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# A Victimology of Animal Abuse: Why Certain Animals Subjected to Harm Are Not Seen as Victims

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## Abstract

Not all nonhuman animals are treated equally when subjected to harm. For some, the harm they are subjected to is illegal, and largely seen as unacceptable throughout society. However, for other nonhuman animals, this is not the case. The harming of these kinds of nonhuman animals is often legal and socially acceptable, and therefore when they are harmed, they are not labelled a 'victim'. In Britain, this is especially true for those many nonhuman animals who reside on factory farms. So why is this the case? This question is the main focus of the dissertation that follows. Using a literature-based methodology, with newspaper articles, official statistics, and academic books and journals, the question above will be answered. Using literature from three separate disciplines: criminology, victimology and animal rights philosophy, it will be illustrated that the harming of a nonhuman animal, without that animal assuming the status of a victim, is more likely in two specific situations. These being when a nonhuman animal has a low social worth in a society, and when they are harmed in an institutional setting. The concluding chapter will then briefly suggest that to address the problematic nature of the acceptable harming of nonhuman animals in society, the harming of humans that is seen as acceptable must also be addressed, and this type of study is suggested for future research.

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## Introduction

On the evening of 6 April 2020, a farmer in Nottinghamshire was disturbed by the sound of loud bangs and talking coming from his farm. Upon investigating, he discovered a gruesome sight. Three of his sheep lay dead on the floor, two had had their throats cut, and the other had died from shock after the incident. Two other sheep were also injured, though not severely, having been found tied up by their horns (Ram, 2020). The farmer's wife described the attack as being 'cruel and unnecessary' with the police officer who later attended labelling it 'horrific' (Ram, 2020). A 41-year old man was later arrested under suspicion of animal cruelty, and was remanded in custody (Ram, 2020). After a police statement was released on social media, the public reaction was one of outrage, with people being horrified that anyone could be cruel enough to commit such an act against a nonhuman animal.

In contrast to the scene above is the inner workings of the abattoir. Sheep are moved mechanically on a restrainer-conveyor belt to an area where they are electrically stunned (Humane Slaughter Association, n.d.). After this, and often after the numbing effects of the electrical stun have worn off (Viva, 2019), the sheep are tied upside down on another conveyer belt, and slowly move towards the slaughterman. The slaughterman will then 'stick' the nonhuman animal, cutting their throat and severing the blood vessels that supply the being's brain, causing the sheep's short existence to conclude (RSPCA, 2020b).

This dissertation is concerned with the difference between the two events described above. Though they both include the same nonhuman animal being harmed (killed) in the same way, one is socially unacceptable and illegal, whereas the other is legal and widely considered an acceptable practice. Furthermore, from this we can deduce that in one situation (the former), the nonhuman animals harmed are labelled as being 'victims'. The same cannot be said in the case of the latter. This leads to my research question for this dissertation: 'why is it that certain nonhuman animals subject to harm are seen as victims, and others are not?' One important thing to note is that throughout this introduction chapter and in my research question, I have used the term 'nonhuman animal'. This is because the term animal is widely considered to be speciesist, as it implies that humans are distinctly different to animals, suggesting that animals are an 'other' (Beirne, 2007). This is of course not true, as humans too are animals. Despite this, for ease, throughout this dissertation I will refer to those

nonhuman animals simply as animals, and this should be taken as meaning animals other than humans.

The question posed above is an important one to answer because, as will be illustrated at a later point in this dissertation, there is a great amount of harm that certain species of animals are subjected to where this harm is legal and seen as acceptable. It is important to understand why this is the case, so the factors leading to this can be addressed. Furthermore, it is vital for this question to be looked at through the lens of criminological enquiry, because as will become apparent in the following chapter, the harm and abuse of animals very rarely appears in the criminological literature (Beirne, 1995). This dissertation will therefore seek to address this lack of previous research.

The methodology that has been used to collect the data for this dissertation has been a literature-based one. Various forms of literature have been used to answer our research question, ranging from newspaper articles and official statistics, to academic books and journals. A literature-based methodology is appropriate for answering the research question posed above, because such a question is concerned with large scale social issues that may be difficult to address through the use of primary research.

Overall, the structure of this dissertation will be as follows. Chapter One will act as a literature review, outlining the main concepts from three academic disciplines: animal rights philosophy, criminology, and victimology. The chapter will conclude by highlighting the weaknesses of all three of these disciplines and stating how this dissertation will seek to address these weaknesses. Chapter Two will begin by outlining the historical relationship between human beings and animals and will then explore the contemporary nature of this relationship. This will involve looking at the harm humans cause animals in contemporary British society, especially those harms which are socially acceptable and legal. Outlining the practices of the factory farm will play a large role in this chapter. In Chapter Three we will begin to answer our research question, with the study of victimology being extended to nonhuman subjects of harm. Finally, Chapter Four will provide a critique of that which has been outlined in the previous chapter, and an alternative view on why certain animals are more likely to be labelled as victims will be provided. This chapter will focus on the institutional nature of some harm in society, with criminological literature on imprisonment being significantly referenced here.

## Chapter 1: Current Research on Animal Harm

Before beginning to answer the research question posed above, it is important for us to discuss some of the existing literature that will be useful in answering this question. Three disciplines will be explored in relation to animal abuse, in this chapter: animal rights philosophy, criminology, and victimology. The end of this chapter will then be used to propose a synthesis of these three disciplines, to enable us to answer this research question.

### Animal Rights Philosophy

One of the key areas of academia concerned with the harm and mistreatment of animals has been philosophy. One of the earliest philosophical views on the treatment of animals comes from as early as the 17<sup>th</sup> century, through the work of Rene Descartes. Descartes rejected the idea that animals can feel pain, and instead believed that they were machine-like. He explained that their reaction to being hurt was simply the result of a mechanical process, as if a spring had been touched in a machine (Cottingham, 1978). However, with the progression of the natural sciences, it has become clear that this is not the case, and many animals do in fact have a very similar central nervous system to that of a human (Singer, 2009). This is something that modern philosophers take into account, and there are three main philosophical standpoints when it comes to animal rights: utilitarian theory, deontological theory, and feminist theory. The next section will focus on exploring the details of these three viewpoints.

Utilitarianism is concerned with two main conditions: pleasure and pain. For a utilitarian, when faced with a moral dilemma, the moral actor must consider the consequences of one's actions. The actor is then to choose the action which maximises the amount of pleasure and limits the amount of pain felt by all those affected by the action. This is outlined by Jeremy Bentham and they labelled this the 'principle of utility' (Bentham & Bentham, 1999). It was Bentham who considered what this meant for the treatment of animals by humans, as he came to the conclusion that the principle of utility should be extended to those other than humans. When considering what the principle of utility should encompass, he states that 'the question is not, can they reason? Nor can they talk? But can they suffer?' (Bentham & Bentham, 1999: 311). Although animals may not have the ability to reason, as well as talk,

they have the ability to suffer and therefore this suffering should be taken into account when considering what the morally acceptable choice to make is in a situation.

The principle of utility in relation to the treatment of animals has been further explored by Peter Singer (2009) in his animal rights classic *Animal Liberation*. Singer (2009) compares the fight for the rights of animals to the fights for women's rights and the rights of people of colour, with the same arguments against the latter two being used against the former. They suggest that 'we would be on shaky ground if we were to demand equality for blacks, women and other groups of oppressed humans while denying equal consideration to non-humans' (Singer, 2009: 3). Singer (2009) states that while the discrimination of women or people of colour is labelled as sexism and racism respectively, discrimination against other species should be labelled as speciesism. This being when individuals 'allow the interests of their own species to override the greater interests of members of other species' (Singer, 2009: 9). He follows on from Bentham and states that if a nonhuman species has the ability to suffer, then there is no moral justification for not taking into account this suffering when making a moral decision, and to not take this suffering into account would be speciesist (Singer, 2009). However, as Beirne (2007) points out, utilitarian theory does not rule out harming animals in certain circumstances, if it is for the greater good of society.

A philosophical perspective that is more absolutist in its view on animal harm is that of the deontological (non-consequentialist) philosophers. These academics believe that there are a set of moral principles that apply to everyone, and these must be obeyed in all situations for actors to be acting in the morally correct way (Banks, 2009). Tom Regan (1988) forms the non-consequentialist angle on animal rights in his book '*The Case for Animal Rights*'. Firstly, Regan outlines the difference between moral agents and moral patients. Moral agents are those beings which are able to make informed moral judgements, for example humans. Moral patients, on the other hand, cannot make an informed moral judgement, however, they are still sentient beings that have a welfare. Examples of moral patients given by Regan include infant humans, mentally enfeebled individuals, and animals (Regan, 1988). Because moral patients have a welfare, Regan deems them to be 'subjects-of-a-life' along with moral agents. He believes that all subjects-of-a-life have an inherent value, that is not variable depending on the actions of a person. Therefore, for Regan, all subjects-of-a-life have an equal inherent value. This means that 'the most beneficent philanthropist is neither more nor less inherently

valuable than, say, an unscrupulous used-car salesman' (Regan, 1988: 237). This differs from the utilitarian perspective on value, with Regan using the idea of a receptacle to explain this difference. Whereas utilitarian theorists value the stuff that goes into the receptacle (the pleasures and pain), deontological thinkers value the receptacle itself (Regan, 1988). As was mentioned above, non-consequentialist philosophers believe in a set of fixed moral principles, with one of these being the respect principle. This respect principle leads Regan (1988) to believe that all moral agents have a direct duty to respect the inherent value of all subjects-of-a-life, including animals. He goes on to say that this means all subjects-of-a-life have a moral right to have their inherent value respected, and to be treated in a respectful manner by all moral agents. This leads Regan to conclude that because animals are subjects-of-a-life, they should be treated in a respectful manner and protected from harm and mistreatment, even if this harm brings about the best consequences for society (Regan, 1988). Overall, Regan (1988) believes that to not bring moral patients, including animals, to harm is a matter of justice, rather than kindness or an emotional connection to animals. This is something that the following set of theorists take issue with.

The feminist perspective on animal rights critique both of the major animal rights theories mentioned above. Discussing Singer's (2009) philosophical perspective on animals, Donavon (1990) states that they seek to 'dissociate himself from a sentimentalist approach to animal welfare' (Donavon, 1990: 350). This is because Donavon (1990) says that Singer (2009) suggests that the emotional, sentimentalist approach is counterproductive for the movement. Speaking about both Regan (1988) and Singer (2009), Donavon (1990) states that 'they expose the inherent bias in contemporary animal rights theory toward rationalism, which paradoxically, in the form of cartesian objectivism, established a major theoretical justification for animal abuse' (Donavon, 1990: 351). Feminist theorists believe that this reliance on rationalist theories, devoid of emotion and sentimentality, is actually one of the key reasons as to why animals are harmed. Merchant (2006) expresses how the age of enlightenment and increasing reliance on science and rationalism has led to all living objects being seen as machine-like, rather than the living beings that they actually are. It is obvious why seeing the world through such a rationalist lens can lead to animals being harmed, as they are not seen as being sentient, alive creatures. It is for this reason that feminist theorists disagree with the rationalist framework used in both the utilitarian and deontological

perspectives on animal rights. Not only do feminist philosophers call for a more sentimentalist approach to animal rights, but they also explain that oppression of animals is linked to all other oppressions, including the oppression of women (Beirne, 1999). Therefore, for feminist theorists we should seek to address all oppressions, because “all oppressions are interconnected: no one creature will be free until all are free” (Adams & Donavon, 1995 in Beirne, 1999: 138).

Three philosophical perspectives on the mistreatment and harm of animals have now been outlined. Although the utilitarian, non-consequentialist and feminist perspectives vary greatly in how they come to their conclusion on the morality of animal abuse, all three come to the same conclusion. This being, that to harm animals in most cases is the morally incorrect choice to make, and to treat them differently to the way we treat humans is discriminatory and namely speciesist. With this being the case then, you could be forgiven for expecting the criminological literature to be full of research into the harming of animals, however as we shall now see, this is not the case.

## The History of Animals in Criminology and Criminal Justice

As well as philosophy, another key discipline to consider when answering our research question is criminology. Animals have been a part of criminology for as long as the discipline has existed; and this section is dedicated to exploring the subject of animals through criminal justice, criminology, and the more recent research area of green criminology.

Animals have been involved in the criminal justice system for a large portion of its history, especially as offenders. There has been evidence of criminal court cases involving animal offenders from as far back as in ancient Greece (Flynn & Hall, 2017). Up until the 19<sup>th</sup> century, it was a commonly held belief that animals were capable of committing crimes, and could be punished accordingly (Beirne, 1994). Those animals suspected of engaging in criminal behaviour ‘were prosecuted for their misdeeds in secular courts and, if convicted, were subject to a variety of punishments, including public execution’ (Beirne, 1994: 28). In the case of bestiality, this public execution could also be alongside their human accomplices (Beirne, 1995). Although it may seem obvious that in contemporary society animals should not be seen as criminal offenders, this is still not the case. Judges often still sentence animals,

especially dogs, to death if they are seen as posing a significant risk to society (Girgen, 2003). As well as their role in the criminal justice system, animals have also frequently been discussed throughout the criminological literature.

One of the earliest theories of criminality developed was a positivist one based in biology. This was developed by Cesare Lombroso, who explained the presence of criminal behaviour as being down to atavism. This being essentially, that the genes that made up criminals were those found in earlier, more primitive forms of man, namely the genes of animal ancestors. Lombroso studied the 'criminal man' and appeared to find that criminals often had different physical features than that of non-criminals, with these features being linked to apes and other primate ancestors of homo-sapiens (Lombroso & Ferrero, 1911). This therefore suggests that Lombroso thought that those animal instincts found in our animal ancestors were inherently criminal.

Animals have also appeared in a more recent biological theory of criminality: biocriminality. These theorists believe that human criminal behaviour can be explained by looking at similar types of behaviour exhibited in the animal kingdom. For example, Daly and Wilson (1988) use an evolutionary model to predict human familial violence, based on how families of animals behave in the wild. They argue that violence occurs between animals when there is a risk to 'genetic posterity'; and this same reason is used to explain why spouses are often the victim of homicides, specifically in cases of adultery (Daly & Wilson, 1988).

Furthermore, animals have also been studied in criminology in relation to aggressive and violent behaviour. These are studies that link the abusing of animals in childhood, with violent, criminal behaviour later on in life. Felthouse and Keller (1985) took a group of prisoners who had been sentenced for aggressive, violent crimes, and compared them to a control group who had never been prosecuted for a criminal offence. They found that 25% of the violent, aggressive prisoners had abused five or more animals when they were younger. This was compared to 0% for the control group (Felthouse & Kellert, 1985). This therefore suggests that there may be a link between individuals harming animals in their childhood, and subsequently harming other human beings when they are older. Moreover, although there are not many official studies on the subject, there have also been reports of many infamous serial killers abusing animals in their youth, however this is often just based on anecdotal evidence and found in newspapers (Beirne, 1995).

It is worth noting, that the studies mentioned above have received considerable criticism from criminologists, though we are unable to explore these criticisms at this time. The reason these studies have been outlined, is to show how and when animals are present in the criminological literature. It appears that whenever animals are present in criminology, it is always in relation to human offending and victimisation, and animals never appear to be recognised as being important enough to be studied in their own right. Beirne (1999) describes how 'animals tend to be cast as creatures of anthropocentrism and anthropomorphism, as unproblematic objects that are only coincidentally present in some undesirable aspect of the complex web of human relationships' (Beirne, 1999: 125). Beirne (1995) also describes how this leads mainstream criminology to be ultimately speciesist, with an increased value put on human life, over the lives of other species. However, in more recent times, a subfield of criminology, namely green criminology, has emerged to try and address this issue present in mainstream criminology.

### Green Criminology

The distinctive, critical discipline of green criminology emerged in the late 1990s 'in response to growing discontent about the state of the environment' (Heckenburg & White, 2014: 1). This area of study is focussed on researching the laws and regulations that are in place to protect nature and the environment, as well as social harms against the environment. Therefore, some of the key areas of study include research into pollution, deforestation, as well as harm to animals (Heckenburg & White, 2014). The latter is what this section will be focused on exploring.

There are two main strands of research into harms against animals in green criminology. The first is concerned with the relationship between harms against animals and harms against humans, further adding to the studies outlined in the previous section. On the other hand, there is also a considerable amount of research into offending against animals, and why people commit such offences. People researching this often look back at criminological theories relating to human-human offending and extrapolate this to offences against animals (Huckenburg & White, 2014). It is this latter area of research that is of interest to us, as it seeks to address the criticism given in the previous section, where the literature suggested that animal harm was only being researched when it was in relation to human interests.

One such piece of research into this area comes from Angus Nurse (2016) in their book *Animal Harm: Perspectives on Why People Harm and Kill Animals*. Nurse (2016) rejects the idea that is often put forward by the media and animal rights activists, that those who harm animals are simply evil. Instead, they come to the conclusion that like many crimes, there is not one singular reason for why individuals commit crimes against animals. Nurse (2016) outlines five types of offenders who offend against animals. These are, 'traditional criminals', who personally benefit from the crimes they commit; 'economic criminals', who offend against animals in their employment; 'masculinities criminals', who offend to exhibit those behaviours often associated with masculinity; 'hobby criminals', who commit crimes to participate in their hobbies (collection of endangered species); and 'stress offenders' who commit offences against animals as a result of their own victimisation from abuse (Nurse, 2016). As there are five different reasons why individuals may commit offences against animals, Nurse (2016) believes there should be different criminal justice responses to the different types of offenders, rather than there being one universal response, as is currently the case. For example, for 'traditional criminals', they advocate for the use of fines to deter these individuals from reoffending, whereas with 'stress offenders' they suggest treating them as victims of crime, as well as offenders, and therefore recommends therapeutic methods for reducing their likelihood of reoffending (Nurse, 2016).

Furthermore, Robert Agnew (1998) also examines the causes of animal abuse and comes to a similar conclusion to that of Nurse (2016). This being that there are a multitude of different causes. Agnew (1998) uses criminological theories such as general strain theory, which has traditionally been used to explain human-human offending, to explain the reasons why humans harm and abuse animals. There are two ways in which strain can be seen to cause individuals to abuse animals. Firstly, animals may directly cause strains on individuals, if they 'interfere with the achievement of valued goals' (Agnew, 1998: 197). An example of this would be an animal eating a farmer's crops. Such an incident would impair the farmer's economic goals and could lead to anger and ultimately harm of the animal. Furthermore, Agnew (1998) outlines how strains not caused by the animals can also lead to animal abuse occurring. For example, strain may be caused by abuse in a person's life, and animal abuse could be a way of releasing the negative emotions associated with this strain (Agnew, 1998).

It is clear that green criminology certainly addresses the shortcomings of the criminological literature addressed above, as it places animals at the centre of the abuse they are subjected to, instead of viewing the abuse from an anthropocentric viewpoint. However, this research seems to focus on offending against animals, rather than the victimisation of animals. Indeed, Heckenburg & White (2014) point out just this, and state that 'further work is needed in relation to the idea of animals as victims in their own right' (Heckenburg & White, 2014: 118). This therefore leads me on to the final discipline to be outlined, victimology.

## Victimology

Throughout the majority of the early criminological literature (and a lot of the more recent literature too), the victims of crime have been largely ignored. Much of the literature has focussed on the offenders of crime and looking into explanations for why such individuals commit crimes (Rock, 2017). Rock (2017) states that it is as if no one has been harmed by the offenders' actions when crimes are outlined in this early literature. In the late 1940s, a new discipline of victimology was developed to address the shortcomings of mainstream criminological literature, with Von Hentig (1948) calling for more research to be done into the victims of criminal activity (Zedner, 2002). The early victim studies that followed were mostly based around the idea of victim-participation. This was essentially a philosophy of shifting the blame away from wholly the offender, to also attribute some of the blame onto the victim (Zedner, 2002).

Further victimological research has looked to address not only the absence and blaming of victims in the criminological literature, but also in the criminal justice system. In their seminal article 'Conflicts as Property', Nils Christie (2003) argues that people's conflicts have been taken away from them by experts in the criminal justice sector, such as lawyers and criminologists. This is particularly the case for victims of crime, who do not really play a part in the criminal justice procedure and are only seen as witnesses in a criminal trial, with the state actually being the party prosecuting (Rock, 2017). Christie (2003) argues that these conflicts should be returned to those individuals involved in the crimes, especially the victim. The article 'Conflicts as Property' has influenced a new generation of victimologists and has resulted in a large amount of research being dedicated to the area of restorative justice.

However, it is another of Christie's victimology articles that we are particularly interested in, in relation to animal harm.

In a more critical form of victimology, Christie (2018) looks at what it means to be a victim. They start off by stating that 'being a victim is not a thing, an objective phenomenon. It will not be the same to all people in situations externally described as the "same"'. Instead, they say 'it has to do with the participants' definition of the situation' (Christie, 2018: 11). Therefore, for Christie (2018), you are not automatically seen as being a victim if you have been wronged, instead he describes the idea of the 'ideal victim'. The 'ideal victim' is the individual who, when a wrongful act is committed against them, is most likely to see themselves, and be seen by society, as a victim. For Christie (2018), the 'ideal victim' is those individuals who are physically weak, victimised in the process of carrying out a good deed, victimised in a 'non-dangerous' area at a 'non-dangerous' time of day, and when the offender is a big, strong individual not known to the victim (Christie, 2018). Therefore, if an individual is strong, in a place, and carrying out an activity that is deemed less respectable, and if the offender is known to the victim, they are often seen as a non-ideal victim, and are therefore not labelled as a victim at all. A key example of this in contemporary society, would be the comparison between the societal reaction to a crime being committed against a young virgin and a sex worker. The young virgin would be considered a 'ideal victim', whereas the sex worker would be considered a 'non-ideal victim' (Christie, 2018).

This critical victimology has looked at why certain individuals are seen as being victims, whereas others are not; this is something that is highly relevant to our research question. However, in Christie's (2018) construction of the ideal victim, as well as in the wider victimological literature, animal victims are not present. It appears as though in victimology, as well as the criminological literature in general, animals are very rarely presented as being valid victims. This is something that has been addressed recently by Flynn & Hall (2017). They suggest that 'Christie did not problematise [sic] the fact that the ideal victim is of course also human' (Flynn & Hall, 2017: 305). Although I do not agree entirely with this statement (as will be illustrated in Chapter Three), it is currently sufficient to emphasise the lack of research into animals as victims in the victimology literature.

## Conclusion

To conclude, this chapter has focussed on literature that will become relevant in the coming chapters when seeking to answer the research question ‘why is it that certain nonhuman animals subject to harm are seen as victims, and others are not?’ We have looked at three distinct disciplines: animal rights philosophy, criminology, and victimology, and yet all three of these disciplines are, in isolation, somewhat lacking in answering the question posed. The philosophical literature fails to explain why acts (which it may deem immoral) are still seen as being socially acceptable. The criminological literature has largely ignored offences against nonhumans, and even when it has taken these into account (e.g. green criminology), it has done so without looking at their victimisation. Finally, victimology suffers from the same deficiency as the criminological literature, with animals barely being the subject of research. Therefore, to answer our research question, a synthesis of these three disciplines will be developed. A victimological analysis of animal abuse will be carried out, using the philosophical lens illustrated above, referencing the wider criminological literature.

## Chapter Two: The Relationship Between Humans and Animals

Now that some of the key literature in criminology, philosophy and victimology has been outlined, and shown to be lacking in research into animals as victims of harm, we must now turn our attention to using a multidisciplinary approach to answer our research question: 'Why is it that certain nonhuman animals subject to harm are seen as victims, and others are not?' In answering this question, I feel it is important for us to explore the human-animal relationship over time. Firstly, this chapter will look at the history of this relationship, followed by an outline of how this relationship has evolved in contemporary times. Over the course of this chapter, it will become clear that the relationship between humans and animals is one which involves great levels of harm, and the concluding section will focus on just what this harm means in relation to our research question.

### History of the Relationship

The earliest form of relationship humans had with other animals (and as we shall see, have consistently had) is in the form of food. When humans were simply hunter-gatherers, they would often eat recently deceased animals, as well as other small insects that would be found surrounding these decaying corpses (Linder, 2020). However, when humans ceased to be hunter-gatherers, and instead formed structured, hierarchical societies, the relationship between humans and other animals shifted. This change happened in the form of the domestication of animals for the benefit of humans (Cotterell, 1998). The earliest animals to be domesticated were sheep and pigs, with these being domesticated for food from around 12,000BC, in Southeast Asia and Mesopotamia respectively (Linder, 2020). The domestication of animals continued through the great ancient civilisations with cattle, goats, sheep and pigs being reared for food in ancient Egypt. Horses and oxen were also utilised in Egypt for transportation and the hauling of agricultural equipment. It is thought that around half of the ancient Egyptian economy was agricultural (Quirke & Spencer, 1992). Cats and dogs were also domesticated during this period, with cats becoming pets and dogs being used to deal with animals perceived as pests, such as rats (Quirke & Spencer, 1992). Animals would also appear in Ancient Egyptian culture in the form of entertainment. Animals such as fish, hares and cattle were regularly hunted for fun, using sharpened spears (Williams, 2017). It is clear that in ancient Egypt, and many of the other great classic civilisations, animals played a large role

in the day-to-day lives of people in these societies, with wall art of animals being commonplace. (Quirke & Spencer, 1992).

Despite being seen as companions in ancient Egypt, cats were seen in a rather different light during the middle ages in Europe. At the height of the age of superstition, cats were often seen as being linked to witchcraft. Their inability to follow the orders of humans, combined with their loud night-time mating rituals led to them being seen as the sign of evil, and the fact that older women accused of witchcraft disproportionately appeared to own a cat, did not help the felines' reputation (Linder, 2020). As a result of this, from the 13<sup>th</sup> century, a large slaughtering of cats occurred right across Europe, and this hatred of cats continued right up until the 16<sup>th</sup> century, when a cat was burnt in celebration of the coronation of Elizabeth I (Linder, 2020).

There are two key points to take from this brief outline of the history of the relationship between humans and animals. Firstly, different animals have been used for different purposes, and have been seen to have different values to different cultures over time. This is something that we will return to in the next chapter when seeking to apply victimology to the harming of animals. Secondly, animals have consistently been used by humans for their own benefit, be that for food, entertainment, or labour purposes. Many of these activities have involved animals being harmed by humans, and therefore it can be seen that throughout history humans have subjected nonhumans to great levels of harm. However, since the start of the 19<sup>th</sup> century, in Britain especially (which is of the most concern to this dissertation), legislation started to be introduced to reduce the level of harm that could be legally brought upon an animal. For example, anti-cruelty legislation was passed to suggest that animals should not be beaten, and that entertainment events such as dogfighting and hunting be banned (Linder, 2020). Such legislation continues to be introduced today, and the next section will focus on outlining some of the key components of this.

### Current Legislation Pertaining to Animal Harm

The most relevant contemporary legislation relating to animal harm is the Animal Welfare Act 2006. This Act seeks to prevent 'unnecessary' harm and suffering being imposed on vertebrate animals (Animal Welfare Act, 2006). Suffering is described as being possible through both infliction or neglect, and it is only deemed necessary if it is for the benefit of the

animal or to protect a human being. Examples of harms that are illegal include the mutilation of protected animals (animals which have been domesticated in the UK), including the docking of dogs tails, as well as the poisoning of animals, and the act of forcing animals to fight (Animal Welfare Act, 2006). As mentioned above, the Act also takes into account suffering as a result of neglect, and for this it states that the welfare of an animal must be upheld. This means that animals should be kept in a suitable environment, have the ability to consume a suitable diet and be able to exhibit their normal natural behaviours (Animal Welfare Act, 2006). One important thing to note, for later in this chapter, is that although the Act seeks to prevent the harm and suffering of animals, there is in fact a clause in the welfare-related section, stating that ‘nothing in this section applies to the destruction of an animal in an appropriate and humane manner’ (Animal Welfare Act, 2006: 9(4)).

Despite the Animal Welfare Act 2006, it is currently only possible for the perpetrator of crimes against animals to be sentenced to a custodial sentence of up to six months. However, in 2017, a Bill (Animal Welfare Sentencing Bill 2017) was introduced into the House of Commons. If passed, this Bill would see the maximum custodial sentence for animal abuse raised from six months to five years, and would also go further in ensuring ‘that animals are defined in UK law as sentient beings’ (UK Government, 2018). The then Environment Secretary Michael Gove suggested that the Bill will show that ‘there is no place in this country for animal cruelty’ and that he wants to ensure that ‘those who abuse animals are met with the full force of the law’ (UK Government, 2019b). This Bill has also proved popular with animal welfare groups, as well as the wider public, and will ensure that the UK has the toughest sentences for animal cruelty in Europe (UK Government, 2019b). With such tough sentences in the pipeline then, it would appear that the UK Government is committed to trying to continually reduce the amount of harm animals are subjected to. However, there is one industry in particular which seems to suggest entirely the opposite: the farming industry.

### The Factory Farm

As Singer (2009) suggests, many may ‘still think of a farm as a pleasant place far removed from our industrial, profit-conscious city life’ (Singer, 2009: 96). This image is still widespread because of the picture of farm life presented through meat and dairy product advertisement (Harrison, 2013). However, this idyllic image of modern farming unfortunately couldn’t be

further from the truth. Over the last century agriculture has become agribusiness, with large companies now owning thousands of animals (Singer, 2009). Harrison (2013) describes this new style of farming, labelled 'factory farming', as being a 'production-line' style of farming where, rather than being seen as sentient beings, animals are likened to machines 'assessed purely for their ability to convert food into flesh' (Harrison, 2013: 35). Singer (2009) states that 'once we place nonhuman animals outside our sphere of moral consideration and treat them as things, we use to satisfy our desires, the outcome is predictable' (Singer, 2009: 97). This outcome is of course the harm and mistreatment of the animals in question with factory farming usually involving 'raising livestock in densely populated environments' (Anomaly, 2015: 246), and in conditions unnatural for the animals. In 2017 the UK had nearly 800 of these factory farms, with only 12 counties not being home to one (Child et al, 2017). Due to their large presence in contemporary Britain, and the harm they appear to inflict on animals, it is important for us to look at these new, industrial farms in more detail, starting with poultry farms.

Chickens are used in farming for two purposes – for their meat, and for their ability to produce eggs. In both cases, the birds are subjected to suffering and harm, but this section will simply focus on those chickens reared for meat, namely the poultry industry. On factory farms, the chickens' environment is controlled to ensure that the company running the farm make the maximum amount of profit. This means that the aim is to have the birds grow as fast as possible with the minimum amount of food, to cut costs (Singer, 2009). Furthermore, to again maximise profit, the majority of chickens on factory farms are kept in crowded, unnatural conditions inside sheds, with limited natural light. Although the EU banned battery (or caged) birds from being reared on farms, the UK Government have only suggested that there needs to be a 33kg per square metre stocking density for broiler chickens (UK Government, 2019a). The average weight of a broiler chicken when it is slaughtered is 2.5kg (CIWF, 2019), so even at this late stage of the chicken's short life, it could legally be placed into a tiny space of one square metre with twelve other chickens. Such cramped conditions may maximise a farmer's profits, but it certainly also leads to the animals suffering. Because of these crowded spaces, chickens cannot perform some of their most basic natural desires, such as spreading their wings. This is something that negatively affects the animal's welfare, and hence causes them harm (Regan, 1988). Also, with so many birds in a small space, it becomes impossible for them

to form a social order, as they would be able to do in a natural environment. This causes the birds great amounts of stress and often leads to fighting, with the chickens pecking at each other. This fighting can become so severe that the birds peck so much, that they end up committing cannibalism (Singer, 2009). To combat this extremely painful situation for the birds, farmers in the UK are allowed to de-beak their chickens (essentially cut off the birds beak), to stop them pecking each other, something the government suggest is essential for the health and safety of the broiler chickens (UK Government, 2010). The process of de-beaking the chickens is obviously a painful one for the birds, and one wonders whether maybe if the actual problem resulting in the fighting (overcrowding) was addressed, such a harmful operation may not need to be carried out. This method of increasing the welfare of the farm animals would, of course, limit the profits businesses could make, and maybe this is why such steps are not taken.

Another group of animals that are often reared on factory farms for meat are pigs. Pigs are intelligent animals, and are thought to be just as, if not more intelligent than dogs (RSPCA, 2020a). They can often be treated in a similar way to the way chickens are treated. For example, they are often kept in very crowded, indoor conditions, very different from the natural conditions they are used to. This again means that they are unable to satisfy their natural desires, which in turn means they suffer (Regan, 1988). Being left inside in these unnatural conditions also leads to boredom for pigs, because they are such intelligent animals. This boredom can once again lead to the animals fighting, and biting each other's tails (Harrison, 2013). Again, rather than deal with the boredom that is causing this fighting, by providing opportunities for the pigs to satisfy their natural desires, they often resort to tail-docking the pigs, so they are unable to bite each other's tails. (Singer, 2009). This process of removing a pig's tail is one of great pain for the pig, and as a result of this, the practice is in fact illegal here in the United Kingdom. Despite this, in 2007 it was found that 88% of pig meat came from pigs that had had their tails removed (Hickman, 2007). This again suggests that pigs, like chickens, are subject to great amounts of harm and suffering on the modern factory farm. However, possibly the worst treatment of an animal on the factory farm is to the animal which we now turn our attention too, the veal calf.

Veal is the meat from a young calf. As a result of this, the initial stage of suffering for the calf is being taken away from their mother moments after they are born. With cows being

intelligent, social beings, this is clearly a moment of great psychological suffering for both the mother and calf, with the separated cows often heard wailing at each other during separation (Humane Decisions, n.d.). After this, they are once again often kept in crowded, unnatural conditions similar to those suffered by the chickens and pigs mentioned above (Humane Decisions, n.d.). However, the most harm caused to a veal calf is through their diet. Veal meat is more expensive than other types of meat produced from cows, such as beef. This is because of its distinctly pale light pink colour, that, while not changing the taste, makes the meat more valuable and sort after (Singer, 2009). The reason the colour of veal meat is light pink, is because of a lack of iron in the calves' diet. The colouring is actually the result of anaemia (Singer, 2009). Of course, the calves are given some iron, so they survive long enough to reach the desired market weight. However, such low levels of iron are clearly not sufficient in providing the veal with a healthy diet, and it is obvious that this will cause them harm.

Finally, after the animals above have endured the suffering of the factory farm, they are sent off to be slaughtered. This again, is certainly not a process free from harm and suffering. Animals such as pigs and calves are usually stunned before they see the knife, however, this electrical stunning is not necessarily a pain-free process (Singer, 2009). Furthermore, because institutions such as slaughterhouses are under great economic pressures and economic competition, 'slaughterhouses strive to kill more animals per hour than their competitors' (Singer, 2009: 151). This clearly means that in order to be more efficient, sacrifices may be made in ensuring the animal dies without suffering. For example, there may not be time to ensure the animal is unconscious after stunning, or to ensure an accurate blow is dealt with the knife, with inaccuracy leading to a painful death for the creatures slaughtered. Chickens on the other hand, are put into large crates and gassed to death (RSPCA, 2020b). This again, is not a quick death free from suffering. However, even if the slaughtering of the animals is done in a pain-free manner, this does not mean that harm has not been done. Regan (1988) sees harm as being possible in two separate ways, as being an infliction, or a deprivation. He argues that 'an untimely death is a deprivation of a quite fundamental and irreversible kind' as 'death forecloses all possibilities of finding satisfaction' (Regan, 1988: 100). Therefore, for Regan, the act of killing an animal in itself is to cause it the greatest amount of harm one can, and with him being a non-consequentialist, this being independent of why the animal is being killed (for food).

Overall, then, we have seen that modern farming businesses cause a great amount of harm and suffering for the animals they rear and slaughter. This is throughout the whole process of the business, with it being present in the way they are born, the environment they grow up in, and the way they are killed. The practise of factory farming is also increasing in frequency, with there being a '26 percent increase in intensive farming in six years' (Child et al, 2017). Here, intensive farming is taken to mean farms which house 'more than 40,000 birds, 2,000 pigs or 750 breeding sows' (Child et al, 2017). Therefore, the types of institution which are on the rise are the same as the kind outlined above, meaning that the level of harm animals are subjected to has increased. This high prevalence of harm, then, seems to be completely at odds with the values demonstrated in the legislation being brought in, as outlined earlier in this chapter. This legislation suggested that animal abuse and harm was something that the government saw as being totally unacceptable, and that they believed animals should be treated as alive, sentient beings. How, then, can the industry above continue to operate in the way that it does? A look at the statistics on the prosecution under the Animal Rights Act 2006 may begin to give us some answers.

### Prosecution of Animal Abuse

One of the main ways prosecutions are achieved against individuals responsible for harming animals is through the RSPCA (Royal Society for the Prevention of Cruelty to Animals). The RSPCA are the oldest animal welfare charity in existence and are responsible for investigating and prosecuting individuals who have been suspected of harming and abusing animals, as well as rescuing and rehabilitating the animals that have been harmed (RSPCA, 2020c). Between 2017 and 2019, the RSPCA prosecuted 4,704 people in relation to harm against animals under the Animal Welfare Act 2006 (RSPCA, 2019). These prosecution figures will be broken down in the section that follows, to see if an answer can be provided to the contradiction outlined above.

In 2017, the RSPCA was responsible for 1,548 convictions in relation to the Animal Welfare Act 2006. 882 of these were in relation to harm against dogs, 225 for the abuse of horses, and 188 for offences relating to cats (RSPCA, 2019: 32). As percentages, these represent 57%, 15%, and 12% of convictions respectively. The figures for 2018 and 2019 reflect a similar level of convictions for offences against these three animals. Offences against dogs were the reason

for prosecution in 56% of cases in 2018, and 57% in 2019. Harm to horses was the charge in 15% of cases in 2018, whereas this figure fell slightly to 13% in 2019. For cats, the figure increased in 2018 to 17% of prosecutions, before falling back down to 14% in 2019 (RSPCA, 2019). On the other hand, farm animals as a category only made up 1.6%, 0.7%, and 3% of the prosecutions over the three years respectively (RSPCA, 2019). This number is astonishingly low, especially when you consider that all farm animals are lumped together in this figure, rather than being separated into their distinct species, as with the other animals mentioned.

When you compare these prosecution figures to the extraordinary levels of harm suffered by those animals reared in UK farms, as outlined above, they are even more shocking. Although a lot of this harm may be legal under the Animal Welfare Act 2006, some of it certainly is not, with the figures for the tail-docking of pigs outlined being a prime example of an illegal activity that is widely practised. Therefore, these figures suggest that when crimes are committed against farm animals, as opposed to other domesticated animals (pets), they are taken much less seriously, and are therefore not prosecuted against as regularly.

## Conclusion

To Conclude, it appears from everything outlined in this chapter, that animals reared on farms in the UK are less likely to have the harm and suffering they are often subjected to taken as seriously as other forms of animals. Harms against this category of animal may quite often be legal, whereas if the same harm was to be committed to another animal, it would most likely not be. A prime example of this is how the Animal Welfare Act 2006 has a clause in it stating that 'nothing in this section applies to the destruction of an animal in an appropriate and humane manner' (Animal Welfare Act, 2006: 9(4)). The 'humane' slaughtering of farm animals is something which is legal and widely socially acceptable, however, it is difficult to imagine the same could be said if the animal in question was a puppy, no matter how humane its slaughtering may be. Furthermore, even when there are laws limiting the amount of harm farm animals can be subjected to at the hands of humans, infringements of these laws seem to be given less weight than if they were committed against other domesticated animals, such as those regularly kept as pets. This leads me to the conclusion that certain animals (farm animals) are much less likely to be given the status of a victim when subjected to harm and

suffering as opposed to other animals. This has led to the formulation of my research question: 'why is it that certain nonhuman animals subject to harm are seen as victims, and others are not?' The next two chapters will be dedicated to answering this research question, with the first of these looking to extend the idea of victimology to nonhuman subjects.

## Chapter Three: A Victimology of Animal Abuse

It has now been shown that not all animal harm is treated as being equal. We have seen in the previous chapter, that when some animals are subject to harm, they are less likely to be seen as being a victim. This is because harm against such animals is either legal, or if not, the crimes committed against such animals are not taken seriously. This is particularly the case for animals who spend their days on the factory farm, or in the slaughterhouse. This chapter seeks to identify why this is the case, and hence will attempt to begin to answer our research question: 'why is it that certain nonhuman animals subject to harm are seen as victims, and others are not?' To begin to answer this question, the disciplines of victimology and green criminology, previously introduced in Chapter One, will be revisited. Firstly, it is important for us to look again at what Christie (2018) meant when he talked about the 'ideal victim'.

### Ideal Victims

As mentioned in Chapter One, for Christie (2018), the idea of what it means to be a victim is not an objective reality. Instead, it is as a result of individual differences as to whether a certain individual will define themselves as a victim in a given situation. The same thing happens on the level of social systems. Society may also more readily label some people as being victims than others, even when both have been harmed in the same way (Christie, 2018). According to Christie (2018), there are certain characteristics that mean an individual is more likely to be identified by society as a victim, and he calls individuals who are likely to assume the status of a victim as being 'ideal victims'. 'Ideal victims' are often: physically weak, harmed while carrying out a respectable project and are harmed in an open space in broad daylight (not where 'one shouldn't have been') (Christie, 2018). Those who are subject to harm but are physically strong, carrying out activities that are considered deviant or unrespectable, and are in a 'place they shouldn't be, are labelled non-ideal victims. An example given for a non-ideal victim in contemporary society is a sex-worker (Christie, 2018).

One group that Christie (2018) did not expand his theory to encompass were of course non-humans. Flynn & Hall (2017) express their opinion that to be human is in fact to be an ideal victim, as in their view, nonhumans are not given the same victim status as humans. For Flynn & Hall (2017), then, all animals must be seen as being non-ideal victims. However, is this really the case? From the previous chapter, it seems clear that certain species of animals are much

more likely to be seen and treated as victims than other animals. Therefore, it appears that some animals may be ideal victims, whereas others may be non-ideal victims. The rest of this chapter will be dedicated to understanding what it means for an animal to be an ideal, or non-ideal, victim in a given society.

Though it may not be possible to transfer the specific characteristics of an 'ideal victim', as outlined by Christie (2018), to the study of the victimisation of animals, it is possible when looking at the overarching characteristic. That is, that those individuals who are seen as being 'ideal victims' are those which are the most respected and valued in society. For example, those people with less social worth, such as sex workers, are less likely to be seen as an 'ideal victim' when they are harmed. This is something that can be transferred to animals, because 'animals are valued by humans in a highly stratified way. Put simply, we like some, we hate some, and some we don't really care or think about' (Heckenburg & White, 2014: 121). We will now turn our attention to what leads to different animals being given different levels of worth in a given society.

### Endangered Animals

One way in which a particular type of animal may be given a higher or lower status in society is 'on the basis of prevalence or number of animals' (Heckenburg & White, 2014: 123). Typically, if a species has a lower prevalence of animals, these animals are assigned a higher value. This is the case with endangered species, who are seen as being the animals for whom protection is the most necessary. For example, the Endangered Species (Import and Export) Act 1976, aims to make the trading of endangered animals illegal, in a bid to protect them from abuse and possible further population decline (Endangered species (Import and Export) Act, 1976). This then, illustrates that those species of animals with lower population sizes, and the risk of extinction, are given more value in society, and are thus afforded more protection. However, there are another group of animals who are given more worth in Western society, and this group are more important in helping us understand the differences in treatment of animals illustrated in the previous chapter.

### The Aftermath of Hurricane Katrina

A good way to determine the social worth of different species of animals in any society is to observe the reaction to the loss of animals in the aftermath of natural disasters. The following

section will focus on the reaction of the American society in the aftermath of the 2005 hurricane, Hurricane Katrina; one of the most devastating hurricanes to hit the US shores, where an estimated number of 1,833 people lost their lives (Zimmermann, 2015).

As well as a large loss of human lives, the Hurricane and subsequent flooding also cost the lives of millions of animals. This includes six million farm animals, most of them chickens, who were killed in the natural disaster (Baur, 2008). However, like a lot of personal property that was destroyed by the hurricane, many of these farm animals were insured. Therefore, for the farming industry, the loss of these animals was not of concern, and their main priority was the cleaning up of the devastation left behind. This included animals, both alive and dead (Baur, 2008). This therefore illustrates the worth of these farm animals, especially chickens, to those working in the farm industry. They are not treated as sentient beings, and are instead treated as human possessions. As a result of this, they are just seen in the same way as all the other inanimate possessions destroyed. Put simply, 'the birds' value to the industry is very low, and our society in general does not value them much higher' (Baur, 2008: 169).

In contrast to this, another group of animals were treated with much more respect and worth in the aftermath of Hurricane Katrina, namely companion animals. Although there was little discussed about the consequences of the hurricane for farm animals, there was much more discussion about what could be done in the future to protect companion animals such as cats and dogs. In 2006, an Act (Pets Evacuation and Transportation Act) was passed through Congress 'in symbolic recognition of the value and status of companion animals and service animals' (Heckenburg & White, 2014: 122). This act means that, in the event of a natural disaster, emergency services have a duty to help evacuate people's pets as well as the people themselves, as long as this does not increase the risk of human fatality (Pets Evacuation and Transportation Standards Act, 2006). This therefore shows that companion animals are given a higher level of worth in US society, compared to those animals that are reared for food on farms. This is because they are treated as sentient beings whose lives need protecting, rather than being treated as inanimate objects. The media reaction to the Hurricane further illustrates this gap in worth between the two groups of animals.

The less-valued farm animals were largely ignored by the media, despite the large numbers of fatalities. The media instead chose to focus on heart-wrenching tales of companion animals being dragged away from their child owners, and the emotional impact this was having on

such children (Heckenburg & White, 2014). During my research for this dissertation, I found that the media reaction to animals being harmed is very much the same here in the UK. The majority of the newspaper articles I came across, documenting the work of the RSPCA on prosecuting people in cases of animal cruelty, chose to put a picture of a cute companion animal, and never one of a farm animal.

Overall, all this suggests that in Western society farm animals are given a low level of worth, whereas companion animals are given a much higher status. Furthermore, we have seen from the example of Hurricane Katrina that those animals with lower statuses are less likely to be considered as victims when they are harmed in such natural disasters, than those with higher statuses. This will now be further explored by turning our attention to certain practices in Asian countries that cause unease here in the West.

### Eating Dogs

We have seen from the previous chapter, that the status of a particular species of animal tends to vary both geographically and across time. Therefore, it should be of no surprise that one of the companion animals with the highest status in the West, is not assigned the same level of worth in many Asian countries. This is the case with dogs, an animal often considered 'man's best friend' here in the West, but is regularly considered a meal in some Asian countries.

Dogs have been killed for their meat in many Asian countries since around the 4<sup>th</sup> century, with people originally utilising the method of hunting, before progressing to more intensive breeding and farming methods (Jackson & Minjoo, 2011). The reason for utilising dogs for the purpose of food was because of the scarcity of other animals to kill for meat in ancient Asia, and dog meat enabled people to gain the supplements necessary for human survival (Coren, 2018). Throughout history, dogs have been seen as livestock in Asia, in much the same way we see cows and pigs (Kim, 2008). Unlike the West they have not historically been bred to assume the role of companion animals (Czajkowski, 2014), with this only really starting to become prominent in certain Asian countries in the 1980s (Kim, 2008). Although throughout Asia, the consumption of dog meat has decreased in recent years, there are still areas which have seen an increase in consumption, including parts of Vietnam (Avieli, 2011). Another country that has continued to slaughter and consume a large quantity of dog meat in modern

times is South Korea, with dog being the fourth most consumed meat in the country after pork, beef and chicken (Kim, 2008). We will now look at the treatment of dogs in South Korea in more detail, specifically the way they are raised and slaughtered through intensive farming.

On average, 2.5 million dogs are slaughtered for food each year in South Korea, with a large proportion being consumed over traditional cultural holidays in the summer months (Czajkowski, 2014). Before being slaughtered, dogs are raised through intensive farming, often kept in cages, resulting in cramped, crowded conditions. With dogs being social creatures, this is sure to result in high levels of stress for the dogs (Czajkowski, 2014). Although the dogs are situated in cages, making it slightly worse than the conditions on factory farms in the UK, overall, the level of harm seems to be fairly similar. This is because, as has been stated earlier, the animals kept in cramped and crowded conditions in the UK, such as pigs and cows, are just as intelligent as dogs (RSPCA, 2020a). Therefore, the crowded conditions for both sets of animals will limit their ability to fulfil their natural desires in a similar way, and result in a similar level of harm.

Dogs are also slaughtered in a way not so unfamiliar to the West. The most common method of slaughtering dogs in South Korea is by using electricity, the dogs are electrocuted to death (Czajkowski, 2014). If this process is unsuccessful in killing the dog, then the jugular of the stunned animal is cut, and the animal subsequently bleeds to death (Czajkowski, 2014). This, again, sounds remarkably similar to the way farm animals are killed here in the West, where animals such as pigs and cows are often electrically stunned before having their throats cut (Singer, 2009).

Despite the similar methods of farming and slaughter, those in the West are often highly critical of the slaughtering and eating of dogs in Asian countries, with many considering the acts to be 'backwards' and 'archaic' (Jackson & Minjoo, 2011: 31). This is particularly in the aftermath of large numbers of dogs being slaughtered for cultural festivals, such as the Yulin dog meat festival in China. This festival, which celebrates the summer solstice each year, has been running since the 1990s, and regularly includes the mistreatment and slaughtering of 10,000 dogs (Duggan, 2015). In 2015, over 3.8 million people signed a petition expressing their disapproval at the treatment of dogs at this festival (Baggini, 2015). The petition cites the festival increasing the number of dogs in 'inhumane prisons of dog meat farms' and suggest that this is not the place where 'man's best friend' should be (Change.org, 2015). There are

also large amounts of international pressure on Asian countries to stop their consumption of dog meat at times when the global spotlight is on certain Asian countries, such as when large sporting events are held in countries that support the practice. This was particularly the case before and during the 1988 Olympic Games and 2002 World Cup, that were both held in South Korea (Jackson & Minjoo, 2011).

The criticism that often comes from the West in regard to the slaughtering and consumption of dogs, seems more than slightly ironic when looking at how Western countries such as the UK treat other species of animals. As has been outlined above, Western intensive farming conditions are in many ways very similar to the intensive farming conditions in which dogs are reared in Asian countries (Baggini, 2015). So why are the West more critical of the farming practices of Asia, than they are of their own? In other words, why are they more likely to see the animals in Asia subject to intensive farming, as victims, as opposed to those subjected to the same methods here in the West? It is almost certainly down to the species of animals that are being harmed and mistreated. In the West, animals such as dogs are companion animals, something that is nowhere near as common in Asia, with them traditionally being seen as livestock (Kim, 2008). As a result, in Western culture, dogs are given a higher status than that of the animals on the factory farm, and higher than the status afforded to them in Asian countries. Dogs, and other companion animals, are regularly described as being 'man's best friend' and are almost treated as being the equivalent of a human being, with them given a name, and allowed to live inside a home. Because of this high status and closeness to humanity in Western culture, they are more likely to be seen as victims when harmed, compared to animals that don't have this bond with humans, and therefore don't have this high social worth, such as pigs and cows. Because this closeness between humans and dogs is not historically present in many Asian cultures, they are not seen as being victims when they are harmed during intensive farming and slaughtering. Interestingly, in recent times, dogs have become more common companion animals in South Korea, and as this has happened, the practice of eating dog meat has become less socially acceptable among the people of South Korea (Czajkoski, 2014). A similar thing has also occurred in China. As more middle-class Chinese citizens have started to own dogs as pets, they have started to oppose the dog meat festivals, something, before, that was predominately the opinion of those outside China (Duggan, 2015). This further shows that as human beings become closer to an

animal, and therefore assign it more worth, they are more likely to see that animal as being a victim when they are subjected to harm.

## Conclusion

Overall, then, an animal's status, or worth, in a society is responsible for whether they are seen as being a victim when subjected to harm. If an animal has a high status, and humans have a close bond to it, then they are more likely to be seen as a victim. An example of this sort of animal in Western society would be a companion animal such as a dog. Because of these animal's high statuses, and likelihood of being assigned the label of a victim, it is possible to label them 'ideal victims', using Christie's (2018) definition. I am inclined to partly agree with Flynn & Hall (2017) with their assessment of the 'ideal victim' being human. This is because, the animals with which the 'ideal victim' label can be applied are often those who are the closest to humans, and are the animals that are given a worth by humans, that is almost equivalent to the worth given to other humans. Therefore, the 'ideal victim' may not be strictly human, but the closer the worth of an animal is to that of a human, the more likely they are to assume the role of an 'ideal victim' when they are subjected to harm.

## Chapter Four: Institutional Harm

It has now been established, then, that the reason why certain animals subject to harm and suffering are not seen as victims, can be linked to Christie's (2018) idea of the 'ideal victim'. Through this, we have seen that certain species of animals are more likely to receive the label of being a victim when subjected to harm, than other species, based on their worth in any given society. However, I would now like to return to the example set out in the introduction section of this dissertation. Analysing this example further may suggest that there is more to our research question than simply looking at the kind of animal that has been harmed. This chapter will focus on the perpetrator of such harm.

### The Case of the Slaughtered Sheep

The following example has already been described in the introduction chapter above, however, I feel it is important for us to revisit it before we begin our analysis. Late on a spring evening in April of this year, a farmer heard a commotion coming from his farm. Upon inspecting his land, he found that his barn had been broken into, and his sheep attacked. Two of his sheep had been tied up by their horns, though their injuries were not life-threatening. However, he also discovered that three of his other sheep lay dead. Two had had their throats cut, and a third had died of shock after witnessing what police described as a 'horrific' incident (Ram, 2020). A 41-year-old was later arrested under suspicion of animal cruelty (Ram, 2020). The social media reaction to the incident, after a police statement was released, was one of horror and disgust. Overall, then, the acts that occurred on that spring evening were both illegal, and widely seen as socially unacceptable, and are ones where the harmed sheep were seen as being victims.

This case seems to directly contradict what has been outlined in the previous chapter. Sheep are not animals with which we, in the western world, have a particularly close relationship with, and they aren't the sort of animal one would regularly own as a pet. Furthermore, as has been outlined already in the above introduction chapter, sheep are often animals who are killed in ironically much the same way as this, in the slaughterhouse (RSPCA, 2020b). This process, however, is one that is widely socially acceptable, and perfectly legal. It is clear that the sheep killed in this way are most definitely not seen as being victims. Maybe then, we

should turn our attention to those who are committing the harm, as opposed to the animal being subjected to it.

## Human Pain

Many of the criminological studies, mentioned in Chapter One, that focused on animals, did so in a way that linked the way animals behaved to human behaviour. Animal research was always used for the benefit of humans, and was seen to be anthropocentric (Beirne, 1999). In this chapter, I seek to turn this on its head somewhat. I will focus on the way humans treat other humans, and then link this to the way animals are often treated by humans. To do this then, I will firstly look at an example of when harm against humans is legal, and socially acceptable, and therefore those subject to it are not labelled as a victim.

There are a number of examples of when it is seen to be acceptable to subject human beings to harm and suffering, however, one of the most common examples of this in contemporary society is through the use of imprisonment. Christie (2007) states that 'imposing punishment within the institution of law means the infliction of pain, intended as pain' (Christie, 2007: 5). The specifics of this harm have been outlined in Gresham Sykes' (1958) book *The Society of Captives*. He outlines five main deprivations that lead to those in prison being subject to harm. These are the deprivation of: liberty, goods and services, heterosexual relationships, autonomy and security (Sykes, 1958). Although we do not have time to describe these in more detail at this point, the main thing to take away is that imprisonment is a punishment that inflicts great levels of harm on those who are subjected to it. Despite this, the number of individuals in prison remains alarmingly high. The prison population currently stands at approximately 79,453 prisoners, including those in young offenders' institutes, in England and Wales. This equates to around 173 prisoners per 100,000 of the population (Sturge, 2020). The prison population in England and Wales rose dramatically between 1990 and 2010, and though it has since levelled off, offenders are still being sentenced to prison for longer today than they were in 2010 (Sturge, 2020). This therefore means that over the last three decades, there has been an increase in the level of 'pain delivery' through imprisonment in England and Wales.

Of course, this pain is often justified with it being directed at those who have committed unlawful acts, and are therefore assigned a low social worth. However, I feel such pain would

not be legal and socially acceptable if it was to take place in wider society, as opposed to hidden behind the prison walls. The same can be said for the harming of animals. It appears that when animals are harmed by an individual in wider society, the act is deemed unacceptable, however, when the same act is committed against the same animal behind the walls of the factory farm or slaughterhouse, it is acceptable. It can be said then, that when individuals (be it humans or other animals), are subject to harm in institutional settings such as the prison or the factory farm, they are much less likely to be perceived as victims. The sections that follow will seek to explain why this is the case.

### Institutionalised Harm

When harm is administered in an institutional setting such as a prison, the person who chooses to inflict the harm is far removed from the subject of the suffering. For example, it is the judge in the courtroom who sentences the offender to prison, however, they have no further part in the administering of the pain. This is the job of the prison guards, who are simply following the instructions laid out to them by the judge. However, in recent times, sentencing tables have become a large part of the sentencing process. These tables, set out by the government, seek to increase consistency in sentencing, by setting a tariff based on a whole number of different scenarios, mostly relating to the act that has been committed (Christie, 2000). This also has the knock-on effect of further distancing the harm inflictor from the subject of harm, with the government now deciding how much harm is to be done to the offender. The tariffs for individual sentencing are now being set, essentially, by people who have never even met the person who is to be subject to pain as a result of their decision. As Christie (1981) states, the 'intentional infliction of pain is easier the further away the recipient is from the delivery man' (Christie, 1981: 83). Therefore, because in institutional settings such as the prison, there is a hierarchical structure, where those determining that pain should be administered are not in direct contact with the offender while the harm is being done, it is easier to decide to inflict harm on people.

The same is true when looking at the harming of animals in an institutional setting such as a factory farm and slaughterhouse. Again, the large corporations responsible for the harm will have a large hierarchical structure that means that those who decide on the way the animals shall be treated, are not present for the actual harming and killing taking place. These acts

will be carried out by low paid workers, who are simply carrying out the orders of their superiors. This distance is further increased on the factory farm, because of the sheer number of animals being dealt with. As outlined in Chapter Two, intensive factory farms can house up to '40,000 birds, 2,000 pigs or 750 breeding sow' (Child et al, 2017). With this many animals, it becomes impossible for the few workers to develop any sort of emotional connection to the animals on an individual level. Something that further distances the harm inflictor from the animal subjects of harm.

Despite the acts the workers in the factory farm or slaughterhouse often carry out on animals being horrendous, as illustrated in Chapter Two, they are likely to carry out these acts when they are told to by an authority figure. This is something that Milgram (1963) discovered during his study of obedience. Milgram (1963) wanted to study obedience to authority figures because of the events that occurred just a few decades prior, in World War Two. During the Second World War, millions of innocent people were slaughtered, and although the idea for this may have only come from the mind of one person, the acts 'could only be carried out on a massive scale if a large number of persons obeyed orders' (Milgram, 1963: 371). Milgram (1963) thus decided to test how far people would be willing to go to obey the commands of an authoritative figure. They set up a fake learning experiment, where one of their colleagues would be asked questions while attached to what participants thought was an electric current. If the colleague got something wrong, the 40 participants would be told to give the colleague an electric shock. The electric shock would start at 30 volts, and then get progressively stronger if the colleague continued to get the questions wrong, up to 450 volts (Milgram, 1963). Of course, Milgram's (1963) colleague was not actually being electrocuted, but it was made to look as though they were, so the participants believed they were harming the colleague. The experimenter used prods, ranging from 'please continue' to 'you have no other choice, you must go on' (Milgram, 1963: 376). All the participants continued to follow the orders up to 300 volts, and 26 of the 40 participants went all the way up to 450 volts (Milgram, 1963). Despite the large ethical issues with this study, it does illustrate something important. This being, that no matter how awful an act is, most 'ordinary' people are capable of committing it, if they are told to do so by an authority figure. This has important implications for the inner workings of the factory farm and slaughterhouse, because it means that ordinary workers will inflict large amounts of harm on animals in an institutional setting,

when they are told to do so by their superiors, even if they would not outside of this setting. Indeed, Singer (2009) speculates that if individuals had to kill animals themselves for meat, the majority of people would be vegetarian (Singer, 2009).

As well as making the harming of animals in institutional settings more likely, the fact that ordinary people are likely to carry out this harm also means the animals are less likely to be seen as victims. To explain this, we must once again return to Christie's (2018) idea of the 'ideal victim'. As well as there being 'ideal victims', who are more likely to be defined by society as victims, there are also 'ideal offenders', who are more likely to be labelled as offenders by society (Christie, 2018). The 'ideal offender' is, 'morally speaking, black against the white victim. He is the dangerous man coming from far away. He is a human being close to not being one' (Christie, 2018: 19). Therefore, using this definition, the average worker who slaughters animals, or harms them on the factory farm, is not an 'ideal offender'. This is because they are often just 'ordinary' people, not a 'dangerous monster', with the latter being something the public normally associate with offenders. For Christie (2018), the more 'ideal' the victim, the more 'ideal' the offender, and thus if an offender is not an 'ideal offender', then the victim is unlikely to be an 'ideal victim'. Therefore, because in the case of harms to animals in institutional settings, the offender is 'non-ideal', the animal victims will also be 'non-ideal victims', and hence animals harmed in institutional settings are less likely to be seen as victims when subjected to harm.

### Harm for Economic Gain

As well as distancing those who decide that harm is to be inflicted from the human/nonhuman harm is directed at, and meaning ordinary people inflict said harm, when harm takes place in an institutional environment it is also highly likely to have economic benefits. This section will continue to look at the example of imprisonment and how the economic benefits of this lead to harm being seen as legal and more acceptable, and how this relates to practices in institutional settings housing animals.

Criminologists have looked to understand the relationship between punishment and production since the 1930s. Rusche & Kirchheimer (2008) state that 'every system of production tends to discover punishments which correspond to its productive relationships' (Rusche & Kirchheimer, 2008: 5). They go on to analyse the shift in punishment, from capital

punishment to imprisonment, during a time when industrial society was just commencing. They suggest that as society shifted to being more industrial, there was a need for manpower in the factories. Punishment, therefore, shifted to try and alter the mind of an offender, to make them an effective worker in the industrial factories (Rushe & Kirchheimer, 2008). Society has since changed, though even in late modernity 'pain delivery is an activity of great economic importance for the providers' (Christie, 2000: 111). This is through the introduction of the private sector into the process of punishment. Private companies now profit from building the prisons, providing the equipment for them, and even running them (Christie, 2000). Private prisons were initially introduced in the UK in the 1990s, and there are now 14 private prisons across Britain, run by companies such as G4S and Serco (Justice, 2019). This therefore means, that in contemporary society, it is in the interests of private companies for more peoples to be sentenced to prison and for longer. As outlined above, prison is a painful experience, which therefore means that it is now in the interests of private companies for more harm to be inflicted on offenders.

A similar story can also be seen on the factory farm. It is often in the economic interests of those who harm animals on the factory farm to do so. This is not just in the obvious case of when an animal is slaughtered so that the meat can be sold for profit, but also in the way they are treated when they are reared. As Singer (2009) states 'farming is competitive and the methods adopted are those that cut costs and increase production' (Singer, 2009: 97). These methods aimed at cutting costs and maximising profits are often the ones that cause the most harm to the animals on the factory farm, with overcrowding, poor living conditions, and debeaking/tail docking animals being caused by attempts to maximise profits. Harrison (2013) declares that 'life in the factory farm revolves entirely round profits, and animals are assessed purely for their ability to convert food into flesh' (Harrison, 2013: 35). They then go on to pronounce that 'cruelty is acknowledged only where profitability ceases' (Harrison, 2013: 37). Therefore, as in the case of imprisonment, in the institutional setting of the factory farm, the infliction of harm is in the economic interest of the inflictors.

Not only does this mean that harm is more likely to occur if it is in a situation where economic benefits are possible, but it is also more likely to be seen as acceptable in a free-market, capitalist society, like ours. This point has been made by the radical criminologists Taylor, Walton & Young (1973) in their book *The New Criminology*. They state that 'political initiatives

that give rise to (or abolish) legislation, that defined sanctionable behaviour in society or ensure the enforcement of that legislation, are intimately bound up with the structure of the political economy of the state' (Taylor et al, 1973: 273). We have seen, in Chapter Two, that this is the case with the inner workings of the factory farm. Harms committed here are often either perfectly legal, or if not, then very rarely is this legislation rigorously enforced. This is most likely because, with the political economy of the state here being one focused on corporations having as much freedom as possible, harm for the purpose of profit is not something seen by the government as unacceptable. This is the case with many of the areas studied in green criminology, because harm to animals and the environment 'is an inherent consequence of industrial activities linked to significant economic benefits' (Heckenburg & White, 2014: 10). Because of the structure of the society we live in (capitalist), harms with economic benefits attached to them are seen as being widely acceptable by the government. Therefore, the animals that are harmed in the name of profit are not seen as being victims, as opposed to those harmed without an economic benefit attached to them.

## Conclusion

Overall, then, animals who are harmed in institutional settings, such as the factory farm or slaughterhouse, are less likely to be seen as a victim, than those harmed in non-institutional settings. This is for a number of reasons: firstly, in an institutional setting, there is considerable distance between those the harm is inflicted upon and those inflicting the harm on them. Furthermore, those carrying out the harm are often 'ordinary' people. This fails to meet the criteria for Christie's (2018) 'ideal offender', and therefore those harmed by this person are not seen as being an 'ideal victim', and hence are not readily labelled as victims. Finally, harm and suffering in institutional settings are often tied up with economic benefits, meaning that they are more readily seen as acceptable in a free-market, capitalist society. We have seen, with the example of imprisonment used throughout this chapter, that the same is true for human beings. Human beings subject to harm in institutional settings are less likely to be seen as victims for the same reasons. It is therefore not surprising that this is the case with other animals, who after all, are seen to have a lower social worth than humans. Therefore, animals, and humans, harmed in institutional settings are less likely to be seen as being victims when subjected to harm.

## Conclusion

Now that we have extensively examined the relevant literature, we must return back to our original research question: 'why is it that certain nonhuman animals subject to harm are seen as victims, and others are not?' It seems that there are a multitude of reasons as to why this is the case.

Firstly, as has been extrapolated from Christie's (2018) study of human victims, the worth/status of an animal is key in determining whether an animal is an 'ideal victim'. If an animal is seen as having a high worth by humans and is therefore closer in status to that of a human, they are an 'ideal victim'. Thus, when that particular species of animal is subject to harm, they are seen as being a victim. If, however, the species is assigned a low status, they are a 'non-ideal' victim, and are thus not seen as a victim when harmed. Examples of ideal victims in the UK are often companion animals such as dogs, cats and horses, whereas examples of non-ideal victims are typically those animals reared on farms such as pigs and chickens.

However, as seen from the example given in the introduction, this is not the full story. Sometimes even animals who have a low social worth can still be seen as victims when subject to harm. This is when they are harmed outside of institutional settings. Inside institutional settings, such as in the factory farm or slaughterhouse, they are less likely to be perceived as victims, when subject to the large amounts of harm present in these locations. This is because, in these institutional settings, there is a hierarchical structure present that means that those inflicting harm are far removed from the animals the harm is being inflicted upon. This means that not only is it easier to inflict harm on living beings, but it also means that it is ordinary people physically carrying out this harm. These fit the role of what Christie (2018) terms the 'non-ideal' offender, because they do not fit the stereotypical view of an offender, that being a dangerous outsider. Because 'non-ideal offenders' often create 'non-ideal victims' (Christie, 2018), those animals harmed in institutional settings are often not seen as victims. Furthermore, institutional settings where animals are harmed are also often corporate ones. This means that the harm inflicted on animals is in the name of profit. Because we live in a free-market capitalist society, harm is more acceptable when it is as a result of a corporation

trying to increase its profits. Therefore, in the institutional, corporate setting of the factory farm and slaughterhouse, animals harmed are often not seen as victims.

Species of animals, such as pigs, sheep, cows, chickens and many more animals found on factory farms are not seen as victims when subject to harm for both reasons mentioned above. If animals of low worth are harmed outside the institutional setting of the factory farm, they are likely to be seen as a victim, as is the case with our Introduction example. However, if an animal of high status, such as a cat or dog, is harmed in the institutional setting of a factory farm, they are still likely to be considered a victim, as illustrated in Chapter Three with the example of dog meat consumption in Asia. Therefore, for an animal to be unlikely to be seen as a victim, they must have a low social worth and also be harmed in an institutional setting.

Although I believe this research has been a success in addressing the research question posed in the introduction, there are several ways it could be improved. Firstly, although secondary research can be useful in tackling such a large issue, many of the sources used are now quite outdated. To combat this, in the future, it would be useful to carry out primary research, in the form of ethnography, at a slaughterhouse or factory farm. Furthermore, although Chapter Three has accomplished this to a certain extent, it would be inciteful to research in more detail the differences in treatment of certain species of animals between cultures. This would allow a more accurate picture of what makes a species of animal an 'ideal victim' in specific societies. Finally, this dissertation has mostly focused on the legal, acceptable harm inflicted on animals on the factory farm and in the slaughterhouse. However, there are many other instances where animal abuse is perfectly legally and socially acceptable, and it would be useful for these areas to be included in future research.

Overall, then, animals are less likely to be seen as victims if they have a low social worth in society and are harmed in an institutional setting. This should not be surprising, as it is exactly the same for human beings. This has been illustrated in Chapter Four, with the example of imprisonment, where people are routinely subject to large amounts of harm, but are not seen as victims because they have a low social worth (they are labelled as criminals), and the harm is administered in an institutional setting. Because of this, the acceptable harm against animals should be studied alongside the acceptable harm directed at humans. Society needs to radically change in order to reduce the amount of harm directed at both humans and

animals, especially those harms which are currently seen as acceptable. This is important, because as has been outlined by the non-consequentialist philosophers, the harming of all subjects-of-a-life is immoral. Christie (2018) suggests that ‘fragmented societies with isolated individuals are ideal for creating ideal victims and ideal offenders’ (Christie, 2018: 22). Therefore, maybe if we strived to create a less fragmented, more egalitarian society, all harm against both animals and humans would cease to be acceptable. It is essential for this harm to be addressed in order for us to become a more peaceful society. Because of this, I feel it is important to further explore the harm inflicted on animals in the discipline of criminology. I think this is especially important for the discipline of peacemaking-criminology, because in order to truly achieve a peaceful world, violence against animals must both be studied and opposed in the discipline, as well as the harming of humans. After all, “all oppressions are interconnected: no one creature will be free until all are free” (Adams & Donavon, 1995 in Beirne, 1999: 138).

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