

THE PERILS OF THE ANIMAL AGRICULTURAL INDUSTRY AND
WHY ITS SUBSIDIZATION MUST END

by

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A THESIS

Presented to the Department of the Political Science,
the Robert D. Clark Honors College,
and the University of Oregon School of Law
in partial fulfillment of the requirements for the
Bachelor of Arts and Juris Doctor degrees

March 2024

An Abstract of the Thesis of

Lauren Fae Veronin for the degree of Bachelor of Arts and Juris Doctor degrees
in the Department of Oregon School of Law to be taken March 2024

Title: The Perils of The Animal Agricultural Industry and Why Its Subsidization Must End

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Farmed animals are both the largest group of victims in our legal system and the least represented. Every year, the American animal agricultural industry kills more than eight billion farm animals,¹ emits about 345 million metric tons of CO₂ equivalent greenhouse gases,² and destroys countless ecosystems and habitats on land and in the ocean through pollution and the overconsumption of finite resources. Every year, American taxpayers pay upwards of \$38 billion to subsidize this industry and keep it alive.³ And every year, legislators and government officials make no effort to change this cycle and instead work to ensure it remains as is. This paper will explore the numerous harms associated with animal agriculture, including the environmental damage, the cyclical abuse and torture of farmed animals, and the exploitation of low-income communities and migrant workers. Then, I will attempt to grapple with the difficult question of

¹ *Livestock and Meat Domestic Data*, USDA ECON. RSCH. SERV., <https://www.ers.usda.gov/data-products/livestock-and-meat-domestic-data/livestock-and-meat-domestic-data/#All%20Meat%20Statistics> (last visited Oct. 25, 2022).

² This is about equal to the total yearly emissions from the entire country of France. *France*, CLIMATEWATCH, https://www.climatewatchdata.org/countries/FRA?end_year=2019&start_year=1990 (last visited Dec. 1, 2022); *Greenhouse Gas Inventory: 1990—2018*, U.S. AGRIC. & FORESTRY 12 (Jan. 2022), <https://www.usda.gov/sites/default/files/documents/USDA-GHG-Inventory-1990-2018.pdf>.

³ This number includes both direct subsidies to animal farmers and subsidies for animal feed, including corn, soy, and wheat. DAVID ROBINSON SIMON, MEATONOMICS (2013).

why our country remains trapped in this counterintuitive cycle. I propose that the most effective (if not inevitably necessary) solution to dismantling the animal agricultural industry is to end the government subsidization that keeps it in place, reallocating agricultural subsidies to transition away from the factory farm model and toward a more sustainable and humane agricultural system.

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Introduction

The History of Animal Agriculture in the United States.

The animal agricultural industry as we know it today is relatively new. Cattle were first brought to the continental United States by early colonizers. Prior to this, Native Americans did not raise animals for consumption; they ate primarily cultivated plants, some foraged plants, and a little hunted game and fish.⁴ From then on until the industrial era, the U.S. was a largely agrarian society where animals would roam freely on farmers' land.⁵ In the 1920s and 30s, chickens became the first animals subjected to factory farming after farmers realized that, rather than free-ranging, chickens could be kept inside at all times by putting vitamin D supplements in their feed.⁶ Alongside the invention of incubators, farmers became able to keep far more chickens than ever before, turning chicken meat from a luxury food into a common commodity.⁷ In the 1970s, pigs, cows, and other livestock followed suit as new biotechnology and selective breeding practices allowed farmers to rapidly reproduce, raise, and slaughter animals as cost-effectively as possible.⁸ Farmers who did not opt for such practices would be unable to keep up with the output of other farms and would go out of business.

⁴ Louis Ellen Frank, *History on a Plate: How Native American Diets Shifted After European Colonization*, HISTORY (Nov. 11, 2021), <https://www.history.com/news/native-american-food-shifts>.

⁵ Kayla Kutzer, *Factory Farming: Overview*, PACE L. LIBRARY RSCH. GUIDES (Apr. 13, 2020), <https://libraryguides.law.pace.edu/factoryfarming>.

⁶ John Steele Gordon, *The Chicken Story*, 47(5) AM. HERITAGE (Sept. 1996), <https://www.americanheritage.com/chicken-story#6>

⁷ *Id.*

⁸ Kutzer, *supra* note 5.

Earl Butz, the U.S. Secretary of Agriculture at the time, encouraged this movement, going as far as to make a public statement to American farmers: “Get big, or get out.”⁹ Today, an estimated 99% of all farm animals in the United States now live in factory farms.¹⁰

⁹ Chris McGreal, *How America’s Food Giants Swallowed the Family Farms*, THE GUARDIAN (Mar. 9, 2019), <https://www.theguardian.com/environment/2019/mar/09/american-food-giants-swallow-the-family-farms-iowa>.

¹⁰ Jacy Reese Anthis, *US Factory Farming Estimates*, SENTIENCE INST. (Apr. 11, 2019), <https://www.sentienceinstitute.org/us-factory-farming-estimates>.

The Consequences of Animal Agriculture

What makes a factory farm, or a “concentrated animal feeding operation” (CAFO for short), distinct from an ordinary farm is the extreme confinement in which the animals are kept. This is to make animal rearing as productive and cost effective as possible. To qualify as a large-sized CAFO, an operation must house at least 1,000 animals.¹¹ Once the animals are of age, they are sent in droves to slaughterhouses to be processed. The large abundance of hundreds of animals sharing little space together creates significant amounts of waste and pollution, is a significant contributor to worldwide climate change, and has drastic effects upon those who neighbor or work within CAFOs.¹²

These costs also do not come in exchange for any health benefits. Rather, excessive animal product consumption is often harmful to human health, and many nutritionists no longer consider animal products as an essential part of the human diet. For instance, many countries have begun recommending plant-based diets in their dietary guidelines, citing the multitude of benefits, including longer lifespans and lower risks of diabetes, obesity, heart disease, and cancer.¹³ High intake of red meat in particular is strongly linked to such health risks.¹⁴

¹¹ *Regulatory Definitions of Large CAFOs, Medium CAFOs, and Small CAFOs*, ENV’T PROT. AGENCY (2012), https://www.epa.gov/sites/default/files/2015-08/documents/sector_table.pdf.

¹² ASPCA, *Feeling the Heat: Factory Farming and Climate Change* (Aug. 2, 2022), <https://www.aspc.org/news/feeling-heat-factory-farming-and-climate-change>.

¹³ “Australia, the Netherlands, the Nordic Council, Norway, Portugal, Saudi Arabia, South Africa, Sri Lanka, and the United States...stated that well-planned vegetarian diets are healthy and nutritionally adequate.” Norway and the Nordic Council in particular pointed out the benefits of reduced health risks. Anna-Lena Klapp et al., *A Global Analysis of National Dietary Guidelines on Plant-Based Diets and Substitutions for Animal-Based Foods*, 6(11) CURRENT DEVS. IN NUTRITION 8 (Nov. 2022), <https://doi.org/10.1093/cdn/nzac144>.

¹⁴ See Battaglia Richi et al., *Health Risks Associated with Meat Consumption: A Review of Epidemiological Studies*, 85(1–2) INT’L J. FOR VITAMIN & NUTRITION RSCH., 70 *passim* (2015), <https://doi.org/10.1024/0300-9831/a000224>.

This is not even to mention the suffering that farmed animals undergo for animal agriculture companies to profit. The industry standard is to raise and slaughter animals, not humanely, but in the most cost-effective way possible. Few laws protect the welfare of farmed animals. Most animal protection laws, like the Animal Welfare Act, specifically exclude animals used for food.¹⁵ Even legislation meant to protect farmed animals, like the Humane Slaughter Act, excludes poultry animals, is greatly unregulated, and doesn't mandate any quality-of-life standards for animals prior to slaughter.¹⁶ This subjects animals to unthinkably cruel conditions: they are forced into small cages, never enjoy the wild, and suffer from injury, disease, and infighting without any medical care.¹⁷

This cost-effective manner of raising and slaughtering animals also creates a greater risk of disease for both animals and humans. Scientists believe that "mad cow disease" started by feeding cows cheap feed made from the meat and bone scraps of other animals,¹⁸ and the disease became widespread as infected cows were turned into feed themselves.¹⁹ Other zoonotic

¹⁵ 7 U.S.C. § 54.

¹⁶ 7 U.S.C. § 1901; *Humane Methods of Slaughter Act: USDA Has Addressed Some Problems but Still Faces Enforcement Challenges*, Report to Congressional Requesters, U.S. GEN. ACCT. OFF. (Jan. 2004), <https://www.gao.gov/assets/gao-04-247.pdf>.

¹⁷ *Protecting Farm Animals: Revealing the Problem with Factory Farming*, ASPCA, <https://www.asPCA.org/protecting-farm-animals/problem-factory-farming> (last visited Dec. 1, 2022).

¹⁸ *Scientists Reveal the Possible Origin of the "Mad Cow" Disease*, INST. OF AGRIFOOD RSCH. & TECH. (Dec. 17, 2019), <https://www.irta.cat/en/scientists-reveal-the-possible-origin-of-the-mad-cow-disease>.

¹⁹ Blaine Harden, *Supplements Used in Factory Farming Can Spread Disease*, WASH. POST (Dec. 28, 2003), <https://archive.seattletimes.com/archive/?date=20031228&slug=madcowdairy28>.

diseases, such as swine flu, spread rapidly through factory farms due to the cramped conditions that the animals are kept in, putting the human workers at high risk of infection as well.²⁰

Negative Environmental Effects of CAFOs.

The negative environmental consequences associated with modern animal agriculture are enormous and clear. Scientific researchers have repeatedly shown that large-scale animal agriculture is detrimental to the environment and absolutely must change. Worldwide, animal agriculture is the second largest emitter of greenhouse gases behind fossil fuels,²¹ the leading cause of deforestation and habitat destruction,²² and one of the leading contributors to air pollution, water pollution, water depletion, and biodiversity loss.²³ The 2017 “World Scientists’ Warning to Humanity,” co-signed by 15,364 scientists globally, called for a transition to plant-based eating and described it as a necessity for defeating climate change.²⁴

²⁰ Mary J. Gilchrist, *The Potential Role of Concentrated Animal Feeding Operations in Infectious Disease Epidemics and Antibiotic Resistance*, 115(2) ENV’T HEALTH PERSPECTIVES 313, 313 (2007), <https://doi.org/10.1289%2Fehp.8837>.

²¹ Pierre Gerber, *Tackling Climate Change through Livestock: A Global Assessment of Emissions and Mitigation Opportunities*, FOOD & AGRIC. ORG. OF THE U.N. 2 (2013), <http://www.fao.org/3/i3437e/i3437e00.htm>.

²² Sabine Henders et al. *Trading Forests: Land-Use Change and Carbon Emissions Embodied in Production and Exports of Forest-Risk Commodities*, ENV’T RSCH LETTERS 10, 12 (Dec. 22, 2015), <https://doi.org/10.1088/1748-9326/10/12/125012>.

²³ Henning Steinfeld et. al., *Livestock’s Long Shadow: Environmental Issues and Options*, FOOD & AGRIC. ORG. OF THE U.N. *passim* (2006).

²⁴ The “Warning” is the most widely supported journal article ever published. William J. Ripple et al., *World Scientists’ Warning to Humanity: A Second Notice*, 67(12) BIOSCIENCE 1026, 1028 (Dec. 2017), <https://doi.org/10.1093/biosci/bix125>.

CAFOs pollute beneath the earth through manure runoff, harming the soil quality of nearby properties and affecting the quality of local drinking water.²⁵ In addition to soil and ground and surface water pollution, CAFOs create substantial air pollution, emitting ammonia, methane, hydrogen sulfide, particulate matter, and other toxins.²⁶ The primary causes of these emissions are manure decomposition and the animals themselves.²⁷ Studies have proven that CAFO pollution causes negative health effects for local communities, including higher rates of asthma and other respiratory issues.²⁸ Soil pollution also affects surrounding properties financially, as CAFOs often neighbor other farms that rely on healthy soil for their crops or roaming cattle. This is not to mention the unpleasant smells caused by CAFOs that can be detected from three to six miles away, harming the quality-of-living for local residents.²⁹ CAFO presence in a community also has a negative effect on local property values, and the closer the property is to the CAFO, the more negatively its value is affected, creating even further financial harm for local farms and property owners.³⁰

²⁵ Carrie Hribar, *Understanding Concentrated Animal Feeding Operations and Their Impact on Communities*, Nat'l Ass'n of Loc. Bds. of Health, 3–4 (2010), https://www.cdc.gov/nceh/ehs/docs/understanding_cafos_nalboh.pdf.

²⁶ *Id.* at 5; F.M. Mitloehner & M.S. Calvo, *Worker Health and Safety in Concentrated Animal Feeding Operations*, 14(2) J. AGRIC. SAFETY & HEALTH 163, 164 (2008), https://www.researchgate.net/publication/51400593_Worker_Health_and_Safety_in_Concentrated_Animal_Feeding_Operations.

²⁷ *Hribar*, *supra* note 25.

²⁸ *Id.* at 5–6 (2010).

²⁹ *Id.* at 7.

³⁰ *Id.* at 11.

These threats are largely unmonitored and unregulated by the EPA, which is the agency in charge of controlling the environmental impact of CAFOs in the U.S.³¹ Much of the information the EPA does have regarding the effects of CAFOs has been kept away from the public, after the EPA agreed in 2017 to limit any future information releases on the topic following pressure by animal agriculture interest groups.³² Therefore, any information we do have regarding local CAFO pollution is incomplete, and likely only represents a fraction of the true harm being inflicted by the industry.

Negative Effects of CAFOs on Farm Workers and Local Communities.

In addition to the harms caused to the planet and to farm animals, CAFOs have drastic health effects upon their workers and the surrounding communities, which disproportionately affect marginalized groups. CAFOs are typically located in low-income rural communities, and they tend to employ undocumented immigrants for very low wages. The pollution that factory farms emit also exposes those who work or live in communities near the farms to extreme health risks. Local drinking water may become contaminated with animal antibiotics, pathogens, elevated nitrates, and other bacteria.³³ These excess nitrates in particular are very harmful, as they cause low blood oxygen in humans, which can be lethal for babies and can lead to birth defects, miscarriages, higher risk of cancer, and generally poor health among adults.³⁴ Factory

³¹ Jon Devine & Valerie Baron, *CAFOs: What We Don't Know is Hurting Us*, NAT. RES. DEF. COUNS. (Sept. 23, 2019), <https://www.nrdc.org/resources/cafos-what-we-dont-know-hurting-us>.

³² This decision was in response to litigation initiated by animal agriculture interest groups, asserting that publicizing the information was an unwarranted invasion of privacy. D. LEE MILLER & GREGORY MUREN, NAT. RES. DEF. COUNS., *CAFOs: WHAT WE DON'T KNOW IS HURTING US* (REPORT) 5, (Jon Devine & Valerie Baron eds., Sept. 2019), <https://www.nrdc.org/sites/default/files/cafos-dont-know-hurting-us-report.pdf>.

³³ *Hribar*, supra note 25, at 3–4.

³⁴ *Id.* at 4.

farms also pollute the air with ammonia, hydrogen sulfide, and particulate matter, which can cause respiratory illnesses like asthma and bronchitis, declines in lung and olfactory function, internal and external chemical burns, cardiac arrest, and death.³⁵ Farm workers suffer significantly from these conditions,³⁶ but community members are also affected—abundant evidence shows that individuals in communities neighboring factory farms have higher rates of asthma and lung and nasal allergies.³⁷ Farm workers also suffer a higher rate of workplace injury and are three times more likely to suffer serious injury than the average worker.³⁸

Farm workers likely suffer the most from the pollution produced by CAFOs because they work in such conditions all day breathing in fumes and particulate matter.³⁹ However, the adverse health effects on farm workers are severely undocumented.⁴⁰ Much of the accessible information relies on self-reports from farm workers, which show that CAFO farm workers

³⁵ *Id.* at 5–6.

³⁶ See Sara May et al., *Respiratory Health Effects of Large Animal Farming Environments*, 15(8) J. TOXICOLOGY & ENV'T HEALTH 524 *passim* (2012), <https://doi.org/10.1080/10937404.2012.744288>.

³⁷ Hribar, *supra* note 24; Amy A. Schultz et al., *Residential Proximity to Concentrated Animal Feeding Operations and Allergic Respiratory Disease*, 130 ENV'T INT'L 104911, 104911 (Sept. 2019), <https://doi.org/10.1016/j.envint.2019.104911>.

³⁸ Andrew Wasley et al., *Two Amputations a Week: The Cost of Working in a US Meat Plant*, THE GUARDIAN (Jul. 5, 2018), <https://www.theguardian.com/environment/2018/jul/05/amputations-serious-injuries-us-meat-industry-plant>.

³⁹ Jon Devine & Valerie Baron, *CAFOs: What We Don't Know is Hurting Us*, NAT. RES. DEF. COUNS. (Sept. 23, 2019), <https://www.nrdc.org/resources/cafos-what-we-dont-know-hurting-us>.

⁴⁰ F.M. Mitloehner & M.S. Calvo, *Worker Health and Safety in Concentrated Animal Feeding Operations*, 14(2) J. AGRIC. SAFETY & HEALTH 163, 163 (2008), https://www.researchgate.net/publication/51400593_Worker_Health_and_Safety_in_Concentrated_Animal_Feeding_Operations.

widely suffer from the same health conditions as those living nearby CAFOs, including asthma, bronchitis, and lung disease.⁴¹

Physical injuries are better documented than pollution-related illnesses.⁴² Animal agriculture is consistently ranked among the most dangerous fields in the U.S.⁴³ The two most common CAFO workplace injuries are animal-caused or machinery-caused.⁴⁴ Animal-caused injuries include bites and kicks from the animals, and being physically pinned by the animal—either trampled on the ground, or stuck between the animals and some immovable object.⁴⁵ Since CAFOs require intensive machine use to transport feed and manure, common machinery-related injuries include being run over, electrocuted, stuck in a mechanical shaft, crushed by a fallen machine or tractor, or blasted with industrial fluids.⁴⁶ While these types of injuries aren't necessarily unique to CAFOs compared to other farms, CAFO farmworkers are at a higher risk of these types of injuries due to the confined nature of CAFO animal pens, which both agitates animals and makes it more difficult to avoid attacks.⁴⁷ After the animals are transferred to slaughterhouses, the workers there are subject to similar dangers—slaughterhouse workers are three times more likely than the average American worker to become seriously injured at work,

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.* at 164.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

and they are seven times more likely to suffer repetitive strain injury.⁴⁸ At the average cattle slaughterhouse, workers put cows down at a rate of once every twelve seconds⁴⁹—an extremely dangerous and physically demanding process. Slaughterhouse workers also tend to experience severe mental anguish from the nature of their work.⁵⁰ They suffer high rates of PTSD and other trauma disorders, including anxiety and depression, and are more likely to experience violent tendencies and urges, with higher rates of domestic violence at home.⁵¹ As a result of these struggles, slaughterhouse workers are also more likely to suffer from drug abuse than other manual laborers.⁵²

The correct safety protocols are often not followed in these working conditions, as workers are pushed to perform at dangerous paces, and there is little government intervention to ensure worker safety.⁵³ This applies not only to a lack of safety equipment to prevent workers from inhaling intoxicants, but also to general safety regulations that prevent physical injuries.⁵⁴

⁴⁸ Andrew Wasley et al., *Two Amputations a Week: The Cost of Working in a US Meat Plant*, THE GUARDIAN (Jul. 5, 2018), <https://www.theguardian.com/environment/2018/jul/05/amputations-serious-injuries-us-meat-industry-plant>.

⁴⁹ Oscar Heanue, *For Slaughterhouse Workers, Physical Injuries Are Only the Beginning*, OnLabor (Jan. 17, 2022), <https://onlabor.org/for-slaughterhouse-workers-physical-injuries-are-only-the-beginning>.

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² *Id.*

⁵³ Andrew Wasley et al., *Two Amputations a Week: The Cost of Working in a US Meat Plant*, THE GUARDIAN (Jul. 5, 2018), <https://www.theguardian.com/environment/2018/jul/05/amputations-serious-injuries-us-meat-industry-plant>.

⁵⁴ F.M. Mitloehner & M.S. Calvo, *Worker Health and Safety in Concentrated Animal Feeding Operations*, 14(2) J. AGRIC. SAFETY & HEALTH 163, 163 (2008), https://www.researchgate.net/publication/51400593_Worker_Health_and_Safety_in_Concentrated_Animal_Feeding_Operations.

These harms are further perpetuated by ag-gag laws—legislation that prohibits the filming of the inside of factory farms, as adopted by multiple U.S. states—as such laws further prevent CAFO companies from being held accountable for their lack of safety procedures.

Though it may feel difficult to sympathize with those who are working within CAFOs and slaughterhouses, these workers are also victims. The owners and beneficiaries of CAFOs are not the ones performing this work; rather, they create these dangerous workplace policies and practices at the cost of worker health and safety in their attempt to maximize profit. Overall, those with the least resources available to them are those who CAFOs are harming the most. Because CAFOs are typically located in rural, low-income areas, the citizens typically lack the money and resources to pursue legal action against the CAFOs or relocate away from them.⁵⁵ CAFOs also tend to rely heavily on the labor of undocumented immigrants so that they can pay them less than legal wages for dangerous work, and these workers also lack the ability to initiate litigation or find new employment due to their legal status.⁵⁶ These practices create a cyclical nature of abuse and exploitation for workers and low socioeconomic communities, and allow CAFOs to continue operating largely unchecked.

How Governmental Subsidies Perpetuate the CAFO Problem.

The government heavily subsidizes animal agriculture. Upwards of 38 billion taxpayer dollars goes to the animal agriculture industry every year.⁵⁷ Less than 1 percent of this goes

⁵⁵ *Hribar passim*, supra note 25.

⁵⁶ Virginia Reyes, *Undocumented Animal Agriculture Workers in the United States*, Env't L. Educ. Ctr. (Apr. 11, 2022), <https://elecenter.com/1276/undocumented-animal-agriculture-workers-in-the-united-states>.

⁵⁷ This figure includes both direct subsidies to animal farmers and subsidies for animal feed, including corn, soy, and wheat. DAVID ROBINSON SIMON, MEATONOMICS (2013).

toward fruit, vegetable, or nut farmers.⁵⁸ Without these government subsidies, CAFOs would not be economically viable at the prices they sell their products at. However, due to their inhumane practices and the subsidies they receive, they can undercut traditional free-range farms and dominate the market. In 1966, it took 1 million farms to house 57 million pigs collectively; in 2001, it only took 80,000—and about half of those pigs were raised in just 5,000 extremely high-density CAFOs.⁵⁹

These subsidies do not distinguish between CAFOs and traditional free-range farms in the amounts they are granted. If anything, CAFOs could be eligible to receive more funding on average, as they are able to house more animals due to their inhumane practices (although information regarding how the USDA divvies subsidies out among animal farmers is not publicly available). The only main distinction the U.S. government makes between CAFOs and free-range farms is the amount of regulation the EPA subjects them to.⁶⁰ The USDA does not make any meaningful distinction; some content on the USDA website actually applauds CAFOs for lowering their footprint by decreasing the amount of acreage required to produce animal products.⁶¹

⁵⁸ *Id.*

⁵⁹ Polly Walker et al., *Public Health Implications of Meat Production and Consumption*, 8(4) PUB. HEALTH NUTRITION 348, 351 (2005), <https://www.cambridge.org/core/services/aop-cambridge-core/content/view/B22CB5C2097A13C6745A94B6D6B81284/S1368980005000492a.pdf/public-health-implications-of-meat-production-and-consumption.pdf>.

⁶⁰ *Animal Feeding Operations - Regulations, Guidance, and Studies*, ENV'T PROT. AGENCY (Feb. 16, 2023), <https://www.epa.gov/npdes/animal-feeding-operations-regulations-guidance-and-studies>.

⁶¹ Kelsey Ramerth, *Concentrated Animal Feeding Operation (CAFO) Initiative*, USDA NAT. RES. CONSERVATION SERV. (Oct. 2021), [https://www.nrcs.usda.gov/sites/default/files/2022-11/CAFO Initiative \(2021\).pdf](https://www.nrcs.usda.gov/sites/default/files/2022-11/CAFO%20Initiative%20(2021).pdf). It is unclear what kind of “footprint” is being referred to here, but it is clearly not a carbon footprint.

Essentially, due to these subsidies, the government is directly funding CAFOs and enabling these severe and permanent damages against the planet, animals, farm workers, and low-income communities. The solution to these consequences is clear: a transition away from subsidizing animal products toward healthier and environmentally safer plant-based alternatives. Experts have dubbed a plant-based lifestyle as the single most effective thing an individual can do to combat climate change,⁶² and worldwide, phasing out animal agriculture is considered our “best and most immediate chance” at reversing climate change.⁶³

Large-scale animal agriculture is not economically sustainable without the subsidies they receive. If subsidies were transferred away from animal agriculture toward crops and other plant-based alternatives, the prices of such foods would decrease and Americans would more easily be able to opt for plant-based foods that are healthier, environmentally safer, cruelty-free, and, with subsidies, significantly more affordable.

⁶² Maria Chiorando, *Public Must Switch to ‘Predominantly Plant-Based Diet’ To Save Planet, Says New Research*, PBN (Nov. 6, 2020) <https://plantbasednews.org/news/environment/public-must-switch-to-predominantly-plant-based-diet-to-save-planet-says-new-research> (interviewing Dr. Michael Clark).

⁶³ Ker Than, *Replacing Animal Agriculture and Shifting to a Plant-based Diet Could Drastically Curb Greenhouse Gas Emissions, According to New Model*, Stanford News (Feb. 1, 2022) <https://news.stanford.edu/2022/02/01/new-model-explores-link-animal-agriculture-climate-change> (quoting Dr. Patrick Brown).

Why Animal Agriculture Remains Powerful

So, if the solution is clear, why do we remain stagnant? What explains this glaring oversight and ignorance of the substantial harm created by animal agriculture on the part of us and our government? One possible reason is that the discomfort that the discussion of animal agriculture creates drives people, including legislators and voters, away from the topic. After all, for most of us, our diets and lifestyles do not align with our moral values; that is to say, our actions inadvertently cause animal suffering. Another possibility is that the financial and political power of animal agriculture helps influence both consumers and legislators toward supporting the industry. If animal agriculture can stay on the good side of consumers through successful marketing, government officials may fear the political repercussions of appearing tough on the industry and would be even more disincentivized to do so by the promise of donations from agricultural lobbying groups.

Both consumer psychology and industry power ultimately play a role in protecting the subsidies for animal agriculture. The next part of this paper will explain each of these factors in turn.

The Psychology of Meat Eating and Animal Exploitation.

Although the true blame lies with the agribusinesses that treat animals like objects to turn a profit, that doesn't make it easy for us to confront where our food is sourced. Many psychological studies have been done on the "meat paradox" to explain how humans both eat animals and care about them.⁶⁴ Some people solve this internal dilemma by going vegetarian or

⁶⁴ Psychologists have dubbed the phenomenon of eating meat while caring about animals as the "meat paradox." Many studies have been done on the meat paradox, and it is viewed as a valuable case study on human morality, as it is so widely commonplace in society. See Steve Loughnan et al., *The Psychology of Eating Animals*, 23(2) CURRENT DIRECTIONS IN PSYCH. SCI. 104, 106–07 (Apr. 2014), <http://doi.org/10.1177/0963721414525781>.

vegan, but most of us do so through other mental justifications that are often subconscious.

Cognitive dissonance is a common mental response to the meat paradox—we mentally remove the food that we consume from the animal it came from to avoid feelings of guilt or disgust.⁶⁵

Agribusinesses are aware of this cognitive dissonance and use it to their advantage. Take meat packaging, for example: the way that raw meat is prepared and packaged has been curated so that it resembles the animal it came from as little as possible.⁶⁶ The words we use to describe meat: *hamburger*, *pork*, *beef*, *ham*, also help contribute to this disconnection in our minds.⁶⁷ It's not a pig—it's *bacon*. It's not a cow—it's *steak*. It's not slaughter—it's *processing*.

The significance of the meat paradox is further demonstrated by the mental health struggles of slaughterhouse workers, who are unable to adopt the cognitive dissonance of consumers. Slaughterhouse workers report higher levels of substance abuse and addiction, aggression, anxiety, violent dreams, hostility, and PTSD.⁶⁸ This is likely because employees are unable to maintain the same level of cognitive dissonance that the average consumer does, as they are directly involved in the process of turning animals into meat products, and so they are unable to justify the meat paradox in their minds and have to live with the negative feelings that it causes.

⁶⁵ Filiep Vanhonacker & Wim Verbeke, *Public and Consumer Policies for Higher Welfare Food Products: Challenges and Opportunities*, 27(1) J. AGRIC. & ENV'T ETHICS 153, 161 (2013), <http://doi.org/10.1007/s10806-013-9479-2>.

⁶⁶ *Id.*

⁶⁷ Les Mitchell, *Moral Disengagement and Support for Nonhuman Animal Farming*, 19 SOC. & ANIMALS 38, 50–51 (2011), <https://doi.org/10.1163/156853011X545529>.

⁶⁸ Oscar Heanue, *For Slaughterhouse Workers, Physical Injuries Are Only the Beginning*, ONLABOR (Jan. 17, 2022), <https://onlabor.org/for-slaughterhouse-workers-physical-injuries-are-only-the-beginning>.

Therefore, it makes sense that many of us choose not to confront where our food is sourced because we want to avoid these negative feelings. When individuals are confronted with factory farm footage or other evidence detailing the harms of animal agriculture, we may find other means of justification. Some may successfully justify the process in other ways, like the belief that animal consumption is a God-given right, the belief that meat consumption is a necessary evil, or the belief that farmed animals do not have the level of sentience required to experience suffering. Logically, these theories can be debunked; meat consumption is not necessary for a healthy diet, animals can feel pain, fear, loneliness, and sadness, and the “right” to consume animals also comes with the moral responsibility to ensure that they are treated well and humanely. Generally, however, it is easy to avoid such confrontations with our diets and ignore or forget about the issue. Meat consumption is the norm in our society. Agribusinesses work very hard through marketing and other tactics to make consumers feel good and safe in their decisions, and most of us have been taught since childhood that eating meat is healthy and okay. These norms make it difficult to want to change our habits. Especially when, in today’s world, there are already so many things to worry about. Asking people to focus on the plight of animals when there is a countless number of issues that all desperately need attention is not an easy ask, even though it is essential for the welfare of animals and the future of our planet.

The Political and Financial Power of Animal Agriculture.

Another explanation is the political and financial power of the animal agricultural industry. With the overwhelming number of subsidies they receive, animal agriculture companies can use this money to further support and protect the industry. These companies may use lobbying and donations to support political candidates who, in return, will continue supporting subsidies and leniency on the industry. For example, U.S. agribusinesses spent \$750

million funding federal political candidates between the years 2000 and 2020—to put that in perspective, the entire U.S. energy sector collectively spent \$1 billion in political funding during that same timeframe.⁶⁹

Agribusinesses also use their advertising and marketing power to protect the industry from scrutiny. Even the largest animal agriculture companies are excellent at portraying themselves as small-town rural farmers who care for their cattle. This imagery permeates the marketing and advertising of these companies and how they represent themselves. A trip down the dairy aisle shows plenty of images of happy cows, smiling farmers, and large, grassy fields. Large lobbying groups have names like “the National Cattlemen’s Beef Association,” which invokes the image of an average cattleman tending to his cows and joining with his neighbors to advocate for their interests as rural farmers. Their website depicts such images of cowboy-esque farmers sitting with government officials in Washington D.C.⁷⁰

If a politician chooses to take on these issues, their opposition can easily twist the narrative: instead of a brave legislator taking on a giant, powerful, and abusive industry, they become an evil and selfish politician attacking small American farmers. It’s a bad look for either side of the aisle and disincentivizes politicians from engaging in this discourse. No matter that this is far from the truth, and that actual small, rural farmers are pushed out of the market by large factory-farming agribusinesses, which now make up the majority of meat production in this

⁶⁹ Georgina Gustin, *Big Meat and Dairy Companies Have Spent Millions Lobbying Against Climate Action, a New Study Finds*, INSIDE CLIMATE NEWS (Apr. 2, 2021), <https://insideclimatenews.org/news/02042021/meat-dairy-lobby-climate-action>.

⁷⁰ NAT’L CATTLEMEN’S BEEF ASS’N, <https://www.ncba.org> (last visited Dec. 1, 2022).

country and therefore receive the majority of agricultural subsidies.⁷¹ Such imagery wouldn't be quite as compelling.

Ag-gag laws also help animal agriculture companies keep up such appearances. Ag-gag laws prohibit the filming of the inside of farms and slaughterhouses. When the inner workings of the animal agricultural industry remain hidden, it becomes very easy for companies to portray themselves in a favorable light. Without the public's ability to monitor, record, and publicize such information, animal agriculture companies hold absolutely no accountability to the public or the government for their treatment of animals. Most states have struck down ag-gag laws,⁷² but until they become abolished nation-wide, agribusinesses can build factory farms in these states and enjoy anonymity.

Animal agriculture companies have also successfully lobbied for a number of laws that restrict the marketing abilities of plant-based companies, helping their businesses to dominate the market.⁷³ For example, meat and dairy companies are permitted to feature cows grazing in fields in their advertising, even when that is a misrepresentation of the truth and their cows may never see grass in their lifetimes. Plant-based companies, however, are not allowed to feature pictures of cows or other animals on their packaging, as this would "mislead the consumer,"⁷⁴ even though their products are far friendlier to animals than real animal products. Some states also

⁷¹ Chris McGreal, *How America's Food Giants Swallowed the Family Farms*, THE GUARDIAN (Mar. 9, 2019), <https://www.theguardian.com/environment/2019/mar/09/american-food-giants-swallow-the-family-farms-iowa>; DAVID ROBINSON SIMON, MEATONOMICS (2013).

⁷² *Ag-Gag Laws*, ANIMAL LEGAL DEFENSE FUND, <https://aldf.org/issue/ag-gag> (last visited Dec. 1, 2022).

⁷³ Megan Silverman, *The FDA Should Regulate to End the Plant-Based Meat Labeling Controversy*, ENV'T, NAT. RES., & ENERGY L. BLOG (Aug. 19, 2020), https://law.lclark.edu/live/blogs/136-the-fda-should-regulate-to-end-the-plant-based#_ftn6.

⁷⁴ Miyoko Schinner, *Our Time to Create the Future We Want*, Animal Law Conference (2022).

outlaw the use of certain words on the packaging of plant-based products like “burger” or “deli slices,”⁷⁵ as the European Union has already done.⁷⁶ Thirty states currently have some kind of law specifically targeted toward restricting plant-based labeling and advertising.⁷⁷ Additionally, the FDA is currently drafting policies that may require plant milks to include the product’s nutritional differences against dairy milk on their packaging; a requirement that would only affect plant milks and not dairy milks.⁷⁸ All of these laws are doubly ironic when considering the fact that animal products are allowed to label themselves as “non-dairy”⁷⁹ or “plant-based”⁸⁰ while actually containing animal products. Such requirements for plant-based companies are motivated by the animal agricultural industry to influence consumers—there is no evidence of consumers mistakenly purchasing plant-based products in any meaningful capacity, as they are typically located in other parts of the store anyway,⁸¹ and there is no evidence that the current

⁷⁵ Kyle Diamantas & Kelly G. Laudon, *What’s in a Name?* <https://www.fdli.org/2022/09/whats-in-a-name-updates-on-plant-based-product-labeling-regulations/>

⁷⁶ Victoria Waldersee, *Plant-based Food Industry Fights EU Proposal to Ban Dairy Comparisons*, THOMAS REUTERS COMMODITIES NEWS (Apr. 20, 2021), <https://www.reuters.com/article/us-europe-dairy-regulation/plant-based-food-industry-fights-eu-proposal-to-ban-dairy-comparisons-idUSKBN2C71I2>.

⁷⁷ Silverman, *supra* note 40.

⁷⁸ Diamantas, *supra* note 42.

⁷⁹ Alisa Fleming, *Non Dairy vs Dairy Free: Why One May Contain Milk*, GODAIRYFREE (Jan. 16, 2020), <https://www.godairyfree.org/ask-alisa/non-dairy-vs-dairy-free>

⁸⁰ *See Real Good Foods Partners with Beyond Meat for Plant-Based Sausage Pizza*, REFRIGERATED & FROZEN FOODS (Oct. 13, 2021), <https://www.refrigeratedfrozenfood.com/articles/100745-real-good-foods-partners-with-beyond-meat-for-plant-based-sausage-pizza>

⁸¹ Jake Evans, *Meat Industry Claim That Plant-Based Products ‘Mislead’ People Rejected by Competition Regulator*, ABC NEWS (Jul. 29, 2022) <https://www.abc.net.au/news/2021-07-30/meat-inindustry-plant-based-label-misleading-rejected/100337260>.

false advertising laws that exist are insufficient to address the issue of plant-based products misleading consumers if it were to arise.⁸²

These norms allow animal agriculture to uphold a relatively positive view in the eyes of the general public. As long as this continues, government officials will be in no hurry to change the status quo, especially when Americans, on average, are heavy consumers of animal products and will already be inclined to believe this portrayal.

⁸² Paul Shapiro, *Meat Industry Is Trying to Stifle Plant-Based Food Innovation*, THE HILL (Nov. 18, 2019), <https://thehill.com/opinion/energy-environment/470929-meat-industry-is-trying-to-stifle-plant-based-food-innovation/>.

Possible Solutions and Policy Recommendations

One possible avenue for combatting animal agriculture is lobbying the legislature or initiating litigation in the court system; however, you rarely see courts making any sweeping decisions against animal agriculture. Many of the reasons that courts may shy away from accepting such a claim are more politically charged than anything else. When you look at the issue morally, the answer is very clear. Access to safe and clean drinking water, land, and air space should be protected by the government. When certain vulnerable groups are disproportionately affected and targeted by powerful corporate entities, the government should step in.

However, combatting animal agriculture is extremely unpopular. Like legislators, courts don't like to take on animal agriculture. More often than not, these institutions uphold the animal agricultural industry. Direct subsidies to animal agriculture subsidies are increasing drastically; the total animal agriculture subsidies granted in 2020 doubled what was granted in 2014.⁸³

On a promising note, many courts have struck down ag-gag laws in their states.⁸⁴ If the ag-gag issue could make its way to the Supreme Court, ag-gag laws could potentially be defeated nation-wide for violating the First Amendment. Conversely, however, if the Supreme Court were to reinforce the constitutionality of ag-gag legislation, the consequences would be detrimental, as the ag-gag laws in Idaho, Utah, Kansas, and North Carolina, where ag-gag legislation was struck down by state courts, would become valid once again. The Animal Legal Defense Fund, the driving legal organization behind many of these lawsuits, sees the Supreme Court's declination

⁸³ Jared Hayes, *USDA Livestock Subsidies Near \$50 Billion, EWG Analysis Finds*, ENV'T WORKING GRP. (Feb. 28, 2022), <https://www.ewg.org/news-insights/news/2022/02/usda-livestock-subsidies-near-50-billion-ewg-analysis-finds>.

⁸⁴ Ag-Gag Laws, ANIMAL LEGAL DEF. FUND, <https://aldf.org/issue/ag-gag> (last visited May 5, 2023).

in reviewing ag-gag cases as a positive sign,⁸⁵ which may indicate a lack of faith in the Supreme Court's decision-making on this subject from experts in the animal law community. In any event, while the trend against ag-gag legislation appears positive, ending ag-gag laws only addresses part of the CAFO problem—it does little to end the pollution caused by CAFOs, and while it creates greater accountability for CAFOs, it doesn't actually compel CAFO businesses to change their operations.

There is the question of whether a traditional civil rights claim could be brought against CAFOs or the governmental entities responsible for enabling them, like the USDA. Though there is a clear disparate impact on marginalized groups, it may be viewed as too attenuated or coincidental for an equal protection claim. Further, because the governmental entity that is responsible for this is the legislature and the USDA, their role may be viewed as too broad to attribute blame to them. The torts system may be viewed as the proper remedy instead of a civil rights claim, but this ignores the fact that these issues disproportionately affect lower-income areas where the residents are likely unable to financially pursue such claims, especially against companies with much larger resources funded by government subsidies. Another challenge with such remedies is that the class of affected persons is very wide, and many of the harms that take place are either perfectly legal and merely incidental to the CAFO model, or they are clearly illegal but simply not being enforced. Addressing these issues would require a multitude of court cases, challenging numerous laws, and going after multiple CAFO defendants in different states.

Overall, there are multiple ways to attack these issues, such as greater regulation of CAFOs, or challenging ag-gag laws, but the best remedy for sweeping change is the reallocation

⁸⁵ *Victory for Animals and Free Speech as U.S. Supreme Court Declines to Review Kansas Ag-Gag Law*, ANIMAL LEGAL DEF. FUND (Apr. 26, 2022), <https://aldf.org/article/victory-for-animals-and-free-speech-as-u-s-supreme-court-declines-to-review-kansas-ag-gag-law>.

of agricultural subsidies. Currently, 98% of the animal products in our country come from CAFOs.⁸⁶ Subsidies can be reallocated away from CAFOs and toward free-range farms with humane practices, effectively rewarding free-range farms and putting an end to the CAFO business model. Subsidies can also be allocated toward other crops as well, making produce and plant-based foods more affordable and attainable. This remedy, rather than trying to “fix” CAFOs and force them toward more sustainable and less harmful practices, would instead create a transition away from CAFOs and toward a more sustainable and less cruel agricultural industry.

Enforcing safety regulations, for example, may help reduce workplace injury, but it won’t address the mental health issues attached to working in CAFO slaughterhouses. Similarly, general workplace regulations won’t improve the issue of local pollution, and vice versa: improving environmental regulations won’t improve the workplace conditions. Moreover, neither workplace nor environmental regulation addresses the animal cruelty issue. And while attacking ag-gag laws may improve the circumstances within CAFOs due to greater publicity, greater publicity alone does not change the laws and policies that allow these violations to go unaddressed. Reallocation is the best remedy because it addresses all of the myriad issues attached to CAFOs by eliminating the profitability of the CAFO model itself.

Turning Recommendations into Reality.

The proposition itself is straightforward: CAFOs would no longer be eligible for governmental subsidies. The administrative side of this transition would not be so difficult to employ either. While the EPA defines CAFOs based on the number of animals housed,⁸⁷ an even

⁸⁶ DAVID ROBINSON SIMON, MEATONOMICS (2013).

⁸⁷ *Regulatory Definitions of Large CAFOs, Medium CAFOs, and Small CAFOs*, ENV’T PROT. AGENCY (2012), https://www.epa.gov/sites/default/files/2015-08/documents/sector_table.pdf.

more specific distinction could be made to ensure that farms comply with regulations. Distinguishing factors could include the amount of roaming space per animal, or the animals' ability to access outdoor space and grass. These requirements could even become more specific, limiting pollution and enforcing certain workplace safety standards as well. Farms' compliance with these standards could be enforced through annual visits by government inspectors, and an anonymous reporting system could be created for workers or other parties to report violations of these standards.

The majority of the subsidies going into the animal agricultural industry go toward animal feed, which allows CAFOs to feed cattle until the age of slaughter while paying next to nothing. However, a substantial amount of subsidies still go directly toward CAFOs—the USDA spent almost \$50 billion in direct payments to livestock operators between 1995 and 2021.⁸⁸ Even setting feed subsidies aside, simply barring cattle farms that qualify as CAFOs from collecting direct subsidies and directing these funds toward free-range farms instead would be sufficient to undermine the CAFO profit model. CAFOs would be compelled to improve their practices not through legislation or a distant threat of being shut down, but rather through financial compulsion. This proposal would use CAFOs' biggest incentive—financial profit—to effect positive changes.

In sum, the CAFO model itself creates a wide range of harms, and trying to address each of these harms individually would require a multitude of court cases and regulatory changes, spanning from administrative to environmental to labor law. Rather than trying to force CAFOs into something they are not—sustainable and ethical—a transition away from the CAFO model

⁸⁸ Jared Hayes, *USDA Livestock Subsidies Near \$50 Billion, EWG Analysis Finds*, ENV'T WORKING GRP. (Feb. 28, 2022), <https://www.ewg.org/news-insights/news/2022/02/usda-livestock-subsidies-near-50-billion-ewg-analysis-finds>.

must be made. The most effective way to do this would be to end the taxpayer subsidization of CAFOs in the United States, focusing instead on more humane alternatives.

Conclusion

Bringing Attention to the Subsidization Issue.

Though the solution *feels* simple, if it were so easy, these policy changes would be enacted by now. Ultimately, ending the destructive cycle of animal agriculture will require a major societal change in perspective on animal agriculture and how we treat animals in general. This shift won't be easy, and there are many conflicting attitudes about the best way to change this perspective.

Miyoko Schinner, former CEO of Miyoko's Creamery, emphasized in her keynote speech for the 2022 Animal Law Conference the need for creating a plant-based future that focuses on what vegan food is rather than what it is not.⁸⁹ Rather than trying to exactly replicate animal products, or lamenting all of the foods that are sacrificed by switching to a plant-based diet, we should instead celebrate the fact that plant-based meals are delicious, healthy, and sustainable all on their own. In the same way that agribusinesses appeal to consumer emotions through imagery of happy cows in fields and smiling farmers, plant-based businesses and advocates should make a similar appeal to emotion. But rather than focusing on emotions of guilt or dread about animal suffering or the fate of the planet, we should be optimistic and joyful, focusing on togetherness, animal welfare, exploring new foods and flavors, and bettering our health and the planet. This approach makes a plant-based lifestyle and the animal rights movement seem welcoming and inviting to those who are new to the idea.

On the other hand, some advocates may argue that confronting people with the difficult truth is the only way to defeat the cognitive dissonance in their minds. Groups like PETA often engage in shock campaigns, like playing factory farm footage in public, utilizing offensive

⁸⁹ Miyoko Schinner, *Our Time to Create the Future We Want*, Animal Law Conference (2022).

imagery and comparisons, and other controversial tactics meant to gain awareness for the animal rights movement. Although distasteful at times, their public campaigns have often proven successful at convincing companies to abandon the use of animal-testing, fur, and other practices that are harmful toward animals.⁹⁰ At the same time, however, it's difficult to measure the long-term harm these tactics may cause for the animal rights movement, as they perpetuate extremist stereotypes and create a negative view of vegans and animal advocates.

It's impossible to know which approach is the "right" answer, as different methods may be more effective on different people. Though I am more inclined toward Miyoko's optimistic approach, I also believe that the suffering of animals must not be understated. In working to create a new, kinder future for us, the animals, and the planet, we must persist in having difficult and sometimes confrontational conversations. We should not let the voices of animals escape conversations surrounding justice and morality. Studies have shown that many people are unaware of the negative consequences of animal agriculture, and that exposure to such knowledge statistically leads to a change in behavior and attitude.⁹¹ At the same time, placing the burden entirely on the consumer to change is not effective either. Not only does that protect animal agriculture companies from taking responsibility, but it also ignores the many obstacles that make it difficult for people to change. Although it can be frustrating when it feels like nobody else cares about this problem, it's important to remember that an entire economic and political system is in place upholding this industry. That is why advocating for change and

⁹⁰ *Why Does PETA Use Controversial Tactics?*, PETA, <https://www.peta.org/about-peta/faq/why-does-peta-use-controversial-tactics> (last visited Dec. 1, 2022).

⁹¹ Keren Dopelt et al., *Environmental Effects of the Livestock Industry: The Relationship between Knowledge, Attitudes, and Behavior among Students in Israel*, 16(8) INT'L J. ENV'T. RSCH. & PUB. HEALTH 1359 *passim*, <https://doi.org/10.3390/ijerph16081359>.

sharing information in a thoughtful manner that respects the many obstacles that lie in the way for the average American is a good place to start, and that is what I try to do in my advocacy.

The good news is that we are heading in the right direction, as more attention is on this issue than ever before. Demand for plant-based products is increasing rapidly and new alternatives are being developed every day. Lab-grown animal products are hitting the shelves and may also present a promising alternative to animal agriculture. While many of these products are expensive now, they are cheaper to produce than animal products and can become more attainable if government subsidies shifted away from animal agriculture.

As lawyers, we have many different options for helping the movement. We can help defend animal rights activists who are arrested for violating ag-gag laws or freeing farmed animals. Alternatively, we can prosecute those who violate animal protection laws. We can file lawsuits that challenge ag-gag and other laws that protect animal agriculture and abuse. We can act politically and lobby to end animal agriculture subsidies. In whatever field of law, lawyers are necessary players in the animal rights movement.

Fortunately, lawyers are giving greater care to this issue than ever before. The field of animal law has grown significantly in recent years. Around 200 law schools have a dedicated animal law student organization.⁹² Most ABA-accredited law schools offer an animal law course of some kind and many offer courses specifically addressing farmed animals.⁹³ Legal nonprofits such as Mercy for Animals, the Animal Legal Defense Fund, and Animal Outlook all have teams

⁹² *List of Current Student Chapters*, ANIMAL LEGAL DEFENSE FUND, <https://aldf.org/article/list-of-current-student-chapters> (last visited Dec. 1, 2022).

⁹³ *New Course Guides Available*, ANIMAL LEGAL DEFENSE FUND (Sept. 11, 2018) <https://aldf.org/article/new-course-guides-available-companion-animal-law-farmed-animal-law-and-wildlife-law>.

of full-time animal lawyers dedicated to advocating on behalf of animals on a variety of issues, including factory farming, vivisection, and humane companion animal treatment. These groups have successfully challenged ag-gag laws and legislation that restricts the advertising abilities of plant-based products,⁹⁴ and they have compelled the enforcement of animal protection and environmental laws targeted at factory farms.⁹⁵

While these groups are few and far between compared to those in other fields of law, they are growing, and attorneys in other fields can also advocate for animals through pro-bono work. For example, environmental lawyers can help pursue cases related to pollution and other environmental harms caused by factory farms. Intellectual property and business lawyers can help defend the interests of plant-based companies. Regardless of the field of law, lawyers can be advocates for animals by taking notice of issues that are affecting animal welfare and stepping in to help. Small wins around the country can create useful precedent for the field of animal law, paving the way for more monumental change, and in the meantime will help protect the animals whose welfare is at issue.

If a shift in perspective toward animals can help trigger a shift in policy through the work of animal lawyers and activists, a better future is possible for farmed animals in the United States.

⁹⁴ See *Ag-Gag Laws*, ANIMAL LEGAL DEFENSE FUND, <https://aldf.org/issue/ag-gag> (last visited Dec. 1, 2022); Emily Baker, *Miyoko's Kitchen Wins Landmark Legal Battle to Label Vegan Butter Products*, PBN (Aug. 12, 2021), <https://plantbasednews.org/culture/law-and-politics/miyokos-kitchen-legal-battle-vegan-butter>.

⁹⁵ See *Legal Advocacy*, ANIMAL OUTLOOK, <https://animaloutlook.org/legal-advocacy> (last visited Dec. 1, 2022).