

Global Harms

Ecological Crime
and Speciesism



Ragnhild Sollund
Editor

NOVA

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RAGNHILD SOLLUND
EDITOR

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PREFACE

This book is the result of a deep personal concern about the ways in which human beings exploit the earth's natural resources and other species living on it. The consequences in terms of human and animal suffering are tremendous and are becoming increasingly evident, if we open our eyes. We can no longer morally defend not to do so, and the responsibility rests on each and every one of us, as we all take part in the consumption which implies ecological and speciesist exploitation and degradation.

Despite an increased interest in the topic *Green criminology* over the last years, the fields of ecological crime and speciesism are still far from being established and accepted fields of study within the social sciences, with a few exceptions as the recently established Oxford Centre for Animal Ethics.

This book is an attempt to remedy the lack of literature focusing on "green crime" although through its multidisciplinary approach it also emphasizes the importance of joining forces and to show that different disciplines, such as philosophy, sociology, pedagogy, political science and criminology, as represented by the authors of this anthology, may learn from each others' perspectives and contribute to a greater totality in the knowledge of green crimes. Through the insightful contributions from the authors represented in the volume and the work with this book, my knowledge of different topics of ecological crime and speciesism has expanded. I am very grateful for the cooperation and contributions and welcome readers to learn and enjoy as I did through the process.

I hope this book can be of inspiration for social scientists as well as other academics and practitioners who are urgently challenged to enter or proceed with theoretical and empirical studies in the fields of ecological crime and speciesism. You are needed.

Ragnhild Sollund

Oslo, February 27th.

Chapter 1

INTRODUCTION: TOWARDS A GREENER CRIMINOLOGY

Ragnhild Sollund¹

Norwegian Social Research (NOVA), Norway

The situation of our planet has reached a critical state, observable for all who wants to see and documented in the fourth IPCC report on Climate change from the UN (2007). Extreme weather change and consequently nature catastrophes are only part of this. The process of climate change has become such a challenge that if the agreements made in Bali in December 2007 to cut greenhouse emissions with 50% before 2050 are met, global warming will be limited to two degrees (Celsius) during the twenty-first century – which climatologically still means a tremendous increase in a short time span. This situation has complex causes but humans' consume patterns entailing pollution, destruction of natural habitats through deforestation and massive uses of fossil fuels are central. In this human beings' disrespect for natural resources and other species are hard to discard (White 2002). This is a situation in which critical criminology can play a significant part. Although expanding over the last decade, (e.g. South 1998, South and Beirne 2006 (eds), Beirne and South 2007² (eds), man's crimes against nature and the creatures on the planet can still be regarded as a somewhat neglected field within the social sciences.

The World Conservation Union (IUCN) which produces the red list of 2007 of endangered species states that one in four mammals and one in eight birds are threatened with extinction, while for amphibians this is true for one in three (Boekhout van Solinge chapter 2, this book). Part of this may be caused and facilitated by deforestation. Non human species are also threatened because they are illegally hunted and targeted as objects of illegal trade (e.g. for their fur or perceived medical values, as containers for illegal drugs, as ornaments, for the pet industry, for food, so called 'bushmeat' (Warchol, Zupan, and Clack 2003, Boekhout van Solinge, this book), but also because they are unwanted and thus illegally shot.³ The illegal

¹ E-mail: rso@nova.no.

² See Nigel South 1998 / 2006 for an earlier review of literature related to green criminology.

³ In Norway for example wolves are illegally shot by those opposing their existence, see article by wolf researchers: http://www.okokrim.no/aktuelt_arkiv/miljokrim/magasinet/2005-2-3/page18.html.

wildlife trade is a huge industry: said to exceed five million birds, thirty thousand primates and fifteen million furs per year – a trade of which the economic value is estimated at 1,5 billion US dollars a year and threatening 600 species throughout the world (Halsey 2006: 556).

Before I proceed to the presentation of the chapters of this anthology, I will briefly present some topics involving eco-crime and show how the concepts of green crime, ecological crime, environmental harm and speciesism are understood. Even though these concepts are not necessarily directly outspoken by the authors of this book, they are still the causes for or consequences of actions described in the different chapters.

ECOLOGICAL CRIME (ECO-CRIME), ENVIRONMENTAL HARM, GREEN CRIMINOLOGY AND SPECIESISM

According to the Sage dictionary of criminology (2006), eco-crime has been defined as *'an unauthorized act or omission that violates the law and is therefore subject to criminal prosecution and criminal sanction'* (Walters 2006: 146). These violations again are subdivided into five crimes against the environment including; illegal dumping of domestic waste, trafficking and dumping of toxic waste and nuclear materials, deforestation, environmental pollution and indigenous dislocation; illegal trade in ozone-depleting substances; and illegal trade in and poaching of endangered species. Ecological crime may also be fractions of international conventions with harmful effects on the environment and/or the subjects within it.

A lot of what may be defined as ecological crime takes part in developing countries and may include illegal mining, i.e. mining without permits or in illegally cleared land or in natural areas. The populations of developing countries may furthermore be victims as western states may pay governments to dump their poisonous waste in their territories (South 1998).

Hazardous toxic waste is discovered to constitute corporate, organized crime, both in Europe and in the US. It has been perceived as a new area of entrepreneurialism (Ruggiero 1996). Prosecution and legal claims following hazardous waste may be irresolvable in court, for example due to lack of proofs. The transnational and organized character of illegal dumping⁴ harming populations and eco-systems may thus continue unpunished (South 1998/2006).

Illegal fishing is another example of crimes which can be hard to detect. Furthermore; the fishing itself may be legal, but methods used are not, or the species hunted may be too vulnerable to survive when the numbers of fish that are caught exceeds the quotas due to the use of trawls, or when the fish are too small. Supervision in the seas may also exceed the capacity of the coast guard and leave offenders free from prosecution. The black sea of New Foundland where the cod is completely gone is one example of the consequences of over fishing (Skotholm 2007).

⁴ Illegal dumping is defined as the disposal of solid and hazardous waste in a non-permitted area. Solid (non-hazardous) waste is defined as "any garbage, refuse, sludge from a waste treatment plant, water supply treatment plant, or air pollution control facility and other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities, but does not include solid or dissolved material in domestic sewage." <http://stlcin.missouri.org/cefp/refuse/definition.cfm>

A lot of the eco-crime activities are legal, defended by huge capitalist interests, and may as such be regarded as an inappropriate or too difficult topic to study for criminologists and other social scientists. It should also be noted that in many cases governments may break their own regulations and/or consent to actions involving ecological harm (Day 1991, here in South 2004: 318, Beekhout van Solinge 2nd chapter). This does not only take part in developing countries as the case of Norway may exemplify: Even species which are on the red list of extinction; wolves, bears and lynx, have their natural habitat restricted through government policies and licensed hunting because they form a perceived threat to husbandry. Such activities are indeed harmful to the species themselves, to the individuals of these species and to the environment and the ecosystem, something which may illustrate that a term such as 'environmental harm' extends the definition of eco-crime beyond legal codes to licensed and lawful acts of ecological degradation – by states or corporations (Walters 2006: 147).

As the outcome of acts of environmental harm may be as ecologically disastrous as those which actually infringe the law they may be perceived as equally morally reproachable. Consequently in my perception; the concept of environmental harm may be regarded as a euphemism covering up the effects of the actions it encompasses, as those of large companies whose activities may be legal but still perceived as a crime towards the eco-system and those who depend on it, as indigenous groups and non-human animals. To enhance the consciousness about the serious, negative consequences of environmental harm, I prefer the term ecological crime⁵ even under those circumstances in which it is not a lexically precise definition. It indicates that even actions which may be legal according to the instruments of law should be criminalized if they damage the environment and those within it. Further; one should not neglect the impact of words as constructing a social reality (Searle 1995) and consequently in signalling what is acceptable and unacceptable conduct. By labelling actions as 'crime' it will enhance their character as morally reproachable and consequently lead people to make stronger efforts in avoiding them.

Despite the terrifying effects of ecological crime, the field has basically been left to activists, rather than being included into the research topics of the social sciences. One reason for this lack of interest could be the fact that a lot of this crime is indeed organized, corporate crime. Due to characteristics connected to organized crime which enforce research difficulties it may be overlooked by many criminologists and not be perceived as their domain. For example; at first glance victims may be hard to single out, or the victims are weak and as such unable to speak their case, or they may be 'speechless'. Forests, animals, birds, fish and eco-systems do not complain; they vanish.

The consequences do often not come immediately but eventually, and not directly but indirectly for humans as well as for other victims. Furthermore; in polluting, for example as car drivers and as consumers; we (humans) are all offenders, albeit to different degrees dependent on where we live and the social class to which we belong.

⁵ Barnett (here in Halsey 2006: 558) states as a parallel: that the category 'environmental crime' should be organised around Leopold's edict that "A thing is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise". Halsey says in his criticism of Barnett, that the implication of this is that 'environmental harm in fact', which fall outside the law, will come 'under the jurisdiction of the juridical armature' and he sees this as antithetical to critical criminology's advocates for less, not more state intervention in social, economic and ecological life. He also sees criminalisation as a poor means of reducing a negative behaviour's occurrence (Halsey 2004/2006: 839).

The concept of *green criminology* goes beyond those of ecological crime and environmental harm. According to Walters, *it inspects diverse narratives and disciplines and provides an interface with social movements and green politics*” (2006: 147). With its multidisciplinary approaches to various fields of study, this book provides an example, which leads to the other main topic of this book; that of *speciesism*.

Speciesism is defined as “ (...) a prejudice or biased attitude favouring the interests of the members of one’s own species against those of members of other species” (Cazaux and Beirne 2006; 11). There are however other definitions of speciesism which go further than just to define it as a prejudice and attitudes (See Pedersen chapter 8, this book). The definition of Cazaux and Beirne may seem inadequate as it seems to insufficiently acknowledge that prejudice is indeed turned into action with more direct results than what a prejudice alone may entail. Consequently a definition of speciesism must also include dimensions of both ideology and discourse as well as of social arrangements, institutions, practices and relations which lead to animal abuse (See Pedersen chapter 8, and cfr, Gålmark, chapter 6, Sollund, chapter 7, and Svärd, chapter 10). As with other ‘isms’ like racism and sexism, the main tool of discrimination rests on power, domination and subordination of others.

Speciesist activities entailing *animal abuse*; in which an animal suffers pain, premature death and psychological, physical and emotional distress (Cazaux and Beirne 2006:10), are only in rare cases defined as crime. In fact; animal legislation legitimates animal abuse (Beirne 1999, Cazaux 1999), as pain may be determined to be not ‘unnecessary’ or ‘not extensively’, as in the Norwegian animal welfare legislation. Most societies “depend” on such activities, for example for meat production, for animal experimentation for the purpose the production of consumer goods like makeup, and for (unnecessary) clothing, for example fur. Even green movements and education systems play a part in what may be defined as harmful speciesist activities as their activities have the harms of sentient beings as a consequence (Pedersen chapter 8 and Svärd, chapter 10).

Ecological crime and speciesism are large interwoven fields which should be expanded and in this brief introduction it has only been possible to mention a few of the topics of green criminology. It should be noted however that activities implying ecological crime and speciesism may take place simultaneously and be interlinked, and the one may depend on the other. One example is when crimes of deforestation may entail illegal wildlife trade and thus speciesism. Another example is when factory farming entails logging and damage to ecosystems in order to produce feeds for the animals.

The chapters in this anthology cover a range of topics, and underline that ecological crime and speciesism are different sides of the same coin, with common causes. In this humans are in the centre, as is their enlightened self-interest. The fact that every year 50 billion animals are killed in the meat industry exemplifies this.⁶ This consume pattern has not only direct consequences for the animals involved, but also indirect consequences for the environment. This anthropocentric perspective is criticized by several of the authors, and this criticism implies that humans, non-human animals and the planet on which we depend comprise an interdependent totality. This criticism can be seen in light of Rob White’s argument for a more ecocentric point of view in which the relationship between humans and

⁶ Farmed Animal Watch, Statistics: Global Animal Welfare Slaughter. <http://www.farmedanimal.net/Newsletters/Newsletters68v2.htm>

the environment must include consideration for humans' impact on the environment beyond human settlement (2007: 44).

INTRODUCING THE CHAPTERS

Tim Boekhout van Solinge does in the second chapter; *Crime, Conflicts and Ecology in Africa*, address the ecological crime of deforestation, more specifically the issue of 'conflict timber', timber trade used to fund and facilitate armed conflicts. While the topic of 'blood diamonds' has become known in the case of Sierra Leone, most people are unaware of the problems related to 'conflict timber' in Liberia. In 1997 rebel leader Charles Taylor was elected president in Liberia and in 2000 the law was changed in order to allow him full use of Liberia's natural resources. Although now legal, several of the businessmen involved in the timber trade were according to Boekhout van Solinge illegal entrepreneurs with experience in transnational crime. This emphasizes that ecological crime may be organized in nature, and even though it as such may be hard to investigate and prosecute, in the case of Liberia one of these agents; Gus van Kouwenhoven has been put to trial in the Netherlands. Half of Liberia's rainforest disappeared in five years. The destruction of rainforest has facilitated another ecological crime, the hunt and trade in so-called bush meat. As the logging proceeds roads are constructed to facilitate the transport of timber – roads which provide hunters with easy access to spots in the forests which were earlier inaccessible, and consequently to animals who used to find protection in the forest. Wars lead to a higher demand on bush meat and serious decrease in wild life. One example is the chimpanzee. Twenty years ago the numbers of chimpanzees in Sierra Leone were estimated to 20-30 000. Now they are decimated. As Boekhout van Solinge says:

'The forests had already decreased in size due to logging, but the war and the presence of armed groups only increased the already existing demand for the bushmeat.'

Consumer culture is a key element in the third chapter; Criminal Degradations of Consumer Culture by Martin O'Brien. He explores some of the degrading consequences of the ecological crimes related to the consumption of prawns by taking a *social harm-approach*. By using the case of the disastrous deaths of cocklepickers in Morecombe Bay in UK, he raises the criminological problem of agency, in which even consumers may be perceived as part of the crime, as if it were not for the consumers, the cocklepickers would not have been (illegally) trafficked and contracted, and consequently would not have drowned. He shows that prawn farming has direct harmful effects on victims who happen to live on land to be exploited for prawn farming, but also that this farming was indeed ignited by the provision of loans and credit arrangements by Western governments, the IMF and the World Bank. The farming also has serious damaging (and polluting) consequences for the mangrove swamps and a range of indigenous species, as well as for indigenous groups. O'Brien says:

'This story of murder, abuse, exploitation, theft and environmental destruction is a tale about the ordinary operations of an industry supplying a consumer good to the developed world.'

In chapter four; The Land of the Orangutan and the Bird of Paradise Under Threat, Tim Boekhout van Solinge takes us to Indonesia and shows how the trade of wild-life, particularly the threatened Orangutan, is tightly connected to and facilitated by the legal as well as the illegal logging industry. Using the British explorer, geographer and biologist Alfred Wallace's work as a starting point, Boekhout van Solinge addresses the issue of deforestation in Indonesia, and its causes and effects on wildlife. The history of deforestation in Indonesia is not new. It started in the seventeenth century with the arrival of the Europeans and the Chinese and has had serious consequences for the wildlife; already in 1941 the Javanese tiger was almost extinct. From about 1996 the deforestation rate has increased to about 20 000 km² a year, half the size of Netherlands. Despite the destructive and disastrous panorama sketched out in Boekhout van Solinge's chapter, the history of the Bird of paradise shows that there may still be hope. The bird was for decades hunted and killed for its feathers, but the hunt eventually stopped and led to the establishment of the Society for the Protection of Birds in Great Britain and from 1896 to the organization of the modern Audubon Societies – precursors of today's conservation organizations. The salvation of the Bird of paradise can, according to Boekhout van Solinge, serve as an example for conserving species like the tiger, the orangutan and many more. The greatest threat today however, is not illegal hunting but deforestation depriving the various threatened species in Indonesia of their habitats. Boekhout van Solinge thus calls for an increased awareness of the consequences of the trade of paper from Sumatra, merbau timber from Papua and meranti from Borneo.

Boekhout Van Solinge's chapters clearly show that different aspects of ecological crime, such as deforestation and speciesism are interwoven and that parallel catastrophes are taking part in different parts of the globe

In the fifth chapter; Imaginery Spaces and Real Relations, Simon Hallsworth shows how humans by producing an image of ourselves as "good" in our relations to non human animals can continue our condemnable activities towards them. For the purpose of examining the imaginary spaces in which we locate non human species, he proposes a classification system divided into five categories; a) the animals of the household, b) the animals of the farmyard, c) the animals of the wild, d) the animals of the laboratory and e) the animals who (by not being where we think they ought to be) are classified as vermin. The feelings we have towards the animals in these different zones vary from deep affection to fear and indifference. In all these zones humans' power over the non human animals takes different abusive forms. For example; the love of the pet owner may vanish if the pet breaks the terms of the social contract as defined by the owner, and his love may turn into the indifference of the executioner. The "wild animals" are institutionalized in zoos for our entertainment disregarding the animals' needs. By keeping alive images of husbandry as taking place in a "pastoral world, suitably anti-urban and resolutely premodern" we can keep imagining that animals of "the farmyard" are indeed so, and not animals kept in industrial complexes where no natural needs are fulfilled, and where mutilations are common as is the case with the turkeys. Hallsworth says:

'Producing and sustaining the imaginary is an act both of social and individual self-production and reproduction. It is not just that the imaginary relation has to be maintained in general, it has to be maintained in the face of major rents that act to expose it for what it is and which work to demonstrate its lie by exposing the imaginary as no more than an ideological façade.'

In the sixth chapter by Lisa Gålmark; Aristotle Revisited: Anthro-Androcentrism and Meat Normativity, the author takes us through history back to Aristotle as the person who, if not the root cause, was the one legitimating, and an influencing mediator, not only for sexism and racism, but also for speciesism. By taking a feminist perspective Gålmark shows how these different sides of oppression are interlinked, and how the industrialization of husbandry paved the ground also for human slavery and for the holocaust. With regards to the non-human animals Aristotle has contributed to legitimate the hyper exploitation of them; the strategy of evading human responsibility for oppressive policies towards both human and animals by assuming these policies to be acts of predestined nature rather than acts of preventable culture. Hyper exploitation presupposes what Gålmark defines as *meat normativity*, that is the:

‘Institutions, structures, relations and acts upholding the norm of other animals as objects for humans to use in whatever way found appropriate, especially in the production and consumption of everyday ‘meat’: meat thus being presented as the natural, indispensable and normal protein food for humans. The symbol and real result not only of traditional elite, male power, but also of civilization’ (...)

Both Gålmark and Hallsworth draw a parallel between the abuse of animals in industrial complexes and the abuse of humans in systems such as Guantanamo bay.

In the seventh chapter by Ragnhild Sollund; Causes for Speciesism: Difference, Distance and Denial, the author shows the consequences of speciesism by giving examples of the treatment of animals in fur-and factory farming and animal experimentation. The causes for this systemic animal abuse; such as interspecies-difference, language as concealment for the true character of atrocities performed, cultural legitimacy and physical and social distance are then discussed. Like in the case of Gålmark and parallel to O’Brien’s perspective of consumerism as (one of the causes for) the prawn farming, capitalist consumption is seen as one of the causes for speciesism, as are industrialization, bureaucratization and alienation. The treatment of animals is further discussed in the light of Stan Cohen’s (2001) theory of denial. The chapter concludes supporting Tom Regan’s (2007) challenge that vivisection should be accorded the same status in the legal apparatus as violence towards humans, along with other systemic animal abuse.

Helena Pedersen introduces the eighth chapter; Learning to Measure the Value of Life? Animal Experimentation, Pedagogy, and (Eco)feminist Critique, with a theoretical account of (eco)feminist critique raised against animal experimentation-based science, in which she situates animal experimentation within a larger framework of social and environmental injustice and harm. As Hallsworth, Pedersen finds that there are different categories of animals which “merit” different degrees of empathy and value. Much like certain categories of humans who (without their informed consent) have been used in medical research ostensibly for the “common good”, “lab animals” are seen as accessible research instruments rather than as subjects with intrinsic value. Pedersen has investigated the role of formal education in reproducing strategies that position animals as “legitimate” objects of invasive research practices. She has done an ethnographic study of animal experimentation as an education activity in which three different settings are discussed: the classroom; the school “mouse lab”, and the animal research institution, all in Sweden. Through presentation of field note excerpts she shows how students are socialized and motivated into accepting animal

experimentation as “natural” as the animals used are constructed as a specific category; the “lab animal”. However, this boundary between “lab animals” and other animals (e.g. pets) frequently gives rise to contradictions and ethical dilemmas. These are handled in the classroom by explanations and strategies, often *co-produced* by students and teachers, that facilitate transition into the view of the “lab animal” as a research tool.

In the ninth chapter; The Dog That Could Not Bark, Svetlana Stephenson examines how even the animals in the category we tend to think are accorded a value in their own capacity of being companion animals, are in fact also subjects to death if humans for some reason have given them up, as suggested by Hallsworth. Stephenson’s case study is an animal shelter in California. Dogs and other animals that are taken into the shelter are thus ‘euthanized’ if they fail to apply to the rules of conduct set by humans. So-called ‘temperament tests’ were designed to weed out all kinds of ‘misfits’ – nervous, fearful, aggressive, passive, territorial, untrained or unsociable dogs were killed. However many of the animals brought to the shelter were killed directly without formal testing. About half of the animals brought to the shelters in US are in fact killed. Stephenson thus concludes:

‘Decisions about the pets’ way of life, and even more importantly, their way of death, are being removed from the owners. This is done both through compulsion (licensing laws, animal welfare legislation etc.) and through deception and seduction, through promises of easy solutions to moral conundrums. Misleading people into believing that their pets are being taken care of increases the circle of use and disposal of animals as it liberates owners of personal responsibility. It eases the transition of the animal “family members” from human homes where they could rely on some care to the murderous clutches of institutions.’

Topically related is the tenth chapter by Per-Anders Svärd; Protecting the Animals?

An Abolitionist Critique of Animal Welfarism and Green Ideology. He takes issue with two discourses of the human-animal relationship which he perceives as important vehicles for the social production and naturalization of speciesism; *Animal welfarism* and *Green ideology*. Drawing on post-structuralist and post-Marxist theory, Svärd claims that rather than protecting animals, animal welfarism serves to perpetuate the property status of animals while at the same time legitimating this status by conveying to the general public that animals are well cared of. In so doing nonhuman exploitation is made more palatable from the perspective of the consumers. Consequently; after the introduction of welfarist reforms the exploitation of non-human animals has steadily increased. What Svärd calls green speciesism entails that animals are not accorded rights as individuals, only as members of a specie. Through discourse theory Svärd shows that;

‘Reflecting the human-centricity of the times of its inception, the discourse of animal welfarism came to be articulated around nodal points such as ‘humanness’ and ‘protection’ – stressing human moral responsibility, but still retaining the traditional view that nonhumans exist as raw-materials for humans to use.’

Svärd further maintains that animal welfarism and Green speciesism contribute to oppressive practices through the five faces of oppression; *exploitation, violence, powerlessness, cultural imperialism and marginalization*, and concludes with the great challenge that: (...) *ending animal oppression means nothing short of completely reinventing ourselves*”.

Some themes are central in the chapters. The first is power: Natural resources and non human animals are used and exploited it appears; simply because we can, with an exceptional disregard for the consequences for the ecosystem and individuals who suffer from it. The chapters of Boekhout van Solinge and O'Brien show that ecosystems and wildlife do not have sufficient protection through the legal system. Natural resources are regarded as financial sources vulnerable to exploitation by unscrupulous people, rather than as the common property of *all* of our earth's inhabitants. A reason why this is done is connected to a second theme, that of consumerism, greed and capitalism which harms not only the ecosystem, but also the humans and non-human animals dependent on it. Consequently ecological crime must be more seriously addressed through international instruments like the UN. UN soldiers are set in to protect human beings in the case of conflict. Maybe it is time UN soldiers be applied to protect forest and wildlife as well.

A third theme which is particularly relevant in the chapters related to speciesism is that of property. Humans regard non human animals as their property and consequently they are not accorded basic rights, as the right to a life without suffering and premature death. Without individual rights, the animals have no legislative protection and no protection within the judicial system. Consequently; systemic animal abuse is not defined as crime, as exemplified by Pedersen, Gålmark, Stephenson, Hallsworth, Svård and Sollund.

In the eleventh and concluding chapter; Nature, Difference and the Rejection of Harm: Expanding the Agenda for a Green Criminology, Nigel South emphasizes the impact the social sciences can have in reshaping intellectual and research agendas in the area of green thinking. He argues that criminology should take 'harm' as a central concept and address violations of environmental morality and animal rights. In so doing we cannot discard the roles societies, corporations and governments play in damaging our shared environment. Four clusters of harm are identified in this typology of harm: 1; Harms and crimes of air pollution, 2; Harms and crimes of deforestation, 3; Harms and crimes of species decline and animal abuse, 4; Harms and crimes of water pollution and resource depletion. South further argues that green criminology has the potential to:

'provide not only a different way of examining and making sense of various forms of harm and crime, responses and controls, but can also make explicable much wider connections that are not generally well understood.'

South sees as Pedersen (chapter 8), the exploitation of bodies (human and animal) and of nature as the intersection of the politics of gender, race and class.

I started the introduction by referring to the state of the planet. A reason why it got so far is related to humans' ability to deny uncomfortable truths. Stan Cohen says:

'One common thread runs through the many different stories of denial: people, organizations, governments or whole societies are presented with information that is too disturbing, threatening or anomalous to be fully absorbed or openly acknowledged' (Cohen 2001:1).

With regards to green crimes, Rob White sees

'(...) denial is ingrained in the hegemonic dominance of anthropocentric, and specifically capitalist, conceptions of the relationship between human beings and nature.

A reason for this is the expectations people hold world wide of economic growth and commodity production, which unfortunately is not perceived as the source of the problem by most people (White 2002: 83).

The results of capitalist interests and consumerism in which we all take part, can no longer be denied. However collusion and cover up by capitalist and even state interests have long contributed to and facilitated denial. Senator Inhofe said for example in a speech on the Senate floor on July 28, 2003, 'Much of the debate over global warming is predicated on fear, rather than science. I called the threat of catastrophic global warming the 'greatest hoax ever perpetrated on the American people.' (<http://www.realclimate.org/index.php?p=97>

Large corporations support organizations which deny global warming and humans' impact on the environment claiming that the fight against climate change is a conspiracy by the UN to break the American economy (Dessau 2004).

Neither can we continue to overlook the sufferings of our fellow beings. I argue that we should all aim at an ecological consciousness which can bring ecological justice entailing a responsibility for generations to come and that we ought to extend our moral community to include non-human nature and species (White 2007). We need to carefully assess the impact of human activity and start remedying it. Time is over due.

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Chapter 2

CRIME, CONFLICTS AND ECOLOGY IN AFRICA

Tim Boekhout van Solinge¹

Willem Pompe Institute, Utrecht University
The Netherlands

ABSTRACT

This chapter addresses the relationships between conflicts and ecology in Africa, the world's most war-hit continent. It explores in particular the question of deforestation of some of Africa's conflict zones, through logging or mining, and its consequences for wildlife. Several African conflicts are funded by the exploitation of natural resources such as oil, diamonds, timber and minerals. This chapter shows how in Sierra Leone, diamonds were used to fund the civil conflict. In neighboring Liberia, the timber trade was used to fund and smuggle weapons to Sierra Leone. While today's emphasis in policy making is on preventing illegal logging, the example of 'legal' logging practices in Liberia shows that stricter criteria are actually needed. Logging practices in Africa are also linked to the growing supply of 'bushmeat' on markets, which includes endangered animals such as chimpanzees. Besides diamond and timber extraction, other types of resource exploitation are being discussed as well, such as the mining for cobalt and coltan, which threatens gorilla habitat in Eastern Congo. It shows that global industries are now directly linked to the survival, or threat, of animal species such as the great apes. As a consequence, the exploitation of natural resources in Africa, which often goes hand in hand with armed conflicts and threats to Africa's wildlife and biodiversity, cannot be stopped unless the demand for natural resources can be dwindled, better regulated, and preferably be based on criteria of conservation and sustainability.

INTRODUCTION

Many of the logging practices in the tropical forests are illegal. In some vulnerable regions such as the Amazon, Central Africa and South East Asia, it seems likely that at least half of all the logging activities are illegal (Brack 2002: 145). In some tropical source

¹ Email: t.boekhoutvansolinge@law.uu.nl.

countries, this is even true for 50%-90% of the logging practices (Oldfield 2005: 124). This means that much of the tropical timber available on the European or North American markets (which is mostly uncertified), is of illegal origin. In most cases, illegal logging refers to illegal logging practices: logging without permits, such as outside concession boundaries or in protected forests such as national parks.

Illegal logging and tropical deforestation are getting increasing attention by NGO's, governments and international organisations and are being recognised as problematic. The dominant strategy chosen so far internationally is to develop plans to only allow legal timber imports. The EU for example, develops such a policy through its Forest Law Enforcement, Governance and Trade Plan: FLEGT. The idea of FLEGT, which could start within a few years, is to only allow timber that is proven legal. All illegal imports would consequently be banned. The emphasis on legality in current forest law enforcement, shields away attention from legal logging practices that are environmentally harmful and that are possibly related to other forms of crime. Legal logging practices may be respecting certain laws and regulations, this does not exclude the fact that they can be equally destructive and as harmful as illegal logging.

A type of timber trade much less known than illegal timber, is "conflict timber", timber trade being used to fund and facilitate armed conflicts. This chapter aims to fill this gap, and describes how the trade in Liberian conflict timber prolonged conflicts in West Africa. As this trade was legal, it is another and even more shattering example of the legal environmental harm, as discussed by Halsey and White (1998) with regard to clearfelling old-growth forests.

The first purpose of this chapter is therefore to address the issue of conflict timber. Unlike the so-called "blood diamonds" such as from Sierra Leone, conflict timber does not (yet) get much attention internationally, nor are many measures taken internationally to curb it. In the case of Liberia, a unique West African forest was halved in size in five years time. Despite NGO's calls for timber boycotts, the trade in Liberian conflict timber continued until 2003.

A second purpose of this chapter is to explore the consequences of tropical deforestation and resource exploitation, in particular to some of Africa's wildlife such as the great apes. Logging roads, legal or illegal, facilitate poaching. In Africa, this has led to much "bushmeat" being available on the market, which increasingly threatens many already endangered animals, including great apes such as chimpanzees. Another type of deforestation, mining, can also threaten ecosystems and wildlife. Some unexpected examples of harm to environment and wildlife will be presented, such as the potential threat of increased mobile phone use to gorilla habitats in Eastern Congo. The various types of resource exploitation discussed in this chapter mostly concern legal practices, but many are linked to illegal activities as well. It shows how the arms, diamond, timber, and electronics trades are related in today's global world. It also shows the extent to which legal and illegal economies are intertwined.

The order of this chapter is as follows. It will start by looking more closely at a much known example of resource exploitation being related to armed conflicts: blood diamonds from Sierra Leone. The following sections will analyse some relationships between the arms and timber trade, as well as explore the consequences of resource exploitation such as logging and mining for African wildlife and biodiversity. The two sections before the conclusion discuss the questions of social and ecological harm in relationship to deforestation in Africa and ecological justice, including a discussion on eco-crime and green criminology.

BLOOD DIAMONDS FROM SIERRA LEONE

Over the last few decades, most armed conflicts around the world have taken place in Africa. Moisés Naím (2007:55) wrote in *Illicit* that since the end of the Cold War, “separatist insurrection and small-to-medium-scale regional wars have become the norm. By and large, African conflicts lead the pack in number and duration”. The abundant availability of natural resources make many African conflicts continue. Angola for example, where civil war lasted for twenty-seven years since independence from Portugal in 1975, natural resources kept the conflict alive. While the government relied largely on oil for funding the conflict, rebel group Unita funded its struggle with diamonds. There is even evidence, especially for African countries, that an abundance of natural resources is by far the most single most important factor in determining whether a country experiences civil war (Collier and Hoeffler 1998, 2002).

Many conflicts endure because of the presence of natural resources such as gold, diamonds, minerals, timber and, in some cases, wild animals as well. That several conflicts in Africa are funded with the revenues of diamonds has become generally known, especially since the Hollywood film *Blood Diamond* (2006) with Leonardo DiCaprio. The term “blood diamonds” was first used by an UN Expert Panel on the conflict in the Congo — a largely forgotten war in which some four million people died, the largest human loss since WWII. Because nine African countries were involved in the conflict that lasted until 2003, it is sometimes referred to as the “African World War”. The abundant presence of natural resources in the Congo was the main reason for all these countries were involved; their exploitation kept the conflict alive.

The many armed conflicts on the African continent have become one of the greatest threats to development. In 2007, a report by NGO's showed that 23 African countries had been in conflict in the period 1990-2005. Over this fifteen year period, wars cost Africa around \$300 billion, which on average cost African economies \$18 billion a year. The costs of conflict were estimated to equal the amount of money received in aid during the same period. The report shows that an estimated 95% of the most commonly used conflict weapons come from outside the continent. “The most common weapon is the Kalashnikov assault rifle, the most well-known type being the AK-47, almost none of which are made in Africa”. For the ammunition, the same is true: most is imported from outside Africa. The report stated that “Many African governments feel let down by the international community. They know that the arms trade is globalised, and that national or regional regulations, although absolutely vital, are not enough” (IANSA et al. 2007: 3- 4).

The preface of the report on the arms trade to Africa was written by President of Liberia Ellen Johnson-Sirleaf. In 2006, she became the first elected female head of State in Africa. The 66 year old Harvard-trained president was minister of justice before and she appointed women at several important executive positions, including the chief of police. In 2007, at the report's presentation, she told BBC that “the proliferation of weapons is a key driver in armed conflicts. We need to restrict the supply of guns to African conflict zones and an arms treaty is a vital way to do this”. President Johnson-Sirleaf knew what she talked about, as her country recovered from fifteen years of armed conflict. An important reason why the conflict in Liberia lasted, was that arms were being bought with the revenues of the natural resources

diamonds and timber. While most of the timber came from Liberia, many diamonds originated from Sierra Leone.

The Sierra Leone civil war (1991-2002) cost an estimated 50,000 people their life and many other thousands of civilians, mostly children and teenagers, a future without hands or feet. The rebels of the Revolutionary United Front (RUF) had developed a notorious reputation for mass rape and especially mutilations, with their trademark being to hack off the hands of their victims. Around 2000, after the peace agreement between government and rebels, the UN intervened with 17,000 troops at the time the largest UN peace keeping force to disarm tens of thousands of rebels and militia fighters. In the process, several UN forces were being abducted by rebels in Eastern Sierra Leone, near Liberia.

An important reason why it took so long before peace could be established in Sierra Leone, was that the RUF rebels continued being armed, despite UN disarmament efforts. As diamonds mines were found in rebel controlled areas, the RUF was able to buy weapons from the proceeds of diamonds. In order to stop the diamonds for weapons trade, the UN Security Council imposed a diamond embargo against Sierra Leone in July 2000. Diamond exports however seemed to continue, which undermined the Sierra Leone peace process. The UN Security Council therefore created an Expert Panel, which presented its report in December 2000.

The Sierra Leone Expert Panel found that diamonds had become the major source of income for the RUF rebels. They were being exported through neighbouring countries, mostly Liberia (UNSC 2000: 18-19). In its Report, the Sierra Leone Expert Panel made no doubt about the involvement of Liberian government officials. It described Liberian President Charles Taylor as being actively involved in fuelling the violence in Sierra Leone. Liberia had become a trans-shipment platform for arms to the RUF rebels, with the direct involvement of President Taylor:

“He and a small coterie of officials and private businessmen around him are in control of a covert sanctions-busting apparatus that includes international criminal activity and the arming of the RUF in Sierra Leone. (...) The sanctions-busting is fed by the smuggling of diamonds and natural resources in both Liberia and areas under rebel control in Sierra Leone” (UNSC 2000: 36).

The weapons were brought in from much further, mostly from Eastern Europe. The businessmen close to Taylor supplying the weaponry, the Report noted, operated on an international scale. One important arms supplier to Liberia was the known international arms trader Victor Bout — in law enforcement circles generally known as Victor B. because he uses at least five aliases and different versions of his last name (UNSC 2000: 39). “He overseas a complex network of over fifty planes and multiple cargo charter and freight-forwarding companies, many of which are involved in illicit cargo” (UNSC 2000: 11). The Sierra Leone Expert Panel only focused on a limited number of individuals, but stated that there were “many more examples of the significant presence of criminal organisations in the region” (UNSC 2000 37). The West African diamond trade was dominated by Lebanese businessmen, one of whom played a crucial role in the diamonds for weapons trade:

“A key individual is a wealthy individual named Talal El Ndine. El Ndine is the inner-circle’s paymaster. Liberians fighting in Sierra Leone alongside the RUF, and those bringing

diamonds out of Sierra Leone are paid by him personally. Arms shippers and brokers negotiate their payments in his office in Old Road, Monrovia. (...) The pilots and crew of the aircraft used for clandestine shipments into or out of Liberia are also paid by El-Ndine. They are mostly of Russian or Ukrainian nationality” (UNSC 2000: 37).

Many of the weapons were also coming from Eastern Europe. Some came from Ukraine through Burkina Faso or Niger and were flown into Liberia by a BAC-111, owned by Leonid Minin, an Israeli businessman of Ukrainian origin and known arms trafficker. The weapons are likely to have ended in up in the hands of the RUF rebels in Sierra Leone (UNSC 2000: 36-37). Leonid Minin was described as another key person.

“Minin was, and may remain, a confidant and business partner of Liberian President Charles Taylor. He is identified in the police records of several countries and has a history of involvement in criminal activities ranging from east European organized crime, trafficking in stolen works of art, illegal possession of arms, arms trafficking and money laundering. Minin uses several aliases. He has been refused entry in many countries, including Ukraine, and travels with many different passports. Minin offered the aircraft mentioned above for sale to Taylor, as a Presidential jet, and for a period between 1998 and 1999 it was used for this purpose. It was also used to transport arms” (UNSC 2000: 36).

Based on the recommendations of the Sierra Leone Export Panel Report, the UN Security Council imposed a diamond embargo on Liberia in 2001. The UN Security Council did not follow the Expert Panel’s recommendation to also install a timber embargo against Liberia.

LIBERIAN TAYLOR-MADE TIMBER

Liberia had been in two civil wars, from 1989-1996 and from 1999-2003. Charles Taylor, one of the prominent rebel leaders and war lords of the first conflict, was elected President in 1997. After the 2001 UN Security Council ban on Liberian diamond exports, timber exports became the country’s main source of income. In 2000, the law was changed in order to allow Taylor full use of Liberia’s natural resources. The Strategic Commodities Act gave Taylor official stranglehold “to execute, negotiate and conclude all commercial contracts or agreements (...) for the exploitation of the strategic commodities of the Republic of Liberia” (Global Witness 2001). The Sierra Leone Export Panel Report described relationships between the timber and arms trade: “The principals in Liberia’s timber industry are involved in a variety of illicit activities, and large amounts of the proceeds are used to pay for extra-budgetary activities, including the acquisition of weapons” (UNSC 2000: 13).

Charles Taylor’s main business partner, the earlier mentioned arms trader Leonid Minin, was the owner of the Exotic Tropical Timber Enterprise (ETTE). In the UN Expert Panel Report, Minin is mentioned as one of the two individuals of Taylor’s circle being particularly connected to the timber trade. The other mentioned individual is Guus Kouwenhoven, a Dutchman who started a hotel and gambling business in Liberia in the 1980s. “Minin and Kouwenhoven are the people who are linked to Liberia’s timber industry, thus providing a large amount of unrecorded extrabudgetary income to President Taylor for unspecified purposes. Three companies are involved: Exotic Tropical Timber Enterprise (ETTE), Forum Liberia and the Indonesian-owned Oriental Timber Company” (OTC) (UNSC 2000: 37).

It was Kouwenhoven who had brought OTC from Asia to Liberia in the late 1990s and became its chairman. OTC became the largest logging company and largest single foreign investor in Liberia. Kouwenhoven also became managing director of the second largest logging company, the Royal Timber Corporation (RTC). Guus Kouwenhoven, locally known as Gus Van Kouwenhoven or “Mr Gus”, was attributed an important logistical role in the arms smuggling from Liberia into Sierra Leone in the report to the Security Council:

“Van Kouwenhoven is responsible for the logistical aspects of many of the arms deals. Through his interests in a Malaysian timber project in Liberia, he organises the transfer of weaponry from Monrovia to Sierra Leone. Roads built and maintained for timber contraction are also conveniently used for weapons movement within Liberia, and for the onward shipment of weapons to Sierra Leone” (UNSC 2000: 37).

Kouwenhoven was member of the Liberian Forestry Development Authority (FDA), the governmental agency responsible for monitoring the logging industry. Talal El-Ndine, the Lebanese businessman financing the diamond smuggling, was also member of the FDA. President Charles Taylor’s brother, D. Robert Taylor, was the FDA’s Managing Director (Beaumont 2001). The FDA ensured that the logging practices and timber exports were legal. Another member of Taylor’s inner-circle was Simon Rosenblum, an Israeli based in Ivory Coast and carrying a Liberian diplomatic passport. “He has logging and road construction interests in Liberia and his trucks have been used to carry weapons from Robertfield, Liberia to the border with Sierra Leone” (UNSC 2000: 37).

As the timber for arms trade was growing, NGO’s continued lobbying and protesting. In the spring of 2002, during the UN Convention on Biological Diversity (BCD) in The Hague, OTC timber from Liberia was targeted by environmental activists in several European countries. In some harbours, ships carrying OTC timber were entered by activists. However, as OTC’s timber was legally logged and exported, imports into Europe could no be stopped. Dutch timber trader Kouwenhoven made a fortune with the timber trade. In October 2002, multimillionaire Kouwenhoven showed up in the Dutch press. Although on an international travel ban, timber trader Kouwenhoven had entered the ranks of the 500 wealthiest Dutch, the so-called “Quote 500”.

A year before, in 2001, Greenpeace activists had put red paint on OTC timber in the Amsterdam timber harbour, representing the bleeding to death of ancient forests. In the same period, Greenpeace Spain published a report in which it stated Liberia’s rainforests were in the hands of war lords. It criticised Spanish businessmen for being involved in the timber and arms trade by doing business with Leonid Minin’s timber company ETTE, through Spanish-owned timber companies in Liberia (Greenpeace 2001). The Greenpeace report also makes mention of timber for arms trade dating back from the 1990s, when “France supplied arms to the NPFL (Charles Taylor’s armed faction) in exchange for timber” (Greenpeace 2001: 10). Greenpeace subsequently asked for a total boycott of Liberian timber.

In December 2000, the UN’s Expert Panel on Sierra Leone recommended to the Security Council “placing a temporary embargo on Liberian timber exports, until Liberia demonstrates convincingly that it is no longer involved in the trafficking of arms to, or diamonds from, Sierra Leone” (UNSC 2000: 13). In May 2001 however, the UN Security Council decided to only impose diamond sanctions against Liberia, not timber sanctions. France and China, both permanent members of the UN Security Council, as well as the main importers of Liberian

timber, opposed timber sanction, arguing there was not enough evidence to link it to regional conflicts.

The Security Council decision was reported by journalist Peter Beaumont (2000) of *The Observer*: “The trade in timber—to the exasperation of Britain and the United States— was exempted at the insistence of France, which imports up to a third of it”. “The new UN sanctions regime is utterly pointless,” complained a European diplomat to him, “while Taylor is still able to keep exporting timber and bringing in guns.” Beaumont also went to Liberia and learned that the Liberian timber trade was a “business run with military precision.” He was told that timber baron Kouwenhoven became Charles Taylor most important business ally. The port of Buchanan has actually been handed over to the Oriental Timber Company, to run as its private city. The 108-mile dirt road from Buchanan to Greenville was upgraded to a four-lane highway, allowing logging to continue every day of the year. A businessman familiar with Taylor's business told Beaumont: “Look, it is an open secret. Gus fronted Taylor up \$5 million for his logging concessions. They split the profits. Gus' ships take out the logs and they bring in the guns. It was the same deal with the diamonds” (Beaumont 2000).

NGO's did not stop lobbying. Two months after the UN Security Council decision to not install timber sanctions against Liberia, Global Witness director Patrick Alley declared having specific examples of logging ships arriving in Liberia, unloading arms, such as from China, and loading up with logs. “The logging industry clearly has to make a profit, but we think that a major part of that money goes into funding regional conflicts — you can buy a lot of guns with \$100 million” (Aloisi 2001). In the same year, 2001, the term “conflict timber” was first used by a UN Panel of Experts, investigating the illegal exploitation of natural resources in the Democratic Republic of Congo (DRC). In March 2002, Global Witness (2002) issued a report on conflict timber around the world, *Logs of War*, and asked again for an international boycott of Liberian timber.

It took more than another year, until July 2003, before the UN Security Council introduced timber sanctions against Liberia. The reasons for the sanctions were not ecological (the rapid disappearance of Liberia's rainforest), but political and military. One month after the timber sanctions, in August 2003, Charles Taylor resigned after international pressure. He fled the country and found asylum in Nigeria. Shortly after, a peace treaty was signed in Liberia, which ended fourteen years of conflicts in which 25,000 people had been killed. An international warrant was issued for Taylor's arrest, who was handed over to the UN Special Court for Sierra Leone (SCSL), created in 2002. Originally, the first person to be tried by the Special Court for Sierra Leone would be RUF leader Foday Sankoh, but he died from a stroke while awaiting his trial in 2003. Charles Taylor will therefore be the first prominent person to be tried by the SCSL, in 2008. He is charged with war crimes and crimes against humanity for having created and backed the RUF rebels during the Sierra Leon war.

Leonid Minin was arrested in Italy, in 2001, in a room of his own Hotel Europa near Milan, in the company of four prostitutes. Twenty grams of cocaine were found as well, and \$150,000 in cash and more than half a million in diamonds. There was also a cache of 1,500 documents detailing Minin's dealings in oil, timber, gems and guns. Minin was convicted to two years in prison for the drug offence (Traynor 2001). Italian prosecutors then accused him of dealing in conflict diamonds and timber, but the Italian court found it had no jurisdiction, since the illegal shipments did not pass through Italy. Minin was only fined (\$51,000) for illegally possessing the diamonds. Global Witness said it hoped to reopen the case against Minin with new documents (Max 2006).

Guus Kouwenhoven left Liberia, despite the international travel ban that was in place since 2001. In 2004, Greenpeace (2005) uncovered that he was in Congo-Brazzaville, involved with the logging company Afribois. In 2005, Kouwenhoven was arrested in his hometown Rotterdam while visiting his daughter. A year later he was convicted to eight years in prison by a Dutch court. It found that he had traded guns for timber rights and used his timber company to smuggle weapons used by militias to commit atrocities against civilians. He was acquitted of war crimes charges but was found guilty of being in breach of a United Nations arms embargo on Liberia. Kouwenhoven appealed his case and the Dutch authorities let him free while awaiting it.²

RESOURCE EXPLOITATION AND WILDLIFE

A problem particularly related to logging in Africa is that it further stimulates poaching and the trade in African “bushmeat”. A logging road means a major incursion to a forest, which is usually difficult to access. Logging roads enable hunters to go further into the forest, and makes it easier to reach distant markets as well. Caught animals can be taken to the city by road transport, or are directly sold along the road. Bushmeat is therefore increasingly featuring on the menu of Africa’s urban populations. Bushmeat is today commonly found in restaurants and markets in many African countries. It is also found in many European capitals, and is often brought in inside airline hand-luggage (Bowen-Jones 2005: 138)

In economic terms, the Central and West African country-level estimates vary from US\$ 24-205 million per annum. In biological terms, the overall estimates of the quantities of bushmeat harvested in the Congo Basin are between three and five tonnes per annum (Bowen-Jones 2005: 133). Conservationists say illegal commercial hunting of African wildlife for sale as bush meat has reached alarming levels and immediate action is needed before it's too late. The bush meat varies from deer, gorillas and chimpanzees to crocodiles and elephants (Frank 2001). Although it is true that rare and globally threatened animals make up a small percentage because they are encountered less often, this level of off-take is enough to be a problem. Great apes for example, generally make up less than one percent of the trade in West and Central Africa, but this is still unsustainable for these species (Bowen-Jones 2005: 133).

An article published in 1997 in *Natural History*, ‘Road Kill in Cameroon’, tells the story of Swiss photographer Karl Amman who specialised in the bush meat phenomenon in Cameroon and Central Africa. The article clearly shows the effects of logging on the supply of bushmeat. While in the remote forests the indigenous people used to hunt and trap sustainable for centuries, “market hunters are now snaring and shooting every creature that walks, crawls, or flies” (McRae and Ammann 1997).

A study published in *Conservation Biology* (Wilkie et al. 2000) shows that roads established and maintained by logging concessions in Northern Congo intensify bushmeat hunting. Roads are obviously logistically very important for logging companies. In northern Congo, logging companies are in fact “ostensibly road construction companies whose employees are primarily engineers, few, if any, deem it necessary to retain trained engineers”

² After the writing of this article, Kouwenhoven was found not guilty. In 2008, the Dutch Court found the evidence for his involvement in the weaponry smuggling too biased and not reliable.

(Wilkie et al. 2000). In the forest area under study, one logging company, Congolaise Industrielle des Bois (CIB), constructed more than 60 km primary road, 80 km of secondary roads, and cut more than 3000 km of primary and secondary transects with the forest (Wilkie et al. 2000). The effects of logging roads for hunters' access to forests are enormous. In the forests that were studied, the road construction and access to transportation on logging vehicles cut the average distance that hunters had to walk from an access point to any section of forest from 9.2 km to 0.36 km. The study of Wilkie et al. (2000) led to several conclusions: (1) logging has created an extensive system of roads in once isolated forest blocks, (2) logging in northern Congo had increased local demand for bushmeat, (3) it has provided hunters with easier access to isolated forests and markets, and (4) has increased the export of bushmeat from the forests. The study shows that from a biodiversity perspective, roads not only increase access to previously isolated natural resources, they also fragment landscapes into small, disconnected patches (Wilkie et al. 2000: 1615).

Hunting wild animals is common practice in many parts of Africa, such as in West Africa. In cases of war, the practice of eating bushmeat only increases due to less stable food markets and armed men roaming the country. In Côte d'Ivoire, where 55% of the male population age 15 and above (approximately 1.4 million) consider themselves to be hunters, attitudes towards wildlife demonstrate the level of dependence on wildlife resources for livelihood. More than half of these hunters (52%) are between 20 and 40 years of age. Young hunters both in Côte d'Ivoire and Ghana especially view hunting as a supplementary source of income. It has also been estimated that about 90% of hunters in Côte d'Ivoire work in the agricultural sector (FAO 2004: 6). Generally speaking, many West Africans find it normal to eat bushmeat. In Ghana it is estimated that 70% to 90% of Ghanaians ate bushmeat. In Sierra Leone, 55% of all households in Sierra Leone regularly consume bushmeat. In Cote d'Ivoire, an estimated 86% and 77% of rural and urban populations, respectively, consumed bushmeat (FAO 2004: 12).

In Liberia, a survey carried by the Concerned Environmentalists for the Enhancement of Biodiversity (CEEb) just after Charles Taylor's departure, showed that Liberian bushmeat is available in large supplies on the markets of Monrovia. CEEb's survey (2004) gives interesting information about the volumes in the bushmeat trade, clear indications of protected (and endangered) animals that are openly sold on meat markets, as well as the total absence of any enforcement of the 2000 Liberian Forestry Law. During a ten months period (October 2003 – August 2004), the surveyors visited seventeen different markets in Monrovia. In a typical Monrovia market stall with meat, a woman would sell several bodies or a pile of crumbs of bushmeat. Of all different species of animals found on the bushmeat markets, 60% concerned protected species. CEEb found twelve endangered species. This varied from the Maxwell duiker, an antelope, which was always found, to the forest elephant, which was found the least. "A review of the Monrovia markets indicates that most of the bushmeat sold on the Monrovia markets are the carcasses of Liberia wildlife endangered species listed by the Forestry Development Authority" (CEEb 2004: 6). The bushmeat transport to Monrovia market is unhindered. "This means, there is smooth passage by traders" (CEEb 2004: 6). The meat is usually transported in 'kin jars', which contain between ten bodies and hundred sixty-six bodies. The supply comes from the different forested areas of Liberia:

“Bushmeat supply to Monrovia is a daily transaction. Many vehicles bring huge supplies in kin jars to the Monrovia markets from many regions in Liberia. Bushmeat sellers tell us that the volume of meat we see is not collection from one area. There are middlemen who move from one place to another in search of processed bushmeat. (...) Until the deployment of UNMIL throughout Liberia, much of the supplies came from western and the northern parts of Liberia. Since the south east became accessible, there has been an increase (CEEB 2000: 10).”

CEEB estimated the bushmeat trade they surveyed over the ten months period to value eight million \$US. They found some, but not much evidence of bushmeat being transhipped despite, it should be added, press reports from the U.K. and U.S. reporting about African bushmeat being available on their markets. The CEEB also included a (limited) household survey on the prevalence of bushmeat consumption. Their consumption data of Monrovia households suggested that bushmeat is actually not (very) regularly consumed, but merely occasional. The authors mention transit traders for whom Monrovia acts as a ‘transport hub for the bushmeat trade’. Considering the transport possibilities, they suggest Monrovia provides the linkages between the hunters in the Liberian forests to the markets across the Ivorian and Guinean borders, as well as to Sierra Leone.

War situations such as in Sierra Leone and Liberia only increase the demand for bushmeat. Not only is the normal trade being hampered as a result of them, war also leads people and armed forces to go into forested areas, which makes wild animals more prone for being caught. Twenty years ago, the number of chimpanzees in Sierra Leone was estimated around 20,000-30,000. In only two decades, mostly during the civil war, the Sierra Leone chimpanzee population was literally decimated. Today, only ten per cent of the original population is left. As such, the civil war has been more devastating to the chimpanzees than to the people of Sierra Leone. The forests had already decreased in size due to logging, but the war and the presence of armed groups only increased the already existing demand for the bushmeat.

The threatened situation of the chimpanzees in Sierra Leone is exemplary for the situation of all great apes around the world (except humans, who are also considered to be part of the family of great apes). They all have become seriously threatened and the United Nations Environmental Plan (UNEP) started a special campaign to save them. A UNEP director declared the clock is standing to midnight for the great apes. It is a matter of not more than one or a few decades in which it is possible that chimpanzees, bonobos, gorillas and orang-utans might get extinct in the wild. Three out of four wild ape species live in Africa: gorillas (western and eastern as subspecies), chimpanzees and bonobos. Only the orang-utan is not found in Africa, but in Asia on the islands of Sumatra and Borneo.

Some 400,000 great apes are currently estimated to be living in the wild. Of the eastern gorilla, 700 mountain gorillas and 3,000-5,000 lowland gorillas are left. Of the western gorilla, some 200 are left of the cross-river population and 94,000 of the eastern lowland gorilla. The number of the chimpanzees is estimated to be between 170,000-300,000. Their habitat stretches over 21 countries, from Senegal to Tanzania. Of the bonobos, only found in DR Congo, less than 10,000 and maybe even less than 5,000 remain. In the 1980s, the bonobos still numbered 100,000. Of the orang-utans, some 50,000 are estimated to live on Borneo, but of the Sumatran orang-utans only 3,500 have survived (Krief 2006: 14).

Important reasons for the great apes being threatened with extinction, are poaching and the destruction of their natural habitats. Logging obviously is an important contributor to

deforestation of the tropical forests. A second important reason for deforestation in Africa is mining. The continent is rich in oil, gold, diamonds, and many other precious stones and minerals. The soil in the Congo basin contains large quantities of copper and cobalt, which can also contain radioactive uranium. Much of the raw uranium used in the U.S. atomic bombs on the Japanese cities of Hiroshima and Nagasaki came from uranium mines in the Congo.

Less known than the many diamond and gold mines are the tin, cobalt and coltan mines, which are especially found in DR Congo. Tin oxide (or cassiterite) for example, is the most important source of tin, of which DR Congo has one-third of world's reserves. DR Congo is also the top producer of cobalt with 40% of world production and one-third of world reserves. Cobalt is much used in portable appliances, such as mobile phones, which each contains a few grams of cobalt in the battery. DR Congo also has 60-80% of the world's coltan reserves. Coltan is a black mineral and the metallic ore for tantalum, which is also used in consumer electronics products. As world demand for the latter increased, coltan became an increasingly interesting source of income. During the Congo war the coltan mines in the east of the DR Congo helped funding the conflict and much of the coltan was smuggled out of the country.

Coltan mining also destroyed the habitat of the mountain gorilla. As some gorillas live on "coltan land", increasing use of the numbers of mobile phones therefore seems to be destructive to gorilla habitats. Around 2000, a gorilla population was halved in one of DR Congo's national park where coltan was being mined. In 2007, a 200-strong Mai Mai rebel group took control of the Virunga Reserve national park in Eastern Congo. Founded in 1925, the Virunga is Africa's oldest national park and a World Heritage Site. During the Congo war, hutu rebels and Mai Mai fighters sought sanctuary in the park, with bushmeat being one of their sources of proteins and income. In 2007, the Mai Mai rebels killed a park rangers and gorillas, including two silverbacks and four members of a gorilla family, known as the Rugendo family, which was often visited by tourists. In the period 1996-2007, approximately one hundred park rangers have been killed in the Congo. The Mai Mai rebels threatened to kill more gorillas in the Reserve if they were not left alone. Of this subspecies of mountain gorilla, only 700 are left around the world, half of them living in the Virunga Reserve.

As part of the UNEP plan for getting attention for the extinction threat of apes, it has been suggested that by avoiding multiple purchases of mobile phones, people can make a contribution to safeguarding the survival of gorillas. Less mobile phones can help to limit the destruction of forests via the opening of the new coltan mines in areas inhabited by gorillas in the DR Congo (Krief 2006).

THE SOCIAL AND ECOLOGICAL HARM OF TROPICAL DEFORESTATION

Of the three tropical zones –America, Africa and Asia– the world's largest tropical forest is found in South America: the Amazon. Africa has the world's second largest rainforest: the Congo basin. In Latin America and South East Asia, more tropical deforestation is occurring due to land conversion (transforming forest into agricultural land) than logging for timber. In the Brazilian Amazon for example, much forest disappears for agricultural purposes (cattle ranging and soy production). In South East Asia, much deforestation occurs as forest land is

transformed into oil palm plantations. In Africa, however, the main reason for deforestation is logging for timber. Mining is another important reason for the decline in natural habitats in Africa.

The logging of the planet's tropical forests is increasingly becoming a serious and problematic matter for many of its inhabitants. Logging is currently taking place at such a fast rate that some tropical forests which were once vast, almost inaccessible and mysterious places, might disappear completely in only a few decades.

Tropical deforestation threatens the human rights of many humans who live in forests. A total of 300 million indigenous peoples live around the world, many in forests. An increasing number of these old societies are now threatened, as "global demand" for timber exploits the rainforests around them. In different forests around the world, indigenous people are fighting for their survival, which increasingly means fighting and competing with multinationals over natural resources.

While human forest communities have already disappeared from Côte d'Ivoire, a similar phenomenon is happening in other countries and places. In southern Kenya, the Ogiek (or Ogiek) people living in the Mau forests on the slopes of the Great Rift Valley have seen the forests in which their ancestors have lived for several thousands of years gradually disappearing. Most of these forests disappeared due to logging. Especially in the last twenty years the Kenyan Mau forest has been cut at great speed, by companies such as Timsales, Raiply Timber and Pan African Paper (Van Kesteren 2006: 57). Kenya is however also the country which carries a positive example. In 2004, Kenyan environmentalist and human rights campaigner professor Wangari Maathai won the Nobel Peace Prize. In the late 1970s, Mrs Maathai had started a campaign, the Green Belt Movement, to plant tens of millions of trees across Africa to slow deforestation and desertification. In Kenya it gave her the nickname "The Tree Woman".

Besides humans, many animal and plant species also find their home in the tropical rainforests. They contain so many different species, that their disappearing would mean a serious blow to the planet's biodiversity, the total variety of plants and animals. From a biodiversity perspective, the importance of the world's tropical rainforests cannot be doubted. In the words of the noted biologist Edward Wilson:

"The headquarters of global diversity are the tropical rainforests. Although they cover only about six percent of the land surface, their terrestrial and aquatic habitats contain more than half of the known species and organisms. They are also the leading abattoir of extinction, shattered into fragments that are then being severely adulterated or erased one by one. Of all ecosystems, they are rivalled in rate of decline only by the temperate rainforests and tropical dry forests" (Wilson 2002: 59).

From the perspective of biodiversity, today's rapid disappearing of the tropical rainforests is an ecological disaster. If tropical deforestation continues at the current speed, this will contribute to the extinction crisis the earth is already facing. A new wave of mass extinction, the so-called "sixth extinction", has now become a real possible scenario (Leakey and Lewin 1996). The current rates of extinction are actually unprecedented and go much faster than, for example, during the last, fifth extinction of some 65 million years ago, when the large dinosaurs got extinct. While the current planet's extinction crisis has different causes –

pollution, fragmentation of landscapes and global warming— the direct destruction of habitats is the primary one.

Biologists predict that with the current trends, several dozens of all species might get extinct during this century. The World Conservation Union (IUCN) which produces the red list of endangered species, noted that in 2007, one in four mammals is threatened with extinction. Of the birds, one in eight is threatened with extinction. Of the amphibians, even one in three species is now threatened with extinction. In Africa, many species are increasingly faced with extinction. The example of the famous lion may illustrate this. 10,000 years ago, the lion was the most widespread mammal across the planet besides man. Lions were found in the Americas, Africa, and Eurasia, from Europe to India, including the Middle East. Today, besides a critically endangered remnant population in Northwest India, the lion only survives in sub Sahara Africa, and their numbers go down rapidly. Twenty years ago, Africa still had 200,000 lions. Today there are only 20,000, a 90% decline (BBC 2003).

For large international logging companies, Africa is an underdeveloped continent. For example, in 2000, around 60% of the DR of Congo was still covered with forest. Africa now is the continent that internationally operating loggers have discovered and are rapidly seeking to exploit. African hardwood species are increasingly found on western markets and are used for infrastructural projects such as dams and lock gates, or is sold in flooring and do-it-yourself shops.

While West Africa has mostly been logged, more central African countries like Cameroon, the Democratic Republic of Congo and Congo-Brazzaville are currently popular source countries for timber. Just like the other tropical regions of the world, a substantial part of the logging in Africa concerns illegally logged timber. A common estimate is that approximately half of the tropical timber in western consumer markets is of illegal origin. The reported estimates for the share of illegal forest production vary from 34%-60% in Ghana, to 50 % in Cameroon, and 50%-70% in Gabon (Friends of the Earth 2001).

In the large Congo basin, logging started after World War II and by the late 1960s timber became the country's main export. Between 1947 and 1980 14.5 million m³ of timber were exploited, some 1.5-2 million trees. Much of the southern forests have been logged. European and Mediterranean companies have traditionally dominated the logging industry in Congo, but over the last years Asian companies have moved in as well, after being faced with dwindling domestic resources (Wilkie et al. 2000: 1616).

The ecological damage done by logging practices in a biologically vulnerable area such as in West African Liberia is clear. West Africa is one of the so-called world's biological hotspots. A hotspot is a region of the world that is rich in species found nowhere else and environmentally endangered (Wilson 2002: 215). Of the twenty-five hotspots on the land, fifteen are covered primarily by tropical rainforests. West Africa is one of these threatened ecosystems. Liberia is the only West African country (west of Cameroon) with a sizeable rainforest left. The Liberian rainforest covers almost half of the entire remaining – and two of the only three large intact blocks left – of the Upper Guinean Forest Ecosystem, a rainforest belt which once covered the whole of Liberia, and parts of Sierra Leone, Guinea, Côte d'Ivoire, Ghana and Togo. An increasing number of Liberians are conscious of their country's natural uniqueness. Former goal-keeper for the Liberian national football team, Alexander Peal (2000), founded the Society for the Renewal of Nature Conservation in Liberia (SRNCL): "Liberia alone is home to over 2,000 flowering plants (including about 240 timber species), approximately 125 mammals, 590 birds, 74 known reptiles and amphibians

and over 1,000 described insect species. It is home to the only remaining viable populations of the Pygmy hippopotamus, and is the last stronghold of forest elephants in West Africa” (Peal 2000).

In the earlier section on logging in Liberia, it was described that half of Liberia’s rainforests had disappeared in five years time. No-one has been convicted for the large-scale logging in Liberia. It shows that the ecological damage, the harms inflicted to the rainforest and its inhabitants – humans and animals – by the exploitation of natural resources, was not regarded, *de facto*, as a criminal offence. Although large-scale logging has decreased after the 2003 UN sanctions against Liberia, “many of the businessmen who gleefully raped Liberia’s forests in return for favours are still there, looking after their other interests and keeping an eye on logging opportunities” (Black 2006).

ECO-CRIME AND GREEN CRIMINOLOGY DISCUSSED

In the mid 1990s, Mark Allan Gray (1996) proposed the legal concept of the international delict “ecocide”, defined as “causing or permitting harm to the natural environment on a massive scale” which would “breach a duty of care owed to humanity in general”. Although the concept may seem radical, Gray argues ecocide is, in fact, derivable from principles of international law. Ecocide can be established on the basis of two fundamental human rights: the right to life and the right to health. Crucial to the concept of ecocide are the element of ecological damage and waste, which could elevate it from a mere international delict to an international crime (Gray 1996: 217-222). Before Gray, Lynn Berat (1993) argued for an international crime “geocide”, which she defined as a violation of a right to a healthy environment through intentional species destruction.

Despite the existence of these publications and the increasing attention raised about environmental degradation, ecological destruction and increasing numbers of animals being threatened with extinction, illegal or harmful ecological destruction such as tropical deforestation is not an established area of study among professionals, academics and law enforcers. There is, however, every reason to question the small amount of attention this type of trade is getting, considering its repercussions. The plundering of the earth’s natural resources has not been thought of as a crime until recently. The earth and its resources are being wasted and overexploited, a practice in which numerous crimes, violations, deviations and irregularities are perpetrated against the environment. Criminologist Nigel South therefore proposed to label them as “green crimes”, which he generally defines as crimes against the environment (cf. Carrabine et al. 2004)

An equivalent of green crime is eco-crime, or ecological crime, as Reece Walters (2005) wrote in the *Sage Dictionary of Criminology*. Walters’ definition of eco-crime encompasses “acts of environmental harm and ecological degradation”, which can either be illegal and/or harmful behaviour including threatening, damaging or destroying the natural environment. Walters emphasises however that a definite definition of the term does not exist (yet), which obviously is not uncommon in a new area of research. Some authors for example, consider legal acts that are environmentally harmful as part of eco-crime as well. Walters concludes that green criminology is a useful paradigm for analysing both sociological and legal

definitions of eco-crime and that it “provides an umbrella under which to theorise and critique the emerging terminology related to environmental harm” (Walters 2005: 147).

Piers Beirne and Nigel South have further developed the concept of green criminology in the two books they edited in 2006 and 2007. Green criminology does indeed seem to be an appropriate umbrella term for the various subject that are discussed in these books, that now form the basis of this new criminological research area. In their most recent book, *Issues in Green Criminology*, Beirne and South base the domain of green criminology on the principle of harm. The authors argue that green criminology “should be a harm-based discourse that addresses violations of what some have variously termed environmental morality, environmental ethics, and animal rights. It will try to uncover relevant sources and forms of power, including the state’s willingness or reluctance to construct certain forms of harm as crimes, as well as social inequalities and their ill effects” (Beirne and South 2007: xiv).

The question of harm is easily established in the examples discussed in this chapter on deforestation in Africa. The environmental and ecological harm and damage to unique ecosystems such as in Liberia and the Congo due to logging, mining and poaching, partly occurring in the trail of logging, cannot be denied. In West Africa, one of the world’s biological hotspots had been severely damaged by the deforestation of Liberia. In the Congo, gorillas and bonobos population are increasingly threatened due to deforestation and poaching. This type of destruction of rich bio diverse habitats is exemplary for what is happening around the world.

Today, species are disappearing at an unprecedented speed. The rapid disappearance of the tropical forests –at a speed of many football fields every minute– is of special concern because they house more than half of earth’s known species. Such rapid changes in the environment are only likely to have repercussions for humans as well (see Leakey and Lewin, 1996). In order to conserve much of the planet’s biodiversity, and to reach more “ecological justice” (White 2007), new perspectives are needed on the timber trade, as well as on timber use in industrialised countries.

On a philosophical and ethical level, this requires more ecological awareness. The noted biologist Edward Wilson, still an optimist, points at a new ethics that is needed in order to save the world’s fauna and flora. “What humanity is inflicting upon itself and Earth is, to use a modern metaphor, the result of a mistake in capital investment. Having appropriated the planet’s natural resources, we choose to annuitize them with a short-term maturity reached by progressive increasing payouts” (Wilson 2002: 149). One result of this annuitization of nature, as opposed to stewardship, is the “accelerating extinction of natural ecosystems and species. The damage already done cannot be repaired within any period of time that has meaning for the human mind. “(...) Why, our descendants will ask, by needlessly extinguishing the lives of other species, did we permanently impoverish our own?” (Wilson 2002: 150).

On a practical level, this would involve policies based on other principles, especially considering the predicted human population growth to nine billion. If eco-systems and their variety in biodiversity are to be preserved, policies based on sustainability logically seem to be a requirement. A concept such as the “ecological footprint” can be very helpful. The ecological footprint refers to the average amount of productive land and shallow sea that a human is using on the average around the world for food, water, housing, energy, transportation, commerce, and waste absorption. As some twelve billion hectares are now available in total, every human being could, in principle, use two hectares (based on the

current population of six billion). If everyone were to have a European lifestyle, this would require between two and three planets. A North American lifestyle for all would even require five planets (Wilson 2002:23). The ecological footprint concept shows that continuing with energy-consuming lifestyles by growing numbers of humans is not possible without having serious repercussions.

Another concept, *Cradle to Cradle*, developed by MacDonough and Braungart (2002), shows the possibility of using innovative concepts for making products and designing economies differently. They propose a new design paradigm, based on ecologically intelligent and nature-inspired design. By employing the intelligence of natural systems, they create products, industrial systems and buildings that are nature-based and nature-friendly. They also use the term “eco-effectiveness” as a way to better use natural materials and basically copy nature. “Instead of using nature as a mere tool for human purposes, we can strive to become tools of nature who serve its agenda too” (McDonough and Braungart 2002: 156). The principle of “Cradle to Cradle” is now increasingly used in housing and industrial projects in a growing number of countries.

Lawyers and criminologists can make their contribution too in addressing issues of eco-crime and in raising ecological awareness. This could be done by following the normal methods and definitions of law and criminology. In this chapter the harmful trade in African flora and fauna was discussed. Some of the trade was legal (the Liberian timber trade), other was clearly illegal (the bushmeat trade in endangered species). Even in the legal timber trade however, elements and mechanisms of corporate crime, international organized crime and state crime can clearly be established. Addressing the consequences of the illegal and harmful exploitation of natural resources, can help to raise awareness in societies and can ultimately contribute to reducing these harmful activities. Just the mere fact that, for example, criminologists point at the involvement of international organized crime in the tropical timber trade, contributes to more critical attitudes towards tropical timber products and their industry. Obviously, law cases against companies involved in these ‘classical’ illegal activities are probably needed as a deterrent as well.

Even if certain acts against the environment are criminalized, it is to be questioned whether criminal law can be a remedy. Helena du Rées (2001), for example, in a Swedish case study, showed the limitations of how to apply environmental criminal law. Halsey and White (1998) pointed more fundamentally at the shortcomings of environmental law, stressing that a different response is needed, such as an eco-centric perspective.

A way in order to attain more ecological justice (other then through judicial means), may be to increasingly expose the social and ecological harms of logging and mining practices to ecosystems and their inhabitants. As harmful activities are more quickly acknowledged as such when their victims are seen and heard, exposing the victims of the natural resource exploitation, as well as addressing possible links with the arms trade, can help in curbing the phenomena. Addressing violations of human rights to indigenous peoples, as well as the further endangered status of many animal species, the great apes in particular, both as a result of resource exploitation can raise people’s awareness. The fact that apes are close to humans to the extent that, for example, chimpanzees are genetically closer to humans than a mouse is to a rat, is an argument that could be used for that purpose. This should, however, not lead to an argumentation that the genetic ‘closeness’ to humans would give a right to life. The consequence would be that the more ‘different’ an animal is from humans, would justify its exploitation, an argument that is critically discussed in the chapter on speciesism by Sollund

in this book. Combined with discussing some of the relationships between consumers' behaviours and threatened ecosystems, consumers and policy makers could find other ways to preserve much of the planet's biodiversity.

ADDRESSING ECOLOGICAL HARM

To further address the loss of species and the harm inflicted to the planet's eco-system and thus the world's ecology (including humans themselves) as a result of illegal and irresponsible exploitation of eco-systems, it may be effective to use more precise language. Environmental crime and environmental law are terms that are more commonly known than green crime and eco-crime. Proposing the use of different terms may seem like a question of only semantics. It can, however, be argued that in order to address (certain) types of green or environmental crime, the term eco-crime is preferred. Eco-crime is not only a more catchy and sexy term, it is also an expression that many people can understand and relate to. For the issues under discussion in this chapter, eco-crime seems a more appropriate term than green or environmental crime.

The term environment refers to "everything that surrounds us: sky, sea, mountains, forests, rivers, birds, animals" (Kallenbach 1998: 46). Pollution of the environment will inevitably also affect human beings and others living in the environments. Protecting the air they breathe, the water they drink, the ozone layer that protects and to reduce climate change are therefore in the direct interest of humans and other beings. Environment, however, is also a merely generic term, making it somewhat vague at the same time.

The term ecology refers to the "study of relationships among organisms and between organisms and their surroundings" (Kallenbach 1998: 46). Ecology "lets us see the interconnections and processes that really make up 'the environment' and gives us a more fundamental reason to protect it" (Kallenbach 1998: 46). The science of ecology studies all interactions among living beings and their environment, whether we humans are involved or not. Originally, ecology referred primarily to studies of how populations of different species fluctuated. In more recent years, ecology has gradually come to include studies of how "humans and other living beings interrelate on the planet, or our increasing interference with ecological processes, and of how we might improve our relationships to the living world around us" (Callenbach 1998: 34-35).

The "ecosphere" or "biosphere" refers to "all living beings on Earth" (Callenbach 1998: 20). James Lovelock argued that the planet earth and its entire biosphere actually functions as if it were a kind of superorganism, which Lovelock (1995) called Gaia. Biologist Edward Wilson noted there is considerable merit in looking at life in this his grand holistic manner. "Alone among the solar planet's, Earth's physical environment is held by its organisms in a delicate equilibrium utterly different from what would be the case in their absence" (Wilson 2002: 11). The ecosphere is formed by the total of the earth's ecosystems, big and small. An example of a large ecosystem is a forest, whereas a creek or meadow can be considered a small ecosystem. Ecosystems behave in ways we cannot predict in merely knowing about their parts.

“In natural systems, parts and wholes interact with and influence each other continually. What we call parts are patterns in complex webs of relationships; they can never really be separated. (...) In an ecological perspective, all species, including humans, have evolved together on the planet and each species has a claim to continue its life. The ecological value of a species lies in its exquisitely intricate relations with its environment and other species. Ecological opposition to extinction thus rests on deeper foundations than does, for example, the economic argument that we should not cause the extinction of rain-forest plants because they might prove of unimaginable medical value to humans. (Many modern medicines come from tropical plants or have been synthesised in imitation of them.) (Callenbach 1998: 40 and 52).”

Adapted to the situation of tropical rainforest, different animals play a role in keeping the diversity of trees in a forest. In the book *The Tree*, Colin Tudge (2006) explains how trees reproduce. In temperate forests the weather generally tends to be breezy, which allows pollen from the male flowers (or male parts of hermaphroditic plants) to travel by wind to female flowers (or female flower parts). As in temperate forests any one tree is liable to be surrounded by others of its own species, tree species thus reproduce. In a tropical forest however, the situation is very different; “any two trees of the same species may be a third of a mile apart, with thousands of trees of other species in between, it just will not do to scatter pollen literally to the four winds and hope for the best” (Tudge 2006: 323).

In tropical forests, with many more tree species than temperate forests, animals play a crucial role as go-betweens, transmitting the pollen from one tree to another. Sometimes butterflies do the work, in other cases beetles, bees and wasps, bats, birds, squirrels, monkeys and apes. Monkeys and apes for example, are responsible for spreading the seeds of many fruit tree species. They usually only eat the pulp of the fruit and then spit out the seeds. In case the seed passes through their guts, it is later deposited by animals with their own consignment of fertiliser (Tudge 2006: 343-344).

The ecological damage done by deforesting tropical forests is without any doubt large. Especially when large-scale, non-selective logging techniques are employed, this type of habitat destruction leads to the direct disappearance of wildlife, both flora and fauna, and as a consequence biodiversity. For humans and animals living in the forests, it may mean their survival in the forests cannot be guaranteed. This chapter has also shown that the trade in bushmeat, often occurring in the trail of logging, poses a threat to biodiversity as well. Nowhere is this more clear than in the case of the great apes in Africa: gorilla, chimpanzee and bonobo.

Eco-crime refers directly to harm and damage to ecology, the many life forms on the planet. The term seems more accurate for describing the damage and harmful activities imposed to eco-systems as compared to than the more generic and broader term “environmental crime”. Put differently, the term eco-crime points directly at what is at stake: the destruction of world’s ecology, in other words the world’s eco-systems that are formed by its flora and fauna. The current ecological status of the planet, in particular the role of the most dominant species, humans, has become a challenge. Never before in history have humans’ actions had such an effect on the planet’s ecosystems.

CONCLUSION

The world's rainforests represent 6% of the earth surface, but house more than 50% of the known animal and plant (including tree) species. So much tropical rainforest is today disappearing, that deforestation has become a serious threat to the planet's ecology and biodiversity. This chapter addressed the increasing number of animal species being threatened with extinction as a result of different types of resource exploitation in Africa, in particular logging and mining. Africa is the continent where most of the world's conflicts are currently occurring. The exploitation of resources is one of the ways in which conflicts are today funded, especially after the end of the Cold War. This also applies to logging and mining.

Liberia is the only country in West Africa (west of Cameroon) still having a significant portion of its original rainforest cover. Under the regime of Charles Taylor regime, Liberia lost half of its rainforest in five years time. Large quantities of Liberian timber and especially the valuable hard wood were exploited and exported. It soon became clear Liberia's timber industry was strongly related to arms trafficking.

The Liberian case is a good example of how legal and illegal activities can intertwine. It also shows the international dimension of the timber industry: an originally Asian company that started logging in Liberia under the leadership of a Dutch timber trader. Illegal entrepreneurs with prior involvement in the diamond or arms trade were also involved in the Liberian timber industry.

The trade in Liberian conflict timber could have been stopped if the UN Security Council had decided earlier to ban Liberian timber. But as described, China and France, the main importers of Liberian timber, opposed such sanctions. Only in 2003, when the war in Sierra Leone was over and the rebels had been disarmed, did the Security Council install a timber embargo against Liberia. One month after the timber embargo against Liberia, while President Charles Taylor had lost his final source of income as well as all international support, he fled the country. If the Security Council had acted sooner, much human and ecological harm had been prevented in Sierra Leone and Liberia. Despite actions and lobbying by NGO's, they did not have direct effects, as politicians, media and scholars did not pay much attention to the issue. Despite NGO's growing importance and influence in world politics, NGO's still have limited power compared to commercial interests. As a consequence, Liberian timber ended up in many places around the world, including Europe.

Logging plays a crucial role in the access to wild animals. Hunting has always taken place in forests, but logging roads drastically changes the access to forests and their inhabitants, as well as to meat markets. As a consequence of logging, animals are being hunted at a much faster rate today. The increased consumption of bushmeat has become the main cause of the rapid disappearance of some of the Africa's wild animals in Africa, including great apes. In DR Congo, gorillas are increasingly threatened as a result of wars and mining.

The rapid disappearing of many animal and plant species around the world and the tropics in particular, asks for innovative perspectives on humans and their environment. The EU's current policy emphasis on legal timber supplies is likely to be insufficient for conserving the rainforests. A timber trade policy based on sustainable forestry seems to be the only real long-term solution.

Many of the resource exploitation and deforestation practices described in this chapter not only produce different types of harm, they were related to crime and armed conflicts. This clearly shows they can be an important area of research for criminologists and lawyers. While green criminology is a good term for this new area of research, eco-crime seems a good term for addressing and attaining more ecological justice and awareness.

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Chapter 3

CRIMINAL DEGRADATIONS OF CONSUMER CULTURE¹

Martin O'Brien²

Centre for Criminology and Criminal Justice
University of Central Lancashire, UK

ABSTRACT

In this chapter I take a 'social harm' approach to explore some of the degrading impacts of modern consumerism. My aim is to explore the harmful, often criminal, sometimes fatal consequences that attend the supply of consumer goods in contemporary capitalist societies. At the same time, I note that a focus on social harm begs some very fundamental questions about criminology as an academic discipline – or 'field' of study. When a cradle-to-grave assessment of consumer goods is undertaken it reveals that many personal and environmental degradations are nothing more than the ordinary means by which objects are produced, distributed and discarded in contemporary societies. In order to unpack the mundane character of the degradations of a consumer culture I use the example of prawn production but my more general argument is that what is true for prawns is true for (almost) any consumer object.

INTRODUCTION

Criminology has lately developed an overt interest in the concept of 'social harm' – a concept intended to signal a wider intellectual and political agenda than the focus on crime alone. Although it has only recently become an important and explicit subject of debate in criminology its antecedents can be traced back to Edwin Sutherland (1949) who observed that the criminal justice system discriminates unfairly between crimes of the powerful and crimes

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² Email: mao-brien@uclan.ac.uk.

of the powerless. Whilst tax evaders and corporate mal-practitioners clearly do significant harm to the economy and society they are treated far more leniently, often under civil law, than many petty offenders whose behaviours are regularly criminalised. Herman and Juliet Schwendinger (1970) took Sutherland's observations a step further by asking whether criminologists were interested merely in the problem of social order at the expense of a broader concern with human rights. If the latter is central to criminology's self-definition then the concept of 'crime' is insufficient to grasp the many harmful processes and structures that threaten such rights. The fact is that death or injury by avoidable accident and treatable illness, for example, is far more common than death by murder or injury by assault yet the system of regulation and the penalties attached to responsibility for the first pair are far less serious than those attached to responsibility for the second pair (see Muncie, 2000). In the UK, for example, research has suggested that, every year, 10,000 premature deaths are attributable to the impacts of small particulates on respiratory and cardiovascular systems (Bullock, 1995) but there is no structured criminal (or even civil) means of redress nor any chain of accountability for tracking down and punishing those responsible for the production of these killers.

Indeed, it is not just academic criminologists who have become interested in the idea of social harm. This concept is also coming to play an increasing role in the operation of several Government agencies and is summed up neatly in the UK Government's alcohol Harm Reduction Strategy which refers explicitly to the 'social harm' attendant on problematic alcohol use (Department of Health et al, 2007: 49, 66). The same phrase recurred repeatedly in the House of Commons (Select Committee on Science and Technology) (2006) Report on drug classification. By 'social harm' the Government intended to refer primarily to the behavioural consequences of intoxication and the health care burden of problematic consumption but it is telling that the House of Commons Report included the category 'Other Social Harms' – even if these were not defined. Whilst Government departments and academic criminologists do not share the same meanings when they invoke 'social harm' it is clear that this notion is coming to occupy a more central place in both criminological research and Government policy.

Adopting a concept of social harm implies that criminologists and policy-makers concern themselves with a much wider range of personal, economic, political and environmental issues than is involved in the traditional focus on crime as an infraction of criminal law. These might include anything from pay and job discrimination to the activities of the arms industry. Hillyard et al (2004: 1) put it succinctly when they assert that a social harm approach involves 'a focus on all the different types of harms, which people experience from the cradle to the grave'. Whilst there may be a tendency to dismiss such a broad focus as being more relevant to the disciplines of sociology and political science than criminology it needs to be remembered that the exploitation of labour, land-theft, drug-cultivation, civil strife, people-trafficking, toxic waste dumping, species extinction and climate change are not disconnected phenomena. For example, the impoverishment of African and Asian populations and the over-exploitation of their natural resources are, in part at least, consequential on the paths to industrialisation and consumerism taken by developed nations. In turn, these processes fuel the demand for more exploitable land and resources which, according to the Stern Report (2006), is responsible for global climate change. In turn again, such change alters the patterns of rainfall and desertification and intensifies the struggle for arable land and water, a key factor in many civil wars and a driver of economic migration and people

trafficking. Adding another twist to an already complicated agenda, a social harm approach has been adopted explicitly in the study of environmental degradation and animal abuse (Beirne, 1999; Beirne and South, 2007) – that is, in the study of harms whose ‘victims’ are not necessarily or only human.

In general, where a social harm approach has been adopted in criminology there has been a tendency to uncover the ‘hidden’ victims or non-criminalised perpetrators, or to examine the broader contexts of political and economic inequality which give rise to the uneven social distribution of harms. The driving intellectual agenda behind the approach is the idea that preventable harms, rather than being exceptional incidents, are regular, routine features of an unequal world. In important senses the academic interest in social harm constitutes an extension of the critical criminological search for a ‘fully social’ approach to crime and deviance (see Taylor, Walton and Young, 1973: 269-70) – one that is neither narrowly correctionalist nor idealistically Romantic (Taylor, Walton and Young, 1975: 16-17). However, the social harm approach raises several theoretical problems. These include, notably, the problem of ‘agency’ in criminological theory and, as a corollary, the question of how to theorise social practice in an analytical framework that construes ‘harm’ not as an exceptional event caused by identifiable malefactors but as the mundane reality of modern society. In this chapter I explore some of the problems of social agency and social practice by tracing the chain of harms that are embedded in the production and distribution of a consumer good: the humble prawn. I will show that, descriptively, it is a relatively straightforward task to list a catalogue of harms embedded in the production and distribution of this good. At the same time, I will also note that it is far less straightforward to develop a criminological (or sociological) explanation of the relationships between perpetrators and victims of these harms.

NOT KEANE ON PRAWN SANDWICHES

The substantive topic of prawn production and its deleterious human and environmental consequences was brought to my attention by the dissociation between two media-highlighted events – one farcical, one tragic. The first was a comment, in January 2000, by Roy Keane, then Manchester United’s central midfield player, who stuck his verbal boot into what he saw as a cadre of disinterested and disconnected voyeurs of the ‘beautiful game’ of football in the following terms:

‘Away from home our fans are fantastic. I’d call them the hardcore fans. But at home they have a few drinks and probably the prawn sandwiches, and they don’t realise what’s going on out on the pitch.’ (Roy Keane on sections of Manchester United’s home supporters following a Champion’s League game against Dynamo Kiev, 2000)

Known for his acerbic and often vitriolic outbursts against footballing colleagues and occasionally violent interpretation of the laws of the game, Keane’s regular pronouncements on everyone else’s failings provided a steady flow of stories for sports writers around the world. This particular remark spread rapidly through the media and was repeated ad infinitum in critiques of modern sport. The Guardian includes it in its ‘top ten classic Roy Keane rants’ and The Sunday Times in its ‘top ten Roy Keane battles’ whilst searching Google under the

key words 'Keane' and 'Prawn' generates over eight hundred hits. The remark struck such a chord that even the Irish Parliament appropriated it to depict the parlous state of the Irish Rugby Football Union³ and the fall-out it generated was dubbed 'prawn-gate' by sections of Manchester United supporters. Keane's outburst was intended as a critical comment on the absence of supporter passion and club involvement consequential on the rise of the corporate ticket-holder whose interest in Manchester United Football Club extended no further than the spectacle of Old Trafford – the 'Theatre of Dreams', as the ground is often called.

In Keane's view, this section of fans had no interest in the fortunes of the team and may as well have been eating and drinking at a game of tiddly-winks as at a game of football. The image of the prawn sandwich was a metaphor for the disinterested day-tripper: besuited and privileged, disconnected from the real, passionate, meaningful world of professional football.

Personally, I have no interest in Manchester United football club and, under most circumstances, I care not at all what an overpaid footballer thinks about what people eat. What struck my interest about this particular outburst was the issue of disconnection: the image portrayed by Roy Keane of posses of over-privileged parasites experiencing something they neither understood nor cared for. Of course, what irked the then Manchester United captain was not that the club served prawn sandwiches but that the latter meant more to those devouring them than the exertions of the players on the pitch. They represented, to borrow Cohen's (2001) phrase, 'bystanders' at a monumental event where great risks were taken and real dangers loomed.

The entire 'prawn-gate' episode might have passed me by if it were not for a tragedy that occurred just a few miles from where I live. On a cold February night in 2004, twenty-one Chinese cockle pickers died on the sands of Morecambe Bay and two more remain missing presumed dead. They were all resident in the United Kingdom despite lacking the proper authorisation. They lived together in overcrowded accommodation in Liverpool and were bussed around the country to wherever labouring gangs might be needed. They were able to work on the sands of Morecambe Bay because the Government had failed to implement a permit system that would have enabled monitoring and supervision of cockle-picking operatives. They were unable to escape their fate on the night because no-one in the gang had any familiarity with the bay and its tides. As the Irish Sea rushed up the estuary, cutting them off from any escape route, some used mobile 'phones to contact family members in China for help. They did this because, in some cases, their fluency in English was not good enough for them to make their own calls to British emergency services or, in other cases, because they simply did not know how to do it. Some of the drowning cockle-pickers 'phoned other members of their gang, who were also drowning, in a desperate bid to secure assistance. The exploitation they experienced encompassed the robbery of their labour, their degrading living conditions, their linguistic exclusion from meaningful participation in their destination culture and a disregard for their fundamental value as human beings. If there ever was an empirical example of a crime 'wave' then surely this must be it.

I think that this appalling tragedy might stand as a microcosm of the criminal, quasi-criminal and downright harmful foundations of a consumer culture. A consumer culture, contra the 'playful' and 'performative' interests of the sociology of consumption – in which

³ 'Roy Keane got it right when he said the prawn sandwich brigade was present to an unhealthy extent because they could pay the exorbitant ticket prices.' (Seanad Debate on the condition of Irish Rugby Football, January 29th 2003).

the significance of consumer objects lies in the social practices of distinction which they symbolise (see Baudrillard, 1990: 76) – is, in large measure, a culture of disconnection. It is a culture that, as Marx observed, encourages the fetishisation of the goods it consumes and construes them as existing on a plane of reality somehow different to the dead or degraded labourers without whose legions there would be no consumer culture at all. In a consumer culture it is not in the general interest to ask too closely about the costs of producing objects of desire: like supermarket sausages they taste nice so long as you do not know how they are made. ‘We do not think of the purchase of a Sports Utility Vehicle ... or our patronage at Wal-Mart as a political act’, writes Steven Winter (2005: 62), yet ‘each has social consequences and repercussions far beyond our immediate, supposedly individual “lifestyle” choice’.

Several things emerge from the dissociation between the two incidents described above. First, whilst Roy Keane railed against the disinterested disconnection of some privileged people from his football club he did not ask about the origins of the contents of their sandwiches. Thus, his diatribe was directed not against *over-identification* but *under-identification*. His analysis was precisely the opposite of that offered by Jock Young (2003: 49) in his account of the over-identification of petty criminals with ‘the values of consumerism and hedonism’ (See also Katz, 1988 on the ‘attractions’ and ‘repulsions’ of crime). The actions of the prawn sandwich brigade represent not an over-identification with values but an under-identification with processes– an under-identification of which Keane is himself equally guilty. Whilst Keane was interested in the passion of football, he did not consider the dangers, risks, emotions and suffering that are embedded in producing what the prawn sandwich brigade were consuming.

Secondly, the two stories also encourage serious critical reflection on some of the contemporary criminological discourses that seek to renew or recharge the discipline’s engagement with crime, power and society. In fact, they encourage a focus on how difficult it is to specify the locus of criminality/harm in the ordinary, if consequentially tragic, practices, habits and routines that underpin a consumerist normality. Take Milanovic’s attempt to specify the core of a constitutive criminology, for example. In his ‘edgy’ interpretation of critical criminology, Milanovic (2002: 253) writes:

‘Constitutive criminology indicates how some categories become dominant over others and how harm results in these discursive distinctions. Thus, offenders are better conceptualised as “excessive investors,” investing energy to make a difference on others without those others having the ability to make a difference on them.’

It is certainly the case that ‘dead Chinese cocklepicker’ became, for at least twenty-one men and women, a category that dominated over ‘living Chinese cocklepicker’ and that the categorical domination was final and absolute. But the identity of the ‘excessive investors’ in the fatal event is more difficult to assert with any degree of certainty. ‘Crime,’ according to Milanovic is an ‘expression of some agency’s energy to make a difference on others’ where the ‘others’ are ‘rendered powerless to maintain or express their humanity’ (ibid). ‘Agency,’ here refers to anything or anyone that can be said to ‘act’ in any way and, by definition, ‘crime’ is equivalent to a process of ‘othering’ through active agency. The problem of agency is, of course, crucial sociologically in describing and explaining social action but criminologically it represents an enormous problem. In the case of the cockle-pickers the

question arises as to who is the criminal – in this case, the agent of death? Who rendered twenty-one Chinese labourers, quite literally, in Milanovic's words, 'powerless to maintain or express their humanity'? Is it the 'gangmaster' who controlled their work, accommodation and wages – and who was sentenced to fourteen years imprisonment in March 2006 on various charges including manslaughter? Is it the alleged 'Snakehead' gangs who trafficked the labourers from China to the UK? Is it the Liverpool based company that subcontracted the work to the gangmaster? Is it the Conservative government of the 1980s that unleashed deregulated and subcontracted labour practices onto the UK economy? Is it the current New Labour government that failed to establish the conditions and requirements for safe and rewarding working conditions? Is it the paella- and pizza-eating public that gorges on the salty fruits of the exploited labourers of Morecambe Bay?

I admit that I do not know the final answers to these questions. I realise that criminalizing cockle-consumers in the same category as a people-trafficking gang is a logical error as well as being politically over-zealous. But it remains the case that each of these sets of agents participates in and contributes to injustice and harm as a condition of the supply of a consumer product. They may each inhabit different distances from the *cause* of twenty-one deaths but they are all, collectively, *conditions* of the occurrence of those deaths. The 'agent' of harm in this case is dispersed rather than localised, and inhabits the chain of connections that associates disinterested consumers, de-regulated labour practices, transnational criminal enterprises and private companies going to market in search of cheap labour rather than being situated in a single (or collectively) identifiable agent.

Thirdly, how are critical criminologists to construe the connections between social harms and consumer culture? It is true that consumerism has been blamed for just about every ill in the modern world – from the waste crisis to deforestation, from depression to obesity (O'Brien, 2007: 28). It is no surprise, therefore, that it is regularly blamed also for fuelling high crime rates (see Winlow and Hall, 2006, for example). Yet, precisely how consumerism and crime are associated – in anything more than the most banal finger-pointing sense – is difficult to articulate. For, whilst it is clear that the mass-supply of goods and services is associated with the exploitation of people, animals and natural environments it is not at all clear, as I hinted above, which particular (or general) qualities of those exploitations should be considered 'criminal' or which particular (or general) practices render them uniquely 'harmful'. Consequently, grasping the connections between 'crime' and consumerism will require that criminology, as John Muncie (2000) developing the earlier abolitionist agenda put it, must be 'decriminalised.' The links in the chain that stretches from a cold February night in Morecambe to people trafficking from China via the supermarket shelves and restaurants of the developed world are too intricate and too solidly grounded in the normal operations and expectations of contemporary society to be adequately labelled under the convenient label of 'crime.' They also require a shift of attention away from those categories that dominate the (at least Anglo-American) criminological agenda: the 'petty theft, shoplifting, recreational drug use, vandalism, brawls, antisocial behaviour' (ibid: 4) and towards corporate and state fraud and misappropriation, environmental destruction and attendant displacement and impoverishment, negligence, malpractice, and victimisation. In short, in order to develop a critical analysis of 'social harm' in consumer society, the entire

edifice of criminological thought needs to be overhauled and perhaps even replaced with a new discipline – ‘zemiology’, in Hillyard et al’s (2004: 276, fn1) formulation.⁴

This problem leads to a conceptual question about how to construe the social practices through which harms are consumed in contemporary society. The issue here, in brief, is whether criminology can or should be ‘materialised’ in the sense that the ordinary objects of desire that circulate around a consumer culture – upon the basis of which lived normality is sustained in contemporary capitalism – can be conceptualised critically precisely in terms of the links in the chains of harm that result in the rendering powerless of others. This move towards acknowledging and exploring the ‘materiality’ of culture has taken hold in sociology following Arnan Appadurai’s edited collection *The Social Life of Things* (1986; see Dant, 1999; Griswold, 2004, for example) where the objects of daily life become the focus of attention and ‘culture’ is taken to be the ‘set of common practices that surround material objects’ (Dant, op cit: 11). In sociological terms, Tim Dant suggests that the concept of material culture refers to the idea that ‘things’ are ‘not only [...] our products, designed to help us fulfil basic animal needs, but also they are an expression of who and what we are that shapes how society can proceed’ (ibid: 12). This framework also inspired Jeff Ferrell’s (2006) adventures in scroungeland, where his trash-picking and dumpster-diving lifestyle led him ‘one trash pile and Dumpster at a time’ to a ‘cornucopia of material culture’ in which the detritus of excessive consumption provides both for (some of) his material needs and an ‘existential orientation’ toward that very culture (Ferrell, 2006: 45, 192). But, in these terms, as Ferrell critically acknowledges, the question of how ‘society can proceed’ needs also to add in the human and environmental cost of ‘its’ proceeding in one set of ways rather than another set of ways. A criminology that is critical in any sense of that term has at its heart some version or at least some dimension of this problem. With this precept in mind, my basic theoretical contention is that the materiality of consumer culture is a practical matter in so far as harms are perpetrated, condoned or realised (*made* real) in the disconnected dispersal of agency that simultaneously links and separates the producer of a good to its final consumer – and even here the identity of the ‘final consumer’ is itself difficult to articulate. As a corollary, my basic empirical contention is that a consumer culture rooted in capitalist and post-imperialist exploitation can ‘proceed’ only on the basis that someone pays, through identifiable harms, the price of consuming desires.

CONSUMING CRIME

In January 2001 a man called Jurin Ratchapol was shot in the head whilst collecting cashew nuts a few hundred metres from the hamlet of Paklok in Thailand. His death sparked an uproar in coastal villages throughout the region partly because, shortly before being murdered, he was presented with an award by Thailand’s Queen Sirikit for his work in helping to protect what remains of Thailand’s mangrove swamps from the depredations of the prawn-farming industry. In November 2001 the body of Rolando Castro Méndez was found

4 In their footnote Hillyard et al observe that ‘zemiology’ derives ‘from the Greek Zemía, meaning harm’. In fact, Zemía also refers to loss or damage and is a more apt descriptor than it is given credit for. However ‘horribly named’ some may consider it, ‘zemiology’ is actually spot on as a label for the intellectual framework for studying what currently passes under the banner of ‘social harm’.

in a creek near to a shrimp farm called 'Hondufarm' in the Honduras. He, too, had been shot allegedly because of a dispute about the farm and land access. In April 2002 Abdur Rob Howladar and his son were viciously attacked by a gang of seven or eight men wielding machetes near their small shrimp farm in Bangladesh. The gang demanded money and a share of the farm's annual profits. Abdur was blinded in one eye and his arm was very badly gashed whilst his son suffered severe head injuries (see Gearing, 2001; Environmental Justice Foundation [EJF], 2003).

These are just three instances of extreme violence and murder from a catalogue of many hundreds of officially reported attacks – and many more thousands of unreported ones – that have swept through the prawn production industry across the world. And this catalogue of violence and murder is only the tip of an enormous iceberg of abuses, injustices and human and environmental degradations that characterise prawn farming.

In the Satkhira region of Bangladesh 120,000 people have been driven off their lands under the pressure of the prawn industry in the last two decades. Forty eight thousand people were driven off lands in the Indian State of Andhra Pradesh in just three years. The same story of displacement can be told about Brazil, Ecuador, Guatemala and other prawn-producing regions whilst in Burma the military junta confiscated all the large shrimp farms and evicted thousands of villagers from their lands in order to build yet more farms.

Reports of rape, kidnapping, intimidation, land-theft, victimization and the exploitation of child labour are systematically filed in all of these regions yet the industry continues to operate business as usual with hardly a peep from the world's governments. It is only through the work of charitable foundations and NGOs that any of this information is in the public domain at all.

The prawn 'gold rush', as the EJF (2004b) calls it, began in the mid 1980s. Whilst prawns were already a recognisable menu item in the developed world by this time global production and consumption has increased by thousands of percentage points across the intervening two decades. Thailand's prawn industry grew from under 10,000 tonnes per annum in 1980 to almost 300,000 tonnes p/a in 2000. Indonesian production grew from less than 5,000 tonnes p/a to over 138,000 tonnes p/a in the same period whilst Indian production grew from virtually zero to more than 50,000 tonnes p/a (EJF, 2003). This incredible explosion in the growth in prawn production was ignited by the provision of loans and credit arrangements by individual Western governments, the International Monetary Fund and, in particular, the World Bank. Between 1986 and 1990 China received almost two billion dollars in loans from the World Bank for the development of industrialised aquaculture whilst Brazil received \$630 million dollars in 1987 alone. Across the developing world, loans and credit agreements totalling many billions of dollars were disbursed in order to stimulate quasi-industrialised aquaculture. In 1991 the World Bank alone made \$1.78 billion of such facilities available. As a direct consequence of these investments, by the early 1990s prawns made up 30% of global seafood trade (Maybin and Bundell, 1996).

I don't know if it might be considered ironic or not but these funds had two main purposes. One was to encourage dollar-tradable exporting industries from the developing world in order to bring more markets into the fold of the World Trade Organisation. They were made available, in part, because 'trade not aid' was the ideologically preferred mechanism for relieving poverty and its associated social problems – such as land-theft, murder, intimidation, exploitation of child labour, and so on. Providing economic infrastructures to secure employment and development was, and is, a key goal of the World

Bank's loans strategy. The second purpose was to provide for development that was 'sustainable.' Instead of investing in polluting heavy industries or manufacturing industries that would simply add to the global glut of consumer products the loans were made on the basis that prawn production, being already indigenous on a small scale in the target countries, would provide a kind of organic, locally-generated development pattern. In the same year that the World bank loaned \$630 million dollars to Brazil for the development of aquaculture the World Commission on Environment and Development published *Our Common Future* (WCED, 1987), popularising the phrase 'sustainable development' and proposing that such development should leave for future generations a natural environment that is at least as diverse, healthy and productive as at present.

Obviously, Gro Brundtland and the World Bank were not on speaking terms because the meteoric growth of the prawn industry has had and continues to have severely deleterious impacts on environmental quality across the prawn-producing regions of the developing world. Prawn production is murderous and environmentally destructive. Its environmental impacts arise from a variety of characteristics. First, very many prawn farms are located in sensitive environments – in particular, the coastal mangrove swamps of Asia and Latin America. The farms have been constructed at the expense of the mangrove and the steady retreat of the swamps has had predictable knock-on effects for a range of indigenous species. Second, the swamps are also afflicted by the grossly polluting methods that have been used to ensure high yields. In a short report for *Pesticides News* Shanahan and Trent (2003) note that a wide range of toxic additives have been used to sustain prawn production:

'Chemicals used in intensive shrimp farming include fertilizers, disinfectants, coagulants, liming materials, feed additives (e.g. steroid hormones, probiotics, feed attractants, vitamins, and immunostimulants), and antibiotics (e.g. sulfonamides, tetracyclines, quinolones, nitrofurans, and chloramphenicol – the latter two banned in the US and EU).'

Although there is poor and often non-existent monitoring and regulation of the use of these additives, Shanahan and Trent go on to observe that:

'This is of grave concern given the widespread discharge of untreated shrimp farm effluent into surrounding waters. Intensive shrimp farms require considerable water exchange and organophosphate bath treatments result in the release into the surrounding waters of significant quantities of toxic material liable to affect fish, molluscs and crustaceans, particularly larval stages.'

The sheer scale of this toxic mix represents a major problem because the combination of swamp clearing, farm-construction, salination and pollution has had devastating impacts on the regional environments where prawn farming has taken hold.

Third, prawns are not very efficient converters of inputs to outputs. For every one kilogram of prawn meat produced, somewhere between ten and twenty kilograms of marine life is destroyed. Between three and five kilograms is needed to fatten the one kilogram of prawns and the remainder is destroyed in the catching process or simply discarded. The sheer volume of waste involved in commercial prawn farming means that this industry is responsible for a third of the world's entire discarded catch of marine life (*New Internationalist*, No. 358: July 2003).

This story of murder, abuse, exploitation, theft and environmental destruction is a tale about the ordinary operations of an industry supplying a consumer good to the developed world. The packets of prawns sitting on the supermarket shelves and, more insidiously, the prawn ingredients in pizzas, paellas and curries belong to a globally degrading, injurious and, all too often, fatal industrial machine. Their consumption by fattening westerners is one point in a long chain of associations that disguises the fate of Jurin Ratchapol and others behind the multi-coloured packaging of the 'convenience' food industry. Yet this tale of abuse, theft, displacement and murder is only half of the story. Another set of social practices that shapes 'how society can proceed' is also attendant on the consumption of prawns. The second half of the story concerns the production and management of the materials that are needed to ensure that prawns can be produced, traded, stored and transported as commodities: the chemical additives involved in production and the plastic packaging in which they are attractively displayed to catch the consumer's eye.

I just noted that large-scale prawn farming requires the use of a wide range of toxic substances. In this case, the issue of where those substances come from is also relevant. It is relevant because the hazardous chemical industries that generate the toxins are invariably located in zones inhabited by poor and relatively powerless communities (see Bullard et al, 2007; Atlas, 2002; United Church of Christ Commission for Racial Justice, 1987; and, on related matters, Pearce and Tombs, 1998). In a telling summary of how the poor are targeted to bear the burdens of toxic industries, Heiman (1996) reports on a decision-making process for the siting of a low-level radioactive waste repository in North Carolina, USA. Initially, twenty-one candidate locations were produced and eventually these were whittled down to two. Heiman reports on a 'windshield survey' of the areas that was undertaken for the Board of Commissioners. This 'windshield survey', undertaken by PR and other staff of the plant contractor, involved driving through the candidate locations and recording impressions. It provides a neat example of the assumptions and the realities informing decisions about the selection of hazardous facility sites. Heiman reproduces part of the list of 21 sites, including the impressionistic comments of public relations and other staff. Their observations include:

'Coleridge "houses fairly wealthy" out
 'Slocumb "affluent" out
 'Cherry Grove "residences of site minority-owned" in
 'Ghio "trailers everywhere" "forecloses then resells" "distressed County" in'
 (Heiman, 1996: 403)

Whilst this example refers to radioactive waste the pattern of locating hazardous facilities on the doorsteps of poor communities is well-established. In the US, Heiman continues, a quarter of America's entire petrochemical industry is situated along 'Cancer Alley' between Baton Rouge and New Orleans. Mile after mile of hazardous industrial infrastructure snakes its way alongside and through the neighbourhoods of Louisiana's disadvantaged black communities.

The petrochemical industries are responsible for manufacturing not only the fertilisers and chemical additives that go into the production of the prawns but also for the plastic materials that are used to package the prawns so that they can be transported, stored and displayed on supermarket shelves. Once the prawns have been consumed, of course, the packaging and other associated waste has to be discarded. In the UK, at least, this plastic

packaging is landfilled, incinerated, illegally fly-tipped or shipped to the developing world for 'final disposal'. In all of these cases a disproportionate share of the post-consumer burden is placed on poor and powerless communities who are more likely to suffer the impacts of atmospheric or ground-water pollution arising from the 'normal' operations of the disposal industries or to face the dangerous consequences of unregulated dumping (Clapp, 2001; Miller, 2000). Additionally, the waste management industry is, and has long been, associated with criminal and quasi-criminal activity (Block and Scarpatti, 1985; Crooks, 1993; Hayman and Brack, 2002) an association recently investigated by a Channel 4 documentary in the UK (Channel 4 Television, 2006). Illegal dumping, uncontrolled burning, unlicensed storage and trading, profiteering, fraud, corruption and environmental destruction are endemic characteristics of the waste industry both in the UK and across the world. I include this tale of waste (mis)management not only to acknowledge that the harms of prawn production and consumption stretch beyond the food item itself but also to note that the harms arising from their consumption do not stop once the prawns are swallowed. A prawn – indeed any item in a consumer culture – is simply a single object in a matrix of co-dependent goods and services that includes, in my examples, the products of the petrochemical industries and the waste management industries – each of which have their own further 'consumers'. My point is that the consumption of anything is a link in a long and complex chain of events and processes that stretches backwards and forwards in time. To consume an object, in this outlook, is to validate its harmful history and instigate its harmful future.

CONSUMERISM AND CRIMINOLOGY

My aim in this chapter has been to indicate, from 'cradle to grave', some of the practices that are attendant on the consumption of prawns and how these practices might raise questions about a social harm approach to criminological inquiry. In particular, I have tried to think through the connected issues of (i) a broader understanding of 'crime' as some species of 'social harm' by investigating what lies behind the meteoric growth of the prawn industry and (ii) illustrate some difficulties with the notion of 'agency' that arise when a broader approach is taken to criminal, quasi-criminal and otherwise harmful activities and forms of organisation. Moreover, I have illustrated some of the issues that arise when a 'material culture' approach – that defines culture as 'sets of common practices surrounding material objects' – is used as a lens for viewing criminological problems or a means of asking criminological questions. I propose that what a material culture approach might help to reveal is that the common practices surrounding, in this case, prawns as objects of consumption include murder, land-theft, rape, violence, victimization and environmental destruction. These are crucial common practices supporting a consumer culture: they are what render prawns available for consumption and sustain their availability in the shops and restaurants of the developed world.

However, as I noted in my introduction, whilst it is a relatively straightforward task to provide a description of the harms embedded in a global system of production, consumption and disposal of consumer items it is much more difficult to move beyond the level of description to provide explanations, even less theories, of the relationships between identified social harms and the practices that sustain them. In a traditional criminal justice approach the

perpetrators of murders and assaults, of thefts and frauds can, at least in theory, be held accountable for their actions: they can be identified – i.e., their *agency* and *identity* can be brought together in a single causal account of who did what to whom. Yet if any system of justice attempted to pursue *all* of the relevant actors embroiled in the harms attendant on prawn production and consumption it would be rapidly and unavoidably overwhelmed by the sheer numbers involved and undermined by the legal and moral complexities of deciding ‘fault’, let alone ‘guilt’. And, it must be remembered, the case I have outlined relates only to one of the many millions of goods and services produced and consumed in contemporary society. This is precisely why, notwithstanding their claim that the social harm critique is of particular relevance to criminology, Hillyard et al (2004: 269-70) conclude with what is effectively a manifesto for a new multi-disciplinary template. At the same time, a critique of social harms that has any practical or policy relevance cannot be tied to any currently existing system of justice: the critique, by definition, exceeds the capacity and purview of actually existing justice systems.

Given my earlier comments about the disconnection characterising a consumer culture it may be, as Pemberton (2004) has argued, that a theory of moral indifference is a necessary component of a social harm perspective. Yet a theory of moral indifference is not a sufficient framework through which to investigate the harms of consumerism. The reason for this is because a consumer culture stretches out beyond any nation state and envelops private companies, governments, individuals, criminal gangs, armies and paramilitaries as well as individuals and families across the globe. Precisely whose ‘moral indifference’ is to be held responsible or accountable for the cradle-to-grave harms of prawn consumption is difficult to specify and, moreover, many of the players in that social, political and economic scheme are not morally indifferent at all. Murders, assaults, thefts and corruption are committed by persons with deep moral involvement in the process and consequence of their actions – as are the deregulation and opening up of global markets, the pursuit of profit and shareholder dividends, consumers’ demand for cheap goods and services. At the same time, in a more general sense, it is not clear that modern consumers are morally indifferent to the fate of others. Certainly the evidence on charitable giving and volunteering suggests that humanitarian principles and at least basic social awareness are very widespread amongst members of developed nation states (Brooks, 2006; Philanthropy UK, 2007; Volunteering England, 2007). It may be that the fate of the thousands of daily ‘victims of the “global” economy’ (Pemberton, 2004: 67) are outside the immediate cognitive orbit of many modern consumers but that is not the same thing as damming the latter’s collective moral indifference. Like everyone else, consumers are at least, to quote Karstedt and Farrall (2007: 3) out of context, both ‘sheep and wolves’: blithely indifferent in some ways and urgently implicated in others.

I would argue that the key sociological and criminological issue in grasping the harms of consumerism relates not so much to moral indifference as to political-economic disconnection. In contemporary capitalism the identity and the agency of the consumer are divided: they are practised as different exigencies. The consumer’s *identity* is ideologically uninhibited: a ‘process of self creation’ (Miller, 1987: 215) in which the goods and services of consumer capitalism are malleable, interpretable, available as humanising moments in a world of alienating institutions (Miller, 1995: 31. See also Gardner and Sheppard, 1989). The consumer’s *agency*, on the other hand, is practically shackled because every good and service s/he touches is, in its material totality, a link in an economically infinite chain of harms. The

depressing fact is that those harms are always valuable to someone, somewhere: whether it be, in my example, armed gangs seeking to control prawn-producing land, governments seeking increased World Bank funding, petro-chemical companies seeking expansion of markets for their goods and services, consumers seeking cheaper choices, waste-management industries seeking greater profits from the piles of discards or, indeed, social scientists seeking enhanced research reputations by the cataloguing of catastrophe. To paraphrase Frederick Talbot's (1919: 12, 23) acute comment on waste: '[harm] creates wealth' and also useful employment.

CONCLUSION

In these respects my analysis supports Muncie's and others' proposals to expand the concept of crime to include, as a central part of criminology's agenda, harms and injustices that do not often feature centrally in criminology. Doing this, I suggest, shows that whilst Muncie's brawlers, vandals, drunks and druggies may well commit the most obvious and visible crimes, the greater harms may be contained in the prawn curry with which many a weekend reveller finishes off a rowdy evening – or, indeed, in the prawn sandwiches so conspicuously consumed in the imagination of a passionate footballer. But, as a corollary to this, I have also argued that a social harm perspective does not provide ready-made theoretical answers to the routine, normalised problems and injustices of contemporary capitalism. Part of the reason for this is that, like critical and alternative criminological perspectives of many stripes, the critique from social harm faces the daunting task not simply of assisting in the creation of a 'harmless' Criminal Justice System but in the creation of a 'harmless' society in which to realise principles of justice and respect. As Richard Quinney (2000: 27) remarks of Peace-Making criminology that 'the means cannot be different from the ends, peace can come only out of peace' so a social harm perspective has to find a way of instigating the principles and practices of harmlessness at a societal level. Given the infinite links through which the harms of consumer society are attached to each other, and the vested interests and moral involvement of people and organisations in perpetrating and sustaining those harms, the road to harmlessness looks even rockier than the road to peace. Yet, rather than ending on this brutally pessimistic note, a social harm perspective at least has the potential, as Joe Sim (2004: 132) argues, to contribute to criminology's disciplinary redemption from intellectual compromise and theoretical timidity. The question, of course, is whether such a redeemed discipline would still be criminology.

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Chapter 4

THE LAND OF THE ORANGUTAN AND THE BIRD OF PARADISE UNDER THREAT

Tim Boekhout van Solinge¹

Willem Pompe Institute, Utrecht University
The Netherlands

ABSTRACT

This chapter addresses the issue of deforestation in Indonesia and its effects on wildlife and people. It takes as a starting point the descriptions by Alfred Wallace (1869) of the Malay archipelago and then discuss the history of deforestation in Indonesia. The focus of the article is on the giant scale of tropical deforestation in Indonesia, which goes faster then anywhere else in the world. Illegal logging and land conversion for oil palm and paper production are the main causes of deforestation on the large islands of Sumatra, Borneo and New Guinea. The article also contains a case study of timber smuggling from Indonesian to Malaysian Borneo, based on a visit in 2005. Deforestation obviously has a negative impact on the wildlife populations, such as tiger and orangutan. While the situation looks grim for the Sumatran tiger and orangutan, the example of the once threatened bird of paradise may serve as an example for further wildlife conservation.

INTRODUCTION

In 1869, the British explorer, geographer and biologist Alfred R. Wallace (1823-1913) published his famous book *The Malay Archipelago: The land of the orangutan, and the bird or paradise: a narrative of travel with studies of man and nature*. Wallace's narrative of the Malay Archipelago became one of the most popular journals of scientific exploration of the nineteenth century, reprinted many times until into the twentieth century. Wallace's work was praised by people like Charles Darwin and novel writer Joseph Conrad.

¹ Email: t.boekhoutvansolinge@law.uu.nl.

Wallace is also known for the “Wallace line” he identified, dividing the fauna of Asia from that of Australia. He was one of the first prominent scientists to raise concern over the environmental impact of human activity. How poignantly right Wallace was on the latter point, is given by the examples of the two rare animals he mentioned in the title of his famous book, the orangutan and bird of paradise. The orangutan is today seriously endangered and might get extinct in the wild within twenty years. The bird of paradise was critically endangered one century ago, but it survived as a result of conservation movements that sprang up.

Indonesia is home to some of the most magnificent tropical forests in the world. They rank third after the Amazon and Congo basins. The Indonesian archipelago contains approximately ten percent of the world’s remaining rainforests. The biological richness of Indonesia is unique, but many habitats are under serious threat due to increased deforestation. Nowhere in the world is tropical deforestation going at a faster rate than in Indonesia; its forests are going down at the speed of six football fields every minute (Agilionby 2005). Forests that in the time of Alfred Wallace were immense and almost impenetrable jungles, are now rapidly shrinking in size or have already disappeared.

It is generally acknowledged that most of the logging in Indonesia is illegal. The estimates on the extent of illegal logging in Indonesia as a part of all logging vary from 70%-90%. In itself, the phenomenon of illegal logging is not unique to Indonesia. In several tropical countries, most of the timber harvesting is illegal (Oldfield 2005: 124). In South East Asia, estimates for the share of illegal timber harvesting vary from 20-40% in Vietnam, 35% in Malaysia, 50% in Myanmar, 70%-90% in Indonesia, 70% in Papua New Guinea to 90% in Cambodia (Jaakko Pöyry Consulting 2005:4). In an international perspective, the share of illegal logging in Indonesia is large, which may be partly explained by the still widespread corruption.

With regard to logging in South East Asia, large parts of the Philippines and Thailand have already been logged. Large-scale logging currently takes place in Indonesia, Malaysia, Burma, Cambodia, Laos and Vietnam. A common method is that timber is being logged illegally in one country, and is then smuggled to a neighbouring country, from where it is being exported. For example, illegal timber from Cambodia is transported to Thailand and Vietnam, where it is manufactured into furniture which is exported such as to Europe (Aidenvironment 2000: 13). Similarly, timber from Burma is being (illegally) exported through Thailand, and Indonesian timber is smuggled to Malaysia, or it gets a Malaysian bill of lading.

The general geographical trend that can be observed in Indonesian deforestation is from west to east. In the west, large parts of Indonesian Sumatra have already been logged. The lowlands of the more centrally located island of Borneo, especially on the Indonesian side, have also been logged for a substantial extent. Since a few years, the large eastern Indonesian province of Papua has become the focus of large logging operations, mostly illegal.

This chapter addresses the issue of deforestation in Indonesia, its causes, and its effect on wildlife. Why is most of the logging illegal in Indonesia and why is deforestation here occurring faster than anywhere else? What are the mechanisms behind deforestation, what are its prime causes, and what are the consequences for people and wildlife?

The data collection for this chapter mostly consisted of literature research, publications by academics or NGO’s. Fieldwork findings were based on discussions with timber traders and representatives, as well as NGO representatives from Europe and Indonesia. This chapter

also includes impressions from a visit to the interior of Borneo, in Indonesian West Kalimantan. In and around national parks near the Malaysian border, signs of large-scale illegal logging and smuggling operations from Indonesia to Malaysia were occurring on a daily basis and could be easily observed.

This article takes as a starting point the travels of Alfred Wallace in the mid nineteenth century. At the time, Indonesia was still mostly covered with rainforest, in which many wild animals lived, such as tigers, orangutans and birds of paradise. Tigers still lived on the islands of Java and Bali during Wallace's time, but became extinct in the twentieth century. Wild tigers in Indonesia have only survived on the island of Sumatra, but their numbers have dwindled. The orangutan and bird of paradise, which Wallace looked for specifically, were easy to find by him on Borneo and New Guinea. Today, as a result of hunting and deforestation, their numbers are much lower and the animals are consequently harder to spot.

After Alfred Wallace's description of the Malay archipelago, the chapter will continue with the history of deforestation, and focus on illegal logging practices and the illegal timber trade in and from Indonesia. The effects of deforestation on wildlife will be further addressed, such as on tiger and orangutan populations. A practical example will then be given, of timber smuggling operations in the heart of Borneo. The chapter will end with the peculiar story of the bird paradise. Threatened with extinction almost a century ago, it transformed into a symbol of conservation. The story of the bird of paradise may thus serve as an example and inspiration for further species conservation.

THE LAND OF THE ORANGUTAN AND THE BIRD OF PARADISE

Between 1854 and 1862 Alfred R. Wallace travelled through the Malay archipelago, an area today covered by the countries Indonesia, Singapore, Malaysia, Brunei and Papua New Guinea. Most of his travels were in today's Indonesia. In 1869, Wallace published the findings of his explorations: *The Malay Archipelago: The land of the orangutan, and the bird or paradise: a narrative of travel with studies of man and nature*. Wallace is considered as the father of biogeography –the study of the geographical distribution of biodiversity in time and space– and he dedicated the book to his friend and colleague Charles Darwin, who published his famous study *The origins of species* (1859) ten years earlier.

In 1854, Wallace arrived in Sarawak, the now eastern Malaysian province of Malaysia on the island of Borneo. In Chapter IV of his book, called "Borneo—the Orangutan", Wallace wrote about untouched and magnificent virgin forests, stretching for hundreds of miles in every direction over plain and mountain, rock and morass. One of Wallace's chief objectives in coming to Sarawak was to see the Orangutan, "the great man-like ape of Borneo", locally known by the Dyak tribes as "The Mias". One village head told him that "the Mias is very strong; there is no animal in the jungle so strong as he". Dyak chiefs said that the Mias is never attacked by any other animal in the forest, with two rare exceptions, the crocodile and python, but the Mias was able to kill both in case of being attacked.

Wallace wanted to "obtain good specimens of the different varieties and species of both sexes, and of the adult and young animals". He succeeded beyond his expectations. Wallace killed seventeen of them, including a mother with a baby, and he ended up with a orphan orangutan of one foot long, which he took as a pet but which died after three weeks. Alfred

Wallace gave detailed accounts of his experience in hunting The Mias, itself unaware of the naturalist's intentions:

"They do not seem much alarmed at man, as they often stared down upon me for several minutes, and then only moved away slowly to an adjacent tree. After seeing one, I have often had to go half a mile or more to fetch my gun, and in nearly every case have found it on the same tree, or within a hundred yards, when I returned".

Wallace found in Borneo that the orangutan inhabited "many districts on the Southwest, Southeast, Northeast, and Northwest coasts, but appears to be chiefly confined to the low and swampy forests." (...) The Mias is only found when the country is low level and swampy, and at the same time covered with a lofty virgin forest".

Although Wallace observed mostly covered rainforests during the fifteen months he spent on Borneo, he also observes mining and sawdust, a sign of large-scale logging and forest clearing. "For several months from twenty to fifty Chinamen and Dyaks were employed almost exclusively in clearing a large space in the forest, and in making a wide opening for a railroad to the Sadong River, two miles distant. Besides this, sawpits were established at various points in the jungle, and large trees were felled to be cut up into beams and planks".

Java, visited by Wallace in 1861, "may fairly claim to be the finest tropical island in the world". Java already was the most populated island of Indonesia, and according to Wallace the most populous island in the tropics. He reported the population was about ten million — 8% of today's population of Java— which was mostly restricted to the coastal plains and river valleys. Java was still heavily forested and Wallace described how forests were even covering older civilisations: "for, scattered through the country, especially in the eastern part of it, are found buried in lofty forests, temples, tombs, and statues of great beauty and grandeur; and the remains of extensive cities, where the tiger, the rhinoceros, and the wild bull now roam undisturbed".

Wallace was in Sumatra from November 1861 to January 1862. He noted that the orangutan is known to also inhabit Sumatra, where it was first discovered, but he did not manage to find one, or to find someone knowing about them. "I made many inquiries about it; but none of the natives had ever heard of such an animal, nor could I find any of the Dutch officials who knew anything about it". Wallace therefore concluded that that the orangutan "does not inhabit the great forest plains in the east of Sumatra where one would naturally expect to find it, but is probably confined to a limited region in the northwest part of the island entirely in the hands of native rulers".

In the second volume of his book Chapter 38 is called The Birds of Paradise: "many of my journeys were made with the express object of obtaining specimens of the Birds of Paradise, and learning something of their habits and distribution; and being (as far as I am aware) the only Englishman who has seen these wonderful birds in their native forests". He recounted that since the earliest Europeans (the Portuguese) arrived in the Moluccas in search of cloves and nutmegs, they were presented "with the dried shins of birds so strange and beautiful as to excite the admiration even of those wealth-seeking rovers". The Malay traders gave them the name of "Manuk dewata," or God's birds. The Portuguese called them "Passaros de Col," or Birds of the Sun. The Dutchmen, writing in Latin, called them "Avis paradiseus," or Paradise Bird.

For several centuries, the skins and feathers of the bird of paradise were exported and found, for example, at the Court in Nepal and in the Ottoman empire. The beauty and rarity of these birds, almost exclusively found on the island of New Guinea and some of the surrounding islands, gave the bird of paradise a special place in our idea of the tropical nature (Cribb 1997: 457). For a long time, the bird of paradise remained a mysterious bird. Wallace:

“Down to 1760, when Linnaeus named the largest species, *Paradisea apoda* (the footless Paradise Bird), no perfect specimen had been seen in Europe, and absolutely nothing was known about them. And even now, a hundred years later, most books state that they migrate annually to Ternate, Banda, and Amboyna; whereas the fact is, that they are as completely unknown in those islands in a wild state as they are in England. Linnaeus was also acquainted with a small species, which he named *Paradisea regia* (the King Bird of Paradise), and since then nine or ten others have been named, all of which were first described from skins preserved by the savages of New Guinea, and generally more or less imperfect. These are now all known in the Malay Archipelago as “Burong coati,” or dead birds, indicating that the Malay traders never saw them alive”.

Wallace did find birds of paradise and managed to obtain specimens of several species. He described how the locals hunted the birds at sunrise, when the birds start to dance, with a blunt arrow to stun the bird and later kill it for its feathers. But even in the Malay peninsula the birds were hard to find and Wallace was very fortunate, he wrote, to find two male birds of paradise on his return in Singapore. He decided to pay the “very high price asked for them”, one hundred pound sterling, and managed to bring them back alive to England, despite the cold March wind on the Mediterranean sea upon arrival in Europe. In London the two birds lived in the Zoological Gardens “for one, and two years, often displaying their beautiful plumes to the admiration of the spectators”.

A SHORT HISTORY OF DEFORESTATION IN INDONESIA

Historian Boomgaard (1997: 419) noted that phenomena like deforestation, threatened biodiversity and consequent conservation measures are not new to Indonesia. Around 1500, an estimated 90% of the area today called Indonesia was still forested. A century later, the Europeans had installed themselves in Asia, but their arrival had hardly influenced agriculture. The most used agricultural method was shifting cultivation, such as for rice. The population density was obviously much lower than today and most of the archipelago was still largely forested.

The arrival of Europeans and Chinese has led to increased land use and harmful effects on the natural environment. The first Europeans arriving in Indonesia were the Portuguese, but the Dutch took over in the seventeenth century, first through the United East Indian Company (VOC), the first multinational, later as a colonising power. From the seventeenth century onwards, Indonesia was increasingly exploited as a source of raw materials or as agricultural land. Europeans introduced new food and export crops such as corn, cassava, tobacco and coffee, which led to an increased demand for agricultural land and lowland areas being deforested. As tobacco needs timber in the drying process and its cultivation much fertiliser, cattle consequently increased in numbers as well, which further increased

deforestation. These trends could be observed in the eighteenth and especially nineteenth century. Coffee on the other hand, was much grown higher up the hills and mountains. A favourite spot for a large coffee plantation was on virgin, high ground forest land. Around 1870, people in Java realised that coffee farming on higher grounds had a negative environmental impact and the Forest Authority started reforesting some areas (Boomgaard 1997: 422-423).

The problem of erosion as a result of deforesting mountainous areas was already known in the nineteenth century. As a result, measures were taken to prevent or avoid erosion, such as putting mats on the soil or planting young trees, and making terraces on hills (known for rice cultivation). Still, during the nineteenth century, the phenomena of eroded hills could already be observed. Having lost their fertile soil, nothing but grass grew on the hills. Lower areas such as agricultural fields could consequently suffer from floods (Boomgaard 1997: 422).

On Java, an important source of deforestation was the exploitation of timber, especially teak. Much the island was still heavily forested, but the Dutch were interested in the teak forests and had started logging them extensively. This practice started in the early nineteenth century, when a road was constructed the length of Java and was quickly extended to many remote parts. Large quantities of timber were felled for local construction and export. By the end of the nineteenth century, the teak forests of Java had been depleted to such an extent that the Dutch administrators began a plantation programme to reforest areas (Fraser 1998: 133).

The European environmental impact on Indonesia is clear. Before their arrival, 90% of Indonesia was covered with forests. In 1941, the first year of which reliable data exist to estimate the extent of forest cover, this was reduced to 66%. In 1941 the Javanese tiger was almost extinct, one rhino type had already disappeared from Sumatra and was threatened with extinction on Java, while another subspecies had become threatened with extinction on Sumatra (Boomgaard 1997a: 415).

The Indonesian history of wildlife and wildlife policy however, also shows some of the solutions of the threat to wildlife. For example, the massive logging by the Dutch of teak timber in Java was stopped around 1900. Moreover, the famous Ujung Kulon nature reserve in West Java has ensured that the Javanese rhino, although already threatened with extinction a century ago, did not get extinct (Boomgaard 1997a: 416). And despite the very high population density on the island of Java (of over 800/km²), the history of conservation has resulted in a remaining forest cover of some 19%, which is double of the UK (Fraser 1998: 134), in Europe considered a tree-rich country.

After WWII, more modern machines and equipment have made logging operations easier. Bulldozers are used to make logging roads and clear forests. As Indonesia is one of the world's most forested tropical countries, its valuable hardwood has been discovered as a source of income for both individual farmers and villagers, as well as for national and multinational businessmen and companies.

Over the last decades however, deforestation in Indonesia has been speeding up rapidly. Country-wide, the deforestation rate was 8000 km²/year during the 1980s. In the early 1990s, this rate increased to around 12,000 km² a year. From about 1996 to the present the annual deforestation rate has almost doubled to more than 20,000 km² a year (Shepherd and Magnus 2004: 4). This corresponds to an area more than half the Netherlands or Switzerland being deforested every year.

MODERN DEFORESTATION: ILLEGAL LOGGING AND LAND CONVERSION

When it comes to illegal timber, law enforcers often think of timber species that are listed in CITES: the Convention on the Illegal Trade in Endangered Species. Animal or plant species listed on one of the CITES appendixes are only allowed to be traded with legitimate permits. The import of CITES timber is hence illegal when the trader or importer does not have the required CITES permit, or when the timber species is listed as another (non CITES) timber species on the bill of lading.

In itself the CITES convention is an appropriate tool for controlling and monitoring the trade in timber species, but as yet its role in this area has been restricted (Oldfield 2005: 125). Besides the limited number of timber species listed (less than two dozens), the international timber trade generally has a low priority in law enforcement around the world and customs or other law enforcement agencies institutions often do not have many specialists capable of recognising and distinguishing protected timber species from other ones.

Although the illegal trade in CITES timber is the most obvious, and most easy to proof type of illegal timber trade, it is not the most prevalent one. A much common form concerns non-protected timber that was logged illegally. This practice of illegal logging can take various forms (see MacAllister 1992). Timber can be logged where no logging is allowed at all, such as in a national park or protected forest. Another form is that logging takes place outside the concession areas, or when certain smaller, larger or more trees are being trees felled in a concession area than the permit allows. Finally, it also happens that other timber species than mentioned in the permit are being logged. The subsequent trade can also be illegal. In the case of Indonesia, a part of the illegally logged timber is being exported through Malaysia, either physically, by smuggling it over the border, or by giving it, on paper, a Malaysian origin.

A specific problem of deforestation in Indonesia is that it is unclear who has the right to give out logging permits. This question has become especially relevant since the policy of decentralisation and regional autonomy was introduced in 2001. Is it the village head (based on customary law), the governor (based on the policy of decentralisation), or the Ministry of Forestry that is allowed to give out logging permits? What is, in any case, clear, is that most logging practices in Indonesia is illegal and that much larger quantities are being exported than the Ministry of Forestry allows. The lack of legal clarity —further exacerbated by the fact that some laws are still in Dutch, the language of the former coloniser— leads to political conflicts about land rights, tax and profits. Illegal logging also leads to social conflicts, such as between villages and companies, or also between villages.

While companies, governors, and some villages profit from the timber trade, other villages feel victimised as the forests on which they are dependent disappear. When loggers make new logging roads, legal or illegal, they construct improvised dams and pass-ways for trucks. This lead to rivers and streams being interrupted or polluted, which in turns leads to angry villagers nearby, being dependent from the river for washing and especially drinking water. Hence, while some villages or village-heads make good fortune with logging, people in others villages experience the disappearing of the natural habitat of which they are dependent.

There is no doubt that illegal logging is a threat to many of the indigenous and tribal groups living in and around the forests. Illegal logging directly affects human right of forest

tribes and age-old societies of hunters and gatherers. It shows there are real victims of the illegal logging practices, which have led to protests across the islands of the archipelago. The protests have ranged from: local and national environmental and human rights groups to university students from the State University of Papua demonstrating against illegal logging, as portrayed in the *Jakarta Post* (2005).

The Indonesian government is well aware of the large extent of illegal logging. Indonesian forestry officials themselves say that illegal logging is widespread and out of control (Sheperd and Magnus 2004: 4). To limit the export of illegal logs and in order to keep at least some control over the trade, the export of round logs was declared illegal in 2001. In 2004, sawn timber exports were also banned. These measures oblige loggers wishing to export, to go to a saw mill first, which can to some extent be monitored by the government. This policy, however, leads to another problem: the existence of many illegal saw mills, especially near the Malaysian border. In Papua, illegal loggers have found another solution to circumvent detection: they now transport the logs in large vessels, not to be seen from the outside. Moreover, the 2001 law change to prohibit the export of round logs, also created legal opacity. Somehow, importing countries did not know about the new law and continued importing illegal round logs. The NGO Environmental Investigation Agency (EIA), concerned about logging in Indonesia, therefore took the initiative to notifying governments, such as the Dutch Minister of Agriculture, for importing Indonesian timber that is not allowed to be exported.

Illegal logging practices are obviously linked to the much prevalent corruption. For example, in Indonesia, it is not expensive for a logging company to bribe a judge. A factor that further complicates the limiting of logging in Indonesia, is the involvement of the Indonesian army (TNI) in the timber trade. Despite the fact that the Indonesian army is a powerful force in Indonesian society, its budget is not guaranteed by the Indonesian State. The Indonesian government only supplies 30% of the army's budget, which results in the fact that the army controls many commercial businesses in order to pay its salaries. Among the army's businesses are logging and timber companies. Although government and army have agreed that the army will stop its commercial activities before 2010, it is likely the army will remain involved in logging in the next years to come. From a perspective of the democratic modern state, it is, of course, undesirable that armed forces are directly involved and largely dependant on commercial activities, especially considering the difficulty of monitoring and controlling armed forces.

Logging for timber is actually not the only cause of deforestation. An equally important reason for deforestation is land conversion: turning forests into profitable agricultural land, especially oil palm plantations. Indonesia and Malaysia have become the world's main exporters of palm oil, which is increasingly used in industrial food products around the world. On Sumatra and Borneo, former tropical forest have transformed into large palm oil plantations, producing palm oil for the world market. The oil palm business has become so profitable, that forest lands are sometimes put on fire illegally, as to facilitate their transformation into palm oil.

In 1997, forest fires on Sumatra and Borneo of almost a million hectares spread to the extent that they created a smog across much of southeast Asia. It was thought they were sparked off by loggers, industrialists and farmers after the failure of seasonal rains. In 2006, large forest fires occurred once more on Borneo, again helped by a prolonged dry period. Besides being a problem for the forests and their inhabitants, these forest fires are now also

acknowledged to pose a global problem. While forests in general store carbon, the tropical such in Borneo store huge amounts. If they are released by future forest fires (in particular the peak forests), it will mean a major global increase of carbon into the air.

A cause of deforestation that is much lesser known and lesser addressed internationally, is the paper and pulp industry. The paper and pulp industry in Asia is growing fast. On Borneo and especially Sumatra, rainforest also disappears as trees are being processed into pulp and paper. In Sumatra's province Riau, the world's two largest paper pulp factories are found, owned by the paper companies Asian Paper and Pulp (APP) and APRIL/RAPP. While both multinationals were supposed to have created sufficient forest plantations, virgin forests are actually disappearing in their paper mills as well. Both companies have been severely criticised for their logging practices, APP in particular. APP, based in Singapore, has the ambition of becoming the world's paper producer. As APP regularly broke agreements and laws, such as by logging much in virgin forests, several international banks have withdrawn after being criticised by NGO's. RAPP, which is part of APRIL paper, has promised to stop the logging of virgin forests before 2008.

While APP has broken laws to the extent that some of the paper it produced could be labelled illegal, it is unclear where APP paper ends up exactly, even though the company claims to sell all over the world. Utrecht University criminology students asked all paper importers in the Netherlands whether they used APP paper, which they all denied. As APP has a bad name, their paper is often put on the market under a different company name. APP representatives in Europe, which could be contacted after much email correspondence, however claimed that APP did have clients in the Netherlands, such as through their U.S. daughter company, PAK 2000, which produces paper bags for popular fashion brands (Campen and Smits 2007).

VISITING THE HEART OF BORNEO

In the forests of Borneo, the age-old practice of hunting and gathering still exists, sometimes combined with agriculture. Villagers like to refer to the forest as their "supermarket", the place where to get food. Another old practice of forest dwellers is shifting cultivation, still practised in the different parts of Borneo. Forest tribes have of course, always used timber for constructing their homes and for fuel.

Forest and local village people are sometimes kept responsible for a big part of the deforestation in the tropics, especially by traders and sales men. For example, when discussing tropical deforestation with timber salesmen or timber company representatives, such as at the 2006 Timber Fair in Ahoy, Rotterdam, they regularly put forward the argument that locals take a larger share in deforestation than the logging companies do. When the issue of illegal logging and illegal timber trade is being discussed, another argument is used regularly, not only by people working in the timber business, but even sometimes by policy makers in The Hague: the timber will be bought anyhow. This argument follows the "logic" that if Europeans do not buy the timber, "the Chinese" will otherwise buy it. Hence, what difference does it make? The timber will be bought anyhow!

In criminology, these types of arguments that shield away one's own responsibility in illegal activities are called neutralisation techniques (see Sykes and Matza 1957). The truth is

that large-scale logging by professionally equipped, often multinational companies is responsible for much more deforestation than the local timber use and shifting cultivation. Japanese researchers have shown in a study on Malaysia that it was “inappropriate to blame shifting cultivation for recent major damage to forests, particularly the recent loss of primary forest” (Jomo et al. 2004: 169). Large scale logging in Malaysia appeared to be much more damaging. Between 1963-1985, 30% of the East Malaysian state of the forests in Sarawak (Borneo) were logged. It led to many local protest by Dayak tribes in the 1980s and 1990s, followed by international protests, which both continue until today.

Although it is true that logging operations in Malaysian Borneo have been damaging for forests, wildlife and Dayak tribes, the forest cover on the Malaysian side of Borneo is still (much) larger than on the Indonesian side. Some Malaysian loggers and timber traders have therefore moved their operations to Indonesian Borneo, which is much larger and contains more forest.

Peripheral and border areas are especially vulnerable for illegal logging and timber smuggling. This applies to the large Eastern province of Papua, to the many smaller islands, as well as the interior of Borneo, where political boundaries cut through dense rainforest. Considering that the Indonesian part of Borneo has most forests, and Indonesia is also, by far, the poorest of the three countries on Borneo, its politically peripheral provinces run the risk of being neglected. Profiting from the absence of a strong state, others step in. When national parks are found along borders, trees and animals can be targets for illegal operations.

The Indonesian Betung Kerihun National Park, in the Indonesian Province of West-Kalimantan, stretches along the border of the Malaysian state of Sarawak. Being on a political border makes the park vulnerable for illegal logging and wildlife smuggling into Malaysia, which started some five years ago. In 2005, WWF Indonesia estimated 300-500 trucks carrying illegal timber from Indonesian Borneo (West Kalimantan) to the Malaysian province of Sarawak crossed the border on a daily basis. The nearby Kapuas river, Indonesia's longest river, is also used for illegal timber transports.

In 2005, the Indonesian police in West Kalimantan dismantled an illegal Malaysian logging operation in Betung Kerihun National Park. The new chief of police decided to act against the loggers, after his predecessor was fired because of his involvement in illegal logging. The parking lot at the police station in the town of Putussibau was filled with confiscated bulldozers, many four-wheel drives, trucks and a large fuel car, all from Malaysia. It showed the professionalism and scale at which the loggers were working. The pictures were also published in local newspapers, such as in the *Pontianak Post* (25 April 2005). The expression “illegal logging” (the English expression has been introduced into the Indonesian language) is actually found almost daily in the Indonesian press. The Malaysians arrested in the operation were working for a known Malaysian timber baron operating from the city of Sibu, in Malaysian Sarawak. In some local Dayak villages near the national park, this timber baron is considered a “Robin Hood”, as he gave them employment and built some villages new long houses.

Despite the police operation, illegal logging and smuggling continue. The timber smugglers became more careful after the arrests of several Malaysians. The timber is now only smuggled at night, after 6 PM. Moreover, the loggers are usually better equipped for the bad and bumpy roads than the police and customs.

Travelling in and around the national park of Betung Kerihun the effects of illegal logging and smuggling quickly became clear. Along the road to Malaysian Sarawak, meranti

timber, sawn in large beams of four to five meters, was piled up left and right on the road, sometimes meters high. The meranti is logged in the nearby Betung Kerihun national park. It is sawn in or nearby the forest in illegal saw mills, ready to be smuggled into Malaysia. Suddenly, at night fall, many trucks appear on the road. Boys and men appeared on the streets ready to load the timber on the trucks.

On the road of only several dozens kilometres that leads to Malaysia, thousands of cubic meters of meranti can be observed, to be picked by trucks after dark. The closer one gets to the Malaysian border, the higher the timber piles. No law enforcers were seen, but many Malaysian trucks and four-wheel drives, recognisable by the driver's seat being on the left, and often by the absence of license plates as well.

On a boat trip on Lake Sentarum, an extensive reserve of wetlands and lakes with intermittently flooded forests, timber smuggling operations cannot be overlooked. Large rafts of timber, meranti again, are waiting for transport, or are being pulled by a ship to the other side of the lake, to the border town of Badau near Malaysia. From Badau trucks pick up the timber for further transport. There is no other direction then to go than Malaysia. On the other side of the border is the Malaysian town of Engkilili, from where the timber export ports of Kuching and Sibu are reached.

As soon as the Indonesian meranti has crossed the Malaysian border, it can easily be labelled and exported as Malaysian. The Malaysian timber industry works such that as soon timber arrives at a Malaysian saw mill, it is considered Malaysian. In view of the large-scale smuggling to Malaysia, it can be seriously questioned whether all its timber exports are genuinely Malaysian origin. This seems especially plausible as in the State of Sarawak overlap exists between politicians and timber traders. The biggest logging operator in Sarawak and Malaysia was supposedly Senator Tiong Hiew King, who is also the owner of a textile company and the largest Chinese daily in Malaysia (Jomo et al. 2004: 211).

An important reason why law enforcement is virtually absent is the gigantic profits of the timber trade, which enables traders to bribe and involve government officials. While the Malaysian businessmen pay between 10-20 euros for one cubic metre of Meranti, on the international market they sell it for 200 euros. Such profit margins are comparable to the lucrative cocaine trade, which also increases tenfold in price, from the Caribbean (5 euro/gram) to Europe (50 euros/gram).

Not only timber, also other wildlife is subject to smuggling. The animal trade often takes place in the footsteps of the timber trade. Some logging camps near the Indonesian border with Malaysia have many cages with caught wild animals. Local environmental NGO's showed recent pictures of caged birds, cats (such as the clouded leopard), honey bears, monkeys and small orangutans, all to be sold later.

Orangutans in particular are vulnerable to the illegal wildlife trade. They reproduce slowly and are much sought after. It is always a young the hunters are after, to be sold on the international market. The mother is always killed in the event; her physical strength would prevent them from taking her baby. While local forest dwellers may occasionally shoot and eat an orangutan, this practice does not have the same impact on the orangutan populations as the lucrative (illegal) trade. An orangutan can end in one of the small private zoos, such as held by retired Indonesian army officers, or they are sold internationally, such as to Bangkok, a central place in the international orangutan trade. The young ape then may end up in a box ring, with boxing gloves on, put there for human excitement, or the orphaned orangutan may be smuggled further, for example to the United States, where it may be sold for 40,000 euro.

The north of West Kalimantan is one of the five areas inhabited by orangutans. An environmental campaigner met in Putussibau, near the Indonesian Betung Kerihun National Park, declared that he had met an orangutan hunter who had sold twelve babies —for twenty-five euro each— in six months time. The presumed buyer was a Malaysian timber baron in Sibuh, whom was referred to earlier. As an orangutan young stays with the mother for seven years, twelve disappearing babies and twelve mothers killed is a huge blow to an already fragile population of maybe 3,000.

DEFORESTING THE LAND OF THE ORANGUTAN?

In the twentieth century, orangutan numbers fell by 90%. Their numbers are estimated to be somewhere between 45,000 and 60,000. Both the Sumatran and Bornean orangutan are threatened with extinction and listed on the red list of the IUCN. The Borneo orangutan is endangered, but the Sumatran orangutan has the status of critically endangered (estimated at some 3,500). In 2004, WWF estimated that Asia's "wild man of the forests", could disappear in just 20 years.

The orangutan is only found in Sumatra and Borneo. On Indonesian Sumatra, the world's sixth island, the Sumatran orangutan (*Pongo abelii*) is found in the north. Borneo, the world's third island and the size of France, is divided among three states: Brunei, Indonesia and Malaysia. The Bornean orangutan (*Pongo pygmaeus*) is living in eight regions, on the Malaysian side (in the provinces Sarawak and Sabah) and Indonesian side (Kalimantan).

Orangutans are known to live at low population densities and therefore need large contiguous areas to maintain viable populations. As the remaining patches of undisturbed lowland forest on both islands are rapidly shrinking and becoming increasingly fragmented (Marshall 2006: 566), their habitat and survival are increasingly limited. Their populations are decreasing as a result of deforestation and hunting. The two are obviously linked as deforestation facilitates poaching. Loggers are actually not seldom involved in poaching and trading forest animals.

In northern Sumatra, the numbers of orangutans were estimated 12,000 in 1993, which then was the largest population in the world. In 1998 and 1999 around 1,000 animals were lost per year and their numbers are now estimated to be around 7,500. This shows a very rapid decline by approximately 45% in six to seven years (Schaik et al. 2001). More recent estimates put the current number at 3,500 (Krief 2006: 14). The approximate forest loss on Sumatra was 67,000 km² between 1985 and 1997, most of it being lowland rainforest (Shepherd and Magnus 2004: 4). Schaik et al. (2001) have shown the consequences of the recent wave of forest conversion, and legal and illegal logging, on orangutan numbers on Sumatra. They show that the orangutan's decline is caused by forest loss, logging intensity, and the delineation of logging concessions and legal changes in land use status.

Not only the orangutan, also many other species are obviously threatened by deforestation in Sumatra, such as the forest elephant, rhino, and tiger. In the early twentieth century, Dutch colonists in Sumatra often reported tigers as "a plague", so numerous and bold that they would enter their estate house compounds. In the 1970s, their number was estimated at one thousand, but in the 1980s at several hundreds. According to the last estimate, which dates from the 1990s, their numbers were between 400 and 500, but between 1998 and 2002,

poachers killed some fifty tigers a year, mostly for commercial gain (used in Traditional Asian medicine or as charms or souvenirs). Besides poaching, deforestation also poses a threat to the tiger as habitat critical to both tigers and their prey is rapidly vanishing. Six national parks on Sumatra offer the highest level of protection, but “these areas have been largely isolated from one another through logging and conversion of forest to plantations and agriculture, leaving little or no tiger interchange and gene flow between these separate populations” (Sheperd and Magnus 2004: 5). The trends of deforestation and poaching combined, means that the last Indonesian tiger risks being extinct in the wild.

On the island of Borneo, similar mechanisms can be observed. Deforestation has led to habitat loss for animals such as the orangutans. Densities and population sizes are in decline in all parts of Borneo. The main reasons of deforestation were discussed earlier: logging for timber and land conversion. For example, the area planted with oil palms increased from 2,000 km² to 27,000 km² between 1984 and 2003, leaving just 86,000 km² of habitat available to the species throughout the island. Kalimantan, the Indonesian part of Borneo, lost 39% of its orangutan habitat between 1992 and 2002. On Borneo, the total population is estimated to be a little over 40,000. The Central Bornean population is estimated at around 38,000, the North West Bornean at some 3,000. In a study on a population in East Kalimantan, Marshall et al. (2006: 566-578) showed that hunting is another important cause of declining populations. They found in East Kalimantan (Indonesian Borneo) that “hunting is a far more serious threat to orangutans than are light to moderate logging operations” (Marshall et al. 2006: 576).

DEFORESTING THE LAND OF THE BIRD OF PARADISE?

The island of New Guinea, of which the Indonesian province of Papua (Irian Jaya) forms the western half, is considered to be one of the planet’s most pristine natural places. The dense and large unknown forests are inhabited by hundreds of indigenous groups, as well as by many rare and unknown species, such as various types of the tree kangaroo and bird of paradise. In every expedition to Papua or neighbouring Papua New Guinea new species are found, and sometimes species thought to be extinct. In 2006, dozens of new animals and plants were discovered during an expedition to the Foja Mountains of Papua province, Indonesia. One of the team leaders told the BBC the forest location “was as close to the Garden of Eden as you're going to find on Earth”.

Indonesian Papua is still mostly unlogged, but since a few years loggers have discovered its forest and financial potential, which has become the target of large scale logging operations. Especially merbau, one of the most valuable timbers of South East Asia, a beautiful dark-red tropical hardwood, twice as hard as oak, is much sought after by Indonesian and Malaysian loggers. The timber is then sold, sometimes through Singapore and Malaysia, to India, China, North America and Europe, where it is increasingly used for doors and especially flooring.

In 2005, Environmental Investigation Agency (EIA) and Indonesian NGO Telapak (2005) rang the alarm. They published a report and DVD, *The Last Frontier*, on the large-scale illegal logging of merbau timber and export from Indonesian Papua to China. They showed the direct involvement of Malaysian businessmen and Indonesian army in the giant,

illegal logging operations. Indonesian President Susilo Bambang Yudhoyono reacted by sending army troops to Papua for a crackdown against top forestry officials, army personnel, military police, Malaysian financiers and timber company executives.

A year before, EIA and Telapak (2004), revealed a Malaysian network was stealing the endangered ramin timber from Indonesia's national parks. Indonesia had put ramin on the on Appendix III of the Convention on International Trade in Endangered Species (CITES). Once logged in Indonesia, the timber was smuggled to Malaysia, where it was certified as Malaysian. From Malaysia the timber is transported to China, where it processed in industrial end products such as picture frames, which are then exported to Europe. The profits of these practices would be several millions of euros. The investigators stated that the amount of ramin Malaysia was exporting, was estimated to be more than twice the quantity the country can produce. They claimed that the country's traders circumvented existing bans on the export of Indonesian ramin by reporting it as grown in Malaysia, by issuing false documentation and certificates of origin in order to "launder" the Indonesian ramin. The Malaysian Timber Council (MTC) reacted by rejecting the "generalisations and grossly overstated claim made by the EIA and Telapak". In 2006, EIA and Telapak (2006) released another report, showing how the illegal merbau timber from Indonesian Papua is literally flooding the European and Northern American market through the world's biggest flooring brands.

In April 2006, a state-owned Chinese company was seeking approval from Indonesia for a massive timber operation in Papua province of Indonesia. It aimed to use 800,000 cubic meters of Indonesian merbau timber for the construction of sports facilities for the 2008 Olympic Games in Beijing. The World Conservation Union (IUCN) classifies merbau as a "vulnerable species", while the World Conservation Monitoring Centre classifies Indonesia's merbau population as threatened. Friends of the Earth International called, to no avail, on the People's Republic of China and the International Olympic Committee (IOC) to abort the plans. The Indonesia government however approved the use of some 800,000 cubic meters of Papuan merbau to be used for the Olympic village. A Chinese company invests up to one billion dollar in the construction of the plant and acquiring merbau logs.

PRESERVING THE LAND OF THE ORANGUTAN AND BIRD OF PARADISE

The bird of paradise is the natural symbol of the island of (Papua) New Guinea. Biologists of the 2006 expedition could sometimes pick up birds of paradise, unknown and unafraid as they were to humans. On both sides of island's political border, however, large-scale illegal logging operations have started only some years ago. It now threatens the large forests of the island, which are home to hundreds of tribes and animals such as the bird of paradise.

The story of the bird of paradise is a peculiar one. During the lifetime of Alfred R. Wallace, the bird increasingly became a symbol of beauty and fashion. The demand and hunting increased to such an extent that the bird of paradise became threatened with extinction. The possibility of the famous bird of paradise disappearing, also led to the birth of environmental politics in Indonesia. A policy was set up to preserve the birds of paradise for future generations. Not long after Wallace's death in 1913, the bird of paradise even became a

symbol for conservation. The story of the bird of paradise can be used as an example for future conservation of other species.

When Wallace was travelling in New Guinea, he got the impression that “all, except the common species of commerce, are now much more difficult to obtain than they were even twenty years ago”. Wallace heard of places where many kinds of birds of paradise could be found and he planned to “penetrate into the interior among the natives, who actually shoot and skin the Birds of Paradise”. This however turned out difficult as the locals put forward objections and difficulties. “To understand these, it is necessary to consider that the Birds of Paradise are an article of commerce, and are the monopoly of the chiefs of the coast villages, who obtain them at a low rate from the mountaineers, and sell them to the Bugis traders”. Despite five voyages, Wallace only managed to find five specimens. “Thus ended my search after these beautiful birds”, Wallace wrote, after a description of New Guinea’s land and people:

“The country is all rocky and mountainous, covered everywhere with dense forests, offering in its swamps and precipices and serrated ridges an almost impassable barrier to the unknown interior; and the people are dangerous savages, in the very lowest stage of barbarism. In such a country, and among such a people, are found these wonderful productions of Nature, the Birds of Paradise, whose exquisite beauty of form and colour and strange developments of plumage are calculated to excite the wonder and admiration of the most civilised and the most intellectual of mankind, and to furnish inexhaustible materials for study to the naturalist, and for speculation to the philosopher (Wallace 1869).”

In the eighteenth century, Queen Antoinette of France had stimulated the trade in bird feathers as fashion articles by using them for her robes and hats. During the long period of peace after the Napoleonic wars gave prosperity for a new middle class, bird feathers became increasingly popular. Feathers, wings, heads and sometimes complete birds were used as an ornament or jewellery of nature. High-class women started competing about getting newer and more glamorous feathers. Under these circumstances, increased demand from Europe and America, the trade in birds of paradise was much stimulated. In the course of the nineteenth century, hunters moved to New Guinea for the precious birds and created a “hunter frontier society”. The coastal areas of western New Guinea fell under Dutch colonial rule, but the Dutch presence was limited (Cribb 1997a: 457-458).

Figures of the volume of the nineteenth century trade in birds of paradise are not very accurate. It is however certain that several thousands of bird skins were exported every year. Their numbers would decrease to tens of thousands in the early twentieth century. During the 1910s and 1920s, hats decorated with bird feathers became fashionable among women living in the cosmopolitan centres of Europe and the Americas. Tropical feathers were the most desirable, especially the birds of paradise from New Guinea and the Moluccas.

“From 1905 to 1920, 30,000-80,000 birds of paradise skins were exported annually to the feather auctions of London, Paris and Amsterdam. This demand for birds of paradise plumes inspired Malay, Chinese, and Australian hunters to seek their fortunes in the New Guinean forests (Kirsch 2006: 16)”.

In 1919, the heyday of the fashion and trade, the Netherlands Indies exported 121,284 bird skins as well as 110 kilos of feathers. It concerned many types of birds but the birds of

paradise were the main product (Cribb 1997a: 459). Hence, some fifty years after Wallace's descriptions of the birds of paradise, their feathers had become a sensation. The beauty of the birds, however, also showed their vulnerability.

The rapid disappearing of the birds of paradise helped creating movements for preserving them. Already by the end of the nineteenth century, the growing trade in birds of paradise led to increased concern about their possible extinction. Around 1900 it became clear that the extinction of species was a real possibility. The dodo for example, had already disappeared from Mauritius by 1690, as well as the blue antelope around 1800 and the quagga (a relative of the zebra) in about 1872. In the second half of the nineteenth century, an increasing number of species appeared close to extinction. In the United States, the bison was coming close to extinction and in colonial South Africa, the government issued a notice for the preservation of the elephant and buffaloes in 1858. It was feared that the elephant, rhino and many other would soon follow and be threatened with extinction (Cribb 1997b:387). A further argument for conserving birds, was the increase in ecological knowledge: growing awareness about the risks of species' disappearing on agricultural production. People realised birds played an important role in reducing or preventing plagues of insects. The disappearance of certain birds might have unintended harmful effects on agriculture (Cribb 1997a: 459).

An important reason for the decrease in the bird-of-paradise trade was the disgust over the use of the birds for women's fashion. Cribb (1997a: 460) stated that as a result of the extensive descriptions of the way in which the birds of paradise were killed, it was no longer considered chic to walk with a dead hummingbird or bird of paradise on one's hat. Kirsch (2006: 20) added that concern over the widespread slaughter of wild birds for the millinery trade led to the establishment of the Society for the Protection of Birds in Great Britain (1896) and from 1896 the organisation of modern Audubon Societies – precursors to today's conservation organisations. In 1904, King Edward VII granted a royal charter to the Society for the Protection of Birds. His wife Queen Alexandra announced two years later to no longer wear 'osprey feathers', the generic name for plumage of exotic birds such as birds of paradise.

In this context, a movement for the protection of birds of paradise gave light. In the Netherlands, the so-called Union for the Fight against Horror Fashion published brochures with description of the birds of paradise around 1895. The union got the support of another NGO, the association for the Preservation of Nature Monuments. From 1910 onwards, another ally became the International Commission for the Nature Preservation founded by influential Swiss anthropologist and naturalist Paul Sarasin, who also organised the first international campaigns against whaling. In the United Kingdom, the Society for the Preservation of the Fauna and of the Empire, was willing to extent preservation activities beyond the British empire. Countries like Britain also put pressure on the Dutch to take more legislative steps against the trade (Cribb 1997b: 395).

In several countries measures were taken for preserving the bird of paradise. In 1913, the Lacey Act was passed in the US, which banned (among others) feather imports. The UK passed similar legislation in 1921. Australia and Canada had taken similar measures. In the Netherlands Indies, hunting was being limited. In 1914 the number of birds of paradise subspecies allowed to be hunted was reduced to six; in 1922, that was further decreased to two. As a result of the import restrictions, the trade in birds of paradise decreased

dramatically (Cribb 1997a: 460). Changing attitudes towards the use of exotic birds and birds of paradise in particular, formed the basis for severely limiting the trade.

Against so-called 'responsible' use of the bird of paradise less objections existed. The Dutch considered that hunt for the birds of paradise was an economic incentive for Papua New Guinea, just like ivory and fur for Africa and Canada before. In the early twentieth century, the Dutch authorities therefore were unfavourable to a complete ban on the hunt. Instead, they installed regulations such as hunting permits, restricted hunting (from April to October), restricted gun possession (guns had to be turned in outside the hunting season), as well as high export tariffs. Around 1910, a debate ensued about the pros and cons of paradise bird hunting for New Guinea and its population. The debate lasted for twenty years, during which "economic interests jostled with scientific arguments for influence on policy" (Cribb 1997b: 397).

During the 1920s, a gradual prohibition on the bird-of-paradise hunt was established by the Dutch authorities. Scientific arguments played an important role in the process. In 1912, the Netherlands Indies Society for Nature Protection had been founded and it had started almost immediately lobbying to the government for the creation of nature reserves and the protection of the birds of paradise. The society was predominantly European, but also included Japanese aristocrats and was dominated by scientists. The society also had many international links, which gave the movement more respectability and made the lobby more effective (Cribb 1997b: 398-399). From 1928, it became totally prohibited in the Netherlands Indies to hunt birds of paradise.

In the Netherlands Indies, policy makers were influenced almost immediately by the conservation ideas. In the Dutch colonies, where policy makers thought to stay in power for a long time, scientists were generally better listened to than they were in the motherland, where commercial interests and public opinion were more influential. As a result, policy makers in the Netherlands Indies agreed that preventing the extermination of the bird of paradise had a high priority (Cribb 1997a: 459).

Scientific arguments to preserve the bird of paradise for future generations eventually won over the commercial ones, although sentiment played its part as well. "This combination of science and sentiment, as in contemporary environmental campaigns, put the economic arguments in favour of bird-of-paradise hunting at a great disadvantage" (Cribb 1997b: 404). The analysis of the conservation history of the bird of paradise, saved almost a century ago, can serve as an example of how to conserve other species as well:

“(...) the arguments for environmental protection have arisen primarily out of a modern, scientific understanding on the world. Thus the argument for conservation rests on an understanding that the extinction of a species is possible and that this can happen both by direct extermination and by destruction of its habitat” (Cribb 199b: 380-381).

When the market for birds of paradise disappeared, so did the economic incentives for hunting them. Some smuggling did however continue. Also today it is still possible to find dead birds of paradise in certain districts in Indonesian Papua. A greater risk for the bird of paradise today is not hunting, but the exploitation of the rainforest for mining, transmigration projects and logging. Despite these new threats to the bird of paradise, its conservation history can also serve as an example for conserving species like the tiger, orangutan and many more.

CONCLUSION

When 70% to 90% of all logging activities in a country like Indonesia is illegal, there obviously is a problem of law enforcement. Enforcement is however not the only problem, legal opacity about who has the right to give out logging permits have created confusion, and plays in the background. The involvement of the Indonesian armed forces in (illegal) logging activities is partly explained by the fact that the army is only partly (30%) funded by the national government, but has to find most of its funding (70%) itself. Such a situation of with insufficient legal clarity and insufficiently paid armed forces almost ask for corruption, collusion and logging practices getting out of hand. The physical geography of the “Malay Archileago”, with literally thousands of islands, does not help to curb illegal timber exports, often with the involvement of Malaysian timber barons (EIA and Telapak 2004, 2005, 2006).

Some of the world’s magnificent tropical forest are found in Indonesia, also the largest tropical forests of Asia. But at the same time, nowhere in the world is deforestation of tropical rainforests today occurring at a faster rate than in the Indonesian archipelago. Every year an area at least half of the Netherlands or Switzerland is being deforested. The different causes that can be mentioned are illegal logging (for timber that is mostly exported), land conversion (for oil palm and paper production) and forest fires. Compared to the forested islands Wallace encountered during his travels on the Malay archipelago, not much forest is left today.

The effects of deforestation on Indonesian wildlife are enormous. One can easily speak of an ecological disaster, something that could be labelled an ecological crime . Forests disappear at such great speed that habitats for many wild animals -as well as for forest tribes!- are rapidly shrinking. This article focused on the populations of tiger and especially orangutan, Asia’s man of the forest, which both are now seriously endangered. The decline in the number of orangutans is tremendous. Their numbers are literally plummeting, and if current trends continue, wild populations might be extinct in twenty years. The main reasons are deforestation and poaching. The same two factors are also responsible for the vulnerable position of the only Indonesian tiger that is left, the Sumatran tiger (after the twentieth century extinction of the Javanese and Balinese tiger). Deforestation and poaching are often closely linked, as the first facilitates the second. This phenomenon was illustrated by the example of wild animals being held in cages in illegal logging camps in Indonesian Borneo, near the Malaysian border. This way, massive quantities of timber as well as endangered animals illegally leave Indonesia through Malaysian Borneo, from where they are further exported (possibly by going via West Malaysia first). These activities seem to fit all the characteristics of international organised crime.

In recent years, large scale illegal logging is taking place on the island of New Guinea on both sides of the border: Indonesian Papua and Papua New Guinea. The largest tropical island is considered as maybe one of the world’s most pristine natural places. Large-scale logging however, now threatens the island’s wildlife, as well as the people living in the forests. The popular merbau timber now is the main target of the loggers. The rare, dark-red hardwood is mostly found on the island of New Guinea. The only place where so-called commercial quantities of merbau still exist is here. Illegally logged merbau from Indonesian Papua is today found in many flooring and timber retailing shops all over the western world, as NGO’s EIA and Telapak (2004, 2006) have convincingly shown. If this last large tropical island is to remain as pristine depends on both the supply and demand side of the tropical timber market.

The example of the bird of paradise bird shows that humans are able to save and preserve animals. The famous paradise bird was threatened with extinction one hundred years ago, but it managed to survive thanks to conservation measures. Whether the orangutan and bird of paradise will survive in the wild, therefore also depends on all players involved in the tropical timber trade: buyers, suppliers and governments. The history of the early conservation movement and the role of the bird of paradise may serve as an example of how awareness can be raised about the threat to wildlife and biodiversity that is currently occurring in Indonesia and elsewhere.

In order to prevent these eco-crimes, awareness should be raised about the possibly consequences of the trade in, for example, paper from Sumatra, merbau timber from Papua, and meranti from Borneo. The latter timber (which was witnessed to be trafficked to Malaysian Borneo), is much used in the Netherlands and elsewhere for window frames. It is usually said to originate in Malaysia, but the precise supply chains in the international timber trade are not transparent. Most tropical timber and paper from tropical forests on the market cannot be traced back (yet).

For researchers this means large areas remain unexplored. Much of the research on illegal logging practices in the timber trade and related wildlife trade is now being done by NGO's. If science can join in by studying and consequently help preventing these types of eco-crimes, biodiversity loss can be limited. The history of the bird of paradise show that scientific knowledge and conservation measures combined can prevent the loss of natural habitats, flora and fauna. They can help preventing the infringement of human rights of the people living in the forests.

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Chapter 5

IMAGINARY SPACES AND REAL RELATIONS

Simon Hallsworth¹

London Metropolitan University.UK

ABSTRACT

We live, Althusser argued, in an imaginary relation to our real relations which are elsewhere. In this chapter I explore the nature of our imaginary relations with non human species by examining the spaces in which they are located within the order of the imaginary; a space where the relationship is typically constructed in largely positive terms. The paper then explores the real relations which as animal rights activists have argued, for many years, are at core pathological. The paper then examines how this disjunction between the imaginary and the real is reproduced and examines the implication of this analysis for criminology.

Exploiting the difference between reality and its appearance has for a long time been something science fiction has excelled in. No where more brilliantly played out than in the work of Philip K. Dick whose novels invariably return to probe the disjunction between the way the world appears and the world as it really is. Either his heroes fall through gaps in the reality continuum and thus into alternative realities or, as is most often the case, they discover that the reality in which they live is nothing but an illusion which when probed falls away before their terrified eyes. Underlying this narrative devise we find conjoined three fears: first, the old conceit, the way things look is not what they are. Second, the paranoid turn, this is because some have a vested interest in keeping things this way. Third, the reality THEY keep at bay is not only different but malign.

Consider Ragel Gumm, the hero of Dick's novel 'Time Out of Joint', an ordinary man living an ordinary life, somewhere in Mid America in the 1950s, America's golden age (Dick 1959). Ragel Gumm is a man who makes his living entering a popular news paper contest 'Where Will the Little Green Man be Next' and who, improbably, wins every single time, year after year. The novel traces how Gumm become aware that things are not what they

¹ E-mail: s.hallsworth@londonmet.ac.uk.

seem, that what appears as the real world is in fact a simulacrum produced by those whose have a vested interest in making it appear as such. These reality constructors work hard to maintain the appearance of things:

‘a sunny universe. Kids romping, cows mooing, dogs wagging. Men clipping lawns on Sunday afternoon while watching the ball game on TV’

They work hard to keep Gumm happy, docile and ignorant. They work to ensure that he will always identify ‘where the little green man will appear next’. And by and large they are good at their job. But . . . as is always the case in Dicks novels, never quite good enough. Suturing reality is, after all, a hard act to maintain and mistakes are made. Things ‘aren’t fitted in properly’ with the result that anomalies appear that cumulatively shake the fabric of Gumms reality. ‘A proliferation of rents’ appear in its fabric: ‘a hodge pocks of leaks’; ‘perhaps a slitting rent opening up’, a great gash’.

Not again, he thought.

Not again.

Its happening to me again.

The soft drink stand fell to bits. Molecules. He saw the molecules, colourless without qualities that made it up. Then he saw through into the space behind it, he saw the hill behind and the sky and the trees. He saw the soft-drink stand go out of existence...

Now it seems to me that when we explore our relations with non-human species, at least as this has been constructed through dominant discourses about them, we also find a similar disjunction between how this relationship is socially represented in these discourses at the level of our social imaginary, and a real relation that is somewhere else. As with Gumm, we tend to find the way our relationship with non human species appear at the level of everyday practices predominated by what appears to be a benevolent state of affairs: ‘...a sunny universe. Kids romping, cows mooing, dogs wagging’. Peer beneath the surface of the imaginary as it is constructed in these dominant discourses is to see how far the reality of our relations is both different, sinister and malign. To put this another way, this is the real that the social imaginary obscures and many live their day to day lives in its shadow without ever seeing the shadow for what it is, even when, as animal rights activists show, there are rents proliferating in its fabric (Regan 1988; Scully 2002).

With Philip K. Dick’s paranoid vision of the terrible disjunction between the way things appear and the way they are in mind, in what follows I want to examine how our relationship with non human species is constructed at the level of the social imaginary, the level, that is, as it is constructed through dominant discourses be these of a scientific, industrial and lay common sense kind. I will do so by looking at the way different classes of non human species are positioned within our social imaginary by these discourses. In this (some might find arbitrary) typology I will consider in the relationship with the animals of the home, the farmyard, the wild, and the laboratory. Animal species, that is, that have their own particular spaces in which they are placed and where we expect to find them. I will also briefly touch on another category of animal, namely those we construct as vermin, the ones who are where they are not supposed to be. In exploring the social imaginary I will consciously be talking in generalities about how things are made to appear. As they appeared and continue to appear

for people who, like me grew up in the UK in the post war period as ‘normal’ meat eating, pet loving people who enjoyed going to zoos, just as we felt contempt for those who, like dog beaters, were cruel to their animals and who found vegetarians to be, by and large, strange creatures unlike us. In trying to talk about the social construction of a taken-for-granted normality I will be talking in generalities about shared world views. I will not be talking, in so doing, about the counter world of animal rights activists who have seen through the imaginary and have for a long time grasped that appearance and reality are very different things.

Having mapped the imaginary spaces in which animals have been placed I will then turn to consider the real relations we have with non human species which are elsewhere, different and fundamentally malign. I will then briefly consider how, even in the face of evidence that time and time again exposes the imaginary relation for what it is, it nevertheless persists. I conclude by examining the implications of this analysis for the field of eco crime

MAPPING OUR IMAGINARY

In the preface to the *Order of Things*, Foucault famously quotes a passage from Borges on the division of animals derived ‘from a certain Chinese Encyclopedia’ according to which they are described as:

- (a) belonging to the emperor,
- (b) embalmed,
- (c) tamed,
- (d) sucking pigs,
- (e) sirens,
- (f) fabulous,
- (g) stray dogs,
- (h) included in the present classification,
- (i) innumerable,
- (j) drawn with a fine camel hair brush,
- (k) frenzied,
- (l) et cetera,
- (m) having just broken the water pitcher,
- (n) which from a long way off look like flies (Foucault 1974).

For the purposes of examining the imaginary spaces in which we locate non human species I propose to use a somewhat less archaic and more mundane classification system where they are divided into the following categories: (a) the animals of the household, (b) the animals of the farmyard, (c) the animals of the wild, (d) the animals of the laboratory, and (e) the animals we classify as vermin. This is, it must be pointed out the imaginary division of animals as conceived in some western societies, which is also to say other cultures in time and space may well divide up the species differently. It must also be observed that we are by no means dealing here with fixed immutable categories and some species may well occupy different spaces. The dog within our home might be a pet, but if in the countryside and if it chases sheep, it can well find itself reclassified in the eye of farmers as vermin and treated

accordingly. Or to point to the opposite tendency, animals viewed as vermin by rural folk may well be viewed as innocent wild animals when they invade the gardens of urban dwellers. Each of these spaces into which we locate animals appears, at least at the level of what I propose to call the dominant social imaginary, to be very different. It is not just that the animals located in each zone are different, they are characterized by a different social relationship between humans and non humans. This relationship is not only about expectations (what humans expect from non humans), it is also an affective one, shaped by different emotive responses humans are expected to concede to species located in different spheres. These, as we shall observe, can vary widely from love through to fear and indifference.

THE ZONE OF ATTACHMENT

If we explore the relations we have with the animals of the household then this is typically characterized by some expectation that there be a degree of emotive attachment to them, hence the idea of a realm of attachment. In this sphere are located domesticated family pets: the dog, the cat, and a range of smaller, generally fluffy and attractive animals such as rabbits and guinea pigs. These are the animals people are expected to love. Many people hope and expect that those invited into the household will love them in return. These are the animals people care for, stroke, feed, make a fuss of and generally invite into their lives. In various ways these animals make people happy and this expectation governs the relation. At the level of popular consciousness people are expected to love their pets and this is affirmed at the anger many feel when they encounter those who are cruel to them. Such people are conceived as deviants who offend the civilized values which hold that people ought not to be cruel to animals.

THE ZONE OF RESPONSIBILITY

The public, by and large, does not have any direct contact with the animals located in the order of the barnyard. They tend to see them on outings to the countryside where they tend to be admired. They know without wanting to think too closely on the matter that it is the fate of the animals here to be killed for their meat and hides but they will not see the process, only the end product: bits of animal which end up being sold in places like butchers and supermarkets. Lacking direct proximity to the barnyard people tend not to express nor are expected to express the soft sentimental emotions that are bequeathed to animals within the household, though, that said, it is acceptable for some to be moved by young animals such as lambs and calves, even though it is their destiny to be eaten. There is a general expectation that the farmers ought to look after their animals but this relationship is of a fuzzy sort; it is not an area in to which enquiry tends to move for the 'average' meat eating public. It is perhaps best captured by the sense that the public expect the farmer to be responsible without ever really demanding evidence that they in fact are. This is something delegated to bureaucratic regulators who operate on behalf of the public, or so they like to think. As with

the animals located in the household there is a general expectation that cruelty is not tolerated and that those who are cruel to their animals be punished when they are exposed.

THE ZONE OF FASCINATION

From the household and farmyard then, we enter the places where the wild things are: the jungle, the steppe, the desert and so on; animals in, 'their natural habitat'. Wild animals, it is popularly assumed, are owned by no-one. They exist, for themselves, doing whatever animal becoming is common to their diverse natures. I grew up, as I imagine most people in the UK did, where the closest we ever got to the animals of the wild were in zoos or via a multitude of popular animal documentaries. These featured fascinating animals, ranging from furry and pleasant looking animals to more scary ones of the reptilian kind. Though presented with tales attesting to the damage that man was doing to some of these species and despite warnings about the extinction of others, I believe the general orientation towards them was one of pity and regret. The fact that any of this was to do with us, appeared strange. And so, many gave money to charities that took this kind of thing seriously, just as others gave to other societies that wanted to put an end to animal cruelty.

There were of course the animals of the laboratory but, as I recall, we knew very little of these and almost nothing about what was done or the purposes animal experimentation was supposed to serve. These animals lived in what could be termed the zone of indifference in so far as most people remained wholly unaware and indifferent to their fate. As children, some of us were exposed to vivisection classes in biology. Most of what was done with animals in the name of science however proceeded backstage and away from public notice. As to the results, this was not seen by the public but only by other members of the scientific and business community. It was, all in all, a backstage kind of affair.

THE ANIMALS WHO ARE IN THE WRONG PLACES

There is another division in the ordering of non-human species and this concerns those who are not where they are supposed to be. This is space of the vermin, animals which, like weeds, are entirely healthy species but exist in the wrong place. These are animals we picture as invaders of our space, as matter out of place. In the case of the domestic sphere vermin are creatures to fear. In our imaginary they are considered unclean, the bearers of disease, that which threatens the healthy. Though the animals cast as vermin in the farmyard such as foxes, deer, badgers may also be accorded, historically at least, a higher status than smaller rodents, they historically share the same fate as all animals constructed as vermin, namely they are killed. What separates the barnyard vermin from the domestic kind is that in the case of the former the killing is often conducted under the aegis of ritual, while in the case of the latter case, anything goes. The rural hunt with its longstanding traditions, exemplifies the practice of ritualized killing.

I was, as was the great majority of the British public, brought up to think in these kind of terms and for this reason continued to assume that while bad things were done to animals of various kinds, our basic relationship with the animal world was by and large benevolent even

if we killed them for their meat. That this might be a contradictory relation did not enter the picture. Vermin admittedly had a tough time of it but this was justified given the damage they caused us by trespassing where they ought not to be. If there was crime in the relations humans had to non humans it lay in those who broke the civilized rules by being cruel to animals in the various spheres: the pet owner who was cruel to his dog, the farmer who neglected his flock, the poacher who killed wild animals. It was a problem of deviant outsiders unlike us, not one of the real relations we entered into. There were, of course, vegetarians but they were either strange or sinister.

What the study of eco crime as a new and developing field within criminology invites us to consider is a radical rethink it seems to me of the social imaginary and the way in which it reproduces itself while also inviting criminologists to peer more closely at the real relations we have with non human species. As we shall observe, if we start to explore these real relations they also invite us to rethink precisely the terms of what it is that is meant by the term 'criminal' when it is applied to realms beyond that of human life. With this in mind let me now briefly return to the social relations we have with different animals looking now at the real relationships that inhere. As we shall observe and as animal rights activists have argued (Regan 1982; Regan 1988), even the most seemingly benevolent of our relationships has sinister undercurrent that belies the benevolence that prevails at the level of the social imaginary.

THE PETS WE LOVE

Let us begin this enquiry by looking more closely at the zone of attachment where we locate our pets. To peel away the veneer of sentimentality that prevails in the social imaginary is to expose a far harsher and more brutal set of relations. In the social imaginary the relationship appears benign. In truth however our relationship with the animals we locate within this sphere is predicated from the beginning on a social contract and this is shaped and determined by the fundamental power we exercise over those we own. In form it reads something like this. *We will let you into our lives, but in return you must provide a range of services for us and, in return for this, we will feed you, look after you and refrain from eating you.* In making this point I am not denying that animals and humans cannot have deep loving relationships despite the power relation human's exercise. But this is only expressive of part of what this power relation can also license. What we also need to consider in order to understand the real relations which are elsewhere, is what happens when animals break the terms of the contract by not being or becoming what was expected of them. Understanding the precise nature of the services they are supposed to provide also raise fundamental questions about what our real relations with animals are all about

Let us consider the case of the animals that fail to deliver. The little bundle of fun that was so entertaining at Christmas but which has the temerity to turn into an adult dog or cat. The animal that was once young and entertaining but which has now become old, infirm, attention heavy and perhaps embarrassing. Indeed there are so many ways that pets may let their human owners down that it is difficult to list them all. The dog may have puppies we do not want, the cat kittens and this is inconvenient. The dog may also fall short of the bizarre and arbitrary 'breed standards' and that crime alone in the world of canine eugenics may

require the dogs liquidation or sterilization (continued breeding being, as they say in the trade, bad for the bloodline). Then there is the small issue of pets not performing in accordance to the fantasy life of their owner and this may bring down upon them human vengeance. The Staffordshire dogs who just want to be a family pet but whose owners expect a credible street fighting machine; the beautiful people who want beautiful adornments but find they are living with a dog with dog like instincts. Another case would be that of dogs who behave like...dogs but whose natural characteristics (such as barking and wandering) are no longer considered conducive to the standards of modern urban life and its social regulation. Animals who, should they continue to behave like dogs can be taken into 'care' where this can mean being killed on the basis that they cannot as the RSPCA would say, be re-housed. Berger summarizes the reality of the lives pets can expect

'The small family living lacks space, earth, other animals, seasons, natural temperatures and so on. The pet is either sterilized or sexually isolated, extremely limited in its exercise, deprived of almost all other animal contact and fed with artificial foods. This is the material process that lies behind the truism that pets come to resemble their masters or mistresses. They are creatures of their owners way of life' (Berger 1980).

The terrifying reality is that many animals within the household, for no fault of their own, break the terms of the social contract, and do so because meeting the arbitrary and disturbing whims of humans is often impossible. The problem however is that when they do not become what we want them to be, it is they that suffer and the costs to the animals are horrific. At the very least they may be abandoned, often they are serially mistreated, starved, beaten or neglected. And this is the fate for thousands of animals across the 'civilized' world. According to the Royal Society for the Prevention of Cruelty to Animals in the UK in 2005 over 75,000 healthy animals were taken into care, and around 5,000 of which were killed (or euthanased as they like to say). This is significantly below the figure for 2001 when 97,500 were taken into 'care' of which 7,000 were killed. Over 118,000 complaints about the welfare of household animals were received by the charity in 2005 alone (RSPCA 2005).

Worse, for the animals abused in this way, there is little recognition of them as victims. And while it is always the case that they are the abused party, it is they who are cast in the role of the outlaw in the medieval sense of the term meaning literally out-law. To be abandoned is in effect to become stateless and undocumented. As Stephenson's chapter in this collection attests, trying to be re-admitted back into human society and, by extension, the zone of attachment when you have been evicted from it is not easy; the rites of readmission are so difficult to navigate that thousands of healthy animals – the ones no longer allowed to bark – are exterminated in effect as vermin.

What life within the zone of attachment is all about is ultimately the expression and affirmation of a power relation with perverse dimensions. Through the fundamental power we exercise and claim we can command animals to follow without question our instructions. We can make them beg for their food and if they disobey our desires and disappoint us we can hit them or abandon them. They exist fundamentally for our pleasure and our pleasures, like so much human desire, is suspect.

ITS 'BOOTIFUL'

The image of the responsible farmer running his farm responsibly retains a powerful hold on the social imaginary and this is reinforced by the food industry itself and popular media. We find it in the image of a pastoral world where honest farming folk live in harmony with the natural world and the animals that populate it. In this world, man works with animals together and in harmony to the rhythms of the seasons. This is the world that Heidegger invokes in his meditations on being and dwelling (Heidegger 1975) and it is this lost pastoral idyll which is invoked in sentimental television series such as British popular classic 'The Darling Buds of May'. This is a pastoral world, suitably anti-urban and resolutely premodern. While maintaining a powerful hold on our imaginary, real questions can be posed as to whether this zone in fact exists, or is no more than a product of our imaginary. A more charitable thesis would be to say that while such a world did once exist, it is a world progressively dismantled by the colonization of farming by the methods and processes of industrial farming and the progressive dominance of farming by agro business. In the process from the order of welfare husbandry characterized by at least some commitment to a Foucauldian biopolitics, we enter into a brave new world characterized by necro politics where bare life is the only condition that is allowed (Mason and Finelli 2006). One tragic consequence of this epochal shift is that it has acted to effectively remove many of the animals that were once located within a zone where responsibility was a key referent into the social relation we have traditionally conceded to animals located in the laboratory; a relationship conditioned by indifference. And this has been the destiny of what until recently were considered barnyard animals, such as pigs, chickens and turkeys. The fate of the turkey exemplifies the transformation.

When I was young, I remember Christmas as a special occasion, not only because presents were received and given but because we would eat turkey for dinner. Turkey was valued not only for its taste but more specifically because it was a rare and expensive meat and it was this feature that conceded to it its social value. Families like ours ate Turkey because it signified excess where the excess marked the uniqueness of the occasion. Traditionally turkey was a meat only available at Christmas because this is when the British public ate them. With the advent of companies like Bernard Mathews, and the production line process Bernard Mathews farms introduced, this situation has changed dramatically. Turkey meat is now available all the year round and, as any visit to any British supermarket will confirm, this is a meat available in many forms, some strange (consider, for example, the turkey twizzler), and constitutes one of the cheapest forms of meat now available on the market.

When we consider how this revolution came to happen however and peer more closely, as we do, at the way turkey meat is now produced, it becomes evident that the Bernard Mathews miracle is predicated upon ways of treating animals that is so cruel it almost defies description. To begin with the turkey reared in the industry today is not one that nature had originally designed, or which farmers over many centuries had reared for the table through selective breeding. This is an animal, which like broiler chickens today, have been genetically modified to put on weight at such a rate that within weeks it experiences difficulty in moving without pain. Because the animal is so large it is unable to reproduce naturally and this role is delegated instead to forms of artificial insemination conducted by 'turkey sexers'. These are

people who, in effect, have to masturbate male turkeys in order to obtain their semen which is then manually inserted in female birds. Having been unable to genetically remove the animals natural desire for space and territory, Turkeys are reared in huge warehouses. Packed tightly together many become aggressive, some may also engage in self mutilation. To offset these dysfunctional behaviors a range of incredibly cruel techniques are deployed to curtail them. Beaks and claws are cut or burnt off, or, to be more honest about what is done, the birds are systematically mutilated. To offset the aggression that is attendant on compressing birds in high volume stressful settings – which is how they are reared under conditions of agro industrial bird production, they are reared in darkness. Bernard Mathews farms which helped pioneer these methods trade on the catch phrase 'its bootiful' but, as with the wholesale colonization of farms by agro industrial forms of production it is not a word that comes easily to mind. A more accurate description would be to see in the new social relations that industrial production imposes yet more evidence of the destructive self reproduction of free market capitalism and its principles².

WHERE THE WILD THINGS ARE

There is a popular family programme relayed on British TV, called *Wild At Heart*. It features a popular actor and actress, young and suitably good looking, who marry and who manage a vets surgery in Africa. The animals, as might be expected, are suitably exotic, large and sometimes dangerous. Thus we find stories about elephants, zebras and of course lions. It is, of course, by no means a novel idea, the heart rendering story of the novel 'Elsa the Lion' and the American 1960s family show Jacktaree being early exponents of this genre. The great saga of how we, civilized westerners, saved the natural world from itself or people less civilized than ourselves. It is a heartwarming and sentimental evocation and, as such, chimes well with the contemporary green zeitgeist: us protecting nature, protecting animals, protecting the planet.

But as with the household pet and the farmyard animal, the more we look beneath the surface and explore our real relation with the animals that populate the zone where the wild things are, the stranger and more perverse our relation appears to be. In this zone we relate to animals not only in the benevolent sense that we like to take responsibility for their wellbeing or concede this to various moral entrepreneurs, we relate to them as voyeurs that reduce them to little more than fascinating objects to spectate upon. As within the zone of attachment, we relate to animals within the wild zone but in bizarre and very strange ways. More than that, our treatment of them is itself profoundly shaped by the peculiar fascination we have with them, or at least certain of their representatives.

Have you ever considered just how strange and uncanny zoos are? Are they, as their apologists would want us to imagine, enclosures perfectly designed for containing or protecting animals, or indeed using them to help educate us about them. Hardly, they exist as vehicles that allow us to satiate our deepest voyeuristic sensibilities. If we consider the matter more closely the zoo functions as an exhibition space where animals are mediated naked before the hungry and demanding public gaze. Within such spaces animals are packaged up

² For detailed examination of the costs and methods of industrial farming see also Sollund, this volume,

for our entertainment and this is satiated by inviting us to watch them engaging in various rituals such as feeding or performing for our benefit. Berger observes:

‘A zoo is a place where as many species and variety of animals as possible are collected in order that they can be seen, observed, studied. In principle each cage is a frame around the animals inside it. Visitors visit the zoo to look at animals. They proceed from cage to cage, not unlike visitors in an art gallery who stop in front of one painting, and then move on to the next one then the one after the next’ (Berger 1980).

These are not animals whose destiny it is in the wild to be looked at. Animals, in fact, would not, as Green Armytage observed, ‘choose to live in full view of human beings, yet in a zoo they must’ and it must be added in conditions that often not permit them to escape the human gaze (Malamud 1998). As Berger goes on to observe, when we look at animals in the zoo *we are looking at something that has been rendered absolutely marginal*. The zoo is nothing as such other than a total institution, ‘*a site of total marginalisation*’. An exhibition zone produced for our entertainment; a space not too different from a circus with all its performing animals.

With the advent of the camera, the spectacle of watching wild animals has shifted away from a relation characterized by direct physical proximity, to become part of a huge mediated spectacle that connects us vicariously with the antics of an array of suitably weird and wonderful animals. Creatures whose rituals and antics we are invited to sit back and enjoy. We are, it would appear, particularly taken by images of animal violence, and many programmes are dedicated to providing us with the opportunity to watch, for example, lions rip the heart out of a wildebeest. The spectacle of animals mating is also a staple aspect of many programmes.

In their use value as entertainment, it is difficult to escape the fact that, even in the zone of the wild, the animal exists for us by virtue of what it does for us. Not least in our postmodern cultural order the animals served up as entertainment to feed our need for a world reduced, as Baudrillard (1983) and Jameson (1984) have argued, to pseudo events and spectacles. Like every other relationship we have with animals, the animal exists primarily as a commodity that exists for us not for itself. And if this sounds somewhat hard to bear, consider whether the panda would have survived had it been less cuddly and endearing.

SUTURING THE IMAGINARY

We live as Althusser argues, in what, following Lacan, he termed ‘an imaginary relation to our real relations’ (Althusser and Brewster 1969). What I have tried to do above is to describe the imaginary relation we have to different classes of animal while also trying to explore the real relations which are not only elsewhere but malign. While much has been made of the excesses of agro business and the despoliation of the natural environment as I have also tried to show, when considered in the round the real relations we have with non human species are suspect and malign even when they often appear (as the zoo does) to be very benevolent. If we compare what unifies the real relations that inhere between us and animals even the most seemingly benign of zones then we are looking at a social relationship between humans and animals in which the latter are always disadvantaged. If we examine this

differential power relationship more closely then we find two unifying themes. First, underpinning our relationship with every animal is the assumption that it exists principally as a commodity for our use (See Gålmark, this volume). As such and in Kantian terms it is certainly not treated as an end in itself but as a means to our ends. Second, our relationship is one that is determined from the outset by the power we have over them. In this respect we are deities that determine whether they live or die, enjoy pleasure or suffer unspeakable cruelty and torment. We can, in this sense, rear them for food, design them as an extension of our wildest fantasies, or put them in cages and stare at them. As the new evolving bio-science has proved, our capacity to impose our will upon them enters into the very design of life. We can breed birds that cannot reproduce naturally, we can clone animals, and we can produce as we do strange and bizarre hybrids. From the days where breeding a hardy stock was the principle object we move now towards playing God with genetic design. All, of course, in the name of progress.

Producing and sustaining the imaginary is an act both of social and individual self-production and reproduction. It is not just that the imaginary relation has to be maintained in general, it has to be maintained in the face of major rents that act to expose it for what it is and which work to demonstrate its lie by exposing the imaginary as no more than an ideological façade. The question this poses is what forces act to sustain the imaginary.

For Sollund (this volume), drawing upon Cohen (Cohen 2001), this, in part, can be explained by reference to a ‘culture of denial’ into which we enter in order to ensure we do not find ourselves confronted by the disturbing ‘troubling recognition’ that things are not as they seem. All those *techniques of neutralization* that present themselves: not wanting to see what is really happening, pretending that what is really happening is not; being seduced by the power of ideological narratives that (mis)represent the real relations we have with the animal world as something else. Take, for example, the care clinics that really exist to kill, the agro business producer that masquerades as an embodiment of organic farming virtue; all of those lovely heartwarming sentimental animal loving programmes attesting to how ecological we are, attesting to how much we care. ‘Help save the panda’ and we do, adopt a dolphin and we do that as well. The truth of the matter is that we live in the order of a Burrowesque *soft machine* geared to reproducing the image of a caring humane order while generating a kind of obfuscating ideological fog that prevents us looking too closely at the real nature of our relations with non humans. To return to Cohen, none of us likes to be confronted by disturbing things. We shy away from them and this is what the industry helps assure by seducing us with a narrative that appeals more closely to our self image of ourselves as civilized.

And even when the imaginary is violated in stark ways such that the terrifying reality of our real relations with non human species becomes starkly visible, our inability to recognize what is happening before our eyes is extraordinary. To return to Bernard Matthews’s farms a recent court case took place in the UK involving two of its employees. They had been arraigned in court on the count of animal cruelty. Their crime was to use turkeys in the manner not unlike the game of croquet described by Lewis Carol, in *Alice in Wonderland*. One employee used a turkey as a ball the other used another as a bat. This had been recorded on film and this constituted the evidence. They pleaded guilty but in mitigation claimed that ‘they were influenced by ‘peer pressure’ and part of a ‘culture’ at the plant. In effect, they had

been brutalized³. The case was strange in so far as on one hand the trial confirmed the moral code that animals ought not to be treated cruelly in our society. The men involved had breached the normative code and paid a suitable price for their transgression by being publicly shamed and punished. That the factories where they were working perpetrated ever more macabre violence on turkeys as a matter of routine simply was not seen and did not feature in the reporting that surrounded the case. The deviance of the men was apparent but the deeper deviance of the turkey farming industry and its mutilating logic was not. And so in their punishment the imaginary world of us loving animals and punishing those who unnecessarily hurt them was affirmed and mended. To use the language of psycho analysis, reality was effectively sutured.

This is, of course, to presuppose that we do care but shy away from unpleasant realities when they present themselves or cannot see them because we are ideologically blinded. As we have observed however, care is not the only thing we feel when we relate to animals. It might be a worthy emotion and, fortunately for non human species, there is quite a lot of it around. But it is not the only emotion and maybe it is by no means the most powerful. The distance between attachment and indifference it could be observed is but a small one, it is certainly not the gulf we might otherwise want to imagine. We are by this way of reckoning more indifferent than we might think. People care but not as much as we might want to imagine.

Another way to approach the question of how our real relations with non humans are reproduced is to countenance the thesis that people are not mystified all the time or indeed for lots of the time. They know that things are not as they appear, that they are different and often far more malign. As Victor observes in Philip K. Dick's book *Time Out of Joint*

‘We can put everything we know together, but it does not tell us anything, except that something is wrong. And we knew that already.’

To return to an older Marxist debate, critics of the dominant ideology thesis observed that far from the working class being seduced by the dominant ideology of capitalism, they, in fact, recognized its inherent inequity (Abercrombie, Hill et al. 1980). Recognizing as well their relative powerlessness to confront it, they viewed it with pragmatic eyes. Drawn by what Marx termed the ‘force of dull economic compulsion’ they recognised the risks of challenging the status quo and in effect lived with a system they otherwise did not trust or like. Most people today, not least in the face of animal rights campaigns to disrupt the social imaginary, know that our relationships to animals are suspect on many fronts. They will however refrain from challenging it precisely because they are powerless in the face of forces they cannot control and which operate paradoxically both at a distance from their lives while at the same time entering into their lives in powerful ways. Thus we find a political economy of production based, as so many cases studies assembled here show, on unspeakable cruelty that operates effectively (and in Goffman's terms) backstage. This is also entirely consistent with the terms of the civilizing process as this is described by Norbert Elias, whose work traces the processes by which unsightly, disturbing things are gradually removed from public view (Elias 1983). This included variously the spectacle of punishment, but also the cruel sports involving animals (with the exception of hunting). While in some senses this process

³ See Brian Farmer (Daily Mail 8th September 2006) Bernard Matthews staff played 'baseball' with live turkeys.

attests to the arrival of more civilized mores, the capacity to feel disquiet at the suffering of non humans it is precisely the movement of killing back stage that facilitates its reproduction. Meanwhile, front stage, the direct results of animal exploitation are omnipresent in our lives based on consumerism. Only what arrives here are products that bear little relationship to the very process that produced them. The bizarre, nutritionally dubious and commercially successful 'turkey twizzler' produced by Bernard Mathews farms, together with 'chicken nuggets' example this. They bear no relation outside of a name and the flesh to the animals reared and slaughtered to produce them.

Or let me pose a more radical and unsettling vision of this thesis. People may well feel bad about arrangements like factory farming, but they do nothing (and remain in the imaginary) precisely because it is convenient precisely because the benefits they accrue from keeping things as they are outweigh, as Shakespeare famously put the matter, the costs of 'confronting a sea of troubles and by opposing end them'. Let us look at this argument more closely. Capitalism systematically marginalises, and, as Messerschmidt's work attests, when the subject of marginalisation are structurally powerless men, they will seek to affirm some measure of social power through alternative routes, if legitimate ones are blocked (Messerschmidt 1993). They may engage in transgressive violence, as Katz argues, and find power by 'walking the way of the baddass' (Katz 1988). Some may respond to their powerlessness by preying on women, while some (including many in the area where I live) resolve in part the predicament of powerlessness by obtaining fighting dogs (Evans, Kalich et al. 1998). This is certainly seen as deviant from the perspective of the wider society which wants to criminalise them, but given the continued association between masculinity and power, their response is quite rational. Or take the case of a poor working class woman when faced with the choice of spending scarce resources on overpriced organic chickens, when offered the far cheaper protean provided by companies like Bernard Matthews. Who is to condemn her 'bad' choice?

This discussion has focussed on how we relate to animals but it could be observed our relation to human beings is not must different. The obscenities attendant on how we relate to non human species is not least prefigured on how we address the fate of different people. We also have our zone of attachment located within the family unit, a space of love and attachment but also predicated on differential power relations to which all manner of violence are attached - as feminists have alerted us. We also have our zone of fascination as well as any cursory inspection of the travel documentary genre will attest; a world where we are often invited to gaze at strange foreign people. We also have, to extend Berger's definition of the zoo, spaces of utter marginalisation, such as the favelas, slums and ghettos into which over half the worlds population are now corralled in lives steeped in poverty and misery (Davis 2006). More to the point, as the history of the last two centuries attests, we also have our zones of indifference, or spaces of exception, to use Agamben's term (Agamben 2005). Be this in the colonial wars of conquest and exploitation, through to the mass genocides of the last century, through to Guantanamo bay today. Seen this way specisism is not in any way exceptional, it is simply an extension of how humans with power treat other humans without it.

CRIME?

By way of conclusion let us consider the implications of this exploration of the social imaginary for the study of eco crime. The concept crime as it developed in the modern state emerged as a category that defined that which was seen to depart from the normal. In Durkheim's formulation crime was that considered pathological (Durkheim 1964). This idea of crime as a departure from the norm, as some thing dangerous and aberrant from it has also worked to shape the social imaginary around how we conceive crime and criminals. It is evident, not least, in the widespread acceptance of the view that holds deviants to be deviant because they are different in the sense of being unlike normal people. This would, as Foucault's analysis of the advent of the society of discipline shows, also license a control response predicated on returning the abnormal to a state of normality (Foucault 1981).

When applied to the world of non human species this traditional way of conceptualizing crime however begins to break down badly as the case of the Bernard Mathews workers who played baseball with turkeys affirms. On one hand, as we observed, they did breach the criminal law. In so doing they clearly breached norms backed by force of law which precluded cruelty to animals. On the other hand, as we saw, the more systematic everyday obscene cruelty of the industrial farming system was ignored. The issue became one of individual deviants. Now if we accept the basic premise of this paper that the real relationship we have with animals is itself perverse and malign, mapping the traditional criminological model onto speciesism is very problematic. The problem here is that what is considered normal is precisely what is pathological and that is our real relationship with non human species. In other words what is criminal is not a departure from a norm but humans doing their business as usual. This poses a dilemma for critical criminologists. It would seem to suggest that criminology as formally constructed in its modern guise does not work in the case of non human species and is not appropriate precisely because it is the study of deviance away from a norm that is allegedly non pathological. But what happens when the everyday reality of our relations is steeped in pathologies? Who then is the criminal? Where is the crime? Is it unreflecting consumers, pet owners, farm workers, the bosses, the corporations or indeed do we push this back to the self destructive reproductive logic of capitalism?

The problem can however be resolved if we amend the rules of the criminological method and accept that what is in fact normal is in fact pathological and that the purpose of eco crime is thus to expose the pathological structure of the normal and institutional practices out of which our relations to non human species are constructed. If accepted, this takes the study of eco crime beyond the study of crime as it is constructed in the order of the social imaginary (one should not be cruel to animals) by making it a study of the real relations into which we actually enter. This certainly brings eco crime into the study of critical criminology.

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Chapter 6

ARISTOTLE REVISITED: ANTHRO-ANDROCENTRISM AND MEAT NORMATIVITY¹

Lisa Gålmark²

Sweden

ABSTRACT

“[N]owhere is patriarchy’s iron fist as naked as in the oppression of animals, which serves as the model and training ground for all other forms of oppression”, said Aviva Cantor (*MS Magazine* 1983:27). This chapter makes an interpretation of Aristotle’s theory of slavery, tracing it through Western social history into late modern times. Aristotle’s ideas are employed to frame the tentatively formulated theory of *hyper exploitation*, 1) the objectifying of animals in hunting and animal husbandry is deployed as a model to suppress and objectify human groups, and 2) the model is presented not as a system of cultural acts but as a system of natural and therefore just acts. This theory suggests an answer to why the predicaments of animals are often precluded from mainstream social science and public debate.

INTRODUCTION

As often noted by feminist scholars, historical narratives were for long a kind of *his-story*, omitting the social implications concerning the category of women and the experiences of individuals placed in this category (her story), thereby making human history, at best, a half-told story. The same can be said of human history in relation to animals. As a social and material category, animals remain a largely obscured or marginalized story.

Edward Said, Aimé Césaire and Simone de Beauvoir were among the first to uncover the ideology of ‘the other’ used by Western civilization in the justification of conquests and

¹ This chapter borrows from Gålmark (2001, and 2005) and is based on a paper delivered at the First Animal and Gender Conference, 26-29 of August 2007, Centre for Gender Research, Uppsala University. Thanks to Ragnhild Sollund for comments.

² E-mail: lisa.galmark@telia.com.

dominance, by that paving the way for feminist and post-colonial scholars. Within the humanities critical discussions of how the category of animals has served as the natural and therefore just material model for oppression is lacking in most social historical analysis, including post-colonial studies focusing the subordination of human groups.

With inspiration from pioneering power-critical historical work done by for instance Adams (1990), Spiegel (1996) and Nibert (2000), exploring the interrelated suppression of animals and humans, this chapter provides a synoptic panorama emphasizing the predominant function of the category of animals in Western history. Aristotle's (384-322 b.c.) theory on animals and slavery is interpreted as a model, *anthro-androcentrism* and *meat normativity*, in which animals, women, workers and slaves are perceived as the inferior others, made to serve the free human males who instead are conceived of as rulers of nature. In this matrix, the relationship between animals and a category of human males works as a prototype for human relations in general. As animals may be domesticated, so are humans subdued; as animals may be hunted, so may, by warfare, the humans who refuse to submit.

This interpretation, *nota bene*, does not suggest – as would a proposed law of cause and effect – that the phenomena of hunting and animal husbandry necessarily lead to the suppression of humans. Nevertheless, interrelatedness may be found between for example male power and hunting; and elite male power and consumption of animals. It is suggested that the relationship between humans and animals, formulated eloquently by Aristotle, is of greater relevance in Western social history than is usually assumed, and that it contributes in several ways to the subduing of both animals and humans. Aristotle's thesis is not conceived of as a root cause of this relationship, but rather as an influencing mediator of an already existing value system and practice.

Just how the relationship between humans and animals has contributed to suppression and how this contribution has taken form in the Western world, is summarized tentatively in the theory of *hyper exploitation*: The presentation of the suppression of animals as acts of nature, rather than acts of culture, assists in the suppression also of humans, and transfers the responsibility for the acts of suppression, from the suppressors to the animals as part of nature, whereby the matrix is justified and maintained.

In this chapter, the feminist method of sub ordinance is applied also in regard to animals and a heuristic leap is attempted by pointing a search light upwards from below: Whose being is ascribed the status of inferior (object) and whose being is ascribed the status of superior (subject), and for what purpose?

ANIMALS AS THE FUNDAMENTAL RELATIONSHIP

Simone de Beauvoir has indicated how the superior human being has been defined:

The worst curse that was laid upon woman was that she should be excluded from these warlike forays. For it is not in giving life but in risking life that man is raised above the animal; that is why superiority has been accorded in humanity not to the sex that brings forth but to that which kills (de Beauvoir 1949:64).

Here, the human who participates in the warlike forays, the one who takes rather than gives, the one who conquers and kills, rises above the animal. The person, who does not conquer and kill, who gives rather than takes, does not rise above the animal. To rise above the animal is crucial; the person who kills is liberated from the threatening animal status.

What status is this, and what is its origin and function? Why should human beings become something more than an 'animal'? Why become something other than an animal by killing animals? Why transcend into something more than animals by risking life in hunting and killing? Aristotle, perhaps the first scholar to frame and vindicate the role of the animal category in human social and material relations, introduced the definition of the superior human being:

It is clear that the rule of the soul over the body, and of the mind and the rational element over the passionate, is natural and expedient: whereas the equality of the two or the rule of the inferior is always hurtful. The same holds good of animals in relation to men; for tame animals have a better nature than wild, and all tame animals are better off when they are ruled by man; for then they are preserved. Again, the male is by nature superior, and the female inferior; and the one rules, and the other is ruled; this principle, of necessity extends to all mankind. Where then there is such a difference as that between soul and body, or between men and animals, (as in the case of those whose business is to use their body, and who can do nothing better), the lower sort are by nature slaves, and it is better for them as for all inferiors that they should be under the rule of a master (Aristotle 2000: book 1, ch. 5:33-34).

The male human being is here put on a pedestal of worth while women together with men who functions in a bodily way are found below. Individuals, who are ascribed emotions and body, and less rationality and soul, exist for the purpose of serving the physically non-working rational male. They are lower classes and are made to serve because this is the order of nature. 'Animals' are perceived as non-rational and emotional beings, and function as a reference to the norms Aristotle believes ought to prevail among humans. Thus, animals become the fundamental relationship: Women and men who function in a bodily way are written as closer to body, closer to emotions and closer to animals: as the animals, so the others. A small minority of male humans get the privilege to govern the majority, consisting of animals and, as a logic consequence of how this relationship of dominance is explained, human groups possible to dominate.

This statement of Aristotle on slavery is well-known; it is however seldom analyzed in totality. In the literature, it is paid attention to either as defending the slavery of humans, or defending the devaluing of animals, or defending the devaluing of women (see for example Singer 1975:196-197; Plumwood 1993:46-47). Susan Okin Moller, although not discussing animals as a social category, notes correctly: [I]n accordance with his characteristic teleology, Aristotle argues that not only the entire animal kingdom, but the vast majority of humans as well, are intended by nature to be instruments which supply to the few the necessities and comforts that will enable them to be happy in their contemplative activity" (Okin Moller 1979:77-78).

DEFINITION OF FULLY – LESS WORTHY CREATURE/BODY

How to distinguish and categorize who is an animal, who is a woman, who is a slave in Aristotle's theory? In the literature, Nicholas D. Smith notes animals but not the human-animal relationship as a model. The category of women is overlooked as well, whereby the factor of body-form, for instance the distinguishing criterion for the categorization of male and female at birth, is disregarded (Smith 1983). In fact, the discourse which categorizes women and men according to their exterior genitalia, linking personal traits to the exterior form, is by Aristotle taken one step further:

Nature would like to distinguish between the bodies of freemen and slaves, making the one strong for servile labour, the other upright, and although useless for such services, useful for political life in the arts both of war and peace (Aristotle 2000: book 1, ch. 5:34).

From this perspective of exterior form, animals in relation to human males are the most deviant of body forms, thus, not surprisingly; animals stand as the formula for the naturally suppressed. Where does the exclusively bodily definition of animals emanate from? To quote Aristotle again:

Now if nature makes nothing incomplete and nothing in vain, the inference must be that she has made all animals and plants for the sake of man. And so, in one point of view, the art of war is a natural art of acquisition, for it includes hunting, an art which we ought to practice against wild beasts, and against men who, though intended by nature to be governed, will not submit; for war of such a kind is naturally just (Aristotle 2000: book 1, ch. 8:40).

Martha Nussbaum holds forth what is interpreted as an "Aristotelian spirit" of "wonder" of all creatures and uses the interpretation to bring animals into John Rawls' theory of justice (Nussbaum 2006:328, 333, 347). Correct and interesting as this may be, the above passage of Aristotle is a sharp observation of how social relations have been shaped and modelled: the killing of animals in hunting is employed as an exemplary reference. Hunting is the same as war and an enterprise that ought to be exercised against wild animals – and against those humans who do not subordinate themselves, even though they ought to. As the hunting of wild animals is perceived as natural and just, so is war against other peoples. For those who govern, war is natural because hunting is perceived as natural.

Here, the hunting of animals for food is not a regrettable necessity to ensure survival in harsh conditions. Rather, the killing of animals, and the eating of the produce of hunting, 'meat', serve as the justification for the killing of other human beings. Indeed, it does become a virtue, a prototypical arrangement of human relations. Aristotle's statements are possible to interpret as a model, *anthro-androcentrism*, a pedestal where the minority of ruling men, as fully worthy creatures/bodies, is placed at the top while the majority, the "lower sort", is placed below. The rulers make up the in-group, while the rest become the others.

Ruling Minority – Subdued majority

- soul – body
- rationality – emotions
- human – animal (key role)
- man – woman
- free citizen – physically working/slaves
- in-group – others/strangers
- normal – deviant body form

Relational paradigm: Domestication of animals – enslavement of humans (subduing); hunting of animals – war on those humans unwilling to submit (killing). Original and reinforcing impact: a meat based food order.

In Aristotle's model, a relational paradigm is created: Animals in captivity, women, and slaves, are subdued, while animals and humans who are free – wild animals and human strangers – remain to be subdued. If not possible to domesticate, hunting is prescribed. If not possible to make surrender, war is declared. The killing of animals, hunting, is transferred to the killing of human strangers, and so extermination is justified. This paradigm, inspired by the perceiving of animals as intended for eating by humans, creates a behavioural ideal of subduing and/or killing of others – not only animal others, but also human others. An ancient food order that values meat and presupposes weapons – meatism/meat normativity – contributes to the subduing and/or killing of others.

It is of use to place Aristotle's thinking in the historical context. Lange (2004) and Okin Moller (1979:74) recognize respectively Aristotle's theory of nature to be serving the political status quo of women in Athens, however neither Lange nor Okin identify the significant social role assigned to the category of animals in the mentioned quotes.

In Greek society, the bodies of animals, women, male workers, and slaves may be owned and made use of at will. The women of Athens either lived under the jurisdiction of their husbands or fathers or as slaves. Women lacked political rights regardless of social position. When grown, girls became concubines, courtesans or wives. The first group was used for pleasure and entertainment, the second for the bodily needs of the minority of elite males, the free men of Athens, and the last group was used to breed legitimate children. Slaves had no political rights at all, regardless of their gender (Strandberg Olofsson 1993:24-37; Pomeroy 1975:57-148; for prevailing gender attitudes Dubisch 1986). The function of animals was to work, produce labour and through their bodies supply wool and milk for ordinary people, and meat for the elite. The majority of humans – slaves, women, male workers and children – were herding or providing food for the animals, slaughtering the animals or preparing the meat while getting their own sustenance primarily by eating bread, wine, olive oil and vegetables (Montanari 1993:6; Santillo Frizell 2002).

Aristotle's assertions on slavery and hunting did remain for future readers as a result of philosophical deliberation about the natural order. As we have seen, however, the society in which Aristotle lived, fits into his prescription hand in glove, thus it may also derive from observations of the prevailing social order. How did the fact that Aristotle himself owned slaves, influence his theory? Smith remarks: "Indeed, it would seem ultimately that even Aristotle was uneasy with his own theory, for he provided in his will that his own slaves be freed" (Smith 1983:111). Consoling as this may be, Aristotle's idea and act for liberation was unfortunately not forwarded to future readers of Aristotle.

Aristotle's statements, as they stood, conflated reality with ethic, giving voice to the perspective of privilege and the exercising of privilege, overlooking what was later on pointed out by David Hume in the eighteenth century, and named by G. E. Moore in the beginning of the twentieth century, as the naturalistic mistake/fallacy: the violation of the rule that an ought-statement cannot be validly inferred from premises that are is-statements. That is to say: from what is, or have been, nothing can be logically inferred about what ought to be (see Hume 2005, and for further discussion, Moore 1948).

Cynthia Witt interprets Aristotle as believing that there may be "values in nature" (Witt 2004:130). Nonetheless, whichever way nature is conceived, it is vital to distinguish between prevailing norms and alternative norms that may and ought to be chosen for the future. Furthermore, in the context of natural laws, norms are not natural but a product of culture. Thus, Aristotle's defence of slavery of both humans and animals stands forth as a self-fulfilling strategy: the one who has been forced into being solely body and who has lost one's self-government, one's own rationality, is not rational, only emotional – and therefore is in need of being governed.

Aristotle's prescription for the acts of subduing and hunting/killing can be read as contesting several of his Greek colleagues who had written, or wrote, against the practice of killing for food; e. g. Democritus, Plato, Ovid, Seneca, Plutarch (Williams 2003). Actually, the food order of the Greek majority was on the whole "Mediterranean", a diet Massimo Montanari states as being "characterized by a dominant vegetable component" (Montanari 1996:6, 9-10). Aristotle may have been inspired by a food order that, in the fifth century, was to blend in with the Greek's; this was the Germanic or 'barbarian', replacing bread, wine and olives for animal food stuffs, such as cow's milk, butter and above all: meat, which became, in Montanari's words, "the most valued element of human nutrition" (Montanari 1996:13).

To understand Aristotle's thinking, it is of interest to look at some of the conditions from which it emanated. In the society of hunting and gathering, hunting contributed marginally to the supply of food but brought with it power: the hunter carried weapons that could be used for other purposes than killing animals, for example as a threat against others, women and men, and to kill strangers. The anthropologist Peggy Sanday's studies of 156 non-technological societies from 1750 b.c. to the late 1960, show that animal-based economies imply sex segregation – women work more, doing work that has lower value. Women have responsibility for the children, men are not in the range of children and do not tend to them; gods have male form and the system of relations is patrilinear. Plant-based and fishing economies were, in contrast, more equally structured (Sanday 2000:66, 81-82, 90, and 170).

Eventually, in agrarian society during the Neolithic period, 5,000–9,000 years ago, animals had been captured to become workforce, and as grazing, grubbing, confined pre-meat. The transformation of animals into a social category within human society brought with it emotional consequences. Elizabeth Fisher asserts that when humans began to interfere with the reproduction of animals, the manipulation entailed involvement in activities marked by cruelty, guilt and blunting. The enslavement of animals seems to have served, Fisher says, as a model for the enslavement of humans, especially the exploitation of women captives for reproduction and labour (Fisher 1979:190, 197; Mullings 1988:314; see also Collard with Contrucci 1989; Nibert 2002:21-27).

PANORAMA OF THE ARISTOTELIAN MODEL IN WESTERN HISTORY

The culture that captured animals and used them for labour and food, developed a model for subjugation that gave humans emotional and practical training in dominating humans as well. The curbing of animals adjusted humans to, and involved them in, relations marked by dominance and hierarchy. What Aristotle named “the lowest sort” (the animals) was a norm which had become interwoven with other norms, forming a paradigmatic master/slave relationship employed for the suppression of and enslavement of humans.

“Domestication”, writes the historian Keith Thomas about sixteenth-century England, thus became “the archetypal pattern for other kinds of social subordination” (Thomas 1983:46). Beginning in the fifteenth century, European explorers and colonialists, sailed off to other continents, not to form cooperative relationships and mutually beneficent trade-agreements, but to invade and colonize, naming people in Asia, America and Africa beasts, animals, treating them as animals had been treated for long (Zinn 1980:11-38). In 1550, the translator of Aristotle, Juan Ginés de Sepúlveda echoed Aristotle, in his justification of the conquests and wars:

[P]or el contrario, los tardíos y perezosos de entendimiento, aun que tengan fuerzas corporals para cumplir todas las obligaciones necesarias, son por naturaleza siervos, y es justo y útil que lo sean, y aun lo vemos sancionado en la misma ley divina.” In direct translation, by Ragnhild Sollund: At the contrary: [those] retarded and lazy of comprehension [with little ability to understand], even though they have the bodily strength to fulfil all necessary obligations, are natural servants, and it is just and useful that they are, it is even as [we] see sanctioned in the Divine law itself (Sepúlveda 1941:85).

On home ground, as Keith Thomas has shown, women, the poor and common people, children, “the mad” and vagrants were pictured as odious beasts, standing close to a nature that was meant to be tamed. In seventeenth- and eighteenth-century England, the poor, women and foreign people were often described with contempt as animals lacking rationality (Thomas 1983:41-54).

In 1772 the vicar John Fletcher wrote of bargemen at work: “Fastened to their lines as horses to their traces, wherein do they differ from the laborious brutes? Not in an erect posture of the body, for, in the intenseness of their toil, they bend forward, their head is foremost, and their hands upon the ground” (Ibid:44). The vicar’s statement is reminiscent of Aristotle’s words on how nature distinguishes between superior and inferior by the form of the body (quoted on page 4). In the interaction between the world of thought and the world of reality, descriptions like those by Fletcher came to form the evidence for their own validity: As some humans were treated as animals were treated: humans treated like animals came to look like animals; thus, they were animals who could to be treated just like animals had been treated for so long.

When the European slave trade was established, talk of the bestial nature of the others was commonplace. According to Edward Long, in his book, *History of Jamaica* from 1774, the orang-utan was closer to what he called the Negro than was “the Negro” to the white man (Thomas 1983:47) – the norm for all human beings, and the norm for all creatures within human society. Long may have been influenced by the early Swedish natural scientist Carl von Linnaeus who, in the 1768 edition of *Systema Naturae*, applied his principle, of a

connection between the physical appearance of animals' and their characteristics to the human being. Linnaeus' hierarchy of animal species was inspired by Aristotle's classification of animals (*Scala Naturae*); it influenced his hierarchy of humans and became an influence in the racial thinking that was to come: Africans were considered lowest on the scale and South African Khoi-Khoi (Hottentots) were placed in a subgroup as *monstruosos*, monster (Bauman 1989:69; Catomeris 2004:31). This hierarchy suited a European foreign policy profiting from a slave trade presupposing a view of the enslaved humans as a sort of domesticated animals – animals to be captured, sold and used as labour. "The Portuguese", an English traveller wrote, marked slaves "as we do sheep, with a hot iron" and at the slave market in Constantinople, the slaves were taken indoors to be inspected as animals, "as we handle beasts, to know their fatness and strength" (Thomas 1983:45).

The neutering, chaining and marking, the sabotaging of close relationships, the control of reproduction, the property status, the trade markets – the system of subduing animals was transferred to humans who were consigned animal status. The hunting of 'big game' served as a preparation for killing other humans, and bodies of killed animals were used as weapons in curbing people: the colonialist in the Congo with his whip made of hippopotamus skin (*chicotte*), so hard it maimed and crippled; and on home ground in France, the whip made of leather from calves, the "cat-o'-nine-tails" (*martinet*) was lawfully used against women, children, servants, and domestic animals. The *chicotte*, along with the rifle and the steamboat, was associated with white rule (Hochschild 1998:120; about the *martinet* and the *chicotte* see Lindqvist 1996:18, 20-21). Many instruments used for subjugation was inspired by the keeping of animals – collars and chains for black people, bridles for women, "cages, chains and straw for madmen; halters for divorcing wives" (Thomas 1983:45).

In European history, Aristotle may have been among the first to point out and formulate how the subduing of animals legitimizes the subduing of humans; however the relational paradigm – enslavement of and war against humans, inspired by the keeping of and hunting of animals – was found also in other parts of the world. In South America, the hierarchical order of the Inca Empire was based on the keeping of animals: the system of breeding llamas was used for the categorization of subordinated humans – women and slaves (Börresen 1996:83). Human slavery in Russia – the system of serfdom that was abolished in 1861 – also used animal slavery as a prototype: Russian serfs were private property, family members could be separated from each other, a serf could be sold, like a beast, and used as a draught animal (*Nationalencyklopedin* [Ryssland]:136). In Africa, where the keeping of pigs, cattle and geese was since long established, there were indigenous slavery: the trans-Saharan slave trade, and the slave trade to the Middle East (Hochschild 1998:9-11; 2005:311; Harrison 2006:371).

Nevertheless, it was the European slave trade that became the most extensive and ramified in human history. The British ideology of imperialism was inspired by what was by far the most accomplished system for the captivity of animals. According to Keith Thomas, eighteenth-century England had a greater number of domesticated animals for each cultivated acre and each person than any other country apart from the Netherlands (Thomas 1983:26). Meat from animals was for the minority of wealthy men, while poor people in the countryside lived on cheese, milk and root vegetables. In 1726, London alone slaughtered 100,000 oxen, 100,000 calves and 600,000 sheep. The Swedish visitor and disciple of Linnaeus, Pehr Kalm noted: "I do not believe that any Englishman who is his own master has ever eaten a dinner without meat" (Ibid). Roast beef was the national symbol of a culture of a minority of elite

men, consuming animals in great numbers while simultaneously organizing and profiting from human slave trading between continents.

There was a wish to control and govern the plant-eating animals and make war with the predators. As a consequence of the white man's attempt to exterminate the Native Americans in North America, the bison, from which the Native Americans made their living, was exterminated. The animal-killing strategy proved to be successful: the extermination of the bison meant starvation for the Native Americans; when the killing was finished, so were the Native American cultures and nations. Domesticated animals – cattle – replaced the bison, and these animals were fed grain to be fattened to satisfy the British market for red meat (Nibert 2000:44; Rifkin 1992).

"To yield to the parent state the rightly expected profits", wrote Henry C. Morris in *History of Colonization*, the natives should "be amenable to discipline"; but if unwilling, "the natives must then be exterminated or reduced to such numbers as to be readily controlled" (Morris 1900, vol 1:20-21). The philosopher Herbert Spencer spelled out the common reasoning in *Social Statics* from 1850: "The forces which are working out the great scheme of perfect happiness, taking no account of incidental suffering, exterminate such sections of mankind as stand in their way, with the same sternness that they exterminate beasts of prey and herds of useless ruminants. Be he human or be he brute – the hindrance must be got rid of" (Spencer 1970:416).

The ethical premise of these conquests implied that foreign peoples were regarded as weak, therefore inferior: when meeting the Europeans, they died. Many people in the subdued land areas died from the white's diseases (Traverso 2003:59). The Europeans did not perceive of themselves as a threat and as dangerous although it was they, along with their animal keeping, their diseases and their weapons, which brought death upon the others. From the other peoples' point of view – from a perspective of sub ordinance – white man = death, thus the whites did not represent a good culture. But in this ideology of imperialism the victims get the blame and the criminal is ascribed more worth.

In the late nineteenth century, the scheme for happiness described by Spencer and foreshadowed in the antique by Aristotle, giving a minority of white European men the exclusive rights to a luxurious life, was ready to be turned into scientific theory. As has been shown by many scholars, Western scientific thinking found it obvious and natural for the so-called white race to be superior, and rich people were considered to be more intelligent than poor people. Superiority was connected to form of the body; under the disguise of objective discovery, so-called craniologists or phrenologists measured the shapes of skulls and facial forms (Gould 1996; Rose et al 1986, Bauman 1989:65). Time and time again, European men were found to be superior to the categories of non-Europeans, Jews and women (Johannisson 1994:45). For instance LeBon 1879: "All psychologists who have studied the intelligence of women, as well as poets and novelists, recognize today that they represent the most inferior forms of human evolution and that they are closer to children and savages than to an adult, civilized man" (Cited in McClintock 1995:54).

Anne McClintock argues that the subordination of women served as a model for colonization: "[T]he imperial conquest of the globe found both its shaping figure and its political sanction in the prior subordination of women as a category of nature" (McClintock 1995:24). At the same time rich Englishwomen, as Inderpal Grewal states, were sometimes encouraged to "show their equality with Englishmen by participating in the colonial project that was defined in purely heterosexual, masculinist terms as 'penetration' and 'mastery' of

‘virgin’ territory or of feminine and weak cultures” (McClintock 1995:24). Women’s rights could be turned into colonialism – and Native Americans and Africans encouraged or forced to dominate and suppress others and so, like upper and middle class women, partake in the project of civilization. Classes of subordinates were created to control other subordinated and killed animals were utilized in the direct controlling; in Africa the recurrent whip made from hippopotamus skin, the *chicotte*, was used in the Congo by a class of foremen against fellow Africans (Hochschild 1999:160). Colonialists in Virginia offered Native Americans a cow for every eight wolves they could kill as a step towards a civilized lifestyle, and the capturing of African apes whose skin was shown at exhibitions had the advantage, one contemporary thought, of “civilizing the African” (Thomas 1983:29).

In general, from the time of Aristotle and throughout the centuries, the major material result from the human – animal relationship, meat from animals, was everyday food for the wealthy while the rearing and slaughtering of the animals and the preparing and cooking of the meat were tasks carried out by the lower classes. Massimo Montanari says that from 1300 to 1850, ninety percent of an ordinary European family’s food budget was used for buying rye, buckwheat, oats, barley, maize (Montanari 1996:152). According to Carol Adams, when meat was obtained it was given to the men because of the strong associations between meat and the male role (Adams 1990:28-29).

At the start of the twentieth century, as witnessed by the author Upton Sinclair, the slaughterhouses of Chicago became the pioneer assembly-line business, launching a meat-market no longer only for the affluent but for everyone as commonplace normal food (Patterson 2002:73; Morell 2001:89-92). The workers in the slaughterhouse area – the majority of whom was underpaid and poorly educated immigrants, women and children – were forced to work at an extreme speed and were often injured. In order to sustain themselves, the workers acting on instruction turned animals into commodities, thereby also being reduced to bodies, and to animals treated as objects (Sinclair 2003). The worker Jurgis, in Sinclair’s documentary novel *The Jungle*, describes his wife Ona’s eyes as the “eyes of a hunted animal” and himself as a “blind beast of burden” (Sinclair 2003:130). The man who originated the assembly-line, Frederick W. Taylor, knew of the risk, the system could transform the worker into “an ox” or an “intelligent gorilla” (Taylor 1977:59).

As the philosopher and anthropologist Barbara Noske puts it, the animals in the industries were totally alienated in relation to the product, consisting of themselves as dead flesh (muscles, sinews, intestines, and blood), unborn young ones, the skin, the fur. The systems for confinement aimed at keeping as many animals as possible in an area as small as possible while exercising control and steering the animals towards higher and higher productivity (Noske 1997:12-14). Similarly, the system for slaughtering animals aimed at killing as many as efficiently as possible. When the number of animals for meat production increased in Europe, meat from animals was hailed as the necessary protein. The poorly paid immigrant workers in Upton Sinclair’s novel could have managed to sustain themselves had they continued to eat cheaply and nourishing but “[t]here was no one to tell them that the nutriment they got in meat cost them several times as much as if they had got it in oatmeal and beans and brown bread” (Sinclair 2003:106).

Along with the mechanization of animals in food production, came the use of animals as a scientific method. As animal experimentation turned into what was considered the most

advanced experimental method, the number of animals employed for scientific purposes skyrocketed: from a few thousand per year around the turn of the century to hundreds of thousands (Gålmark 1997:10). The respective systems of industrialized meat production and animal experimentation were hidden away from the sight of people of all classes. The abattoirs were placed outside the cities (Vialles 1994:20-22), and the experimentation was performed behind locked doors of guarded laboratories. These systems were eventually to influence the social politics of Nazi Germany.

THE MODEL AS INDUSTRIALIZED HOME GROUND ATROCITY

To a civilization which had derived much of its nourishment for the subjugation of human beings from the objectifying of animals, to conceive of the others as animals assists in the actual carrying out of repression and killing. How this accepted strategy could be used totally was shown by the Nazis in Germany, a political party that had appreciated the extermination of the native peoples in America and which saw British imperialism as an exemplary model (Traverso 2003:7).

According to Boria Sax, animals' status under the Nazis was paradoxical: some animal species were fit only for extermination while others were idealized (Sax 2000:22 and *passim*). All animals in Nazi Germany, irrespective of popularity or status, were however property, by law belonging to an owner, and could be disposed of whenever the owner felt like it. In this respect, the Nazis' attitude did not differ from contemporary Western political and social tradition towards animals. Animals were legally used for various human purposes – as material in the food industries, or in experimentation, as army dogs and horses, or as companions.

The Nazi government declared the “Day of the Dog” – however the meaning of this day was obscure. The SS required each member to strangle a German Shepard puppy after having reared the dog for twelve weeks (Sax 2000:169, 86). Hitler's own dogs were trained with a whip; the training never being shown in the propaganda films. An eye-witness to Hitler's private behaviour tells: “He whipped his dog like a madman [Irrsinniger] with his riding whip as he held him tight on the leash. He became tremendously excited [...] I could not have believed that this man would beat an animal so ruthlessly – an animal about which he had said a moment previously that he could not live without. But now he whipped his most faithful companion!” (Waite 1993:166). Minister of Propaganda Joseph Goebbels created a legend of Hitler as an ascetic to impress the German people; in reality, Hitler engaged in smoking, meat-eating and womanizing, shifting back and forth between indulgence and abstinence. Hitler as a friend of animals seems to have been a legend in the same manner, an “outward show” launched to impress the German people (Payne 1973:346; Eberle and Uhl 2006: 391-92).

Similarly, the Nazi regime presented an animal welfare law which to the casual eye appeared to prohibit painful experiments on animals, however the paragraphs concerning animal experimentation remained until the reunion of East and West Germany and never did prevent any (painful) experiments. Birgitta Forsman, citing the relevant paragraphs of the law of 24th of November 1933: § 5 together with § 6-8, concludes that the misconception (still around today) may be due to careless reading of the law (Forsman 1992:120-124; 306-307).

And, it may also be a result of propaganda as the Nazis were indeed experts of deception, the most conspicuous and repulsive example being the presentation of the deportation ghetto for Auschwitz, the Polish city of Theresienstadt, as “the city Hitler gave to the Jews” (Singer 2003:221-231).

When Nazi doctors began to experiment on human beings, they had already practised on animals – the practice of hurting living creatures in order to gain knowledge constituted an important emotional condition for carrying out experiments on humans. Doctors were educated in euthanasia and eugenics, in ideas on how to ‘improve’ the human race by breeding and selection on humans – in the same manner as they had studied and treated animals. The animal experimentation carried out at the Kaiser Wilhelm Institute in Germany during the 1930s, especially genetic research on rabbits, was later transferred to experiments on humans (Knödler 2002). In the Nazi concentration camps, physicians alongside agronomists performed experiments on both animals and human beings. That the Nazi physicians were aware of the connection is suggested by chief physician in Auschwitz, Josef Mengele, who alternately hurt and killed or patted people, referring to his victims as “my guinea pigs”, and calling the camp “a zoo” (Knödler 2002; Sax 2000:112-113).

In the Nazi ideology women were of less worth, separate and subordinate, designed for domestic work, poorly paid jobs, and childbearing. Birth control was made illegal in 1933, and women were removed from political positions and expelled from the public sphere. ‘Aryan’ women’s duty was to breed the new master race – while sterilization was forced upon women of what was called the subhuman races. Exploitation and stigmatization of humans recurred throughout the whole racial hierarchy. So called non-Aryan women who were used in medical experiments were called “rabbit girls”, and so-called Aryan women who were regarded as perfect and who were used for breeding as many Aryans as possible, were called “cows for breeding with bulls” (Patterson 2002:47; Sax 2000:22). Ordinary women became the spine of the Third Reich, learning eugenics in Bridal schools, raising their children to detest, and report against Jews, sending their children to Hitler Youth and League of German Girls (Koonz 1987:3-8, 145; Gaultier 2005:660).

Judy Chicago points out how by constantly depicting Jews as vermin and pigs, the Nazis could persuade the German people of the necessity to extirpate the Jews. The categories that the Nazis mass murdered in concentration camps – the Jews (as a distinct case), non-Aryans, the handicapped, dwarfs, Gypsies, homosexuals, political opponents, enemies of war – were called pigs, rats or vermin, those animal forms considered to be lowest on the scale and who could be prey animals for the Aryan, who was portrayed as the Wolf. Especially Jews were systematically depicted as pigs, as rats, as vermin (Chicago 1993). By those means, the Nazis can be said to have followed that mental strategy for subjugation and mass killing of humans already proven effective by European imperialism – a strategy Germany had also had some experience of in its imperialistic mass killing of the Herero people in southwest Africa in the first decades of the century (Vuckovich 2005:879-886; Hull 2003:141-162): to call human being animals and treat them as animals were already treated.

Contemporary models of the transference of the Nazi’s outlook on animals to humans were also found in the East. Hitler knew of Josef Stalin’s slave camps and Stalin came to know of the Holocaust. The prerequisite for Gulag was the depiction of people as standing closer to animals: the establishing of categories such as “vermin” and “subhuman” made it less difficult to carry out the large-scale persecutions and executions. The arrested themselves named Gulag “the meat-grinder”: the arrests, the cross-examinations, the undressing, the

deprivation of identity, the transport in unheated cattle-cars, the forced labour, the destruction of families, the years in exile, the early and unnecessary deaths (Applebaum 2003:2, 20-).

And models were found in Sweden. The National Institute for Racial Biology inaugurated in Uppsala, in 1922, became a model institute for racial biology and racial eugenics in the Western world (Johannisson 1997:241-44). In physical anthropology and “phrenology”, humans were placed in a hierarchy according to their physical form, skulls and facial forms were measured. The year after the Nazi sterilization law was put in effect, in 1934, the Swedish sterilization law was passed as well. It was expanded in 1941, and before it was abolished completely in 1975, led to the sterilization of 63, 000 people who were regarded as deviant, “B-humans”, not worthy enough to be allowed to propagate. The largest categories consisted of people who were labelled mentally weak and who were considered generally weak. The law was abolished in 1975 (Johannisson, 1997:244). The scientists at the racial institute in Sweden kept close contacts with the Nazis, and their lectures in Germany were used to justify the Aryan ideology. In Sweden, 70-95 percent of the sterilized were women in spite of the fact that sterilization of women generally requires a more advanced and difficult surgery than the sterilization of men (Ibid).

In Sweden, the notion of A- and B-humans was generally known and accepted, a discourse that advertisers could make use of; A-people were the “humans of full worth”, B-people were the “humans of lesser worth”. In 1937, the Swedish Dairy Association (Svenska Mejeriernas Riksförening) made advertisements for products from the animal industries by connecting the consumption of such products with the human of full worth: “Milk, butter and cheese create A-people”(Johannisson 1997:240, picture on page 243). Milk, butter and cheese from animals did indeed “create” the “white” human: of the world’s human population, eighty percent are lactose intolerant, while only a few percent in the Nordic countries are considered to be intolerant. Undiscovered intolerance to lactose or intolerance to cow’s milk protein impairs the immune system and leads to general weakness (see the Swedish FDA, Livsmedelsverket, www.slv.se).

Nazi politics was inspired by the breeding, keeping and killing of animals for food and experimentation. Animal husbandry was, as pointed out by Zygmunt Bauman, the model for Nazi politics: “The traditions of cattle breeders and other biological manipulators were deployed by the national-socialist science not only to the solution of the ‘Jewish question’. They offered inspiration to the totality of social policy under Nazism” (Bauman 1989: 215-216). German scientists of world-wide reputation stated openly: “Every farmer knows that should he slaughter the best specimens of his domestic animals without letting them procreate and should instead continue breeding inferior individuals, his breeds would degenerate hopelessly...extinction and salvation are the two poles around which the whole race cultivation rotates, the two methods with which it has to work... Extinction is the biological destruction of the hereditary inferior through sterilization, the quantitative repression of the unhealthy and the undesirable...” (Cited in Bauman 1989:71).

As shown by the historian Charles Patterson, it was no coincidence that the men who – Americans first and Nazis later on – made racial hygiene and sterilization into extensive systems, had connections in the area of agronomy and had worked with the breeding of animals. Many of the men who administered the mass killings of human beings in Nazi-Germany had previous experiences from the animal industries; Himmler, as one of the most prominent, made use of his experiences with the breeding of animals, and transferred the principles and methods of large-scale killing to human beings (Patterson 2002:100; Sax

2000:150). R.W. Darré, early ideologist of German National Socialism, forwarded animal husbandry as the pattern for 'population policies' (Bauman 1989:113). The former SS-man in Treblinka, Franz Suchomel, came to resemble the atrocities with a "production line" and the design of the system with a "laboratory" (Lanzmann 1985:62).

Although its relevance remains to be acknowledged, many scholars have pointed out this association. In the words of Henry Feingold: "[Auschwitz] was also a mundane extension of the modern factory system. Rather than producing goods, the raw material was human beings and the end-product was death, so many units per day marked carefully on the manager's production charts" (Feingold 1983:399-40). Boria Sax writes: "The Nazis herded human beings, branded them with numbers, neutered them, and slaughtered them industrially, as people had traditionally done with animals" (Sax, 2000:20). According to Charles Patterson, the Holocaust and the mass murder on other human groups were made possible through an already functional system of killing animals *en masse* (Patterson 2002:110). Enzo Traverso states concurrently: "[T]he architects and engineers of the Topf Company in Erfurt, which designed the cremations furnaces in Auschwitz, must certainly have thought of them [abattoirs]. The camps functioned as death factories, removed from the gaze of the public" (Traverso 2003:36).

Theodore Adorno, who was driven into exile by the Nazis, was perhaps the first (1951) to point out how the killing of animals contributed psychologically to the Holocaust – unique as a historical crime against humanity – and to the persecutions and mass killings of enemies and deviant humans:

The constantly encountered assertion that savages, blacks, Japanese are like animals, monkeys for example, is the key to the pogrom. The possibility of pogroms is decided in the moment when the gaze of a fatally-wounded animal falls on a human being. The defiance with which he repels this gaze – "after all, it's only an animal" – reappears irresistibly in cruelties done to human beings, the perpetrators having again and again to reassure themselves that it is "only an animal", because they could never fully believe this even of animals (Adorno 1978:105).

Hanna Arendt said that the most difficult problem that the Nazis encountered was how to overcome "the animal pity by which all normal men is affected in the presence of physical suffering" (Arendt 1996:102; Bauman 1989:20). According to Arendt, Nazism attempted "to change man into a beast" (Arendt 1968:179). Likewise Sax points out how the Nazis endeavoured to transform the 'Aryan' people of the Reich into one single predator, Hitler stating in 1934: "I desire a violent, domineering, fearless, and ferocious upcoming generation. It must be able to bear pain. It must show no signs of weakness or tenderness. The free and magnificent predator must once again glint from their eyes" (Sax 2000:34).

The Nazi ideological conception of nature and animals, observed respectively by Arendt and Sax, rested however on a misconception. Neither the "beast" nor the "animal" stages mass killing upon their own species. Predators kill to survive; the killing is essential and natural and in most cases unavoidable. Industrialized society, in contrast, holds the seed of mass murder within a cultural value system that is optional, and under the Nazis was decided on as ideal politics. As most humans may instinctively avoid inflicting suffering and/or causing killing, to portray humans as animals – prey on the victims' side and predators on the killers – helps in convincing people to assist in the implementation of mass killing.

To curb and kill animals for labour and food was a since long engrained social and material part of culture. This relationship with the animal other – marked in general by dominance, hierarchy and emotional distancing – was, as we have seen, utilized historically in framing interactions of elite men towards the human other, deploying primarily men of lower classes to carry out the concrete dealings. The portraying of humans as animals works to depict this social paradigm as a set of natural relations, placing the responsibility for the actions on (animal) nature instead of human culture, thereby making human politics appear naturally just.

What seems to have been attained in grotesque dimensions by the Nazis was, in Bauman's words: "*dehumanization* by distancing and by ideological definitions and indoctrination" (Bauman 1989:21, 102). This was the method of *objectification* of the other, already taken into practice by European imperialism, dehumanizing and objectifying humans on other continents. Hanna Arendt, Enzo Traverso and Sven Lindqvist have respectively underlined European imperialism as a fundamental step towards the genesis of Nazism; however, on home ground, industrialized animal mass killing may be added as another fundamental step. When the killing to obtain meat for the elite was developed into pioneer mass production and subsequent banal consumption, produced by objectified workers (dehumanization) and objectified animals (deanimalization), for the majority but out of sight of the majority, one of the "modes of domination and extermination" (Traverso 2003:151) necessary for Nazi politics was created. Indeed, considering the risk entailed within an ancient food order adjusting people in different degrees to objectification and killing, Nazi politics should not have come as a surprise.

The Nazi's motives for the Holocaust have unique features; however the roots of Nazi hierarchy of humans can be traced even further back than European imperialism. Nazi politics reminded of that ancient perception, observed by Aristotle and practised by colonialists and scientists: fixation upon the exterior form, linking traits to forms, devaluing and placing humans in separate categories, killing those who refuse to submit. The justifications of the killings of humans have in fact sounded similar, from Aristotle to the colonialists to Stalin, to the engineers of mass murder in the Third Reich: certain categories are stigmatized as inferior and/or conceived of as a hindrance to the realization of a 'perfect society' designed to benefit the in-group in power. In the realization of the scheme, animals are deployed as a legitimizing training ground: the naturally hyper exploited objects.

THE CONCEPTS OF HYPER EXPLOITATION

The following concepts form an attempt to contribute to the understanding of how the animal model for oppression is taken as an indication of a natural rather than culturally created relationship between humans and animals.

Hyper exploitation: Animals serve, historically, as objects to be exploited by humans; this exploitation is also used as a simile, as a training ground and as a paradigm in the suppression of human groups (the others are like animals, the others are like the exploited, the others can and ought to be exploited); the factual animals are deployed as tools to subdue humans (the curbing of domestic animals, the killing of animals and meat from animals as threatening manifestations of power, the recurring whip made of animal skin used in the family against

wives, servants and children, against slaves and prisoners on foreign ground and at home, against deviant humans, and animals); the techniques of controlling animals (neutering, chaining and marking, the sabotaging of close relationships, the confinement, the control of reproduction, the property status, the trade markets) and the techniques of killing animals (hunting, and killing at slaughterhouses) are used to subdue and/or kill humans in war and genocide, while the actual acts of enforcing submission are carried out by subordinated humans (soldiers, peasants, slaughterers, slaves, foremen, masters and mistresses of the common household) who are also made to participate and uphold the model by producing, consuming, preparing and serving meat from animals.

The exploitation of animals is used discursively to transfer responsibility: human exploitation of animals is natural, a reflection of the inferiority of animals and a reflection of a natural condition. This putative natural order is employed to justify the subjugation of humans diverging from the human-male norm (also 'white' in early modern, modern and late modern times), thus the animals are, as part of nature, considered the cause, or are even blamed for their own situation and for that of oppressed humans.

And by that, the wheel of oppression has come full circle.

The phenomenon of displacing responsibility may contribute to the understanding of the hitherto finite attention paid to 'animals' as a legitimate cultural-ethical question within social history/post-colonial studies. In a project of inclusion, it is vital to note that animals today are exposed to ongoing and increasing colonial-like practices: The number of individuals raised and killed by humans for food is steadily increasing (FAO: 48 billion), and the number of free terrestrial, freshwater and marine species populations is steadily declining, during 1970 to 2000 by forty percent, due to hunting, fishing, environmental degradation and habitat loss (WWF 2004 Index).

Hyper exploitation presupposed the combination of two kinds of "normativity" (Rosenberg 2002:12-13): *Human-male normativity* is the institutions, structures, relations and acts upholding the norm of the human male as the natural, all-embracing and fully worthy form for positions of autonomy and/or power. The term *androcentrism*, coined by Charlotte Perkins Gilman in 1911 to question male hegemonic culture, and *anthropocentrism*, the established term for that belief which relates to nature and culture from an exclusively human perspective, is here combined in *anthro-androcentrism*. The Greek word *anthropos* for human and *andro* for male suggests this ideology's ancient, perhaps Aristotelian, roots; emphasizing that a 'human perspective', rather than representing humans in general, is the perspective of the (white) privileged human-male.

Meat normativity is the institutions, structures, relations and acts upholding the norm of other animals as objects for humans to use in whatever way found appropriate, especially as matter in the production and consumption of everyday 'meat'; meat thus being presented as the natural, indispensable and normal protein food for humans, the symbol and real result not only of traditional elite human male power, but also of civilization and eventually, as this normativity spread from the Western world with a production increase of five times since 1950 (FAO), as an indicator of modernization. *Meatism* is the term chosen for this ideology.

CONCLUSION

Within general narratives there are smaller, often competing, narratives; patterns within the pattern. My intention here has been to bring the basic though seldom discussed theme to our attention: What can we make of the fact that the placing of humans into a hierarchy of an ideal creature/body form of higher value, and deviant creatures/body forms of lesser or no value, seems to be connected to the European cultural food order? How are we to deal with the fact that the animal category as the ultimate – in Aristotle’s terminology – “lower sort” has been employed continuously as a reference and training-ground for oppressive human relations in Western history?

Claude Lévi-Strauss, in 1959, defined our modern civilization as anthropoemic; we ‘vomit’ our adversaries by separating, segregating, evicting and excluding from “our universe of human obligations” (Cited in Bauman 1989:223). Outward looks do not explain *why* certain groups are suppressed, still body forms are in the European historical context deployed to distinguish, categorize and legitimize subordination. Sven Lindqvist identifies a, or maybe even *the*, modern post-war discourse when writing about the key words that have signified the European conquests, enslavement and extirpations: “[A]nd the human being was expressly placed on an equal footing with the animal as an object for extermination” (Lindqvist 1993:18).

It is vital to keep in mind, however, that it was not “the human being” who got placed on an equal footing with animals as objects for extirpation; it was certain categories of human beings who by the white, human, male culture were placed on an equal footing with the animal as objects for subjugation or extermination. This model hierarchy and its justification, I suggest, was early formulated by Aristotle in his idea of the in fact enslaved, therefore justly enslaved – the initiation of the naturalistic mistake/fallacy: confusing the fact with the norm, the compulsory with the optional; in this case making a cultural food order the natural food order and thereby making the cultural ideal of subduing and killing a natural, therefore just, relational ideal.

Also, we should bear in mind the global relevance in our own time of Aristotle’s model (page 5); the (white) male supremacy of today’s power centres, in parliament and business affairs; the geography, ethnicity and gender representation of the rich and the poor, and of the refugees in the world. Of great relevance is how the meat based food order, by being a major contributor in pollution, environmental degradation, emissions of climate gasses and forest felling, contributes to worse living conditions, and even death, primarily of poor people, and animals as livestock and wild mammals (Steinfeld, et al 2006: xx-xxiv).

Acknowledging the cultural and optional and answering to Simone de Beauvoir’s correctly observed connection between killing and human male dominance, cited in the beginning of this paper, we may therefore ask: Why, in order to become human, kill members of a category which human beings themselves belong to? Why, if there are other ways to nourish oneself and survive? Why indeed if the consequences of ‘the killing way’ to survive have in history contributed to human atrocities and genocide, and today imply human, animal and environmental destruction?

And, to suggest new lines of normative thinking: Why not instead transcend into something other than an ‘animal’ by *not* killing animals? Why not become something more than other animals by risking life in *saving* others – humans and animals? And lastly: Why

not acknowledge being both animal and human by creating, cooperating, cultivating, gathering and refining, instead of killing? And so, in this way, contribute to increased chances of survival for all.

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Chapter 7

CAUSES FOR SPECIESISM: DIFFERENCE, DISTANCE AND DENIAL

Ragnhild Sollund¹

Norwegian Social Research, Norway

ABSTRACT²

Piers Beirn and Gertruui Cazaux have argued that animal abuse and speciesism must be included in the field of Criminology. This chapter attempts to bring this field of Criminology further by discussing what is viewed as key elements in the understanding of speciesism and animal abuse, like (presumed) intraspecific differences, physical, social and mental distance, and denial. By applying central theory which has thrown light on abuse that may take place among humans, like that of Zygmunt Bauman and Stan Cohen, the chapter seeks to extend our understanding of the reasons for the extensive animal abuse which takes place within fur and factory farming and research.

INTRODUCTION

The theologist Andrew Linzey (1989) states that the way we treat non-human animals (henceforth animals for simplicity) in modern, western societies belongs to one of the most important moral questions faced by humanity in our time. We live in a nominally civilised society which is civilised to the extent that it sets limits to pain and the cruelty it is prepared to inflict. It is also a reflexive society to the extent that it has the capacity to reflect on its practices to see whether they are commensurate with its civilised perceptions. Where overt forms of discrimination such as racism and sexism were once commonplace and accepted (Gould 1986), in western societies they are no longer acceptable. They are rightly condemned

¹ E-mail: rso@nova.no.

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as intolerable and steps are taken to confront these social evils. This exemplifies reflexivity in practise. Though society appears keen to advance the wellbeing of animals in ways it would not countenance in the past, it is evident that speciesism has not been accorded the same status as racism and sexism, nor have the same steps been taken to outlaw its practice. The (ab)use of animals is connected to cultural legitimacy.

The aim of this chapter is to draw attention to the consequences of speciesism – a concept first coined by Richard Ryder in 1975 (Regan 2007: 138) and defined as a: '*prejudice or biased attitude favouring the interests of the members of one's own species against those of members of other species*' – by looking at the scale of abuse humans routinely conduct against animals in their charge, and to examine the factors which explain why in a 'civilised' society such inhumanity can persist.

Strategies for confronting endemic speciesism vary. Apart from activist animal liberation movements, some authors have responded by developing a philosophical argument that is designed to demonstrate that speciesism cannot be justified in relation to any rational, ethical criteria. Two directions have been important in the debate related to animal rights. The first is Singer's utilitarian argument in the book *Animal liberation* (1975). This is based on the principal that different species' interests have equal weight. This does not imply equal treatment, but that all who can feel pain have the same interest in avoiding it. The characteristic of a *sentient living being* draws the line as to how we shall treat animals. Singer (1992) makes a starting point of Jeremy Bentham's prominent quotation:

'It may come one day to be recognized, that the number of the legs, the villosity of the skin or the termination of the os sacrum, are reasons equally insufficient for abandoning a sensitive being to the same fate. What else is there that should trace the insuperable line? Is it the faculty of reason, or, perhaps, the faculty to discourse? (...) The question is not, can they reason? Can they talk? But, can they suffer?' (Bentham 1789 here in Singer (2002:7).

The other direction is Tom Regan's (1999) natural rights perspective in which he maintains that animals have natural moral rights implying that they must not be harmed or killed. All individuals which are 'subjects of a life' have inherent value independent of their use for others. They have good or bad experiences according to what happens to them. Moral rights cannot depend on the ability to think on an abstract level. That would have serious implications which would not only affect animal rights but also human rights. To accept experiments with grown animals like dogs and chimpanzees would logically lead to the acceptance of experiments with mentally retarded and babies because they have less intellectual capacity than grown animals (Regan 1999).

Feminists argue that all kinds of suppression linked to race, gender or specie are interrelated (Donovan 1990). There are *similarities* in action, the way it is justified and the use of language, although the oppression has different victims. Donovan (1990) argues for introducing care ethics into humans' relationship to animals.

Criminologists, like Peirs Beirne (1995, 1999) and Geertrui Cazaux (1998,1999) have called for speciesism to be treated as a field of research itself, and by so doing be accorded the same status in society as movements that have been formed to confront sexism and racism. Beirne and Cazaux criticize the lack of interest in animal abuse within Criminology for being thoroughly speciesist and argue that animal abuse and the ethical implications it

raises must be a separate field of study, because animals should have legal protection, because abuse implies pain and suffering, violation of rights and is a serious form of oppression.

In this chapter I will give support to this stand and bring it a step forward by analysing what I consider to be the reasons for systematic animal abuse. My aim is to confront speciesism by removing the debate from ethics and philosophy and taking it further into the terrain of critical criminology. In so doing the objective will be to consider its consequences – the systemic abuse of animals – as a crime, the aetiology of which must be explained – the traditional focus of criminology.

I will establish how abuse routinely occurs and apply literature from critical social research that has contributed to explaining man's inhumanity to man. I will argue that the same techniques, justifications and practice that human beings have deployed to justify their own lapses into barbarity can also be deployed to explain our inhumanity towards animals. I will thus discuss human beings' treatment of 'the others' along some dimensions I consider to be important, like *difference*, *distance*, *industrialization* and *alienation*, as well as *denial*.

In terms of the structure of this chapter I will begin by examining the routine abuse humankind is prepared to inflict on the animals for which it has the responsibility of care. I will show that the empirical evidence overwhelmingly indicates that the ways animals are treated in the agro-industrial complex is characterized by forms of abuse that are unthinkable elsewhere. I will then consider how this cruelty can be explained. In this I will draw particularly on the work of Zygmunt Bauman (1989) and Stanley Cohen (2001) and I will discuss whether their theories also can explain why this abuse is still countenanced in a society that otherwise defines itself by reference to its civilised values.

ANIMALS AS OBJECTS OF HARM

Considering what is done to animals within factory farming and other animals within humans' care, the line between legitimate harm and animal abuse seems not to have been properly established. The question is when this treatment is *harm*? Beirne defines animal abuse as:

'any act that contributes to the pain, suffering, or death of an animal or that otherwise threatens its welfare. Animal abuse may be physical, psychological, or emotional; may involve active maltreatment or passive neglect or omission; and may be direct or indirect, intentional or unintentional' (1999:121).

Keeping Beirne's definition in mind, in order to focus on practices which are legal but must still be experienced as harmful for the animals involved, I will outline some of the treatment animals are exposed to in factory farming, fur farming and research.

Factory Farming³

Each year approximately 1.2 million pigs are slaughtered in Norway. One thousand die *unintentionally* as a consequence of stress during transport to the slaughterhouse and in the slaughterhouse. The sow is inseminated artificially when she is seven months old and has 6–16 piglets twice a year. When she is pregnant she is kept in a box which measures 2 feet by 6 feet. She is slaughtered when she is three years old, before she is full-grown. The piglets are separated from the sow after four weeks, and are slaughtered when they are five and a half months old. As a consequence of the way pigs are kept the sows develop stereotypical behaviour, as chewing without anything to chew on, and apathy, or biting each other's tails down to the root. They are unable to turn around, but still try to build nests on the concrete floor as they do naturally. The sows are unable to isolate themselves with the piglets and thus create bonds as they do in nature, which leads to high mortality among the piglets. Because the sow is unable to move piglets are squeezed to death. The concrete floor gives wounds and bone fractures because of the hard slippery surface.

The slaughter pigs put on more than one kilo a day, but because of the concentrated food they are given, they are constantly hungry. The breeding has led to pigs with abnormally long backs which gives the pig problems with the back. Consequently pigs are born with paralysed hind parts. In nature the pigs live in flocks of five to ten animals based on family groups with a sow and her young. The herds have a natural territory of between four and eight square miles and are adapted to mountains, forests and flat country. They are clever swimmers and divers. The sow has piglets once a year which are weaned 13 to 25 weeks after birth.

The cattle in the factory farms in Norway also live in small boxes which prevent them from moving. They suffer from the demands of production, and diseases are common. In 1987, 70% of all cows in Norway were treated for inflammation of the udder and metabolism. The cow's udders are so heavy that they must be sustained (Frøslie 2000, NOAH 2002 a)

Ninety 5% of the 3.6 million hens in Norway live in cages. The chickens are brooded in big machines, and the day after they are hatched the cockerels and the sick ones are separated and either gassed to death or thrown in machines with several fast moving knives. The chickens are placed in cages, 50 in each. After six or seven weeks they are moved to bigger cages, 12 in each before they are moved again when 16 weeks old. Now three hens share one small cage. Egg production starts after one to two weeks. The hens are slaughtered after 75 weeks but 10% die before this. In 2000, 66,871 hens died unintentionally in the batteries or on the way to the slaughterhouse. The broilers are bred to eat a lot and grow fast. Because they get so heavy, their legs are unable to sustain their weight and break. 7000 chickens live their 6 week-long lives in a dark room which keeps them quiet and encourage them to grow rapidly. Altogether more than 22 million poultry are slaughtered each year in Norway. In nature wild hens live in flocks of one cock and 4–10 hens, living in an area of 35 to 150 yards in diameter. The hen leaves the flock in order to lay an egg; after 21 days the chick is born who then lives with the mother for 12 weeks. Dust bathing, nest building, exercising the wings and pecking is especially important for the hen. Because battery hens are deprived of this they develop stereotypes; restless wandering, they pick on each other or have irregular repeated movements. In nature, the hens have an individual distance of six yards. Artificial light manipulates the hen to lay an egg a day while she naturally produces 10–15 eggs a year:

³ All facts about factory and fur farming are taken from Dyrevernalliansen (2002) and Dyrehelsetilsynet (2002).

'they can eat and drink and lay eggs, of course, but that is all they can do' says Åge Christoffersen (2000) in the Council for Animal Ethics in Norway. Living so densely it is impossible for the hens to maintain the rank order. In Great Britain there are approximately 45 million battery hens; in USA about a billion. In the USA, both chickens and turkeys have the end of their beaks cut off, and turkeys also have their toes clipped. All of these mutilations are performed without anaesthesia, and are done in order to reduce injuries which result when stressed birds are driven to fighting. Battery hens are prohibited in Netherlands and Switzerland, but the Ministry of agriculture in Norway recently (May 2007) established that the practice is to continue in Norway.

Fur Farming

Denmark has the largest production of mink with seven and a half million furs in 1992 corresponding to about 40% of world production. Norway accounts for 19% of the world fox production and 1% of minks. The industry is highly subsidised. 424,000 foxes and 249,700 mink were killed in 1992. 585,000 foxes and 395,000 minks lived in cages the same year. The minks are put two together in wire cages measuring 12 x 16 x 36 inches. They live in the cage from July until November or December. Then they are gassed or killed by breaking the neck. In spite of being river-animals minks in captivity have no access to water except from drinking water. When minks are free, they live alone from the age of six months and each animal has a territory of 40 square miles. Foxes are kept in cages measuring 24 x 40 x 24 inches, constructed of wire, occasionally having a wooden shelf. Only the vixens that are pregnant have a nest case. The foxes live alone or two together. The pups usually live 7 months before they are killed using electricity. The food is developed in order to give an appealing fur, and not according to the animal's needs. Diseases are common and partly a consequence of the food. Stereotypical behaviour, apathy and nervousness are common. When the foxes are free they live in family groups with a territorial area of between 40 to 80 square miles.

In November of 1994 the Ethical Committee under the Norwegian Ministry of Agriculture released a statement on fur farming. The conclusion was as follows:

'The Ethical Committee points out that fur farming involves predators with a limited degree of domestication placed in small, stimuli-poor wire cages, where the animals do not receive any outlet for their natural behaviour. Even though the physical health condition of Norwegian fur animals is good, and mother and offspring are allowed to stay together for a long time, stereotype behaviour, fright reactions and infanticide suggest that the animals are not suited to their environment. If one emphasises the animals' welfare, it is the committee's view that the farming methods employed today cannot be justified. They should therefore be phased out' (Noah 2002).

Føllesdal (2000), Christoffersen (2000) and the Council for Animal Ethics in Norway state that fur farming is very difficult to defend ethically because of its uselessness, as the financial gains are few due to the subsidies but most of all because of the extensive suffering it entails for the wild animals in captivity.

Animals in Research

Many animals are used for research purposes. In Norway, according to official statistics 724 093 animals were killed in experiments in 2006. The majority were fish – salmon and cod – but 35 524 mice, 12 248 rats, 410 guinea pigs, 476 other rodents, 320 rabbits, 22 dogs, 17 cats, 135 minks and foxes, and 976 pigs – to mention some of the species – were also killed in experiments. In Europe, Norway heads this list as consumer of animals *per inhabitant* for research purposes, using twice as many as Denmark, Switzerland and Belgium, and six times as many as Germany per inhabitant, which destroyed 1,591,394 animals in research (Animal protection report 2002). The real number of animals used in Norway in 2006 is closer to three millions as 2, 2 millions are defined as laboratory animals and consequently not counted although they were used in research. Many animals are not included in the statistics including those killed prior to the experiments, production animals, wild animals, animals used as control groups and surplus animals that are killed because the researcher has ordered too many animals. In 2006 335 473 fish and 12 700 animals of other species were killed as ‘surplus animals’. How many animals are actually killed in USA is impossible to establish (Regan 2007:118). An estimate by Regan from 1986 indicates however that 500 million animals are killed in experiments every year. This is 5 % of all animals that are killed by humans, around ten billion, excluding fish. According to Robert Agnew (1998), in the USA alone, nine and a half billion animals are killed every year, twenty to hundred millions of these in experiments. The reason for the uncertainty is that not all countries keep detailed statistics. In some countries state-financed researchers are not obliged to inform the number of animals they actually use. Further, according to Gendin (1986) and Regan (1999, 2007), rats and mice are not counted as animals in the US statistics.

I will give two examples of experiments conducted on animals in Norway.

- The first is from the University of Bergen, the pre-clinic institutes (DA Archive nr. 1 *Laboratory animals*) 60 rats have an elastic (springy) apparatus operated into the jaw. The rats are anaesthetised during the operation, but not afterwards. The animals are separated into three groups: the first remains untreated, the second and third are arbitrarily put into shock boxes where they get electric shocks in the feet for 1 to 10 seconds. This experiment continues for three weeks. The purpose is to see how emotional stress affects the development of dental disease.
- The second is from the University of Tromsø, section for arctic biology (Acceptance number 89/2000, DA Archive nr. 6). Six seals are used. They are trained to dive strapped to a board. A hole is drilled in the skull and a steel tube is implanted and fixed with screws and cement. Later, a thermometer is put into the brain through the tube. In addition, tubes are put into the arteries and veins in the animals’ lungs. Two weeks after the operation, the seals shall dive, strapped to the boards, so that the researchers can measure changes in the brain and lungs. The purpose is to study how the brain cools down when the seal dives (Animal protection report 1, 2002).

These are examples of basic research. Experiments on animals can generally be divided into three categories; basic and medical research, psychological research, and toxicological tests (Gendin 1986, Singer 2002).

The Thalidomide tragedy is one of many examples of medical experiments on animals which was *not* suited to generate knowledge about how medicine works on human beings. Thalidomide was developed in order to prevent nausea caused by pregnancy. Numerous experiments were carried out on different animal species. The researchers concluded that Thalidomide was harmless. Nevertheless the use of Thalidomide led to thousands of babies born with physical deformities (Gendin 1986).

Another medical area that consumes many animals is cancer research. However, most of today's knowledge about the causes of cancer does not come from experiments but from epidemiological studies (Gendin 1986). Most of the incentives for testing out chemicals on animals come *after* they have been found to induce cancer on human beings such as like letting 240 beagles inhale 4000 cigarettes over two years and then subsequently confirm that they get lung cancer. Medical animal experiments may however have negative consequences for human beings. Because animals and humans have different physiology many experiments on animals cannot predict how a medicine will work on a human being, and for that reason thousands of people die every year because of unpredicted side effects (Singer 2002, Regan 2001, 2007, Gendin 1986, Luke 1992). The benefits gained from experimentation on animals is consequently highly overestimated (Regan 2007: 120).

Unnecessary replication of experiments is also a huge problem and many animals have been afflicted with acute and continual pain, first in order to prove a theory, then to support the same theory, and finally in order to give support to modified versions of the original theory (Singer 2002).

Animals are used in toxicological tests in order to investigate whether cosmetics and floor wax, for example, are poisonous to humans. Still, very few people would spray their eyes with hair lacquer in the way that rabbits are exposed to. Another way to establish whether a substance is poisonous or how poisonous it is, is through the LD 50 tests, which stands for lethal dose 50%. A group of animals are forcefully fed with the substance in question until half of them are dead. The researcher may then see how much is required before they die.

I now turn to a discussion of whether differences between individuals can contribute to explain the legitimacy of racism and sexism before looking at the importance difference between species may have for speciesism.

DIFFERENCE AS AN EXPLANATION FOR RACISM, SEXISM AND SPECIESISM

Nearness, equality and recognition among people may reinforce sympathy while difference may be used as a means to establish social distance. One example is an investigation into people's intervention in matters of public child abuse which showed that of the eighty variables correlated with intervention; one stands out; *racial similarity* between those intervening and victim (Cohen 2001: 74).

In this way people's insensibility for others seems to increase with difference in appearance. The difference legitimates a difference in value. An emotional distance can be *created* by regarding others as inferior. In order to abuse and mistreat others as in war situations, it is therefore necessary to define the victims as *the others* based on physical,

cultural or other traits. Physical differences have been used to explain some races' superiority. Stephen J. Gould (1981) says that appeals to the 'nature of the universe' through history have been used to elevate existing, socially determined hierarchies to be right, inevitable and '*natural*.' An important branch of science to prove certain races' and women's inferiority was the craniometry. It was 'proved' that the white German race was on top of the "human hierarchy", then the Indians and Mongolians and at the bottom the black – and the women:

'In the most intelligent races, as among the Parisians, there are a large number of women whose brains are closer in size to those of gorillas than to the most developed male brains. This inferiority is so obvious that no one can contest it for a moment; only its degree is worth discussion. All psychologists who have studied the intelligence of women, as well as poets and novelists, recognize today that they represent the most inferior forms of human evolution and that they are closer to children and savages than to an adult, civilized man. They excel in fickleness, inconstancy, absence of thought and logic, and incapacity to reason' (Le Bon, 1879: 60,61, here in Gould 1981:105).

By regarding others as very different, be it based on physical traits as skin colour, brain size or sex, it is possible to legitimate exploitation.

Singer draws a parallel between experiments conducted on human beings and animals. The way research objects are perceived as different and inferior it may contribute to throw a light on racism and speciesism. Jewish, Polish and Russian war prisoners were frozen, heated and locked up in decompression chambers by the Nazis. The results were described in the same dry language that was used to describe the results from similar experiments conducted on pigs and dogs in England after the war (Do also see Gålmark, this volume). . Experiments have been conducted on black people even in times of peace as in the Tuskegee experiments (Singer 2002, Regan 1999). Regan (2007) also draws attention to the Willowbrook experiments in which thousands of mentally retarded children were fed with the live hepatitis virus in order to produce a vaccine against hepatitis. Like animals they were unable to protest against the 'treatment' they received during the experiments.

This leads to one way of denying responsibility for the victims. They are dehumanized. Dehumanized victims are not considered to have demands for moral obligations (Cohen 2001, Christie 1989). Nils Christie (1975) clearly establishes this in relation to the concentration camps for Serbian war prisoners in Norway during the Second World War. In a letter to Christie one of the prisoners shows how he managed to learn Norwegian through a dictionary and thereby build down the gap between himself and the guards of the camp. Christie says:

'The inevitable had happened. He could talk, explain, create a common platform, and thereby bring the guards to take his definition of the situation seriously. The dictionary made it possible for him to make the guards see him as a human being, and themselves as inhumane if they hurt him' (Christie 1975:78, my translation).

Animals are literally dehumanized. Nearness is necessary to recognize the common features of animals and humans. Animals have few of what Tinbergen has called 'social releasers', which are aroused for example when observing a sleeping person. Social releasers are not aroused when humans watch a hen because hens do not have children's high foreheads, which is another releaser. Rabbits' faces may seem to be without expression and therefore social releasers are not aroused. It is harder to 'read' an animal's pain. But in order

to use animals for different purposes, it has been necessary to view them as *more* different than they are. To view others as inferior is, however, more a result of choice than an objective proof of their inferiority, and to regard others as inferior is a potent mechanism for creating emotional distance (Luke 1992:89). Fish are the ultimate example of how difference may be used as a legitimating abuse. Fish are cold blooded; their features are utterly different from those of humans, as in the environment in which they live. Therefore it has even been regarded as humane to perform the sport of 'catch and release' rather than to fish and kill, assuming that fish do not feel pain. Recent research do however clearly establish that not only do fish feel pain, just as other animals, they do also have well developed social and cognitive skills which enable them to lead social lives, choose their companions, and plan how to get their food and their lives in general. They depend both on individuals of their own species as well as on individuals from other species when they target their victims, and experiments have shown that they learn skills from each other and use their memory in order to transfer knowledge (Børresen 2007). One experiment showed for example that fish can differ between Bach and blues (Chase 2001).

The view that animals are so different from human beings has its point of departure in a mechanistic world picture advocated by René Descartes in which animals were viewed as machines and since they had no soul, neither could they have consciousness nor feelings. Descartes legitimated and still legitimates vivisection (Regan 1999, Børresen 1996, Luke 1992, Donovan 1990).

In our time, behaviourists like Thorndike, Pavlov and Skinner have followed Descartes. The behaviourists have denied that animals, even babies could feel pain because they don't have language, and consequently no consciousness (Børresen 1996). For that reason babies were operated without anaesthetization in Norway until twenty years ago (Dyrehelsetilsynet 2003). One of the most important things for the behaviourists is to avoid humanising, or *anthropomorphising* animals.

Alice Heim, a psychologist with twenty years experience from animal experiments, shows how language contributes to the distance between the researcher and his research objects in the sense that work on 'animals'' behaviour' is always expressed using 'scientific, hygienic-sounding' terminology. She claims that this facilitates the indoctrination of normal non-sadist psychology students who thereby can continue without concern. Examples are that methods for 'extinguishing' in reality imply torture with thirst, starvation and electric shocks. 'Partly fortification' implies frustrating an animal by occasionally satisfying the expectations which the researcher has taught the animal to have through previous training. The expression 'negative stimulus' implies something the animal would avoid if possible. Words like 'avoiding' are ok as they refer to something observable, but words like 'painful' or 'frightening' are not ok because they are anthropomorphic, which implies that they indicate that animals have feelings, and these feelings can resemble human feelings. This, Heim states is not permitted because it is non- behaviourist and unscientific. The cardinal sin for an experimental psychologist who works with 'animals' behaviour' is anthropomorphism. Still, Heim points out; *'he would probably also think that his work was without purpose if he did not believe in the analogy between humans and lower-standing animals'* (Heim in Singer 2002: 52,53 my translation from Norwegian)

The language is thus used to conceal the reality in the experiments that take place. We may establish a distance through the language in order to prepare for abuse. One example is to reduce animal's value by referring to them 'it' instead of 'she' or 'he'. The researchers

don't kill their laboratory animals – they 'dispatch', 'terminate' or 'sacrifice' them, while hunters 'harvest' or 'take' the animals (Luke 1996:93). In Norway fur breeders call it to 'fur' when they kill an animal by anally electrocuting it. Such euphemistic labelling is commonly used to mask objectionable activities or make such activities appear respectable (Agnew 1998). In a similar way the torturers in the Chilean and Argentinean dictatorships created their own language for their atrocities. This was also the case in the bureaucratic terms of the Holocaust (Cohen 2001).

Animals are different from human beings, but the features we have in common may be more numerous than those which distinguish between us. Reaction to pain is the same in humans and animals. Even though humans' brains have a more developed neocortex, this part of the brain is used basically for thought functions rather than to basal impulses like feelings which are located to the limbic bark and are well developed in all mammals and birds (Børresen 1996, 2007) and also fish feel pain (Børresen 2000, Forsberg 2002). Our brains are also equal when it comes to language. The areas in the human brain related to language are located in the left part of the brain. The same part of the brain controls the human's conscious use of the hands. For a long time researchers thought that to be right handed was something exclusively human. When they started to look, though, it appeared that also the big apes and some bird species like hens and parrots use the right claw to scratch themselves and to handle different items. I see it in my own parrots, for example when the yellow headed Amazon, Kåre, holds the spoon with his right claw when he takes tea from my cup. This also shows that parrots use tools, something which for a long time was perceived as special for primates. New research has also established that fish can use stones to crush sea urchins, and consequently also use tools (Børresen 2007).

Also singing whales, dolphins and toads are right handed. Since the brain symmetry is related to the need for space for the language functions it indicates that human language is related to other species' vocalisations. Researchers have registered more than fifty words in the hens' language, and at least 300 in that of crows (Børresen 2000). Irene Pepperberg (1992) has been studying the African grey parrot Alex since 1977 who has been proved to not only speak but also to understand what he is talking about. Alex could count, identify objects, shapes, colours and materials, and knew the concepts of 'same' and 'different'. He asked the humans questions, like when he saw his image in the mirror and asked what colour he had. He created new words, like when he called banana ships, *banana biscuit*, and dried corn *stone corn*.

However, independent of differences or similarities between humans and other animals, similarity cannot be an argument for not maltreating others because the consequence would be that differences would legitimate this.

CULTURAL LEGITIMACY AS AN EXPLANATION FOR THE ABUSE OF ANIMALS

Religion and philosophy have provided cultural legitimacy for the way we view and use animals (Børresen 1996, Regan and Singer 1989, Cazaux 1999, Donovan 1990, Agnew 1998). One example from philosophy is Aristotle who maintained that since Nature created

nothing without a purpose, both plants and animals must have been created *for* human beings (See Gålmark this volume for a broader discussion).

Thomas Aquinas attributed animals a soul on a scale between plants and humans, but since animals lacked reason they could not be our neighbours. Animals could have no fellowship with humans and for that reason humans had no obligations towards animals. Animals could have no rights except as human's property. One way of legitimating the use of animals is thereby through their utilitarian value, like Carl Cohen (2001) does in the case of vivisection today. He maintains that it is absurd to think that animals can have moral rights since animals have no morals. Consequently humans have the "right" to take advantage of animals.

Christianity has been interpreted in a way that legitimates both distance to and the abuse of animals. Women, children and animals were regarded as men's property as reflected in the Tenth Commandment.

Both humans and animals are defined as parts of a whole, like God's creation and property. On the other hand this reality is hierarchically organised with humans on top with the right to use the other creatures on earth (Østnor 1997). Since humans have a higher value they must be given priority. It is reflected though, in many religions, from Jewry, Hinduism, Buddhism and Islam to Christianity that animals must be taken care of (Bowker 1986:68, Regan 2007). Still, Rabbi David Bleich says that within Jewry the sources that prohibit cruelty against animals are not justified by the protection of animals but by the way these actions may affect humans; cruel actions against animals will form the humans' character so that they will spontaneously exercise cruelty. On the contrary *good* actions will form human beings so that they develop compassion and mercy. For that reason animals shall not be taken care of for their own sakes, but for humans'.

Although such a way of thinking may be positive even for the animals, there seems to be a danger. If animals have no proper rights but only indirectly because of their importance for humans like objects that give humans the possibility of being moral towards them and thereby towards other humans, then the animals will have less protection. Similar to animals being objects for human beings in food, fur production or in experiments, they will again be objects for human beings' actions, even though these actions may be good.

Not to respect animals' integrity will also lead to reduce humans' dignity because the way we treat animals is important for our own self understanding. If humans reduce animals to be only objects of humans' actions then humans will remain poor and lonely (Børresen 1996). Humans can choose to extend their solidarity to include care and respect for animals and thereby extend our humanity. The ways a society treats groups without power, be it refugees, ethnic minorities, the poor, or animals as the most powerless, reflects the level of civilization in that society (Larsen 2002: 9).

Similar to religion and philosophy the law may contribute to legitimate human's actions towards animals we use materially. In the Norwegian Animal Welfare legislation it is evident that the limit for what is 'too much' suffering is based on the faculty of judgement (*skjønn*). Animals are not considered as sentient beings, but as objects. This implies that it is illegal to harm an animal, not because of concern for the animal, but because it may harm the interests of the owner of the animal (Slettan 2004). As in the tenth commandment animals have no rights of their own, only as humans' property. To define animal's suffering as *necessary* suffering, or to define suffering as being *not extensively*, as stated in The Norwegian Animal Legislation is, according to Cazaux (1999), an anthropocentric point of view, maintaining the

interests of human beings and not those of the animals. There is interplay between the law and public norms as shown by Aubert (1954). Therefore Animal Welfare Legislation does not serve to protect animals against abuse and animals lack legal protection. On the contrary;

‘So far from being an heuristic device for the study of animal abuse, criminal law is a major structural and historical mechanism in the consolidation of institutionalized animal abuse’ (Beirne 1999: 129).

It is generally accepted in Western, modern society that animals used by humans are afflicted pain. The degree and type of suffering varies between different countries and is culturally determined (Frøslie 2000:49). As humans’ *rights* to use animals has acquired a cultural legitimacy, it increases our mental distance to animals as sentient beings.

Physical, Mental and Social Distance

Physical, mental and social distance is also due to ignorance about animals’ suffering caused by their physical isolation. Slaughterhouses are located far away from residential areas. There are few chances that traces from the almost clandestine slaughtering of animals on the inside, will reach the humans on the outside. This location was a consequence of the growing animal rights organisations in Europe at the beginning of the 18th century (Vialle 1994).

To be located far from animals and meat production can contribute to suppress for the people who eat animals that the animals they eat were once living beings. A Norwegian inquiry showed that one of six consumers loose their appetite for meat when they consider that the meat once was alive (Berg 2002). If nothing prevents us from eating meat rationally, then maybe we should pay the slaughterhouse or the factory farm a visit to see if we would *feel* differently (Agnew 1998).

‘When we are physically removed from the direct impact of our moral decisions – that is, when we cannot see, smell or hear the results – we deprive ourselves of important sensory stimuli, which may be important in guiding us in our ethical choices’ (Kheel 1996: 27)

It is also legitimate to protect us from the consequences of our actions against animals. The distance is maintained by conscious concealment and secrecy (Adams 1996). One example is that organisations for animal rights are refused to put up posters in public places which show animals’ suffering because they may offend the public (Luke 1996).

The research laboratories are the researchers’ domain and the experiments may be kept away from the public if it is assumed that the experiments may lead to protests (Christoffersen (1997, Animal protection report 1, 2002). It is also a field of which few people have knowledge and where the suffering the animals are subjected to is extensive (Singer 2002, Regan 2001, 2007, Gendin 1986). The fact that we don’t see the animals in the factory and fur farms and in the research laboratories and that the animals are kept in aggregates makes it difficult to relate to their individual suffering (Shapiro (1996:136). The categorical distance increases and makes these animals the *others* that stand in *contradiction* to us.

We have structured our society in a way that makes it possible to have strong emotional ties to companion animals while at the same time it is possible to assume a pragmatic and indifferent attitude to animals within factory farms. It may be more difficult to take a stand *against* eating animals than to eat them because it breaks with norms that we have been socialised to accept. One example is that only 3% of all stuffed toys are cows, pigs or chickens (Agnew 1998). A consumer culture which favours cheap meat in large quantities contributes to our ignorance and disinterest in the well being of those whose flesh we are eating. Those animals that are used materially in our society are not given the opportunity to be part of our social and moral universe. Social distance may thus explain the difference in the ways we treat our pets and the animals that are subjects of material use in food and fur production and research (See Hallsworth this volume).

CAPITALISM AND INDUSTRIALIZATION, BUREAUCRATIZATION AND ALIENATION

Technological development has contributed to an actual *physical* distance that may facilitate animal abuse. Zygmunt Bauman (1989) discusses this in relation to abuse against humans and shows that morals are inevitably connected to human closeness. The responsibility for the other diminishes with distance. The moral dimensions of the victim are wiped away until both responsibility and morals are out of sight. Baumann also underlines the importance technology has in producing distance and says that the danger of moral indifference is especially acute in our modern, rationalised, technologically skilled society because in such a society human action may be efficient at a distance – a distance that increases with scientific, technological and bureaucratic development. The effects of human action reach far beyond the moral limit (Bauman 1989:193).

This may be the case for our treatment of animals and contributes to explaining their lives. The animals used in factory farming are not permitted to be social animals. Feeding and cleaning is done automatically and electric 'cow trainers' make sure that the animals drop their faeces in a channel. We maintain a social distance by minimizing contact with the animals. They can live their whole lives without human contact until they are slaughtered. They are not unique individuals we are in touch with. As food, fur and research objects they are given a number. Bauman says that in a nutshell, Milgram's famous experiment showed that inhumanity is a question of social relations. As relations are rationalized and technology is improved, the ability to, and the effect of, the social production of inhumanity will increase (Bauman 1989:154). The physical distance creates a mental distance which again facilitates the construction of new separating, technological devices. It becomes a vicious circle.

As Simon Pemberton states:

'Modern industrialised societies are characterised by [the same] separation between decision-makers and individuals and hence there is an inherent danger of moral indifference to actions that fall outside people's sphere of experience' (Pemberton 2004: 78).

The use and killing of animals is definitely outside most people's moral sphere and especially vulnerable to moral indifference. The increased use of technology in animal

husbandry may even prevent those who are supposed to look after the animals from actually seeing them. The use of technology deprives the animals of a social life and leads to psychosis which in turn will make them behave in an extraordinary manner. When this is observed it may increase the impression of animals as 'different'. As such, they do not 'deserve' to be treated in other ways. They become 'just animals' (Børresen 1996, 2000). This can be understood in terms of Sykes' and Matza's (1957) technique of neutralization; the denial of the victim. The injury is not wrong in light of the circumstances and is a form of rightful punishment. Capitalism and industrialization implied that more economic gain could be extracted from the animals.

(...) 'The desire to maximize profit provides much incentives for abuse, while the resultant profits from abuse have created a powerful set of actors who work for the continuation and expansion of abuse' (Agnew 1998: 203).

This is evident in the turkey factory farming in the UK (as discussed by Hallsworth in this volume.) Another example is that production of animals for experiments has become an industry as is the production of apparatus designed for the animal experiments. There are advertisements for hairless guinea pigs in addition to all the varieties of treadmills that are used to inflict the animals with electric shocks (Singer 1992, see for example www.colinst.com)

The industrialization and the technological development have lead to alienation in humans' relationship to animals. The employee on the slaughterhouse works by contract. The more he kills, the more he earns. The chickens are hung up by the feet while they are still alive and automatically their heads are cut off. In modern slaughterhouse 3000 chickens, 120 pigs, 24 cattle or 150–170 lambs and sheep may be killed per hour (Klungesøyr 1991). The pigs are driven to slaughter by the use of electroshocks. A report from the EFTA surveillance authority (2004) concerning condition in Norwegian slaughterhouses shows that animals were kept for up to 18 hours without food and water, and that they were not sufficiently stunned before being killed:

'at the bleeding, several animals were observed who still showed cornea reflexes, which indicates that they were not sufficiently stunned. The operator at the bleeding who was supposed to check the reflexes was not in the position to do so due to work routines' (EFTA 2004: 14).

This implies that the animals wake up and find themselves hanging from one hind leg while they are bleeding to death from a cut in the throat. In Noëlie Vialle's (1994) study from French slaughterhouses it appears that one person is responsible for the anaesthetization while another is responsible for cutting the throat of the hanging animal. In that way it becomes difficult to determine exactly *when* the animal dies, and thereby who is directly responsible. The action becomes easier to do and the workers in the slaughterhouse become alienated from the animals they kill, and from the action itself.

Another element of importance for human relationship to the animals that are used may be what Milgram (1975) called *sequential action*. When a person has undertaken a job, he must remain faithful to his choices. Bauman calls this the determinant influence by a person's own actions. It becomes a trap. To distance oneself from the last action, one must be

distanced from all of them. To be clean entails the compromising of oneself. In a similar way Singer (2002) says that once a researcher has started to do animal experiments, it is difficult to stop. Not only is publication and work dependent on the animal experiments, so is the funding. He therefore has to remain alienated to his research animals. One element of this may be linked to routine as a way to distance oneself from the animal and deny responsibility (Agnew 1998). Stan Cohen says:

‘(...) once you overcome the initial moral restraints – the soldier kills his first civilian, the torturer uses his first electric shock – then the subsequent step becomes easier. An account for stopping is harder to find, because this would question the earlier steps. Each step becomes a mechanical action, solely means-directed’ (Cohen 2001: 90).

DENIAL AS AN EXPLANATION FOR ABUSE

People may in different ways deny that atrocities take place, although they actually know that they do. They block out the truth and the news. Stan Cohen calls denial; ‘*the need to be innocent of troubling recognition*’ (2001: 39). The behaviourist Theodore Barber may illustrate this point. For thirty years he maintained that birds were bundles of instincts. Then he decided to read all he could find about birds’ intelligence. For six years he studied. He says:

‘Since I had always accepted the official view that birds are instinct driven automats, I got horrified when I discovered that the official taboo against anthropomorphism had blocked me and practically all other researchers from seeing reality, and thereby our next neighbours – the birds’ – intelligent nature. The research results showed clearly what the official science had steadfastly denied: Birds are intelligent and they have conscience and feelings. They clearly have different personalities, and they know what they are doing’ (as quoted in Børresen 1996: 160. My translation).

Denial depends on common cultural vocabularies being trustworthy (Cohen (2001). The denial is shared in a powerful way by people’s involvement in each other. The capacity to commit cruel actions will increase if people commit them together, because cooperation is always connected to inclusion and exclusion. This increases the gap between the subjects and objects of action and facilitates the transformation from actor to perpetrator and from object to victim (Bauman 1989: 157).

Denial is maintained by directing the attention away from unpleasant facts through techniques of neutralization like minimizing. An example is that although there has been a general increase on the focus of animal welfare, consumers still demand cheaper meat, and fur is fashionable. There is an apparent discord between people’s *attitudes* to animal welfare and their *practice* as consumers (Agnew 1998, Berg 2002). We reduce the animals to meat, fur and objects of research (Agnew 1998). Kenneth Shapiro (1992:135) discusses what makes some people become animal rights’ activists, while others remain unaffected. While somebody only see a fur coat, others see dead animals, exploitation and suffering. He links this to an unintentional refusal to take responsibility by those who don’t see the suffering, who – if they are asked directly – may indicate knowledge of these subjects, even though they

are able to block full awareness of its emotional implications (Shapiro 1996: 135). Similarly, a Norwegian study about people's relationship to animal welfare showed that to a lesser degree than men did women *want* information about animal welfare. At the same time they are more concerned about animals' welfare. This is interpreted as if they want to protect themselves against their own sensitivity, and that they wish to *repress* their feelings. Although most people are aware of what goes on it is easier not to know. For that reason it is possible to know and yet ignore because the truth is tiring. We do know what goes on, but refuse to take it in. For most people reflections upon animal welfare are absent when they make their purchases. People may actively take part in actions which imply animal abuse yet at the same time be occupied with animal welfare (Agnew 1998). Shapiro (1996) draws a parallel to being vaguely aware of but denying the full implications of a distant famine catastrophe, and animal abuse. Another way of denying one's own part in animal abuse is to say that there are so many taking parts in it, that one's own contribution is so little and thereby has few consequences.

This may be seen as *interpretive denial* (Cohen 2001). As researchers, farmers, slaughterhouse workers and consumers we do not deny what actually is taking place, but we deny its character. The animals do not feel pain or the pain is not important to us (Linzey 1989). Such a denial may be defined as another of Sykes' and Matzas' (1957) techniques of neutralization: the appeal to higher loyalties. Based on religion, legislation and philosophy, humans can claim to be above animals and this right stems not from humans themselves but from a higher spiritual sphere. In a division of the interests of the human species, and the other species –the non-human animals – the humans are given a "righteous" priority.

The denial may also be caused by what Hannah Arendt calls the banality of evil, which is *not* to minimize evil. Rather, she warns that unimaginable evil can result from a constellation of ordinary human qualities;

'not fully realizing what you are doing; being as normal as all your peers, doing the same things; having motives that are dull, unimaginative and commonplace (going along with others, professional ambition, job security) and retaining long afterwards the facade of pseudo-stupidity, not grasping what the fuss was about' (Cohen 2001: 100).

It is possible to call this a kind of cultural denial. Cultural denial implies collective blindness that permits atrocities to go on as a normalised part of people's lives. When Cohen (2001) uses the term, he refers to abuse against humans. However what the pig, the laboratory animal, the fox and the battery hen experience in our modern society is definitely the consequence of cultural denial because the treatment of animals in captivity is not defined as maltreatment, although the animals undoubtedly suffer and die from it. To the extent that we need it, we are helped to deny what goes on. In that way maltreatment becomes *socially acceptable*. The socially acceptable maltreatment is almost always regarded as fulfilling a fundamental human need (Agnew 1998). Those who profit most from the abuse will be those most likely to develop moral justifications for it and distance themselves least from the abuse.

Animal abuse provokes strong reactions if a puppy is the victim, while locking hens up in small cages and manipulating them to lay a big egg a day is defended on the basis of financial interests (Christie 1989). Cohen describes how oppression of people can continue when he says that:

‘besides collective denials of the past (such as brutalities against indigenous peoples), people may be encouraged to act as if they don’t know about the present. Whole societies are based on forms of cruelty, discrimination, repression or exclusion which are ‘known’ about but never openly acknowledged’ (2001:11).

In the same way life style in western, industrialised states is based on an institutionalised exploitation of animals worldwide, or what Gålmark in this volume defines as *meatism*. Consumerism affects not only animals however, but may also be directly or indirectly linked to crimes against both environment as well as human and non human animals, as shown by O’Brien in another chapter.

HOW TO RESPOND

If we choose to distance ourselves from the ways animals are treated within factory and fur farming and research, the question is what approach is most likely to serve such a stand. Despite the ethical and moral implications of our material use of animals, animal protection is still controversial and even ridiculed (Svård, this volume). One way of responding to this is by leading a stringent philosophical debate, like Singer (2002) and Regan (1999, 2007, Cohen and (against) Regan 2001) do. Maybe it is also necessary with a particular impartiality related to animal protection. Regan thus reasons his approach by saying that it is core philosophy; clear, rigorous and dispassionate. In this way he thinks the argumentation is better and both Regan and Singer dissociate themselves from emotions as a guide to our treatment of animals, because that would leave the animals without a good protection they think the animals will get if the protection is strictly rationally-based. However, such a debate may easily become an intellectual rehearsal where the argumentation itself and not the cause is in focus. Singer’s and Regan’s argumentation is thus criticised for being manipulative and not very unlike the form of Cartesian objectivism established to *legitimate* animal abuse:

‘Just as the natural rights theory proposed by Regan inherently privileges rationality, Singer’s utilitarianism relapses into a mode of manipulative mastery that is not unlike that used by scientific and medical experimenters to legitimate such animal abuses as vivisection’ (Donovan 1996: 40).

Speciesism, racism and sexism are consequences of a dichotomy where the white man is the norm, while women, black people and animals are *the others*. Perspectives like natural rights and utilitarianism make impressive and useful *philosophical* arguments for an ethical treatment of animals (Adams 1996). Moral could however be based on *care* rather than on *rights* (Donovan 1996). Regan’s rights philosophy may also be insufficient as it actually also builds upon feelings when he argues that no one would deny mentally retarded and demented the rights which animals are refused (Kheel 1996). Donovan claims that out of women’s relational culture for care and love rises a feminist care ethic for animals which implies solidarity because women, like animals, have been victims of a “scientifically” based oppression. Like women, black people have been oppressed on a scientific basis (Gould 1981). There is however no reason why all those who themselves have been oppressed will

feel solidarity towards other victims of oppression. Rather, the opposite may be the case, as violence and oppression may *generate* oppression and violence (Sollund 2001)

Still, Donovan argues that care ethics for animals does not demand *rationality* as a measure for ethical treatment and that women are socialised to be sensitive for others' needs. She (1996) therefore argues for a 'cultural feminism' as an alternative theory – in a vision that underlines emotional bonds and a holistic world view. However there should be no reason for excluding men or denying them the ability to feel empathy as such a position would be clearly sexist.

In our relationship to animals we must thus assume a phenomenological approach where we should try to put ourselves in that individual's situation and in that way make empathy possible. Donovan says:

'We should not kill, eat, torture, and exploit animals because they do not want to be so treated, and we know that. If we listen we can hear them' (Donovan 1990: 375).

Donovan bases her view on Max Scheler, who elevates sympathy into a form of knowledge which he proposes as an alternative to the Cartesian scientific mode (Donovan 1996: 150). We should use our imagination to decipher the animal's life worlds. Sympathy is the basis for compassion and; '*Boundless compassion for all living things is the firmest and surest guarantee of pure moral conduct*' (Schopenhauer in Donovan 1996: 155). When we have sympathy with other sentient beings we see them as subjects with their own rights and value. Consequently we cannot use them according to our own needs. In that way sympathy and empathy may entail justice, and sympathy theory may be a tool to fight oppression (Mercer 1996, Donovan 1996, Luke 1996).

A care ethic may seem more fruitful than a theory that presupposes immanent equality. But care ethics and sympathy theory demands sensitivity for the oppressed. Such an approach may fail because these sensitivity demands *will*, and will may be displaced and blocked by the phenomena that are discussed in this paper, such as *difference, distance, and denial*. Most people are unwilling to take the costs of care ethics and sympathy theory. At the same time, the great majority who indirectly and directly profit from, take part in, and maintain practises associated with animal abuse, will hardly find it worthwhile to enter heavy philosophical debates.

The goal, however, must be the same and may be formulated like Singer (1992) does, when he says that: '*Pain and suffering are bad and should be prevented or minimized, irrespective of the race, sex or species of the being that suffers*' (Singer 1979:8, here in Donovan 1996: 39).

A first step may be to accord animal abuse the same status as abuse against humans and consequently to see harmful activities directed to animals as a crime. As Regan says with reference to vivisection:

'A crime so black that the evil it represents is beyond regulation. A crime so black that only its total abolition, through the state power of the criminal law if necessary, bespeaks an adequate response' (Regan 2007: 136).

As such it deserves a criminological research focus and must merit the same analysis that is conducted to explain other criminal activities, such as violence.

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Chapter 8

LEARNING TO MEASURE THE VALUE OF LIFE? ANIMAL EXPERIMENTATION, PEDAGOGY, AND (ECO)FEMINIST CRITIQUE

*Helena Pedersen*¹

Swedish Research Council, Sweden

ABSTRACT

As an institutionalized way of inflicting violence toward animals, animal experimentation has significant implications for how the human-animal relation is shaped, and for green criminology. In school, the issue may be encountered as dissection exercises as well as on a theoretical level. In this ethnographic study of four Swedish upper secondary schools, some students also practiced handling of living “lab animals” in school and at trainee workplaces. In all these situations, students’ perception of the “lab animal” as a distinct category and its ascribed meaning as “usable” as a research object is formed with guidance from the school. This process may be understood as a way of socializing students into the animal experimentation based research community but does not always run smoothly. The process may be disturbed by students who bring their everyday experiences of animals into their learning context, or by students or teachers who express critique against the animal experimentation discourse.

INTRODUCTION

This chapter investigates how formal education deals with the “harm-based discourse” (Beirne and South, 2007 p. xiv) of animal experimentation. Following Regan’s (2007) situating of animal experimentation within the framework of green criminology, the chapter explores how education institutions can be actors in the process of categorizing (animal) “others” as “legitimate” experimental objects, but also how these categorizations are negotiated and contested in everyday classroom interaction. The study is located in the

¹ helena.pedersen@vr.se.

intersection of critical education research and human-animal studies. It is part of a larger research project on human-animal relations in education, including vocational animal caretaker programs as well as theoretically oriented programs in the humanities/social sciences and the natural sciences (Pedersen, 2007).² The critical education approach involves investigating how schools function in the shaping of particular identities, values and relations by producing and legitimating specific narratives (Giroux, 1997a). This study shares with other recent research in critical pedagogy and human-animal relations a recognition of animal subjectivity, thereby reaching beyond the conventional preoccupation with animals as species representatives (e.g. Selby, 1995, 2000; Kahn, 2003; Andrzejewski, Pedersen and Wicklund, forthcoming).

Animal experimentation as a teaching and learning method has been the focus of numerous studies. Many of these studies have dealt with the perception of dissection/vivisection exercises among students and the issue of conscientious objection (e.g. Balcombe, 2000; Capaldo, 2004; Orlans, 2000; Pedersen, 2002; Solot and Arluke, 1997). A number of studies have also assessed the quality of alternative methods such as computer-based dissection simulation models (for an overview, see Balcombe, 2003). My intention with this chapter is to investigate not only “hands-on” dissection exercises, but also animal experimentation as a topic of classroom discussion. How is the “lab animal” constructed in schools, and how are the ethical implications of animal experimentation handled? What meanings of animal experimentation are negotiated in the classroom, and what human-animal relations are implicated as part of these discussions? The study presents classroom research that may be used in green criminology studies as analytical tools to help us identify components of speciesism³ and other hegemonic discourses of human-nature relations in ordinary patterns of social interaction.

The chapter is structured around four main themes. It begins with a theoretical account of (eco)feminist critique raised against animal experimentation-based science, situating animal experimentation within a larger framework of social and environmental injustice and harm. The subsequent sections introduce animal experimentation as an education activity and

² The empirical research behind the present chapter builds on a field study carried out in four Swedish upper secondary schools (students 16-18 years old). The first phase of the study involved 12 semi-structured interviews with students, teachers and school leaders that took place between September and November, 2003. The second phase involved an ethnographic study including 88 days of participant observation studies, analyses of policy documents, learning materials and other artefacts in my field schools, and informal interviews and discussions with students and teachers that took place between March and December, 2004. Two of the schools offered vocational programs in animal care (with approximately 200 students at each school with female students being in the majority), designed to prepare students for professions in areas such as zoos, pet shops, wildlife management, veterinary clinics and so on. These schools kept animals at the school premises for educational purposes. The other two schools (with approximately 1,000 students each) did not have this animal care specialization. These schools focused on university preparatory programs in the humanities/social sciences and the natural science/technical sphere, respectively.

³ There are several definitions of the term speciesism. In McKay's (2005) interpretation, it can denote both an ideology and a discourse that polices the human-nonhuman boundary. The understanding of speciesism as an ideology is proposed by Nibert (2002). According to him, speciesism (like racism, sexism, and classism) is a set of widely held, socially shared beliefs that results from and supports oppressive social arrangements. Wolfe (2003a, 2003b), on the other hand, defines speciesism primarily as an institution; i.e. a network of specific modes and practices of materialization that reproduce the objectification of the other on the grounds of species affiliation. In Wolfe's (2003a) view, the discourse of species relies on and reproduces the institution of speciesism. My way of using the term speciesism in this study includes dimensions of both ideology and discourse as well as of social arrangements, institutions, practices and relations (cf. Sollund, Svärd, this volume).

analyze student encounters with “lab animals” in three different settings: the classroom, the school “mouse lab”, and the “real” animal research institution where some students complete trainee periods. Thereafter follows an analysis of different strategies employed in school in order to handle ethical dilemmas arising from animal experimentation. The chapter concludes with resistance to the animal experimentation discourse voiced in the classroom, and a discussion on some pedagogical implications of the study.

(ECO)FEMINIST CRITIQUE OF ANIMAL EXPERIMENTATION-BASED SCIENCE

In her analysis of how the animal “other” is constructed in scientific narratives and practices, Birke (1994) has remarked that where animals are literally or figuratively located in science is an important part of perpetuating the notion of human superiority over them as well as a manifestation of control. Animals are central to the construction of scientific knowledge and have been named, described, dismembered and disfigured for this purpose. The location of animals in science is an example of authorized, institutionalized violence toward them and the rules of the experiment operate to lend legitimacy to the violent act (Kheel, 1993). Perhaps the most expressive critique of animal experimentation is formulated by Horkheimer and Adorno (2002):

It shows that because [man] does injury to animals, he and he alone in all creation voluntarily functions as mechanically, as blindly and automatically as the twitching limbs of the victim which the specialist knows how to turn to account. The professor at the dissecting-table defines these spasms scientifically as reflexes, just as the soothsayers at the altar once proclaimed them to be signs vouchsafed by his gods. Reason, mercilessly advancing, belongs to man. The animal, from which he draws his bloody conclusions, knows only irrational terror and the urge to make an escape from which he is cut off. (Horkheimer and Adorno, 2002 p. 245)

Birke (1994) sees the way scientific narratives construct our perceptions of laboratory animals and what happens to them as gendered. She argues that ideas of masculinity are built into the process of emotional detachment and desensitization encouraged by laboratory culture in the struggle for scientific “objectivity”, whereas emotional responses toward “lab animals” and identification with them is often seen as a more “feminine” position and also as an obstacle to objectivity. Also the knowledge produced in the laboratory can be seen as gendered (androcentric) when animals are constructed as fixed, biological entities determined by their genes or hormones. Gruen (1993) even argues that many animal experiments in research on issues such as intelligence, aggression, competition and dominance have been designed to establish essential differences between males and females (cf. Haraway, 1991 on primatology research and van den Wijngaard, 1995 on research on the sexual behavior of rodents).

Gender is not the only dimension at work in the interests of science. Race/ethnicity is another. Two well-known cases when the bodies of (involuntary) *human* “others” have been seen as legitimate objects of experimentation are the medical experimentation on Jewish and Slavic peoples in Nazi Germany and the medical experimentation on black men in Alabama

(known as the Tuskegee Syphilis Study) that began in the 1930s (Spiegel, 1996). But there are more recent examples as well (Hubbard, 1995). As long as the victim of experimentation is marked as being of less worth, it seems as if she or he risks being viewed as accessible to science, regardless of species affiliation (cf. Regan, 2007).

Developments in Western science have gone hand in hand with imperialist efforts. Shiva (1995) sees commercially driven biotechnology as an invasion of other species, cultures and societies that deepens the exclusion of other knowledge systems, and also Birke (1995) argues that the development of science has been based on ignoring the accumulated knowledge of people outside the institutions of science, such as indigenous peoples, or on appropriating and renaming their knowledge. Both Birke (1994) and Nibert (2002) see the way both animals and human “others” are treated by science as logically connected to a capitalist world order⁴ where the profit margins of pharmaceutical and cosmetics companies require new products to continuously be introduced regardless of whether they fulfill any primary human need or are made accessible to those whose need is most acute (above all in developing countries). The animal experimentation issue thus lies at the intersection of politics of gender, race and class and contributes to forming the social and economic conditions in which it is also embedded.

ANIMAL EXPERIMENTATION AS A TEACHING AND LEARNING METHOD

In research and product testing, animals are used to “uncover the causal mechanisms that produce and direct the course of a disease or condition in animals” (LaFollette and Shanks, 1998 p. 213) and, by extension, to apply the results for the presumed benefits of humans. When animal “models” are used in education, however, the articulated purpose is to achieve other aims such as learning anatomy or performing certain practical skills.

At the theoretically oriented schools where I carried out parts of my field study, I was informed by school leaders that animal dissection exercises are carried out more or less as a routine activity in natural science classes (interview transcripts September 15 and November 25, 2003). For the students in the animal caretaker programs, on the other hand, employment as an animal technician at a research institution is a future profession opportunity and some practical and/or theoretical experience of animal experimentation issues is therefore seen as relevant. The animal experimentation issue enters into the school context at a practical as well as a theoretical level. At the practical level, students carry out hands-on animal experimentation exercises or other ways of handling animals in a laboratory-like environment as a part of the formal curriculum. Furthermore, for the students at one of the animal caretaker schools, at least two weeks of workplace training at a research institution is a compulsory part of their education, whereas at the other school it had previously been compulsory but is not anymore (field notes April 2, 2004). At the theoretical level, students participate in lectures or discussion seminars on animal experimentation as a research method. (In addition, a course in animal protection included lessons and a written test on alternative [*in vitro* and *in silico*] methods.) I participated during theoretical classes only.

⁴ Nibert (2002) points out that animal (and human) oppressive arrangements preceded capitalist society but have become increasingly facilitated with the advent of political capitalism.

SETTINGS OF THE ANIMAL EXPERIMENTATION STAGE⁵

The following sections focus on different settings encountered by my student informants when handling “lab animals” in their education. Three settings are discussed (the classroom, the school mouse lab, and the trainee workplace), reflecting three aspects of socialization into animal experimentation related work. How does each setting contribute to forming the students’ relationship with the “lab animal”?

The Classroom

At one animal caretaker school, the first-year students dissected mussels, squid and crayfish in their natural science class. In the classroom setting, the students were given detailed written instructions on how to perform the dissection technically and how to write a lab report in a formally correct manner. The instructions did not encourage reflection on ethical issues related to the dissection exercise,⁶ rather they reinforced a relation to the “specimens” as a compilation of body parts to work on, which also was reflected in the concluding discussions of the students’ lab reports. However, as Szybek (1999) has noted in his phenomenological study of a dissection exercise in a Swedish comprehensive school, the students also add other aspects to their accounts. For instance, in the lab reports at my field school the crayfish was (re-)constructed as food (“We discussed why crayfish turn red when they are boiled and we concluded that it is because the color of the shell is made from red, yellow, brown and blue pigment. The green, yellow and blue is susceptible to heat. So after boiling only the red and yellow remain. Therefore, the crayfish turns into a tasty red color.” “The intestines were dark and are not so good if you eat [them].”) and as a repulsive, alien creature (“[the crayfish] smelled disgusting. I felt ill a long time afterwards. The shell was hard and it was difficult to open it. The antennas were long and a little sharp, so I didn’t want to touch them. All its muscles were white, that is what I saw. /.../ When I looked where the heart was supposed to be I saw something strange, it was the genitals.”). The squid, on the other hand, was imagined as a living animal whom the students could potentially have had a qualitatively different interaction with, i.e. feeling its grip (“/.../ we had seen on TV when the octopus spurts out ink. But in this particular squid, there was not that much ink. /.../ The suckers were out of order when they were dead which was regrettable since it would have been fun to have felt how they work.”). (Field notes November 29, 2004, my translations.) Thus, the students tend to bring their everyday experiences with these animals into the dissection exercise.⁷ These experiences may also be framed as an emotional obstacle getting in the way of the learning purpose of the dissection, as when Susanne, a second-year natural science student describes her view below:

⁵ For a phenomenological analysis of science education as a “stage”, see Szybek (1999).

⁶ In interviews with teachers at both animal caretaker schools, the issue of “ethically sourced” dissection specimens was brought up. Using slaughter offal and animals euthanized due to diseases or injuries appeared, from teachers’ viewpoint, as more ethical than killing animals for the sole purpose of dissection (interview transcripts September 24 and October 24, 2003). I do not, however, have any information on the source of the animals in the particular dissection exercise referred to in this section.

⁷ See Lynch (1988) for an analysis of the interrelation between “commonsense” and scientific knowledge about animals in the research laboratory.

Susanne: We have... experimented with rats, I think...squid... fish... and such. And it is very disgusting.

Helena: Why do you think so, that it is disgusting?

Susanne: Eh... It feels a bit strange to have real animals. If they were plants we would look at them or... maybe flies and so on but not real... as you come in contact with in ... everyday life. So... a friend of mine has rats at home ... and ... cutting and dissecting [rats] is therefore a bit disgusting /.../

Helena: Do you think many students find it disgusting or are you alone with your feelings?

Susanne: Some other students also think like that. And ... sometimes it is the smell, yes [*inaudible*]. But it depends, an ordinary perch and so on, that you are used to being in contact with, but a *pet*... That's a bit too much /.../

Helena: Do you think you have learnt something? What?

Susanne: I guess I should have learnt *something*... But...you don't really *concentrate* very much if you feel repulsed. You just do it and get it over with.

(Excerpt from interview transcript September 15, 2003)

To Susanne, a rat (one of the most common “lab animal” species) is not an animal that is appropriate to dissect, since to her the anonymous, de-individualized rat “specimen” represents her friend's pet. A fish such as a perch, on the other hand, is a “food animal” and therefore relatively unproblematic to dissect. The legitimacy of eating the fish lends legitimacy also to dissecting it.

The Mouse Lab

The “mouse lab” is a room located on the top floor of the animal building at one of the animal caretaker schools. In written information about the school, the lab is presented as a “rodent lab to provide food for predators and to teach us how to take care of a lab in a proper way.” Furthermore,

In the mouse lab, 8 species are represented. Studies in genetics may be carried out there and, for instance, different colors of mice can be brought about. To the students, the often unexpected results stimulate to a large extent their interest in genetics. The mice provide part of the feed for the snakes. (Quoted from presentation handout, my translation)

In an interview with the teacher Robert, the mouse lab was described as follows:

Robert: /.../ Then, in addition, we have, on the top floor of the house, which I haven't mentioned yet, the most sensitive issue. It is our mouse laboratory. But it is not a laboratory. It looks like a laboratory, but we don't carry out any experiments, instead, we keep the animals under the same conditions as when you do experiments /.../. And because of this we have been reported by a student who didn't *understand* better, but of course we meet all norms. /.../ So here they learn, that this is how you take *care* of the animals /.../

Helena: The session ... in the mouse lab. Is it compulsory for everybody?

Robert: It is compulsory. Everybody must be there and learn how to take care of [the animals]. Everybody must, yes. And there's nothing disturbing about it. It is just about feeding and changing the water. Keeping things absolutely clean, right. And taking [the animals] away so that there are not too many. Euthanize some with gas. We can use [them] as food for others.

(Excerpt from interview transcript September 24, 2003)

Although I was told that no animal experiments were actually carried out in the mouse lab,⁸ this room was kept separate from the other areas of the school's animal facilities. For instance, during the school's open house event, all parts of the animal building seemed to be open to the public except the mouse lab, as in the middle of the staircase leading up to it, a huge flower pot was placed that prevented visitors from getting to the room. The door leading to the mouse lab had a hand-written sign, saying "The mouse lab is closed since the animals need calm and quiet. Only staff and students on duty work in the mouse lab. Thank you for your understanding and best regards, the Animals." (Field notes October 22, 2004, my translation)

On one of the first introductory days of training in the animal building, the group of first-year students I was following was shown the mouse lab. Inside the lab, a sign on the wall says: "This is what it can look like when rats and mice live in a laboratory" (my translation). Another sign gives breeding-related instructions. One wall is lined with laboratory mouse cages, placed on top of each other, and two large containers of carbon dioxide stand on the floor. The presence at the school of a pretend but nevertheless quite realistic mouse lab symbolizes a discursive practice with a meaning that differs from the other spaces in the school's animal building. The lab cannot be justified by the argument of species preservation normally applied to other parts of the animal facilities, since rats and mice for research purposes are mass produced and available for ordering from companies specialized in the commercial breeding of "lab animal models".

A possible reason for the physical imitation of a lab arrangement is, rather, to socialize students into familiarization with "real" laboratory working conditions (since the animal research industry is one significant potential future employer for these students), but also into a view of "lab animals" as a special category of animals. In the lab, human control and manipulation of the animals, their bodies and their reproductive systems becomes explicit. This is facilitated by a de-individualized and instrumental view of them, which the laboratory setting, where animals are kept in rows of identical cages, easily reinforces: The laboratory setting allows "detachment of the investigator, unimpaired observation, and relative control of the object of study." (Shapiro, 2002 p. 445)

The Animal Research Workplace

Doing trainee periods at a workplace is an important part of animal caretaker education. At one of the animal caretaker schools, at least two weeks of training at a research institution

⁸ Carina, a third-year student at the school, told me that the students are not required to perform euthanization of animals in the mouse lab, but may watch if they want to. Carina has participated in euthanization of mice but has not performed the procedure herself. (Field notes March 19, 2004)

were compulsory for all students, and previously this had also been the case at the other school. Jeanette is a former animal caretaker student who graduated six years ago. Her account of her trainee period below, as reconstructed from an informal interview with her, gives an insight into the experience not only as a way to increase animal handling skills, but also as a means of familiarization with and socialization into animal experimentation-based research:

The animal research trainee period was a great source of conflict between teachers and students at first. But the school prepared the students for the experience. Older students were assigned to give information to the younger ones, and study visits were carried out prior to the trainee period. Alternative methods were dealt with and it was possible for the students to some extent to influence the orientation of the trainee period. Afterwards, everybody thought that the trainee period was good. The students did not end up in places where “they stick needles into the animals”. I did my trainee period at the university. All the rabbits there had names and hopped around in the corridor. They were not only white, but looked like different types of rabbits. Operations were performed on mice only. Only blood samples were taken from the other animals. Some students have a hard time dealing with rats with big cancer tumors. A girl who had rats at home and was very interested in rats and was a member of a rat organization, had cried prior to her trainee period and wanted to refuse. She ended up staying at her workplace, as she thought she had an opportunity to learn a lot and be able to influence the rats’ situation there. Also the discussion on ethics in relation to animal experimentation changed after the trainee periods. All the students had a positive attitude and thought that it was a profession that would be O.K. to have. (Excerpt from field notes April 2, 2004)

Part of the socialization process for animal experimentation-related work seems to lie in the way the “lab animal” is constructed. Constructing the “lab animal” as a particular category is necessary since many lab animal species are familiar from the everyday experience of the students as companion animals. At Jeanette’s workplace the rabbits did not seem to be “ordinary” lab animals since they were of different colors (not only white) and were named. Phillips (1994) argues that the “lab animal” is perceived as a category of animals ontologically different from, for instance, the companion animal of the same species partly because of the common practice of not giving names to the animals in a laboratory:

Naming is viewed as a social practice that creates meaning of a particular kind, that of narrative coherence, which forms the essence of biography. Since laboratory animals are rarely given proper names, they provide a negative case that illuminates the significance of naming by showing what is entailed by its absence. (Phillips, 1994 p. 119)

Naming is thus intimately connected to identity and individuality, but not only in the laboratory environment. Jeanette mentioned in the interview that during her trainee period at a 4-H farmyard, the staff would not let the children give names to animals that were to be slaughtered (field notes April 2, 2004).

DEALING WITH ANIMAL EXPERIMENTATION AS AN ETHICAL PROBLEM

Emotional tension emerged not only from direct student -“lab animal” encounters, but also from the theoretical dimensions of animal experimentation. I detected three main strategies in classroom interaction for handling ethical dilemmas arising from animal experimentation: The separation of animal and human interests, personalizing the “common good”, and “piecemeal engineering” approaches to contentious issues. These strategies were present in learning materials, in teachers’ instructions, and among students themselves.

Us Against Them: Separating Animal and Human Interests

Separating animal and human interests as two incompatible “entities”, where one must take precedence and “win” over the other, has been identified by Gålmark (2005) as one of a number of mechanisms used to sustain exploitative relations between humans and animals. It builds on the idea of a zero-sum game of ethics where different interests compete with each other and one category by definition must be assigned the role of “losers”. This was an implicit or explicit message of some of the main learning materials used in relation to the issue of animal experimentation.⁹ In a section on animal ethics in a philosophy textbook, Peter Singer’s utilitarian view is dealt with and the ethical problem of animal experimentation formulated as follows:

In animal experiments, different interests often collide. It may, for example, be the animal’s interest in surviving that is contrasted with the human being’s interest in looking beautiful. In that case, it is a fairly simple thing, one interest weighs more than the other. But what about when the animal experiment is intended to produce a better and cheaper AIDS medicine? (Persson, 2003 p. 77, my translation)

Another example, a material produced by the pharmaceutical company AstraZeneca, comprised of a series of information leaflets with the purpose of “impartially and comprehensively shedding light on the issue of animal experiments in pharmaceutical research” (AstraZeneca, 2000, my translation). There was also a video film, entitled “Quality of life, Pharmaceutical products and Laboratory animals”, on pharmaceutical research and animal experimentation produced by the same company. The material was used in an animal protection course to introduce the animal experimentation issue:¹⁰

The film explains that “Pharmaceutical research gives the human being a better and longer life” and states that animal experiments are unavoidable. We are informed that 90% of all mammals in pharmaceutical research are rats or mice. When animal experimentation

⁹ Here, I primarily refer to materials that dealt specifically with the issue of animal experimentation and touched on implications for animal ethics.

¹⁰ Materials expressing critique against animal experimentation, for instance, material produced by the NGO Animal Rights Sweden, were occasionally shown or mentioned to the students in this course, but during my field study they were not distributed to them or used as working material. These materials were thus not ascribed full authority in the classroom and were possibly more a part of the teacher’s approach of showing her students “different perspectives” on the same issue (interview transcript October 24, 2003).

procedures are shown in the film, some students look away, some look bothered, and one student in the front row, Sara, protests loudly and swears. The film raises the question: Do human beings have a right to use animals? Do we have a right *not* to do it /.../?

Then comes the story of Jan, an asthmatic person, who would have been on early retirement without his medicine. We are shown a rat being anesthetized and having a cannula inserted into its body. When she watches the scenario, Sara utters a comment in an upset voice, puts her sweater over her head and pulls it down over her face.

The end of the film shows a nature scene. Soft music is played. We are shown a little boy, Anton, who had previously suffered from growth impediment problems, but thanks to his medicine, he is like any other child today. The film ends with the remark: "It is important that you acquire the knowledge you need in order to take a stance." (Excerpt from field notes September 24, 2004)

In the film, human and animal interests in survival and quality of life are kept separate and incompatible rather than seen as connected in order, it seems, to mobilize sentiment and opinion in favor of using animals in invasive experiments. This "us against them" division did not, however, seem to have a uniform effect on the students since, at least among some of them, the invasive treatment of the "lab animals" diverted their attention away from the underlying message of the film.

What if it Happened to You? Personalizing the "Common Good"

The assessment of animal experimentation in Swedish society rests on the formal principle of utilitarianism: If the expected beneficial outcome of an experiment is estimated to outweigh the harm caused to the animals used, the experiment will be approved. This cost-benefit analysis is the working principle of the Swedish animal ethics review committees, and I found that it was also the implicit principle used to guide classroom discussions on the ethics of animal experimentation. However, I also found a "shift" in the discussions that transformed the utilitarian principle into a focus on personal self-interest. The idea of the "common good" is thus reinforced by an idea of something that *I*, personally, might take advantage of, as in the following discussion of the AstraZeneca film in an animal protection class:

(Student X): "If you are ill then you'll probably be very happy that there are medicines, but at the same time I don't think humans have a right /.../". (Student Y): "Of course I feel uncomfortable, but when one is in that situation /.../". (Teacher): "In that situation your younger brother outweighs these 20 dogs". (Student Z): "Think about how many lives the medicine saves /.../ both humans and animals". (Teacher): "That is a good aspect. The medicine is for animals too". (Field notes September 24, 2004) The rationale of the "common good" is thus backed up by presumable personal benefits of animal experimentation. When the teacher underlines that animal experiments benefit not only humans but animals as well, she appeals to the empathy for animals in her students that makes it problematic for them to accept the harm done to animals by animal experimentation in the first place. Her argument contradicts the strategy of separating animal and human interests as a justification for animal experimentation, but also, paradoxically, reinforces the justification by ascribing it a value of added benevolence. Personalizing the ethical dilemma of animal experimentation was also

used at the other animal caretaker school as a strategy to elicit “correct” responses from the new first-year students on their orientation day:

During his lecture, Robert (the teacher) approaches a student in the group. He asks her name. Then he creates a scenario when her future child has lost his fingers in a harvesting machine and says that the surgeon at the hospital where she takes her child informs her that he practised [his micro-surgical technique] on mice during his training. Robert asks the student what she will tell the surgeon to do: “Suture” or “Not suture”? “Suture!”, the student replies. Robert faces the rest of the student group: “Is there anyone among you girls, future mothers, who would say something different?” Then he tells the group how the training on mice is carried out: the mouse is anesthetized and it ends with “letting the mouse go to sleep”. (Excerpt from field notes August 17, 2004)

The values education stage above is set by the teacher and the role of the students is to deliver the answer already laid out by the scenario and known to everyone. At the end of the lecture, however, the teacher briefly challenges the use of animals in research and addresses the complexity of the ethics of animal experimentation, but the assumption that *certain* bodies (animal or human) are *accessible* for experimentation is left unquestioned.¹¹

Piecemeal Engineering

Forsman (1992) has found that two main elements dominate the approach of the Swedish animal ethics review committees: “Atomizing” and “quantification” (p. 188). “Atomizing” implies dividing a problem into diminutive parts and looking at each part separately. “Quantification” includes an attempt to measure the different parts (such as utility and suffering) by their perceived size or weight and comparing them to each other. Forsman states that this order of decision-making brings about a piecemeal manner of dealing with a problem and excludes a comprehensive assessment of the “whole picture”. Seeing the “whole picture” as part of a larger context of, for instance, ideology critique is even more unusual in the work of the committees. Forsman writes that what in practice is presented as a basis for decision-making is not a comprehensive plan or program but mere fragments; links in a chain that has been designed a long time ago in laboratories and in management offices. In the ethics committees, this “piecemeal engineering” way of dealing with animal experiments often results in delimiting the discussion on ethics to technical details such as the water temperature or the period to keep an animal in isolation (Forsman, 1992).

How can we understand the classroom strategies outlined in the previous sections in the light of Forsman’s analysis? I argue that these strategies can be seen as part of a piecemeal engineering approach to education about animal experiments. Irrespective of whether the “learning units” are labeled values/opinions or “facts”, devoid of a larger context, they are often presented as isolated parts that are separately assessed and weighed against each other. This is in close analogy with what Forsman (1992) found took place in the ethics committees.

¹¹ The teacher, having earlier emphasized the importance of considering alternative methods, now says to the students that a question to bear in mind when working with animals for research purposes is whether it is necessary, or if there are other ways of doing it. He asks his students to consider whether persons who have committed serious crimes could be used in experimentation, instead of giving monkeys diseases they normally do not develop themselves (field notes August 17, 2004).

In one animal protection class, the students were even asked to *imitate* a committee and take a decision on planned BSE experiments on macaques at the Swedish Institute for Infectious Disease Control; an issue appearing in the newspaper on the day of this class. Questions related to a larger picture (such as where the animals came from, how they ended up at the laboratory, and assumptions and structures on which animal experimentation rests) are not automatically part of an ethics review committee's discussion and were also not brought up in this exercise. Moreover, the students were given no explanation as to *why* they were being asked to act as if they were members of a committee, and exploring potential alternative forms of decision-making arrangements was not made part of the exercise (field notes April 14, 2004).¹²

“IT IS LIKE GLUE REALLY; IT STABILIZES”: RESISTANCE TO THE ANIMAL EXPERIMENTATION DISCOURSE

Criticism of animal experimentation and its supporting arguments in the classroom followed to a large extent the atomizing and quantification approach of the “piecemeal engineering” logic, focusing on issues such as the environment of the “lab animals”. In the example below from an animal protection class, the teacher Gunilla tells her students about her own previous trainee experience at the Swedish Institute for Infectious Disease Control (SMI):

Gunilla says that she was a trainee at SMI for 12 weeks. The monkeys were kept down in the cellar, and it was very mysterious. Gunilla was permitted to go down there just once during the 12 weeks she was there. It was not a nice experience. The monkeys were given no stimulation. She sketches a drawing of how the monkey cages were located in the cellar. “Like a wardrobe, if you can imagine that”, she says, and remarks that it looked like a prison. The monkeys were mentally disturbed and scared, and it felt terrible. Those who went down to the cages had to bring objects to protect themselves with. Now the monkeys are better off, Gunilla says, but they are old and have been there for a long time. (Excerpt from field notes October 1, 2004)

The teacher's criticism of the way monkeys are kept at SMI is explicit, but softened by pointing out that the conditions have improved. Some students, however, responded to piecemeal engineering approaches of teaching with ideology related critique. One student questioned the conceptual and philosophical basis for using animals in research when she asked in a written test, “What is it, after all, that says that the life of a human is worth the lives of 1,000 guinea pigs?”. A similar response from her classmate read: “People can get a distorted picture and consider themselves as being superior to other living organisms”. (My translations)

¹² Other piecemeal engineering approaches to discussing animal experiments in the classroom included questions such as whether some experiments are more “right” than others (e.g. those that are expected to help many ill people in contrast to, for instance, cosmetics testing), whether it is (ethically) preferable to experiment on some animal species (such as mice) than others (such as dogs or monkeys) (field notes April 19, 2004), and whether it is “better” to choose experiments that cause one beagle severe suffering or 10 beagles minor suffering (field notes October 29, 2004).

A departure from the piecemeal engineering type of criticism was encouraged by a few of the teachers, for instance, when using the AstraZeneca learning materials as a critical thinking exercise. After having seen a film produced by Astra in a philosophy class, one student told me that she and her classmates found it ridiculous, biased, and more a kind of marketing activity than educational. She also remarked that the film played on sentiments of guilt and pity (field notes October 28 and November 19, 2004). Critical thinking was encouraged also in an animal caretaker school when a part of the formal institutional arrangements surrounding animal experiments, i.e. the animal ethics review committees, came under scrutiny. Having an important legitimating function by giving an aura of ethical responsibility and regulatory rigor to the animal experimentation enterprise, the perceived existence of strict institutional regulations governing animal experiments was embraced by many students as a convincing justification for using animals in medical research. Criticism of the committees could therefore be a way of undermining the credibility the animal experimentation discourse relies on in order to reproduce itself. Such criticism was presented by the teacher Gunilla in an animal protection class after having gone through the formal, basic “facts” about the committees (field notes October 15, 2004).

Teachers or students who attempted an in-depth form of critique of the animal experimentation rhetoric were often faced with objections from their class. In a seminar on animal ethics in a social science class, the teacher challenges the position of a learning material entitled “Animal Ethics” (*Djuretik*) (Jordbruksdepartementet, 2003): “They convey an image that we should accept that animals suffer if the purpose is good. Is it really like that?” When one student in the group states that she is against animal experimentation, her classmates try to pressure her to “admit” that she would use animal-tested drugs if she or a relative fell ill. (Field notes November 30, 2004) Another example is from a discussion in an animal protection class when a groupwork exercise and presentation using the Astra-produced leaflet series was followed up:

The teacher Gunilla raises issues she has been thinking about when she listened to the students’ presentations. Did the information in the leaflets influence the students in some way? Gunilla says that she got the impression earlier that some students have had very strong opinions against animal experiments before doing the exercise. /.../ Do you think they [the leaflets] are biased? asks Gunilla and adds that it is Astra who produced them. Do you think they withhold some parts? Do they *dare* do that? One student raises her voice and says in an upset manner: I don’t understand how you can say that they [Astra] withhold things, everybody does that. We don’t know how they work. /.../ (Excerpt from field notes November 12, 2004)

The discussion becomes heated when Gunilla asks her students what they think about the various laboratory professions they have studied and presented with help of the leaflets. “Could you imagine having such a job during summer vacation?”, she asks, commenting that many people who work in a laboratory want to do as much good as possible for the animals. Do you think they can influence a lot? she asks, and with this question she triggers an emotionally charged dialogue between two of her students:

“You can show the animal love in another way”, replies Anna, one of the students. Just as it may be important to talk with a patient in a hospital for a few minutes, you can pet the rabbit in a laboratory. Her classmate, Sara, protests: In some way you become part of the

research team anyway, you become a part of it all actually, therefore you facilitate hurting [the animal], too, even if you give it love right now. (Sara's voice gets louder and more upset while she is speaking) And that, I think, is f***ing outrageous, then all you do is suck up to an animal. Sara goes on: "If you get emotionally attached to the animal, what the hell will you do then?" Gunilla supports Sara's monologue by saying that many people agree with her point, but Anna persists in her argument: Better to show the animals love [even if] only for a short moment, than to let them lie there and rot away. Sara replies angrily that they will lie there and rot away later on anyway, and with a furious gesture throws away the magazine she has been reading during the classroom discussion. Gunilla now interferes in support of Sara by referring to her own experiences as a trainee at an animal research laboratory. She says that those who worked there were entirely desensitized and she was given a horrifying insight into how the procedures are carried out in reality. She hopes the animals are better off today and mentions another lab where things were different. (Excerpt from field notes November 12, 2004)

Sara's position is that showing the "lab animal" love while being part of the institutional structures that uphold animal experimentation is a defense mechanism that will eventually collapse, ending in self-deception. In this case, Sara's view is initially supported by her teacher, but in the end her criticism is left behind and the discussion is brought back to the neutralizing domain of laboratory animal welfare.

In an informal interview with Sara, she talked about her dissection experiences from compulsory school. Having been informed about the origins of the animal body parts (slaughter offal), Sara asked to have her name deleted from the attendance list in order to decrease the statistics of student participation in the dissection class, with the intention that this would finally make the school stop purchasing slaughter offal material for dissection purposes. Sara sees school dissection exercises as yet another outlet for the products of the slaughter industry and gives her own concise analysis of the dissection lesson's role in this context: "It is like glue, really; it stabilizes." With this remark, Sara suggests that the more arguments we create for maintaining the slaughter process, the more normalized it will become (field notes November 29, 2004). By focusing the connection between classroom dissection and the slaughter industry, she also echoes the ecofeminist voices of critique (outlined in the beginning of this chapter) against the stabilizing character of science in supporting oppressive human-animal relations.

CONCLUSION

As Birke (1994) has noted, the physical space where the "lab animal" is encountered (and the artefacts of that space) contribute to the way our perception of the "lab animal" is structured and the meanings it is ascribed, as well as how this aspect of the human-animal relationship is shaped. Other factors that contribute to the construction of the "lab animal" are the philosophies, policies, purposes and practices that constitute the laboratory animal enterprise (Shapiro, 2002). Birke (1994) argues that the "lab animal" is not really an animal or even a representation of an animal. It is rather more simply just one part of the laboratory

apparatus; something that will be transformed into data.¹³ Laboratory equipment has been developed to fit standard rats, while rats are further standardized to fit the apparatus (Birke, Bryld and Lykke, 2004). “Lab animals” and their by-products are thereby standardized commodities of the laboratory that can be marketed and traded as supplies within a globalized scientific animal industry (Arluke, 1994; Shapiro, 2002).

Arluke and Hafferty (1996) and Solot and Arluke (1997) have explored the role of animal experiments in school as part of a socialization process into the biological and medical science research communities. My study of different school settings complements their findings. To a lay actor – such as a student who has not yet completed her or his socialization into the research community – the “lab animal” may be constructed as a research object or tool but also as food, as vermin, as a playmate, or as a pet (cf. Szybek, 1999). These meanings seem to be related to the student’s previous experience of the animal as much as the physical and social environment of the education setting.

The transition to the view of the “lab animal” as a research tool is not always a process that runs smoothly, but raises ethical dilemmas that must be handled in the classroom. By various forms of explanations or “motive talk”, harm done to animals can be morally elevated or at least neutralized (Arluke and Hafferty, 1996). In this study, I have identified two examples of “motive talk”: The separation of human and animal interests, and personalizing the “common good”. In their study of the “dog lab” at medical school, Arluke and Hafferty (1996) argue that “motive talk” may be developed by students themselves but is also *provided* to them by school as a coping strategy. During my fieldwork, I found analogies with the findings of Arluke and Hafferty. Various emotional responses were explicitly or implicitly attached to the animal experimentation issue. To deal with these (or to prevent their emergence), the school provided students with certain explanations that facilitated absolving feelings of guilt and allowed students’ self-definition as compassionate and moral actors toward animals to stay intact. It is, however, important to note that students themselves often take active part in the creation of these explanations, and may even resist attempts to critical analyses of animal experimentation initiated by their teachers or peers.

Through “motive talk” and other teaching strategies (such as piecemeal engineering approaches to contentious issues), the school largely reproduces the construction of the “lab animal” as ontologically *usable* (cf. Adams, 1993) and its ethics as possible to divide into quantifying and measurable units. Kheel (1993) has labeled this phenomenon “truncated narratives”:

For example, we are asked to weigh[t] the value of an animal used for research in a laboratory against the value of a human being who is ill. The problem is conventionally posed in a static, linear fashion, detached from the context in which it was formed. In a sense, we are given truncated stories and then asked what we think the ending should be. (Kheel, 1993 p. 255)

The “truncated stories” of animal experimentation education not only ask students to reflect on *certain* ethical dilemmas but not others; they also de-contextualize them by

¹³ Other ethnographic studies carried out in animal research laboratories suggest that alternative systems of meaning regarding the definition of animals may coexist in the same setting and laboratory staff may both distance themselves from, and develop personalized relationships with the “lab animals” (Arluke, 1994; Arluke and Sanders, 1996).

obscuring the power arrangements that produce the formulation of the dilemmas as well as the way they are embedded in a web of exploitative practices toward human and non-human others. Viewed from this perspective, the way the animal experimentation issue is presented in school reflects a microcosm of positivist ideology, detached from social and political aspects and forces that give it meaning.

Giroux (1997b) expresses one consequence of this mode of approaching a problem as creating “a form of tunnel vision in which only a small segment of social reality is open to examination” (p. 13). Moreover, the structures upholding these practices “appear to have acquired their present character naturally, rather than having been constructed by historically specific interests” (p. 13). Piecemeal engineering approaches appear not only in teaching values and “facts” of the animal experimentation discourse, but also as a way of dealing with criticism of it. Expressions of ideology critique emerge in the classroom but the status of the animal body as “usable” usually remains taken for granted (even in situations when alternative research methods were discussed) and challenges to this conception often end up being neutralized. Piecemeal engineering forms of critique may be more convenient to handle in the classroom, but they also counteract the exploration of a wider dimension that potentially could accommodate a reconsideration of human-animal relations.

As Szybek (1999) notes, one way in which (science) education manifests itself is by making certain relations possible between humans and various categories of animals. Students struggle with their perceptions of the different categorizations (or, in Nibert’s [2003] words, “social positions”) that render some animal individuals objects of “legitimate” exploitation while others (sometimes of the same species) are ascribed subject status in everyday relationships. In line with the findings of Arluke and Hafferty (1996) and Smith and Kleinman (1989) in their studies of medical school, the schools I studied in many respects tend to guide and facilitate students’ emotional detachment processes to help them sort out and distinguish between animal categorizations, and develop “appropriate” attitudes toward them. However, the roles and positions assumed by students and teachers in classroom interaction are complex and do not always imply a straightforward mediation of values between teacher and students regarding the animal experimentation issue. Rather, I would say that socialization into certain human-animal relations may also emerge from a context of diverse activities *co-produced* between different actors in school. I argue that the analysis of such processes and practices of socialization in formal education helps shed light on the development, consolidation and reproduction of “harm-based discourses” (Beirne and South, 2007 p. xiv) in society at large. In so doing, it contributes a valuable tool for understanding important dimensions of green criminology.

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Chapter 9

THE DOG THAT COULD NOT BARK¹

Svetlana Stephenson²

London Metropolitan University, UK

ABSTRACT

The paper analyses the practice of killing animals in animal shelters. This practice, executed in relative secrecy, contradicts the self-proclaimed mission of animal welfare services of “saving lives” and “finding new homes” for the animals. The reason for the secrecy is that, while the principle of welfare legitimises the existence of these services, in reality their activities are mainly aimed at policing the borders of social order of pet-human relations. They ensure that only those pets who comply with the role of unproblematic human companions are allowed to live. Those pets that lose their affiliations to homes are seen as dangerous transgressors. Stringent testing is undertaken in order to check whether they deserve re-admission to human spaces. At the same time the owners are also inspected to ensure that they behave in accordance with their socially prescribed roles as benevolent masters of animals, who can be trusted to keep the animals in their place.

INTRODUCTION

A visitor arriving in the West from a less developed part of the world (let's say, the former Soviet Union), notices, among many new and wonderful things, the following. Nowhere to be seen are our unfortunate small brethren, stray dogs and cats. Not on street corners, nor near shops or restaurants, nor at construction sites or garages would one see a pack of dogs or a colony of cats, looking for scraps of food or just lingering about, resting or feeding their young. Every dog or cat one encounters is a pet, blessed with the care of

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² s.stephenson@londonmet.ac.uk.

humans. One feels then that this is indeed a humane society, not like the society one had come from. This feeling is confirmed in conversations with the locals, and in numerous TV programmes dedicated to animal rescue, newspaper stories about policemen saving kittens from trees, adverts promoting donations to animal sanctuaries or somewhat mysteriously inviting one to “adopt” a dolphin or a seal. Obviously, even wild animals can feel human benevolence in this world of care.

The visitor realises that the absence of loose and needy creatures on the streets is the result of a good and well ordered society. Here owners love their pets and do not throw them out. If misfortune strikes and an animal is lost or abandoned, people rescue it and place it in a new home. There are, of course, some owners who abuse their pets. Also, some unfortunate animals, too old or too ill, cannot be placed in new homes and have to be put down. But these are generally felt to be exceptions. One also hears about the somewhat unsavoury practice of spaying and neutering domestic animals (this did not use to happen in the visitor’s homeland), but if it helps to sustain the welfare of animals, maybe this is the price to pay? We humans are also restrained by civilisation. Civilisation represses the physical, denies us the pleasures of untamed desires, but also limits violence and makes life safer and more predictable.

But what if this vision of civilisation is in fact underpinned and produced by enormous and unmentionable violence? What if this utopia of a harmonious society, where people and pets live contentedly together, is in reality a dystopia? What if behind the scenes there is daily death and destruction, relentless policing of the borders of ‘civilisation’, surveillance and interrogation of nature?

WELCOME TO AN ANIMAL SHELTER IN CALIFORNIA

Some time ago, still blissfully ignorant about certain truths of civilised life, I visited a friend in a metropolitan area of Southern California. Elena, an animal lover, had found a job as a volunteer in an animal shelter. The shelter, proudly displaying the sign “Dedicated to saving the life of every adoptable animal” on its gates, received animals either found on the streets or brought in by the owners who no longer wanted to keep them. To make it easier for the owners to leave their pets without fear of reprobation, the shelter had a special window, through which the animal could be anonymously discharged. There were dogs, cats, parrots, rabbits and snakes in the shelter, all waiting to be adopted. Because of the shelter’s humane mission (saving lives), it received substantial donations from members of the public, and this was on top of the statutory funding it received from the county authorities.

The shelter was a part of the county animal services. Unlike the bad old days of dog catchers and animal pounds, the mission of these services is no longer restricted to destroying stray and infectious animals. Animal control officers (including those working in the shelter) rescue sick or endangered animals. If a pet is lost, the shelter tries to find the owner by the animal’s micro-chip, or, if there is no chip, it waits for a required period of up to three weeks for the owner to appear. Officers have other roles to play. They can be called in to investigate possible animal-related law violations. They educate owners about their animal care responsibilities, and they can also, in more serious cases of neglect or abuse, undertake administrative action or criminal prosecution. All these activities are part of the county’s programme for “promoting safe and healthy communities for people and animals”. The

shelter was at the centre of this web of care, and it entrusted to the volunteers the tasks of looking after the animals' everyday needs, feeding them and taking them for walks.

Elena's job mainly involved caring for the many dogs that arrived at the shelter. Soon after starting work there, she began to notice that some of the animals she knew and cared for seemed to be disappearing. They were not adopted, and yet she would come into work to find an empty cage. Information about the dog placed on the Internet for potential owners had been removed. A boxer or a poodle, with whom she had played just yesterday, was now nowhere to be seen. Talking to other volunteers, her fears were confirmed. These dogs were being 'euthanised' – killed by a lethal injection. Elena was not completely unaware of the possibility of animals being killed. At a special orientation session at the start of the job, volunteers were told that the shelter had to kill some animals, because of health reasons, overcrowding, etc., but they tried to avoid it as much as they could. What shocked Elena was the sheer number of dogs that were killed (about half of all brought to the shelter, as it emerged) and the fact that healthy and friendly dogs who Elena knew well and to whom she had become attached were among those terminated in this way. It was also frustrating to see that the dogs were often killed while there was a lot of empty space in the shelter.

Each day volunteers received a print-out with the names of the dogs. Those dogs that could be adopted had the word "available" written across their names. They were shown to prospective owners and were advertised on the shelter's website. They were free, after obligatory sterilisation or neutering, to be given for adoption. But across the names of some of the dogs ominously appeared the word "county". This meant that they now fully belonged to the state. The state (through the shelter) now decided what the fate of the animal was going to be – it could be sent to another shelter or humane society (usually this happened to purebreds who were more easily placeable) or it could be killed. The dogs who had already received a death sentence were no longer on the list. They were put in cages at the back of the building, and volunteers were advised not to take them for walks. Each doomed dog was already in limbo between life and death and in effect was relegated to canine death row. Nothing could help it now. Even if a volunteer, feeling sorry for it, offered to adopt it personally, or was prepared to search for a new owner, the shelter would not normally agree – all the documents for euthanasia were ready, and nobody would want to go through the trouble of changing them.

Gradually, the enormous significance of the word "adoptable", easy to miss when reading the shelter's motto, became apparent. Not all animals' lives were to be saved. On exploring the matter further it became apparent that to be "adoptable" and thereby readmitted to the land of the living, they needed to pass special tests and prove their worthiness for adoption. The dogs, it emerged, were far from exempt from killing just because they were young and healthy. Only the best of the best could be re-homed. The so-called "temperament tests" were designed to weed out all kinds of misfits – nervous, fearful, aggressive, passive, territorial, untrained or unsociable dogs. Even those dogs judged adoptable after passing the first round of tests were not safe and could often be retested, while those who failed first time and were assigned to be euthanised did not get any second chances.

Reading later about these "temperament tests", I recognised many of the procedures Elena described. The Sternberg test (2003), commonly used by shelters, has, for example, procedures named "thirty seconds of affection", "veterinary technician hug" and "food bowl guarding using plastic hand on stick". In the first one, a tester who is unknown to the dog comes in to pat and stroke the animal for thirty seconds. If, instead of enjoying this affection

from a stranger, the dog freezes, moves away or growls, it fails the test. Similarly, if a tester gives the dog a tight hug, restraining it on its back and pushing it to the ground, and it does not relax or settle in an instant, but instead becomes tense, struggles, growls or stiffens, it fails. When a plastic hand emerges to take the dog's bowl, the dog needs to continue eating. If it freezes, growls, snaps, lunges or bites the plastic hand, it fails. In other tests, it has to be friendly or indifferent if it approaches a cat in a cage, allow its teeth to be checked five times without protest, and react in a friendly way to the presence of other dogs. Failure in more than one of these tests leads to a death sentence.

These dogs had, of course, recently lost their owners. They were put in cages in noisy rooms and were surrounded by strange people and animals. They were stressed, frightened and depressed. To expect them to pass these 'objective' scientific tests in their condition was bizarre. But even if they were in the best of states, they were put in a position where they had to subvert their own nature. The dogs were invited to show affection to cats, relinquish their food, and remain happy in the face of all kinds of unwelcome stimuli. Essentially, to stay alive they had to denounce themselves and show their complete compliance to a perverse authority that defined life and death on the basis of tests that were almost impossible to pass. The meaning and significance of these tests were beyond their comprehension. They were thrust into a Kafkaesque trial, put through a process which they did not understand and where the rules were staked against them.

Many animals brought to the shelter were killed without any formal testing procedure being applied at all. Fighting dogs were killed almost immediately after the required three weeks of containment (they obviously could not be trusted to subvert their nature). The same happened to dogs who were nervous and stressed on arrival. The killing seemed to intensify in the shelter during periods when empty cages were in short supply, or at the end of the financial year.

Why was the shelter running this murderous operation? Why were dogs being killed at all, with or without tests? The shelter's officers explained to volunteers that the shelter was concerned about welfare of humans: it had to ensure that adopted dogs were safe for their owners and did not endanger members of the public (or their pets). Hence the stringency of tests. The welfare of the dogs themselves was also used as an explanation: they claimed that when a dog stays in a shelter for a long time, it becomes institutionalised, unhappy and nervous, and it would have asked for euthanasia itself if it could speak. Lack of resources was also a factor. At one end of the process, the shelter did not have sufficient funds to keep all the animals. At the other end, the possibilities for adoption were limited because of a lack of potential owners.

Here, however, was another enigma. In some cases, animals were killed even when people came forward who liked the dogs and wanted to take them home. Once Elena managed to take a condemned fighting dog, waiting for euthanasia in a cage at the back, for a walk. This was technically a violation of the rules, but as she was by then an experienced volunteer, she was allowed to do this by the officers. While walking the dog she met a couple of young men who, after admiring the dog and learning about its sad fate, asked if they could adopt it. The shelter officers, however, told them that this was not possible. They could not be certain that these young men would not use the dog for dog fights, in which it might be harmed or killed. Soon after, the officers killed the dog themselves. The same fate awaited a Siberian husky, who, according to Elena, did not show any behavioural problems. Many visitors wanted to take it home, but the shelter employees advised them against this, saying,

“She only looks nice. As soon as you take her home, she will jump the fence”. She was killed as well.

SILENCES AND TRUTHS

Obviously, the principle of saving lives was not the key operational principle of the shelter. Its real mission was hidden and surrounded by silence and evasion. Although the facts about killings were not hard to find (in the US all statistics about the operations of these facilities are available for those who want to know), the front of the shelter (open to the public) symbolically affirmed its sole concern with animal welfare (saving, preventing suffering, caring, providing new homes). It was a refuge from violence and death, a place where the politics of life were proudly proclaimed. The symbolism of love and care was displayed in the shelter’s spacious foyer, with pictures of happy animals and their owners and posters symbolising the shelter’s humane mission. Many of the people who brought animals to the shelter were led to believe that they were delivering them to a sanctuary which would help them find a better life, not to a gulag where they were likely to perish.

The claims of the shelter were accepted that much more easily because they correlate with the general self-congratulatory premises of our relationships with domestic animals³. A view exists that people in the West may be indifferent to the plight of other human beings, but the welfare of our pets is paramount. Discussing the scope of violence in the modern society, philosopher Wendy Hamblet laments that “There are a meagre 1,500 shelters for battered women in the United States. Yet there are 3,800 animal shelters!” (Hamblet 2004, p.78). However, battered women should not envy cats and dogs. About half of all the animals brought to American shelters are killed (CNN 2007). This applies not just to public shelters (although they kill more), but to humane societies and private shelters as well.

The stark reality is that at the back of the shelters, hidden from public view, a regime wholly different to that of welfare exists. This is the regime of examination and disposal. All of the animals are examined to establish if they are healthy or ‘treatable’. Dogs are then subjected to tests which, as we have seen, almost set them up for failure. At least dogs are offered salvation by testing: the vast majority of cats and other animals ‘rescued’ from the streets, or brought in by their owners, are discarded without any form of test of their adoptability.

Thus the life-affirming front shields the backstage, which operates in accordance with a set of principles that are not only different to those proclaimed at the front but which are diametrically opposed to them. This frightening contradiction, the terrifying reality that cannot be fully exposed is resolved in silences and half-truths (Merleau-Ponty 1964, see also Hallsworth and Young 2008).

The secrecy and the official outrage when truths are uncovered were made obvious to me when, on that visit to California, I went to the shelter with Elena’s husband. Seeing his wife’s distress at the disappearance of the dogs, he asked to talk to the shelter’s management.

³ As Franklin (1999: 24) argues, “To characterize modernity as an increasingly sentimental period of benevolence to animals is to miss the fragmented nature of human-animal relations and the persistence of practices that contradict such a view”.

Believing that, as a member of the public and a taxpayer, he was entitled to some explanation (after all, the shelter was a public institution), he asked one of the senior officers a straightforward question, “Why are you killing these dogs?” This caused outrage. To speak of murder in the land of euthanasia was to break a taboo. He was accused of being “hostile” to members of staff, and told that he was unwelcome in the shelter. The next time he came in to collect his wife after work, the front desk staff called the police. Within five minutes of the call, two police cars arrived and he was escorted from the premises by armed officers as a “potential threat”.

PETS AND THEIR PLACE

What are the animals guilty of, and why are the shelters destroying so many? To answer these questions, we need to look critically at the place of animals (particularly those defined as pets) in modern societies. It appears that by losing their owners (whatever the circumstances), cats and dogs put their entire existence under question. They lose their status as entirely unproblematic human companions, attached to the space of the home. The fact that their owners gave them up or abandoned them makes them suspect – what if they had been troublesome? If they had been abandoned to the streets before coming to the shelter, this was even worse. On the streets, away from human supervision, they turned into pests or vermin, acquired bad habits and thereby severely compromised their chances of finding a new home. Then, following their admission to the shelter, they most certainly developed negative reactions to institutionalisation (the so-called “shelter syndrome”) and this also made them unadoptable. The implication here is that the pets should have stayed where they were, within the borders of controlled domesticity. Outside these borders, they turned into dangerous polluters.

Animals can be likened to people who transgress the boundaries of order. As Mary Douglas argued, “A polluting person is always in the wrong. He has developed some wrong condition or simply crossed some line which should not have crossed and this displacement unleashes danger for someone...Pollution can be committed intentionally, but intention is irrelevant to its effect...” (1966: 114). Following their displacement, it is very difficult for the animals to become accepted as pets again.

It has long been noted by social scientists that the ways in which animals are socially defined and placed by humans in their material and imaginary spaces explain the variations in their treatment. Edmund Leach pointed out that we treat each other – and animals – according to certain classificatory schemas. “What we need to know about *the other* – whether animal or human – is where he, she or it *fits in*. Of animals, are they food or not-food, pets or vermin or savage monsters? Can we kill them with impunity or are they ‘sacred’ and untouchable?” (1973:17). Writing about pets, Richard Thomas (1983) showed that they are non-food, they live together with humans and are regarded as quasi-family members.

The position of pets at the centre of the human world – in the space of a home – creates a sharp differentiation between them and other animals that are placed outside domestic boundaries (such as farm animals, wild animals, or animals used for medical experiments or for industrial farming). Being admitted to the homespace, they become included in the network of affective bonds with other members of the household and entitled to care. But in

return domesticated animals have to change their behaviour, become tame and compliant. They become simultaneously objects of affection and domination (Tuan 1984). They must subjugate their whole existence to the will of their masters. Their nature is transformed through breeding. Their bodies must become, to use Foucault's (1979) notion, "docile", they are manipulated and improved through training. In the ultimate expression of power, their sexual organs can be removed, and the whole operation of their body is "corrected" in the interests of the humans.

"Pets", our animal companions, have had a place in human society for thousands of years, playing both utilitarian and affective roles (Serpell, 1989). Post-industrial alienation made pets especially important objects of affection. They have been turned into "libidinal currency", through which bareness of social contacts, isolation and narcissism have made animals into screens of human needs and fantasies (Nast 2006). Dog ownership grows, opportunities to pamper pets rise exponentially, with some animals turning into the elite of the world of consumption, enjoying their own spas, therapists, yoga classes, special parks and beaches, and even becoming beneficiaries of huge estates.

However, the power relationship between pets and humans remains profoundly unchanged. Animals who no longer fulfil their practical or emotional utility in the household become totally disposable. If they chew curtains, damage the parquet floor, bark or just turn into a burden, they can easily lose their status as quasi- family members and the whole rationale for their existence. One survey showed that among the behaviour problems that contributed to surrender to shelters were: barking (41 %), chewing (24%), hyperactivity (45%) and housetraining accidents (21%). Aggression to other pets was present in less than 8% cases and aggression to people in less than 9% (Dog's Owner's Guide). On average, American households keep their pets only for two years (Tuan 1984: 88). As with material commodities, there is no recognised moral obligation to keep something which one no longer wants. Animals are treated as property, and this legitimises their destruction. Being thrown out of the confines of home, they join the heap of waste of modern civilisation, of once loved and desired but now redundant and forgotten objects, destined for disposal.

Owners may employ the medical-administrative apparatus (veterinary doctors) to dispose of their animal. Doctors may easily end its life, employing expert judgement and pronouncing impossibility of its "normalisation" as a pet for being too ill, too old or displaying behavioural 'deviations'. Some owners simply give their animal away for euthanasia without asking for any assessment. Others may throw their pet on the streets, where it then becomes a "pest" or "vermin", unauthorised transgressor of the urban boundaries. Here the apparatus of public hygiene will become involved, with the animal destroyed or taken into a shelter for examination. Alternatively, the owners may surrender the animal to the welcoming embrace of institutional care in order to 'give it away for adoption', with all the ensuing consequences.

"YOU CAN CHECK OUT ANY TIME YOU LIKE, BUT YOU CAN NEVER LEAVE"

One way of understanding the operation of the shelter might be to consider the control services as simply performing the utilitarian functions of waste disposal. They remove unwanted matter from where it no longer belongs. Humans relinquish their ex-pets to the cold

and indifferent embrace of state machinery. The state collects, examines, sorts and gets rid of the living matter. It cannot be expected to love your pets; it deals with them in the only way it can – coldly, mechanically and bureaucratically. This view however fails to explain the observed contradictions in the operation of this machine, its murderous obsessions, its perennial suspicion of both the dogs and their owners.

It is not enough for the animal control agencies to place some dogs with people who want to take them and discard those who were left unwanted. They interrogate nature with great vigilance to prevent any unsuitable animal re-entering the human space. Even outside the walls of the institution the need for vigilance remains.

The dogs, who come into the orbit of animal services remain suspect, even if they are left alive and given for adoption. There is always a chance that they were not properly screened, that a mistake has been made. A group of American animal behaviour scientists describe in a recent article how they used a modified Sternberg temperament test to evaluate a sample of dogs adopted from a New York public shelter (and previously tested there). The results showed that most of the dogs should not have been allowed to be adopted. Although only one dog out of 66 (1.5%) was reported to be aggressive to the owner, 71.2% of the dogs exhibited behaviours that could be “consistent with aggression”. Thus, barking was exhibited in 30.3%, while 34.8% of the dogs were reported to growl or lunge in at least one of the tests. 6.1% were reported to bite or snap. Although the authors concede that it is hard to construct totally objective scientific tests, and that disagreement exists in the literature about specific indicators of unacceptable dispositions (for example, it is difficult to differentiate between various types of aggression in behaviours such as “chasing bicyclists, joggers, small animals etc. while barking”), this for the authors of the paper does not discredit the idea of testing. And while none of the owners who were interviewed wanted to get rid of their dog, the authors argue nevertheless that as a high percentage of unsuitable dogs had been adopted, the shelters should refine their screening procedures.

The owners are suspect too. The authors of the paper suggest that the owners they interviewed did not truthfully report owner-directed aggression for “fear of repercussion for the dog, and/or concern about whether they would be blamed for the behaviour” (Christensen et al. 2007: 94). The owners’ fear for themselves and their dogs exposes the fact that we are seeing a real power relationship at play here. Not just the dogs, but the owners are subject to an examining gaze.

Anyone wanting to adopt an animal from a shelter has to go through a screening procedure of sorts. In the Californian shelter the officers explained their reluctance to give animals to many of the potential owners by the need to ensure that a good home was found for the animal, that it would not be abused and neglected. But again, everything is not as simple as it seems. Arnold Arluke, who conducted participant observation in another American animal shelter, described some of the reasons why owners were denied adoption “even though their resources and attitudes seemed acceptable to workers” (Arluke and Sanders, 1996, p.92). Some potential adopters were rejected because the shelter staff thought that as they had full-time jobs, they would not be home enough, even though by all other standards they seemed likely to become good owners. Others were thought to be unwilling to sterilise their animals, keep them fenced and on a leash. Although these objections were phrased in terms of animal welfare, there was an obvious concern here with the owners’ duty to society. The shelter wanted to make sure that the owners behaved as responsible humans

and kept the animals in their place. By being absent from home or lax with animals, the owners endangered the order of things and threatened to unleash chaos.

Similarly, concerns about animal neglect and cruelty can be linked to the socially prescribed role of the owner as a benevolent master. The failure to play this role may result in serious sanctions. If, say, a neighbour complains that an animal is mistreated, an officer can take it away. If there is a suspicion that a dog is used for dog fighting, this can bring serious repercussions. The owner can be fined or subjected to criminal prosecution. The rescued animal can then be brought to a shelter or a pound and killed by the very animal control officers who had saved it in the first place. On the other hand, if the owner complains about its animal to the animal control officers, and reports his dog for barking or biting, the dog will be taken away and most certainly killed.

All this shows that public animal control organisations are not humanitarian organisations, nor do they simply act as a waste disposal apparatus. They are a part of the disciplining machine dedicated to policing, checking and enforcing obedience on animals and owners.

THE REAL MISSION OF ANIMAL CONTROL SERVICES

Dog-catchers in the old days were agents of what Foucault in *The History of Sexuality* (1987) called “the power of death”. They imposed order on the chaos of natural world by disposing of lives in an absolute way. Our shelter, on the contrary, operates in what Foucault called in the same work the area of ‘bio-power’. It normalises life, by deciding which life forms can be fostered, and which can be disallowed to the point of death. It sorts out everything that is too unpredictable, too implicated in nature’s unruly ways, and leaves only those animals that fit the pre-determined role of a pet. For this purpose it pursues a programme of sterilisation, testing and extermination, directly influencing the animals’ reproductive process. This makes it, of course, into a classic eugenics programme, discredited in the 20th century in relation to humans, but continued in relation to domestic animals (in fact, as Lisa Gålmark argues in this volume, human and animal eugenic projects were closely linked). The new “soft” language of community safety and animal welfare masks the totalitarian concerns about reproduction of the norm and elimination of the elements that deviate from it.

The aim of this programme is to reproduce the ordered world of human-animal relations and weed out the misfits. Like eugenic programmes dreamt of in the nineteenth century and practised by variety of political regimes in the first half of last century (as diverse as Sweden, USA and Hitler’s Germany), this one uses ‘science’ to separate those creatures who show “genetic deficiencies” or some acquired traits that make them dangerous for the social order. This programme stretches beyond the confines of the shelter, and affects the whole of urban society, from the commercial breeders to the houses of animal owners to the space of the streets. The shelter is the agency at the centre of the procedures that construct the animal, to use Foucault’s expression, “as effect and object of power, as effect and object of knowledge”. But similarly, the shelter examines the potential owners for their capacity to normalise the dogs.

The shelter performs two functions: it evaluates the suitability of the dogs and it evaluates the suitability of the owners. To be suitable the dog has to be docile, the owner responsible. But the outcome is never certain, mistakes can be made, and in both cases the machine errs on the side of caution. It establishes critical thresholds that can only be met with great difficulty: the dog fails and has to be destroyed, the owner fails because they cannot prove that they are responsible, the dog cannot be homed and is killed instead... Every failure drags the animal further into the machine's vortex, towards its violent core.

In the community other programmes are used, aimed at reform of pets and their owners. The humans need to be disciplined and educated about their duties as pet-owners. This is why shelter employees and other animal control officers are involved in education and training programmes. They often work in partnership with charities and humane societies to promote ideas of responsible ownership. This includes taking animals to obedience classes and to vets. This also includes their sterilisation.

The reproductive sphere is of particular concern here. Sterilisation of cats and dogs is seen as a way to stem the "flood" of animals to the shelters and prevent unneeded animals from being born. This is constructed as a duty of owners, and efforts are made to instruct the younger generations of prospective owners about this duty. One Californian animal charity, Maddy's Fund, distributes colouring books for children designed to teach them "the responsibility, empathy and the benefits of animal companionship". In one such book, entitled, "Spay and Neuter for Life", the kids are invited to colour a picture of happy cats and dogs holding placards, "Proud to be spayed", "Neuter me" and "Yay for spay". All of these animals are shown, as in kids' toys or cartoons, without their sex organs. The text on the page explains that "fewer puppies and kittens makes it easier for animal shelters to find loving homes for dogs and cats already born."

Critics of the drive towards sterilisation doubt if it will reach the desired effect. People want puppies, and availability of animals from shelters would not extinguish commercial breeding. Moreover, the supposed benefits to animals mask the deeply utilitarian nature of our relationship to pets. As Clare Palmer (2006) argues, at the root of human-pet relationships is the principle of instrumentalism, which implies treating animals as ends to other means. De-sexing of animals is part of the same dominating logic as killing of them in animal shelters. While promoting de-sexing of animals as an answer to overpopulation and inevitable killing of animals, animal welfare organisations at the same time reinforce the logic that leads to mass killings in shelters. Sterilisation, creation of totally docile bodies of animals, is a method of disciplining nature and placing her under human control.

Among other more innovative disciplinary solutions is temporary adoption of dogs by prisoners. Prison-based dog training programs now offer rehabilitation for canine and human. One website invites us to "Picture this: prison inmates receive training to, and in turn, train dogs from animal shelters. The prisoners learn a joy, a compassion and a responsibility that can come only from raising and training a dog, as well as skills that can help them find a job. The dog becomes adoptable. Some lucky family gets to adopt a well-trained dog that, just a few weeks before, would have been put to death merely for being unwanted" (Prison-Based Dog Training Programs 2007). For all its merits, this 24/7 disciplining of humans and nature is the ultimate dream of a control machine: a setting where men and dogs are locked in a loving embrace, reforming each other!

FIGHTING CHAOS

It is difficult to argue against the need to control the reproduction of animals living side by side with people. A vision of cities where packs of abandoned cats and dogs are allowed to roam does not sit well with modern sensibilities. Although in natural conditions feral overpopulation tends to be resolved, at least partly, through the death of young and sick animals (Putman 1989), nature is no longer trusted by humans to sort itself out.

Pets abandoned by their owners and the offspring of stray dogs or cats are an abomination in any ordering project. They represent, using Mary Douglas's expression, 'the challenge of aberrant forms' (1966:40). When a dog or a cat finds itself outside the homespace, it comes perilously close to being classified as pest or vermin. Also, the presence of ex-pets in spaces of urban 'wilderness' as Griffiths et al (2000) suggest, is unsettling because they contradict the idea of pets as domestic animals close to humans, and mobilise deep-rooted fears of wild and untamed nature. But as they never entirely lose their "pet" assignation, they also turn into "unnatural" figures and become the objects of dread, that deep-rooted horror which humans experience when familiar life-forms metamorphose into something strange.

Less developed societies resolve the problem of stray animals through violent interventions, which tend to co-exist with a more laissez-faire approach to messiness and disorder. In the Moscow of my memory the stuff of children's nightmares was a vision of a lorry from which dog catchers would spring with their hooks and nets and drag one's beloved pet to a certain death. These eruptions of almost pornographic violence seemed to be a reminder of the dark forces of death that could be unleashed upon you and your loved ones at any moment. But in everyday life nature and humans co-existed in a chaotic assimilation. People fed stray dogs, and it was not unusual for a family to take a puppy born to a street bitch home, or even adopt the mother together with her litter. Shops, hotels and workers' canteens would foster cats and dogs. Although the animals often did not have a particular owner and did not sleep on the premises, they could rely on their bowl being filled with water or milk and on scraps of food being left for them on a piece of newspaper. Families of cats occupied the basements of blocks of flats, creating an unmistakeable smell firmly associated with urban communal living. Some of the residents fed them, while others simply tolerated them as unfortunate creatures that, for all the inconvenience of co-habitation, did not deserve to perish.

But developed Western societies do not tend to tolerate chaos. Late modernity has been associated with obsessions about order, and urban environments have seen the visible proliferation of commercially controlled spaces, protected from undesirable elements (Davis 1990; Bauman 2004 among many others). Any unattached population, not just cats and dogs, represents a threat to the hyper-controlled urban setting. Groups 'with no abode and no function' (from 'asocials' to immigrants and refugees) become an object of the public anxiety and state repression.

The repressive drives of control machines, including their waste disposal and disciplinary functions, have to be reconciled with the ideology of welfare that still requires the state and the citizens to assist the weak and the needy. Like other groups who are redundant to the late modern project, unattached animals cannot just be discarded without any care or procedure. This is where strange ambiguous concepts and propositions emerge, such as "tough love" (in

relation to human deviants) and “merciful destruction” (in relation to delinquent animals). In an example of paradoxical interpretation of what we can and cannot do to animals, a UK veterinarian, writing about feral cats, suggests: “Control of cats by shooting or poisoning is almost certainly illegal as long as cats are still afforded protection as domestic animals under the Protection of Animals Act (262), England (1911) and Scotland (1912), and the Cruelty to Animals Act (1986). Control by trapping and humane destruction of cats using chlorophorm or the administration of a lethal injection by a veterinary surgeon is legal and practised widely by pest operators” (Neville 1989: 263).

The same obfuscation of the actual truth of what we do to animals is displayed in the work of our animal shelter. It tries to achieve public acceptance through the language of love and care, while at the same time conducting regulatory control of nature heavily weighted towards death.

The combination of waste disposal, disciplining and welfare functions in the work of the shelter is not unique to animal control services. As David Garland (1985) showed, in modern society ideologies of welfare have been merged with the apparatus of control. But it seems that while welfare continues to play a key role in the system of public legitimisation, other, more important functions of control machine are covered up and executed in relative silence. The shelter loudly proclaims its humane mission. It invites volunteers to assist it in making the animals’ lives more comfortable and enjoyable. It promises the surrenderers to look for a new home for their pets. Recruiting animal control officers, it tells them they will be saving animals. Shelter employees and volunteers start their jobs believing that their main task will be to help animals to find new homes. As has been shown (Arluke and Sanders 1996; Frommer and Arluke 1999), when staff discover the truth, they either leave or develop a range of neutralisation and blame displacement strategies (see the discussion of denial by Sollund in this volume).

So no one seems to enter the doors of the institution with a full realisation of the extent of violence that takes place there. Surrenderers are misled by promises of care. Volunteers and staff start their jobs without a complete understanding of their duties and the context in which they will be performed. But at the same time the reality is never completely hidden. It is always guessed at, creating fear and anxiety (Merleau-Ponty 1964). The categories do not fit and the violent core of the “animal welfare” project becomes progressively uncovered. People either become complicit in the execution of violence, or, faced finally with the stark truth, escape (like Elena did, resigning soon after the described events).

CONCLUSION

As we have seen, the shelter is not dedicated to “saving the life of every adoptable animal”. It is a social control agency, which polices the borders between humans and nature, prevents transgression and administers justice. Animals who have deviated from their role as pets are examined and punished. Humans who deliver personal violence to animals (rather than using socialised violent agencies) and deviate from their role as benevolent masters are examined and punished as well by being deprived of their pets and, in some cases, being subject to criminal procedures. Although people indulge increasingly in free consumption of

pets as hyper-commodified objects, we cannot ignore the fact that every aspect of our relationship with pets is happening under the close gaze of the state.

Modern urban society was described by Henry Lefebvre as “the bureaucratic society of controlled consumption”. This society consumes prodigiously and creates rapid obsolescence of objects – from cars or bathrooms to, it seems, animal pets. At the same time it is also a society where compulsion is the basis of social order, where power agencies and structures project their will on the sphere of everyday life. Here, despite the ideology of individual freedom and satisfaction of every possible desire, we see “the death of the ludic spirit” and “the dreariness of everyday programming in its rational organization” (Lefebvre 1968: 78-79).

Animal control services are a part of this social order. They control animals’ reproduction. They regulate our relationship with pets. They take violence out of everyday life, but in its place they deliver their own bureaucratically organised violence. They prevent chaos, but move the fight against unruly nature into the confines of shelters and other agencies.

Decisions about the pets’ way of life and, even more importantly, their way of death, are being removed from the owners. This is achieved both through compulsion (licensing laws, animal welfare legislation etc.) and through deception and seduction, through promises of easy solutions to moral conundrums. Misleading people into believing that their pets are being taken care of increases the circle of use and disposal of animals as it liberates the owners from personal responsibility. It eases the transition of the animal “family members” from human homes where they could rely on some care to the murderous clutches of institutions.

One way or another the ordering process goes on. We cannot allow chaos. Alternatives to institutional killing are being attempted. A number of American shelters have now introduced no-kill policies, although these policies, according to some critics, have meant that such shelters turn away most of the animals, passing them on to those institutions that would kill. Italy has prohibited euthanasia of healthy dogs and cats altogether. This has led to another problem. Animals get warehoused in shelters and become afflicted by parasitic or infectious diseases and, at best, have to lead the life of boredom with the ensuing behavioural pathologies (Lucidi et al 2005: 105).

The presence of domestic animals in modern society creates some painful dilemmas. These may often be hidden away behind a screen of false sentimentality and the language of “care”. But beyond the public gaze are some hard facts that challenge and contradict the facile assumptions about the increase of human benevolence to animals which supposedly characterises our age. They also show how oppressive attempts to rein in the chaos of natural (and social) life can really be.

And so, after a closer look at the Western utopia, our visitor begins to miss a land where families of cats lived unmolested in smelly basements, and where “chasing bicyclists [and] joggers ... while barking” was seen as normal canine behaviour, and not a capital offence.

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Chapter 10

PROTECTING THE ANIMALS? AN ABOLITIONIST CRITIQUE OF ANIMAL WELFARISM AND GREEN IDEOLOGY

Per-Anders Svärd¹

Department of Political Science, Stockholm University
Sweden

ABSTRACT:²

This chapter delivers a critical view of modern animal welfarism and Green ideology as important vehicles for the reproduction of speciesism. Starting in the abolitionist animal rights critique of Gary L. Francione and Joan Dunayer, and employing the analytic framework of post-Marxist discourse theory, the argument is made for an understanding of speciesism as conditioned by dominant discourses of the human-animal relationship. The discursive meaning-systems of animal welfarism and Green thought are shown to sustain such speciesist hegemony in several ways. Specifically, it is revealed how these ideologies routinely feed into the “five faces of oppression” outlined by Iris Marion Young: exploitation, marginalization, powerlessness, cultural imperialism and violence.

INTRODUCTION

In late modernity, humankind finds itself facing one of its most tremendous ethical challenges so far – the challenge of *animal rights*. No longer can we overlook the fact that many other animals than *Homo sapiens* are sentient, conscious and social beings in possession of individual lives and life-experiences which human morality must take into

¹ per-anders.svard@statsvet.su.se.

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account. And no longer do human-supremacist ideologies of the human-animal relationship stand uncontested in the public realm. While still often ridiculed and scorned, over the last three decades the philosophy and movement of animal liberation has established itself as a presence that simply will not go away.

Though often misunderstood, the basic tenets of animal rights philosophy are in fact quite straightforward: Just like humans, nonhuman animals can feel pain and suffering as well as joy and wellbeing. Likewise, premature death always represents a permanent and non-compensable loss of all future positive experiences for any individual. These facts remain morally relevant regardless of the affected individual's capacity for rationality, speech, reciprocity – or any other supposedly “uniquely human” trait. Much like ourselves then, many nonhumans have morally relevant *interests* in avoiding pain, suffering and death. And if this is the case, it follows that those of us who are able to pass and act upon our moral judgement are obliged to respect these interests in *all* our fellow beings. Not doing so would amount to committing the moral error of *speciesism*, the normative core of which Joan Dunayer defines as the “failure, in attitude or practice, to accord any nonhuman being equal consideration and respect” (2004:5). Animal rights advocates thus call for comprehensive social change, including the abolition of age-old practices such as eating meat and other animal-derived products, and the dismantling of the massive industrial complexes predicated on breeding and using nonhumans for human purposes.

As stated by philosopher Stephen R. L. Clark thirty years ago: “There may have been a time when our behaviour to the nonhuman creation was a debatable matter. This time is long past. ... The war is simply an obscenity, a depraved act by weak and miserable men, including all of us, who have allowed it to go on and on with endless fury and destruction.” (1977:2, paraphrasing Chomsky 1969:12) But even though the philosophical arguments for human imperialism over the nonhuman nations have been crumbling for quite a while now, little change has been seen in the real world. Humans still systematically exploit and kill billions of other animals for a wide range of purposes – above all for food, but also for clothing, experiments and entertainment.

The social legitimacy of this routine commodification, exploitation and killing of nonhuman individuals rests on widely disseminated beliefs defining a certain conception of the human-animal relationship in our society (see Sollund, this volume, Agnew 1998, Nibert 2001, Dunayer 1995, 2001, Gålmark 2005). This conception entails, among other things, that human interests are accorded far greater weight than the interests of nonhuman animals – to the extent that even trivial human interests, such as the enjoyment of the taste of nonhuman flesh, may trump nearly any nonhuman's interests in bodily integrity and continued life.

But how are we to understand this incommensurability between what we all *know* (that many nonhumans are sentient beings), and what nearly everyone *does* (that is, contribute to the violent oppression of other animals)? How does speciesist orthodoxy manage to reproduce itself in a modern culture which, at least in principle and as a matter of scientific fact, recognizes nonhumans as sentient beings?

In order to make sense of the reproductive processes and developmental trajectories of this tangle of human thought and activity, in this chapter I argue for the need of a *critical discourse theory of speciesism*. Starting in the radical “abolitionist” critique of animal welfarism articulated mainly by Gary L. Francione (1995, 1996, 2000) and Joan Dunayer (2004), I will outline the troubling consequences of the dominant animal welfare paradigm for the social advancement of animal rights. Then, drawing on post-structuralist and post-Marxist

theory, I argue that we need to analyze speciesism as a discursively constructed ideology. On such a view, we need to focus on how the human-animal relationship is *discursively articulated and imparted with meaning*, in a way that makes it conducive to the reproduction of speciesist oppression.

More specifically, I will take issue with two discourses of the human-animal relationship that I believe serve as important vehicles for the social reproduction and naturalization of speciesism in our time: *animal welfarism* and *Green ideology*. While widely advertised as more “animal friendly” than traditional views, I aim to show that these discourses in fact carry a heavy normative load that facilitates continued animal exploitation, all while pushing the more radical conclusions of animal rights philosophy to the social margins. The chapter ends up demonstrating how animal welfarist and Green discourses articulate the meaning of the human-animal relationship in ways that feed into speciesist versions of the “five faces of oppression” – exploitation, marginalization, cultural imperialism, powerlessness and violence – outlined by political philosopher Iris Marion Young (1990).

ANIMAL WELFARISM

Most animal rights advocates of today are aware of Jeremy Bentham’s famous question, posed already in 1789, as to what might “trace the insuperable line” between human and nonhuman in moral terms. Unimpressed by common arguments from physical difference, intelligence, or capacity for language as valid grounds for abandoning any sentient being to “the caprice of a tormentor”, the Father of Utilitarianism concluded that moral and legal protection could not rationally be withheld from nonhuman animals (Bentham 1996, ch. 17, n. 122). Thus, in a modest footnote of Bentham’s classic tract on law and morality, the modern history of species-neutral ethical thinking was inaugurated.

However, the potential ethical revolution for nonhuman that stands out as a promise in Bentham’s observation has not been realized. Quite to the contrary, we are now beginning to see how the program of “humane treatment”, anticipated by Bentham and carried into the mainstream by the subsequent “animal welfare” movement, has begun to exhibit troublesome contradictions. Far from erasing the “insuperable line” between human and nonhuman, animal welfare has developed into a doctrine that *reinforces* the ethical division between species.

The fact is that in present-day Western societies, nonhuman exploitation almost exclusively takes the form of “animal protection” and “animal welfare”. In our societies, human relations vis-à-vis captive nonhumans are formally covered and regulated by “animal protection” laws and regulations. The general assumption is that these laws and regulations are established to safeguard the interests of other animals and promote their welfare. I will refer to this view as “animal welfarism”, or “welfarism” for short.

Lately, welfarism – both as an institutionalised practice and as a reformist strategy for animal liberation – has been heavily criticized. Critics like lawyer Gary L. Francione (1995, 1996, 2000, Regan and Francione 1993) and feminist animal rights advocate Joan Dunayer (2004), hold that most present legislation on nonhuman protection primarily serves to perpetuate the *property status* of other animals while at the same time legitimating this status by conveying to the general public that nonhumans are well cared for.

The fact is that welfarism does not in any way share the animal liberationist demand for equal consideration of like interests. On the contrary, it fully embraces the idea that other animals can be used by humans, albeit with the caveat that the former should be treated “humanely”. Rather than securing any meaningful protection of nonhuman interests, argue Francione and Dunayer, the language of “animal welfare” and “animal protection” has been co-opted by the state and the animal industries to further their own protectionist and profit-driven agendas, and to make the exploitation of nonhumans more palatable from the perspective of the consumers.

This is an important point. According to Francione, the first “anticruelty” law was passed in the Massachusetts Bay Colony already in 1641 (1996:7, 113), and welfarist principles have been widely acknowledged in society for centuries. Indeed, it is no exaggeration to say that after nearly 200 years of organized efforts for promoting “animal protection” in the West – including the explicit adoption of welfarism as state policy and corporate ideology – far more nonhuman animals are subject to more intensive exploitation than ever before in history. As an empirical matter, it would hardly be unfair to say that, as of yet, there have been no “improvements” of the conditions of exploited nonhumans due to welfarist reform which have not been rapidly overshadowed by the increasing number of victims.

No doubt, welfarist campaigns have contributed to increased public awareness of how nonhumans are treated. But the constant effort on the part of welfarist organizations and groups to “mainstream” their message in order to appeal to a wider audience has led to a marginalization of the concept of nonhuman rights – indeed, to a general conflation of the rights and welfare positions. More serious, in the view of Francione, is that even the more radical animal rights organizations have largely accommodated to welfarist strategies, to attract members and donors (Francione 1996:64-77). Trapped in the iron cage of the “non-profit industrial complex”, large animal organizations face the problems of competition with other organizations, state co-optation, managing legitimacy crises, and sustaining their supporter base (see DiMaggio and Powell 1983, Incite! Women of Color Against Violence 2007). Masked as “pragmatic” and “realistic” attempts to further animal rights step by step, welfarist measures start to seep into their campaign efforts, and soon the organizations find themselves dependent on a largely speciesist supporter base with vague, if any, notions of the radical agenda of animal rights. The obvious risk with such development is that this kind of “new welfarism” threatens to overtake and marginalise the animal rights message. As Dunayer writes:

“Welfarists” who call themselves animal rights weaken the concept of nonhuman rights. They confuse the public into believing that imprisonment, slaughter and other abuse of nonhumans can be compatible with rights. Someone who doesn’t possess a right to life and liberty possesses no rights at all. ‘Welfarists’ shrink nonhuman rights down to the right to move, the right to be fed by one’s captors and the right to be murdered less cruelly.

“Welfarist” guidelines and laws perpetuate speciesist exploitation by re-legitimizing it, giving the exploiters positive publicity, make critics appear unreasonable, keep abolitionism marginalized, encourage humans who care about nonhumans to continue to buy animal-derived products, and leave nonhumans in the power of their abusers.” (Dunayer 2004:72)

Both Francione and Dunayer hold that social and political activism for other animals is a zero-sum game. Crucially, welfare-oriented campaigns initiated by the large animal

organizations “consume time, money, and effort”, where from the point of view of grass-roots activists with limited time and resources it should be obvious that every “‘welfarist’ action or word could, instead, be an abolitionist one” (Dunayer 2004:72).

One problematic result of the dominance of the welfare paradigm is that today most people have heard of “animal rights”, but hardly anyone seems to understand what this means. According to critics like Francione and Dunayer, the main challenge for the animal rights community “proper”, is to break the shackles of speciesist welfarism and establish a second *abolitionist* movement – this time with the objective of ending *nonhuman* slavery. Central to this abolitionist position is that it locates *veganism* as the very baseline for animal rights. Without abolishing animal exploitation in their own lives by shedding the habits of consuming animal-derived products, animal rights activists can not consistently claim to defend the interests of nonhumans. As a matter of activism as well, the promotion of veganism needs to take centre stage, since the instrumental reduction of nonhumans to mere “food” is the social hub around which speciesist ideology rotates. Abolitionists thus reject campaign efforts for “improved” nonhuman slavery, and opt instead for measures that do not continue to feed a welfare paradigm that “has not worked and, as a structural matter, cannot work” (Francione 1996:216).

Still, the welfare paradigm holds a strong position in society, and constitutes an important framework for policy-making in the area of “animal protection”. From a critical perspective though, the paradigm is inherently speciesist. It is therefore important to investigate its capacity for reproducing the social norms that allow nonhuman oppression to continue. This chapter is intended as a contribution to that end.

GREEN SPECIESISM

Much like animal rights philosophy, Green thought and politics trace their modern roots back to 1960’s and 70’s social movements and counter-cultures. And like animal liberationists, Greens have taken serious effort to rethink the normative relationship between the human and the nonhuman worlds (Dobson 2007, Dryzek 2005). By pointing out the outcomes of a non-fettered industrial growth society in terms of global warming, pollution, deforestation, soil erosion, extinction of species and the risks of nuclear disaster, the Green movement has rejuvenated politics with new and significant problem formulations. Regarding other animals, Green political parties and environmental organizations have often framed themselves as more committed to animal protection and welfare than their industry- and growth-oriented counterparts – the so called “Greys” – on both left and right.

There is no doubt that Greens in general have played an active role in highlighting human treatment of other animals as a politically relevant issue. But when it comes to concrete policy formulation, the Green parties have remained largely compliant with the welfarist paradigm as outlined above.

The environmentalist and conservationist NGOs on the other hand, as representing the extra-parliamentary leg of the Green movement, have focused their attention to other animals mainly on the issue of endangered species, and not on the individual rights of nonhumans. This conception clearly stands at odds with a strict animal rights position. “The rights view”, clarifies Tom Regan, “is about the moral rights of *individuals*. Species are not individuals and

the rights view does not recognize the moral rights of species to anything, including survival” (Regan 2004:359, emphasis added). Species are, in the final analysis, nothing but analytical categories of zoological discourse and, as such, they can not be hurt or harmed. This is not to say that animal rights advocates do not consider extinction of species a problem. They only insist that we be clear on *what kind* of problem it is. From an animal rights perspective, nonhumans are entitled to concern and respect *as individuals*, and this entitlement may never be dependent on the remaining size of the rights-holder’s group. As Regan argues,

the reason we ought to save the members of endangered species of animals is not because the species is endangered but because the individual animals have valid claims and thus rights against those who would destroy their natural habitat, for example, or who would make a living of their dead carcasses through poaching and traffic in exotic animals, practices that unjustifiably override the rights of these animals (Regan 2004:360).

It should be clear from this, that the animal rights position in fact provides a highly radical defence against species extinction, in that it accords *prima facie* rights to *all* individual nonhumans and rejects doling rights out, charity-style, according to their relative group size. The troubling consequence of the Green commitment to endangered species is that it displaces the moral problem in a way which may “foster a mentality antagonistic to the implications of the rights view. If people are encouraged to believe that the harm done to animals matter *only when* these animals belong to endangered species, then these same people will be encouraged to regard the harm done to *other* animals as morally acceptable.” (Regan 2004:360)

The efforts of the Green movement to transcend anthropocentrism and to include nonhuman nature into our sphere of moral concern have not resulted in a transcendence of speciesism. While the language of animal rights is sometimes employed in Green discourses, it tends to be equalized with either welfarist reform measures or with the saving of this or that species. And much like the animal welfarist organizations, Green parties and NGOs face the continuous challenges of sustaining and expanding voter loyalty and donor support – that is to say, strong institutional incentives for watering down the dilemmas of the human-animal relationship to problems that can be managed without confronting speciesist presuppositions. So, while there are still important points of convergence between Greens and animal rights advocates, they remain divided on how to perceive the human-animal relationship (see Beirne 2007:72-78).

TOWARDS A CRITICAL DISCOURSE THEORY OF SPECIESISM

From a social constructivist point of view, there is nothing “necessary” or “natural” to our contemporary views of the human-animal relationship. We need only note the fact that in some countries and cultures dogs and cats are considered beloved “pets” while in others they are considered as mere “food”, to begin to appreciate the historical and social contingency of human-animal relations.

To theoretically account for the social dynamics of speciesism I suggest we perceive the problematic in terms of discourse theory. According to the views of Ernesto Laclau and Chantal Mouffe (2001), originators of the post-Marxist “Essex School” of discourse theory,

we need to conceive of social identities and relations in terms of the *meaning* they are accorded in historically contingent discursive constructions. Discourse theory occupies itself with the meaning-making capacity of language, and revolves around three core concepts: *discourse*, *hegemony* and *social antagonism*.

Discourse refers to a historically specific set of rules which bestow meaning upon all objects and actions. These “rules of formation”, in Michel Foucault’s words, possess a structural and structuring quality, and are hence not fully reducible to the speech acts of individual actors that instantiate them (Foucault 2002:42, Laclau and Mouffe 2001:105). Following Saussurian and post-Saussurian linguistics, which holds that “there are no positive terms in language, only differences”, Laclau and Mouffe espouse a social ontology of *radical negativity* (de Saussure 1974:117, Laclau 1993:432). This means that in isolation from discourse individual statements would be nothing but unintelligible, dead sounds and empty symbols devoid of meaning. Within discourse, on the other hand, individual statements and objects acquire their specific meaning from being positioned in *relation* to, and as *different* from, other statements. Thus, the *identity* of any object made available to us through discourse must be conceived as a *relational* identity—that is, as a property not given *a priori* or as an essential nature, but as *emergent from the interrelation and differentiation of meanings*. For example, the meaning of the term “human” is dependent on it being different from and relational to the meaning of “animal”, just as the meaning of “dog” is dependent on its position of difference from “cat” or “cow”.

In this sense, discourses are *constitutive* of all identity by establishing “a system of relations between different objects and practices, while providing (subject) positions with which social agents can identify” (Howarth and Stavrakakis 2000:3). However, our language allows for nearly unlimited variations of such discursive relations of difference. To account for the emergence of stable, meaningful identity in this field of radical undecidability, Laclau and Mouffe introduce the category of *hegemony*. Hegemony refers to the attempt to suture shut the fluctuating and always excessive discursive field in order to establish a fixed set of meaningful relations within a discourse – that is, to *privilege a certain version of reality over the multitude of possible alternative meanings*. By the process of *articulation* the free-floating “elements” or “floating signifiers” of language are partially fixed into contingent “moments” of discourse (Laclau and Mouffe 2001:113). Discursive articulation is always *political* in nature, since it implies some use of power or repression “to dominate the flow of meaning, to arrest the flow of differences, to construct a centre” – in short, to create the illusion of an ultimate suture where a totalized fixation of meaning is in fact impossible (2001:112). For this to be possible, the floating signifiers have to be partially fixed in relation to some *nodal points* of discourse. Association to these nodal points confers an amount of metaphorical surplus value to the floating elements and structures them into signifying *chains of equivalence*. This imposition of equivalence by symbolic overdetermination is central to any attempt to hegemonize the discursive field and organize a knot of meaning with the pretension of being an objective representation of reality (*Ibid.*).

As an illustration, discourse theorist Yannis Stavrakakis has argued that “Green” politics emerged in the 1960’s and 70’s as a result of the dislocation of previous narratives of the natural world and the crisis of traditional leftist radicalism. Central to this development was the articulation of “nature” as a new unifying nodal point, with the capacity to organize around itself an entire “Green” political project. The elements of this discourse – such as concern for environmental destruction, decentralisation, participatory democracy, and post-

patriarchal principles – were already present in previous discourses, but it was only the totalization of these floating elements under the nodal point of “nature” and their organization into a signifying chain of equivalence that allowed them to emerge as meaningful parts of a unified “Green” project (Stavrakakis 2000). Here, I wish to expand upon this insight and point out how the moral status of nonhuman animals in Green thought has often been eviscerated by the discursive subsumption of sentient beings into non-sentient nature.

Similarly, moral concern for other animals is nothing new in human history, but mass organizations for “animal protection” and “welfare” are quite recent phenomena. Since its inception in the early 1800’s, animal welfarism has operated on notions of “humane treatment” and “prevention of cruelty” to nonhumans rooted in Christian compassion and Enlightenment utilitarianism. Reflecting the human-centricity of the times of its inception, the discourse of animal welfarism came to be articulated around nodal points such as “humaneness” and “protection” – stressing human moral responsibility, but still retaining the traditional view that nonhumans exist as raw-materials for humans to use. Again, previously available floating elements were rearticulated into new signifying chains which on the one hand established human moral responsibility as central, but at the same time allowed for human moral obligations to be fulfilled by reformist measures such as better “care” and “humane” slaughter.

However, a hegemonic discourse formation can never completely exhaust the field of meaning and establish itself as the final, objective truth about reality. On the contrary, the very institution of discourse through hegemonic articulation gives rise to *social antagonism*. “Hegemonic articulation ultimately involves some element of force and repression”, writes Jacob Torfing. “It involves the negation of identity in the double sense of the negation of alternative meanings and options and the negation of those people who identify themselves with these meanings and options.” (Torfing 1999:120) But this exclusion of alternative meanings can never be complete. Any discourse will be haunted by the antagonism of those excessive elements which escape totalization under the nodal points of the discourse.

This is of central importance to an understanding of the speciesist articulations of the human-animal relationship in animal welfarism and Green discourses. The viability of these discourses in fact relies on their (illusory) capacity to provide a final symbolization of reality – that is to say, on their ability to hegemonize the field of meaning of human-animal relations by repressing (among other things) the radical anti-speciesist agenda of the abolitionist animal rights community. However, such antagonistic forces can not be eradicated completely. In fact, they must be continuously managed as remaining threats to the purported objectivity of the discourse from which they have been excluded.

SPECIESISM AS IDEOLOGY (OR, FORGIVE US, FOR WE KNOW WHAT WE DO)

We now have the main building blocks for a conception of speciesism *as ideology*. Following Yannis Stavrakakis, I propound a view of ideology “as encompassing all meaningful constructions (belief structures, constructions of reality, discursive practices) through which social reality is produced and our action within it – especially our political action – acquires cause and direction” (Stavrakakis 2000:101). Now, here comes the post-

Marxist twist: As outlined above, discourses are attempts to fixate meaning-systems and represent a total closure of signification. The category of ideology, then, is properly applied to hegemonic attempts to *deny the impossibility* of a fully constituted order of discourse. In Laclau, ideology refers to “the non-recognition of the precarious character of any positivity, of the impossibility of any final suture”. Instead of the Marxist notion of ideology as reducible to false (class) consciousness, here ideology emerges as “the ‘will’ to totality of any totalizing structure” with universalist pretensions (Laclau 1990:92).

Conceived in this way, it is by *ideological misrecognition* of the historical contingency of the hierarchical relations between humans and other animals, that speciesist articulations of the human-animal relationship establish themselves as “natural”. Ultimately, it is this “essentializing gesture of ideology” which renders mass exploitation of other animals thinkable, legitimate and doable (Torfing 1999:115-116). This ideological effect is relentlessly reproduced in discursive practices. As shown by Joan Dunayer (1995, 2001), our language is in effect set up so that the division between the human and the nonhuman is constantly retraced and reinforced in everyday utterances. We need only think about how common language categorizes all sentient beings into the strict dichotomy of “humans” and “animals”, to see how a multitude of different modes of existence are absorbed under the category of the “animal”, against which the “human” can be elevated to a dazzling uniqueness.

But how can this ideological effect be upheld in the long run? Are not the normative inconsistencies of the present human-animal relationship too glaringly obvious? How come we can reconcile the deep affection we feel for companion nonhumans with the indifference with which our dinners are treated? After all, it is not like the plight of nonhumans is unknown to anyone of us. We all know very well what we do.

To theoretically account for the persistence of the ideological effect, Slavoj Žižek argues that we need to consider the necessary *fantasy support* of ideology. From the standpoint of Lacanian psychoanalysis, Žižek argues that the ultimate “support of the ideological effect (of the way an ideological network of signifiers ‘holds us’)”, relies on a framework of fantasy that structures a “pre-ideological kernel of enjoyment” (1989:124). “Enjoyment” here refers to the Lacanian notion of *jouissance*, the desire to abolish the condition of *lack* brought about by the impossibility of a fully constituted system of meaning. For an ideology to be desirable, for it to be a candidate for hegemonic totalization of meaning, it has to be able to manipulate our deep psychological need for making meaning of things. Ideological fantasy thus provides compensation for the ultimately precarious representation of reality made available by dominant discourses. The fantasy covers over the terrorizing void created by the inherent antagonism of hegemonic articulation. “The notion of social fantasy”, Žižek contends, “is ... a necessary counterpart to the concept of antagonism: *fantasy is precisely the way the antagonistic fissure is masked*” (1989:126, emphasis added).

“In ideological fantasy”, argues Torfing, “we act as if the totalizing and reductive forms of ideology are true and serious, although we know they are not” (1999:117). More concretely put: Everyone feels that there would be something morally offensive in killing and eating the family cat – for the cat’s own sake. And most people do, at some point, feel uneasy about what they cannot help but know – that there is no morally relevant difference between the family cat and the creatures condemned to the animal factories, the slaughterhouses and the laboratories. In other words, we may not *fully* subscribe to the speciesist representation of human-animal relationship. Still, most of us act as if speciesist behaviour was morally

uncontroversial and permissible. “This is because all ideological formations, all constructions of political reality ... aspire to eliminate anxiety or loss, to defeat dislocation, in order to achieve a state of fullness.” (Stavrakakis 1999:82) On this Lacanian interpretation, we can say that the speciesist ideology is underpinned by a pre-ideological support – a political economy of *jouissance*, the desire for a fullness of meaning – which *brings together in fantasy what is breaking apart in fact*. (See Richards in Stavrakakis 1999:81.)

HUMAN-ANIMAL HISTORY: THE DISLOCATION AND REARTICULATION OF SPECIESIST DISCOURSES

While the abolitionist demand to completely reconsider the human-animal-relationship may appear overly radical to many people, we ought to remind ourselves that many apparently “natural” conditions have turned out to be only so many social constructions before. Gender power relations, racist stereotypes, nationalist ideologies, imperial superiority, religious superstition and class privilege – once naturalized and taken for granted, many such social arrangements have been politically and theoretically contested (though not yet fully overturned in any case).

In fact, all the classical “issues” of social inquiry and struggle – the “Social Issue” of Enlightenment liberalism and socialism, the feminist project of the 19th and 20th century, and the “Peace” and “Environmental” issues of the 20th century – were in a sense “discoveries” resulting from a *dislocation* of previous dominant discourses and rendered visible by scientific and political *rearticulation* of the problematic at hand. Thus, much in the same vein that liberalism once questioned the order of *l’ancien régime* and absolutism, Marxism pointed to the class nature of the economy and the state, and feminism intervened to repoliticize the private realm – today animal liberationists seek to reveal and subvert the *human-centred bias* of dominant ideologies.

Historically, speciesist ideology has appeared in many guises. In Aristotle and his later Catholic follower, Aquinas, nonhumans were sternly placed at the bottom of a cosmological hierarchy – a “Great Chain of Being” – topped off by male reason and the divine Father, respectively (see Nibert 2002:200-201, Gålmark 2005, ch. 1). In the Renaissance humanism of Pico della Mirandola, the exclusive dignity of humankind was again taken to stem from the affinity between human reason and the “supercelestial” order of divine being – a mode of existence unattainable by nonhuman life-forms (see Sanbonmatsu 2004:214). In the mechanist universe of Descartes, other animals were conceived of as simple automatons – unfeeling organic machines (see Marshall 1992:187-189, Singer 2002:200-202). In the Enlightenment rationalism of Kant (1963), nonhumans were explicitly deprived of rights since they were deemed incapable of exercising full autonomy. In Marxism, the ideology-critical tradition *par excellence*, the question of the status of other animals has been curiously absent, with a few remarkable exceptions like some works from within the Frankfurt School (see Pedersen 2007:29-32 and this volume, Jokkala and Strindlund 2003). In vulgar social Darwinism and racist biology, as a final example, the moral status of nonhuman as well as human animals was determined by the conception of an evolutionary hierarchy spanning from “lower” to “higher” life-forms (see Marshall 1992:330-331, Noske 1997:87-88, Patterson 2002).

This extremely brief recapitulation of two and a half millennia of Western thought is only a sketch of some important changes in social, political and religious views. But the point should be clear. While each of these paradigm shifts represented dramatic changes in many areas of thought, science and politics, one thing is striking: The moral status of nonhumans has not changed significantly. Throughout this history, the meaning imparted to the human-animal relationship has been one where the rightful place of the nonhuman is in subordination to human interests.

However, the *rationale* for this subordination has varied remarkably between discourses. We can conceive of these changes as a series of discursive dislocations and rearticulations of the human-animal relationship – always starting from a reorganization of the elements made available by earlier discourses. For instance, it is clear that the traditional speciesism rooted in Christian ontotheology is theoretically incompatible with the materialist ontology of Darwinist evolutionary biology. Still, the “insuperable line” between human and animal could be retraced even after Darwin, by reappropriation of the normative construct of the “Great Chain of Being” – only now reorganized under the nodal point of “evolution”. Instead of Man the “Crown of Creation”, Man as the “Pinnacle of Evolution” was inaugurated. Speciesist relations could be retained even though the entire groundwork of the world, as it had been known, shifted.

It is against such a background of ideological dislocation and rearticulation I suggest we need to view speciesist relations in our own time. For speciesism has not been done away with. Rather, like a virus, it has mutated and found new discursive hosts in which to thrive. Today, we often take for granted that animal welfarism represents the proper and natural relation between humans and captive nonhumans, and that Green concern for endangered species and populations is an appropriate outlook for our relations to nonhumans in the wild.

A discourse analysis of these ideologies needs to pay attention to how speciesist relations are presupposed and reproduced even in the most “animal friendly” articulations of the human-animal relationship so far. In the following section I provide some concrete examples of how animal welfarism and Green ideology often facilitate the maintenance of nonhuman oppression.

THE FIVE FACES OF OPPRESSION

In her book *Justice and the Politics of Difference*, Iris Marion Young argues for a novel understanding of how humans suffer under multiple, intersecting systems of oppression, namely *exploitation*, *marginalization*, *powerlessness*, *cultural imperialism* and *violence* (Young 1990, ch. 2). Here, I propose a species-neutral rendition of Young’s “five faces of oppression”, and argue that animal welfarism and Green speciesism contribute substantially to the reproduction of these practices by framing the human-animal relationship in a manner which makes nonhumans susceptible to continued oppression.

Exploitation

As a general matter, we can consider *exploitative* such practices that render individuals or groups bereft of something they would otherwise be legitimately entitled to, in the interest of some other individual or group, and without this loss being convincingly compensated for. In this sense, nonhumans are indeed exploited. First, in the very traditional sense of their being used as profit-generating labour, literally providing the “horsepower” needed for human production and capitalist accumulation. Second, nonhumans are exploited by being deprived of their “products” in terms of their milk, eggs and wool – even their children, which is often a source of great grievance for both parent and child (Marcus 2005:40-41).

I do not propose that other animals value such losses in exactly the same way that exploited humans might. But it is still relevant to call this exploitation in the wider sense of the word. From a perspective of justice, humans gain economically from these practices, while nonhumans are systematically deprived of far more than they are compensated for. And in the end, of course, nearly all nonhumans in human agriculture face the ultimate loss, for which no compensation is possible – a premature death.

While promoting “humane treatment” and stricter control systems, the animal welfarist view does not break with the exploitative conditions of nonhuman use. On the contrary, it retains the view that nonhumans are resources legitimately used by humans. Exploitation does not emerge at all as a problem of *justice* in animal welfarist discourse. Rather the opposite – the social legitimacy of nonhuman exploitation follows partly from it being sanctioned by “animal protection” law, the class justice of human supremacy.

In Green party politics, the same welfarist notions are often clung to regarding captive nonhumans, while nonhumans in the wild are considered important mainly in reverse proportionality to the size of their populations. Unfortunately, the inversion of this principle also seems to hold for many conservationists. For instance, the problem of over-fishing of the seas often criticized by Green parties and organizations is framed exactly like that – a problem of *over-fishing*, posing the risk of extinction of some species or leading to imbalance of marine eco-systems. On the other hand, if a population is growing too large, the same principle suggests that its surplus may be legitimately “harvested” (as if we were talking about plants) by hunters (Dunayer 2001:56). Not surprisingly, hunters and sport-fishermen today are eager to align themselves with Green discourses of conservation and protection of species. Again, the discursive construction of the human-animal relationship allows for the element of exploitation to escape scrutiny.

Violence

Closely related to exploitation is violence. Given the number of nonhumans killed every year, violence may in fact be the most common relation between humans and other animals. But at the same time, violence against other animals is generally condemned by the public. The paradox of violence towards nonhumans is that it occurs around the clock but is generally absent in everyday discourse. As Lisa Gålmark remarks in her explication of society’s “meat normativity”: “Flesh from animals as everyday food is the everyday violence pulsating below the surface: someone has been killed but no one speaks of it. The silence is a threat pointing to the uselessness in efforts for change: Do not rebel.” (Gålmark 2005:55) We all know that

nonhuman animals suffer and die in the production of food. But most of the time we do not betray the silent meat pact, because breaking the norm usually entails some form of punishment: ridicule, hostility, mobbing, exclusion (p.72).

In welfarist discourse violence is sometimes present, but generally in the form of the condemnable, intentional “cruelty” of deviant “animal abusers”. The culpability for nonhuman suffering is seldom located with those who dish out the bulk of real-world violence towards other animals: the ordinary, everyday, non-exceptional human consumers of animal-derived products.

In animal industry discourses of welfarism, we often find what Roland Barthes once referred to as moral and political “homeopathy”. Yes, the animal industries concede, there are sometimes problems in the treatment of nonhumans. But these incidents are singular exceptions from the norm. In being open about these issues, and by referring to ongoing programs for “improvement”, the animal industries often manage to justify the existing order. As Barthes remarks, this can be an effective strategy: “One inoculates the public with a contingent evil to prevent or cure an essential one. ... A little ‘confessed’ evil saves one from acknowledging a lot of hidden evil.” (Barthes 2000:41-2) By focusing on such incidental anomalies, the systemic, organized character of human violence towards other animals is elided.

In Green discourse, massive violence is sometimes justified by reference to the well-being or preservation of the eco-system. For instance, John S. Dryzek remarks that “animal liberation sometimes fits uneasily in Green discourse because it is weakly ecological, some would say anti-ecological”, and continues on to pose the rhetoric question: “Does not the wellbeing of the eco-system sometimes require the deaths of individual creatures (for example the elimination of exotic species such as cats and foxes, which in Australia are wiping out native species)?” (Dryzek 2005:215) Of course, there is no easy answer to that question. On the animal rights view, eco-systems need to be sustained for the instrumental value they offer to their sentient inhabitants, and we may indeed encounter situations where a trade-off between conflicting rights claims will be necessary to achieve this objective. But the standard methods employed to decrease nonhuman populations – poisoning, trapping and hunting – must be opposed in favour of methods that respect the basic rights of the nonhumans involved (like, for example, the development of contraceptive measures) (see Pluhar 1995:277-78).

More fundamentally, the lesson must be learned that violence is not just a matter of random physical aggression, but is ultimately the outcome of meaning-making processes which set up some creatures as *acceptable targets* for lethal force. “Violence”, Young contends, “is *systemic* because it is directed at members of a group simply because they are members of that group” (1990:62, emphasis added). And the political boundaries defining these groups are drawn up by discursive articulation.

Powerlessness

With few exceptions, nonhuman animals are unable to argue their case or articulate their interests in speech recognizable to us humans. This leaves them powerless and reliant on human advocates in the political arena. But nonhumans’ vulnerability to oppression is also conditioned by the hegemonic discourses of the human-animal relationship. Importantly,

dominant discourses set limits to what is conceived as intelligible and acceptable speech. When striving for political change, human advocates for nonhumans are often *disempowered* by this imposed horizon of intelligibility.

In politics, writes political theorist Ulf Mörkenstam, “actors must relate to the frames created by each specific world of beliefs, if they do not want to risk their proposals being overlooked or not being taken seriously themselves by appearing to be completely mad, incoherent, or unreliable” (Mörkenstam 1999:49). As pointed out by Quentin Skinner, this is not only an “instrumental problem of tailoring [the political actor’s] normative language in order to fit his projects. It must in part be the problem of *tailoring his projects in order to fit the available normative language*.” (Skinner quoted in Mörkenstam 1999:49, emphasis added)

This observation has vast implications for the possibility to achieve political change for nonhuman animals. Claims made from radical animal rights philosophy are simply not congruous with the rarefied categories of the “available normative language” in speciesist political discourse. To further their demands in the spaces of representation that are available, animal advocates are forced to redefine not only their strategies, but their very *objectives* in more “acceptable” welfarist or Green terms. But in doing so, they often distance themselves from the political project they originally set out to empower. Instead of defending and upholding their own counter-hegemonic agenda, their co-optation under the “available normative language” represents a sliding in the reverse direction as animal rights advocacy increasingly come to be associated with piecemeal reform.

Cultural Imperialism

Young contends that cultural imperialism “involves the universalization of a dominant group’s experience and culture, and its establishment as the norm” (1990:59). Today, speciesist ideology – including its welfarist and Green articulations – are well-established norms for human behaviour. Often without knowing we do so, we reproduce these discourses and conventionalize them by repetition.

As noted by Young, the “culturally dominated undergo a paradoxical oppression, in that they are both marked out by stereotypes and at the same time rendered invisible. As remarkable, deviant beings, the culturally imperialized are stamped with an essence.” (*Ibid.*) Other animals used by humans are indeed often stereotyped into the image of their species, and denied the possibility of distinct personalities. And while nonhumans certainly are visible in our culture in a multitude of symbolic ways, it is a *selective* visibility, often leaving out of the picture the routine atrocities committed within the animal-industrial complex (Cazaux 1999).

Furthermore, animal welfarist discourse is often aligned with human cultural dominance. It is in fact curiously common for politicians and corporations to make out their own country’s animal protection regulations and welfare inspection systems as being among the best – if not *the* best – in the world. By this move, the problem of animal “abuse” tends to be discursively located outside our own field of responsibility. “We” are not cruel to animals – “They” (the foreigners) are.

As argued by discourse theorist Teun van Dijk, elevating the good qualities of one’s own group is a typical functional move “in the overall strategy of ideological self-interest, which

appear in most social conflicts and actions (e.g. in racist, sexist etc. discourse)” (1998 p. 33). The recurring episodes of public and mass-media panic over the treatment of nonhumans in other parts of the world may be seen as symptoms of such ideological displacement. I believe animal rights advocates have yet to realize the extent to which the reproduction of speciesist relations is dependent on such discursive processes of “othering”. The persona of the abnormal, cruel, foreign “animal-abuser” often seems to be a crucial condition of possibility for the normality of the everyday oppression of nonhuman animals in our own backyard. Here, we could well speak with Žižek and say that the common displacement of cruelty onto a foreign Other functions as a fantasy scenario that suppresses the political and ethical significance of our own speciesist practices. For the welfarist outlook to maintain its hegemony, ideological fantasy has to fill out the “the empty space of [its own] fundamental impossibility” (Žižek 1989:126). The fantasy of the Other’s deviant and cruel nature provides precisely the kind of lacking element that can allow the Self to reconstitute its identity as “normal” and “animal-friendly”.

Marginalization

Animal welfarism and many strands of Green ideology are often complicit in reducing the basic issue of human use of nonhumans to the margins of politics and social morality. In the case of welfarism, focus lies squarely on *regulating* nonhuman use, not on questioning speciesist assumptions. A paradigmatic example of this stance would be the Royal Society’s for the Prevention of Cruelty to Animals (RSPCA) *Policies on Animal Welfare* (2006:28), where the welfarist charity is “concerned” that “the commercial mass production of food animals in the livestock industry causes suffering to a greater or lesser extent, whether through the close confinement and/or barren nature of some systems or through shortcomings in transport and slaughtering techniques”. However, the RSPCA’s solutions to these problems are limited to promoting principles such as the “Five Freedoms” (under captivity), and the operation of the charity’s own labelling program of meat and other animal products – the so-called “RSPCA Freedom Food Scheme” (p. 29).

From the perspective of discourse theory, the euphemistic wording of such policies strike immediate attention. Not the least in the specious use of the term “freedom” to denote practices that entail routine mass captivity and killing of millions of individuals – including the organization’s own involvement in the meat, egg and dairy industries through the “Freedom Food” program. In welfarist discourse, the *meaning* of such food choices is articulated into an expanded chain of equivalence involving positively valued attitudes such as “kindness”, “respect” and “harmony” (p. 6). The consumption of animal products produced under conditions of higher welfare thus takes on a metaphorical surplus-signification, which determines its meaning as *something other* than nonhuman oppression. By this Orwellian displacement of meaning, the continued mass killing of nonhumans can even be touted as a form of consumer “activism” for other animals.

Furthermore, in its calls for “caring and responsible planning and management”, “skilled, knowledgeable and conscientious stockmanship”, “considerate handling and transport” and “humane slaughter”, the RSPCA (2006:28) draws on, and reinforces, the unspoken speciesist presupposition that an ethically defensible system for killing billions of nonhumans is a real-world possibility. This is precisely the kind of storied ideological meaning in welfarist

rhetoric that the public is constantly interpellated to subscribe to. But in discursively framing the problem this way, any need for a more radical position in relation to nonhuman use – such as animal rights-informed veganism – is repressed.

While welfarist discourse certainly allows for pointing out problems of “cruelty” in the real existing livestock industry, these problems are nearly always framed as fully amenable by the proper form of regulation. Indeed, *amenable by regulation* is exactly what animal exploitation *has to be* for the welfarist discourse of the human-animal relationship not to risk dislocation. Welfarist discourse upholds a horizon of intelligibility where “humane treatment” is taken to exhaust human ethical responsibility in relation to nonhuman animals. In other words, for the meaning-system of welfarism to remain sutured and fixed, alternative conceptions of the human relation to nonhumans have to be excluded.

I want to stress that there is more at stake here than mere philosophical or strategic disagreement between animal rights abolitionism and animal welfarism – it is a matter of conflicting *discursive logics*, where the very *normality* of animal welfarism hinges not only on its distancing itself from “cruelty” to other animals, but *also* on its marginalization of animal rights abolitionism as an unnecessary and hence “extremist” position. For welfarist discourse to reproduce itself, it has to diminish the moral problem of nonhuman exploitation from a fundamental problem of justice and equality, to mere instances of cruelty and substandard animal husbandry.

Crucially, welfarist campaigns for improved conditions suggest, either overtly or by implication, that veganism is merely an *optional* choice for those wishing to lead an “animal friendly” life, rather than being the moral baseline for the fulfilment of human responsibility towards nonhumans. This “optionalization” of veganism serves to further diminish the significance of the ethical problem at hand by making invisible those very practices that are essential to the upkeep of the property status of nonhuman animals. When employed by animal rights organizations, the welfarist campaign orientation represents a risky evisceration of the rights position, as it frames the ethical boycott of animal products as perfectly interchangeable with other ways of “making a difference” – preferably in the form of financial donations to large animal charities. In this regard welfarist campaigns and labelling schemes actually feed the social imaginary that veganism is an “extremist” position for those few people who, for some peculiar reason, are more committed to other animals than is really morally called for. From this perspective, welfarism is very likely to foster continued public unresponsiveness to the challenge from animal rights.

In Green thought, the rights of individual nonhumans are often overshadowed by a concern for the “natural value” of non-sentient collective entities, such as species, populations and eco-systems (Dobson 2007:29). As already touched upon, Green concern for conservation risks dissolving the individual rights of nonhumans into a biocentric holism. In the Green tradition, the prime example of such thinking would be the effort of “deep” ecologists to extend moral considerability to non-sentient entities and ecological abstractions. Typical of this line of thought is Aldo Leopold’s classic statement in *A Sand County Almanac* (1987:224-5), that a thing “is right when it tends to preserve the integrity, stability and beauty of the biotic community. It is wrong when it tends otherwise.” Akin to this view, Norwegian philosopher Arne Næss has argued for the inherent, non-instrumental, value of ecological principles, such as complexity, diversity and symbiosis (Næss 1973:95, Dobson 2007:32). More recently, this “deep” commitment to ecology has perhaps found its most intelligent

enunciation in Lawrence Johnson's (1991) argument that non-sentient entities such as species and ecosystems have interests in "well-being", that give rise to direct human obligations.

In terms of discourse theory, however, such claims for "biospherical egalitarianism" (Næss 1973), serve to establish a signifying chain of equivalence between individual nonhumans, species and eco-systems. This move collapses the crucial normative differences between these entities – most importantly, that moral harm can only be inflicted on sentient beings. As many commentators have already pointed out, it is very difficult to safeguard individual rights within the biocentric outlook, where the (purported) "interests" of abstract, aggregate entities may well trump individual claims for moral concern (cf. Dobson 2007, ch. 2). Tom Regan, for one, has warned us for the implicit "environmental fascism" in views like these (2004:361-2). Such accusations aside, we could well speak of an pervasive element of "environmental speciesism" which serves to marginalize nonhuman rights by rendering sentient individuals invisible.

CONCLUSION

In this chapter, I have argued that speciesism – the failure to accord full moral concern to nonhumans – may be understood as the outcome of historically contingent discursive articulations of the human-animal relationship. What emerges from this analysis is a view of modern animal welfarism and Green ideology as social constructions highly conducive to the reproduction of speciesist norms, attitudes and practices. Seen in a historical perspective, we might say that these ideologies belong to a long line of discursive representations which, each in its own way, have rendered nonhumans susceptible to oppressive subordination.

Speciesism seems to be in dire need of such ideological support. After all, the simplest way to solve the moral tensions of the human-animal relationship would be to state that we do not give a damn about the woes of other animals, and that we will continue to use them for our own benefit, *simply because we can*, and regardless of the consequences for our victims. However, very few people would openly defend such a position. It is simply too contra-intuitive to say that other animals do not matter *at all*. Besides, the principle that "might makes right" is squarely at odds with our beliefs on other moral and political matters.

But if we do not find it justifiable to disregard nonhuman interests *altogether* – what kind of problem formulation would allow us to retain speciesist relations to other animals while still perceiving that we fulfil our obligations towards them? *Precisely* the problem formulations made available by animal welfarist and Green discourses: That nonhumans belong to a different moral domain from us humans, that they matter mainly as populations, and that they are ours to use if we only take precautions to avoid "cruelty" and "unnecessary suffering". In this regard, animal welfarism and Green speciesism share with earlier formulations of the human-animal relationship the capacity to uphold a meaningful grid of discursive coordinates and fantasmatic support structures designed to retrace the insuperable moral divide between species. Like speciesist discourses of the past, modern animal welfarism and Green ideology frame themselves as fully exhaustive of human moral obligations to nonhumans. And in doing so, they greatly diminish the ethical significance of nonhuman oppression and reconstitute the conditions of possibility for continued exploitation, marginalization, powerlessness, cultural imperialism, and violence.

The historical persistence of speciesist relations represents a daunting challenge to those of us who reject nonhuman oppression. As abolitionist Lee Hall remarks, the “advent of animal rights philosophy in a truly radical, egalitarian form would defy millennia of social conditioning. It is, at essence, the repudiation of violence, of seeing others as instruments to our ends, of taking advantage.” (2006:61) This vision is as crucial as it is far-reaching. But to “defy millennia of social conditioning” must imply a conscious effort on the part of the animal rights community to make *visible* and *subvert* the hegemonic formations of speciesist ideology. In this process, it is imperative to build a *counter-hegemony* that can offer alternative interpretations of the human-animal relationship which can short-circuit the reproduction of speciesist discourse – including its animal welfarist and Green articulations.

As John Sanbonmatsu writes, we need a new movement of both dissidence and reconstruction, with the capacity to foster radically new sensibilities and identities for humankind: “Only by attending to the monsters we make of ourselves in inflicting ceaseless and unspeakable brutality and violence against the minds and bodies of other sensitive beings-in-the-world, might we begin to construct a new narrative about who and what we are” (2004:222). In the final analysis, ending animal oppression means nothing short of completely reinventing ourselves. To speak and learn humanity anew. That must be the mission of our critical project to come.

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Chapter 11

NATURE, DIFFERENCE AND THE REJECTION OF HARM: EXPANDING THE AGENDA FOR GREEN CRIMINOLOGY

Nigel South¹

University of Essex, UK

ABSTRACT

This chapter extends previous work by the author to expand the agenda for a green criminology. It introduces a 'harms' approach and outlines a fourfold typology of harms or crimes causing and /or resulting from the destruction and degradation of the earth's resources. The true socio-political implications of environmental damage, climate change, and species decline have not yet been widely and fully appreciated. Resource wars, environmental refugees, ethnic tensions and conflicts, closure of borders, violent protests against polluters, could all follow. The notion of 'difference' and the ways in which it is used to justify numerous forms of exploitation, as well as the distinctions we draw between ourselves and 'the natural world', are key problems. Future work needs to take seriously the ways in which humanity is tied to nature. Criminology has a role to play in understanding and promoting how genuine global security can help preserve the planet, from cases of local law enforcement to protect fish stocks or wildlife through examination of pollution by corporations and governments to analysis of the environmental as well as human casualties of national and international conflicts.

INTRODUCTION

In his text on the cultivation of *The Sociological Imagination*, C Wright Mills provides many insights into why sociology is worthwhile and what we can do with it. Of particular relevance to attempts to address 'inconvenient truths' (Guggenheim and Gore, 2004) and

¹ E-mail: southn@essex.ac.uk.

bring to public attention matters that many would rather remain hidden or would view as low priorities, is the suggestion that

‘... by addressing ourselves to issues and to troubles, and formulating them as problems of social science, we stand the best chance, I believe the only chance, to make reason democratically relevant to human affairs in a free society, and so realize the classic values that underlie the promise of our studies’ (1959: 194).

In the context of this collection and my own concerns, the term ‘human affairs’ should be widened to embrace ‘the environment, humanity and other animals’. This change aside, as Mills encouraged, we are engaged here in interpreting public issues and private troubles in a way that is fit for contemporary needs and open debate. This is timely and as Per-Anders Svard (chapter 10 this volume) observes,

‘In fact, all the classical “issues” of social inquiry and struggle – the “Social Issue” of Enlightenment liberalism and socialism, the feminist project of the 19th and 20th century, and the “Peace” and “Environmental” issues of the 20th century – were in a sense “discoveries” relating from a *dislocation* of previous dominant discourses and rendered visible by scientific and political *rearticulation* of the problematic at hand (page XX).’

The essays in this book are part of a global intellectual movement now challenging certain taken-for-granted notions in the social sciences and re-shaping intellectual and research agendas in an area of green critical thinking where aspects of philosophy, political science, sociology, economics and criminology meet and interweave. From within criminology, and demonstrating the viability and value of such connections, there is a growing body of work on green issues and theory development (e.g. Edwards et al, 1996; Clifford, 1998; Boyd et al, 2002; White, 2005). The Introduction and chapters in this collection all make eloquent and powerful contributions to this gathering of ideas and critique. In my own comments below I will refer to these chapters, amplifying occasionally with additional material and attempt to develop some further reflections on the bases and need for a green perspective in criminology.

HARMS, CONNECTIONS AND CONSEQUENCES

As has been suggested elsewhere (Beirne and South, 2007: xiii), green criminology should take ‘harm’ as a central concept and address violations of what have been variously termed ‘environmental morality’, ‘environmental ethics’ and ‘animal rights’. In so doing, it should aim to uncover sources and forms of harm caused by the unjust exercise of power and the persistence of social inequality – an approach adopted by contributors to this volume. Of particular interest is how certain forms of harm may be denied, overlooked, excused, or constructed as ‘crimes’ but only within the boundaries of certain acceptable understandings (see Cohen, 2001, for insights into these processes and also Sollund, this volume). This kind of perspective is adopted and applied in the third chapter by O’Brien who notes that the social harm approach put forward by Hillyard et al (2004: 1) involves ‘a focus on all the different types of harms which people experience from the cradle to the grave’. O’Brien concedes that

some may see this as a rather broad remit that could well be dismissed as seeming 'more relevant to the disciplines of sociology and political science than criminology'. However, before taking such a view it should be noted that:

'the exploitation of labour, land-theft, drug cultivation, civil strife, people trafficking, toxic waste dumping, species extinction and climate change are not disconnected phenomena. For example, the impoverishment of African and Asian populations and the over-exploitation of their natural resources are, in part at least, consequential on the paths to industrialisation and consumerism taken by developed nations. In turn, these processes fuel the demand for more exploitable land and resources ... In turn again, such change alters the patterns of rainfall and desertification and intensifies the struggle for arable land and water – a key factor in many civil wars and a driver of economic migration and people trafficking.' (page XX)

This is an important way of way of looking at connections and consequences and is worth elaborating on. If we consider, for example, discussions about policy in the Middle East, these now recognise that conflict management is also a matter of resource management, where access to water is open to contestation (Namrouqa, 2007). This is, of course, not a source of difficulty limited only to this region but given the absolute importance of water, has been, and will increasingly be, reproduced around the globe. As climate change makes new, devastating contributions to the incidence and scale of 'disasters' these occur alongside continuing inequalities that mean the impacts of such disasters have unequal and differentially distributed results. At the end of 2007 the annual 'World Disasters Report' produced by the International Federation of Red Cross and Red Crescent Societies noted that during the past decade the number of 'disasters' had increased by 60% with the number of deaths doubling from 600,000 to 1.2 million. Although the statistics include plane and train crashes, the impact of these will generally be relatively small compared to the loss of life and damage resulting from floods, earthquakes and other weather-related events (Campbell, 2007: 15). Frequently overlooked however, is the extent to which people in disaster zones face discrimination. Speaking for the Irish Red Cross, John Roycroft was reported as observing that 'discrimination thrives in the shadows so we need to chase those shadows away' while the Disasters Report 'raised questions about how aid agencies respond to certain groups during crises – including the disabled, those whose access to education has been restricted and women' (ibid). Squires and Hartman (2006) pursue a similar line of enquiry but focussing on the catastrophe of Hurricane Katrina. While evidence about the impact of climate change on phenomena such as hurricanes remains disputed it is far less easy to reject the televised and other well-documented evidence of the uneven social impact of the hurricane and how race and class divisions were deeply implicated in this. Examining this end of the chain of connections and consequences, Wachholz (2007: 161) has explored the bearing of climate change on women's vulnerability to male violence and shown how:

'The asymmetries in social, political and economic power that exist both between and within countries are influencing how individuals experience, respond to, and recover from the environmental hazards and the natural disasters that climate change brings in tow. ... In this sense ... climate change must also be understood as a social process that is situated within the context of unequal distributions of power and privilege.'

Wachholz draws on various sources including the work of feminists writing in the area of disaster science who have documented a rise in levels of violence against women after disasters such as hurricanes, floods and droughts. For example, the recent tragedies of civil war and starvation in Darfur have followed on from 'large, drought-induced migrations that have occurred in Sudan over the last several decades [that] have significantly configured this war', with violence against women being used as a weapon during the conflict (see also Jamieson, 1998: 495). Arguably, we have only just begun to comprehend the true socio-political implications of climate change. As Abbott (2008) points out, increasing temperatures, rising sea levels and weather volatility could lead by 2050 to resource wars over food and water, the plight of up to 200 million 'environmental refugees' fleeing devastation, an inflation of ethnic tensions and conflicts, and the prospect of the police and border services of countries closing down rather than opening up borders and responding to violent protests against polluters. Previously only foreseen in the realms of science fiction, these are new scenarios for our future reality and old responses are unlikely to succeed.

A green criminology should count among its avenues of investigation the 'why, how and when' of the generation and control of such harms and related exploitation, discrimination, disempowerment, degradation, abuse, exclusion, pain, injury, loss and suffering. Gender inequalities, racism, speciesism and classism are all absolutely key categories for such an approach and are well covered in this volume.

HARMS TO THE PLANET AND ITS INHABITANTS: A TYPOLOGY

The case for a reappraisal of traditional notions of harms and crimes, offences and injurious behaviours has been made well by many scholars, in this volume and elsewhere. We must re-examine the role that societies (including corporations and governments) play in damaging our shared environment. In a very simple fashion we can identify four clusters of harms and crimes causing and /or resulting from the destruction and degradation of the earth's resources². Significantly, most, if not all, of these have been the subject of legislative efforts (if not legislative success) in recent years.

1. Harms and Crimes of Air Pollution

Fossil-fuel burning releases about 6 billion tons of carbon into the air each year, adding about 3 billion tons annually to the 170 billion tons that have settled since the Industrial Revolution. The rate of growth in carbon emissions is around 2 per cent per year. Harms and crimes here result from pollution of the air by cars and planes, as a result of wars, burning of corporate waste and those responsible are governments, big business and ordinary consumers.

² This is the sub-title of a book co-edited with Piers Beirne (2007) in which we collected new essays that help to set out the scope of a green criminology (see also South and Beirne, 1998). In another collection, South and Beirne (2006) we brought together twenty-eight articles, some of which embraced green themes but pre-dated the idea of 'a green criminology' and others that have contributed more recently and explicitly to the development of such a field. See Lynch (1990) for what is probably the first conceptualisation of the trend toward the greening of criminology. This section is a revised and updated version of a typology first presented in Carrabine et al, 2004.

In the UK, the Government Environment Agency notes that ‘Emissions from major sources of pollution, such as transport, are tackled through various measures at European, national and local level. Local authorities control air pollution from smaller industrial processes.’ However there have always been problems of inadequacy of resources for enforcement of such rules and laws (Hutter, 1986; du Rees, 2001) while support for sanctions can wax and wane illustrating how vulnerable to political values and the social construction of public agendas environmental law actually is. This is notably so in the USA and well illustrated by just one example produced by the transition from the Clinton to Bush administrations. The former had supported the Environmental Protection Agency in mounting legal action against more than fifty power plants for offences such as attempting to avoid requirements to install emission-reducing equipment and seeking to exploit loopholes in the Clean Air Act. However following assumption of office by President Bush in January 2001, the new administration suspended or diluted legal enforcement and various lawsuits in progress at the time (Borger, 2001: 12).

2. Harms and Crimes of Deforestation

The world is losing seven million hectares of fertile land a year due to soil degradation, and about ten million hectares of forest land a year. Whilst there is less land, more food is needed. The world has lost half of its forests over the past 8,000 years and just in the latter part of the 20th century, between 1960 and 1990, about twenty per cent of the world's tropical forest was lost. Between 70 and 95 per cent of the Earth's species live in the world's disappearing tropical forest. The world is becoming increasingly urbanized - 37% in 1970, it is projected to be 61% by 2030. In response, one fashionable and guilt-salving strategy promoted by western nations has been the idea of buying tropical rainforest to preserve it and reduce destructive development. However, backed by Survival International, representatives of the Yanomami tribe have argued that this trend ‘is linked to a health and social crisis among indigenous people, including sickness, depression, suicide, obesity and drug addiction’ (Jowit, 2007: 43). As has happened to displaced native peoples elsewhere (see e.g. Samson, 2003), it is argued that separation from traditional lands is related to ‘the physical and mental breakdown’ of indigenous communities, whose lifestyle and culture is already under threat from mining, logging and resettlement’ (Jowit, 2007: 43) and Davi Kopenawa, a shaman from the tribe described these implications in the following way:

‘You *napepe* (whites) talk about what you call development and tell us to become the same as you. But we know that this brings only disease and death. Now you want to buy pieces of rainforest, or to plant biofuels. These are useless. The forest cannot be bought; it is our life and we have always protected it. Without the forest, there is only sickness.’

Here harms and crimes are caused by those involved in the destruction and misuse of such environments and traditional lands; those who exploit natural resources without regard to questions of justice about ownership and rights; and those supplying illegal markets that are based upon the sale of valuable but controlled and sometimes irreplaceable natural commodities. The expanding and controversial area of bio-prospecting, bio-patenting and bio-piracy is relevant, representing a global market for the products of ancient and tropical forests

or other remote regions and the commercial interpretation of indigenous knowledge previously preserved by passage from generation to generation (South, 2007). Bio-patenting or bio-piracy yields enormous profits for western corporations yet little or no return for the inhabitants of the source sites. Depletion of sources could have consequences of immediate and long-term effect for global health as experts note that:

‘Medicines for HIV and cancer could be lost because plants used in their preparation are facing extinction... Deforestation and over-collection now threaten the survival of up to 400 key plant species, according to a survey by Botanic Gardens Conservation International. The at-risk plants include yew trees whose bark is used in cancer drug Paclitaxel and autumn crocus which helps to fight leukaemia. ... More than 50 per cent of drugs prescribed by doctors are derived from chemicals first identified in plants’ (Powell, 2008: 12).

3. Harms and Crimes of Species Decline and Animal Abuse

The planet is losing 50 species a day; 46% of mammals and 11% of birds are said to be at risk. By 2020, 10 million species are likely to become extinct. And yet there are major traffics in both animals and animal parts across the world – mirroring global markets for human slaves and for human body parts (Lee, 2007). In these trades, bodies and body parts have become simply commodities. The UK Environment Agency web site (January 2008) aims to draw public attention to this:

The illegal trade in endangered species is big business, estimated to be worth about £3.5 billion a year world-wide. Levels of illegal trade in some animals are bringing them close to extinction. Tourists play a part, by buying gifts on holiday made from skins or ivories of protected animals.

Legislation in most countries and applying internationally does exist to protect animal and plant species but apart from the under-resourcing of enforcement noted above there are other reasons why it can be ineffective. Among these can be genuine ignorance of restrictions or historical and culturally grounded motives for denial and rejection of any reasons why such restrictions should apply or be necessary:

Many native UK species are endangered, and we have legislation designed to protect them. Many people do not realise that some plants, for example many types of orchid, are protected. It is illegal to pick any wild flowers or plants without the permission of the landowner / occupier (ibid).

Criminology should be taking seriously old crimes and new violations that arise in relation to land animal and aquatic life. For example, the resurgence of dog-fights, badger baiting and other ‘animal spectacles’ for entertainment purposes, reported by official agencies and the media in both the UK and north America. In a recent (September 2007) court case in Birmingham, England, ten men were sentenced for organising and attending a dog fight. As the fight had been filmed the court could see and hear ‘Barks of pain and phrases such as ‘shake him’ and ‘come on boy’ ... as the dogs bit each other so badly that one was covered in blood, with barely any hair left on its face.’ (Campbell, 2007: 33). In an age of late-

modernity, civilised behaviour and universal education, it should be more surprising than it is to find that practices and attitudes more in keeping with life in earlier centuries persist. Yet messages to the public are clear. In the UK, the website of the Environment Agency declares that:

Cruelty to wildlife includes illegal snaring, poaching, poisoning and hunting. Landowners, gamekeepers or other individuals carry out these activities where they see certain animals as pests. ...Badger baiting is now outlawed, however other species are still persecuted. Birds of prey continue to suffer poisoning, trapping and shooting, despite having been fully protected for decades. This crime is particularly associated with shooting estates, where the birds are perceived to be game predators

4. Harms and Crimes of Water Pollution and Resource Depletion

As we move into the 21st century it is estimated that around one billion people around the world, mainly in developing countries, lack safe drinking water and this may reach 2.5 billion by 2025. Freshwater ecosystems are in decline everywhere. On a daily basis, almost 40,000 men, women and children die from diseases directly related to drinking polluted water (<http://www.globalwater.org/>). Some 58% of the world's reefs and 34% of all fish may be at risk. Yet waters are polluted and rivers and the sea over-exploited. As Sollund (Introduction, this volume) points out, illegal fishing is a good example of a crime which can be hard to detect in the first place but can be even more difficult to deal with where it may be legal to fish but illegal to use certain methods. As the journal *New Scientist* reported in 2003 (11th January, p 6), the technique known as 'blast-fishing' is leading to the destruction of many coral reefs throughout South-East Asia and along Africa's east coast yet 'the scale of the problem is often not appreciated as most blasts go undetected.' In the UK, importers of illegal stocks of live fish:

can make large profits from buying fish cheaply from non-approved sites abroad and selling them on to fisheries in the UK. Illegally introduced fish may bring parasites and disease, alter natural habitats, compete with native fish for food, and cause genetic alteration through breeding (Environment Agency web site, January 2008).

Poaching remains a problem, as it has for centuries but not merely in the sense of being an offence against property owners. Poaching can also represent inequalities of resource distribution, employ methods that are damaging or highly destructive to stocks and other species, and even have links to more serious forms of organised crime because of the high end-price of particular delicacies but the opportunity to exploit impoverished gatherer-poachers by paying pittance wages or rewarding labour with addictive drugs (for two illustrations of this kind of market in South Africa see Hauck, 2007, and Kiley, 2007).

EXPANDING THE GREEN CRIMINOLOGY AGENDA

Green criminology has the potential to provide not only a different way of examining and making sense of various forms of harm and crime, responses and controls (some well known, others less so) but can also make explicable much wider connections that are not generally well understood. Other essays here make such connections very well. For example, Gålmark traces a history from Aristotle's (384-322 BC) conception of animals and slavery which locates animals, women, workers and slaves as 'inferior others' and free human males as 'rulers of nature' through to modern conditions of hyper-exploitation. Pedersen explores the use and misuse of science both as taught and as applied. Here she also draws attention to the way in which nature and bodies (non-human and human) can become victims of science by allocating the label or role of the 'other' and 'something different' – uncharted, unknown, unnamed. That which is below the dominant standard of worth can be seen to be inferior and either owned or at least open to appropriation or conquest and subjected to exploration, experiment and exploitation. Pedersen's essay concerns use of animals in education and experimentation but she also illustrates her point with the cases of the Tuskegee Syphilis study in Alabama, USA and Nazi medical war crimes and goes on to note how 'developments in Western science have gone hand in hand with imperialist efforts' such that:

'Both Birke (1994) and Nibert (2002) see the way both animals and human "others" are treated by science as logically connected to a capitalist world order where the profit margins of pharmaceutical and cosmetics companies require new products to continuously be introduced regardless of whether they fulfil any primary human need or are made accessible to those whose need is most acute (above all in developing countries)'. (Pedersen, p.xx).

Elsewhere (South, 2007) I have made similar observations and discussed how traditional knowledge and practices handed-down as an inheritance across generations have become part of the modern, multi-directional 'mobilities' of ideas, knowledge, people, objects, images and so on discussed by Urry (2000), flowing across 'networked, diasporic and global economies' (p. 194). Furthermore, these are particularly interesting examples of this kind of mutation of knowledge-transfer, for the *value* of the knowledge passes beyond the control of the originating nation state and is then 'realised' in a different nation state which will guarantee the 'property rights' of its corporate bodies. This process leads to the assertion of control over knowledge as property and the production of consumables for a trans-national market, again flowing across borders but now as a priced commodity.

Where religion and pseudo-scientific notions of evolutionary hierarchies once provided the justifications for practices such as piracy and colonial exploitation, today science, law and commerce play these parts. In particular, as Pedersen is concerned to show, versions of western science can act in effective fashion to exclude from discourse and from reasonable consultation and discussion. 'Anecdotal knowledge' (based on inter-generational folk wisdom as well as real contemporary experience) is de-legitimated and not weighted as strongly as 'scientific evidence' (which is privileged as inherently and evidently neutral and unbiased). This strengthens the argument made by green criminologists (Lynch and Stretesky, 2001) in favour of using good science to support the case and plight of those who are victimised but frequently excluded from recourse to redress or protest. Used to help prevent eco-crimes, van Solinge (this volume, chapter 4) describes how science undertaken by NGOs is studying the

impact of illegal logging practices in the timber trade and helping to limit the loss of biodiversity in South East Asia. However, when misused, science discourse can be central to a process of exclusion because debate can so frequently be dominated by the louder voice and economic power of those who can afford to mobilise expert opinion and mount a case defending their legal position and the superior scientific credibility of their claims. As Tsionamis et al (2003: 614) observe in relation to intensification of conflict regarding knowledge claims 'As long as there is an obvious bias in favour of the Western, developed world, a – yet again – new form of colonialism cannot be considered out of the question.' This can be seen in many cases of conflict between 'expert' and 'indigenous' knowledge (Samson and Short, 2006) but the work of Kuletz (1998: 28) offers a particularly striking case study of this process at work. In this case, radiation-related health problems face the Navajo and other peoples of desert areas of the American West where uranium has been mined and nuclear tests carried out but their 'statements are, in effect, excluded from consideration and the people who speak them are, by extension, excluded from any decision-making process bearing on their welfare' (ibid).

Like Pedersen, I would see the exploitation of bodies (human and animal) and of nature as lying at the intersection of the politics of gender, race and class where that which is 'pure' and privileged by socially constructed discourse (be it religion, anthropomorphism, ideology or other mechanism) is sacrosanct but that which is impure, beyond the proper 'boundaries' (of nation, colour, morality, species etc) is designated as deserving only basic consideration, has no intrinsic rights and is open to abuse, or is marked (by map, mutilation or other sign) for extermination or gross exploitation (Cazaux, 2007; Stephenson, this volume).

NATURE, BODY AND DIFFERENCE

In recent years, understandings and representations of 'the body' have received significant attention in studies concerned with health and with criminal and deviant behaviour. It is also apparent that we must now recognise more clearly how *time* and *space* (Giddens, 1990) are related to our 'embodiment' as both social and also biological beings. Environmentalist and feminist studies have demonstrated that we cannot deny the intimate entanglement between humanity and nature (Benton, 1991, 1993; Dickens, 2001). These great conditions and shapers of existence interweave and as Adam (1998) superbly illustrates, time, space and nature interact. It has perhaps been an unhelpful characteristic of the sciences, both natural and social, to hold too strongly to a separation of nature and culture. Such a separation is not as neat as often presented. Thus,

'...humans are tied to the rhythms of night and day – ... alongside most other living beings, [we] are constituted by a multitude of circa rhythms. These rhythms range from the very fast firing of neurones to the heart-beat, from digestive to activity-and-rest cycles, and from the menstrual cycle to the larger regenerative processes of growth and decay, birth and death. ... From cells to organs and even brain activity, our physiology is tied to these periodicities...' (p. 13)

As Adam (pp 6-7) argues, we therefore need to:

‘steer a path that avoids the unacceptable choices of traditional social theory and analysis: between biological and social determinism (where people are understood to be governed by either their biology or society), between realism and relativism (where the external world is thought to be either discovered or constructed by the understanding we bring to it), between meta-narratives and particularism (where analyses are considered to be embedded in the worlds of either overarching, universal theories or particular, unique contexts and events). [We need] to take account of nature without succumbing to biological determinism, ... [and] accept relativism as inescapable without losing the ability to talk about the physical world of ‘nature’ and technology ...’ [my editing/additions]

Writers like Benton (1991) and Dickens (2001) have been sensitive to the need for balanced debate on these issues and have provided sophisticated arguments that help us begin to work critically with the fact that we are not only social but also biological or ‘natural’ beings. None of this is an argument in support of positivist-biological perspectives that introduce a ‘pathologisation’ of the body or a justification for discrimination based on perceptions of difference. Rather, in order to elaborate the foundations for a green criminology there is work to be done to draw out an understanding of how the theme of difference, (so well investigated by Sollund, this volume), helps to reveal the workings of crime, exploitation and violence carried out on objectified bodies and nature across time and space. As Sollund (p.xx) suggests, tendencies to dehumanisation and insensitivity toward others are increased with differences in appearance: ‘the difference legitimates a difference in value.’ Nature or what is ‘natural’ becomes simply a manipulated construction, to be both physically and discursively used and abused. Hence,

‘Physical differences have been used to explain some races’ superiority. Stephen J. Gould (1981) says that appeals to the ‘nature of the universe’ through history have been used to elevate existing, socially determined hierarchies to be right, inevitable and ‘*natural*’. ... By regarding others as very different ... it is possible to legitimate exploitation’ (Sollund, *ibid*) .

Within this kind of dominant discourse it is also accepted that the superior human (white-male) is also self-evidently and ‘naturally’ set above nature and therefore holds dominion over it, whether it be in a form that is categorised as strange, wild, farmed or domesticated (see Hallsworth, this volume, chapter 5). Stephenson (this volume, chapter 9) addresses this well in her analysis of how modern society organises the disposal of unwanted animals: those that are sorted out, found to be ‘too unpredictable, too implicated in nature’s unruly ways’ and consigned to a ‘programme of sterilisation, testing and extermination’. Nature – the environment we inhabit and the non-human animals sharing this with us – is deemed to be ‘different’. Humans are held to be above it: we perceive, sense, see, feel everything to do with nature as something ‘external’ and generally isolate ourselves from any true sense of connection. Hence, being external, different and beneath us – as ordered and ordained by evolutionary and divine hierarchies – nature is assumed to be there as if ripe for legitimate exploitation. Yet, this is a self-deception and arrogant conceit. We are neither above nor ‘different’ to the rest of nature in any sense that means we could live independently of it. We are embodied biological beings, co-inhabitants of the planet and our fate is intimately tied to the state of nature. Benton (1994: 40) put this well some years ago arguing that:

‘We can, and, I think, we should, continue to view humans as a species of living organism, comparable in many important respects with other social species, as bound together with those other species and their bio-physical conditions of existence in immensely complex webs of interdependence, and as united, also, by a common evolutionary ancestry’.

CONCLUSION

In an insightful essay on Herman Melville’s classic novel ‘Moby Dick’, Ruggiero (2002: 98) explores the violence and sense of challenge that mark the way of life of Captain Ahab and his crew in their battle with nature and, in particular, the mighty whale, all reflecting Melville’s age of ‘science, exploration, entrepreneurial daring and ... obsession with dominion over nature’. However, as is also evident, Melville’s book is about discovery in more than one sense and the need for harmony and peace with nature is a central message. The essays in this volume are part of a movement recording the violence we do to our environment and the non-human animals with which we share the planet and have demonstrated how for all the progress made in science, society and civilised life since the 19th century, we continue to live with ‘contradictory claims about the legitimacy of accumulation, the exploitation of nature, power and hierarchy’ (ibid: 96).

That this is so is already apparent as we hear of ‘green fatigue’. This condition reflects the contemporary contradiction between greatly heightened awareness and acceptance of the facts of global warming matched by public bafflement about what to do about it, or familiar and common resort to techniques of denial and rejection. In the U.K., Phil Downing, the head of environmental research for polling organisation Ipsos MORI, recently suggested that there are grounds for fearing a ‘backlash’ in public opinion about climate change: ‘There’s cynicism because on the one hand we’re being told [the problem] is very serious and on the other hand we’re building runways, mining Alaskan oil; there’s a lot going on that appears to be heading in the opposite direction’ (Jowit and McKie, 2007: 15).

Nonetheless, as the twenty-first century unfolds and awareness of the fragility of our planet deepens, the whole academy must take environmental issues far more seriously than ever before. There are obvious and essential areas of the natural sciences that have been playing their part for years. The arts and social sciences are also now involved and among the latter it has become clearer in recent years how the field of criminology has a central role. The field of environmental law is now well established and although the laws themselves are by no means secure or implemented consistently (O’Hear, 2004), the practical problems that such law turns upon are offences and law enforcement. International treaties depend on compliance and regulation; conflicts will increasingly be fought over environmental resources. The environment is subject to theft and exploitation, in need of protection and – just as in the fight against other forms of crime – will require specialist policing and enforcement of agreements and rules. If ever there was a need for true global security it applies in the case of preserving our planet. In the Introduction by Sollund and in the chapters by Van Solinge in this volume, the point is made that ecosystems and wildlife do not have sufficient protection through the legal system.

'Consequently ecological crime must be more seriously addressed through international instruments like the UN. UN soldiers are sent in to protect human beings in the case of conflict. Maybe it is time UN soldiers be applied to protect forest and wildlife as well' (Sollund, p. xx).

In recent years, increasing attention has been paid to the crimes and harms committed by governments, trans-national corporations and military apparatuses against humanity, against other animal species and against the planet. This attention is visible in the concerns of a wide array of academic disciplines. It is also seen in national and international law, in policies of criminal justice and health agencies, in the mission statements of numerous non-governmental organisations and in the manifestos of radical environmental and animal protection groups. The chapters in this collection make an invaluable contribution to the developing body of research and critical commentary in the field of green criminology – an area of work reflecting concerns that will inevitably grow in urgency and importance.

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