

# Beyond Farm Gates: Criminology, the Agricultural Industry and Animal Abuse

**Dr Jane Jones, Lecturer in Criminology, Department of  
Law and Criminology, Aberystwyth University**

**S**tudies of human-animal relationships in criminology have emerged in more recent times however the issue of farm animal abuse remains a neglected focus. Any interest shown by criminologists in studying the agricultural industry has tended to focus on the theft of tools and machinery, animal rustling and vandalism. This article sets out to redress this neglect by exploring why farm animal abuse remains hidden from view. It argues that this neglect has been exacerbated by two dominant discourses with regard to the agricultural industry. One, the image of a traditional farming lifestyle, a heritage which has continued to play a significant role in the formation of the national psyche and two, farm animals are viewed primarily in terms of their economic value. It will argue that this binary status which locates farm animals in terms of their symbolic and economic value can be seen to have dominated the institutionalised practices and legislative frameworks surrounding the agricultural industry since at least the beginning of the twentieth century. Furthermore, these

‘accepted’ practices have obscured the issue of farm animal abuse beyond farm gates from the criminological lens.

In England and Wales the Police deal with farm crime as it is currently understood and the Department of Environment, Food and Rural Affairs (DEFRA) deal with farm animal abuse under the legislative framework of animal welfare. The definition of farm animal abuse however, is open to question and within the area of human-animal relationships and crime different definitions have been proffered. These definitions can be broadly contextualised within either a speciesist or non-speciesist framework. The former tends to locate the issue of animal abuse as cruel behaviour that takes place outside of culturally and temporally situated socially condoned practices that have become institutionalised in everyday life. The focus here then of what can be defined as a speciesist approach would be on the study of animal cruelty within particular settings as a ‘means’ of furthering an understanding of human cruelty. Ascione<sup>1</sup> considered this in the domestic violence context.

From a non-speciesist perspective a definition of animal abuse moves away from viewing animals as a ‘means to an end’ and argues for an understanding that concerns itself with the interests of animals and hence the consequences of animal abuse for their welfare<sup>2</sup>. One direction of the emerging work from a non-speciesist perspective on animals and crime has begun to focus on the issue of animal welfare and question the ‘unnecessary suffering’ phrase often inscribed in animal welfare laws. Cazaux<sup>3</sup> points out for example that such a reference point to ‘unnecessary suffering’ acts to legitimise the ‘necessity’ of animal suffering for economic, political or scientific reasons.

“**‘accepted’ practices have obscured the issue of farm animal abuse beyond the farm gates from the criminological lens**”

<sup>1</sup> Ascione, F. R. [1993] Children who are cruel to animals: A review of research and implications for development psychopathology, *Anthrozoos*, 6: 226-247

<sup>2</sup> Beirne, P. [2007] Animal rights, animal abuse and green criminology in Piers Beirne and Nigel South

(Eds), *Issues in Green Criminology: Confronting harms against environments, humanity and other animals*, Devon: Willan Publishing.

<sup>3</sup> Cazaux, G. [2007] *Labelling animals: non-speciesist criminology and techniques to identify other animals*

in Piers Beirne and Nigel South (Eds), *Issues in Green Criminology: Confronting harms against environments, humanity and other animals*, Devon: Willan Publishing.

“  
**The rural idyllic image of  
 Britain’s countryside...has  
 occupied a dominant role  
 within the national  
 psyche...whatever the  
 realities**  
 ”

This paper argues that this can be seen to be the case with regard to farm animal welfare. The increased production of farm animal protein and by-products during the last century has been underpinned and indeed propelled by public policy, scientific endeavour, technological advancement and the development and ‘takeover’ of agriculture by corporate business<sup>4</sup>.

## The symbolic image of farming

The basic impulses of man, as they have been shaped by the past, are to be satisfied much easier in the environment and by the occupational activity of the farmer. There is neither the lack of nature, nor the killing monotony of work, nor extreme specialisation, nor one-sidedness. His standard of living may be as low as that of a proletarian; his house or lodgings may be as bad; and yet the whole character of his structure of living is quite different and healthier and more natural<sup>5</sup>.

The rural idyllic image of Britain’s countryside has long endured and the contrasting of the city and country has occupied a dominant role within the national psyche for centuries, whatever the realities<sup>6</sup>. Realities for example are negated in the above quote regarding the ‘killing of farm animals’ and the supposedly ‘healthier’ and ‘more natural’ life that selectively focuses on humans leaving aside the issue of the ‘naturalness’ of intensive farming practices for farm animals.

Such a representation of country versus city can be said to be a simplistic one and the ‘realities’ of what constitutes everyday life personal experiences are based on interpretations drawn from a variety of resources such as literature, media, family and friends<sup>7</sup>. Taking the case of north Wales as an exemplar, even in the face of rural economic and social changes, the agricultural tradition has somehow maintained a significant symbolic presence in the mind-set of locals and those living farther afield when reference is made to the environment:

*Farming is still pre-eminently the local occupation in this area...it often seems as if everyone there is occupied in one way or another with the farming industry. Large and sturdy with pink faces and muddy gumboots. In the pubs at night... they sit in the corners with their caps on and talk in Welsh about farming<sup>8</sup>.*

The reality however of farming hillside farms which are often inaccessible across the mountain ranges of north Wales during bad weather, involves hard manual labour and an on-going battle against the elements. In more recent times farming has faced a number of crises such as the BSE<sup>9</sup> and foot and mouth outbreaks<sup>10</sup> and yet it somehow retains its lifestyle image, long set

apart as Sorokin exemplifies as a clean and healthy life in contrast to the industrial nature of the city<sup>11</sup>.

This historical legacy has been a potent force in more contemporary images of agricultural life, where the increased production of farm animal protein and by-products has been paralleled by the separation of production and consumption of farm animals from the 20th century<sup>12</sup>. Animals have been exploited in intensive farming systems since the nineteenth century onwards, although not necessarily in the full gaze of the public or with the full recognition by consumers. As Mitchell<sup>13</sup> has shown, there is an ambiguity in the public consciousness about how much individuals believe they may participate in animal abuse when they purchase by-products of the agricultural industry.

Further adding to a selective consciousness of the agricultural industry are the numerous sanitized references to farming culturally reproduced regularly for public

“  
**there is an ambiguity in  
 the public consciousness  
 about how much  
 individuals believe they  
 may participate in animal  
 abuse**  
 ”

<sup>4</sup> Franklin, A. [1999] *Animals and Modern Cultures: A Sociology of Human-Animal Relations in Modernity*, London: Sage.

<sup>5</sup> Sorokin, P. A., & Zimmerman, C. C., [1929: 466-7] *Principles of rural-urban Sociology*, New York: Henny Holt.

<sup>6</sup> Jones, J. [2008] *Farm Crime on Anglesey: Local partners’ and organisations’ views on the issues*. Second report, December 2008. Unpublished report. Available from the author.

<sup>7</sup> Halfacree, K. [(1993) *Locality and representations: Space, discourse and alternative definitions of the rural*, *Journal of Rural Studies*, Vol 9, No 1: 23-37.

<sup>8</sup> Senior, M. [1987: 48] *Portrait of North Wales*, Llanrwst: Gwasg Carreg Gwalch.

<sup>9</sup> BBC News [2000] *BSE and CJD: Crisis Chronology*. Available from: [http://www.news.bbc.co.uk/hi/english/static/in\\_depth/health/2000/bse/default.stm](http://www.news.bbc.co.uk/hi/english/static/in_depth/health/2000/bse/default.stm) Accessed 17 September 2009.

<sup>10</sup> Browne, A. and Harris, P. [2001] *How a rural idyll turned into a hotbed of disease: the foot and mouth disaster throws the whole of Britain’s livestock farming practices into question*. *The Observer*, Sunday 25th February.

<sup>11</sup> Jones, J. [2008] *Farm Crime on Anglesey*.

<sup>12</sup> Franklin, A. [1999] *Animals and Modern Cultures*.

<sup>13</sup> Mitchell, L. [2011] *Moral Disengagement and Support for Nonhuman Animal Farming*, *Society and Animals*, Vol 19, No 1: 38-58.

consumption. Children are told a range of stories based around the happy lives of cows, sheep, ducks and chickens and television programmes such as *Emmerdale Farm* never seem to go beyond a concern with the daily lives of the characters and attempts to resonate with contemporary social issues such as drug abuse and most recently the question of assisted suicide. It seems that such representations resonate in contemporary times with a more urbanised lifestyle which sets apart the mass consumption of animal protein from the processes involved. It is indeed a representation of a farming idyll as Scott<sup>14</sup> cites that is: “moulded through urban sensibilities and television programmes as more people lose touch with the raw reality of the countryside”. That said, there are occasional attempts to reconnect production and consumption such as the ‘River Cottage’ series and the efforts of Hugh Fearnley Whittingstall<sup>15</sup> whose latest television series has focused on promoting a vegetarian diet. Of course this acts as a direct challenge to the agricultural industry and the production of animal protein for profit.

## Agriculture, economics and animal welfare legislation

The agricultural industry has increasingly commodified animals for maximum profitability and this has been supported through the practice of breeding which has become tightly governed by science,

experimentation, technology and corporations<sup>16</sup>. In contemporary times agriculture actually represents 0.9% of the UK’s gross domestic product with the total income from farming in 2008 being estimated at £3.46 billion<sup>17</sup>. As an industry, it employs 1.8% of the UK’s workforce, and British farmers and growers produce 60% of the UK’s total food supplies<sup>18</sup>.

“**there are occasional attempts to reconnect production and consumption such as the ‘River Cottage’ series**”

The UK encompasses a wide range of agricultural holdings of various sizes and production types and in June 2007 the total area of land on agricultural holdings was categorised as 77% of the total land area of the UK excluding inland water<sup>19</sup>. There are in excess of 900 million farm animals reared annually in the UK<sup>20</sup>. The implementation of legislation with regard to farm animal welfare can be understood to underpin the developments that have taken place in the agricultural industry. In other words, legislation acts to maintain the status quo regarding economically driven intensive commodification ‘treatment’ practices towards animals.

The Animal Welfare Act 2006 makes it an offence to cause ‘unnecessary suffering’ to any animal and contains a duty of care to animals. The welfare of farmed animals is further protected by the Welfare of Farmed Animals (England) Regulations 2007 (S.I. 2007 No. 2078<sup>21</sup>) which are made under the Animal Welfare Act.

Legislation also guides organisations working within the animal cruelty/welfare field, although the nexus of cruelty/welfare is not a simple distinction. Definitions of animal cruelty are open to interpretation. As already alluded to Ascione<sup>22</sup>, in studying cruelty to animals in a domestic violence setting defined animal cruelty towards animals outside socially accepted practices. In contrast, legislation acts to regulate both socially accepted practices towards animals from a welfare stance and cruelty to animals. There appears then some difficulty conceptually with defining animal cruelty. This ambiguity can be seen to lie with the separation of cruelty into actions towards animals that sit either within or outside socially accepted practices. An example will illustrate this dilemma further. The RSPCA<sup>23</sup> report that:

*More than 900 million farm animals are reared every year in the UK. Unfortunately the law alone is not always strong or detailed enough to ensure that they all have a good quality of life, and are transported and slaughtered humanely.*

<sup>14</sup>Scott, J. [2011: 1] Rural Reality part 1 and 2. Available from: <http://www.jacscott.com/collections/excess.html> Accessed 6th July 2011.

<sup>15</sup>Channel 4, [2011] River Cottage. Available from: <http://www.channel4.com/programmes/river-cottage> Accessed 5th September 2011.

<sup>16</sup>Franklin, A. [1999] Animals and Modern Cultures.

<sup>17</sup>Department for Environment, Food and Rural Affairs [2009] ‘Defra announce farm incomes in the United Kingdom rise by 42 per cent. Statistical release.

Available from: <http://www.defra.gov.uk/news/2009/090129b.htm> Accessed November 2009.

<sup>18</sup>NFU [2006] What Agriculture and Horticulture Mean to Britain, NFU.

<sup>19</sup>National Statistics [2007] Agriculture in the United Kingdom 2007. Department for Environment, Food and Rural Affairs: Department of Agriculture and Rural Development (Northern Ireland): Welsh Assembly Government. The Department for Rural Affairs and Heritage: The Scottish Government, Rural and Environment Research and Analysis Directorate.

<sup>20</sup>RSPCA [2011] Farm Animals, available from: <http://www.rspca.org.uk/allaboutanimals/farm?p-pid=printAndEmail-WAR-ptlCon> Accessed 5 July 2011.

<sup>21</sup>DEFRA [2010: 1] Archive on Farm Animal Welfare, available from: <http://www.archive.defra.gov.uk/foodfarm/farmanimal/welfare/onfarm/> Accessed 22 November 2011.

<sup>22</sup>Ascione, F. R. [1993] Children who are cruel to animals

<sup>23</sup>RSPCA [2011:1]

The prevention of cruelty to animals according to the RSPCA does not mean the prevention of animal exploitation and slaughter for farm animals. The concern is with welfare issues, and thus the ‘unnecessary suffering’ caveat can be taken as the underpinning motivation for taking any responsive action towards cases of farm animal neglect/welfare breaches as grounded in the law. Whilst this is arguably better than no action, defining what is ‘suffering’ and what is ‘unnecessary suffering’ is open to subjective/constructed understandings. This is further evident in the Animal Welfare Act 2006 where farm animals are regulated within ‘welfare’ constructs, primarily designed for the benefit of feeding humans. For example, section 9 on the ‘promotion of welfare’ sets out an animal’s needs to be:

- (a) Its need for a suitable environment.
- (b) Its need for a suitable diet.
- (c) Its need to be able to exhibit normal behaviour patterns.
- (d) Any need it has to be housed with, or apart from, other animals.
- (e) Its need to be protected from pain, suffering, injury and disease.

**“ farm animals are regulated within ‘welfare’ constructs, primarily designed for the benefit of feeding humans ”**

If we just take item (c) for a moment to consider how ‘normal’ can behaviour patterns be in mass production processes? Or item (e), are we saying animals do not suffer pain in their rounding up, transportation and mass slaughter? What about protecting animals from injury and disease – can we be sure that we are protecting them in mass production methods? What about BSE, is it the case that the cows did not suffer? What about foot and mouth disease, where in 2001 the UK agricultural industry suffered from the worlds’ worst outbreak<sup>24</sup>.

There are then a number of questions that can be raised about definitions of farm animal abuse that warrant further exploration.

Having established the current status of farm animal abuse as a focus of study within criminology and thereby revealing its neglect, this article moved on to explore the reasons for this position. It argues that the lack of focus on the subject of farm animal abuse within criminology has been exacerbated by two powerful stances. One, the symbolic images and myths promulgated around an agricultural way of life that have formed part of the national psyche for centuries and two, the economics of the agricultural industry whereby the political, scientific and economic promotion of an increased production of animal protein has been underpinned by a supportive legislative framework in the interests of humans. This approach can be termed speciesist in its endeavour. The key argument in this paper is that these two referent points regarding agriculture have had a powerful influence in keeping the lived reality of farm animal abuse hidden from the criminological lens.

The focus on animal abuse within the study of human-animal relationships in criminology is beginning to develop, however the focus on farm animal abuse beyond farm gates is sadly lacking. Animals as victims are neglected in the wider criminological literature and in any discussions of farm crime. This paper argues that farm animal abuse is a subject worthy of study by criminology and in order to take this project forward there is a need to move beyond the legal framework and the ‘unnecessary suffering’ caveat of animal welfare legislation. Moving beyond existing frames of reference will shift the debate and allow for different analytical frameworks to challenge dominant images of farming and to question the practice of conducting criminological research on farm crime within constructed parameters that allow for issues of abuse within socially accepted institutionalised practices.

#### Acknowledgements

I would like to thank John Williams, Professor of Law, Department of Law and Criminology, Aberystwyth University for his advice and support in writing this article.

<sup>24</sup>Browne, A. and Harris, P. [2001] How a rural idyll turned into a hotbed of disease.