slaughter law. In 1957, Fred Myers noted that, “The parallel with the situation in 1905-1906... is striking. Most packers contended, at that time, that the legislation would be ruinous. Their fears were unfounded. So it will be with humane slaughter legislation.” He continued, “humane methods of slaughter will be found, in practice, to be beneficial to the industry, not harmful.”²³⁴ But this reassurance did not sway the meatpacking industry’s stance on compulsory humane slaughter legislation and increased federal involvement in the meatpacking industry, even if it undoubtedly had an influence on legislators who understood the impact and importance of regulation for food safety.²³⁵

To explain the meatpacking industry’s opposition to new regulation, free-lance reporter Paul W. Kearney offered a “practical and unemotional” answer during the 1957 House hearing. Kearney had been brought in as a witness by Hubert Humphrey, as suggested by Christine Stevens, to testify on behalf on compulsory humane slaughter legislation.²³⁶ “It is inertia,” he argued, and a “historic fact that business has always been allergic to change for the better.” Kearney’s critique addressed a range of industries, expressing regret for their lack of progress

²³⁴ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 72.

²³⁵ During this same period, legislators’ attention was being geared back towards the issue of food safety and consumer health. The use of chemicals additives in food and animal products gained momentum during the 1950s but also came under scrutiny from Americans and regulators who feared some chemicals’ carcinogenic properties. Efforts to abate the use of chemicals with known carcinogens resulted in the 1958 Food Additive Amendment to the Food, Drug, and Cosmetic Act (often called the Delaney Clause). Under the Delaney Clause, producers could not add any known carcinogens to food and animal feed, in any dose, no matter the toxicity level. The Delaney Clause supported the precautionary principle which argues for caution—if the effects of a chemical on human health are unknown, the chemical cannot be approved for use. This principle would fall to the wayside in the face of industry and political pressures with the repeal of the Delaney Clause by the Food Quality Protection Act in 1996. U.S. Food & Drug Administration, “Promoting Safer and Effective Drugs for 100 Years,”

<https://www.fda.gov/aboutfda/whatwedo/history/centennialoffda/centennialeditionoffdaconsumer/ucm093787.htm> and “FDA History Part II,”

<https://www.fda.gov/aboutfda/whatwedo/history/centennialoffda/centennialeditionoffdaconsumer/ucm093787.htm> (accessed March 12, 2017); Nancy Langston, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2010), 81-82.

²³⁶ Christine Stevens to Hubert Humphrey, April 27, 1956, Legal Box 2.07, Folder 6, North Carolina State University, Special Collections Research Center, Animal Welfare Institute Records, MC 00344, Raleigh, NC.

and acceptance towards safety and sanitation measures.²³⁷ Washington, D.C., housewife Mrs. Frances Holway, also testifying at the House hearing, shared Kearney's explanation for big business' habitual opposition to regulation and change: "The answer is obvious. Simple inertia. Things may be better under a new system, but as long as profits are satisfactory now, why go through the bother of changing?"²³⁸ Senator Richard Neuberger (D-OR) echoed Kearney and Holway's critique of industry during the 1958 congressional hearing before the Senate Committee on Agriculture and Forestry, testifying:

I am inclined to believe that the representatives of meatpackers oppose this bill because of their habitual opposition to all Federal and State legislation which may in the slightest degree restrict their operations, even though it may be of vital interest to the public welfare. Strange as it may seem, this is an old pattern of industrial reflex action. And I want to add it is not only confined to the meatpacking industry but to many other industries as well.²³⁹

Therefore, to deter regulation and continue their gradualist work in the development of humane and economical methods of slaughter, representatives from the meatpacking industry followed a common trend among industries to maintain autonomy over their operations.

To prevent mandatory reform, the meatpacking industry used tactics employed by other big businesses to delay regulation: repeated questioning of the reliability of scientific research, emphasizing the economic burdens caused by reform, and forming close alliances with federal agencies and prominent leaders. These strategies were aimed at creating doubt about the effectiveness and feasibility of the improved slaughter methods and influencing federal opinions on legislative action. To contextualize how industry representatives used these tactics to craft

²³⁷ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 57.

²³⁸ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 57, 85.

²³⁹ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 19.

objections against mandatory adoption of the improved slaughter methods, it is important to examine how other industries have used uncertainty to stave off legislative action.

In their landmark study, Naomi Oreskes and Erik M. Conway examined the mechanisms through which industries have manufactured doubt through the manipulation of scientific uncertainty. *Merchants of Doubt* contextualizes and explains that scientific uncertainty does not indicate a lack of scientific consensus or understanding. Instead, researchers expect scientific uncertainty as part of the research process, since “doubt is crucial to science” and “drives science forward.” But skeptics, especially the well-funded spokespeople for major industries, like tobacco, pharmaceuticals, and food products, are able to manipulate and exploit uncertainties, making “science vulnerable to misrepresentation, because it is easy to take uncertainties out of context and create the impression that *everything* is unresolved.” This allows for industry to generate doubt, making it seem like proof is hard to discern or that a scientific controversy exists, which can often help industry in its efforts to delay regulation.²⁴⁰

During the 1950s, simultaneous with the debates surrounding the passage of humane slaughter legislation, the tobacco industry was engaged in a legislative and public relations battle over the health effects of smoking cigarettes. In response to studies that demonstrated the hazards of smoking, as well as the dangers of secondhand smoke, leaders in the tobacco industry schemed to cast disbelief in the very nature of the scientific research, launching an extensive advertising campaign. They also curated a group of scientists, public health professionals, doctors,

²⁴⁰ Naomi Oreskes and Erik M. Conway, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* (New York: Bloomsbury Press, 2010), 34. For more on scientific uncertainty and the use of scientific uncertainty to delay regulation, see Allan M. Brandt, *The Cigarette Century: The Rise, Fall, and Deadly Persistence of the Product that Defined America* (New York: Basic Books, 2007); Nancy Langston, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2010); Gerald Markowitz and David Rosner, *Deceit and Denial: The Deadly Politics of Industrial Pollution* (Berkeley: University of California Press, 2002); Robert N. Proctor and Londa Schiebinger, eds., *Agnotology: The Making & Unmaking of Ignorance* (Stanford: Stanford University Press, 2008).

and marketing strategists to undermine research that linked smoking to cancer and other ailments. By challenging science with science and arguing that the consensus on the health effects of smoking was unsettled, the tobacco industry created doubt in the minds of the public and regulators.²⁴¹

Other industries, including the lead industry, had used a similar strategy to protect itself from bad publicity, liability, and regulation. Throughout the twentieth century the lead industry worked tirelessly to convince the public of its safety. Lead was used in paints, gasoline, and children's toys. However, beginning in the 1920s, doctors all over the country reported cases of lead poisoning, especially among children. To combat claims that it was toxic, lead companies attacked scientists and launched million-dollar campaigns to convince the public that lead paint was safe. But the industry ultimately ended these campaigns, as well as the use of lead in house and toy paint in 1952 in response to increased health concerns, pressures from women and public health officials, and because of the growing competition from lead alternatives.²⁴² However, they did not recommend that families rid their lives of lead. Instead, they acknowledged some people might experience adverse effects. By blaming workers for not following safety protocols and claiming that children who put lead toys in their mouths had a behavioral disorder, the lead industry relieved themselves of responsibility.²⁴³

There is some overlap in the meatpacking, tobacco, and lead industries' approaches.²⁴⁴

Throughout the legislative battle for humane slaughter, the AMI conducted little research of its

²⁴¹ Naomi Oreskes and Erik M. Conway, *Merchants of Doubt: How a Handful of Scientists Obscured the Truth on Issues from Tobacco Smoke to Global Warming* (New York: Bloomsbury Press, 2010), 13-14.

²⁴² Gerald Markowitz and David Rosner, *Deceit and Denial: The Deadly Politics of Industrial Pollution* (Berkeley: University of California Press, 2002), 94.

²⁴³ Gerald Markowitz and David Rosner, *Deceit and Denial: The Deadly Politics of Industrial Pollution* (Berkeley: University of California Press, 2002), 94, 98, 27, 43.

²⁴⁴ Parallels can also be made to the chemical industry's historic efforts to avoid regulation, especially with chemicals such as DDT, DES, and BPA. Nancy Langston explores that latter two chemicals and their complicated histories of regulation in *Toxic Bodies: Hormone Disruptors and the Legacy of DES*. She seeks to understand why

own and instead relied on a select number of studies to maintain that the science was unsettled.²⁴⁵ The meatpackers also used rhetorical tools to find holes in the language of the bills and scientific studies presented by humane organizers. By doing so, they created uncertainty surrounding the humaneness of the improved methods. However, there are several key differences which demonstrate the uniqueness of the meatpackers' strategies to delay regulation during the 1950s.

While the debates about tobacco and lead centered around human health and protection, the fight for humane slaughter legislation focused on the industry's (and the American public's) obligation to non-human animals. Further, while industry spokespeople argued that legislation would be detrimental to some packers, the fate of the industry was not on the line, as it was with the tobacco and lead industries, whose whole business was threatened by evidence of their products' harmful effects on human lives. Therefore, avoiding or delaying regulation was not simply about liability or maintaining the industry. Instead, it focused on resisting increased federal oversight and forced reform that might require monetary outputs. Therefore, the meatpacking industry did not rely on scientific uncertainty to deceive the public and policy makers. Instead, they used it as a tool in a larger attempt to postpone regulation. So, while the

regulators approved a synthetic chemical that caused health problems in animals and humans and why federal agencies acted slowly to ban the drug. The answer, she argues, resulted from a combination of pressure on the FDA to approve the drug and delay regulation, cultural conceptions about gender, and society's faith in science and technology. In addition to understanding these factors, Langston uses the history of DES to show what history can teach us about scientific uncertainty, and how industry uses scientific uncertainty as a tool of manipulation. Nancy Langston, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2010). For more on DES, see Alan I. Marcus, *Cancer from Beef: DES, Federal Food Regulation, and Consumer Confidence* (Baltimore: The Johns Hopkins University Press, 1994). Similarly, Gerald Markowitz and David Rosner explore the regulatory and industrial history of PVC in *Deceit and Denial: The Deadly Politics of Industrial Pollution* (Berkeley: University of California Press, 2002) and the ways in which the plastic industry deceived regulators and the public.

²⁴⁵ L. L. Crawford to Grace Johnson, February 21, 1957, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, North Carolina State University, Special Collections Research Center, Animal Welfare Institute Records, MC 00344.

meatpacking industry's strategies paralleled many of those used by other industries, their purpose for employing those strategies differed. Still, there are other important distinctions.

Notably, meatpacking representatives rarely took their fight to the public arena. Instead, they focused their attention on swaying members of Congress and relied on the political power of the AMI and leaders from major packing plants to pressure legislators, as well as other packers and sectors within the animal agriculture industry to resist the calls for compulsory legislation. Also, unlike other sectors and professional organizations during the time, such as the American Medical Association and the health insurance industry, the meatpacking industry did not employ anti-communist arguments against increased federal regulation. Again, this was likely because the government had long regulated the meat industry, and those regulations, such as the Federal Meat Inspection Act, proved beneficial to the industry.²⁴⁶ A final, yet significant difference between the meatpackers' endeavor to delay regulation and other industries during the period was the relationship between the packing industry and those who sought to reform industry practices through compulsory legislation.

The AMI and other industry leaders did not fund a widespread public campaign to smear or try to vilify animal welfare advocates and proponents of legislation (although a few, choice words were used during the hearings and in newspaper op-eds to discredit humane advocates as

²⁴⁶ Many policymakers believed the federal government should control some, if not all, aspects of health care. Federal efforts to nationalize the health care system began in the 1940s. In 1949 President Harry S. Truman called for the introduction of a national health care bill that covered the cost of all Americans' medical and dental bills. However, as Cold War tensions increased, skepticism toward "socialized medicine" grew. The American Medical Association, the insurance industry, and fiscal conservatives in Congress attacked Truman's proposal as they believed a health care bill could lead to federal government takeover of health care. They also feared national health care would erode the doctor-patient relationship and limit physicians' autonomy. See Julian Zelizer, *The Fierce Urgency of Now: Lyndon Johnson, Congress, and the Battle for the Great Society* (New York: Penguin Press, 2015), 185; Paul Starr, *The Social Transformation of American Medicine: The Rise of a Sovereign Profession and the Making of a Vast Industry* (New York: Basic Books, 1984); Paul Starr, *Remedy and Reaction: The Peculiar American Struggle over Health Care Reform* (New Haven: Yale University Press, 2011).

sentimentalists who were unfamiliar with industry practices).²⁴⁷ This was likely because the industry had a history of cooperation with the humane societies. And even throughout the legislative battle, industry and animal welfare leaders worked together to find a solution.

The animals' well-being was also not a point of debate between opponents and proponents of humane slaughter legislation—another factor which helps explain why the meatpacking industry did not create a campaign to slander humane organizations publicly. Most packers recognized the need to improve slaughtering practices to reduce farmed animal suffering, they just argued that they desired to implement them on their own timetable. Animal welfare and meatpacking leaders also agreed on three necessary elements for improved slaughter methods: feasibility, humanness, and cost-effectiveness.

Those against compulsory humane slaughter legislation centered their opposition around these three factors. They argued that there was a lack of certainty regarding the feasibility and humaneness of the improved methods, particularly the carbon dioxide chambers. To bolster their opposition, and further complicate the legislative process, industry representatives also argued repeatedly, but without quantitative evidence, that regulation would harm the industry more broadly, especially the smaller packers who could not afford the new methods, as well as the livestock producers and consumers who might eventually have to pay more for their meat products. Industry representatives and large, vocal packers embedded these concerns in the minds of smaller packers and individual legislators as a means of discouraging their support of legislation and in order to delay reforms to humane slaughter practices for millions of farmed animals around the nation in order to maintain their bottom lines.

²⁴⁷ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 124.

The meatpacking industry was not opposed to all forms of federal involvement in their business practices, however. In 1956, concurrent with debates surrounding humane slaughter legislation, another issue confronted the nation's meatpackers: federal meat grading. Since the time of expanding regional markets, meat and livestock have been graded into categories based on a number of factors to determine its quality.²⁴⁸ Federal interest in meat grading began in the early twentieth century. The demand for a uniform grading system led the Bureau of Agricultural Economics (BAE) to develop standards for meat grading in 1916. In 1924, Congress passed the United States Agriculture Products Inspection and Grading Act, authorizing and setting the standards for federal grading. In 1939, the USDA took control over the grading system from the BAE. During World War II and the Korean War, meat grading was mandatory for all meat processors. However, it became voluntary again following the wars. While mandatory regulation during wartime emergency is often a first step toward systematic regulation in peacetime, federal meat grading remained voluntary.²⁴⁹

In 1956, the USDA updated its grading standards. The new system would split the Commercial grade into two separate grades, Commercial and Standard. Fred Beard, chief of the USDA's meat grading service, explained the new grading system was not a pricing device. Instead, as Henry Kruse, chairman of the Western States Packers Association, asserted, the new grading standards were "essentially consumer buying guides," and he encouraged packers to use the federal grading system. Further, the *National Provisioner* contended, "The meat industry

²⁴⁸ William Cronon, *Nature's Metropolis: Chicago and the Great West* (New York: W.W. Norton & Company, 1991), 116-118, 236-237.

²⁴⁹ J. J. Harris, H. R. Cross, and J. W. Savell, "History of Meat Grading in the United States," Texas A&M University, <https://meat.tamu.edu/meat-grading-history/> (accessed March 3, 2021).

must give consumers what they want in order to prosper,” and in this case, the consumers wanted federal meat grading.²⁵⁰

There were several important differences between federal meat grading and humane slaughter legislation. In the case of federal grading, the animal agriculture industry did not follow industry trends of resisting federal involvement. Instead, industry representatives encouraged packers to embrace the federal system, arguing that grading not only satisfied consumers, but it also allowed local and regional packers to compete with larger packers on a more balanced footing.²⁵¹ The industry also saw the benefits of grading during its mandatory use throughout wars, which fostered support for the system. Meat processors only needed to pay an hourly service fee to have their meat graded, and the stamp of approval from the USDA both pleased consumers and built trust in the companies and industry. Adopting humane slaughter methods would have achieved many of the same outcomes, but, unlike grading, implementation would be mandatory for facilities that produced meat that crossed state lines or was sold to federal agencies, and it would require modified equipment and plant reconfigurations.²⁵² Also, it would create a new realm of federal regulatory oversight for the industry, which packers opposed vehemently. To inhibit what they believed to be federal overreach, industry leaders generated doubt in the minds of legislators and the industry more broadly.

Sowing Uncertainty: The Politics of the Carbon Dioxide Chamber for Hog Slaughter

²⁵⁰ “Ideas on Easing Humane Slaughter Pressure,” *The National Provisioner*, Convention Report Issue NIMPA, May 26, 1956, pages 148-149.

²⁵¹ “Ideas on Easing Humane Slaughter Pressure,” *The National Provisioner*, Convention Report Issue NIMPA, May 26, 1956, pages 148-149.

²⁵² The scope of the legislation varied between the twelve compulsory humane slaughter bills before Congress during 1955 to 1958. While some stipulated regulation of all slaughterhouses, others only called for the regulation of slaughterhouses engaged in interstate commerce or that sold meat products to the federal government, or both. The bill which eventually passed, H. R. 8308, only required packers who sold meat products to federal agencies to use humane slaughter methods.

The meatpacking industry employed a variety of tactics to discredit the carbon dioxide immobilization chamber. Industry representatives and lobbyists argued it was not economically practical and that the science surrounding the efficiency and humaneness was uncertain. They claimed that using carbon dioxide to anesthetize hogs could lead to suffering and suffocation. Edward R. Swem, vice president and editor of the *National Provisioner*, wrote to Christine Stevens voicing his concerns:

On the basis of reports from competent observers, veterinary experts and technicians in the meat packing field, it is my belief that the supposed additional humanity of these methods is open to question, and that they are unacceptable from the standpoints of economical plant operation and the production of a product which will meet the standards of meat inspection authorities. Until all of these doubts about these proposals are resolved, it is my opinion that they are unacceptable from the standpoint of the commercial meat packers.²⁵³

Claims such as these led to skepticism among the meatpackers as to whether the newly developed slaughter methods were humane, safe, and economical.

Individuals within the meatpacking industry worked vigorously to increase opposition to the carbon dioxide chambers. Leading the spread of misinformation about the humane methods was R. W. Regensburger, the vice president of Swift & Company. Regensburger began working at Swift in 1920. He was deeply embedded in the national leadership of the meatpacking industry, serving as a representative of the Institute of American Meat Packers and a member of the AMI and AHA's Committee for Improved Slaughter Methods. Regensburger was also involved in the construction and engineering processes of several animal agriculture technologies. In 1935, he received a patent for Stunning Tongs which electrically stunned hogs to render them unconscious prior to killing them. The tongs proved unsuccessful since electrical

²⁵³ Edward R. Swem to Christine Stevens, April 9, 1956, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, North Carolina State University, Special Collections Research Center, Animal Welfare Institute Records, MC 00344.

shock caused the hogs to hemorrhage internally.²⁵⁴ In 1940, he patented the Hog Stunning Pen, which restrained hogs while conveying the animals into the shackling pen, and in 1956, he received a patent for the Animal Immobilizing Apparatus. The apparatus was meant to handle the animal while it was being electrically stunned or knocked unconscious prior to being slaughtered. In his patent application for the apparatus, Regensburger wrote that the objective of the Animal Immobilizing Apparatus, according to Regensburger, was to “provide a simple, economical, and practical,” method to animal slaughter that was suited for existing packing plants.²⁵⁵ Notably, Regensburger’s inventions did not focus on rendering animals unconscious prior to slaughter to ensure the animals experienced a humane death, rather they were intended to alleviate the difficulties and financial risks associated with livestock slaughter.

Regensburger was vocal about his disdain for compulsory legislation and instrumental to Swift’s decision to not install the carbon dioxide hog immobilization chamber in its plants. In a form letter that he sent in reply to correspondences from most animal welfare advocates inquiring about the company’s position on the improved methods, he wrote that the carbon dioxide chambers are “relatively new, and we believe further time should be permitted for a true evaluation of the merits of this method.” Regensburger claimed that carbon dioxide had minor anesthetic effects and that instead, the hogs may experience asphyxia from lack of oxygen, noting, “No one can say at this time whether the animal suffers anguish from suffocation before unconsciousness occurs, as the subject has not been explored by thorough, impartial scientific

²⁵⁴ Richard W. Regensburger, 1935, Stunning Tongs, United States, Patent 2,002,755, filed November 21, 1933, and issued May 28, 1935; Richard I. Hiner, U. S. Department of Agriculture, 196, <https://meatscience.org/docs/default-source/publications-resources/rmc/1959/humane-slaughtering-of-livestock.pdf?sfvrsn=2>. (accessed January 15, 2021).

²⁵⁵ Richard W. Regensburger, 1940, Hog Stunning Pen, United States, Patent 2,188,949, filed September 23, 1936, and issued January 2, 1940; Richard W. Regensburger, 1956, Animal Immobilizing Apparatus, United States, Patent 2,737,683, filed on May 20, 1954, and issued March 13, 1956.

study. We believe further time should be taken before reaching a conclusion.”²⁵⁶ Despite overwhelming evidence, Regensburger maintained his position, seeking to emphasize scientific uncertainty and deter the swift passage of the humane slaughter bills before Congress.

Regensburger also stated that the term humane was “relative.” He wrote, “As long as the human race uses meat as food, there are some who might contend that the slaughtering of food animals by any means whatever might be considered inhumane.” He then explained that while the objective of those in favor of a compulsory bill is to find a “more humane” method of slaughter, his company and the industry more broadly had been working on doing so for over twenty-five years and they had yet to find “the complete solution.”²⁵⁷ By contending that humanness was relative, Regensburger demonstrated, as Dr. John Bean from the University of Michigan had observed in 1955, how semantics played a large role in the meatpacking industry’s defensive tactics.²⁵⁸

Defining “humaneness” and “humane methods” was important to all involved in the fight over humane slaughter legislation. For those in favor of legislative action, the definition was simple: a humane method of slaughter was one that was both rapid and effective, and rendered the animal insensible to pain prior to shackling and hoisting and slitting the animals’ throat. This definition did not satisfy the meatpacking industry. A 1957 article in the *National Provisioner*

²⁵⁶ R. W. Regensburger to Mr. and Mrs. Breit, October 4, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; R. W. Regensburger to Mrs. A Spildoorn, May 27, 1957, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁵⁷ R. W. Regensburger to Mr. and Mrs. Breit, October 4, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center. Regensburger sent the same response letter to all citizens who wrote his company questioning the use of humane methods of slaughter. See R. W. Regensburger to Mrs. A Spildoorn, May 27, 1957, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁵⁸ Dr. John W. Bean to Christine Stevens, October 17, 1955, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

expressed the packers' discontent. The author wrote, "At the risk of being accused of taking refuge in semantics, we must reject all of the current legislative proposals which would impose theoretical standards of humaneness." Continuing,

Until the term 'humane' can be defined objectively rather than subjectively by so-called 'humanitarian' groups, scientists, meat packers, and legislators, we believe that all should slow down, study and learn what they are talking about... until such a word as 'humane' can be defined, and its application can be spelled out in a concrete form, it should not be used to jeopardize the livelihood of many men. Moreover, until considerably more is known about the matter, we cannot be sure that some of the suggestions for improving slaughter are not worse, from a humanitarian standpoint, than the practices they would supplant.²⁵⁹

With this last statement, the author not only called for more time to research slaughter methods, but also rejected the humanitarians' definition of humane, and dismissed the benefits of the newly developed methods of slaughter.

Frustrated with the manner in which the industry casted doubt on the humaneness of carbon dioxide as a method of rendering animals unconscious, Christine Stevens called on industry representatives, especially Regensburger, to defend his claims with scientific evidence.²⁶⁰ Citing "Legal Medicine and Toxicology" by Ralph W. Webster and "Toxicology or the Effects of Poisons" by Underhill-Koppanyi, two studies relating to carbon dioxide inhalation, Regensburger responded by summarizing the findings on the effects of inhaling excessive concentrations of carbon dioxide, which included spasms, loss of muscular power, death from asphyxia, and nausea, among other physical reactions. Regensburger concluded that these were symptoms of anoxia or suffocation, and that neither study mentioned "anesthetic effects."

²⁵⁹ National Provisioner, July 13, 1957, "'Why Fo' Yo' Do Dat, Dog?' Box 8-034, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁶⁰ Christine Stevens to Dr. Sv. Hogens Blonquist, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

Further, he argued, until the animals were unconscious, they suffered.²⁶¹ He also implied that anesthesia was impossible with controlled concentrations of carbon dioxide and oxygen.²⁶²

However, the scientific community had agreed that carbon dioxide was an effective anesthetic for decades.²⁶³

²⁶¹ R. W. Regensburger to Christine Stevens, December 19, 1956, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁶² Regensburger's claims about asphyxiation held some truth. The inhalation of certain levels of carbon dioxide led to suffocation, and there was some debate within the scientific community on whether suffocation indicated suffering. Some scientists, such as R. D. Barner, D.V.M., a professor of veterinary pathology at Michigan State University who had been researching with cooperation of the HSUS and the Animal Welfare League, argued that "suffocation in itself would be inhumane." In response, L. J. Meduna, M.D., a professor of psychiatry at the University of Illinois, argued that Barner's statement was "non-sequitur." Suffocation occurs when the subject is not given enough oxygen. In his research, Meduna found that when given a concentration of 65% carbon dioxide, 28% nitrogen, and 7% oxygen, anesthesia is achieved before the animal can experience suffering, and therefore, the method, when using 65% carbon dioxide, is humane. To ease his concerns about suffocation, Meduna suggested that Barner decrease the carbon dioxide to 40% and increase the oxygen to 13%. With this concentration, anesthesia was achievable, and Meduna reassured Barner "100 per cert [*sic*] that any accusation of suffocation would be without foundation." He could not, however, guarantee that suffering would not occur since the anesthetic effects take longer to attain when using a lower percentage of carbon dioxide. L. J. Meduna to R. D. Barner, March 26, 1957, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁶³ In a 1929 study on dogs, a mixture of 30 to 40 percent carbon dioxide and 60 to 70 percent oxygen produced "surgical anesthesia" after one to two minutes of inhalation. After fifteen minutes of sustained exposure, the dogs convulsed. In 1941 and 1943, J. H. Barbour and M. H. Seevers found that when added quickly, rather than slowly, and in large amounts with a low surrounding temperature, the carbon dioxide had great anesthetic effects. Summarizing their findings, Barbour and Seevers concluded that carbon dioxide had "pronounced anesthetic properties." And that when exposed to a concentration of gas with more than 30 percent carbon dioxide, the effects on the subjects' reflexes were the same as the effects of ether anesthesia. If the subjects were exposed to concentrations of carbon dioxide that were too low, such as 20 to 25 percent, they might suffer. At this low level, convulsions could occur prior to unconsciousness, causing some discomfort. To increase the effectiveness of carbon dioxide on the subjects, Seevers recommended that the subjects stay in cool temperatures for several hours. He also suggested when using higher concentrations of carbon dioxide, such as 68 to 70 percent, which was the desirable amount, it was best to use a lower concentration at the entrance of the tunnels or chambers because carbon dioxide might irritate the nostrils, as it does in humans. T. Poulean, *Investigations into the Anesthetic Properties of Carbon Dioxide*, *Acta Pharmacologica et Toxicologies* 8 (1952): 30; J. H. Barbour and M. H. Seevers, *Journal of Pharmacology* 78 (1943): 11, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Notes from a telephone conversation with Dr. M. H. Seevers of the Department of Pharmacology of the University of Michigan, February 4, 1957, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center. For more on humane slaughter and carbon dioxide as an anesthetic, see the D. J. Anthony, M.R.C.V.S, D.V.S.M., "Humane Slaughter by Aid of Carbon Dioxide Anesthesia, *The British Veterinary School* 9, no. 2 (March 1953): 110-113; For a list of medical sources the use of carbon dioxide as an anesthetic, see, "Co2 Bibliography," June 9, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

In addition to their efforts to persuade meatpackers to oppose humane slaughter legislation, industry representatives also sought to convince the public that carbon dioxide was not only inhumane but that animals slaughtered after carbon dioxide exposure were not necessarily safe for human consumption. On the surface, it appeared as if industry representatives may have been adhering to the precautionary principle, which argues for using caution and even resisting the approval of chemicals and products if their full effects on human health and the environment are unknown. However, the safety of carbon dioxide on human and animal health had been researched for decades and medical professionals and scientists found its use as an anesthetic safe, further contradicting Regensburger's claims and attempt to undermine the feasibility of the carbon dioxide chambers.²⁶⁴

Along with independent researchers, the USDA also found the use of carbon dioxide as an anesthetic safe for animals and humans. In 1947, the Meat Inspection Division (MID) of the USDA had approved the sale and consumption of meat from CO₂-immobilized hogs after laboratory tests indicated that the tissue showed no alterations or material differences compared to unanesthetized animals. During the development of the chambers during the early 1950s, Hormel also researched the effects of carbon dioxide on the animals' blood and meat and encouraged the MID to investigate the possibility of any harmful effects of using carbon dioxide to immobilize hogs prior to slaughter.²⁶⁵ The MID researchers could not distinguish between the

²⁶⁴ L. W. Murphy, "Explanation of the Hormel Immobilizer to Members of the Convention of the American Meat Institute," (presentation, Chicago, IL, October 3, 1952), Box 2-020, Folder 2: Humane Slaughter-Hormel Co₂ Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; "Humane Slaughter By Aid of Carbon Dioxide Anesthesia," *The British Veterinary School* 9, no. 2 (March 1953): 110-113, Box 2-020, Folder 2: Humane Slaughter-Hormel Co₂ Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁶⁵ Hormel's research division spent years studying the effectiveness and humaneness of using carbon dioxide to anesthetize hogs. Most recently, they had performed c-sections on pregnant sows that they anesthetized using carbon dioxide. They then studied the effects of the carbon dioxide on the piglets for up to a year. The piglets showed no signs of abnormality. In their studies, Hormel's research division found that increased levels of CO₂ caused slightly increased levels of CO₂ in the hog's blood, as well as heightened levels of lactic acid, and glycogen, and slightly

byproducts of hogs rendered insensible in the carbon dioxide chambers and those that were not. The USDA also conducted extensive research on the use of carbon dioxide to immobilize turkeys prior to slaughter during the early to mid-1950s, as producers sought to find a slaughter method that would reduce economic losses caused by bruises, broken bones and skin, and other defects which resulted from the bird struggling during shackling and slaughter. The USDA researchers reported positive results. But doubt and the spread of misinformation by opponents of industry reform and legislation about the safety of consuming animals rendered insensible by CO₂ prior to slaughter continued.²⁶⁶ In 1957, the *World Telegram and Sun* published an article entitled "'Humane' Slaughtering Costly and Impractical, Meat Men Say," which quoted a spokesman for the AMI who articulated the meatpacking industry's opposition to humane legislation. The spokesman claimed that the "chemical deaths proposed by these humane groups" ruined the meat. This statement was designed to raise concerns among the public about the use of chemicals in their food.

In another development reminiscent of larger concerns about chemical adulterants, especially as embedded in the 1958 Delaney Clause to the Food, Drug, and Cosmetic Act, on May 30, 1957, the *Bloomfield, N. J. Independent Press*, published a brief letter to the editor from Aida Smith entitled, "Against 'Humane' Animal Slaughter" that read,

decreased levels of oxygen—none of which cause physiological changes. L. W. Murphy to Christine Stevens, July 30, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co₂ Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; L. W. Murphy to Christine Stevens, June 14, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co₂ Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; L. W. Murphy to Christine Stevens, June 11, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co₂ Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁶⁶ L. W. Murphy to Christine Stevens, June 11, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co₂ Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; L. W. Murphy, "Explanation of the Hormel Immobilizer to Members of the Convention of the American Meat Institute," (presentation, Chicago, IL, October 3, 1952), Box 2-020, Folder 2: Humane Slaughter-Hormel Co₂ Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

We've been reading a great deal recently from the Humane Society agitators regarding “humane” slaughtering of meat. If we are going to eat meat at all, our prime goal should be to procure meat that is unadulterated with chemicals, hormones, and anesthetics. We should be more interested in our own health than in the comfort of the animal as it approaches slaughter. For all we know the animal might be just as frightened when it enters the gas chamber as when it meets the knife. The meat we buy is already contaminated with growth stimulates [sic] which were fed to it months ago. Why add anything more?²⁶⁷

Smith not only questioned the humaneness of the device by stating that the animal could be still be frightened upon entering (and therefore conscious and aware of pain), but she also echoed industry talking points about concerns surrounding the safety of consuming meat from an animal that had been rendered unconscious by chemical means. Her concerns about chemicals were valid. Using growth stimulants and antibiotics gained popularity in animal agriculture during the 1940s.²⁶⁸ However, while carbon dioxide is a chemical compound, the preponderance of evidence from research at the time indicated that it did not affect the animal’s health nor their byproducts.²⁶⁹

²⁶⁷ Aida Smith, “Against ‘Humane’ Slaughter, *Bloomfield, N. J. Independent Press*, May 30, 1957, Box 2-022, Folder 2, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center. The 1958 Food Additive Amendment to the Food, Drug, and Cosmetic Act, or the Delaney Clause, stipulated that producers could not add any known carcinogens to food and animal feed, in any dose, no matter the toxicity level. The Delaney Clause supported the precautionary principle which argues for caution—if the effects of a chemical on human health are unknown, the chemical cannot be approved for use. This principle would fall to the wayside in the face of industry and political pressures with the repeal of the Delaney Clause by the Food Quality Protection Act in 1996. U.S. Food & Drug Administration, “Promoting Safer and Effective Drugs for 100 Years,” <https://www.fda.gov/aboutfda/whatwedo/history/centennialoffda/centennialeditionoffdaconsumer/ucm093787.htm> and “FDA History Part II,”

<https://www.fda.gov/aboutfda/whatwedo/history/centennialoffda/centennialeditionoffdaconsumer/ucm093787.htm> (accessed March 12, 2017); Nancy Langston, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2010), 81-82.

²⁶⁸ On chemical use in agriculture, see Nancy Langston, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2010); Alan I. Marcus, *Cancer from Beef: DES, Federal Food Regulation, and Consumer Confidence* (Baltimore: The Johns Hopkins University Press, 1994); and Gerald Markowitz and David Rosner, *Deceit and Denial: The Deadly Politics of Industrial Pollution* (Berkeley: University of California Press, 2002).

²⁶⁹ Christine Stevens to the *Independent Press*, June 12, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to the editor of *The Chronicle*, June 12, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.; L. W. Murphy, “Explanation of the Hormel Immobilizer to Members of the Convention of the American Meat Institute,” (presentation, Chicago, IL, October 3, 1952), Box 2-020, Folder 2:

The apprehensions raised by Aida Smith reveals the effectiveness of the meatpacking industry's campaign to generate public concern about the carbon dioxide immobilization chamber. John McKenzie, president of the Eastern Meat Packers Association, upheld that using carbon dioxide to immobilize hogs was ineffective because some hogs woke up too early and therefore, they had to be stunned with a stun gun prior to shackling and hoisting.²⁷⁰ During an interview for a local newspaper, McKenzie stated, "I heard that the present methods haven't been entirely successful. There are still some bugs to be ironed out of the system." McKenzie was speaking about all the newly developed humane slaughtering methods, not just the carbon dioxide chambers. Regarding the chambers, he later clarified, "I have had no personal experience with the operation, I would not be in a position to make any authoritative criticisms," but again, he mentioned that he heard some mechanical issues needed to be worked out before the operation could be successful. Unbeknownst to McKenzie, the bugs were not with the chambers themselves and could be attributed to human error. Because the chamber's device that senses the CO2 concentration did not come adjusted from the factory, the operator must properly adjust it before its first use. Once tuned, the chambers operated without error.²⁷¹ In response to McKenzie's interview, L.W. Murphy, the designer of the chambers wrote to McKenzie and others to express his frustration about the misinformation being spread about device, "CO2 immobilizing always works, never fails. It is impossible for the effect not to occur... we have anesthetized approximately 14.5 million hogs; none were missed, none were conscious, no

Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁷⁰ Christine Stevens to L. W. Murphy, March 17, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁷¹ L. W. Murphy to Christine Stevens, April 11, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

stunners were used. How much more experience do you require to establish a fact?” Murphy quipped, “I suppose your Cadillac, ‘Doesn’t always work,’ either without gas.”²⁷² Although an easy fix, the mechanical issues contributed to the generation of doubt regarding the Hormel chambers, which Murphy believed to be part of a “well devised surreptitious campaign to discredit humane slaughter in general and CO2 immobilizing in particular.”²⁷³

With the exception of Murphy, the primary innovator of the carbon dioxide chamber, Hormel, was notably quiet throughout the debates on the effectiveness and humanness of the chambers. The company did not engage with their competition on this matter, and company executives declined to testify at congressional hearings or speak about the legislative efforts publicly.²⁷⁴ There is no evidence to suggest that the AMI or other packers pressured Hormel to remain silent but based on Hormel’s previous policies to not force their device on the rest of the industry and to not work with the humane societies to promote legislation, it is logical that Hormel chose to separate themselves from the controversy. This was not indicative of the company’s lack of confidence in the chamber, as Murphy maintained that the method was “100% successful.”²⁷⁵ The success of the carbon dioxide chambers as implemented by Hormel

²⁷² L. W. Murphy to Christine Stevens, March 13, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁷³ L. W. Murphy to Christine Stevens, March 13, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁷⁴ Representatives from Oscar Mayer also did not attend the hearings or submit statements on behalf of the company. Oscar Mayer Co. Executive Vice President to James W. Kendall, April 1958, Box 64, Folder: Sen 85A-E1 s. 1497 (1 of 2), Records of the U. S. Senate, 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry S. 1362 – S. 1497, Record Group 46, National Archives Building, Washington, D.C.

²⁷⁵ L. W. Murphy to Christine Stevens, July 30, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; L. W. Murphy to Christine Stevens, June 14, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center. L. W. Murphy to Christine Stevens, June 11, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

provided compelling evidence of the value of this practice in improving plant operations. Numerous studies completed in the United States by university and independent researchers served to convince animal welfare organizations, members of Congress, and the public that the use of carbon dioxide to immobilize hogs prior to slaughter was humane. However, the meatpacking industry more broadly continued to question the effectiveness of the carbon dioxide chambers and sought to convince others to support their position that more research was needed before improving the traditional slaughter methods as a way to impede the legislative process.

Animal welfare leaders were attuned to the industry's tactics to delay regulation and used this awareness to help rally support for legislation to force enactment of humane methods. In 1956, Stevens argued that Norman Draper, director of the Department of Public Relations for the AMI, sought to "cast doubt on the humaneness of carbon dioxide." When comparing letters from Draper to housewives who wrote the AMI urging support for humane legislation, Stevens concluded that Draper responded with "all the same misinformation." Stevens believed the "doubt-casting technique is an effective public-relations tool, and a surprising number of people have allowed themselves to be persuaded" by it.²⁷⁶ In response, animal welfare leaders argued that the industry's claims "prove nothing," and Stevens feared, and rightly so, that "they might be used to convince people that carbon dioxide is not a humane method."²⁷⁷ In 1957, George Grass, supporter of humane slaughter legislation, alerted Stevens that he recently wrote a letter to E. Y. Lingle, president of the Seitz Packing Company, inquiring about their refusal to use the carbon dioxide chambers to slaughter hogs. In his response, Seitz stated, "he does not fully

²⁷⁶ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 115.

²⁷⁷ Christine Stevens to Dr. Sv. Hogens Blonquist, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

believe that CO2 gas is humane.” Upon reading Lingle’s response, Stevens explained to Grass that the “American Meat Institute has sought to cast doubt on the humanness of CO2 as part of their program of opposition to effective humane slaughter legislation.”²⁷⁸ Their “program,” was effectual. And if the meatpacking lobby’s arguments against the humaneness and efficiency of the carbon dioxide chambers were not enough to convince members of Congress and the industry more broadly that compulsory legislation was unattainable, there was another factor that industry leaders could rely on to delay regulation: economics.

Costs and the Carbon Dioxide Immobilization Chambers

Just as the industry played to concerns about the humanness of the chambers and the adulteration of meat by carbon dioxide, the meatpacking lobby sought to use economic arguments to rally small packers and consumers against compulsory legislation. They did so by arguing that the cost of installing carbon dioxide chambers would put small hog packers out of business if the law required its use. Industry representatives also argued that livestock prices would increase, as would the price of meat—placing the burden of humane slaughter on the livestock producers and consumers.

Following their development in the early 1950s, the carbon dioxide immobilization chambers had become more affordable, at least in theory. Allbright-Nell, the manufacturer, had yet to follow through with their installation orders and a discrepancy existed between sources about how much the chambers would cost. According to Allbright-Nell’s own advertising, the cost of the chambers was approximate and depended on size, as determined by the plant’s kill rate per hour. For a kill rate of 300 hogs per hour, the unit cost \$39,500, for 440 hogs per hour,

²⁷⁸ George Grass to Christine Stevens, July 20, 1957; Christine Stevens to George Grass, August 1, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

\$43,000, and for 600 hogs per hour, the unit cost \$50,600. But these prices were misleading because they did not include installation fees. While the equipment itself was relatively cheap, the expense of designing and adding building alterations were expensive and accounted for most of the overall cost of updating to a carbon dioxide chamber.²⁷⁹

The meatpacking industry was correct in asserting that the carbon dioxide chambers were a challenge to integrate into plant operations—especially for smaller operations who could not afford the combined cost of new equipment, killing floor reconfigurations, and installation fees. But Albright-Nell was not interested in developing chambers for small packers. According to the manufacturing company,

Our philosophy is that over 90 percent of all the hogs killed in this country are killed on the floors which have a rate of over 300 hogs per hour. We have chosen to concentrate on the 50 to 100 larger packers, because we choose to worry about 90 percent of the hogs rather than 10 percent, we feel the many small miscellaneous packers will then automatically fall in line.²⁸⁰

But by February 1957, Albright-Nell changed their philosophy, likely in response to increased attention on the method following the 1956 Senate hearing. The company had begun to design chambers to accommodate small and medium-size packers and adjusted the prices. The small chambers cost between \$3,500 for plants slaughtering 60 hogs and under per hour and \$25,000 for plants slaughtering up to 210 hogs per hour.²⁸¹ Installation fees also decreased. For the smallest unit, installation cost approximately \$1,500, while the carbon dioxide mixture cost less than one penny per animal. Therefore, the expenditure, according to Stevens, was “not just 100

²⁷⁹ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 178, 19, 29.

²⁸⁰ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 124.

²⁸¹ There were additional variations in plant size and cost. For plants slaughtering 60 to 120 hogs per hour, chambers cost \$9,000, \$14,700 for plants operating at 121 to 150 per hour, \$23,700 for 151 to 300 hogs per hour, and \$31,000 for 301 to 450 hogs her hour. House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 54.

or 200 percent less than the amount the small packers imagined it would cost, but 2,000 percent less.”²⁸² With these adjusted prices, large and small packers could now afford the devices which animal welfare advocates argued would “pay for [themselves] in bruise reduction and better operation.”²⁸³ But again, these prices were theoretical, since Allbright-Nell was delaying on their installation orders, with one exception. In 1958, Allbright-Nell installed a chamber at Kingan & Co., a division of Hygrade Food Products Corp., in Indianapolis, Indiana. Kingan was a large plant which slaughtered nearly 8,000 hogs a day.²⁸⁴

In the absence of tangible progress across the industry, and despite the promise of decreased costs for meatpackers, the AMI continued to argue that the price of the chambers and a compulsory law would disadvantage small packers who could not afford to purchase and install the chambers.²⁸⁵ The AMI also claimed that price of meat would increase if Congress required packers to install the chambers.²⁸⁶ Throughout the congressional hearings, opponents to compulsory humane slaughter legislation asserted that a new law would cause “very serious economic disturbances in the United States.” They argued that meat would be separated into three categories: meat from animals slaughtered with the new methods, those not slaughtered

²⁸² House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 54.

²⁸³ “Additional Facts About Humane Slaughter,” Society for Animal Protective Legislation, March 8, 1957, Society for Animal Protective Legislation, Box 1254, Central Files, General File, GF, 1952-1953, Eisenhower Presidential Library, Abilene, KS.

²⁸⁴ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 69.

²⁸⁵ Mrs. James V. Griffith, “On Humane Slaughter ‘Distorted,’” *World Telegram and Sun*, May 10, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁸⁶ Mrs. James V. Griffith, “On Humane Slaughter ‘Distorted,’” *World Telegram and Sun*, May 10, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; L. E. Starr, D. V. M. to Marian Storm, August 15, 1957, Box 8-034, Folder 5, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

with the new methods, and those slaughtered by religious methods. And they asserted that prices would be reflected in these categories. Therefore, industry representatives continued to sow concern that consumers would be forced bear the costs of improved methods in processing and marketing meat.²⁸⁷

In another arm of the economic arguments about production, the meatpacking industry also argued against humane slaughter legislation by contending that new federal rules would harm livestock producers.²⁸⁸ According to L. Blaine Liljenquist, vice president of the Western States Meat Packers Association, Inc., producers would receive lower prices for their hogs, and he argued that the “spread between what the farmer received and what the consumer pays would be widened.” Senator Humphrey questioned this claim during the 1958 Senate hearing on S. 1213, S. 1497, and H. R. 8308, asking for documentation that proved producers would receive less for their livestock if legislation was enacted. Humphrey challenged Liljenquist, “Is Hormel being charitable to the public and still making money? How do they do it?” As a resident of Minnesota, where Hormel was located, Humphrey argued that he had not observed regional livestock sales or prices decreasing or urban meat prices increasing. But Liljenquist replied that Hormel was a large company that could absorb the costs of improved methods without affecting producers and consumers, while smaller packers could not. Humphrey rejected Liljenquist’s reasoning that increased overhead for the packers would affect the price paid for farmed animals. After considerable back and forth, Humphrey concluded the discussion by highlighting Liljenquist’s inability to provide any evidence to support his claims. Humphrey stated,

All this Senator wants to say is that you cannot document for this committee—
and if you can I would appreciate it very, very much, and I say that in all

²⁸⁷ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 153.

²⁸⁸ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 177.

sincerity, but I do not believe that you can document by statistical evidence—one, that humane methods will lower the price of beef and pork products to farmers. I don't believe that you can document that it will lower what the farmer gets... Two, I don't believe you can document that consumer cost will go up because of improved humane slaughtering methods.²⁸⁹

Liljenquist's lack of proof demonstrated that this economic argument was a mere ploy to increase opposition to the carbon dioxide chambers and legislation. But with Humphrey's federal salary and sense of duty to his constituents, Humphrey had some luxury to remain unconvinced by the meatpacking industry's lack of quantifiable evidence. Most producers though, with their livelihoods foremost on their minds, were more vulnerable to the economic concerns being raised by the packing lobby and continued to reject calls for federal legislation.²⁹⁰ Similar fears, however, could not be leveraged about the captive-bolt pistol.

Arguing Semantics: Cattle Slaughter and the Acceptance of the Captive-Bolt Pistol

Different conversations surrounded slaughtering cattle and the captive bolt pistol, which replaced the use of the poleaxe. Rather than creating doubt about the scientific uncertainty, economic feasibility, and humaneness of stun guns, opponents of legislation argued semantics by finding holes in the language of the bills. For example, S. 1497, introduced on March 2, 1957, by Senators Hubert Humphrey, Richard Neuberger (D-OR), and William A Purtell (R-CT), required packers to render livestock “insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective, before being shackled, hoisted, thrown, cast,

²⁸⁹ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 177-180.

²⁹⁰ Christine Stevens to Camille Gravel, April 23, 1958, Box 2-022, Folder 3: Humane Slaughter- Gravel, Camille, F., Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 176; Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 127, 227.

or cut.”²⁹¹ The USDA, which opposed compulsory legislation, argued that since no device is foolproof, no slaughterer could render every animal insensible with a single blow. Therefore, they would be in violation of the law. According to A. F. Leathers from Swift, in 1956, “this method is frankly just about as much subject to error, if any, as the accepted method most commonly in use.”²⁹² By arguing that it was not successful one hundred percent of the time, some industry spokesmen asserted the method could not be considered humane under the proposed legislation.²⁹³ Proponents of compulsory legislation argued this argument was “specious legalism without substance” and could be easily remedied through an amendment of the bill. But the claim remained on record and may have sown doubt in the minds of some legislators, however, members of Congress dedicated little attention to these arguments.²⁹⁴

The captive-bolt pistols gained popularity among meatpackers. They were mostly effective and inexpensive, selling for around \$100 to \$220.²⁹⁵ Shortly after the *National Provisioner* published William LaRoe’s advice for packers to adopt the captive-bolt pistols as proof the industry was willing to make progress, packers who adamantly disapproved of compulsory humane slaughter legislation, such as Swift & Co. began using the Remington

²⁹¹ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 2.

²⁹² A. F. Leathers to Mrs. Walter Erikson, January 23, 1956, Box 8-034, Folder 5, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁹³ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 36.

²⁹⁴ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 36.

²⁹⁵ “Humane Slaughter,” May 12, 1959, Agricultural Research Service, U. S. Department of Agriculture, Library of Congress, Washington, D.C. The guns required cartridges that needed replacement after each use. On average, the price of the cartridges was between 1.5 and 2.5 cents. Another stunner, the Thor air gun, which was a conventional air hammer, used compressed air and did not require cartridges and allowed for immediate reuse. On several occasions, Christine Stevens stated if any packer felt put out by the cost, the Animal Welfare Institute would purchase the device for them. “Humane Slaughter,” May 12, 1959, Agricultural Research Service, U. S. Department of Agriculture, Library of Congress, Washington, D.C.; Christine Stevens to Texas & Southwestern Cattle, August 27, 1956, Box 2-022, Folder 1: Humane Slaughter – General Correspondence, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

Humane Stunners in their plants.²⁹⁶ While packers like Swift questioned the humaneness and effectiveness of more expensive improved methods, namely the carbon dioxide chambers, they embraced inexpensive methods when it suited them. Swift's motivation for adopting the stun gun, then, was economic. By 1957, around a dozen packers used the stun guns in their plants, including Armour and Company, one of the largest meatpacking companies in the country, and Oscar Mayer & Company, the ninth largest meatpacking company.²⁹⁷ According to R. T. Phillips, executive director of the AHA, because these companies modernized their cattle slaughter method, around 9.5 million animals would receive humane deaths.²⁹⁸

Packers could not deny its economic benefits and superiority to the poleaxe or sledgehammer. The stunners reduced risk of worker injury and accidents, were more efficient, and caused less stress to the cattle, which saved money by reducing dark cutting meat.²⁹⁹ H. B. Hendrick, D. E. Brady, and C. W. Turner, researchers at the University of Missouri, had found in 1957 that dark cutting beef occurs when the animal experiences stress for one day or longer prior to slaughter. According to Hendrick, Brady, and Turner, leading up to slaughter, the cattle experience "abnormal conditions" and are placed in an "emergency situation" in reaction to emotional excitement, poor weather conditions, travel, bodily trauma, and fatigue. As a result,

²⁹⁶ "Swift Wins Humane Seal," unknown newspaper from Portland, Oregon, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁹⁷ "AHA 'Seal of Approval' Awards," *The National Humane Review* (November-December, 1957): 10-11, Box 8-034, Folder 5, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁹⁸ "AHA 'Seal of Approval' Awards," *The National Humane Review* (November-December 1957): 10-11, Box 8-034, Folder 5, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

²⁹⁹ Christian P. Norgord, a representative of the American Humane Association, presented a study conducted in England to the Senate Subcommittee of the Committee on Agriculture and Forestry which compared the use of the poleaxe and the stun gun. While Norgord did not disclose details as to who conducted or funded the research, the study found that the poleaxe required 655 blows to stun 400 cattle, while the stunner required 1,259 shots to stun 1,255 cattle. Ineffective cartridges caused two of the missed shots. Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 42.

adrenaline secretion increases which causes a glycogen deficiency in the muscle tissue at the time of slaughter. The tissue then turns a dark purplish black, rather than a more desirable bright cherry red color. According to the researchers, “The color of beef muscle is an important factor that enters into the grading of beef carcasses and the acceptability of a given retail cut by the consumer. The consumer associates the dark color of the muscle with beef from old animals or meat that has deteriorated.” They asserted, “The occurrence of dark-cutting beef constitutes a sizeable annual loss to the processor.” This last point was particularly pertinent to meatpackers around the nation and in 1957, the AMI highlighted Hendrick’s, Brady’s, and Turner’s work at the AMI’s Council of Research’s Ninth Research Conference. To avoid dark-cutting beef, Brady and Turner recommended “extreme care in handling animals prior to slaughter,” to prevent stress. This inadvertently resulted in more humane treatment of the animals .³⁰⁰

As major packers and opponents to legislation began adopting the improved cattle slaughter method, their attempt to argue semantics about whether the device was considered humane under the law because there was a chance for error and therefore could not definitively render every animal insensible with a single blow, largely fell flat. But despite recognizing the benefits of the captive-bolt pistol, the industry was not willing to extend the same considerations to the carbon dioxide chambers, as they continued the argue against legislation. The industry maintained that due to the scientific uncertainty surrounding the chamber, the costs associated with the method, and the potential economic effects of industry-wide adoption, compulsory humane slaughter legislation was not feasible, and therefore more time and research was needed

³⁰⁰ H. B. Hendrick, D. E. Brady, and C. W. Turner, “The Effect of Antemortem Stress on Postmortem Beef Carcass Characteristics,” Missouri Agricultural Experiment Station, Journal Series No. 1732, University of Missouri, Reprinted from Proceedings of the North Research Conference, Sponsored by the Council on Research, American Meat Institute, Chicago, IL, March 22 and 23, 1957, pgs. 9-11, Box 8-034, Folder 5, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

before truly humane methods could be developed and adopted. The industry found support for these arguments among key legislators and executive cabinet members.

Forming Federal Alliances

The meatpacking industry and its supporters were not alone in their aversion to compulsory humane slaughter legislation, and they formed alliances with members of Congress and government agencies who also opposed the bills. According to Senator Allen Ellender (D-LA), chairman of the Committee on Agriculture and Forestry, every executive agency opposed compulsory legislation.³⁰¹ Wilber M. Bruckee, Secretary of the Army, writing on behalf of the Department of Defense (DoD), expressed the Department's views on H. R. 8308, one of the compulsory bills requiring federal agencies to procure meat slaughtered using humane methods. Bruckee stated that while the Department supported the overall objective of the bills the DoD could not support compulsory legislation, as the DoD procured around two percent of the national production of livestock, and small packers made up a significant portion of those awarded military procurement contracts.³⁰² If adoption of the improved methods were mandatory to do business with the DoD, many small packers would not be permitted to compete for contracts, therefore disadvantaging smaller operations and restricting competition. The DoD would also lose significant autonomy in deciding where to purchase their meat products. According to Bruckee, the Bureau of the Budget also supported the DoD's position.³⁰³

³⁰¹ Allen J. Ellender to Virginia C. Purdy, June 28, 1958; Box 74, Folder: Sen 85A-E1 HR 8308 (2 of 4), Records of the U. S. Senate 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry HR 2486 – HR 8481, Record Group 46, National Archives Building, Washington, D.C.

³⁰² Emily Stewart Leavitt, *Animals and Their Legal Rights: A Survey of American Laws from 1641 to 1990*, 4th ed. (Animal Welfare Institute, 1990), 54-55.

³⁰³ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 5-6.

The USDA shared the DoD's stance on the undesirability of mandatory adoption of improved slaughter methods. In its official statement, released in 1956, the USDA argued that compulsory legislation would not accomplish real progress, suggesting that more effective solutions would be found through "private initiative and individual ingenuity in the traditional American manner." The statement then explained that a satisfactory solution could be achieved through "cooperative participation" between humane societies, packers, handlers, and growers.³⁰⁴ Dr. M. R. Clarkson, deputy administrator of the Agricultural Research Service of the USDA, helped draft the study bills, S. 1213 and H. R. 5820, after which time the USDA became more agreeable to legislative action that supported more research on humane methods of slaughter.³⁰⁵

The USDA's attitude towards compulsory legislation was likely influenced by its secretary, Ezra Taft Benson. Benson had been born in Idaho in 1899. He attended Utah State Agricultural College before transferring to Brigham Young University where he received a degree in animal husbandry in 1926. He later attended graduate school at Iowa State University. After working as an agricultural economist, he became the executive secretary of the National Council of Farmer Cooperatives. Benson was appointed Secretary of Agriculture by President Dwight D. Eisenhower in 1953, and throughout his time at the agency, Benson was steadfast in his idea on the importance of the limited role of government.³⁰⁶ In a 1968 speech, "The Proper Role of Government," Benson stated, "I believe we Americans should use extreme care before

³⁰⁴ "Statement Concerning the Department's Views on the Proposed Humane Slaughter Bills," Legal Box 2-016, Folder 4: Humane Slaughter - Congressional Responses and Clippings, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center

³⁰⁵ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 134.

³⁰⁶ "Ezra Taft Benson," Speeches, BYU, <https://speeches.byu.edu/speakers/ezra-taft-benson/> (accessed January 23, 2021).

lending our support to any proposed government program. We should fully recognize that government is no plaything,” and he had applied this same principle to humane slaughter legislation a decade before.³⁰⁷ Wary of a centralized federal government, Benson believed packers should adopt more humane methods voluntarily. Benson’s opposition to compulsory legislation was a setback for animal welfare advocates who needed his support to convince the industry to embrace regulation.³⁰⁸

Benson resisted most government involvement in agricultural activities. He opposed price supports and farm subsidies, which typically benefited larger agricultural businesses rather than small farmers, and throughout his time as Secretary of Agriculture, he worked to protect farmers from government control.³⁰⁹ As a result, the Farm Bureau usually went “right along with Secretary Benson on everything.”³¹⁰ Benson and the USDA endorsed the study bills, particularly S. 1213, which encouraged more research on humane methods. However, Benson did not concern himself with the scientific questions or research surrounding carbon dioxide as a successful anesthetic. In fact, in other contexts he had supported using gas chambers to render turkeys unconscious prior to slaughter.³¹¹ Therefore, his opposition to legislation did not rest on

³⁰⁷ Ezra Taft Benson, “The Proper Role of Government,” 1968, http://www.zionsbest.com/proper_role.html (accessed January 23, 2021).

³⁰⁸ Christine Stevens to Mrs. Walter Frickson, October 30, 1956, Box 8-034, Folder 5: Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁰⁹ “Ezra Taft Benson (1953-1961), UVA Miller Center, <https://millercenter.org/president/eisenhower/essays/benson-1953-secretary-of-agriculture> (accessed January 23, 2021). For more on Benson, see Matthew L. Harris, ed., *Thunder from the Right: Ezra Taft Benson in Mormonism and Politics* (Urbana: University of Illinois Press, 2019).

³¹⁰ Christine Stevens to Camille Gravel, April 23, 1958, Box 2-022, Folder 3: Humane Slaughter—Gravel, Camille F., Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³¹¹ “Carbon Dioxide Immobilization of Turkeys Before Slaughter,” United States Department of Agriculture, Circular No. 958, Washington, D. C., February 1955, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; George Dixon, “Put Turkeys to Sleep,” unknown newspaper, 1955, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

apprehensions about the effectiveness or humaneness of the methods. When asked by Senator Stuart Symington (D-MO) during the 1958 Senate hearing why the Secretary of Agriculture “refused to consider more-humane methods,” Stevens informed him that Benson stated he does “not know anything about slaughtering methods, and he also contends that no one does.”³¹² This point was likely inaccurate, as those around Benson were highly knowledgeable on slaughter and advised him accordingly.

Benson’s position on humane slaughter legislation was not only reflective of his disdain for increased government involvement in agriculture, but it was also influenced by his friend Aled P. Davies, a registered lobbyist for the AMI. Davies had been born in Wales in 1910, and immigrated to the United States in 1929, when he started a walnut tree farm in Indiana. Later, Davies received an honorary doctoral degree from Clemson University in South Carolina and served first as the director of the AMI Department of Livestock, and eventually, vice president of the Institute.³¹³ Davies was also an advisor to Benson and the USDA. In 1958, William McGaffin of the *Daily Chicago News* compared strikingly similar statements from Benson and Davies. Upon investigation, McGaffin confirmed that Benson recently called Davies for advice and Davies helped him draft his statement on humane slaughter.³¹⁴ Christine Stevens believed Davies to “reign supreme as the anti-humane slaughter king.”³¹⁵

The close relationship between Benson and Davies concerned humane society leaders who suspected an alliance between the AMI and the USDA, which suggests that the meatpacking

³¹² Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 79.

³¹³ Aled P. Davies, Obituary, *Vidette-Messenger of Porter County*, June 01, 1922, <https://www.newspapers.com/clip/41166645/vidette-messenger-of-porter-county/> (accessed January 23, 202).

³¹⁴ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 81.

³¹⁵ Christine Stevens to L. W. Murphy, March 17, 1958, Box 2-020, Folder 2: Humane Slaughter-Hormel Co2 Method, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

lobby had successfully “captured” the loyalty of staff within the USDA and other federal agencies.³¹⁶ In April of 1958, Stevens and Madeline Bemelmans, president of the Society for Animal Protective Legislation sent a letter to the SAPL members, as well as to Senator Ellender. The letter stated that Davies is “the most active of any single individual who is trying to prevent effective legislation from passing, and his influence,” with Benson “has been so big an obstacle.” In their letter, they claimed that Davies was writing Benson’s statements, referring to McGaffin’s piece in the *Daily Chicago News*. Stevens and Bemelmans enumerated the powers of both the opposition and advocates of humane slaughter legislation, beginning with the opponents:

1. The entrenched position of the meatpackers’ lobby.
2. Secretary of Agriculture Ezra Taft Benson and the Government Agencies;
3. The Farm Bureau and other groups which follow the Secretary’s lead;
4. The huge financial resources of the packers.

While proponents of legislation possessed three powers:

1. The press. Most of this country’s leading newspapers support humane slaughter legislation. Not even one paper of the first rank [*sic*] is opposed.
2. The public. More mail has been received in Washington favoring passage of this legislation than on any other subject.
3. The right. Unnecessary cruelty cannot be condoned.³¹⁷

It was true that both the proponents and opponents of compulsory humane slaughter legislation held these “powers,” and the alliances between the federal agencies and the meatpacking industry threatened the fate of compulsory humane slaughter legislation. However, the responsibility to determine the weight of each type of influence lay with Congress, as its members considered the arguments put forth by both groups and sought to negotiate between the industry, animal welfare advocates, and the membership of congressional committees.

³¹⁶ While proponents of humane slaughter legislation did not accuse of industry of “agency capture,” the fact that all federal agencies opposed compulsory humane slaughter legislation is telling of the meatpacking industry’s influence over the agencies’ decision to reject the legislation.

³¹⁷ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 278-279.

Upon the introduction of the first humane slaughter bill in 1955 and the throughout the subsequent congressional hearings, the meatpacking industry argued that they supported humane slaughter legislation “in principle.”³¹⁸ Regensburger and other industry representatives also claimed they were “fully aware of [the industry’s] responsibility to develop improved methods of slaughtering and intend[ed] to continue, in co-operation with the American Humane Association and its affiliates, to proceed carefully and conscientiously to find an answer to the problem.”³¹⁹ They were not, however, willing to accept mandatory adoption of improved slaughter methods.

Reacting to the animal welfare organizations’ demands to adopt more humane slaughtering methods, as well as the mounting pressure to act on one of the compulsory bills before Congress, representatives of the meatpacking industry exploited scientific uncertainty, relied on the spread of misinformation, and formed alliances with federal regulatory officials to prevent the passage of humane slaughter legislation. They also claimed that because of the high cost of the humane methods, compulsory adoption would be detrimental both to consumers who would have to pay more with higher meat prices and small packers who could not afford the devices. Therefore, they represented to Congress and the American public that a feasible, humane, and cost-effective slaughter method (the three factors originally agreed upon by industry and humane organizations) had not yet been developed.

Many animal welfare advocates, however, remained unconvinced by the meatpacking industry’s attempts to sow doubt within the animal agriculture industry and consumers. Some

³¹⁸ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 58.

³¹⁹ R. W. Regensburger to Mrs. A Spildoorn, May 27, 1957, Box 2-020, Folder 1, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

animal welfare advocates believed the industry's concerns were "crocodile tears."³²⁰ Christine Stevens ruminated on why the industry held such disdain for compulsory legislation: "I have heard several different theories advanced as to the basic motivation behind the American Meat Institute opposition, but I do not understand it. Surely it cannot be the relatively inconsequential investment in humane equipment. One person suggested that it might be fear of more government inspectors."³²¹ But the Senate and House committees could not ignore the meatpacking lobby's apprehensions about the potential negative consequences of enacting a compulsory humane slaughter law. Nor could they disregard another major source of opposition, which came from the Haredi Orthodox Jewish community.

Haredi Jewish rabbis from across the country feared that uniform federal regulation would not only impede on their religious freedoms to practice ritual slaughter, but it would also provoke anti-Semitism. Most people in favor of a humane slaughter bill argued that the "only unselfish objection to the bill... comes from Orthodox Jewish groups."³²² To understand the Haredim community's objection to legislation, animal welfare groups and the congressional committees had to dive deeper into the history of kosher animal slaughter before deciding to enact a humane slaughter bill.

³²⁰ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 57.

³²¹ Christine Stevens to James D. Cooney, March 11, 1957, Box 2-022, Folder 2: Humane Slaughter—General Correspondence, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³²² "Cruelty in Our Society," unknown newspaper, June 20, 1958, Box 8-034, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

Chapter 4: “The Kosher Problem”: Navigating Jewish Cultural and Religious Politics

In April 1955, R. H. Starr, a Reform Jew and engineer who designed packing house equipment for Koch Supplies Inc. in Kansas City, Missouri, wrote Senator Humphrey concerning his humane slaughter bill, S. 1636. This bill sought to require the use of humane slaughter methods for meat produced for interstate or foreign commerce. The bill did not specify any particular slaughter method, but instead stated that no slaughterer shall bleed or slaughter any livestock unless it has been “rendered insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane.” The bill also included a religious exemption:

The requirements of this section shall not apply to any individual who is duly authorized by an ordained rabbi of the Jewish religious faith to service as a schector, while such individual is engaged in the slaughtering of livestock or poultry in accordance with the practice of such religious faith.³²³

In his letter to Humphrey, Starr was particularly struck by the bill’s exemption for Jewish ritual slaughter. He wrote, “I do not understand why such as exemption should appear.” He continued, “I think it is unfair to exclude kosher slaughtering from any such regulation as you propose, because it is inherently as humane a method as any other.”³²⁴ Because Jewish slaughter was “rapid, effective, and humane,” it need not be exempted from the law. Starr suggested Humphrey eliminate the exemption altogether, and he asked if Humphrey had some “special motive” in exempting kosher slaughter.³²⁵ Humphrey did not take Starr’s advice nor address his question, and the exemption remained embedded within Humphrey’s bill, while several of the subsequent

³²³ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 4.

³²⁴ Christine Stevens to Herbert Waters, October 28, 1955, Legal Box 2.07, Folder 6, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³²⁵ R. H. Starr to Hubert Humphrey, April 27, 1955, Box 1.44, Folder 3, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

humane slaughter bills also included exemptions for Jewish and other religious slaughtering methods.

Starr's concern was an early indication that humane slaughter legislation would result in opposition from some adherents of the Jewish religious faith. However, Starr did not explain to Humphrey the origin of Jewish—specifically Haredi Orthodox Jewish—opposition. Following the introduction of S. 1636, politically active and highly anticommunist Haredi Jews from around the country became vocal opponents of humane slaughter legislation. They feared passage of the law would result in an anti-Semitic backlash, and that it would ultimately lead to the restriction of their sacred practices, and therefore hinder their religious freedoms. These fears were limited to a relatively small number of rabbis, and yet following the Holocaust and amidst the Cold War, the United States strove to position itself as not only benevolent towards its citizens, but also religiously tolerant in contrast to its communist rivals. Therefore, Congress gave full consideration to the concerns of this religious minority. Senator Edward Thye (R-MN), an opponent of compulsory humane slaughter legislation, expressed the importance of the “religious question,” during the 1958 Senate hearing on S. 1213, S. 1497, and H. R. 8308. Although Thye could have been using the rabbis' concerns as a ploy to thwart effective legislation, his argument stands to reason, as “This is very serious because we have been taught, and it is part of our Constitution, that religious convictions of persons shall be held sacred.” He continued, “we must concern ourselves when we are in the field of legislation... We have the right to worship God... and if there is any action here on the part of Congress that would in any manner change that, that would be improper.”³²⁶ This assertion resonated deeply with the congressional committee members.

³²⁶ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 319.

Over the course of three years and three separate congressional committee hearings—two in the Senate and one in the House—legislators tried to find language and draft a compromise bill that would alleviate the rabbis’ fears, however, their attempts resulted in little success. Congressional efforts to rectify the language of the bills did garner support from several non-Haredi Orthodox Jews and most Reform and Conservative Jews. But since Jewish slaughter and dietary practices fell mainly under the domain of the Orthodox Jewish rabbis, Humphrey and other legislators found it crucial to gain the Haredi rabbis’ acceptance of humane slaughter legislation. But fostering unified support from the diverse Jewish community proved difficult.

Judaism and the Practice and Suppression of Kosher Slaughter

The most prominent Jewish branches—Orthodox, Conservative, and Reform—each interpret some key religious texts and rituals differently. In 1958, the editor of the *Jewish Post and Opinion* noted, “Having Jews stand against the interests of the Jewish community is no rare phenomenon in Jewish history.”³²⁷ But fractures between American Jews became more visible in the public and political arenas during the 1950s as Reform, Conservative, and Orthodox Jews challenged each other over the passage of a humane slaughter bill. Even further, there were stark divisions within Orthodox Judaism, especially between Modern and Haredim Jews. Haredi Orthodox Jews who rejected most modern culture, and the divisions between these two groups became clearer as Jews around America expressed their beliefs on humane slaughter legislation.³²⁸ This doctrinal polarization caused immense difficulties for animal welfare organizations and congressional representatives determined to pass a humane slaughter bill.

³²⁷ “Says Rabbi Richman Endangering Freedom When He Fights Shehita,” *Jewish Post and Opinion* (08/08/1958).

³²⁸ Within Haredim, there are three main sub-groups: the Hasidic Jews, the Litvaks, and the Sephardic Haredim.

The broader landscape of American Judaism deserves some background in this context. Reform Judaism gained a foothold in the United States during the 1820s. Originating in Germany in the early 1800s, Reform Judaism rejected traditional practices observed by Orthodox Jews. In November 1885, the Union of American Hebrew Congregations drafted the Pittsburgh Platform, a document that established the principles for the American Reform movement. The document explained that laws which regulate diet, among other practices, “originated in ages and under the influence of ideas entirely foreign to our present mental and spiritual state. They fail to impress the modern Jew with a spirit of priestly holiness; their observance in our days is apt rather to obstruct than to further modern spiritual elevation.”³²⁹ Reform Jews understand kashrut to be “socially divisive, alienating Jew from Gentile, and culturally backward, relying on arbitrary norms that had no basis in science.”³³⁰

By contrast, both Conservative and Orthodox Jews hold a deep commitment to halacha, or Jewish law. Like Reform Judaism, Conservative Judaism emerged in Germany during the late 1850s. And while Conservative and Orthodox Jews both follow the Torah’s commandments and religious traditions, Conservative Jews believe halacha should evolve. Jews have practiced kashrut for centuries, however, as many Jews immigrated to the United States in the nineteenth and twentieth centuries, they faced the desire and/or pressure to assimilate. While some Jews moved away from traditional practices, others, like Conservative and Orthodox Jews, maintained their dedication to long-standing sacred rituals.

³²⁹ “Reform Judaism: The Pittsburgh Platform (November 1885),” Jewish Virtual Library, <https://www.jewishvirtuallibrary.org/the-pittsburgh-platform> (accessed September 29, 2020).

³³⁰ Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010), 232. For more on the origins of the Reform Jewish movement, see Michael A. Meyer, *Response to Modernity: A History of the Reform Movement in Judaism* (Detroit: Wayne State University Press, 1995).

For a great many Jews, food is an important means of connection with their Jewish heritage and faith.³³¹ For Conservative and Orthodox Jews, this concern is demonstrated by following kashrut, or Jewish dietary law, which prohibits the consumption of certain animals, such as fish without scales, pigs, and most insects. The latter makes fruit and vegetable preparation and consumption tricky since tiny bugs often make their homes in and feast on produce. Kashrut also requires that milk and meat must not be prepared nor consumed together since this would go against the Torah, which states that no kid, or baby goat, should be cooked in its mother's milk. Rabbis, however, extended their interpretation of this verse to include all animals, not just goats. To oblige, Jews who follow a strict kosher diet use different kitchen utensils and appliances for dairy and meat products, and they might wait hours before eating again to avoid blending the foods in their bodies. They will also go to great lengths to ensure that their home is kosher. This is most often done by hiring a rabbi to kasher, or to make kosher, their kitchen through an intense cleaning and sorting process to ensure that dairy and meat products stay separate.³³²

Jewish dietary laws also specify which part of an animal's body may be consumed. According to the Torah, the blood contains the soul. Therefore, you may only consume the flesh of the animal, not its blood. Further, one must not eat an animal's sciatic nerve or any flesh that

³³¹ Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010), 273. For more on Jewish immigration to America, American Jews, and eating kosher, see Roger Horowitz, *Kosher USA: How Coke Became Kosher and Other Tales of Modern Food* (New York: Columbia University Press, 2016); Rachel Kranson, *Ambivalent Embrace: Jewish Upward Mobility in Postwar America* (Chapel Hill: UNC Press Books, 2017); Jenna Weissman Joselit, *The Wonders of America: Reinventing Jewish Culture, 1800-1950* (New York: Hill and Wang, 1994); and Jonathan D. Sarna, *American Judaism: A History* (New Haven: Yale University Press, 2004). For more on Orthodox Jews, see Jenna Weissman *New York's Jewish Jews: The Orthodox Community in the Interwar Years*. (Bloomington: Indiana University Press, 1990) and Samuel C. Heilman, *Defenders of the Faith: Inside Ultra-Orthodox Jewry* (New York: Schocken Books, 1992). For more on Jewish identity, culture, and food, see John Cooper, *Eat and Be Satisfied: A Social History of Jewish Food* (Northvale, N.J.: Jason Aronson, 1993); David Kraemer, *Jewish Eating and Identity Through the Ages* (New York: Routledge, 2007); Jordan D. Rosenblum, *Food and Identity in Early Rabbinic Judaism* (New York: Cambridge University Press, 2010); and Shmuly Yanklowitz, ed., *Kashrut and Jewish Food Ethics* (Boston: Academic Studies Press, 2019).

³³² Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010).

touches the nerve, meaning that only the front portion of an animal's body can be eaten. The remaining body parts are sold as non-kosher.

People have been arguing about the causes and purposes of various aspects of traditional Jewish dietary laws for centuries. These laws, some scholars argue, were established to separate Jews from non-Jews by creating an insular culture, while others argue that they began as practical health measures, such as refraining from eating diseased or wounded animals. Therefore, these laws originated from respect for both the animal and human dignity.³³³ To ensure proper treatment of the animal or guarantee it is kosher, Jewish slaughterers practice shechita.³³⁴

Shechita is the method of slaughtering food animals. This process requires the shohet, a highly trained Jewish ritual slaughterer who is appointed by a rabbi, to hoist the conscious animal by chains prior to slitting its throat and allowing it to bleed out.³³⁵ While the animal's leg is chained, its shoulder is restricted to the floor by the shohet. The shohet then says a blessing and slices the animal's trachea and esophagus with an extremely sharp halaf, or knife, in one swift movement, causing the animal to lose consciousness almost immediately. The halaf is

³³³ Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010), 11, 34. For more on Jewish dietary laws, see Kenneth Lasson, *Sacred Cows, Holy Wars: Verities and Vagaries in Deciding What's Kosher and What's Not* (Durham: Carolina Academic Press, 2017). For more on historical Jewish otherness, especially through diet, see David M. Freidenreich, *Foreigners and Their Food: Constructing Otherness in Jewish, Christian, and Islamic Law* (Berkeley: University of California Press, 2011).

³³⁴ There are many spellings of shechita used throughout the source material. This dissertation uses shechita, the spelling found in the Jewish newspapers and Jewish documents unless quoting directly from a source which uses a different spelling. For example, all congressional documents use the spelling, shehitah.

³³⁵ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 144. For more on the practice is Shechita, or kosher slaughter, see "Kosher Slaughter: An Introduction," My Jewish Learning, <https://www.myjewishlearning.com/article/kosher-slaughtering-an-introduction/> (last accessed on February 13, 2019) and "What is Shechita," Chabad.org, https://www.chabad.org/library/article_cdo/aid/222240/jewish/What-Is-Shechita.htm (last accessed February 13, 2019). For more on Jewish ritual slaughter, food production, and practices, or *kashrut*, see Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010); Roger Horowitz, *Kosher USA: How Coke Became Kosher and Other Tales of Modern Food* (New York: Columbia University Press, 2016); and Ted Merwin, *Pastrami on Rye: An Overstuffed History of the Jewish Deli* (New York: New York University, 2015).

important to the process. It must not have any nicks. And since an animal found to be slaughtered with a defective halaf is no longer kosher, the shohet inspects the knife after every kill. Also, the shohet must not hesitate before making the slice nor apply too much pressure to the animal's throat.³³⁶ The shohet takes these steps to not only guarantee that the animal is kosher but also that it is treated humanely since the Torah commands that humans must treat animals with compassion.

Despite the importance of handling animals humanely to Judaism, many non-Jews and Reform Jews have failed to see anything but cruelty in the practice of shechita. Throughout the nineteenth and twentieth centuries, animal welfare organizations and governments in the United States and Europe attempted to alter or prohibit Jewish ritual slaughter. To understand the why postwar Haredi Jews in the United States fought so adamantly against the passage of a humane slaughter bill, we must reflect upon two earlier efforts to regulate the practice of shechita—one unsuccessful and the other successful. By considering these previous attempts—one at the local level and the other at the national level—we can better grasp the fear among Haredi Jews in the 1950s and how they positioned their arguments against legislative action.

The American Society for the Prevention of Cruelty to Animals (ASPCA) included shechita in its litany of inhumane slaughter practices from its earliest days.³³⁷ Over the course of

³³⁶ Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010), 153, 164.

³³⁷ Bernard Oreste Unti, *The Quality of Mercy: Organized Animal Protection in the United States, 1866-1930*, (Ph.D. diss., American University, 2002), 114. For more on the establishment of the ASPCA, the origins of animal welfare sentiment, and animal welfare efforts and law prior to World War II, see Janet M. Davis, *The Gospel of Kindness: Animal Welfare & the Making of Modern America* (Oxford: Oxford University Press, 2016); Marion S. Lane and Stephen Zawistowski, *Heritage of Care: The American Society for the Prevention of Cruelty to Animals* (Westport: Greenwood Publishing Group, 2008); and Susan J. Pearson and Kimberly K. Smith, "Developing the Animal Welfare State," in *Statebuilding from the Margins: Between Reconstruction and the New Deal*, Carol Nackenoff and Julie Nokov, eds. (Philadelphia: University of Pennsylvania Press, 2006), 118-139; and Susan J. Pearson, "The Cow and the Plow: Animal Suffering, Human Guilt, and the Crime of Cruelty," in *Toward a Critique of Guilt: Perspectives From Law and the Humanities*, volume 36, Matthew Anderson, ed. (Amsterdam: Elsevier, 2005), 77- 101.

the late nineteenth and early twentieth centuries, the ASPCA urged all Jewish slaughterers to adopt more humane methods of killing livestock, such as knocking the animal unconscious with a poleaxe, or a large sledgehammer, prior to slitting its throat. However, the ASPCA could not elicit support from Orthodox Jewish rabbis and kosher slaughterers for the use of the poleaxe. The ASPCA came to recognize that they could not interfere with the Jewish practice, and they focused their efforts elsewhere. As a result, most attempts to reform livestock slaughter exempted shechita. The ASPCA's failed effort likely set a precedent for future humane organizations seeking to persuade Jewish slaughterers to alter their practices. Rather than focusing their attention on Jewish slaughter, they concentrated on large-scale, non-kosher operations. However, twentieth century animal welfare advocates did not fully abandon their quest to find what they considered to be improved methods of Jewish slaughter.³³⁸

In 1892, shortly after the ASPCA campaigned for kosher rabbis to alter their ritual practice in the United States, the German region of Saxony banned shechita, labelling it as a cruel. The German legislature repealed the law in 1910. However, between 1910 and 1930, animal welfare groups attempted to ban kosher slaughter several times but failed. But anti-shechita and anti-Semitic sentiments remained strong in Germany. In April 1933, just months after he became chancellor, Adolf Hitler moved to prohibit any method of slaughter that did not first stun the animal. This law, while passed under the guise of animal welfare, banned shechita across the Reich.³³⁹

³³⁸ For more on the ASPCA's efforts to reform kosher slaughter during the late nineteenth century, see Bernard Oreste Unti, *The Quality of Mercy: Organized Animal Protection in the United States, 1866-1930*, (Ph.D. diss., American University, 2002).

³³⁹ *Cong. Rec.*, 85th Cong., 2nd sess., 1958: 1661. For an in-depth analysis on Nazi Germany's prohibition of shechita, as well as other sacred Jewish practices, see Robin Judo, *Contested Rituals: Circumcision, Kosher Butchering, and Jewish Political Life in Germany, 1843-1933* (Ithaca: Cornell University Press, 2007).

When the issue of humane slaughter reemerged after the Second World War in the United States, and after Humphrey introduced the first humane slaughter bill, members of the Haredim community stood firm in their opposition to the animal welfare groups' call for change. Representatives of the nation's Haredim organizations expressed deep and multifaceted concerns about a humane slaughter bill. They believed it would interfere with their religious freedom and could lead to greater policing of religion. Further, they feared that an exemption for religious slaughter would create the impression that Jewish slaughter was inhumane, which could incite anti-Semitism.³⁴⁰ Despite the decrease of anti-Semitism in America during the post-war years, the fear of retaliation and the suppression of sacred practices was at the core of Haredim opposition to compulsory humane legislation.³⁴¹

Following the war, Jewish synagogue attendance swelled significantly. According to historian Rachel Kranson, "In 1956-57 alone, American Jews established 20 new Modern Orthodox synagogues, 20 new Reform synagogues, and 41 Conservative synagogues." This mirrored the booming growth of other religious faiths during the Cold War as religion became a key part of being an American during the 1950s (in contrast to the "godless communists of the Soviet Union").³⁴² Nevertheless, many Jewish leaders worried that postwar affluence caused Jewish-Americans to abandon traditional Jewish values and practices. For Orthodox, and many

³⁴⁰ For more on anti-Semitism and Jewish life in America, see Leonard Dinnerstein, *Antisemitism in America* (Oxford: Oxford University Press, 1995); Jeffery S. Gurock, *Orthodox Jews in America* (Bloomington: Indiana University Press, 2009); Robert Michael, *A Concise History of American Antisemitism* (Lanham: Rowman & Littlefield, 2005); Howard M. Sachar, *A History of the Jews in America* (New York: Knopf Doubleday Publishing Group, 2013); Barry Trachtenberg, *The United States and the Nazi Holocaust: Race, Refuge, and Remembrance* (London: Bloomsbury Publishing, 2018); and Lee Shai Weissbach, *Jewish Life in Small-Town America: A History* (New Haven: Yale University Press, 2008).

³⁴¹ Rachel Kranson, *Ambivalent Embrace: Jewish Upward Mobility in Postwar America* (Chapel Hill: UNC Press Books, 2017), 71, 70, 6.

³⁴² Jonathan P. Herog, *The Spiritual-Industrial Complex: America's Religious Battle Against Communism in the Early Cold War* (New York: Oxford University Press, 2011).

Conservative Jews, this involved keeping kosher.³⁴³ But as Jewish-Americans enjoyed the increased availability of kosher foods following the war, Orthodox rabbis, particularly Haredi Jewish rabbis, believed their sacred slaughter practice, shechita, risked coming under attack from animal welfare organizations around the nation.³⁴⁴

Prior to launching their mass campaign for the passage of a humane slaughter bill, Christine Stevens and other animal welfare advocates hoped that Orthodox Jews would consent to modify their pre-slaughtering practices. In 1953, Stevens contacted the Hebrew Unity College in Switzerland, inquiring about their use of carbon dioxide prior to slaughter. She did not receive a response but considering Hormel had just invented their carbon dioxide chamber, it is evident that she was trying to gather information about implementing the practice among Jewish slaughterers in the United States.³⁴⁵ But since several Haredi rabbis maintained that the animal must remain conscious, they rejected using carbon dioxide to anesthetize the animal prior to shackling and hoisting.

Orthodox Jewish rabbis' authority over shechita should have rendered the opinion of other Jewish branches, who did not observe kashrut, obsolete. But the leaders of the humane slaughter movement and Congress members determined to pass a compulsory bill put great effort towards gaining all Orthodox, as well as Reform Jews' and the (less vocal) Conservative Jews'

³⁴³ Rachel Kranson, *Ambivalent Embrace: Jewish Upward Mobility in Postwar America* (Chapel Hill: UNC Press Books, 2017). For more on the history of keeping kosher in America, see Roger Horowitz, *Kosher USA* (New York: Columbia University Press, 2016); Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010); and Ted Merwin, *Pastrami on Rye: An Overstuffed History of the Jewish Deli* (New York: New York University Press), 2015.

³⁴⁴ For more on the increased availability of kosher foods in the United States following World War II, see Sue Fishkoff, *Kosher Nation* (New York: Schocken Books, 2010); Roger Horowitz, *Kosher USA: How Coke Became Kosher and Other Tales of Modern Food* (New York: Columbia University Press, 2016); and Ted Merwin, *Pastrami on Rye: An Overstuffed History of the Jewish Deli* (New York: New York University, 2015).

³⁴⁵ Christine Stevens to A. J. Granata, October 5, 1953, Box 2-020, Folder 2: Humane Slaughter - Hormel Method, 1952-1966, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

support, hoping that their backing would either convince the Haredi rabbis to accept legislation, or at the very least, drown out their opposition. In *Kosher USA*, historian Roger Horowitz claimed that Humphrey “used his considerable influence to engender a split among Jewish organizations” in order to secure the passage of a humane slaughter bill.³⁴⁶ However, the sources do not indicate that it was Humphrey’s intention to ignore Haredim opposition towards legislation, nor did Humphrey attempt to manipulate congressional opinion on the passage of a bill by representing Reform or Conservative Jews’ approval of a humane slaughter bill over the Haredim. Most of the Jewish testimony during the congressional hearings was from the Haredi Orthodox rabbis, and the committee members took their concerns seriously. However, proponents of compulsory legislation continuously misunderstood the potential consequences of legislation and what was at stake for the Haredi Jewish opponents to legislation. This was further complicated by the deep divisions between the Jewish branches. And while perhaps seeking the support of non-Haredi Jews was a ploy used by proponents of legislation to override Haredim authority, it does not simplify nor fully explain the tactics used by the animal welfare leaders to gain Jewish support.

Humphrey and the members of the congressional committees were inundated with dissenting interpretations of Jewish ritual slaughter and tasked themselves with navigating and legislating intra-Jewish cultural and religious politics. Their goal was to pass a law that not only protected Jewish religious practices and ensured religious freedom, but also one that highlighted religious tolerance in America. Humphrey’s efforts to amend the bills and listen to the Haredi Orthodox rabbi’s opinions, however, did not mean he was willing to pause legislative action, nor did it result in the intended effect Humphrey and other advocates of humane slaughter legislation

³⁴⁶ Roger Horowitz, *Kosher USA* (New York: Columbia University Press, 2016), 220.

hoped for: Haredim support of a compulsory humane slaughter bill. This became even more apparent over the course of the 1956, 1957, and 1958 congressional hearings.

Congressional interest in the rights of religious minorities is not only reflective of concerns surrounding religious freedom and toleration in America during the Cold War, but it also reveals another facet of the human-food animal relationship and animal rights during this period. Although a humane slaughter bill eventually passed—against the will of the Haredim—this small group of rabbis influenced the legislative process as legislators were willing to work with the rabbis extensively to ensure the protection of religious slaughtering practices. Ultimate legal protection eventually came in the form of two amendments that guaranteed the law would not interfere with any aspect of religious slaughter, including the pre-slaughter and handling processes. The amendments also assured that the law could not be construed in any way to limit or altogether prohibit religious slaughtering methods. These critical amendments led directly to the terms of passage of the final humane slaughter bill, H. R. 8308. It also reveals that despite overwhelming support for improved slaughter methods and the concern about ethical treatment of livestock moments before their death, legislators were not willing to restrict the rights of any group over the lives of non-human animals, especially those destined for the dinner table, and that when confronted by the nation’s business, economic, and religious interests, concerns about animal welfare were limited in their reach.

Congressional Efforts to Gain Haredi Support for Humane Slaughter Legislation

During the early to-mid 1950s, Hubert Humphrey reached out to members of the Jewish community to gain their support of his humane slaughter bill, S. 1636, but he was met with little success. In March 1956, Humphrey expressed to Christine Stevens that he had tried to “pacify” the Haredi rabbinical resistance to legislation, but despite how “awkward” their opposition might

be, they needed to move forward with the public hearing.³⁴⁷ The first Senate hearing, held on May 9 and 10, 1956, to discuss S. 1636, provided an opportunity for Jews to express their stance towards legislation. Four individuals testified on behalf of the Jewish community: Rabbi Isaac Lewin, an executive committee member of the Union of Orthodox Rabbis of the United States and Canada and professor at Yeshiva University in New York, Leo Pfeffer, an attorney and counsel member of the American Jewish Congress, David H. Greenwald, a counsel member of the American Federation of Retail Kosher Butchers, and Dr. Michael L. Munk from the Agudas Israel World Organization. According to Pfeffer, more rabbis wanted to attend the Senate hearing, but Pfeffer explained to them it was unnecessary because “there wasn’t the slightest intention” of Humphrey, nor the rest of the committee to interfere with shechita. The faith entrusted in Humphrey by these Jewish leaders in 1956 demonstrated a confidence that Congress would protect their religious freedoms. The 1956 hearing also provided an opportunity for the representatives to provide evidence on the humaneness of shechita.³⁴⁸

Speaking on behalf of the Union of Orthodox Rabbis, Rabbi Lewin, a Haredi Jew and vocal opponent to legislation throughout the debates on humane slaughter, explained that shechita was “rational, most humane, and the least painful,” slaughter method as proven by top scientists in the fields of physiology and veterinary medicine. Therefore, he proclaimed, the Union of Orthodox Rabbis was “firmly opposed to the present measure [humane slaughter legislation] because by implication it brands the Jewish ritualistic method of slaughter... as not humane. Such implication is indeed offensive, and has no basis in fact.” Following Rabbi Lewin’s testimony, Humphrey replied that it was not his intention to “brand [Jewish slaughter]

³⁴⁷ Hubert Humphrey to Christine Stevens, March 26, 1956, Legal Box 2.07, Folder 6: Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁴⁸ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 140-141.

as inhumane.” On the contrary, he intended to list it as one of the accepted humane methods of slaughter. He then reassured Lewin in the Senate hearing that he would “never permit any such insinuation to exist in the record.”³⁴⁹

Following Lewin was Leo Pfeffer, a lawyer and member of the American Jewish Congress, which represented over eighty percent of American Jews—Reform, Conservative, and Orthodox. Pfeffer was born in Austria-Hungary and moved to the United States as a young child in 1912. He was a Conservative Jew and stood in stark opposition against the Jewish Orthodoxy. Pfeffer stated what the Senate committee already knew: there was great consternation about the bill within the Jewish community. But the Jewish people, according to Pfeffer trusted that Hubert Humphrey would act in good faith. He stated, “I need hardly say that your friendliness toward the Jewish people and all minority racial and religious groups is well known, so that it would be out of the question for anybody to conceive of you knowingly introducing any measure which might have a negative consequence upon the groups.” Knowing Haredi Jews were present, Pfeffer subtly communicated to the Haredim that the bill did not represent any cruel intention. Pfeffer then reminded the committee of the history of such legislation. “It is a history which is written in sorrowful letters in the annals of the Jewish people,” he lamented.³⁵⁰ Humphrey was aware of the history and implications of such legislation in Europe, and he clearly hoped the religious exemption would satisfy all Jews in America.

The exemption for Jewish slaughter in S. 1636, however, did not provide an explanation as to why Jewish slaughter was exempt. Like Lewin, Pfeffer explained to the committee that this implied that Jewish slaughter was inhumane but was exempted and tolerated because it was a

³⁴⁹ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 139.

³⁵⁰ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 144.

religious practice. In agreement, both Lewin and Pfeffer, believed this to be “incorrect and defamatory,” and therefore they wanted the bill to clarify that shechita was in fact a humane method of slaughter. Humphrey explained, “I have been deeply concerned about this, and I have gone over this very carefully with a number of people both of your faith and of men in the sciences, veterinarians,” and that he intended to modify the bill to answer the concerns of the Jewish community.³⁵¹

With Humphrey’s assurance that he would amend the bill to suit their objections, it seemed like the Jewish community’s concerns diminished. David H. Greenwald, representing the American Federation of Retail Kosher Butchers, stated in his testimony that Humphrey took “a good deal of our argument away,” since kosher slaughtering would be recognized as a humane method. But, he argued, the butchers had other concerns, both with the Senate bill, S. 1636 and the similar House bill, H. R. 7672, introduced by Congressman Edgar W. Hiestand (R-CA) on January 16, 1957, which was now suspended and amended. Greenwald explained that the butchers were more interested in free and unrestricted interstate commerce of kosher meat products. H. R. 7672 exempted kosher meat, “so long as it is used by those people who practice the religious faith as food.” This exemption would result in great financial losses for kosher butchers, since a considerable portion of the animal, the hindquarters, is not eaten by Jews who observe a kosher diet, and instead were sold on the non-kosher market.³⁵²

Greenwald also took issue with the bill’s definition of interstate commerce and that it did not meet the same requirements as those for federal inspection. With this, he took his concerns outside of the purview of the rabbinical and religious arguments and aligned his concerns with

³⁵¹ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 144.

³⁵² Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 146-148.

others in the meatpacking industry. Greenwald worried that the slaughter bill would lead to the Department of Agriculture supervising slaughterhouses that were not subject to federal inspection. Ultimately, however, he suggested that refining the language in the bill would solve this issue. Greenwald concluded his testimony, “So long as these bills do not tend to create monopolies and do not tend to drive small independents out of the market and allow the free and unrestricted traffic across State lines of kosher meat and meat products, we have no objection to the bill.” Humphrey pledged to refine the bill’s language.³⁵³

The Jewish leaders who came to Washington, D. C. to testify at the Senate hearing were not alone in their fear about the implications of S. 1636 and the Jewish slaughter exemption. In their supplementary statement, the Humane Society of the United States wrote that there was a basis for Jewish concerns because S. 1636 did not specify shechita as “uniquely exempted” from the bill. Instead, the HSUS suggested the bill be amended to “eliminate even the possibility of an undesirable implication.” The effect of the amendment, according to the statement, would be an “affirmation of the constitutional right, applying to all religions without distinction.” The HSUS’s proposed amendment was a rare reference to Muslim ritual slaughter throughout the hearings.³⁵⁴

Taking the amendments into consideration, the Senate subcommittee reported favorably on the passage of the bill. However, during executive session, the full Agriculture Committee rejected S. 1636 because of its compulsory feature. They modified the bill into a study bill, and it passed the Senate. The bill no longer required packers involved in interstate commerce to adopt improved methods of slaughter. Instead, the approved bill allocated funds for further research.

³⁵³ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 146-148.

³⁵⁴ Senate Subcommittee of the Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock and Poultry: Hearing on S. 1636*, 84th Cong., 2nd sess., 1956, 105.

However, the House of Representatives did not act before the 84th Congress adjourned; therefore, they took no action on S. 1636.³⁵⁵

As public awareness of humane slaughter legislation increased, several bills with similar language regarding religious protections and requirements for reforming the present slaughter methods entered the 85th Congress (H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509). Without a resolution the following year, Haredi Jews' anxieties about the language of the bills and their implications continued. Of the eight bills discussed at the 1957 hearings before the House of Representative's Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, seven provided religious exemptions, while the eighth (H. R. 5820) was solely a study bill—similar to the amended S. 1636—introduced by opponents of compulsory legislation. But of the seven bills that would require the use of humane slaughter methods, only one specifically mentioned protections for Jewish slaughter: H. R. 3049. A greater number of Jewish leaders, representing Jewish organizations from all branches around the country, attended the second hearing, although they did not testify. Instead, they combined their statements into one. Rabbi Lewin, who testified at the 1956 Senate hearing on S. 1636, presented the statement.

According to Lewin's statement, Jewish leaders and the organizations in which they represented opposed six of the eight bills before the House. Their opposition did not include H. R. 5820, the study bill, or H. R. 5671.³⁵⁶ Omitting the latter bill, which was a compulsory humane slaughter bill, was likely an oversight. Reiterating the concerns presented to the Senate committee the previous year, Lewin explained, "We oppose these because all of them give a

³⁵⁵ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 10.

³⁵⁶ Lewin stated that the Jewish organizations opposed H. R. 176, H. R. 2880, H. R. 3029, H. R. 3059, H. R. 6422, and H. R. 6509.

completely false impression of the Jewish kosher method of slaughtering animals (shehitah) and may become the basis of restriction against one of the most important precepts of the Jewish faith, thus, endangering a primary civil liberty—freedom of religion.” They also feared the implication that Jewish slaughter was inhumane but tolerated because it was a religious practice. To this point, he informed the committee that over 800 notable authorities in physiology, pathology, anatomy, and veterinary medicine had confirmed the humaneness of the Jewish method of slaughter.³⁵⁷ Beyond the argument that the practice was humane, Lewin reminded the committee of the history of such legislation in Europe. He explained, “It is not surprising that within the Jewish community there is such unanimity of opposition,” towards the legislation. But to the contrary, there was strong backing for legislation among Reform, Conservative, and even Modern Orthodox Jews, who did not testify during the hearing. Lewin expressed fear that a U.S. law would take a similar path, but perhaps not as extreme as the one taken by Germany during the 1930s, but the one currently occurring in England. England had a humane slaughter law in place since 1933 and provided an exemption for Jewish slaughter. But according to Lewin, the law was a catalyst to ban shechita completely.³⁵⁸

For his final argument, Lewin took a different approach. Asserting that he was not speaking on behalf of the American Jewish community, but as an American, he responded to claims made by Congresswoman Martha Griffiths (D-MI), who introduced the compulsory bill, H. R. 176, and animal welfare organizations that argued the United States lagged behind other nations that passed humane slaughter legislation. He wrote,

³⁵⁷ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 35.

³⁵⁸ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 45, 46.

the United States of America need not take lessons from any country as to what legislation must be enacted concerning animals. Does the United States need such a bill? We take pride in our mutual understanding and religious tolerance... A bill of this kind, however, will set up counterreaction, that it might force repercussions in the form of hatred and propaganda of law abiding citizens... in conclusion... American Jewry, more than 5 million in number, is united in its opposition to the proposed legislation.³⁵⁹

Lewin's statement left Representative W. R. Poage (D-TX) with several questions regarding the rabbis' position on legislation, and he feared that no bill or language would garner their support. When asked about whether he could draft a satisfactory bill, Lewin, along with Leo Pfeffer who now joined the conversation, said they could not speak on future legislation, only the bills before the committee presently.³⁶⁰ In response, Poage vowed to include Jewish slaughter as a humane method in the current and any future bills. But this would not be enough to garner support from Haredi Jews who believed their religion and culture to be at stake.

David H. Greenwald, who testified on behalf of the American Federation of Retail Kosher Butchers during the 1956 Senate hearing, once again expressed an additional trepidation, one not presented by the other Jewish organizations. In response to Poage's commitment to changing the language of any bill that might suggest that Jewish slaughter was not a humane practice, Greenwald pointed out another aspect of the bills that would categorize shechita as inhumane and therefore not permitted—the prohibition of hoisting, shackling, or any other method of bringing an animal into a position for slaughter while it remained conscious. According to most Orthodox Jewish rabbis, kosher slaughter requires the conscious animal's shoulder to be held to the ground before shackling and hoisting. Therefore, as the bills stood,

³⁵⁹ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 46.

³⁶⁰ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 46-48.

with the restrictions on pre-slaughtering practices, Jewish slaughter was not considered humane. Poage committed to changing the language of the bill so that Jewish pre-slaughtering practices would not be affected and would still be humane under the law.³⁶¹ But this seemingly simple revision was more complicated than Poage assumed.

While animal welfare organizations supported a bill that included classifying all religious slaughtering rituals as humane methods, they did not agree that they should be exempt from pre-slaughter prohibitions. In their supplemental statement, the Humane Society of the United States claimed that handling the animal prior to slaughter was not part of any religion's slaughtering practices. Therefore, it was feasible to protect animals during the shackling, hoisting, and casting processes without restricting any religious freedoms.³⁶² Along related lines, John C. MacFarlane, the director of the Livestock Conservation Department of the Massachusetts Society for the Prevention of Cruelty to Animals recommended kosher slaughterers use the Dyne casting pen which eliminated the need to hoist the conscious animal altogether. The Dyne pen separated an animal from others and placed it in a rotating, padded enclosure. Once rotated, the shohet could easily, safely, and humanely preform shechita.³⁶³ Jews in Great Britain and Scandinavian countries had already accepted this method, MacFarlane claimed.³⁶⁴ However, by suggesting devices to restrain the animal or modify their religious slaughtering practices, animal welfare

³⁶¹ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 107-109.

³⁶² House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 145.

³⁶³ Christine Stevens to Hubert Humphrey, May 28, 1956, Legal Box 2.07, Folder 6: Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁶⁴ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 28.

organizations continued to misunderstand or overlook the centerpiece of Jewish fears about legislation: an uprising of anti-Semitism in the United States.

Animal welfare advocates failed to recognize the religious exemption as a potential threat to all Jewish Americans. Fred Myers, executive director of the HSUS, demonstrated this ignorance during his testimony before the House subcommittee during the 1957 hearing. Fred Myers, who helped formulate the language of H. R. 3029 and S. 1497, compulsory humane slaughter bills, expressed overwhelming support for the Jewish community and their concerns: “I would like to say a very personal word about the kosher problem. I not only am not anti-Semitic. I am one who very vigorously detests the vileness which in human nature sometimes produces anti-Semitism. I would not for one instant advocate anything which was designed to impair the rights nor injure the sensibilities of any religious group.” Yet, he still did not understand how a bill that included the Jewish method of slaughter, or any other religious method of slaughter, as a humane method, could be interpreted as problematic for the Jewish community.³⁶⁵ The disconnect between the Jews who opposed legislation and animal welfare advocates who supported legislative action continued despite congressional attempts at finding a resolution.

Following the 1956 Senate hearing, it appeared that with a few changes to the bill, the Jewish community would come together to promote humane slaughter legislation. However, the statements presented by Rabbi Lewin and David Greenwald during the 1957 hearing warned otherwise. The congressional committees hearings provided little clarity on how to proceed with legislation while satisfying the Haredi Orthodox Jews and kosher butchers. None of the bills discussed during the 1957 hearings moved forward.

³⁶⁵ House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 75.

On June 21, 1957, Representative Poage introduced H. R. 8308. The bill was similar to previous ones but included Jewish slaughter as a humane method, rather than just exempting Jewish slaughter methods from the bounds of the law. In his congressional report, delivered in July, Representative Harold Cooley (D-NC), chair of the Committee on Agriculture, recognized that H. R. 8308 was a compromise bill. He stated, “The bill seeks to strike a middle course between a number of essentially irreconcilable points of views, and therefore... is probably not entirely satisfactory to any of the protagonists in this matter.”³⁶⁶ However, over the next few months, the House Agriculture Committee tried to find language which would alleviate some opposition to the bill. On February 4, 1958, the committee amended H. R. 8308. It did not exempt religious slaughter but included it as a humane practice. Section 2B stated that

by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

The amended bill included an additional protection for religious slaughter under Section 6:

“Nothing in the Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion.”³⁶⁷ With these new amendments, the Committee approved the passage of the bill 25 to 3 and it passed the full House overwhelmingly. The House referred the bill to the Senate on February 5, 1958. In late April, the Senate Committee on Agriculture and Forestry, chaired by Senator Allen J. Ellender (D-LA), held one last hearing on humane slaughter legislation to hear from its proponents and opponents.

³⁶⁶ House Committee on Agriculture, *Humane Slaughter of Livestock*, 85th Cong., 1st sess., 1958, H. Rep. 706, 1.

³⁶⁷ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 3.

During the final Senate hearing, which focused mainly on kosher slaughter, representatives of the Haredi Jewish community appeared in full force to defend their position and express their deep opposition to humane slaughter legislation. Before the committee were three bills: S. 1213, a study bill introduced by Senator Arthur Watkins (R-UT), S. 1497, introduced by Senator Hubert Humphrey, and H. R. 8308—the latter two were identical compulsory humane slaughter bills and included both Section 2B and Section 6, which safeguarded religious slaughtering practices. To animal welfare advocates and congressional committee members in favor of compulsory legislation, these provisions seemed to satisfy the concerns brought to their attention by the Jewish representatives during the 1956 and 1957 hearings.

Haredim leaders, however, refused to accept the language of S. 1497 and H.R. 8308 and its potential implications. Their opposition still rested on three key issues: 1) they feared a humane slaughter bill would increase anti-Semitism in the United States and around the world; 2) despite Section 2b and Section 6, kosher slaughter still was not considered a humane method under the bill due to the shohets' pre-slaughtering practices. Consequently, the Secretary of Agriculture could ban their restraining method at any time, resulting in a danger of infringement on their religious freedoms; and 3) no scientifically proven humane methods of slaughter, other than shechita, existed. The bill also failed to define humaneness adequately. Their third area of concern mirrored the opposition posed by meatpacking industry representatives during the earlier hearings.

Throughout the previous hearings, several opponents discussed the Nazi ban on shechita and their fear that similar prohibitions would occur in the United States following the passage of

humane slaughter legislation. During his testimony, Rabbi Pinchas Teitz of the Union of Orthodox Rabbis of the United States and Canada said,

we are an old and historic people. We carry upon our souls the scars that have been inflicted upon us through the generations. And we know from history that all persecution against the Jewish people all over the world began with legislation restricting or controlling killing of animals. It started with animals, and it ended up with human lives.³⁶⁸

This seemingly extreme example of what could happen in the United States led many proponents of legislation to write off this concern as justified, but unlikely to occur again. However, a complete ban of Jewish religious slaughter was not unique to Nazi Germany.

The testimony continued with other examples of the slippery slope that had led to bans on kosher slaughter: In 1874, Switzerland had passed a humane slaughter law which exempted kosher slaughter. Only nineteen years later, however, the Swiss government eliminated the exemption and banned the practice. Similarly, in 1933, Britain passed the British Humane Act, which also exempted Jewish slaughter. Since the enactment of the British law, most kosher slaughterers adopted the Weinberg pen, a device that aided the shohet in handling the animal prior to slitting its throat. Humane societies in the United States also pushed for Jewish slaughterers to use the Weinberg pen or other casting pens to first restrain livestock before slaughtering, as they saw it as a more humane method of handling livestock. However, by the 1950s, the Royal Society for the Prevention of Cruelty to Animals started a campaign to ban both Jewish and Muslim slaughter rituals. As part of the campaign, they produced gross caricatures of Jewish slaughterers, which were, according to Moses I. Feuerstein, a representative of the Union of Orthodox Jewish Congregations of America, “among the most anti-Semitic that have been seen in Europe since the war.” He posed the question, “wouldn’t that create a source of worry in

³⁶⁸ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 349.

your mind?”³⁶⁹ In response to these fears, Senator Ellender replied, “That is Britain. That is not the United States.” The chair’s words did not reassure the Haredi Jewish representatives. Rabbi Lewin warned against such naivety. He stated, “I would dare say that our British friends are not less civilized or less tolerant than we are. Yet barbarity is something which all civilizations abhors, and it is far too easy to gather public support in favor of such an emotionally charged claim of cruelty, though it be used to disguise the more heinous brutality of religious intolerance.”³⁷⁰

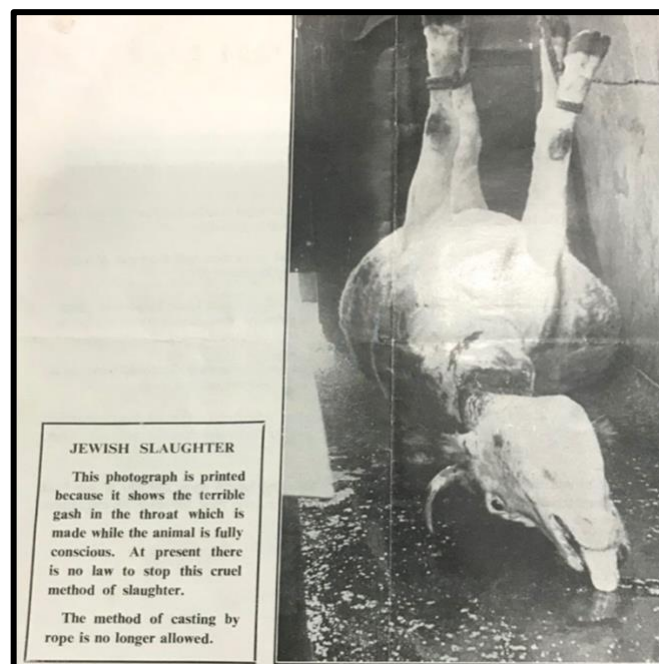


Figure 1: An image included in the British Council of Justice to Animals and Humane Slaughter Association’s Forty-Third Annual Report (1945/1955) calling for a ban on Jewish ritual slaughter. The caption reads, “This photograph is printed because it shows the terrible gash in the throat which is made while the animal is fully conscious. At present there is no law to stop this cruel method of slaughter.” Despite material such as this, British animal welfare organizations and Jewish rabbis in favor of legislation believed anti-Semitic motivation to be insignificant.³⁷¹

³⁶⁹ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 193, 333-334.

³⁷⁰ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 157-158.

³⁷¹ Image of a slaughtered steer, printed in the British Council of Justice to Animals and Humane Slaughter Association’s Forty-Third Annual Report (1945/1955), Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, North Carolina State University, Special Collections Research Center, Animal Welfare Institute Records, MC 00344; Leo Pfeffer, Address, Conference Sponsored Jointly by the Synagogue Council of American and the NCRAC on Proposed Humane Slaughtering Legislation: Implications for Shechita and Jewish Community

The committee and other witnesses present at the hearing, including animal welfare advocate John MacFarlane, acknowledged the grounds on which the Haredi Jews' fears were based. But proponents of the bill remained dumbfounded to why the Haredi community thought something similar could happen in the United States. MacFarlane stated, "I cannot conceive of our Jewish friends having so little faith in our Constitution as to believe that we might send up some act that might infringe upon their religious convictions."³⁷² However, many Jewish leaders who testified during the hearings used their confidence in the Constitution as a defense against legislation. Rabbi Lewin expressed this faith by saying, "we feel that we are entitled as citizens of the United States, as loyal citizens... who would do whatever is possible for this country, give their lives for America willingly, that we are entitled to have you reject this bill." He continued, "It impairs our religious practice. And we certainly feel that the Senate has to give us this full freedom of religion, which... is granted to us by the Constitution."³⁷³

The Jewish witnesses who testified at the hearings on behalf of the Jewish community, used language that expressed national loyalty and pride. Similar to the animal welfare advocates who used the United States' global reputation as a humane nation as a reason to pass the legislation, Haredi Jews used it as a reason to reject it. In their statement, the Rabbinical Council of America and the Union of Orthodox Jewish Congregations of America reminded the Senate committee that the world was watching the United States, and looked to them for guidance, especially on the exercise of religious freedom. And they feared that if Congress enacted a

Relations, New York City, October 20-21, 1957, Box 2-021, Folder 2: Humane Slaughter – Kosher Slaughter, 1958-1965, (1 of 2), Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁷² Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 330.

³⁷³ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 343.

humane slaughter bill, other countries might interpret it as “official sanctions of religious regulation and discrimination.”³⁷⁴ Rabbi Lewin cautioned the Senate committee, telling them that the world’s Jews were deeply concerned about the bills. Once again, proponents of legislation brushed off this concern, and the question remained how a humane slaughter bill, which included Jewish slaughter as a humane method and provided an additional safeguard for all religious slaughter rituals impinged on religious freedom. The Haredi rabbis had an answer. They argued that the protections were a mere illusion.³⁷⁵

By 1958, several issues raised by the Jewish opponents to the legislation during the 1956 Senate hearing remained. Because of the bill’s restrictions on handling and restraining animals while conscious prior to slaughter, the rabbis believed it did not protect Jewish ritual slaughter. The bill only covered the cutting of the animal’s throat—not the pre-slaughtering process.³⁷⁶ The bill gave the Department of Agriculture the power to ban shackling and hoisting practices it deemed inhumane. And while sections 2B and 6 provided religious protections, the rabbis feared that the USDA would eventually prohibit Jewish pre-slaughtering practices, therefore, banning shechita. Further, the language of the bill implied that the protections only applied to animals slaughtered for religious purposes and consumption. Because kosher-observant Jews can only eat about half of an animal, the other half is sold on the non-kosher market, for non-kosher consumption. Separating the handling process on a mass scale was therefore impossible, according to the rabbis.³⁷⁷ It should be noted that this was a contested issue among the wider Jewish community, since some Jews—mostly Modern Orthodox, Reform and Conservative—

³⁷⁴ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 119.

³⁷⁵ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 192, 149-150, 332-334.

³⁷⁶ House Committee on Agriculture, *Humane Slaughter of Livestock*, 85th Cong., 1st sess., 1958, H. Rep. 706, 4.

³⁷⁷ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 200.

argued that handling was not part of the ritual, while the Haredi Jews claimed it was. This contestation led to confusion for animal welfare organizations and the congressional committee members trying to understand how they might draft a satisfactory and effective bill. But the Haredi rabbis' argument that pre-slaughtering practices were part of the religious ritual required Congress members to take their concerns most seriously.

The Senate committee sought to identify any language that would satisfy the Haredim community and ensure that legislation would promote humane methods but not restrict their religious practices. Senator Ellender maintained that ritual slaughter was exempt, and therefore would not affect their freedom. But the rabbis argued that no language could wholly exempt Jewish slaughter, and the committee remained perplexed about how best to address this opposition to the bill. Ellender said, "I sympathize with the views just expressed but... I cannot for the life of me see why it is that this committee could not put language in the bill that would entirely exclude or protect you—and you say it is impossible?"³⁷⁸ But here lay another major issue—the Haredi Jews (as did all Jews and religious Americans more generally) did not want religious protection, they wanted religious freedom. The legislation, according to the testimony of Rabbi Pinchas Teitz,

takes away freedom of religious practices and substitutes protection. There is a vast difference between freedom and protection. When I am free it means that no one can ask me to account for what I do or how I do it. I can do it as my religion dictates me to. But when I am protected it means that I have to give an account. This law, while it protects Jewish people, it merely protects; it takes away the freedom. We as a religious group feel that we are here to enjoy freedom and not protection.³⁷⁹

³⁷⁸ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 192, 339.

³⁷⁹ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 174.

Therefore, according to this logic, humane slaughter legislation did not allow for religious freedom because a government agency would supervise a religious practice. Moses Feuerstein, president of the Union of Orthodox Jewish Congregations of American, argued that the collision of legislation and religious freedom had the potential to “unloosen the forces of divisiveness and bigotry.”³⁸⁰ Because of this fear, Haredi Jews could not accept humane slaughter legislation—no matter the language of the bill.

America’s Jews had learned from experience that they had to be careful, according to Samuel L. Brennglass, a member of the Rabbinical Council of America.³⁸¹ America was not immune to anti-Semitism and anti-Semitic policies. In fact, since Humphrey had introduced the first federal humane slaughter bill, several state legislatures introduced humane slaughter bills that did not include religious exemptions. The bills were rejected, but this issue would resurface in New York, New Jersey, and other states during the 1960s. Increasing and further justifying Haredim fears, anti-Semitic propoganda was being spread around the country in the time since the introduction of the first humane slaughter bill. In 1956, the following poster was distributed among the public:

³⁸⁰ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 189.

³⁸¹ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 192.

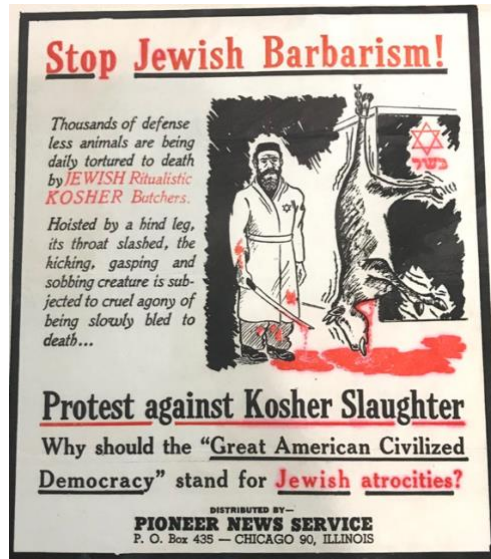


Figure 2: A poster condemning Jewish slaughter practices published by the *Pioneer News Service*.³⁸²

Some animal welfare advocates responded to this poster by writing to Congress and animal welfare leaders to express their dissatisfaction with the Jewish slaughter exemption. However, it does not appear this poster was widely circulated. Other critiques of the kosher slaughter method were not limited to obscure publications, like the *Pioneer News Service*. Major animal welfare organizations included subtle and possibly unintentional attacks on Jewish slaughter.

The Society for Animal Protective Legislation, for which Christine Stevens was secretary-treasurer, distributed a pamphlet with a picture of a butcher slaughtering a lamb intending to incite an emotional response from the viewer. This was likely the same pamphlet described in chapter two, which received widespread responses from the public. The caption claimed that the pictured lamb was experiencing extreme suffering, and that the method of

³⁸² “Stop Jewish Barbarism,” advertisement distributed by Pioneer Press Service, Chicago, IL, Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

slaughter was cruel.³⁸³ What the caption did not include, was that the image was of a Jewish butcher and rabbi, Marshall L. Goldman, ritually slaughtering a lamb. Goldman wrote to Rabbi Lewin that neither he, nor the company he worked for, gave anyone permission to use the photograph. Goldman was also concerned because people he knew recognized him in the pamphlet. Knowing the public response to the pamphlet, Lewin testified during the final Senate hearing in 1958, “Do you... think that we can have confidence, with all due respect, that one moment after they [proponents of legislation] achieved what they are trying to achieve, that they will not come in later and say, this is shehitah, when they are doing it now, without calling it by name?”³⁸⁴ It is possible that the SAPL unknowingly used a picture of shechita, but the mere distribution of this image was cause for alarm to many Orthodox Jews and kosher slaughterers.

As the third and final hearing concluded, it was clear to the Committee on Agriculture and Forestry that the Haredim would not support legislation beyond study bills S. 1213 and H. R. 5820. Of those testifying on behalf of the Jewish community, Modern Orthodox, Reform, and Conservative Jews were notably absent, except for Leo Pfeffer. Pfeffer, and the groups he represented—the Rabbinical Association of America and the United Synagogue of America (both Conservative organizations), the Central Conference of American Rabbis and the Union of American Hebrew Congregations (both Reform organizations), and the American Jewish Congress (representing all Jewish branches), all supported H. R. 8308, a compulsory humane slaughter bill which the Senate passed in February of 1958. In a letter to Representative Poage in

³⁸³ “Facts About Humane Slaughter,” Society for Animal Protective Legislation, Box 8-034, Folder 5: Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁸⁴ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 342-343.

early 1958, Pfeffer explained that these organizations' oppositions were removed once the bill was amended to include Jewish slaughter as a humane method of slaughter.³⁸⁵

When asked about why non-Haredim organizations supported legislation, the Haredi rabbis and lawyers claimed no Jews had truly supported the measure in the first place. They argued that Jews only claimed to support the bill because they were being threatened, and that they were under duress. During the 1958 Senate hearing, the congressional committee tried to find evidence of these accusations. The rabbis used letters between Poage, Humphrey, and Pfeffer as proof. In the letters, Humphrey said that with H. R. 8308 in place, it would be harder for future Congresses to restrict Jewish slaughter, especially since the bill recognized kosher slaughter as humane. The rabbis believed this to be a threat to Jews to compromise and accept the language of the bill.³⁸⁶

Many non-Haredim Jews and non-Jewish Americans, however, believed the Haredi rabbis and lawyers to be the ones making threats. In a 1958 letter to Christine Stevens, Lucille Moses wrote that it was difficult to get Jewish leaders to speak out against the Haredi rabbis. "They are afraid of the orthodox," she believed.³⁸⁷ She did not offer any basis for her belief, but it was likely prompted by the claim that Haredi Orthodox Jews harassed and bullied other Jewish branches that voiced their support for humane slaughter legislation.³⁸⁸ Supporting this claim,

³⁸⁵ House *Cong. Rec.*, 85th Cong., 1st sess., 1958, 18, pt. 9: 1665.

³⁸⁶ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 336; Hubert Humphrey to Leo Pfeffer, March 22, 1958, Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; W. R. Poage to Hubert Humphrey, March 25, 1958, Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁸⁷ Lucille Moses to Christine Stevens, August 12, 1958, Box 8-034, Series 8, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁸⁸ The sources do not provide specifics on how Orthodox groups harassed non-Orthodox Jews, but the issue of harassment was also mentioned in the *Jewish Newsletter*. "They Call It Religion," in the "Dissenter's Diary," *Jewish Newsletter* XIV, no. 11 (June 2, 1958), Box 8-034, Series 8, Folder 6: Humane Slaughter Act, Progress of, 1956-

Congressman Walker Bolling (D-MO) voted against the bill—not because he did not support its objectives, but because he was “not about to get into a fight with the Orthodox Jews.” Not all Congress members followed Bolling’s approach.³⁸⁹

Senator Richard L. Neuberger (OR-D), a religious Jew, expressed support for the Haredi Jews, but declared that it was his “considered opinion, after hearing all of those objections and listening to them very conscientiously, that this legislation should be passed.” He continued, “I believe it is in the best interest of humanity... and the people of the United States.” Neuberger then submitted a letter to the Senate committee, written by Rabbi William Richman, who supported compulsory humane slaughter legislation and reducing animal suffering, which appeared in the Conservative Jewish journal, the *Reconstructionist*, on April 8, 1958.³⁹⁰

In his letter, Richman drew three conclusions regarding humane slaughter legislation: 1) the original and amended bill contained no anti-Semitic implications, and that the Haredi claims that the bills could lead to anti-Semitism in the U.S. was unfair; 2) that by focusing on kashrut, some people overlooked the need for humane legislation—especially with hog slaughter. He wrote, “The issue of the slaughter bill, therefore, is not simply the question of kashrut alone but of our attitude toward animals in general.” And 3) Jewish handling processes can be modified to reduce shock and consciousness of the animal. He concluded, “On the basis of what I know about the bills and what I have seen in kosher and nonkosher slaughterhouses and, because as a

1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁸⁹ Jim Lanigan to Christine Stevens, July 23, 1957, Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁹⁰ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308*, 85th Cong., 2nd sess., 1958, 21.

Reform Rabbi I am willing to revise some traditions, I am in favor of the humane slaughter laws.”³⁹¹ His last point, that he was a Reform rabbi, is worth discussing.

The Haredi rabbis took issue with Reform and Conservative Jews expressing their opinions on the legislation because they did not, mostly, observe Jewish dietary laws. They argued that these “disinterested parties” did not have the right to speak on Jewish slaughter and legislation. The Haredim Board of Orthodox Jews explained in a memo submitted to the committee, “if a legislation concerning orange-growers... would be at stake, the people of California and Florida... would be considered interested parties to be consulted, whereas the people of... the New England States would not be considered interested parties and their opinions or compromises would not be reckoned with. The same logical principle should prevail here.”³⁹² By contrast, non-Orthodox Jews and organizations, however, felt as if they were interested parties, which was indicative of the tensions between Orthodox, Conservative, and Reform Jews. This conflict between the prominent branches of Judaism further complicated congressional decision making. Therefore, it is important to analyze the arguments expressed by Modern Orthodox, Reform and Conservative Jews—who did not testify at the hearings—for the passage of a humane slaughter bill.

Intra-Jewish Conflicts Surrounding Shechita and Humane Slaughter Legislation

The humane slaughter bills escalated latent tensions within the Jewish community. Some Jewish individuals took to the press to air out their grievances. The “Dissenter’s Diary,” a column in the New York *Jewish Newsletter*, a journal which claimed to apply “the principles of

³⁹¹ Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308, 85th Cong., 2nd sess., 1958, 23.*

³⁹² Senate Committee on Agriculture and Forestry, *Humane Slaughtering of Livestock: Hearings on S. 1213, S. 1497, and H. R. 8308, 85th Cong., 2nd sess., 1958, 124.*

independence of thought and freedom of discussion to reporting and interpretation of news and views of Jewish interest,” published several editorials highlighting the fractures within the Jewish community. In one piece, the author responded to Congressman Abraham J. Multer (D-NY), an Orthodox Jew, who withdrew his initial support for a humane slaughter bill. The author called it a “significant victory” for the Haredi Jewish rabbis. The author also argued that Multer’s decision was influenced by a “growing clericalist fanaticism and organized pressure under the guise of religion, which reads like an incredible fairy tale (or more exact, like a nightmare).” He continued,

There is no opposition to the bill except by the Rabbinical Council of America, an ultra-Orthodox group of rabbis who are more concerned with the observance of the dead letter of the 8,000 year old law, than with humane slaughter, or with mercy, religion or even Judaism itself... The reason for the opposition is illustrative of how fanaticism obscures men’s reason and how far clericalism is divorced from true religion and morality.

They concluded by stressing the “absurdity,” that an “infinitesimal group of fanatics representing less than one-tenth of the American Jewish population, which in itself forms less than six percent of the entire American population, is fighting to prevent 170 million Americans of all faiths from introducing humane slaughter laws,” because they feared legislation might hurt their “ancient dogmas.”³⁹³

In another issue of the “Dissenter’s Diary,” the columnist wrote that in response to “ultra-Orthodox” fear over legislation—which might eventually lead to the prohibition of shechita—the rabbis started a campaign not only against a humane slaughter bill that might regulate religious slaughter but also against any bill that would regulate animal slaughter for non-Jewish consumption. “Never has clericalist hutzpa reached such proportions. The new pressure

³⁹³ “They Call it Religion” in the “Dissenter’s Diary,” *Jewish Newsletter* XIV, no. 11 (June 2, 1958), Box 8-034, Series 8, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

campaign is so preposterous and fanatical that it aroused the ire of most secular Jewish organizations,” including the Orthodox Zionists, who usually followed the clericalists, and the Conservative Jews. The author then included a quote from an editorial in the *Reconstructionist*, the “religious organ of the Conservative American Jews.” It stated, ““it is scientifically and objectively illustrated that the Jewish ritual method of slaughter was less humane than alternate methods... Since we hold ethical considerations to be paramount above ritual considerations, we feel that Congress is within its right”” to legislate livestock slaughter. The editorial concluded, “In no other field is the abyss between the Jewish people and the [Haredi] Orthodox rabbis more clearly manifested, and in no other field are these tradition-mad fanatics less entitled to speak in the name of all Jews.”³⁹⁴ The Haredi Orthodox Jews’ influence, despite their lesser numbers, was troublesome to non-Haredim Jews around the country.

The diversity of Jewish belief was an important point of emphasis in this context. In another short column published in the *Jewish Newsletter* on June 16, 1958, entitled, “Not All Jews Oppose Bill,” the author wrote that it was a great tragedy that the public viewed Jews as a united group with shared views and beliefs. The author believed that as soon as non-Jews realized that many Jews have differences of opinions, some prejudice against them would decrease. The article also noted that the small group of Jews who opposed legislation successfully convinced members of Congress that they spoke for all Jews.³⁹⁵ The editor of the *Jewish Newsletter*, William Zuckerman, wrote to Christine Stevens that the “ultra Orthodox Jews live in the Middle Ages and want to make all other Jews do the same,” and that “they are very

³⁹⁴ “Clericalist Hutzpa” in the “Dissenter’s Diary,” *Jewish Newsletter* XIV, no. 11 (June 2, 1958), Box 8-034, Series 8, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁹⁵ “Not All Jews Oppose Bill,” *Jewish Newsletter* XIV, No. 12 (June 16, 1968). Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

vocal and have a lot of money but that far from representing Jews in general they represent only the tiniest of minorities.”³⁹⁶ In another letter, Zuckerman told Stevens that she was mistaken about the humaneness of the Jewish slaughter method. He wrote, “I doubt that any form of slaughter which makes it possible for the animal to see the approach of the slaughterer can be called humane in this age.” He then told her that if she had ever witnessed the ritual take place, she would change her position on shechita. Zuckerman argued that any method that does not involve stunning the animal first is inhumane. Therefore, he supported a compulsory humane slaughter bill, and was saddened that the legislation was being held up in Congress. He expressed hope that it was because of the “ruthless pressure” of the meatpackers, rather than the pressure of the rabbis.³⁹⁷

Two other major Jewish publications gave great attention to humane slaughter legislation: *The Jewish Spectator*, which had a moderate Reform leaning, and the *Reconstructionist*, a Conservative publication. An editorial in *The Reconstructionist* claimed that the amended bill, H. R. 8308, was satisfactory to Reform Jews and most Conservative Jews—but not the Orthodox Jews because they feared legislation could be used to prohibit Jewish slaughter in the future.³⁹⁸ The author reassured readers, “This would contravene the American principle of separation of church and State.” And he, along with the Reform and Conservative Jews, agreed with the Orthodox Jews in that Congress should not interfere with religious slaughter. However, he concluded, “Since the present bill does not propose such interference... we approve of its

³⁹⁶ Christine Stevens to Camille Gravel, letter, June 6, 1958, Box 2-022, Folder 3: Humane Slaughter—Gravel, Camille F., Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁹⁷ William Zuckerman to Christine Stevens, letter, June 19, 1958, Box 2-021, Folder 2: Humane Slaughter – Kosher Slaughter, 1958-1965, (1 of 2), Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

³⁹⁸ The author did not specify if he was referring to Haredim, Modern, or Orthodox Jews in general, but they were likely talking about Haredim.

passage.”³⁹⁹ Similarly, in a *Jewish Spectator* editorial, entitled “The Ethics of Ritual Slaughter,” Dr. Trude Weiss-Rosmarin explained that in response to the call for humane legislation in America, and fear about the European bans on shechita, American Jewish organizations “made united and successful efforts... to secure a ruling on shehitah as an indubitably [*sic*] humane method of slaughter.” And the amended Poage bill, S. 1497, acknowledged shechita as humane, therefore, legislation would not affect the practice. She continued, “Judaism is fully in accord with efforts and legislation aiming at reducing the pain and anguish of animals needed for sustaining human life.” Jews are realistic, she explained, and despite their abhorrence for cruelty, they realize they live in a world in which killing animals is necessary. At the heart of shechita, she argued, is humaneness.⁴⁰⁰

Weiss-Rosmarin explained that Jews were some of the first animal advocates, as the Western world had only recently recognized the need for humane treatment of animals, and only after a Jew, Lewis Gompertz, brought widespread attention to animal welfare as one of the co-founders of the Royal Society for the Prevention of Cruelty to Animals in the 1820s. With that in mind, Weiss-Rosmarin concluded, “let Congress adopt legislation to insure [*sic*] humane slaughter—but the Members of the House should be mindful of the fact that the very motivation of the bill recommending humane slaughter stems from the Jewish tradition.”⁴⁰¹ Major Jewish

³⁹⁹ “The Humane Slaughter Bill,” *The Reconstructionist*, February 21, 1958, in “Remarks Put in the Congressional Record by the Hon. Richard L. Neuberger on June 16, 1958,” Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁰⁰ “The Ethics of Ritual Slaughter,” *Jewish Spectator*, April 1958, in “Remarks Put in the Congressional Record by the Hon. Richard L. Neuberger on June 16, 1958,” Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “The Ethics of Ritual Slaughter,” *Jewish Spectator* (April 1958): 3-5, Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁰¹ “The Ethics of Ritual Slaughter,” *Jewish Spectator*, April 1958, in “Remarks Put in the Congressional Record by the Hon. Richard L. Neuberger on June 16, 1958,” Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “The Ethics of Ritual Slaughter,” *Jewish Spectator* (April 1958): 3-5, Box 2-021, Folder 1: Humane

magazines continued to publish similar articles during the summer of 1958 as many Modern Orthodox, Reform, and Conservative Jewish Americans took to letter-writing to express their support for humane slaughter legislation and to denounce the Haredi Jews' opposition.

Lucille Moses, a Jewish woman who had previously written Stevens about her support for humane slaughter legislation, wrote President Eisenhower to express her anger and disapproval of the Haredi rabbis' opposition. To Eisenhower, she wrote,

It is incomprehensible that the orthodox Jews are not practicing the wonderful Mosaic laws, which prohibit cruelty to animals, but instead are defiling their very meaning. The ritual slaughter has been proclaimed as humane and has an honorable protective exemption in the bill; yet the ultra-orthodox group are not satisfied... To honorable Jews... the opposition of this small Jewish group is neither moral nor Judaistic. I urge you to give consideration and respect to the majority of American Jewish people whose reason and compassion are not obscured by fanaticism.⁴⁰²

Moses' letter represented a clear break between the small group of ultra-Orthodox Jews and what Moses considered the rest of American Jews. She was far blunter in letters to Stevens and Ellender. To Stevens, she wrote, "I have no idea the status of the bill but these monsters are going to urge President Eisenhower to veto the bill." She continued, "I have no words that could possibly describe my feelings of complete revulsion for those immoral and insane men who dare to call it religion!... Too many times we are linked with their horrible thinking." Similarly, she told Ellender that she was ashamed of and humiliated by the Haredi rabbis. She explained that they were using "double talk" to confuse the Senate and House committee members.⁴⁰³

Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁰² Lucille Moses to Dwight D. Eisenhower, August 12, 1958, Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁰³ Lucille Moses to Christine Stevens, August 12, 1958, Box 8-034, Series 8, Folder 6: Humane Slaughter Act, Progress of, 1956-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Lucille Moses to Allen J. Ellender, June 12, 1958, Box 2-021, Folder 2: Humane Slaughter – Kosher Slaughter, 1958-1965, (1 of 2), Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

Others also wrote to Senator Ellender in hopes solidifying Jewish support for legislation and to belittle the rabbis' arguments against it. In 1958, Ruth and Jacob Robinson explained Haredim beliefs do not represent those of "normal modern Jewish citizens. The rabbis who oppose legislation, "are a special ivory-tower group," and that even if their fears held any weight, Congress should still pass a compulsory humane slaughter bill. They continued by explaining that there were other examples in America of not letting certain religious practices come into conflict with law and morality. For instance, Congress outlawed polygamy for American Mormons in 1890.⁴⁰⁴ The Robinsons believed Congress should follow suit.

Adding another layer of complexity to Jewish cultural politics, many Modern Orthodox Jews also supported humane slaughter legislation and disagreed with Haredi opposition. In 1958, Rabbi Samuel Weisberg, secretary of the Associated Legislative (Orthodox) Rabbinate of America, wrote Senator Ellender. He explained that his organization had not sent representatives to the congressional hearings, but they wanted to now express their position. He explained that if the bill included an amendment that protected Jewish slaughter, then,

Jew[s] have no moral right to interfere with the will of the majority of the American people, to dictate to them... If the majority of the people prefer changes in the law which secure the religious right of the Jews, let them do as their conscience tells them to do. We want to emphasize... that the so called 'Union of Orthodox Rabbi of the United States and Canada', an ultra fanatic organization, does not, in any way, represent even a small fraction of the American Jewry. The members of this organization, European born and raised old people, have no influence whatsoever on the social or religious life of the American Jewry. Therefore their opinion or resolution on a religious matter is not binding and certainly not acceptable to greater majority of our people.⁴⁰⁵

⁴⁰⁴ Ruth and Jacob Robinson to Allen J. Ellender, May 1, 1958, Box 64, Folder: Sen 85A – E1 S. 1497 (1 of 3), Records of the U. S. Senate, 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry S. 1362 – S. 1497, Record Group 49, National Archives Building, Washington, D.C.

⁴⁰⁵ Rabbi Samuel Weisberg to Allen J. Ellender, June 14, 1958, Box 64, Folder: Sen 85A – E1 S. 1497 (1 of 3), Records of the U. S. Senate, 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry S. 1362 – S. 1497, Record Group, National Archives Building, Washington, D.C.

Weisberg's positioning of himself, as well as those in his organization, as separate from the older, European-born and -raised Haredi Jews is significant to understanding Haredim opposition—many of whom experienced the oppression of their religious practices firsthand prior to immigrating to the United States. For example, Rabbi Isaac Lewin, one of the most vocal Jewish opponents of compulsory humane slaughter legislation, was from Poland and fled Europe just before the Nazi invasion in 1939.

Other Modern Orthodox Jews expressed similar disdain for Haredi Orthodox Jews and labeled their practices as outdated and potentially harmful to all Jews in America. In May 1958, the *New York Times* published a letter to the editor from Bertha Levy. She wrote that she was shocked by Rabbi Lewin's position expressed during the recent Senate hearing. Emphasizing that the last word on kosher slaughter had not been spoken in 3,000 years, she explained that "The great God of mercy would undoubtedly approve of any technological advances that give us pure food without causing any unnecessary suffering to the dumb animals." According to Lewin, she argued, stopping Jewish ritual slaughter would be the "first step in encouraging anti-Semitism." Levy believed Lewin's argument was, "putting the matter in reverse and that Orthodox Jewish resistance to humane methods will cause much adverse criticism."⁴⁰⁶

Levy's fear was substantiated the following month when a constituent wrote to Senator Ellender voicing resentment towards Jews who opposed compulsory legislation.

In a letter to Senator Ellender, Therese Ann Olson wrote that in arguing for religious freedom, the rabbis were "imposing their religious beliefs on me and every other Gentile American," which she "deeply and bitterly resent[ed]." Denouncing kosher slaughter as

⁴⁰⁶ Bertha A. Levy, "Humane Slaughter Methods, Letter to the Editor, *New York Times*, May 6, 1958, Box 64, Folder: Sen 85A – E1 S. 1497 (1 of 3), Records of the U. S. Senate, 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry S. 1362 – S. 1497, Record Group 46, National Archives Building, Washington, D.C.

inhumane, she asked, “Because their religion forbids them to kill animals humanely... must millions of animals die an agonizing death to please the Jews of America? I wonder how those Rabbis would like to be hoisted up by one foot and left dangling until someone slit their throat?” Olson did not differentiate between the Haredi-Orthodox Jews and other Jews who supported humane slaughter legislation, and she wondered why Congress was upholding the rights of Jews and not Gentiles in the matter. “Have we no rights?” she probed. “Must our sensibilities be outraged... knowing that our government has done nothing about stopping this cruelty and will not do anything about this cruelty because it is so afraid of infringing on the sensibilities of a minority group?” She then called Jews selfish and hypocritical, and, embodying the rabbis’ fears of anti-Semitism, she wrote, “their testimony at this hearing could make me anti-Semitic as nothing else I know could do.” In closing, she wrote, “As an American who loves my country, it pains me deeply to know that we are aligning ourselves with Communistic Russia since we are the only two so-called civilized countries in the world which still adheres to inhumane and brutal methods of slaughtering meat animals.”⁴⁰⁷ Her last remark, however, was incorrect, as many other nations lacked humane slaughter laws. Moreover, while Olson saw Congress imposing another religion’s beliefs upon her, members of Congress were in fact trying to maintain religious pluralism, tolerance, and freedom in America, as well as ensure humane deaths for livestock, as opposed to communist Russia. If more non-Jewish Americans agreed with Olson, they did not express their views in letters to Congress members or newspapers. However, Olson’s letter validated Haredim fears. Having not yet passed a law, this letter indicated that the bills alone incited anti-Semitism.

⁴⁰⁷ Therese Ann Olson to Allen J. Ellender, May 1, 1958, Box 64, Folder: Sen 85A – E1 S. 1497 (1 of 3), Records of the U. S. Senate, 85th Congress Sen 85A-E1 Committee on Agriculture and Forestry S. 1362 – S. 1497, Record Group 46, National Archives Building, Washington, D.C.

Animal welfare leaders remained unable to accommodate Haredi Jews' fears about anti-Semitism and the restriction of their religious freedoms as legitimate. Christine Stevens believed there were several other reasons the Haredi Jews opposed legislation. She hypothesized that non-kosher meatpackers created an "imaginary fear" among the Haredi Jews that similar persecution would occur in America as it did in Europe if a humane slaughter bill passed. Little evidence for this theory exists, however. She also thought their opposition could be based in economics. Some rabbis and kosher butchers claimed that a bill would create excessive costs for kosher butchers and consumers. To that point Stevens argued that the Jewish community had no cause for worry, since the bill did not affect the Jewish practice of shechita. She said this with confidence because she believed the handling method was not part of ritual slaughter. Therefore, regulating pre-slaughtering practices was not a religious or economic issue, making Haredim opposition, in her mind, unjustified.⁴⁰⁸ In her personal correspondence, Stevens expressed great frustration over the Haredi Orthodox Jews' refusal to accept a humane slaughter bill. Writing to Edith Allen Clark, Stevens complained, "It is most unfair that any Jewish person should oppose the bill, for years of effort went into."⁴⁰⁹ In a letter to Paul Wooton from the *Times-Picayune*, Stevens expressed similar disappointment: "It is saddening to hear that opposition from Jewish people is the major obstacle to enactment of this legislation." She claimed that it was unjust that opposition from individuals who were "willing to lend their names to this anti-humane activity should be allowed to influence the course of this legislation" despite attempts to find agreeable language by the bill's proponents.⁴¹⁰ While Stevens and other animal welfare leaders tried to reconcile with the

⁴⁰⁸ Christine Stevens to Alfred K. Allan, May 8, 1958, Box 2-021, Folder 1: Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁰⁹ Christine Stevens to Edith Allen Clark, March 20, 1958, Box 2.18, Folder 6, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴¹⁰ Christine Stevens to Paul Wooton, March 20, 1958, Box 2.18, Folder 6, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

continued Orthodox Jewish opposition, congressional committees were tasked with balancing the contradicting information received from the three main Jewish branches. Navigating intra-Jewish conflicts posed continued challenges to the House and Senate committees and delayed the passage of an effective, compulsory humane slaughter bill.

From the moment of its inception, Haredi Orthodox Jews opposed the idea of humane slaughter legislation. They engaged in debates with animal welfare leaders and non-Haredim Jews, and they defended their position eloquently and with passion at the congressional hearings. As the Haredim organizations were working towards defeating the possibility of the passage of a humane slaughter bill, individual members of Congress tried to navigate the religious and cultural politics of American Judaism. This proved increasingly difficult, as the many members of the House and Senate committees remained confounded by the intra-Jewish divisions and varying interpretations of Jewish law. In the *Congressional Record* of Feb 4, 1958, Poage stated, “the committee has tried its best to get language that would obtain the results and also give every citizen of America the opportunity to carry out his religious beliefs.”⁴¹¹ This included that of the Haredi Jews. Despite their small numbers, Congress needed to ensure that humane slaughter legislation would not impede on their religious freedom. However, even as they approved the final bill, H. R. 8308, Congress failed to find a way to accommodate the Haredi Jews’ fear of anti-Semitism.

In his address at a 1957 conference sponsored by the Synagogue Council of America, Leo Pfeffer, who supported the amended legislation, recognized the Orthodox Jews’ concerns about anti-Semitism, as well as the inability of those in favor of the legislation to acknowledge

⁴¹¹ House *Cong. Rec.*, 85th Cong., 1st sess., 1958, 18, pt. 9: 1656.

the root cause of their apprehensions. Pfeffer explained that he was not worried about the small, openly anti-Semitic fringe groups in the United States, as their prejudices would continue no matter what the law stated. Instead, his fear was of “the major segment of the American public which is not intrinsically anti-Semitic, but comprised of good and honest people. Many leaders in the group cannot understand the position of the Jewish community... despite two years of explanation and interpretation” by Isaac Lewin and the other Orthodox Jewish rabbis and lawyers. Pfeffer stated, with regret, “I have not been able to find one person outside our own circles who understands, appreciates, and agrees with Dr. Lewin’s position. All the pleading, all the arguing, all the testimony we have given has convinced absolutely no one.”⁴¹²

Over the course of almost four years, Haredi Jews took several approaches to convince Congress to reject humane slaughter legislation in order to protect their religious rituals and themselves against anti-Semitic attacks. Their arguments evolved throughout the three congressional hearings as they realized their fear of anti-Semitism and the infringement of their religious freedoms would not be enough to halt the passage of a humane slaughter bill. They used arguments similar to those coming from the meatpacking industry, such as the need for more scientific research, and they stressed the economic strains that might result from a bill. They also claimed humaneness and interstate commerce needed more refined definitions. They adapted the claims made by animal welfare organizations about the United States’ global reputation. And they dissected the language of each bill, finding holes in the wording and interpretations which might lead to their greatest fear of persecution and suppression. But as Pfeffer noted, they could not sway the majority to support their cause—even though animal

⁴¹² Leo Pfeffer, Address, Conference Sponsored Jointly by the Synagogue Council of American and the NCRAC on Proposed Humane Slaughtering Legislation: Implications for Shechita and Jewish Community Relations, New York City, October 20-21, 1957, Box 2-021, Folder 2: Humane Slaughter – Kosher Slaughter, 1958-1965, (1 of 2), Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

welfare advocates might have argued differently—that in the case of religious slaughter, the religious minority won their fight against humane slaughter legislation.

Still, proponents of humane slaughter remained ignorant about the true nature of Jewish opposition for several reasons. While some truly believed that anti-Semitism would not increase because of legislation, others felt confident in America's commitment to religious tolerance, and that Congress would never allow for legislation that would impede on the freedom of religion. Others believed both to be true but argued that reducing the suffering of animals trumped Haredi Jews' concerns. Many advocates of legislation also aligned their position with Reform, Conservative, some Modern Orthodox Jews who did not share Haredim fears about the consequences of legislation. They also framed the Haredi Jews as fanatics and bullies, seeking to undermine the claims made by the Haredi rabbis during the hearings.

Unlike business and industry, Congress did not have a history of, nor the regulatory apparatus to accommodate religious practices—which many Jews thought proponents of humane slaughter legislation were trying to create. Congress, however, recognized their constitutional limits and thought their efforts to take the whole Jewish community's perspective into consideration and provide sufficient protections within the act for religious slaughter would be adequate and satisfactory. It was not. But as Representative Harold Cooley noted, the legislation was a compromise. It is difficult to say which group compromised the most, but for the Haredi Jews, there was a lot at stake, especially as animal welfare organizations shifted their focus away from federal regulations of slaughtering methods to the state level. Over the next several years, Haredi Jews would continue their fight to protect shechita.

Chapter 5: “‘Humane Slaughter’ Wins Through”: The Culmination of Legislative Efforts and the Scaling Up of Congressional Prerogatives

By the summer of 1958, the Senate and House committees charged with overseeing humane slaughter had heard extensive arguments for and against the passage of compulsory federal legislation. On June 18, 1958, the Senate Agriculture Committee voted to amend the House bill, H. R. 8308, the bill that required federal agencies to purchase meat from suppliers that used only humane slaughter practices. The approved amendment, however, turned the legislation from a compulsory bill into a study bill, directing the formation of an advisory board and two years of research into more humane slaughtering methods. Outraged, Senator Hubert Humphrey and seventeen other legislators co-sponsored another amendment to restore the language of the compulsory bill. Humphrey’s amendment passed, but the legislation still faced opposition in the Senate.⁴¹³

During the final Senate debate on July 29, Humphrey spent seven hours on the floor defending S. 1497, which was identical to the approved House bill, H. R. 8308.⁴¹⁴ To move past the legislative bottleneck, Senator Jacob Javits (R-NY) proposed an amendment to S. 1497 and H. R. 8308, which focused on religious slaughter. His suggestions not only included Jewish slaughter as a humane method (as had already been approved by Congress), but it would also exempt Jewish handling practices from regulation. Senator Clifford Case (R-NY) introduced another amendment that ensured the bill could not be construed to interfere with religious

⁴¹³ Emily Stewart Leavitt, “Humane Slaughter Laws,” *Animals and Their Legal Rights*, chapter proof, Legal Box 1.6, Folder 1: Animals and Their Legal Rights (4th edition) --Chapter 3--Humane Slaughter Laws--Proofs and Research Files, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center. In 1990, the Animal Welfare Institute published a book providing an overview of the legislative battle. See *Animals and Their Legal Rights: A Survey of American Laws from 1641 to 1990*, 4th ed. (Animal Welfare Institute, 1990).

⁴¹⁴ Legal Protections for Farm Animals At Slaughter,” Animal Welfare Institute, 1-2, <https://awionline.org/sites/default/files/uploads/legacy-uploads/documents/FA-LegalProtectionsAtSlaughter-082310-1282586825-document-23638.pdf> (accessed November 11, 2020).

freedom. With these amendments, the Senate passed the bill with a vote of 72 to 9. The House acted quickly to approve these amendments, concerned that no humane slaughter bill would pass once the congressional session ended. These amendments were coined the Case-Javits amendments and were interpreted by many animal welfare advocates as a blow to the legislation itself because it exempted Jewish handling methods.⁴¹⁵ However, the Case-Javits amendments ultimately garnered enough support for the bills within Congress, which sent H. R. 8308 to President Dwight D. Eisenhower. On August 20, 1958, he signed the first federal humane slaughter bill into law.⁴¹⁶

After decades of pressuring the meatpacking industry to adopt more humane slaughter methods, and over the course of a four-year legislative battle, animal welfare organizations had finally succeeded in convincing Congress to establish protocols designed to ensure a painless death for a significant number of farmed animals. The 1958 Humane Slaughter Act declared that by June 30, 1960, all federal agencies must buy meat from packers using slaughter methods deemed humane under the law. The act did not necessarily apply to packers engaged in interstate or intrastate commerce—only those engaged in federal procurement—nor did it include a penalty for noncompliance. It affected around 500 meat suppliers in the United States.⁴¹⁷ Even though slaughterhouses not vying for federal contracts remained unaffected, the act was not inconsequential. Packers that fell under the purview of the law slaughtered nearly eighty percent of the 134 million farmed animals killed each year.⁴¹⁸ The law also stipulated the formation of an

⁴¹⁵ “Orthodoxy Oppose Legislation: Weighs Slaughter Bill Veto,” *The Jewish News*, August 8, 1958, 20, Box 2-021, Folder 1, Humane Slaughter- Kosher Slaughter 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “Legal Protections for Farm Animals At Slaughter,” Animal Welfare Institute, 1-2, <https://awionline.org/sites/default/files/uploads/legacy-uploads/documents/FA-LegalProtectionsAtSlaughter-082310-1282586825-document-23638.pdf> (accessed November 11, 2020).

⁴¹⁶ “H. J. Kaufman, “Up From Barbarism,” *The Washington Post*, August 9, 1958: A8.

⁴¹⁷ *Humane Slaughter Act of 1958*, Public Law 85-765, 85th Cong., 2nd sess. (August 27, 1958), 862.

⁴¹⁸ “In the Name of Decency—” *The Christian Science Monitor*, January 30, 1961, 14; United States Department of Agriculture, “Total Livestock Slaughter Meat and Lard Production,” (May 3, 1957),

advisory committee, headed by the Secretary of Agriculture, to recommend research to further study and develop new humane slaughter methods. The committee would begin its work by determining which methods would be classified as humane under the law.

Expressing joy that the battle for humane slaughter legislation was coming to a close, an editorial in the *Christian Science Monitor* exclaimed, “‘Humane Slaughter’ Wins Through.”⁴¹⁹ Other newspapers also applauded the passage of the Humane Slaughter Act with headlines like, “A Contribution to a More Humane World,” “Conscience Won For Humane Slaughter,” “Humane Triumph,” and “Victory For Humaneness.”⁴²⁰ *The New York Herald Tribune* commented on the extraordinary effort put forward by animal welfare leaders and citizen activists:

Perhaps no bill in recent history has had so many loyal and hardworking supporters. Many of these people, like Mrs. Christine Stevens...were representatives of humane societies. Many others were simple citizens with a conscience. Together they have literally bombarded Senators and Representatives with messages, which, apparently, have at last made their point. They formed a lobby, if you like, but it was a lobby of conscience. Animals, after all, have no vote.⁴²¹

<http://usda.mannlib.cornell.edu/usda/nass/LiveSlauSu//1950s/1957/LiveSlauSu-05-03-1957.pdf> (accessed January 9, 2016); House Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, *Humane Slaughter: Hearings on H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820, H. R. 6422, and H. R. 6509*, 85th Cong., 1st sess., 1957, 93.

⁴¹⁹ “‘Humane Slaughter’ Wins Through,” *The Christian Science Monitor*, August 1, 1958, 18.

⁴²⁰ “A Contribution To a More Humane World,” *Sentinel* (Hanford, CA), September 5, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “Conscience Won For Humane Slaughter,” *Hagerstown, MD. Mail*, August 27, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “Humane Triumph,” *The Evening Recorder* (Amsterdam, N. Y.), August 19, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “Victory For Humaneness,” *Newport News, VA. Press*, August 18, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴²¹ “Humane Slaughter Is Passed,” *New York Herald Tribune*, August 20, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

However, other news reports were less celebratory, carrying headlines like a “Move In Right Direction,” “Humane Slaughter Fight Partly Won” and “First Round Won,” flooded the newspapers, with many agreeing that the “job was incomplete.”⁴²² Many animal welfare advocates had held on to hopes for stricter regulations with criminal penalties, increased protections during transit, and the inclusion of all the nation’s slaughterhouses. As one newspaper stated, “Humane Slaughtering is Minimum Act of Kindness.”⁴²³ This small sample of newspaper editorials published shortly after the passage of the act reveals that while Americans were pleased Congress took legislative action, many agreed that there was more work to be done to guarantee all farmed animals were killed humanely.

Nonetheless, the Humane Slaughter Act was a momentous victory for farmed animals and the animal welfare leaders and advocates who fought for years to ensure federal protection for animals. As one letter to a newspaper editor commented, the legislative fight for humane slaughter signified the first time in U.S. history that Congress recognized meat animals’ “Right to Painless Death.”⁴²⁴ The Humane Slaughter Act created a new realm for the federal government in animal protection, and it provided a crucial basis for further action, as over the next several decades, Congress passed many other animal protection laws.⁴²⁵

⁴²² “Move in the Right Direction,” *Register* (Mobile, Ala), August 29, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “Humane Slaughter Fight Partly Won,” *Courier-Post* (Camden, N. J.), September 10, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “First Round Won,” *World-Telegram & Sun* (New York, N. Y.), September 6, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴²³ “Humane Slaughtering Is Minimum Act of Kindness,” *Star News* (Pasadena, CA), September 2, 1958, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴²⁴ Mrs. Walter Elwood, “Right to Painless Death,” *Recorder* (Amsterdam, N. Y.), August 2, 1956, Legal Box 2-016, Folder 4, Box 6.019, Folder 3: Humane Slaughter Clippings (2 of 6), 1950s, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴²⁵ For more on increased governmental powers in regulating human-animal relationships, see Susan J. Pearson and Kimberly K. Smith, “Developing the Animal Welfare State,” in *Statebuilding from the Margins: Between*

The implications of the Humane Slaughter Act upon its passage in 1958 were substantial, and yet did not meet the expectations of advocates within the humane organizations and their allies in Congress. Just as presidents used executive orders to direct action and establish new policy within federal agencies, legislators recognized that humane slaughter legislation would need to be limited to slaughterhouses conducting business with federal agencies. Between the federal law and individual state humane slaughter laws, animal welfare leaders believed all farmed animals would be guaranteed painless deaths. In the years following the passage of the 1958 act, holes in the federal law surfaced, and state-level efforts to pass humane slaughter legislation did not succeed. These failures led to demands for more sweeping legislation during the 1970s.

In 1978, twenty years after the passage of the Humane Slaughter Act, Congress approved (what is commonly referred to as) the Humane Methods of Livestock Slaughter Act, which amended the 1906 Federal Meat Inspection Act and strengthened the 1958 humane slaughter legislation. Whereas the Humane Slaughter Act only applied to slaughterhouses selling meat to federal agencies, the 1978 legislation covered all federally inspected slaughterhouses, as well as foreign packers that exported meat to the United States. Further, the Federal Meat Inspection Act mandated that states must pass and enforce inspection laws that were equal to federal standards. Therefore, all federal and state inspected slaughterhouses were required to use humane slaughter methods.

This incremental growth of congressional prerogatives followed the trajectory of environmental lawmaking, which also developed throughout the mid-to late twentieth century.⁴²⁶

Reconstruction and the New Deal, Carol Nackenoff and Julie Nokov, eds. (Philadelphia: University of Pennsylvania Press, 2006), 118-139.

⁴²⁶An example of legislation taking similar paths include the 1959 Wild Horse and Burro Act, which provided protections for wild horses on public lands. In 1971, Congress expanded the act in 1971. Other examples include the

The Constitution limits the powers of Congress, and the national legislature has typically been hesitant to expand its reach without a sustained sense of urgent need for action. Therefore, Congress relies on the power of the Commerce Clause to regulate most business activity. Under the concept of federalism, which divides power between Congress and the states, it is up to individual states to regulate activities within its borders.⁴²⁷

Implementation of the 1958 Humane Slaughter Act

On November 13, 1958, the Humane Slaughter Advisory Committee, established under the Humane Slaughter Act, met for the first time. Secretary of Agriculture Ezra Taft Benson appointed the members of the committee, including representatives from national animal processors, trade unions, women's groups (meant to represent the public), livestock growers, the poultry industry, humane organizations, religious organizations, veterinary and medical organizations, and the USDA's Agricultural Research Service and Meat Inspection Division. Addressing the committee, Benson stated the UDSA wanted them to advise in researching and developing the practical application of the Humane Slaughter Act. Benson also instructed the committee to evaluate any new methods of slaughter once they met their original objectives and asserted that they must and work with a sense of urgency.⁴²⁸

Following Benson's direction, the Humane Slaughter Advisory Committee released a statement only four days after their initial meeting. Their first order of business was to

1966 Endangered Species Preservation Act, the 1969 Endangered Conservation Act, and the 1973 Endangered Species Act. For more on environmental lawmaking, see Karl Boyd Brooks, *Before Earth Day: The Origins of American Environmental Law, 1945-1970* (Lawrence: University of Kansas, 2009) and James Salzman and Barton H. Thompson, Jr., *Environmental Law and Policy*, 4th ed. (St. Paul, MN: Foundation Press, 2003).

⁴²⁷ James Salzman and Barton H. Thompson, Jr., *Environmental Law and Policy*, 4th ed. (St. Paul, MN: Foundation Press, 2003), 74.

⁴²⁸ UDSA, "Statement by Secretary of Ezra Taft Benson to the Humane Slaughter Advisory Committee, November 13, 1958, in Humane Slaughter," U. S. Agricultural Research Service, U. S. Department of Agriculture, May 12, 1959.

recommend “intensive” research on the development of humane slaughter methods. They urged the USDA’s Agricultural Research Service to expedite work on improving stunning and anesthetizing livestock methods. The committee also called for more research on measuring pain and insensibility in livestock.⁴²⁹ They met again on January 29, 1959, to discuss which methods evidence suggested were most humane.⁴³⁰

In early March 1959, the advisory committee designated which slaughter methods were to be approved as humane under the law. The methods included chemical (carbon dioxide), mechanical (captive-bolt or gunshot), and electrical (stunning with electric current) forms of rendering an animal insensible.⁴³¹ They also decided that livestock should be driven to slaughter areas with a “minimum of excitement or discomfort.” To achieve this, the committee directed that slaughter areas be free from hazards that could injure the animal, such as nails or other debris.⁴³² By determining which methods were humane, the committee fulfilled their initial goals, but they needed to continue working towards improving the methods, as Benson instructed during the first meeting.

In response to the advisory committee’s call for more research, Congress appropriated \$100,000 for the USDA, the University of Minnesota, and Cornell University to develop and test existing and new slaughter methods. In 1961, the Meat Inspection Division (MID) of the USDA Agricultural Research Service reported on these research goals and accomplishments. During

⁴²⁹ USDA, “Intensive Research Effort Urged by Humane Slaughter Advisory Group, November 17, 1958, in “Humane Slaughter,” U. S. Agricultural Research Service, U. S. Department of Agriculture, May 12, 1959, Washington, D.C.

⁴³⁰ Richard L. Hiner, Humane Slaughtering of Livestock,” U. S. Department of Agriculture, 192, <https://meatscience.org/docs/default-source/publications-resources/rmc/1959/humane-slaughtering-of-livestock.pdf?sfvrsn=2> (accessed January 15, 2021).

⁴³¹ “Title 9—Animals and Animal Products,” *Federal Register* 24 (42): 5149, 5151-53, March 3, 1959.

⁴³² Richard L. Hiner, Humane Slaughtering of Livestock,” U. S. Department of Agriculture, 192, <https://meatscience.org/docs/default-source/publications-resources/rmc/1959/humane-slaughtering-of-livestock.pdf?sfvrsn=2> (accessed January 15, 2021).

this period, the Agricultural Research Service had modernized their facilities to accommodate research on humane slaughter and livestock restraining equipment. Researchers at the University of Minnesota’s Divisions of Veterinary Anatomy and Veterinary Surgery and Radiology had developed standards for assessing livestock’s pain and insensibility—particularly during electrical stunning. And scientists at Cornell had focused their efforts on refining the gas mixture for the carbon dioxide immobilization chambers.⁴³³

Other researchers and equipment manufacturers had simultaneously been working to develop humane restraining and handling devices for kosher slaughter. Two Canadian companies, Canada Packers, Ltd. and Freemart Co., developed a restraining pen that was agreeable to both humane societies and many Canadian Orthodox Jewish organizations. According to the *National Provisioner*, the holding pen created “optimum conditions” for slaughter, allowing the shohet to kill up to 75 cattle per hour. The device cost around \$3,000.⁴³⁴ However, some Haredim rabbinical organizations in the United States believed the pens were unsanitary, since the blood of multiple animals could be cross-contaminated, leading to a greater chance of the spread of disease. For this reason, the MID ruled the pen did not meet U.S. sanitary standards.⁴³⁵ Researchers continued to try and design a satisfactory handling method that met the

⁴³³ “Humane Slaughter A Progress Report” prepared by the Meat Inspection Division, Agricultural Research Service, USDA, Washington, D. C., Box 2-018, Folder 5, Equipment for Humane Slaughter, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴³⁴ “Device Permits Safe, Easy Slaughter by Kosher Method,” *The National Provisioner*, January 28, 1961: 19, Box 2-021, Folder 1: Humane Slaughter – Kosher Slaughter, 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; “Can-Pak’s Speedy and Safe Koshering Method,” *The National Provisioner*, September 10, 1960, Box 2-021, Folder 1: Humane Slaughter – Kosher Slaughter, 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴³⁵ Reacting to the MID’s rejection of the Canadian restraining pen, Rabbi P. Teitz stated that no acceptable handling methods were available for kosher slaughter. Teitz believed it was obvious that the humane organizations, in their “eagerness... adopted unproved and untested methods to satisfy the whim of adopting ‘so called Humane Slaughter Legislation.’” He then explained that this should serve as a lesson to everyone about the importance of proper testing in order to ensure that methods were both sanitary and did not restrict any religious practices. However, there was controversy surrounding whether the Meat Inspection Division denounced the pens, as according to an MID statement, they had no objection to the restraining pens, as long as it was designed and operated to prevent meat

demands of the MID, humane organizations, and rabbinical authorities over the next several decades, but with little success. As a result, the most progress was made in non-kosher slaughterhouses, as packers adopted the approved humane methods.

Between 1958 and 1960, the nation's largest slaughterhouses modernized their facilities in order to install the humane methods of slaughter and continue to retain the authorization to apply for federal contracts. In 1959, Oscar Mayer announced they were taking "another step in its program to have the most modern and humane slaughtering operations possible," by installing carbon dioxide hog immobilization chambers in all their plants and using the Remington stun guns on calves and sheep. In a letter to Christine Stevens, Al Boeck from Oscar Mayer wrote, "This means that 100% of our cattle, calves, and sheep are now being stunned before dispatching."⁴³⁶

As the June 30 implementation date neared, however, many packers who had ordered humane slaughter equipment had not yet received their orders or had the opportunity to update their plants. To accommodate those packers, on June 22, legislators in the House proposed a bill to push back the compliance date to August 30. President Eisenhower signed the bill on June 30, the same day the Humane Slaughter Act was meant to go into effect. This six-month grace

from contacting the floor and the blood of other animals. Bernard Unti, *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington D.C. Humane Society of the United States, 2004),⁴⁷; Estella Draper to Mr. P. Halis, February 23, 1961, Box 2-021, Folder 1: Humane Slaughter – Kosher Slaughter, 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; "Agriculture Department Rejects Canadian Method of Slaughter," *Jewish Press*, March 24, 1961, Box 2-021, Folder 1: Humane Slaughter – Kosher Slaughter, 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to Edward R. Swem, March 21, 1961, Box 2-021, Folder 1: Humane Slaughter – Kosher Slaughter, 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

"Agriculture Department Rejects Canadian Method of Slaughter," *Jewish Press*, March 24, 1961, Box 2-021, Folder 1: Humane Slaughter – Kosher Slaughter, 1957-1958, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴³⁶Al Boeck to Christine Stevens, February 26, 1959, Box 8-034, Folder 5, Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

period allowed packers who wished to sell meat products to the federal government to adopt humane methods.⁴³⁷

While many plants scrambled to meet the deadline, the Department of the Army sought to sidestep the laws' core provisions. Shortly before the implementation date had passed, the Army's Military Subsistence Supply Agency, which purchased the military's meat products, announced that they would only require packers to certify that they use humane slaughter methods if the contracts were over \$2,500.⁴³⁸ According to the *National Provisioner*, the Military Subsistence Supply Agency purchased 500 million pounds of meat per year, but most of these orders typically cost under \$2,500 each. Because the agency purchased such a large portion of the nation's meat per year, Army procurement recognized that this action would significantly reduce the Humane Slaughter Act's reach.⁴³⁹

Senator Humphrey and Representatives Poage (D-TX) and Griffiths (D-MI) argued that the military's attempt to avoid the terms of the law was illegal. On the Senate floor, Humphrey stated, "I suggest that the Department of the Army get in step at once. It is out of step." He then suggested that those in charge at the Military Subsistence Supply Agency read the Act and comply, or he would contact the Department of Justice to enforce the Humane Slaughter Act. In the meantime, Humphrey promised he would make sure his remarks found their way to the Secretary of the Army. "This law will be enforced," he concluded. On June 14, the Department of the Army sent Humphrey an assurance agreeing to abide by the law.⁴⁴⁰

⁴³⁷ "Humane Slaughter Delayed," *New York Times*, June 23, 1960; "Slaughtering Bill Is Eased," *New York Times*, June 30, 1960.

⁴³⁸ Military Subsistence Supply Agency, "NOTICE TO THE TRADE," Military Subsistence Supply Agency, Chicago, Illinois, June 1, 1960, Box 8-034, Folder 5, Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴³⁹ Emily Leavitt, *Animals and Their Legal Rights: A Survey of American Laws from 1641 to 1990*, 4th ed. (Animal Welfare Institute, 1990). 54-55.

⁴⁴⁰ Emily Leavitt, *Animals and Their Legal Rights: A Survey of American Laws from 1641 to 1990*, 4th ed. (Animal Welfare Institute, 1990). 54-55.

On June 16, the *National Provisioner* published an editorial denouncing the Army's attempt to sidestep the law, labelling it "untenable" and "dangerous" to the meatpacking industry. The editorial remarked, "So far as we can see, the Constitution nowhere says that the Army can negate an act of Congress, even for the administrative convenience of some of its officials." Further, the editorial explained that the legislation had already caused enough tension between the industry, humane societies, and legislators, and they feared that by stirring the pot, the Army could cause legislators to reevaluate the law and would likely lead Congress to enact a "far more restrictive and irksome law, and one that would apply to many more meatpacking and processing companies." The *National Provisioner* acknowledged that the military's efforts would allow smaller packers unable to update their facilities to continue selling meat products to the Army and avoid violating the Humane Slaughter Act. But they maintained their objection, arguing that it was in all packers' best interests to just comply with the terms of the legislation. This was not an indicator that the *National Provisioner* had shifted its position on the law, and the article continued, "We have not changed our mind about the Humane Slaughter Act. We do not like it, we do not believe it is needed." However, they recognized the strong public support for the Act and encouraged all packers affected to comply "honestly and sincerely."⁴⁴¹ By 1960, the USDA's Agricultural Research Service reported that around 215 packers had adopted humane slaughter methods, resulting in the humane slaughter of a significant number of farmed animals.⁴⁴²

⁴⁴¹ "Air Is Cleared," *National Provisioner*, June 16, 1960, Box 8-034, Folder 5, Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁴² "Identification of Carcasses of Certain Humanely Slaughtered Livestock," *Federal Register*, June 28, 1960, 5954-5956.

In 1955, approximately 2.25 million animals per year were slaughtered using humane methods. As of late 1957, 10 million animals per year were being slaughtered humanely. Animal welfare leaders anticipated that another two million animals would be slaughtered humanely within the following month as more packers incorporated the improved methods in their facilities.⁴⁴³ One year after the implementation of the Humane Slaughter Act, in 1961, an additional tenfold increase had taken place since 1957, and 100 million animals were being slaughtered humanely in federal and non-federally inspected plants across the nation

The impact of the law extended beyond the reach of federal procurement, as the business logic of updating slaughterhouses had become clear to the meatpacking industry. Non-federal plants typically installed the improved methods either to conform with the newly enacted state humane slaughter laws or to satisfy widespread citizen demand for reform. Federally inspected plants were not required to adopt humane methods of slaughter unless they wanted to sell meat to federal agencies, and by 1961, nearly ninety percent (480 out of the 534) of federally inspected meatpacking plants were using humane slaughter methods, and 8.5 million out of the 9 million animals slaughtered at federally inspected plants were killed according to the most up-to-date humane methods per month.⁴⁴⁴ The raw data testify to the sweeping influence of the 1958 law on slaughterhouse practices in the United States.

Humane methods varied across the industry and largely depended on plant and operation size. Although carbon dioxide immobilization chambers had gained a lot of attention during the legislative battle for the Humane Slaughter Act, few plants installed them in their facilities,

⁴⁴³ R. T. Phillips, "Executive Director's Report, *The National Humane Review* (November-December 1957): 6, Box No. 3066, Folder: Animal Products 1, Humane Slaughter (Case File) 1958, Records of the Office of the Secretary of Agriculture, General Correspondence, 1906-76, 1958 Accounting- Animal Products 1 – Packing House, H. M. Completed 1988, Record Group 16, National Archives at College Park, College Park, MD.

⁴⁴⁴ "Humane Slaughter A Progress Report" prepared by the Meat Inspection Division, Agricultural Research Service, USDA, Washington, D. C., Box 2-018, Folder 5, Equipment for Humane Slaughter, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

except for some major packers, such as Oscar Mayer & Co. While the use of carbon dioxide was effective at rendering animals insensible to pain prior to slaughter, killing floor reconfigurations and the cost of the equipment and installation remained too big of an obstacle for most packers. Using electric current instead became the most widely used method for stunning hogs—a method that had been deemed unfeasible during the 1930s. Convictions about the problems surrounding electric stunning remained throughout the 1950s, but research continued, and packers revisited the method, and determined that it was successful. By 1961, Swift & Company and John Engelhorn and Sons had developed a humane, efficient, and low-cost electrical stunning method. It was feasible for large and small plants to purchase and install and did not damage the meat.⁴⁴⁵ Several other electrical stunners entered the market during the 1960s. By the 1970s, around ninety percent of hogs were stunned prior to slaughter by electric shock. The method was also used for sheep. By that time, seventy-five to eighty percent of cattle were stunned with a captive-bolt pistol, while some small packers shot their cattle with a rifle, although this method was rarely used.⁴⁴⁶

Besides adopting new slaughtering methods, packers also took advantage of new technologies to improve meat processing during this era of innovation, integrating new mechanized tools including hide skinners, electric circular knives, and power saws to help disassemble the animals' bodies more efficiently. Increased proficiency allowed for increased production. As packers continued to increase the scale of their operations, new companies

⁴⁴⁵ A worker placed electric prongs on the frontal lobe or temples of the hog and the worker then pressed a trigger, allowing the flow of electric current to render the animal insensible. "Electrical Stunning of Hogs," The Globe Company, Box 2-018, Folder 5: Equipment for humane Slaughter, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁴⁶ Senate Committee of Agriculture, Nutrition, and Forestry, *Humane Methods of Livestock Slaughter*, 95th Cong., 2nd sess., 1978, S. Rep, 95-1059, 3.

entered the industry, ultimately altering the industry and market completely and in ways formerly unimaginable.

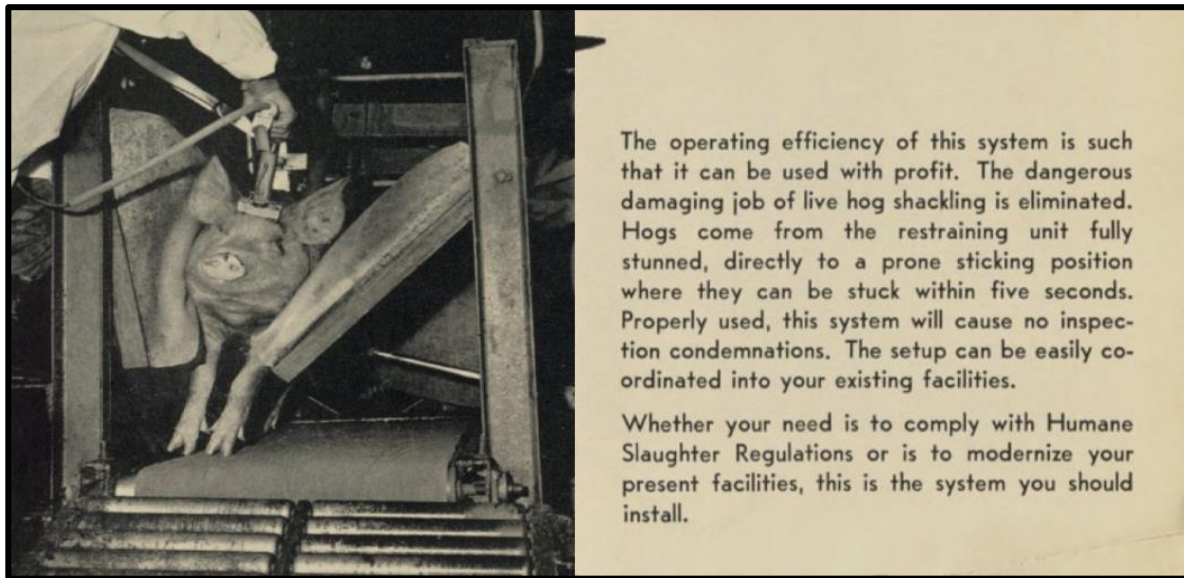


Figure 1: An advertisement for newly developed electrical stunning equipment, created jointly by Great Lakes Stamp & Manufacturing Co. and Power Transmission Equipment Company. The stunner cost \$520.00.⁴⁴⁷

The innovations on the packing floor expanded into a revolution in the industry more generally. In 1960, Currier Holman and A. D. Anderson established Iowa Beef Packers (IBP). An innovative company, IBP created the concept of “boxed beef.” By prepackaging the meat product in the slaughterhouse, rather than shipping beef that had been disassembled partially, such as a side of beef—packers could ship their products more easily and the product did not need to be dressed by butchers upon arriving at butcher shops or supermarkets. Boxed beef saved time and money and eliminated the need for expert butchers at local markets. It also led to meatpackers prioritizing the standardization of the beeves’ size and weight, which allowed packers to process the body more easily to fit inside boxes with predetermined sizes. Other major

⁴⁴⁷ Electrical Stunner advertisement by Great Lakes Stamp & Manufacturing Company and Power Transmission Equipment Company, Box 2-018, Folder 5: Equipment for humane Slaughter, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

packers rapidly adopted IBP's streamlined process. Transportation via truck of meat products to supermarkets also made the process cheaper and more efficient and helped to magnify the pipelines from slaughterhouse directly to grocery store.⁴⁴⁸

As meat products became more readily available, Americans consumed more than they ever had before. By 1976, Americans were eating more than twice the amount of meat than in 1950. But as Americans enjoyed their inexpensive cellophane-wrapped steaks and fast-food hamburgers, animal welfare advocates worried that livestock suffered at greater rates than ever. Faster production speeds allowed for more mistakes on the killing floor, and cattle and hogs were often slaughtered while still conscious—a direct violation of the Humane Slaughter Act. Many of these violations went unnoticed.

The 1958 Humane Slaughter Act was nearly impossible to apply because there was no enforcement mechanism written into the law—nor did it grant authority to inspectors already present in federally inspected plants to do anything if they witnessed certified-humane plants employing inhumane slaughtering methods. The legislation also did not provide an effective way to certify packers who used humane methods and were therefore eligible to sell to federal agencies.⁴⁴⁹ To verify compliance with the law, packers were simply required to sign an affidavit to certify that they used humane methods. Some packers signed these statements without adopting humane methods or a having complete understanding of what the affidavits entailed.⁴⁵⁰ Upon receiving the statements, the USDA then conducted no further research or verification;

⁴⁴⁸ Shane Hamilton, *Trucking Country: The Road to America's Wal-Mart Economy* (Princeton: Princeton University Press, 2008).

⁴⁴⁹ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane Methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 4.

⁴⁵⁰ Bernard Oreste Unti *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington, D.C. Humane Society of the United States, 2004). 45.

instead publishing which packers used humane methods in the *Federal Register* and allowing the integrity of the companies to stand in for enforcement mechanisms.

Between 1960 and 1978, according to the USDA records, no violations of the act were reported to the USDA or federal purchasing agencies, such as the Military Subsistence Supply Agency, which kept a list at their headquarters of suppliers who used humane slaughter methods.⁴⁵¹ Dewey Bond, vice president of the American Meat Institute, claimed that there were not any violations because packers had been “forced into compliance,” in order to continue business with federal agencies.⁴⁵² But, John C. MacFarlane, the director of the Livestock Conservation Department of the Massachusetts Society for the Prevention of Cruelty to Animals, claimed the records were “rampant” with discrepancies, since packers were known to switch between using humane and non-humane methods when it suited their business.⁴⁵³ MacFarlane did not elaborate on this claim, or provide documentation, but the assertion that packers would discontinue using humane practices at will was troubling to animal welfare leaders and legislators alike. The lack of enforcement and the limits of the Humane Slaughter Act’s scope revealed several inadequacies to animal welfare leaders, including Christine Stevens and Rutherford T. Phillips, executive director of the American Humane Association (AHA), who hoped state legislation would provide reinforcement to the federal law.

It is important to summarize the motivation for state humane slaughter laws, as these laws—more specifically the lack thereof—led animal welfare leaders to demand increased federal action in the 1970s. Even before the passage of the 1958 Act, animal welfare

⁴⁵¹ “List of suppliers who have statements on file at Regional Headquarters certifying their eligibility under the Humane Slaughter Act,” August 30, 1960, Box 8-033, Folder 2: Humane Slaughter (2 of 3), 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁵² Senate Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter: Hearings on S. 3092*, 95th Cong., 2nd sess., 1978, 14.

⁴⁵³ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 428.

organizations recognized the need for state legislation and hoped the Humane Slaughter Act would spur action among state legislators.⁴⁵⁴ Immediately following the passage of the legislation, animal welfare leaders and citizen activists directed their attention towards the states and began widespread campaigns for state-level legislation.⁴⁵⁵

Campaign tactics for state regulation mirrored those used for federal legislation and were employed by the same major organizations, including the Animal Welfare Institute, Society for Animal Protective Legislation, the American Humane Association, and the Humane Society of the United States. Local humane societies also participated in the drive for state legislation. Animal welfare organizations urged Americans to force government action. To persuade the public to take up arms once again for humane slaughter, some editorials aimed to remind the public of the conditions inside the country's slaughterhouses:

When you buy your steak wrapped in cellophane or your nicely packaged breakfast bacon, you see only the finished product. What you don't see is the terrified steer painfully battered about the head, or the screaming pig that falls into a vat of scalding water while still conscious. If you think this is a matter of indifference, why not visit a packing house and see for yourself. What you see there will scar your soul unless you do something about it.

After appealing to the readers' conscience, the same editorial then discussed the various bills before state legislatures and encouraged citizens to write their representatives in support of the

⁴⁵⁴ Rutherford T. Phillips to Allen J. Ellender, July 31, 1957, Box 65, Folder: Sen 85a-e01 S. 1497 (2 of 3), Records of the U. S. Senate 85th Congress Sen 85A-e1 Committee on Agriculture and Forestry S. 1497 – S. 1747, Record Group 46, National Archives Building, Washington, D.C.

⁴⁵⁵ In addition to focusing on state-level humane slaughter legislation, animal welfare organizations also turned their attention to animals used for medical research, the federal protections for wild horses on public lands, and cruel trapping methods, such as the steel leg-grip trap used to capture wildlife on public lands. Ann Contrell Free, "Humane Animal Slaughter Act in Effect, *The Sunday Star*, Washington D. C., July 3, 1960, Box 8-034, Folder 5, Humane Slaughter (3 of 3) 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

legislation.⁴⁵⁶ Major magazines also published articles on the residual effects of inhumane slaughter, which encouraged citizen activists' support for state legislation.

During the 1960s, Paul Kearney, a freelance reporter and animal welfare advocate who also helped campaign for the 1958 legislation, worked tirelessly to promote state legislation. In 1960, he wrote an article entitled, "Meat Without Remorse: Our Federal Humane Slaughter Law Must Now Be Fortified By State Laws," in which he demanded state-level regulations for farmed animals not protected under the Humane Slaughter Act.⁴⁵⁷ Kearney also published a piece on humane slaughter in *Reader's Digest*. The idea for the article originated in 1956 when *Reader's Digest* commissioned Kearney for an all-expenses paid trip to visit slaughterhouses in Nebraska and Wisconsin to learn more about farmed animal slaughter. Kearney did not know when or if they would publish the article which detailed his visits. Because *Reader's Digest* paid Kearney for the trip and article, Christine Stevens and Hubert Humphrey believed it was a "good sign" and indicator that they would print it in the future. However, the magazine did not publish this article.⁴⁵⁸ Over the next several years, Kearney, along with one editor at *Reader's Digest*, Ken Payne, pushed for its publication but with little luck.⁴⁵⁹ In July 1960, Charles Ferguson, senior editor at *Reader's Digest*, wrote Kearney explaining that there was "no chance whatever" for his article to be published. He wrote, "we think you simply end up preaching and that you don't

⁴⁵⁶ "Humane Slaughter," *Detroit Times*, April 25, 1959, Box 8-033, Folder 3: Humane Slaughter, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁵⁷ Paul Kearney, "Meat Without Remorse: Our Federal Humane Slaughter Law Must Now Be Fortified By State Laws," 1960, Legal Box 2.07, Folder 6, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁵⁸ Christine Stevens to Hubert Humphrey, April 27, 1956, Legal Box 2.07, Folder 6, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Christine Stevens to Hubert Humphrey, May 14, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; Humphrey to Christine Stevens, May 22, 1956, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁵⁹ Paul Kearney to Stell, May 24, 1960, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

realize how little most folks know about what you know in overwhelming detail.”⁴⁶⁰ He then suggested a joint author for the article. In 1961, *Reader’s Digest* had asked Richard Dempewolff to contribute to the original article to bring a “certain freshness in point of view” and “make good use of” Kearney’s material.⁴⁶¹

Americans had forgotten the perils of farmed animals they so adamantly supported just a few years before, as indicated by Ferguson’s hesitation to commit to printing the article. But as a 1961 newspaper editorial stated, “The enthusiastic public support for humane slaughter legislation is almost unmatched in U.S. history.”⁴⁶² With this in mind, along with the ongoing campaigns for state legislation, it is unlikely that Americans had actually forgotten the extent of farmed animal suffering. However, only California, Washington, Wisconsin, New Hampshire, Minnesota, and Massachusetts had passed humane slaughter laws. New York, Michigan, Connecticut, Ohio, Rhode Island, and Tennessee legislators had also introduced humane slaughter bills, but they were quickly defeated.⁴⁶³ The slow progression of state legislation suggests that many people believed the 1958 federal law solved the issue of inhumane slaughtering. Kearney and Dempewolff hoped their article would redirect the nation’s attention towards the need for state humane slaughter legislation.

In January 1961, *Reader’s Digest* published Kearney and Dempewolff’s revised article, “Let Us Have Mercy On These Dumb Animals.” In the article, the authors commented on the

⁴⁶⁰ Charles W. Ferguson to Paul Kearney, July 19, 1960, Legal Box 1-26, Folder 4: Paul Kearney, Series 1, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁶¹ Charles W. Ferguson to Paul Kearney, October 25, 1960, Legal Box 1-26, Folder 4: Paul Kearney, Series 1, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁶² “Painless Butchering Is Bright Spot to Animals,” *Idaho Times News* (Twin Falls), July 6, 1961, Box 8-033, Folder 1: Humane Slaughter (2 of 3), 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁶³ Paul W. Kearney and Richard Dempewolff, “Let Us Have Mercy On These Dumb Animals,” *Reader’s Digest* (January 1961): 45-48, Legal Box 1-26, Folder 4: Paul Kearney, Series 1, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

brutal conditions and slaughtering practices in the 3,000 or more small slaughterhouses around the country. They wrote, “This medieval brutality is strangely out of place in the 20th century in a nation which professes the highest ideals of humane treatment for animals.” They continued, “What makes the situation even more deplorable is that since August 30, 1960, we have had in operation the Humane Slaughter Act.” But the act, according to the authors, was “hardly more than a step in the right direction.” They criticized the federal law for its limitations and argued that to bring an end to the continued slaughterhouse cruelty, the law needed to be strengthened through state legislation.⁴⁶⁴ Over the years, however, states were slow to adopt humane slaughter laws, and many failed due to heightened resistance from Haredi Jewish communities who again took up the task of protecting sacred slaughter practices. By the mid-1970s, only twenty-six states had passed humane slaughter legislation.⁴⁶⁵

Despite frustrations with state legislation, animal welfare organizations continued to praise industry for making progress in adopting humane slaughter methods. In its January 1966 newsletter, the AHA reported that ninety-six percent of federally inspected plants complied with the Humane Slaughter Act, as determined by the USDA’s humane slaughter advisory committee. The newsletter also reported that because of the high rate of progress, the committee decided no

⁴⁶⁴ Paul W. Kearney and Richard Dempewolff, “Let Us Have Mercy On These Dumb Animals,” *Reader’s Digest* (January 1961): 45-48, Legal Box 1-26, Folder 4: Paul Kearney, Series 1, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁶⁵ States with humane slaughter legislation included: Arizona, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Vermont, Washington, West Virginia, and Wisconsin. Emily Stewart Leavitt, “Humane Slaughter Laws,” *Animals and Their Legal Rights*, chapter proof, Legal Box 1.6, Folder 1: Animals and Their Legal Rights (4th edition) --Chapter 3--Humane Slaughter Laws--Proofs and Research Files, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center. In 1990, the Animal Welfare Institute published a book providing an overview of the legislative battle. See *Animals and Their Legal Rights: A Survey of American Laws from 1641 to 1990*, 4th ed. (Animal Welfare Institute, 1990). For more on the state battles for humane slaughter legislation, see *Protecting All Animals: A Fifty-Year History of The Humane Society of the United States* (Washington D.C. Humane Society of the United States, 2004); Paul W. Kearney and Richard Dempewolff, “Let Us Have Mercy On These Dumb Animals,” *Reader’s Digest* (January 1961): 45-48, Legal Box 1-26, Folder 4: Paul Kearney, Series 1, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

further research on humane methods was necessary, and they planned to become inactive by June 30, 1966.⁴⁶⁶ The committee, which had met nine times since the passage of the Humane Slaughter Act in 1958, had technically completed their mandated tasks. Humane methods had been adequately researched and agreed upon by the industry and animal welfare organizations.

Ultimately, campaigns for state legislation slowed as Americans became more aware of other social and environmental issues. During the 1960s and 1970s, Americans witnessed the environmental effects of post-World War II affluence, which promoted mass production and consumption, suburbanization, and industrialization. In response, concerned citizens called for new forms of congressional action which resulted in a slew of environmental regulations and protection—many of which extended to non-human animals.⁴⁶⁷ Over the course of a few years, Congress passed several animal welfare laws. In 1962 Congress amended the Bald Eagle Protection Act to include Golden Eagles, and in 1966, Lyndon B. Johnson signed the Animal Welfare Act, which protected animals used in research and for commercial sale (the Animal Welfare Act excluded horses and farmed animals). The law set standards to protect animals during transportation and those used for exhibitions; Congress amended it in 1970 to include all

⁴⁶⁶ American Humane Association Newsletter, volume 11, no. 10 (January 1966), Box 8-033, Folder 1: Humane Slaughter (2 of 3), 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center; United States Department of Agriculture, Humane Slaughter Advisory Committee, November 9, 1965, Box 8-033, Folder 1: Humane Slaughter (2 of 3), 1956-1967, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

⁴⁶⁷ For more on reactions to the environmental effects of industrialization, suburbanization, and mass consumption and production following World War II and the rise of the environmental movement, see, Hartmut Berghoff and Adam Rome, eds., *Green Capitalism?: Business and the Environment in the Twentieth Century* (Philadelphia: University of Pennsylvania, 2017); Karl Boyd Brooks, *Before Earth Day: The Origins of American Environmental Law, 1945-1970* (Lawrence: University of Kansas, 2009); Rachel Carson, *Silent Spring* (Boston: Houghton Mifflin Company, 1962, 1990, 2002), Samuel Hays, *Beauty, Health, and Permanence: Environmental Politics in the U.S., 1955-85* (New York: Cambridge University Press, 1987); Nancy Langton, *Toxic Bodies: Hormone Disruptors and the Legacy of DES* (New Haven: Yale University Press, 2011); Mark Harvey, *A Symbol of Wilderness: Echo Park and the American Conservation Movement* (University of Washington Press, 1994); Roderick Nash, *The Rights of Nature: A History of Environmental Ethics* (Madison: University of Washington Press, 1989); Roderick Nash, *Wilderness in the American Mind*, 3rd ed. (New Haven: Yale University Press, 1967, 1973, 1982); and Adam Rome, *Bulldozer in the Countryside: Suburban Sprawl and the Rise of American Environmentalism* (New York: Cambridge University Press, 2001).

warm-blooded animals used in research and amended it again in 1976 to refine its provisions for animals used in commerce and research.⁴⁶⁸ Horses gained greater protections under the 1959 Wild Horse and Burro Act, the 1970 Horse Protection Act, and the amended Wild and Free-Roaming Horses and Burros Act of 1971. The 1972 Marine Mammal Protection Act protected marine mammals in U.S. waters by prohibiting hunting, killing, harassing, capturing, and any activity that would harm their behavioral patterns. The following year, Congress passed the Endangered Species Act to identify, protect, and recover endangered species and their ecosystems, a law that itself amended the 1966 Endangered Species Protection Act and the 1969 Endangered Species Conservation Act.⁴⁶⁹ This combination of federal laws allowed the U.S. to assert a position of global leadership in the humane treatment of animals. According to John MacFarlane, other national governments were paying attention to U.S. efforts to legislate for animal protection. These laws demonstrated Americans' growing concern for wild and domestic animals during the 1960s and 1970s. MacFarlane argued, however, that the country needed to do more. Despite the many laws passed during the late 1960s and 1970s, legislative bodies overlooked the needs of farmed animals.⁴⁷⁰

As meat production and consumption ramped up throughout the late twentieth century, the discrepancies in the Humane Slaughter Act's enforcement and the use of unnecessarily brutal slaughter methods for farmed animals became increasingly apparent to animal welfare leaders

⁴⁶⁸ U. S. Department of Agriculture, "Animal Welfare Act," USDA National Agriculture Library, <http://www.nal.usda.gov/awic/animal-welfare-act>, (accessed February 21, 2021); U. S. Department of Agriculture, "Public Law 91-579 Animal Welfare Act Amendments of 1970," USDA National Agriculture Library, <https://www.nal.usda.gov/awic/public-law-91-579-animal-welfare-act-amendments-1970> (accessed 02/21/2021); U. S. Department of Agriculture, "Public Law 94-279 Animal Welfare Act Amendments of 1976," USDA National Agriculture Library, <https://www.nal.usda.gov/awic/public-law-94-279-animal-welfare-act-amendments-1976> (accessed February 21, 2021).

⁴⁶⁹ For more on animal and environmental protection laws, see James Salzman and Barton H. Thompson, Jr., *Environmental Law and Policy*, 4th ed. (St. Paul, MN: Foundation Press, 2003).

⁴⁷⁰ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 20-21.

who believed more comprehensive protections were needed. In reaction to the limitations of the initial legislation and magnified animal cruelty as a result of increased meat production and consumption, animal welfare leaders urged Congress to expand federal protections for farmed animals during slaughter. Further, the 1970s marked a period of heightened awareness of animal sentience. According to Representative Keith Sebelius (R-KS), the 1970s animal protection laws, particularly the Animal Welfare Act of 1976, were a “further indication of our growing consciousness of the merciful treatment of animals.”⁴⁷¹

During these transformative decades in American life, the American public had become increasingly concerned about the food they ate, and specifically, the inhumane handling and slaughter of livestock. The growing animal welfare movement and popular publications, such as philosopher Peter Singer’s *Animal Liberation* (1975), brought attention to farmed animal suffering and the need for humans to grant animals’ moral consideration.⁴⁷² Ethology, the study of animal behavior, also became a more widely accepted field of study, allowing scientists to better understand and quantify animal’s reactions to stress and pain.⁴⁷³ According to John MacFarlane, the director of the Livestock Conservation Department of the MSPCA, “In this enlightened moment in our history, when we are becoming more and more involved with human rights, hundreds of thousands of cattle, calves, sheep, swine, and other food animals are being handled and slaughtered in plants, many of which have never heard of a humane slaughter act.” MacFarlane admitted the 1958 Humane Slaughter Act, “answered many questions, and it gave

⁴⁷¹ *Cong. Rec.*, 95th Cong. 2nd sess., 1978, 124: 30179.

⁴⁷² Peter Singer, *Animal Liberation: The Definitive Classic of the Animal Movement* (New York: Harper Perennial Modern Classics/HarperCollins Publishers, 1975, 1990, 2002, 2009).

⁴⁷³ Department of Zoology, “What is Ethology,” Stockholm University, <https://www.su.se/zoologi/english/research/2.50141/2.50017/courses/what-is-ethology-1.328947> (accessed March 21, 2021).

assurance to the general public,” but it also left “many questions unanswered,” since it only applied to packers selling meat to federal agencies.⁴⁷⁴

The unanswered questions created by the holes in the Humane Slaughter Act led to new legislative interest in expanding the reach of farmed animal protection during the late 1970s. In response, in 1978 Congress passed the Humane Methods of Livestock Slaughter Act. The law was passed during a period of feverish animal rights activism and represented the nation’s growing awareness of humans’ responsibility for the non-human world. To understand and evaluate the effects of the 1958 Humane Slaughter Act, as well the scaling up of Congress’ role in protecting farmed animals during slaughter, it is important to look briefly at the legislative history of the 1978 Humane Methods of Livestock Slaughter Act and how it strengthened the objectives of the 1958 Humane Slaughter Act.

Expanding the Law: The 1978 Humane Methods of Slaughter Act

On January 6, 1977, Representative George E. Brown, Jr. (D-CA) introduced H. R. 1464, a bill to amend the Federal Meat Inspection Act to require all federally inspected slaughterhouses to use humane slaughter methods. Over a year later, on April 25, 1978, the House Subcommittee on Livestock and Grains of the Committee on Agriculture held a hearing to discuss the merits of the bill, its enforcement, and its potential implications for U.S. and foreign packers. The following month, on May 17, 1978, Senator Bob Dole (R-KS), introduced a similar bill, S. 3092, in the Senate. On June 15, 1978, the Senate’s Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry held a hearing to discuss S. 3092. Dole argued that the reach of the 1958 Humane Slaughter Act had been limited

⁴⁷⁴ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 21.

because of immense opposition from the industry, however, he urged his colleagues to understand that those obstacles no longer stood in the way for more expansive coverage. According to the senator from Kansas, “our national morality and concern for other living creatures demands legislation to prevent needless suffering by the animals that provide such an important part of our food system.”⁴⁷⁵

Brown’s and Dole’s bills sought to broaden the scope of the Humane Slaughter Act to include all federally inspected slaughterhouses, not only those that sold meat to federal agencies. The bills’ provisions would also affect packers involved in intrastate commerce and under state inspection programs, since states were required to have inspection standards that are equal to federal standards under titles I and IV of the Federal Meat Inspection Act. Therefore, states would also have to update their laws to conform with the federal legislation in order to avoid penalties. Out of 4,335 federal- and state-inspected plants, only 335 did not use any of the slaughter methods approved under the Humane Slaughter Act. According to the USDA, 1,771 federally inspected plants, eighty-nine percent slaughtered all species humanely.⁴⁷⁶ In 1976, almost 39,000,000 cattle, 4,500,000 calves, 71,000,000 hogs, and 6,500,000 sheep had been slaughtered in federally inspected plants.⁴⁷⁷ When asked why eleven percent of the federally inspected plants had not adopted humane methods since the passage of the 1958 legislation, AMI

⁴⁷⁵ Senate Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter: Hearings on S. 3092*, 95th Cong., 2nd sess., 1978, 1; *Cong. Rec.*, 95th Cong., 2nd sess., 1978, 124: 24580.

⁴⁷⁶ Some plants only slaughtered one or more species humanely, but not necessarily all species. They were not required to slaughter all species humanely to sell meat to the federal government. They only needed to slaughter the animal they sold the federal agencies humanely. House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 37; Senate Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., 1978, S-Rep. 95-1095, 7-8; House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 2; Senate Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter: Hearings on S. 3092*, 95th Cong., 2nd sess., 1978, 5.

⁴⁷⁷ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 25.

vice president Dewey Bond explained that the costs of the equipment and killing floor reconfiguration deterred some packers, while it was “lethargy” for others since they did not sell meat to the federal government.⁴⁷⁸ However, even these plants would be required to update their facilities under the terms of the new Federal Meat Inspection Act bills.

The new bills would also extend the reach of the law beyond the shores of the United States, requiring foreign slaughterhouses that imported meat to the United States to use humane slaughter methods approved by the U.S. Secretary of Agriculture. Over 522 plants in thirty countries exported meat products to the United States, and while many of them did not have humane slaughter laws in place, supporters of the bill who testified at the congressional hearings, including Sydney J. Butler, USDA Deputy Assistant Secretary for Food and Consumer Services, asserted that all but Australia and New Zealand used some method of humane slaughter.⁴⁷⁹ New Zealand was working towards adopting humane methods on their own accord and Australia, a major U.S. beef supplier, already used humane methods to slaughter cattle. However, they did not use humane methods for lamb and sheep slaughter.⁴⁸⁰

The 1978 amendments would also remove several redundant provisions of the 1958 Humane Slaughter Act. First, the Humane Slaughter Act would no longer specifically require slaughterhouses that sold meat to the federal government to use humane handling and slaughtering methods because all federally inspected slaughterhouses would have to implement the methods under the new law anyway. It would also repeal the requirement that the Secretary of Agriculture provide for the identification of humanely slaughtered animals, as well as repeal

⁴⁷⁸ Senate Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter: Hearings on S. 3092*, 95th Cong., 2nd sess., 1978, 14.

⁴⁷⁹ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 4; House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 4, 7.

⁴⁸⁰ *Cong. Rec.*, 95th Cong. 2nd sess., 1978, 124: 30180.

the Secretary's authority to appoint an advisory committee.⁴⁸¹ The existing protections for religious slaughter determined under the Humane Slaughter Act would not be affected, despite some animal welfare activists' continued desire for kosher slaughterers to be required to use humane handling practices and devices under the new legislation. Brown and Dole's bills gained near unanimous support from their introduction into the respective chambers of Congress, but the congressional committees held two public hearings. Although the hearings garnered less public attention and drew a smaller crowd than the 1950s hearings, many of the same organizations came to express their support for legislation, including representatives from the Massachusetts Society for the Prevention of Cruelty to Animals, the Humane Society of the United States, the American Meat Institute, and the Society for Animal Protective Legislation.

Christine Stevens, representing the SAPL, entered the arena of combat once again.⁴⁸² According to Representative Poage, Stevens was the "mother of this whole idea of humane slaughter." A self-proclaimed "veteran of that first war for humane slaughter," she testified at the House and Senate hearings to voice her approval of revising the 1958 legislation. However, this time, the debate was not as contested as it was during the 1950s legislative hearings. Making an argument on behalf of consumers, Stevens noted that during the 1950s, the killing methods used by foreign slaughterhouses for meat imported to the U.S. were not addressed. Now that this issue was brought to light, however, Stevens feared Americans may "unwittingly support cruel slaughtering methods in other nations by purchasing inhumanely killed meat."⁴⁸³

⁴⁸¹ The amendment would effectively delete sections 3, 5, 4B and 4C of the 1958 Humane Slaughter Act. House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 3.

⁴⁸² House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 7.

⁴⁸³ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978; House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 11-12.

Stevens also stressed the economic benefits of the proposed legislation. She argued that the amended Federal Inspection Act would strengthen the Humane Slaughter Act and make it more effective and economical for the USDA. Under the 1958 Humane Slaughter Act, the USDA was required to publish the names of slaughterhouses that used humane methods in the *Federal Register*. As Stevens pointed out in her testimony, this would no longer be necessary under the new legislation, and it would save the USDA around \$7,700 in printing costs per year. And because USDA inspectors were already working in federally inspected plants, they could regulate slaughtering methods; therefore, there would be no economic requirements for the agency. Further, the Congressional Budget Office confirmed that the legislation would not affect the national economy. For these reasons, along with the “moral good” it would bring by alleviating the suffering of millions of more farmed animals, Stevens “urged [the legislation’s] prompt enactment.”⁴⁸⁴

Trying to push the boundaries of the law and scope of federal protection for farmed animals, Stevens told the House committee that they also had the duty to protect farmed poultry. She stated, “It would be indeed wise for the Subcommittee to complete the task it began twenty-two years ago, and ensure that the principles laid down in existing law extend to all kinds of creatures used by Americans for food.” Stevens recommended amending the bill to include poultry, which at that time was not covered by any federal law.⁴⁸⁵ During the Senate hearing, however, she changed her position. She noted that while she would love for the bill to cover poultry, if they wanted to see the humane slaughter bill passed, they should keep it limited to

⁴⁸⁴ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 8-11; House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 11-12.

⁴⁸⁵ In 1957, Congress passed the Poultry Products Inspection Act of 1957, which required the USDA to inspect the slaughtering and processing of poultry. However, it did not require humane handling and slaughtering practices.

non-poultry farmed animals. Senator Dole agreed and admitted it would probably take separate legislation to extend protections to poultry.⁴⁸⁶

A more effective humane slaughter law would also require strict enforcement and concrete penalties. Stevens feared that upon passage of the bill, federal inspectors charged with enforcing the law would do their jobs effectively but would become too relaxed over time. During her testimony, she urged that inspectors be granted the authority to stop production immediately upon witnessing a slaughterer using incorrect slaughtering practices or treating the animals cruelly, rather than being directed to initiate a lengthy court process to penalize the packer. “There are horrible things that happen,” Stevens explained. Particularly cruel employees, she claimed, “will shoot out animals’ eyes before they finally stun them because a sadistic motivation, or using electric tongs on the wrong part of a pig to give it a hideous shock, not to stun it as when placed directly.”⁴⁸⁷

Other witnesses also described instances of slaughterhouse cruelty, attesting to the grave need for increased protections for farmed animals awaiting their deaths. Temple Grandin, a scientist, rancher, and farmer from Arizona who consulted with livestock producers and packinghouses on their treatment of farmed animals, detailed the brutality she observed in federally inspected slaughterhouses during the House hearing. The humane treatment of animals, Grandin argued, was a “moral necessity.” Not only did she witness conscious animals being slaughtered, she also saw a worker “ramming an electric prod 12 inches down a steer’s throat, because the animal refused to enter the stunning pen.” On another occasion, she watched a stunner operator take “sadistic delight in shooting both the animal’s eyes out with the stunner

⁴⁸⁶ Senate Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter: Hearings on S. 3092*, 95th Cong., 2nd sess., 1978, 10.

⁴⁸⁷ Senate Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter: Hearings on S. 3092*, 95th Cong., 2nd sess., 1978, 9.

before he killed it.” According to Grandin, the worker laughed and jumped with joy. She recounted a series of stories like these from federally inspected slaughterhouses, further solidifying the need for stricter enforcement of humane slaughter methods. Grandin, like others testifying before the House and Senate committees, also hoped to increase livestock protections by ensuring that the animals be treated humanely immediately upon arriving at the slaughterhouses, “from when the animal gets off the truck in the packer’s yard until it is dead.” This was a logical expectation since federal inspection began the moment the animals stepped off the truck and onto the grounds of the federally inspected facility.⁴⁸⁸ Animal welfare advocates believed that this additional oversight would also benefit the packers by protecting livestock from injury before slaughter, therefore cutting down on bruised or dark cutting meat. Representatives of the meatpacking industry who attended the hearings agreed.

This time around, the meatpacking industry expressed overwhelming support for the bills. Testifying on behalf of the AMI, Dewey Bond stated the industry agreed with universal adoption of humane methods because “it is the right thing to do.” He also claimed that since most of the nation’s packers already used humane slaughter methods, and that therefore it would not burden the industry. In a striking reversal from the AMI’s earlier arguments against the humane slaughter methods and compulsory adoption during the 1950s, Bond explained that the humane methods were efficient. He also admitted that the “formerly held beliefs that product quality would suffer have been proved to be without foundation.”⁴⁸⁹ Bond wanted assurance, however, that the legislation would not create “another layer of inspectors who are just humane

⁴⁸⁸ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 13-14.

⁴⁸⁹ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 5.

slaughter inspectors.”⁴⁹⁰ His concern echoed earlier sentiments among the meat industry against legislation that would increase federal involvement and presence in the slaughterhouses.

Aled Davies, former AMI lobbyist and vice president, and a vocal opponent of the 1958 Humane Slaughter Act, also testified, but this time as a private citizen. Reminiscing on the earlier battle for legislation, he said, “I cannot forget however, the tempestuous and somewhat controversial nature of this issue and the long and sometimes bitter debate both publicly and on the floor of both Houses that preceded the final passage of the Humane Slaughter Act of 1958.” Despite the rocky road that led to the 1958 law, Davies expressed support for the bills and acknowledged the Humane Slaughter Act had proven effective and did not cause an “undue problem to the Industry generally.” While Davies was not concerned with how the current legislation would affect the packing industry, he was apprehensive about other countries’ willingness to follow U.S. slaughter standards and non-tariff trade barriers.⁴⁹¹ As it became apparent throughout both the House and Senate hearings, this was one of few major objections to the bills.

The bills required foreign packers importing meat into the United States to use slaughter methods deemed humane under the Humane Slaughter Act. Federal inspectors already worked in non-U.S. slaughterhouses to ensure the facilities met U.S. sanitary measures, therefore proponents of amending the Federal Meat Inspection Act argued that the mechanisms for enforcement were already in place, and it should not be a cause for concern. However, the Department of State worried that other countries would not accept being required to adopt slaughter practices that reflected American beliefs on the proper treatment of animals. Douglas J.

⁴⁹⁰ Senate Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter: Hearings on S. 3092*, 95th Cong., 2nd sess., 1978, 13.

⁴⁹¹ Senate Subcommittee on Agricultural Research and General Legislation of the Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter: Hearings on S. 3092*, 95th Cong., 2nd sess., 1978, 51.

Bennet, Assistant Secretary for the Congressional Department of the Department of State, supported the domestic provisions of the bills but argued that the U.S. should not enforce those same requirements on foreign packers. He explained during the Senate and House hearings that the amendment would be an “exercise of extraterritorial jurisdiction.” According to Bennet, other countries allowed U.S. inspectors to monitor their facilities to ensure they meet sanitation standards only because it was a matter of consumer health and was therefore a “legitimate” matter of U.S. governmental concern. Because slaughtering methods did not affect human health, Bennet argued, it should not be a matter of the U.S. government in trade affairs.⁴⁹²

Bennet also questioned whether requiring the U.S. to only purchase meat from countries using humane slaughter methods would create a barrier to trade, violating the General Agreement on Tariffs and Trade (GATT). In 1947, twenty-three countries had signed GATT, intending to promote international trade and expanding economic opportunities. Bennet reminded the congressional committees that when the U.S. signed on, they agreed to create no new non-tariff trade barriers. The agreement allowed for consumer health related exemptions; however, humane slaughter did not fall under the exemption, Bennet argued. He feared amending the Federal Meat Inspection Act to require foreign slaughterhouses to conform to U.S. methods of slaughter would result in retaliation from the other countries under the trade agreement.⁴⁹³ The USDA shared similar reservations about the House and Senate attempts to amend the Federal Meat Inspection Act. While agency officials supported the legislation’s objectives and the benefits it would bring the Department, they thought other countries might

⁴⁹² House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 52.

⁴⁹³ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 52; The General Agreement of Tariffs and Trade (GATT 1947), World Trade Organization, http://www.wto.org/English/docs_e/legal_e/gatt47_01_e.htm (accessed February 20, 2021).

interpret a law that required them to adopt American values regarding the treatment of animals as an “unwarranted intrusion in their internal affairs.”⁴⁹⁴

The House Committee on Agriculture disregarded the concerns presented by the State Department and the USDA. During a meeting held in July, the committee argued that the method of slaughter did in fact affect human health. Thomas Foley (R-WA), chairman of the House Committee on Agriculture, explained that upon learning about slaughterhouse cruelty, some people change their eating habits and, “now needlessly forego a valuable source of protein out of revulsion at the inhumane manner in which some livestock are handled. This committee believes that this bears directly on the health of American consumers.” He also trusted that “considerations of decency which transcend national boundaries” would result in little objection from other countries, and that it would, in fact, improve competition to sell meat to the United States.⁴⁹⁵ With the issue of foreign slaughter settled by the House committee, they moved to determine enforcement measures and penalties for noncompliance.

During a business session in early June, the House Subcommittee of Livestock and Grains voted unanimously to amend H. R. 1464 to include a monetary penalty, repeal certain sections of the Humane Slaughter Act, and extend the compliance period from ninety days to one year. A week later, the full House Committee on Agriculture met to discuss the amendments. Representative Brown, the author of H. R. 1464, suggested the Secretary be allowed to suspend operations temporarily if a plant was found using inhumane methods of slaughter. According to Brown, the amendment was a “compromise” between the monetary penalty voted on by the House subcommittee and the revocation of federal approval altogether. Brown’s amendment

⁴⁹⁴ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 4.

⁴⁹⁵ House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 9.

would allow plant inspectors to halt operations until the plant used humane methods or workers were adequately trained to use the humane methods properly. The full committee agreed to the amendment, and the House committee reported favorably on H. R. 1464 on July 10, 1978.⁴⁹⁶

The following month, the Senate Committee on Agriculture, Nutrition, and Forestry met to discuss S. 3042, Senator Dole's bill.⁴⁹⁷ Unlike the House bill, the Senate bill allowed the Secretary to refuse a plant federal inspection if it did not meet humane standards. The Senate bill also granted the Secretary the authority to extend compliance dates to individual plants based on circumstances. The committee expressed their intent for the law to begin when the animals arrived at the slaughtering facilities until the moment they were killed, satisfying the demand of the humane organizations.⁴⁹⁸ With little debate, the Senate agreed to the amendments to S. 3042, as well as the House amendments to S. 3042. On October 10, 1978, President Jimmy Carter signed into law the amended Federal Meat Inspection Act, entitled the Humane Methods of Slaughter Act, legislation that improved federal protections for farmed animals across the nation and into the walls of slaughterhouses operating overseas.

The 1958 Humane Slaughter Act had received criticisms from animal welfare advocates who hoped for stricter regulations of slaughterhouses around the nation. However, many people agreed it was a crucial "step in the right direction."⁴⁹⁹ According to Robert Welborn, vice-chairman of the Board of Directors of the Humane Society of the United States, the 1958 law served two purposes: "to encourage both the development of humane slaughter methods and

⁴⁹⁶ House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 5.

⁴⁹⁷ *Cong. Rec.*, 95th Cong. 2nd sess., 1978, 124: 30179.

⁴⁹⁸ Senate Committee on Agriculture, Nutrition, and Forestry, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., 1978, S-Rep. 95-1095 4.

⁴⁹⁹ Paul W. Kearney and Richard Dempewolff, "Let Us Have Mercy on These Dumb Animals," *Reader's Digest* (January 1961): 46, Legal Box 1-26, Folder 4, Paul Kearney, Animal Welfare Institute Records, MC 00344, NC State University Libraries Special Collections Research Center.

their adoption.” By this standard, the legislation was effective.⁵⁰⁰ In the following years researchers made substantial progress in improving existing slaughter methods and developing new ones. And during the 1960s and 1970s, a significant percentage of packers adopted humane slaughter methods voluntarily because they resulted in fewer worker injuries and reduced economic losses from damaged meat. However, as packing plants scaled up their production, it became apparent to animal welfare leaders and legislators that the Humane Slaughter Act needed to be revised, and its reach expanded to protect a wider range of farmed animals.

Speaking about the 1958 Humane Slaughter Act in 1978, Representative Poage (D-TX) reflected, “We thought we had a good law, but we realized that as times change the need for legislation changes.”⁵⁰¹ As Americans became more aware of their relationship with animals, and as legal protections for animals became more expansive, the nation could no longer overlook the mistreatment of farmed animals. According to Representative Foley,

in view of the widespread acceptance of Humane methods of slaughter by the industry, both out of concern for Humane treatment of the animals and in their own economic self-interest, and in view of the abiding concern of numerous Humane groups and other concerned citizens over isolated but persistent reports of continued abuse of cruelty to livestock at the few plants which are not already in compliance, the [House Agriculture] committee feels that the time has come to apply Humane standards uniformly throughout the industry.⁵⁰²

Most Congress members shared this sentiment, as there was little legislative objection to the passage of the Humane Methods of Slaughter Act. Representative Brown (D-CA) stated, “this bill is a tribute to those, in and out of Congress, who worked so hard for its passage.” He then explained that with the available technologies, there was no reason all food animals did not receive humane deaths. The Humane Methods of Slaughter Act, Brown believed, “takes us one

⁵⁰⁰ House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 26.

⁵⁰¹ House Subcommittee on Livestock and Grains of the Committee on Agriculture, *Humane methods of Slaughter Act of 1977: Hearings on H. R. 1464*, 95th Cong., 2nd sess., 1978, 7.

⁵⁰² House Committee on Agriculture, *Humane Methods of Slaughter Act*, 95th Cong., 2nd sess., H. Rep. 95-1336, 4.

step closer to complete assurance that the meat that we consume is not the result of some animal's pain and suffering."⁵⁰³ Brown noted that the act did not "create a new maze of regulation," but instead it simply added a new, and impactful, "box to be checked on existing inspection forms."⁵⁰⁴ It also only affected about one percent of foreign packers and a few hundred domestic packers. Although a minor addition to the overall meatpacking and inspection processes, the 1978 Humane Methods of Slaughter Act solidified the nation's commitment to reducing animal suffering during slaughter. And while it still only applied to federal and state inspected slaughterhouses, the legislation increased the role of Congress in regulating the treatment and lives of farmed animals and brought the country closer to ending the decades-long fight for humane slaughter.

⁵⁰³ *Cong. Rec.*, 95th Cong. 2nd sess., 1978, 124, 30180.

⁵⁰⁴ *Cong. Rec.*, 95th Cong. 2nd sess., 1978, 124, 30180.

Conclusion

During the 1950s, to bring awareness to the bills and to pressure Congress and the industry to act, prominent animal welfare leaders began a campaign for legislation that would require meatpackers to adopt improved, humane methods of slaughter. Since the 1920s, animal welfare organizations had been pressuring the industry to develop humane slaughter methods voluntarily. Some progressive packing companies, such as Oscar Mayer and the Geo. A Hormel Co. succeeded—a point industry representatives would make repeatedly in the battle over legislative action. However, many other companies delayed, or dodged attempts at innovation, and it had become clear that industry-wide adoption lagged when businesses were left to operate on their own timetable. Imbued with a sense of urgency, and the knowledge that reform was possible, animal welfare organizations moved into a new realm of activism, building new networks of allies and strategies that ultimately led to a nation-wide campaign for the passage of humane slaughter legislation at the highest levels of the U.S. government.

The aim of animal rights activists was straight-forward: to require industry to update and modernize their facilities in order to implement basic strategies to make the last moments of a farmed animal's life less traumatic, and, not inconsequentially, thus, to reduce economic losses due to damaged meat products. Over four years, legislators, activists, private citizens, industry leaders, and religious organizations negotiated over unprecedented terrain: how the federal government would regulate food animal slaughter. Ultimately, in order to reach an agreement in the House and Senate, legislators had to accommodate the demands of a religious minority, navigating the complexities of American Judaism while simultaneously balancing the demands voiced by thousands of Americans who were fighting to reduce farmed animal suffering. As meatpacking industry leaders fought to maintain autonomy over their business practices, Haredi

Jewish rabbis were determined to protect religious freedom. Congress, animal welfare leaders, industry representatives, and the Haredi Orthodox Jewish leaders involved in the legislative battle made several compromises, all of which led to the passage of the 1958 Humane Slaughter Act—signifying one of the first times the federal government stepped in to regulate the human-animal relationship. It is not a coincidence that this legislation passed during a time of heightened awareness of the nation’s global reputation and role as a world leader, as these concerns helped frame the country’s obligation to protect non-human animals.

Following the passage of the 1958 Humane Slaughter Act, it appeared the United States was moving towards recognizing the rights and needs of the of animals whose bodies brought sustenance to the American people and guaranteed income for millions of laborers in the animal agriculture industry. But the plight of farmed animals and the fight to improve the conditions of their deaths, occupied the country’s attention for only a short period. Throughout the fluctuation in national and federal attention on humane and inhumane slaughtering practices, farmed animal welfare remained at the forefront of the work of animal welfare organizations and the packinghouse industry. However, ultimately, additional competing interests, whether defending the rights of non-farmed animals or maximizing profit while meeting the nation’s demand for meat products, overshadowed concerns about whether livestock experienced a painless death.

During the late twentieth century, the federal government moved away from increased involvement in regulating industry practices and any lingering federal consideration of farmed animal welfare disappeared almost completely.⁵⁰⁵ As factory farming continued to intensify at a breath-taking rate, animal welfare organizations sought to draw Congress and the public’s

⁵⁰⁵ See David Farber, *The Rise and Fall of Modern American Conservatism: A Short History* (Princeton: Princeton University Press, 2021); Kim Phillips-Fein, *Invisible Hands: The Businessmen’s Crusade Against the New Deal* (New York: W. W. Norton & Company, 2010); and James Morton Turner and Andrew C. Isenberg, *The Republican Reversal: Conservatives and the Environment from Nixon to Trump* (Cambridge: Harvard University Press, 2018).

attention back to the treatment of farmed animals. Advocacy groups made little headway in bringing about systemic changes in the ways animals reared for food were treated and killed, and they were met once again with staunch opposition from the animal agriculture industry. As momentum for sweeping farmed animals protection dwindled, animal welfare organizations, such as the HSUS, targeted individual farmed animal welfare issues, such as the treatment of downer animals, poultry, and veal and dairy calves. But further attempts at legislative action fell flat, and the enforcement of existing legislation—the 1978 Humane Methods of Slaughter Act—remained scant.⁵⁰⁶ The priority of maximizing production and supporting national and international demands for meat overwhelmed concerns about the welfare of the billions of animals who suffered in the industrialized animal confinement system.

In the 1990s, to prevent animal welfare advocates from disrupting business operations and bringing to light the mass cruelty occurring in factory farms and slaughterhouses—just as filmmaker Arthur Redman had in 1954 with his film on hog slaughter—individual states began passing “ag-gag” laws. Kansas passed the first ag-gag law in 1990, and other states followed over the next decade. These laws prohibit animal welfare activists or embedded whistleblowers from filming or taking pictures of farm operations without permission from the company. With such forms of censorship in place, these laws allow the animal agriculture industry to operate with little public scrutiny, and, importantly, they permit farmed animal cruelty to persist unbeknownst to consumers. Over the twenty-first century, however, these controversial laws have led to new debates surrounding the First Amendment and most have been ruled unconstitutional and repealed.⁵⁰⁷

⁵⁰⁶ Bernard Unti, *Protecting All Animals: A Fifty-Year History of the Humane Society of the United States* (Washington D. C.: Humane Society Press, 2004), 53-55, 57.

⁵⁰⁷ “What Is Ag-Gag Legislation?” American Society for the Prevention of Cruelty to Animals, <https://www.aspca.org/animal-protection/public-policy/what-ag-gag-legislation> (accessed March 27, 2021).

In 2001, despite industry’s efforts to keep their operations invisible, undercover animal welfare activists entered slaughterhouses and witnessed the continued abuse of farmed animals destined for slaughter. Exposés revealing the inhumane treatment, including a widely circulated piece by the *Washington Post*, “They Die Piece by Piece,” surfaced in the media.⁵⁰⁸ In 2002, public outcry led Senator Peter Fitzgerald (R-IL) and Representative Connie Morella (R-MD) to introduce resolutions to the Farm Security and Rural Investment Act that would strengthen the USDA’s enforcement of the Humane Methods of Slaughter Act.⁵⁰⁹ The resolutions passed and in May 2002, President George W. Bush signed the Farm Security Act and recommitted the country to reducing farmed animal suffering during slaughter.⁵¹⁰ But this recommitment did little to address the larger problems associated with an industrialized, factory farm system which is built upon and fosters farmed animal cruelty. A repeated pattern, every few years, is that footage from inside these operations circulates in news outlets and social media, resulting in public outcry and calls for reform, and reminding Americans of the nation’s failure to protect its farmed animals.

In 2001, lawyer Jimena Uralde wrote an influential law review article addressing this failure in the *University of Miami Business Law Review*. “Congress’ Failure to Enact Animal Welfare Legislation For the Rearing Of Farm Animals: What is Truly At Stake?” raises important questions regarding not only the role of Congress in regulating the treatment of farmed animals, but also in supporting national economic growth and protecting production costs and consumer prices. The policy emphasis is on production, rather than the well-being of the animals

⁵⁰⁸ Jo Warrick, “They Die Piece by Piece,” *The Washington Post* (April 10, 2001), <https://www.washingtonpost.com/archive/politics/2001/04/10/they-die-piece-by-piece/f172dd3c-0383-49f8-b6d8-347e04b68da1/> (accessed March 20, 2021).

⁵⁰⁹ “Get the Facts on Humane Slaughter,” The Humane Society of the United States, http://lobby.la.psu.edu/107th/123_Farm_Bill/Organizational_Statements/HSUS/HSUS_Get_Facts_Humane_Slaughter.htm (accessed March 20, 2021).

⁵¹⁰ “Get the Facts on Humane Slaughter,” The Humane Society of the United States, http://lobby.la.psu.edu/107th/123_Farm_Bill/Organizational_Statements/HSUS/HSUS_Get_Facts_Humane_Slaughter.htm (accessed March 20, 2021).

which sustain the meat industry and provide food for billions of people around the world. The former, according to the author, takes precedence over the lives of animals, as “public concern for animal welfare must give way to this nation’s economic prosperity.”⁵¹¹ But as the legislative battles surrounding the 1958 humane slaughter law demonstrate, there are complex social, political, and cultural limitations to the changes necessary for extensive industry reform. However, the need for change is becoming ever more pressing.

With rising populations, continued globalization, and increased industrialization of animal agriculture, the instability of the United States’ food system will become more evident to citizens around the world. As increasing wealth in developing nations enables a diet that includes increasing quantities of meat, farmed animals will continue to suffer, and in ever-greater numbers.

Just as the coronavirus that launched the shutdown of economies around the world has been linked by scientists with global animal trafficking and consumption, the disruption of economic systems caused by the global pandemic created new problems for American farmed animal agriculture. The economic shutdown provided an opening for the meatpacking industry’s use of VSD, the emergency livestock termination method employed in 2020, and although this was only one extreme example of the use of termination methods, these strategies are employed on a smaller scale when pathogens infect large confinement operations. These connections raise uncomfortable realities about the often-invisible networks of food consumption, and the role of consumer choice in shaping production systems, but these details have real implications for human health and the global economic system.

⁵¹¹ Jimena Uralde, “Congress’ Failure To Enact Animal Welfare Legislation For The Rearing Of Farm Animals: What Is Truly At Stake?” *University of Miami Business Law Review* 9:193 (01/01/2001): 193-216.

Most Americans choose to ignore the deep interconnections between humans and food animals, and frozen or refrigerated packaged meat enables most consumers to distance themselves from the networks of choice and other connections humans share with animals often several hundreds of miles away from our minds and stomachs. This distance creates a food system in which the consequences of individual choices are often invisible. According to historian William Cronon, “If we wish to understand the ecological consequences of our own lives—if we wish to take political and moral responsibility for those consequences—we must reconstruct the linkages between the commodities of our economy and the resources of our ecosystem.”⁵¹² While *Nature’s Metropolis* boggled the minds of scholars and the public with its clear explanation of the commodity flows that built Chicago, a twenty-first century analogue would unsettle the stomach even further.

Americans during the 1950s were able to make note of these connections in an era of affluence as animal welfare organizations brought the brutal methods of farmed animal slaughter into both the public and political arenas. And as shown with the passage of the 1958 humane slaughter law, when Americans take the time to identify their reconnections with the non-human world, incremental reform is possible, and they can shape the world around them by demanding legislative action, even when limited by competing interest. To push further and to guarantee greater protections for farmed animals, and not just during the moments before their deaths, all Americans, including legislators, have the ability, and the responsibility, to put these competing interests aside and once again connect themselves to the natural world.

⁵¹² William Cronon, *Nature’s Metropolis: Chicago and the Great West* (New York: W.W. Norton & Company, 1991), xvii.

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