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GAJAH is the official journal of the Asian Elephant Specialist Group (AsESG) of the Species Survival Commission (SSC) of the World Conservation Union (IUCN). The journal is intended as a medium for communication by members of the AsESG of important issues that concern the conservation and management of the Asian Elephant (*Elephas maximus*) both in the wild and in captivity. GAJAH welcomes communications and research papers on all aspects of the Asian elephant. GAJAH is aimed at professionals, biologists and academics carrying out research on Asian elephant, government and non-government organizations involved in its conservation, and interested members of the general public. All articles published in GAJAH are deemed to reflect the individual views of the authors and not the official points of view, either of the Asian Elephant Specialist Group (AsESG) or the Species Survival Commission (SSC). GAJAH is a non-profit publication that is supported by financial assistance from the U.S. Fish and Wildlife Service.

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COMMENT

"The universe, Human Stupidity, are infinite" – Albert Einstein

There is a growing concern among the educated public of the need to care for animals, especially such large, charismatic ones such as elephants, rhinos, tigers etc in captive facilities. One of the issues is the limitation to animal movement imposed by space in zoos. This is understandable, given that most zoos are in urban areas where space is limited. Nevertheless, there are facilities and institutions in a number of captive facilities in the world, especially the USA, where elephants are indeed very well looked after and cared for. There is therefore a need to identify such institutions and facilities and recognize their contributions to the conservation of elephants and provide a balanced assessment of their activities to the general public. These agencies recognize the importance of a well informed public. A knowledgeable and concerned public will then remain a source of support and constructive enquiry to the conservation of elephants both in the wild and in captivity.

It is in this context that a well meaning but ill conceived new legislation AB 3027, is being proposed in the State of California in the USA, which will come into force on January 1, 2008, according to which, *"it shall be unlawful for any person, within the state, who houses, possesses, is in contact with, or travels with any elephant to use or be in possession of any of the following while present around the elephants: (1) ankus, bullhook, or similar device (2) any chain that is used to retrain an elephant, except if utilized for the shortest amount of time necessary to provide actual medical treatment"*.

The law further states that *"On or after January 1, 2009, each person who possesses, keeps, or maintains elephants at a stationary facility shall make an outdoor space with a minimum of five acres available to those elephants, provided that no more than three elephants shall inhabit any five acres and that an additional half acre shall be made available for each additional elephant"*.

"On or after January 1, 2008, each person who possesses, keeps, or maintain any elephant on traveling display shall provide the following: (1) an indoor climate-controlled space that is, at a minimum, 1800 square feet for a single elephant and an additional 900 square feet for each additional elephant (2) an outdoor space that is, at a minimum, 1800 square feet for a single elephant and an additional 900 square feet for each additional elephant".

Such legislation, however well meant it may have been, will make it almost impossible for many zoos in the USA to maintain elephants in captivity, given the space limitations. This is where a degree of calm and impartial reflection is needed before the legislation actually becomes a law.

But are these stipulations really necessary vis-à-vis what is being done extremely well here in Sri Lanka, where the art of managing elephants in captivity dates back to more than 2,000 years? Since 1980, elephants rescued from the wild are being maintained at the Elephant Orphanage in Pinnawala – a facility run by the Government of Sri Lanka. Here in a 9 ha (22.2 acres) coconut estate, some 66 elephants of all sizes are being maintained, almost all of them in excellent health and well cared for by experienced and dedicated mahouts (elephant keepers) and veterinarians. This translates into a density of 7.3 elephants per ha (or 3 elephants per acre). The National Zoological Gardens in Dehiwela (Sri Lanka) too maintains elephants in captivity in a much smaller enclosure, given the limitations of space. But the animals are well looked after and are in very good health.

Some conservationists have pointed out that elephants in captivity tend to be aggressive, neurotic and prone to a variety of diseases and suffer from infertility. But they fail to realize that life in the wild is not a bed of roses either for elephants. In Sri Lanka, one can see wild elephants with gunshot injuries and suppurating wounds. Elephants are routinely shot, maimed, poisoned or killed by irate farmers as they interfere with agriculture. Currently, over 100 elephants are slaughtered in the wild annually in Sri Lanka as a consequence of the escalating human-elephant conflict. Although this is a tragedy, yet a peasant farmer whose crops are consumed by elephants would welcome the elimination of animals, which are considered serious and dangerous pests. [In the United Kingdom, farmers benefited from the extinction of the wolf and the bear]. Wild elephants also kill between 30-50 people every year in Sri Lanka. Poor health is not peculiar to animals in captivity; even in the wild, one can see elephants in poor body condition as a result of prolonged drought or through competition for grazing with domestic cattle. As far as infertility in captivity is concerned, evidence from Sri Lanka points to the opposite: elephants are breeding well in captivity, without the need for artificial insemination.

In the USA there are a number of facilities (such as zoo, sanctuary, safari park and circus) in which elephants are managed in captivity. The level of care given to the elephants in places such as Center for Elephant Conservation at Polk City (Florida), Annheuser-Busch Adventure Park in Tampa (Florida), Disney's Animal Kingdom at Lake Buena Vista (Florida), The Ringling Bros. & Barnum & Bailey Circus at Corpus Christi (Texas), and the Riddle's Elephant & Wildlife Sanctuary at Greenbrier (Arkansas) is second to none. In all these facilities, the elephants are managed extremely well and looked after with great care by experienced and dedicated keepers. The level of veterinary care given to the animals

is excellent and veterinarians are on call 24 hours a day.

None of the elephants in these facilities are overworked, undernourished, abused or obese. None of them show any foot disease or exhibit neurotic behavior. The Center for Elephant Conservation in Florida has over 100 acres of land for its elephants to range freely, while the Riddle's Elephant & Wildlife Sanctuary has over 300 acres of land. There are excellent facilities to monitor the elephants' body weight and physical condition. The "protected contact" approach practiced in these facilities ensures the safety of the elephant keepers, and helps minimize risks. The bond between the elephant and its keeper is so good that there is no need to use excessive disciplinary action. The animals are well trained to obey basic commands.

The proposed legislation in the State of California is too restrictive and unrealistic. Items such as ropes, chains, ankus etc are needed in the management of elephants in captivity by mahouts (elephant keepers), who unlike biologists studying elephants in the wild from the comfort and safety of their air-conditioned-4WD vehicles, need to interact at close range with elephants. Instead of banning items such as ropes, chains or hooks, we need to promote their use judiciously with great care and sensitivity. Such restrictive laws and regulations are the result of agitation by a minority of highly vocal, wealthy and influential animal rights activists. People who look after elephants and other animals in zoos, circuses and other captive facilities are far more humane than some of the animal rights activists, who can be deluded, deranged and even dangerous at times.

Animal rights activists are totally against keeping elephants and other wildlife in captive facilities, arguing that they are being denied freedom. Their criticisms are based on anthropomorphism, or the attributing of human reactions to non-human beings. Given the chance they would rather set free all the elephants currently kept in captivity back into the wild, to face an almost certain extinction. Freedom is a peculiar word – freedom to do what? It is better to relieve boredom among animals in zoos than discuss freedom. In the wild, an animal needs to stay alive, which means that it needs to find food, water, shelter, and escape from predators and/or poachers. It also needs to find a mate. Despite the limitations of space, many zoological gardens all over the

world, try their very best to provide the basic necessities to elephants in captivity.

Today, the world is preoccupied with too many "rights" – gay rights, lesbian rights, children's rights, human rights, animal rights etc. It is therefore a pity that an increasingly vociferous and influential group of animal rights activists is unable to separate the lasting wheat from the fading chaff. While everyone working for the conservation of elephants must fight for animal welfare, no one should allow people's emotions to be exploited by animal rights activists. As Dr Graham Child (Zimbabwe) argues, they play on people's sensitivity against cruelty to animals, and in the process have "gained prominence as a form of remote political coercion". They have power without responsibility. As the US Senator James Inhofe (Republican, Oklahoma) argues, "Appeasing these groups only validates the effectiveness of their tactics and inspires them to replicate their model of activism in some other venue".

The matter is serious, and an editorial in *Nature* some time ago, highlighted the need for scientists to speak up against the unreasonable stand of the animal rights activists. "The reluctance to talk to the public about their research merely plays into the hands of the extremists who would be delighted to see scientists stay silent".

The US legislators should study how well elephants are managed in Asia, both in the wild and in captivity. There will always be elephants in captivity in Asia given their religious and social significance. No amount of protest or agitation from the animal rights activists will ever stop pageants such as the Perahera in Sri Lanka at which numerous elephants take part. Elephant management and conservation should be based on science and not on sentiment. The animal rights movement, like the Taliban, is a form of extremism and it is time that scientists spoke up in defence of facilities where elephants (and other wildlife) are managed with great care. Remaining silent would only spur the animal rights activists to venture into even more hare-brained schemes, such as banning the keeping of dogs in captivity.

Charles Santiapillai