INTRODUCTION

ANIMAL PROTECTION IN
THE UNITED STATES

Today, in our era of vanishing species, factory farms, and xenotransplantation, humankind’s relationship with non-human animals raises pressing ethical and practical challenges. Yet while the particular issues have changed over time, debate over the status and treatment of non-human animals is not new. Modern animal protection has an important and culturally influential predecessor, the humane movement, from which it has inherited significant patterns of thought and action. While humanitarians of the Gilded Age and Progressive era never completely transcended anthropocentrism, their expression of a broader sense of responsibility toward non-human animals anticipated that of contemporary animal rights advocates and some environmentalists by over a century.

In arguing that cruelty to animals was morally wrong, nineteenth and early twentieth century animal protectionists took a pioneering step in the evolution of ethics. They launched the first historically meaningful initiatives to expand moral concern beyond the barrier of species, and they forged many of the arguments that underpin contemporary debate. Some even expressed significantly radical views, articulating a vision with which today’s animal rights campaigners would be very comfortable. The ramifications of their efforts to widen the circle of morally relevant beings are still unfolding.
Nevertheless, the challenges facing modern day animal protection reveal the limits of the early humane movement’s accomplishments. While relatively successful in stigmatizing individual acts of cruelty, and ensuring that such conduct became punishable under law, early animal protectionists were largely ineffectual in their efforts to instigate major reforms in agricultural, institutional, and industrial usage of animals. Such failures arose not so much from the movement’s ideological limitations as from the sweeping changes that modernity itself wrought in human-animal relations, and from the growing power of interest groups, including railroad magnates, meat barons, manufacturers, ranchers, scientists, breeders, furriers, hunters, and shooting fraternities. These groups secured explicit exemptions and sanctions for their practices, and thus precluded the extension of legal and social controls against cruelty into many arenas of animal use. Against such opposition, the animal protection movement never gained sufficient power and influence to institutionalize its views.

By the World War I era, moreover, the humane societies’ focus gravitated toward companion animal overpopulation, an overwhelming challenge that absorbed increasing amounts of their time and resources. This burden made it almost impossible for them to devote attention and energy to other problems. Municipal animal control remained the principal orientation of humane work until a post-World War II revitalization gave new life to the broad agenda that had once engaged the movement.¹

This study reclaims forgotten chapters of animal protection's history, and situates the cause in the mainstream of American social reform. It explores the movement's pre-Civil War antecedents, describes its nationalization, and clarifies its relationship to other social movements. It discusses the early work and practical achievements of the societies for the prevention of cruelty to animals. It considers such developments as the origin of the animal shelter, the replacement of the horse by the dog and cat as the central focus of anti-cruelty efforts, and the incorporation of concern for wild animals into the humane agenda. It probes the arguments that animal protection advocates advanced. Finally, it elucidates the social, economic, and political transformations as well as the tactical maneuvers that placed the use of animals in food production, medical research, and a number of other areas outside the reach of anti-cruelty codes.

Previous scholarship has emphasized vivisection as an area of concern for the early animal organizations. However, humane groups focused their energies on many other issues as well. This study discusses campaigns that focus on streetcar cruelties, milk adulteration, animal fighting, cattle transportation, slaughter of animals for food, municipal animal control, euthanasia of unwanted animals, compulsory education, and use of animals in military service, entertainment, hunting, shooting, and trapping.

\(^2\) For the most part, this study places animal advocacy, rather than animals, into American social history. By delineating the form and functions of a decidedly human enterprise—the humane movement—this work acknowledges the impact of changing human attitudes and practices upon animals' status and well-being. While it cannot systematically explicate the lived experience of animals during the period covered, this study presupposes that we cannot really place animals themselves into history without taking account of their subjectivity.
The dissertation engages extant historiography concerning humane work in a number of key respects. It explains the rise of organized animal protection as an outcome of antebellum trends in law, moral philosophy, pedagogy, religion, social reform, and attitudes toward pain and suffering--trends that amounted to an inchoate reform movement that quickly coalesced once the Civil War ended American slavery. It qualifies interpretations that reduce the cause of animal protection to an exercise in social control of the lower classes. It explicates the degree to which the anti-cruelty movement arose in response to sanitary and public health concerns and the incorporation of animals into the urban environment. It questions the importance of the Darwinian claim that humans were animals to the movement's formation and development. Finally, this study contests scholarly claims that concern for animals served a "displacement" function until some human-centered reforms became socially acceptable.4

Many of animal protection's supporters evinced strong sentimental attachments to animals. Sympathy, empathy, and revulsion toward cruelty were vibrant impulses in the nineteenth century, and they animated many of the century's social reforms. This study acknowledges the humane movement's emotional sources, and recognizes concern for

3 On vivisection, see Turner, Reckoning with the Beast; Susan E. Lederer, Subjected to Science: Human Experimentation before the Second World War (Baltimore: Johns Hopkins University Press, 1995); Craig Buettinger, "Anti-Vivisection and the Charge of Zoophil-Psychosis in the Early Twentieth Century," The Historian 55 (Winter 1993): 277-88; idem, "Sarah Cleghorn, Antivivisection, and Victorian Sensitivity About Pain and Cruelty," Vermont History 62 (Spring 1994): 89-100; and idem, "Women and Antivivisection in Late Nineteenth-Century America," Journal of Social History 30 (June 1997): 857-72. The almost complete deficit of historical scholarship on other topics related to humane concern--such as the mistreatment of animals in food production, animal fighting, and urban transportation--is striking.

animals and their well-being as a legitimate expression of human emotion, interest, and morality.

Animal protection was rooted in bourgeois moral sensibility, and predictably its proponents, mostly native-born members of the middle and upper classes, focused significant attention and energy on lower class cruelties. This has led some scholars to characterize animal protection as a social control movement. However, while humane advocates frequently endorsed the prosecution of lower class citizens whose behavior resulted in animal suffering or death, they quickly came to realize that moral suasion was a better long-term strategy. Consequently, they also sought to suppress cruelty through non-coercive means, including humane education, practical support, and veterinary assistance to those who labored with animals.

Moreover, American humanitarians did not limit their efforts to the suppression of lower class practices. They challenged corporations and medical institutions that used animals in ways they found cruel. In addition, they criticized and prosecuted many of the pet cruelties favored by wealthier citizens, with varying success. If cruelty debased and threatened civilized society, it did not matter who its perpetrators were. It needed to be

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challenged. In their efforts to eliminate animal pain and suffering, humane advocates targeted the thoughtless, the unknowing, and the indifferent, regardless of social station. The ethic to which they adhered—that humans had moral responsibility toward animals—compelled such consistency.

More fundamentally, the social control interpretation does serious injustice to humane reformers by implying that their principal focus was the discipline and civilization of the lower classes, with genuine regard for animals an incidental or secondary matter. It not only overlooks their words, but fails to examine the full scope of their actions. Indeed, when the breathtaking range of humane activities is taken into account, the deficiencies of the social control paradigm become more evident. Animal protectionists undertook numerous philanthropic initiatives that aimed not at the control of their fellow citizens but at the promulgation of humane values and the general diffusion of knowledge about animal well-being. Taken as a whole, animal protection entailed a broadly conceived campaign to transform the public sphere by inscribing the ethic of kindness onto the physical, moral, and emotional landscapes of nineteenth century America.

Animal protectionists sought to inject concern for animals and their welfare into an astonishing array of public matters. In some cases—most notably the transportation of animals used for food—their preoccupations and activities anchored important pre-Progressive efforts at regulation. In other instances, like the treatment of animals in medical research and slaughtering facilities, humane advocates anticipated regulatory approaches that the nation would adopt during the post-World War II era. To this day, in
numerous American communities, the organizations they founded continue to fulfill important functions in the service of human and animal welfare.

Although animal protection was not a politically radical movement, its ambitious social reform agenda extended to the realms of transportation, sanitation, recreation, fashion, food production, science, education, conservation, labor, and commerce. Its concerns frequently overlapped with those of campaigns for public health, urban order, temperance, child rescue, food reform, railroad regulation, Americanization, public education, conservation, country life, bird preservation, nature study, pacifism, and the protection of patients from unethical medical procedures. Indeed, humane work often drew its social and political momentum from these other movements.

Animal protection had especially strong associations with child protection and temperance. In the case of child protection, the links were very direct, for the early societies for the prevention of cruelty to children were organized along the same lines as the societies for the prevention of cruelty to animals, and sometimes led by the same citizens. In the case of temperance, the kindness-to-animals ethic complemented that movement's own ideology and provided a suitable channel for the meliorist energies of its pious constituents. All three causes were tied to a developing concern with the suppression of violence--against animals, against children, against women--that their respective adherents perceived as threatening to the well-being of both individuals and society.

Animal protection was not simply a movement with middle-class appeal; the kindness-to-animals ethic was a critical element in the process of class formation before and after the organization of anti-cruelty societies. From the early nineteenth century
onward, middle-class Americans came to appreciate the value of interaction with non-human animals in the socialization of children. The lesson of kindness became a central feature of middle-class parenting. The kindness ethic played an especially important role in the forging of a prescriptive model of bourgeois masculinity. From its presence in the didactic literature of the eighteenth and nineteenth centuries, to its place in the moral code of the Boy Scouts in the early decades of the twentieth, kindness-to-animals was bound up with the character formation of male adolescents.

From its inception, animal protection was a significant field of action for women, who played critical roles in the development of humane institutions and powerfully shaped the overall agenda of the movement. Their participation in humane work reflected the increasing pace at which women were able, during the second half of the nineteenth century, to project their moral influence into the public sphere, with or without the support of men. In their promotion of humane values, nineteenth- and early twentieth-century women created and assumed place for themselves and their views in broad-ranging public debates over matters in which animals were implicated.

The very notion of "cruelty" to animals has been peculiarly subject to social definition, and, to a great extent, animal protection has involved the working out of acceptable thresholds of violence--both public and private. Within a few years, animal protectionists succeeded in efforts to classify certain once-tolerated cruelties as

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inappropriate conduct to be eliminated through law, education, and moral suasion.

However, the movement found it more difficult to challenge or to reform many types of socially sanctioned violence against animals. Over 150 years since the anti-cruelty movement emerged, some of these (like those that occur in meat production) continue to flourish beyond the scope and reach of anti-cruelty laws and regulatory standards.

It would be misleading to suggest that the period encompassed within this study witnessed a seamless transition from the assertion that causing harm to animals is morally degrading to the perpetrator to the argument that harming animals is a moral wrong against animals themselves. The latter argument has been present from an early stage of the movement’s development, while the former view remains a compelling indictment of cruelty. In fact, a number of influences motivated participants in organized animal protection throughout the transatlantic community in the late eighteenth and early nineteenth centuries. Ancient and medieval moralists from Pythagoras to Aquinas had underscored the concern that insensitivity toward animals could lead humans to be unfeeling and heartless in their relationships with one another.8 The values of evangelical piety encouraged a theocentric view of humans’ moral obligation to care for animals and to ensure their happiness and freedom from suffering as part of God’s creation.9

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Romanticism inspired an interest in animals as individuals, and encouraged humans to think deeply and sympathetically about them.\textsuperscript{10} Locke's theories of child-rearing celebrated the kindness-to-animals ethic as an important didactic measure. Finally, by the late eighteenth century, an increasing number of those who addressed the topic laid emphasis on animals' capacity to suffer as a principal rationale for considering their interests. Together, these diverse premises provided both the motivations and the rhetorical strategies of organized animal protection.

In contrast to other scholarship, this work finds little direct evidence of Darwinism's impact on the context or rhetoric of humane work before World War II, and discounts the importance of evolutionary doctrine concerning the common origin of humans and animals as an early impetus to organized animal protection in America. When the evolutionary argument emerged explicitly, it neither displaced nor overshadowed any other claim in favor of animal protection. At the same time, like Darwin and other Victorians, humane advocates were very mindful of animals' capacities, consciousness, and individuality. For those who had animal companions, such

convictions about animals' intelligence and emotional endowment provided a strongly personal motivation for participation.¹¹

Animal protectionists quickly discovered that it would be difficult to promote standards of conduct and treatment that could bind whole industries, disciplines, and institutions, some of which were rising and potent forces in American society. These forces responded vigorously to any and all challenges. Through legislative, administrative, and other measures, interest groups in medical science, agriculture, transportation, and hunting, to name the most important, removed entire spheres of animal use from the social and legal definitions of cruelty. This set the stage for over half a century of socially sanctioned abuses within sectors of the economy entirely exempt from laws or regulations to ensure animal welfare.

The history of organized work for animals includes many episodes of failure and a conspicuous cycle of decline. Animal protectionists lost many battles and fell far short of their goals in most endeavors. The humane movement's energy and influence dramatically waned by the second quarter of the twentieth century, and it was noticeably absent as a factor in public life until the post-World War II revival that saw animal protection's fortunes rise once again. This work addresses the movement's increasing distance from the broad-gauge vision that motivated its founders, and traces the diminution of progressive approaches to the problem of animal well-being.

¹¹ For arguments on the importance of Darwin, see Turner, Reckoning with the Beast, 60-78; and James Jasper and Dorothy Nelkin, The Animal Rights Crusade: The Growth of a Moral Protest (New York: Free Press, 1992), 11.
At the same time, this analysis contextualizes the movement's loss of vitality within the striking social, economic, and technological transformations of the late nineteenth and early twentieth centuries. The changes associated with modernization and rationalization of American life dramatically altered the terms of the human-animal relationship. Ironically, just as humane advocates began to contest an unqualified anthropocentrism, new and unprecedented forms of animal use emerged, some of which would gather momentum right through the middle decades of the twentieth century and have only recently faced serious challenge. Both traditional and newer forms of animal usage were bolstered by an increasing scientific objectification that reduced the study of animals to an investigation of physiological conditions rather than an exploration of their consciousness and needs. The removal of animal usage to locations distant from common sight and experience reinforced public indifference. Animal protectionists were not successful when they tried to press their standards forward in research, testing, and education, or in industrialized agriculture, where institutional or corporate exploitation of animals was escalating and human material interests were strongest.

This study draws upon many of the key historical works concerning animal protection. In its core assumption, however, it is most closely linked to Keith Thomas's *Man and the Natural World*, which traces the erosion of anthropocentrism in England between 1500 and 1800. Thomas sees growing self-consciousness about the exploitation of non-human life coming into conflict with the demands of civilization. He describes a society beset by contradiction, its material foundations linked to the domination of the
natural world and its inhabitants, and its philosophical, religious, and moral impulses tending toward ever greater concern for animals and nature.\textsuperscript{12}

The protracted historical process that Thomas describes did not end with the period his work covers. The contradiction he pinpoints only intensified during the latter half of the nineteenth century, as the forces of modernization profoundly altered the human-animal relationship, expanding animal use in new and unparalleled ways. The present study tracks this critical period in the ongoing reconfiguration of human-animal relations, one that witnessed both the first sustained criticisms of cruelty to animals, and the emergence of a broader sensitivity toward animals, domestic and wild, as well as an accelerating tendency toward their objectification and exploitation.

Despite its limits and inconsistencies, the humane movement of the nineteenth and early twentieth centuries encompassed new feelings of sensitivity and responsibility toward non-human animals. Its adherents recognized animals as sentient individuals with a capacity for pain and suffering similar to that of human beings, and undertook an impressive range of philanthropic initiatives on their behalf. In many respects, nineteenth- and early twentieth-century humane advocates anticipated contemporary calls for a searching reevaluation of the relationship between humans and non-human animals. Whatever my thoughts on the future of that relationship, my aim is to convey certain ideas about its past.

\textsuperscript{12} Thomas, \textit{Man and the Natural World}, 300-3.