

Masculinities and Animal Harm

Men and Masculinities
2020, Vol. 23(5) 908-926
© The Author(s) 2020



Article reuse guidelines:
sagepub.com/journals-permissions
DOI: 10.1177/1097184X20965458
journals.sagepub.com/home/jmm



Angus Nurse¹

Abstract

This paper explores the role of masculinities in animal harm and conceptions on the Masculinities Offender, primarily motivated by power and masculine behaviors. Within “masculinities crimes,” the exercise of power allied to sport or entertainment is significantly linked to organized crime and gambling. Masculinities crimes also include elements of cruelty or animal abuse and perceptions by offenders of their actions having cultural significance, and where toughness, masculinity, and smartness combine with a love of excitement. Examples include badger digging, badger baiting, cock-fighting, and other crimes involving the “sporting” killing or taking of wildlife.

This article explores masculinities offender rationalizations and associated masculinity-based negative attitudes towards animals and animal harm. The public policy response to masculinities crimes reflects acceptance of the violent nature of offenders. Yet arguably enforcement and punishment through use of surveillance activities and undercover operations, and reliance on prison as the primary deterrent/sanction risks being counter-productive and reinforcing the very masculinities that underlie offending behavior.

Keywords

animal abuse, dog-fighting, domestic violence, green criminology, masculinities, environmental crime

¹ Department of Criminology and Sociology, Middlesex University, London, UK

Corresponding Author:

Angus Nurse, Department of Criminology and Sociology, Middlesex University, Room WG24, School of Law, The Burroughs, Hendon, NW4 4BT, UK.
Email: A.Nurse@mdx.ac.uk

This article explores the role of masculinities as a substantive factor in animal harm and the abuse of animals. Academic debate on crime generally acknowledges that crime and criminality are predominantly male concerns (e.g., Groombridge 1998), reflecting both the propensity towards violence of young males and the extent to which men in this category might become victims of crime. Previous research (Nurse 2013a) has also identified that while masculinities are a common cause of animal harm, a specific type of masculinities-based animal harm offender arguably exists (Nurse 2013a). For this offender, masculinities constitute both a primary cause of their offending behavior and a justification for the animal harm that they cause. Masculinities-based animal harm is also linked to other forms of offending, such that, for example, in domestic settings, animal harm is a means through which men sometimes express and reassert their masculinity in challenging social situations. Thus, animal harm, predicated on the influence of notions of masculinities, can be linked both to aspects of control and to those situations where a perceived loss of power or challenge to masculine authority needs to be addressed. Animal harm thus arguably becomes a tool through which masculinity is reasserted, and the victimization of animals is part of a broader conception on victimization of the vulnerable.

This article explores the rationalizations of the masculinities offender and the extent to which negative attitudes towards animals and animal harm are linked to notions of masculinity. The public policy response to “masculinities crimes,” those crimes of a distinctly masculine nature and that engage with stereotypically masculine behaviors (Nurse 2013a) reflects acceptance of the propensity towards violence of male offenders and is similar to that employed for organized crime (Nurse 2012, 2013a). In respect of animal harm, this includes those offences where deliberate infliction of pain is a factor, such as badger baiting, cock-fighting, dog-fighting, and hare coursing. These are crimes intrinsically linked to the exercise of male power over the vulnerable. Yet arguably, enforcement and punishment through use of surveillance activities and undercover operations, and reliance on prison as the primary deterrent/sanction risks being counter-productive and reinforcing the very masculinities that underlie offending behavior.

Methods

While this paper is largely theoretical in respect of advancing conceptions on masculinities as a cause of animal harm, it draws on the author’s prior research into wildlife and animal crime and it makes use of both empirical research (including prior research) and documentary analysis. For this paper, a literature review was conducted in order to identify factors that indicated the existence of masculinities within animal harm (as defined later in this article) or where evidence of a particularly male offending characteristic was present. The literature review examined prior research studies on the links between animal abuse and human violence. Studies in this area have identified some correlation between animal abuse and interpersonal violence, and they have also examined the extent to which violent

male offenders are exposed to or are engaged in animal abuse prior to being active in human violence. The evidence of research studies suggests that where animal abuse occurs, interpersonal violence (and particularly domestic violence) is likely to occur, and vice versa (Linzey 2009). Such abuse is predominantly committed by men against women with vulnerable animals often used as tools to aid offending (for example involving children in animal abuse as a form of control and abuse in its own right). Accordingly, this article examines what the available research reveals about the reasons why male offenders may engage in animal abuse, and the influence of notions of masculinity upon their offending. In addition, an analysis of selected available prosecutions data was conducted in respect of animal abuse offending in the United Kingdom. The author's research on dog-fighting in the United Kingdom, for example, identified that the majority of those prosecuted for dog-fighting offences are male (Harding and Nurse 2015). As part of this research, the available data on prosecutions was revisited in order to try and identify the indicative male behaviors (psychological, social, and cultural) that are possible predictors of animal abuse and that also might help to identify which offences in relation to animal abuse are being prosecuted in respect of male offenders.

During the period from 2000 to 2008, the author also conducted research into wildlife crime, which has partly informed this article's research. This prior research into wildlife crime conducted interviews with the majority of UK wildlife NGOs focused on the scale of wildlife crime, the nature of offending behavior that contravened legislation, and the adequacy of the law. Interviews were intended to provide a balance of the wide range of views and expertise available on wildlife crime issues and the differing policy perspectives held by individuals and organizations, and to represent a form of interpretive interactionism (Denzin 2001). In particular, the combination of document research and qualitative interview data was designed to provide the most comprehensive picture possible of wildlife law enforcement, wildlife criminality, and offender type in the United Kingdom. It was accepted that while theorists might consider the NGOs approached in this research (the mainstream NGOs) to fit within a particular definition of environmental or animal rights organizations (Beirne 2007; Connelly and Smith 1999), there is considerable diversity in the culture, organizational structure, and political sensibilities of the organizations. Allowing NGOs to answer open-ended questions allowed them to expand on the reasons for their views, the moral or theoretical underpinnings of their views, and the political imperatives that might dictate policy, predominantly aimed at addressing male offending. While the interviews were conducted for a broader purpose than the focus of this article, views were sought on a range of subjects including:

1. Why people commit wildlife crime.
2. What should be done with wildlife offenders.
3. The effectiveness of sentencing in wildlife crime cases.
4. The case for changes to wildlife legislation.
5. How to reduce wildlife crime.

Thus, the interviews provided considerable information on the nature of offenders involved in wildlife and animal crime, who are predominantly male. What emerged from the empirical research was a clearer picture of the nature of wildlife and animal crime in the United Kingdom, as well as a picture of the types of offenders involved. One finding of the previous research was that whilst male offending dominated, offenders have different motivations and rationalizations for their offending (Nurse 2011, 2013a). Thus, rather than animal offenders fitting into the perceived wisdom of the rationally driven, profit-motivated offender, a range of offender types exist, including that of the masculinities offender (discussed later in this article).

In developing this article, information provided in the author's earlier fieldwork and the evidence of previous studies into animal abuse and human violence has been considered alongside the criminological literature on the links between animal abuse and human violence, and of the role of masculinities in offending. By combining this information, this article seeks to advance a theoretical basis for the role of masculinities in animal abuse. It also seeks to conceptualize the different types of masculinities behavior that influences animal harm and leads to animal abuse committed by male offenders.

Defining Animal Harm

Legal systems generally distinguish between the protection of domestic animals and wild animals (Schaffner 2011). Non-human domestic or companion animals frequently receive higher levels of protection due to their reliance on humans and the perceived duty of care that humans owe to them after having accepted them into their homes. For example, the UK's Animal Welfare Act 2006 (and its associated devolved legislation)¹ imposes a duty of animal welfare on those who choose to have animals in their homes. The duty includes ensuring that companion animals have their individual needs cared for and are provided with a suitable diet (Nurse and Ryland 2014). No such obligation exists in respect of wild animals, and wildlife law is largely couched in negative rather than positive terms, specifying prohibited actions in respect of wildlife (i.e., those activities that when committed constitute an offence) rather than identifying the positive steps that need to be taken to protect companion animals and provide for their welfare.² Wild animals, by contrast, tend to be protected only in so far as their interests coincide with human interests, such that there is benefit to humans in providing for wild animal protection. Thus, an anthropocentric notion of wildlife exists where animals living in a wild state are frequently seen primarily as a resource for human use rather than as sentient beings having intrinsic value and requiring protection from harmful human interests. This is reflected in the reality of much wildlife protection legislation broadly being conservation management legislation that allows for animals' continued use and exploitation, sanctioned within legislative systems via exemptions that allow certain harmful activities to continue while explicitly prohibiting others deemed to be cruel or

unnecessary. Such laws often also contain legal defenses that negate certain offences where accused individuals are providing with a means of justifying their activities (Nurse 2012, 2013a, 2015a). Those offences that exist in wildlife legislation primarily reflect animals' property status and their value to humans (Nurse 2012, 2013a; Schaffner 2011) rather than a determined attempt to achieve effective animal protection. Accordingly, wild animals are arguably only protected up to a point. However, most jurisdictions have animal protection laws codifying what constitutes animal abuse and specifying the legal safeguards granted to companion animals (Nurse 2013a; Schaffner 2011). Yet the scope of these laws and their integration into criminal justice systems varies between jurisdictions, reflecting culture-specific attitudes towards animals (Nurse 2013a). Western legal systems generally attempt to provide for effective levels of animal protection by incorporating animal welfare and wildlife crime laws into civil and criminal justice systems, but such laws are often poorly enforced reflecting a societal approach to animal harm that generally sees it as less important than other crimes (Nurse 2012, 2013a).

Animal abuse and wildlife crime concerns risk remaining at the fringes of green criminology and socio-legal studies that are often dominated by debates about the case for legal animal rights rather than embracing species justice principles into an integrated justice approach. White (2007) identifies a main concern of species justice as being "the rights of other species (particularly animals) to live free from torture, abuse and destruction of habitat" (2007, 38). Thus, animal abuse and wildlife crime can arguably be considered jointly in the context of green criminology's theoretical and practical investigation into criminology's examination of threats and harms that impact beyond the narrow confines of interpersonal violence and property crimes. The following definition of animal harm is offered as a means of implementing a species justice perspective:

Animal harm is any unauthorized act or omission that violates national or international animal law whether anti-cruelty, conservation, animal protection, wildlife or general law that contains animal protection provisions (including the protection of animals as property) and is subject to either criminal prosecution and criminal sanctions, including cautioning or disposal by means other than a criminal trial or which provides for civil sanctions to redress the harm caused to the animal whether directly or indirectly. Animal harm may involve injury to or killing of animals, removal from the wild, possession or reducing into captivity, or the sale or exploitation of animals or products derived from animals. Animal harm also includes the causing of either physical or psychological distress. (Nurse 2013a, 57)

This definition reflects the wide-ranging nature of animal harm activities incorporating both direct and indirect harms, and as affecting both non-human companions and wild animals. It also reflects the varied nature of "criminality" associated with animal harm and incorporates the notion that animal harm is defined as much by its behavioral traits as it is by whether animal abuse, cruelty, or other specific

forms of exploitation are involved. Crucially, animal harm is concerned with wrongdoing against non-human animals irrespective of whether the behavior is defined as crime or as a civil or administrative wrong. That the act or its effects are prohibited and carry some form of sanction is the point at issue, not whether a particular legal system is used to address it. Thus, for criminological examination of green harms to be comprehensive, both environmental harms and animal harms should be considered.

Beirne (1999) suggests that animal cruelty is an important issue needing to be incorporated within criminological inquiry because of its importance on the following levels:

1. Animal cruelty may signify other actual or potential interpersonal violence;
2. Animal cruelty is, in many forms, prohibited by criminal law;
3. Violence against animals is part of the utilitarian calculus on the minimization of pain and suffering (the public good);
4. Animal cruelty is a violation of rights; and
5. Violence against animals is one among several forms of oppression that contribute, as a whole, to a violent society.

Harms inflicted on animals are also important concerns for criminology and criminological understanding of offenders on a number of levels: legal attempts to protect animals indicate societal attitudes; the connection between harm to animals and inter-human violence indicates that animal harm issues should not be considered in isolation (Beirne 2007; Linzey 2009); and challenges to mainstream criminological debate and anthropocentrism around what constitutes crime and the nature of victimization are important to a contemporary notion of crime and justice (Nurse 2013a). Considering biocentric and ecocentric (as opposed to anthropocentric) perspectives (e.g., Halsey and White 1998; White 2008), and thinking in terms of species justice and ecological justice (rather than simple criminal justice, social justice, or even environmental justice), green criminology discusses ways in which threats to the rights of non-human animals and humans can be rectified.

The Causes of Crime and Deviance

Understanding the psychology of offenders, the economic pressures that affect them, and the sociological and cultural issues that impact on offending behavior greatly aids understanding of what needs to be done to address behaviors and conditions that lead to animal harm. Some offences are motivated by purely financial considerations, some by economic or employment constraints (Roberts et al. 2001, 27) and others by predisposition towards some elements of the activity such as collecting; or exercising power over animals or by controlling others via the threat of harm to animals. The reality of animal harm is that it includes a range of different offences: the cruelty offences inherent in animal abuse and unnecessary suffering, and the

varied offences of wildlife crime. Wildlife offences involve different elements, some incorporating the taking and exploitation of wildlife for profit (wildlife trade) and others involving the killing or taking or trapping of wildlife either in connection with employment (for example, bird of prey persecution) or for purposes linked to field sports such as hunting with dogs (Nurse 2013a).

Animal abuse is significantly influenced by masculinities, often involving the exercise of male power (frequently patriarchal) over other less powerful members of a family or community. The cruelty inflicted on animals, whether physical or psychological, illustrates stereotypical male behavior such as the exercise of control through physical force, and intimidation and coercion employed in other areas such as domestic abuse, spousal control, or the disciplining of children (Arkow 1996; Browne 1993). Many wildlife crimes involve stereotypical male behaviors such as aggression, thrill-seeking, or having an adventurous nature (Nurse 2015a). In the context of dangerous activities involving wildlife (for example trophy hunting) recklessness, assertiveness, and enjoyment in overcoming adversity are conducive to committing wildlife crime in sometimes difficult and dangerous outdoor conditions. Such activities may, for example, include a requirement to negotiate wildlife (e.g., dangerous species and adult wildlife protecting its young) and the attentions of law-enforcement and NGOs. In the contemporary context where law enforcement and game wardens are armed and use sophisticated surveillance techniques (Ellis 2018; Vaughan 2013), there is added danger and challenge involved in engaging with animals in the wild. In addition, the outlet for aggression allowed by such crimes as badger-baiting and badger digging, and hare coursing, and the opportunities for gambling related to these offences (and others such as cock-fighting) are likely to appeal to young men seeking to establish their identity and assert their masculinity and power over others. Such crimes, by their very nature, provide opportunities for men to engage in and observe violence, and to train animals (fighting cocks, and dogs) that represent an extension of themselves and reinforce elements of male pride, strength, endurance, and the ability to endure pain.

The Masculinities Offender

Previous research (Nurse 2011, 2013a) identified that within animal harm, a distinct type of offender exists: the masculinities offender who is primarily motivated by power and notions of masculinity. In contrast to offenders who commit crimes purely for financial gain, masculinities offenders commit offences involving harm to animals and that involve exercising a stereotypical masculine nature both in terms of the power dynamic between human and vulnerable animal and the links to sport and gambling (Nurse 2013a). There is often some link between these offences and low-level organized crime. Considerations of why men commit the majority of crime, and certainly more crime than women, have taken into account biological explanations of crime and whether there are physiological reasons for men committing crime (Lombroso and Ferrero 1895; Beaver and Nedelec 2014). They have also

considered whether the socialization of young men and the extent to which routes to manhood leave young men confused or anxious about what it means to be a man and whether this might cause young men to turn to crime (Harland, Beattie, and McCready 2005; Kimmel, Hearn and Connell 2005). Restrictive notions of masculinity dictate that many men are forced into roles as defenders and protectors of their communities (Harland, Beattie, and McCready 2005), and they are also encouraged to comply with the image of the “fearless male” (Goodey 1997) and to achieve the ideal of hegemonic masculinity (Connell 1995; Harland, Beattie, and McCready 2005). Thus, men are encouraged to reject any behavior construed as being feminine or un-masculine or which does not conform to traditional masculine stereotypes and engage in behavior (such as the ‘policing’ of other men) that reinforces hegemonic masculinity (Harland et al., 2005). Accordingly, in animal harm discourse (Nurse 2013a), evidence exists that the masculinities offender, directly engaged in harming animals as a primary form of societal non-compliance that asserts his masculinity, is likely to derive some pleasure from his offence and this is a primary motivator.

Evidence from interviews, documentary analysis, and that of court cases identifies that masculinities offences, particularly those linked to direct exploitation of animals, are seldom committed by lone individuals. In some of these crimes (e.g. pit-based dog-fighting, and hare coursing), the main motivation is the exercise of power allied to sport or entertainment; a link might also be made with organized crime and gambling (Harding and Nurse 2015). Such crimes, classed as crimes of masculinities, also include elements of cruelty or animal abuse and perceptions by the offender of their actions being part of their culture where toughness, masculinity, and smartness combine with a love of excitement. Examples include badger digging and badger baiting, and cock-fighting, as well as some crimes that involve the “sporting” killing or taking of wildlife. Anti-field sports NGOs conclude that offences such as dog-fighting and hare coursing attract a particular type of offender attracted by the harm to animals, and the excitement and enthusiasm of causing such harm and engagement in the illegal activity (League against Cruel Sports 1997, 20).

American research on wildlife-oriented crimes of the masculine, including cock-fighting and cock-fighting gangs, explains that: “cock-fighting can be said to have a mythos centered on the purported behaviour and character of the gamecock itself. Cocks are seen as emblems of bravery and resistance in the face of insurmountable odds” (Hawley 1993, 2). The fighting involved is “an affirmation of masculine identity in an increasingly complex and diverse era” (1993, 1), and the fighting spirit of the birds has great symbolic significance to participants as does the ability of fighting and hunting dogs to take punishment in UK wildlife crime. Thus, such activities arguably speak to distinctly male characteristics and provide a means through which masculine stereotypes can be reinforced and developed through offending behavior (Goodey 1997) and are important factors in addressing offending behavior that may sometimes be overlooked (Groombridge 1998). Wildlife offenders in the United Kingdom are almost exclusively male and, in the case of the more violent forms of wildlife offender, exhibit distinctly masculine characteristics. The

literature in the United Kingdom and public policy response is some way behind that of the United States in identifying a group of mostly young males involved in crimes of violence (albeit towards animals) that could turn to more serious forms of crime or expand their violent activities beyond animals and towards humans (Ascione 1993; Clawson 2009; Flynn 2002). Analysis of dog-fighting prosecutions in the United Kingdom, for example, identifies the majority of those prosecuted as being young males (20 years to 40 years) although limited data and inconsistency in recording mechanisms makes it difficult to profile offenders further in terms of such things as race, class, and occupation. Hare coursing, cock-fighting, and badger digging, all involve gambling, with wagers being placed on individual animals, the outcome of a fight, and other factors (including the power or strength of an animal). For some, the associated gambling is as important as the exercise of power, and significant sums are waged on fights, attracting the attention of organized crime.

For example, evidence from the RSPCA (2006, 2007) suggests that badger digging is a group activity, and case report evidence also confirms that group relationships replicate informal criminal networks. Maguire (2000) described some loose criminal networks as being like an “old boy network” of ex-public-school pupils, individuals would be able to call upon others for collaboration, help or services when they needed them, and would be able to verify their ‘bona fides’ to those they did not know” (Maguire as cited in King and Wincup 2000, 131). There is also a “secret society” element to these wildlife crimes, and here the community can actually encourage crime. The male-bonding element identified by Hawley is significant, as is the banding together of men from the margins of society and for whom issues of belonging, male pride, and achievement are important. In discussing cock-fighting in America, Hawley (1993) explains that “young men are taken under the wing of an older male relative or father, and taught all aspects of chicken care and lore pertaining to the sport. Females are generally not significant players in this macho milieu” although special events for women “powder puff” derbies are sometimes arranged (Hawley 1993, 5). Forsyth and Evans (2001) reached similar findings in researching dog-fighting in the United States, concluding that an appeal to higher loyalties and an attachment to smaller groups took precedence over attachment to society for the dogmen, with dog-fighting having great cultural significance and wider social importance for the dogmen and other masculinities offenders. Harding and Nurse’s research into UK dog-fighting (2015, 2016) also identified the importance of a masculine group dynamic and, in an analysis of dog-fighting activity and prosecutions in the United Kingdom, also noted the extent to which dog-fighting had become a masculinities-based group activity.

Animal Harm as Masculine Control

Animal harm can also be deployed together with domestic violence and exercise of patriarchal power within the home as a means to dominate other family members. Analysis of the literature on the links between animal abuse and human violence

illustrates how children or spouses can be manipulated into remaining with an abuser by means of the control exercised over companion animals (Arkow 1996; Browne 1993) while older family members can be intimidated into remaining silent about any abuse. In this respect, domestic animal harm is less a criminological species justice issue relating to the specific issue of animal rights (Rollin 2006; White 2008) than it is one relating to how the animal harm imposed is a means to an end, where masculinities are an important factor. The nature of the animal harm committed and its link to wider abuse and control issues within the home is determined in part by the vulnerability of animals as powerless family members rather than their lack of any protective rights regime. Arguably, abuse of companion animals within a domestic setting can also be an indicator of other antisocial behavior and a possible predictor of future offending. In reality the mistreatment of domestic animals can occur for many reasons and can be either active or passive. *Passive* mistreatment can include neglect caused by “failure to act” such that companion animals are not properly cared for and harm is caused either as a result of misunderstanding an animal’s needs or through deliberate neglect. Frasch (2000) identifies that beliefs play an important part in the treatment of animals and that understanding of their needs and neglect of animals can be an indicator of other problems within the family. But it is important to distinguish between *accidental* and *deliberate* neglect. Academic and policy discussions of animal abuse tend to concentrate either on *active* mistreatment or deliberate neglect where intent to cause animal harm is a significant factor and an indicator of either anti-social personality disorder, mental illness, or some form of abuse within the family. However, accidental neglect, although receiving less attention in studies, can also be a potent indicator of domestic problems. First, it is worth pointing out that although some accidental neglect may still be serious for the companion animal, it occurs naturally through misunderstanding of appropriate care needs or the simple process of companion animals being bought for children who are either unable to care for them adequately or who simply grow out of the relationship with a companion animal and move on to other things (Nurse 2013a).

Animal harm is sometimes associated with power, especially patriarchal power. Weber (1964) identified the hierarchical nature of power within the family and its association with distinct family roles, primarily based around the father as the central power conduit with power circulating down to lesser family members. While Weber’s theory was based around less varied forms of the family than exist today, male power and masculinities remain significant factors in domestic violence and animal abuse. Feminist perspectives argue that patriarchy is a means through which dominant males use violence as an expression of power to control less powerful individuals within their immediate sphere of influence. Companion animals have the least power within a family dynamic, partly through being unable to speak and exercise their “rights” but also by virtue of their status as “property” (Francione 2007; Shaffner 2011). It should perhaps be noted that contemporary animal welfare law such as the UK’s Animal Welfare Act 2006 (and its associated devolved legislation) provide for a form of animal rights by virtue of imposing a duty of animal

welfare on those owning or being responsible for animals (Nurse and Ryland 2014). Yet despite this legal protection, animal abuse continues, and it is often linked to other forms of offending (Linzey 2009). As Adams argues, abuse of animals is part of the wider dominance and exploitation of less powerful individuals by males (1994) through which a dominant male is able to control his immediate environment and increase both acceptance of his will and reliance on his authority.

A number of studies have identified a causal link between animal abuse and domestic abuse concluding that in homes where domestic abuse takes place, animal abuse is also often present (Ascione 1993; Ascione and Weber 1995; Lewchanin and Zimmerman 2000). The relationship is a complex one; while not as straightforward as saying that an individual who abuses a spouse must also be abusing animals in the home, it can however be said that where an individual in a position of power within the family (i.e., the dominant male) is abusing animals, other forms of abuse such as spousal or child abuse are also *likely* to be occurring. Active or passive animal harm in the form of animal cruelty can be part of a cycle of abuse within the family, or even a consequence of domestic abuse. Definitions of domestic abuse are themselves not straightforward. The term “domestic violence” is frequently used as shorthand to describe the most prevalent form of domestic abuse dealt with by criminal justice agencies, usually that of violence towards women by a male spouse or partner (Morley and Mullender 1994). However, several criminologists and psychologists have examined domestic abuse in detail, concluding that domestic abuse is not confined to physical abuse that occurs solely within a domestic setting, but it can include a range of abusive behaviors that occur either within the home or within the wider domestic environment and family (including extended family) relationships (Ascione 2000; Petersen and Farrington 2009). Domestic abuse can thus incorporate physical, psychological, or sexual abuse, and while policy and law enforcement attention is often concentrated on physical or sexual abuse directed either at female partners or children, psychological abuse is equally important (O’Leary 1999) and is particularly relevant where animal abuse is concerned. Threats made against a companion animal can cause extreme emotional distress in both children and adult partners, and it can be an effective tool for an offender to both control other family members and those dependent on them or to influence control over a family dynamic. This control is particularly damaging for those vulnerable family members who have intense emotional attachments to companion animals. Morley and Mullender identified that “domestic violence is almost always a multiple victimisation crime” (1994, 5) as attacks (whether verbal or physical) by the same perpetrator are almost always repeated, although the frequency with which this occurs is dependent on the motivation of the offender (Farrell et al. 2005). Animal harm aimed at companion animals can thus be part of an overall pattern not just of persistent animal harm but also of other antisocial behavior and violence within the home. As a result, animal harm directed at companion animals is significant in terms of influencing subsequent animal harm caused by children and adolescents, and the escalation of

animal harm either as control or punishment carried out during a deteriorating (or escalating) cycle of partner abuse.

Rationalizing Animal Harm

Sykes and Matza's neutralization theory (1957) is a useful model for identifying the justifications used by offenders that gives them the freedom to act (and a post-act rationalization for doing so), while other theories explain why animal harm offenders are motivated to commit specific crimes. Animal offenders exist within communities of like-minded individuals, although there may not be a geographically distinct community about where the crimes take place or neighbors to exert essential controls on offending (especially in respect of wildlife offences that often take place in remote areas). Offenders may also live within a community or subculture of their own that accepts their offences, as many animal harm offences carry only fines or lower level prison terms that reinforce the notion of animal harm as "minor" offences unworthy of official activity within mainstream criminal justice (Nurse 2013b; Schaffner 2011). In addition, Sutherland's (1973[1939]) differential association theory helps to explain the situation that occurs when potential animal abusers and wildlife offenders learn their activities from others in their community or social group (Sutherland 1973). For example, mature egg collectors, identified as falling within a category of "hobby" offender (Nurse 2011; 2013a) argue that there is no harm in continuing an activity that they commenced legitimately as schoolboys. Examination of case files and newspaper reports on egg collecting confirm that new collectors continue to be attracted to the "hobby" and learn its ways through interaction with more established collectors. Similarly, junior gamekeepers on shooting estates are alleged to have learned techniques of poisoning and trapping from established staff as a means of ensuring healthy populations of game birds for shooting, and dog-fighters gain acceptance into their sport and learn the techniques of becoming successful from others who are active in their activity (Hawley 1993). Awareness of the illegal nature of their actions leads to the justifications outlined by Sykes and Matza (1957), but the association with other offenders, the economic (and employment related) pressures to commit offences, and the personal consequences for them should they fail are strong motivations to commit offences (Merton 1990).

Elsewhere, communities encourage the main learning process for criminal behavior within intimate groups and association with others. In fox-hunting, for example, youngsters are encouraged to hunt by their parents or other adult hunt members and, at the conclusion of a successful hunt, may be "blooded" (smeared with the blood of the fox) as a sign of acceptance into the fox-hunting fraternity. This, in part, ensures that the traditional sport of fox hunting will continue as new enthusiasts are taught the ways of the sport from a relatively early age (notwithstanding any legal restrictions that may change the status of the sport). Many rural communities have strong traditions of hunting or field sports that persist despite legislative attempts to control such practices, and within indigenous communities, traditional hunting and animal

harvesting practices survive legislative efforts (John, Robinson, and Redford 1985), although exemptions contained within legislation sometimes allow traditional subsistence hunting to continue.

As a causation of animal harm, the denial of injury is an important factor not only indicating that individuals do not see any harm in their activity but also confirming the view of animals as a commodity rather than as sentient beings suffering as a result of the individual's actions. Wise (2000) argues that the concept of inequality between humans and non-humans is central not just to the legal status of animals but also to how individuals treat animals. The perception that certain animals do not feel pain (or that any pain can be minimized) allows offenders to commit their offences without considering the impact of their actions or feeling any guilt over them. In mainstream criminology, there is evidence that burglars and other offenders when confronted by their victims in restorative justice conferencing often express surprise that their victims have strong feelings about the crime and the actions of the offender (Shapland et al. 2007; Sherman and Strang 2007). As such, they do not readily see themselves either as criminals or causing harm by their criminality.

An appeal to higher loyalties, such as the traditional nature of an activity like dog-fighting and association with a community of like-minded males are also factors and provide a strong incentive for new members to join already established networks of masculinities offenders. Hawley (1993) observed that cock-fighters often resort to argument "based on pseudo-psychological notions: the birds feel no pain" and employ sophisticated arguments in denial of the pain caused. For the dogmen engaged in dog-fighting, the ability of a dog to endure punishment is seen as evidence of its "gameness" and masculinity, and is directly associated with that of its owner. In that sense, its masculinity is prized and is seen as a reflection of its owners' masculinity. Fighting is seen as "natural" to some dogs. Thus, those engaged in these forms of animal fighting are especially aggressive towards NGOs like People for the Ethical Treatment of Animals (PETA) and other advocacy groups whom they demonise as "effete intellectuals and kooks" who lack understanding of their activity (Hawley 1993, 5).

Similar arguments occur in the United Kingdom concerning hunting with dogs and fishing. The conflicting arguments of the pro-ban and pro-hunt lobbies have been characterised as "town versus country." Resistance to legislation that bans hunting with dogs in England and Wales (introduced in 2004) employed arguments that emphasize the traditional nature of hunting and that dismissed legislation to ban hunting with dogs as Whitehall interference in the countryside.³ Hunting supporters also deny that hunted animals feel pain and stress hunting as necessary and effective predator control. Even after the introduction of the *Hunting Act 2004*, its proponents continue to challenge its legitimacy (Nurse 2017). The Act was challenged on the grounds that it was incompatible with the European Convention on Human Rights (*R (Countryside Alliance and Others) v Attorney-General and Another Regina (Derwin and Others) v Same*, 2007). An earlier, separate challenge in *Jackson v Attorney General [2005] UKHL 56* represented an unsuccessful attempt to challenge the

Act's validity on constitutional grounds. The arguments pursued by hunt supporters are similar to those employed by cock-fighters, badger baiters, and badger diggers. While this is not to suggest that the activities are the same in any legal sense, the rationalizations given are those of denial, unwarranted intervention by legislators, and allegations of a lack of understanding on the part of those that seek to ban the activity.

The public policy response to masculinities crimes reflects acceptance of the propensity towards violence of offenders and is similar to that employed for organized crime. Techniques employed by enforcers include infiltration of gangs, surveillance activities, and undercover operations. Masculinities offences are considered to be more dangerous than other wildlife criminals and are treated accordingly (Nurse 2013b, 2015a).

Preliminary Conclusions on Animal Harm and Masculinities

This paper argues that a distinct masculinities offender exists in respect of animal harm. An examination of the primary motivations and offending behavior in animal harm shows that rather than there being one "rational" wildlife offender committing crime for profit, there are several offender types (Nurse 2013a). While the nature of the offences may be different, there is inevitably some overlap in the behaviors of different types of offenders, although the weight attached to various determining factors varies. Egg collectors, badger diggers, and gamekeepers are all, for example, keeping a traditional activity alive, but in different ways and for different reasons. The egg collector is pursuing his "traditional" hobby, whereas the gamekeeper is perpetuating a learned traditional behavior in the form of a type of predator control that has been handed down from gamekeeper to gamekeeper irrespective of changes in the law. The masculinities criminal may derive some financial gain from gambling, but it is not a *primary* motivating factor whereas money is for the traditional criminal. What all offender types share in common is the likely knowledge that their activities may be illegal (although there may be denial as to whether this should be the case) and that the likelihood of detection, apprehension, and prosecution remains low.

For the masculinities offender, the effectiveness of prison or high fines is also questionable. Much like gang members in the inner-city US, those involved in organised crime, or youths who see ASBOs as a badge of honour (Youth Justice Board and BBC News, November 2006), masculinities offenders may come to see prison as simply an occupational hazard as well as reinforcing their male identity and confirmation of society's lack of understanding of their needs and culture. For these types of offenders, situational crime prevention should be attempted and a real effort at rehabilitation should be made alongside the traditional law enforcement approach of detection and prosecution. Consideration may also need to be given to the circumstances in which groups of young men turn to crime with a violent element and whether the type of social work intervention combined with law enforcement

activity that now takes place in parts of the United States with animal abusers (Brantley 2009; Clawson 2009) could be applied in the United Kingdom.

Within families, domestic animal harm, particularly abuse that involves inflicting physical harm on animals, is an indicator not only of domestic abuse perpetrated on partners and children typically by the adult male in the family but also of psychological disorders that may show a propensity towards other forms of violence and antisocial behavior. Animal harm thus needs to be recognized not just as a factor in domestic abuse but as a form of abuse in its own right and as an indicator of antisocial behavior or violent tendencies in both adults and children that may be associated with other forms of offending. If recognized early in children, assessing the precise nature of childhood animal abuse may be an important factor in diverting children away from future offending (Hutton 1998) or in determining the correct approach to deal with abusive relationships within the family. In adults, animal harm can indicate the existence of other masculinities driven offending such as spousal or child abuse.

Declaration of Conflicting Interests

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author received no financial support for the research, authorship, and/or publication of this article.

Notes

1. The Animal Welfare Act 2006 covers England and Wales. Different legislation exists in Scotland and Northern Ireland, although this is broadly comparable with the provisions of the Animal Welfare Act 2006.
2. These are encapsulated into the “Five Freedoms”: **1. Freedom from Hunger and Thirst**, by ready access to fresh water and a diet to maintain full health and vigor. **2. Freedom from Discomfort**, by providing an appropriate environment including shelter and a comfortable resting area. **3. Freedom from Pain, Injury or Disease**, by prevention or rapid diagnosis and treatment. **4. Freedom to Express Normal Behaviour**, by providing sufficient space, proper facilities, and company of the animal’s own kind. **5. Freedom from Fear and Distress**, by ensuring conditions and treatment which avoid mental suffering. The Five Freedoms have broadly been written into the UK’s Animal Welfare Act 2006 and its associated Codes of Animal Welfare issued by the Government for different species of companion animal.
3. Such arguments have been revisited in recent years as proposals to repeal the ban on hunting with dogs made its way into the UK Conservative Party’s election manifesto (Nurse 2015b).

References

- Adams, C. J. 1994. "Bringing Peace Home: A Feminist philosophical Perspective on the Abuse of Women, Children, and Pet Animals." *Hypatia* 9, 62–84.
- Arkow, P. 1996. "The Relationship between Animal Abuse and Other Forms of Family Violence." *Family Violence and Sexual Assault Bulletin* 12 (1–2), 29–34.
- Ascione, F. R. 1993. "Children Who Are Cruel to Animals: A Review of Research and Implications for Developmental Psychopathology." *Anthrozoos* 6 (4), 226–247. <http://doi.org/10.2752/089279393787002105>
- Ascione, F. R. 2000. "What Veterinarians Need to Know about the Link between Animal Abuse and Interpersonal Violence." In American Veterinary Medical Association. *Proceedings of the 137th Annual Meeting of the American Veterinary Medical Association*. Salt Lake City, UT. 25 July 2000.
- Ascione, F. R., and C. Weber. 1995. *Battered Partner Shelter Survey (BPSS)*. Logan: Utah State University.
- Beattie, K. 2004. "Homophobic Bullying: The experiences of gay and lesbian youth in Northern Ireland". PhD thesis submitted to the University of Ulster.
- Beaver, K. M., and J. L. Nedelec. 2014. "A Biosocial Explanation for Male-Female Differences." In *Criminal Involvement. In The Nurture Versus Biosocial Debate in Criminology: On the Origins of Criminal Behavior and Criminality*, edited by K. Beaver, J. Barnes, and B. Boutwell, 25–41. Thousand Oaks, CA: Sage.
- Beirne, P. 1999 "For a Nonspeciesist Criminology: Animal Abuse as an Object of Study." *Criminology* 37 (1), 1–32.
- Beirne, P. 2007. "Animal Rights, Animal Abuse and Green Criminology." In *Issues in Green Criminology: Confronting Harms against Environments, Humanity and other Animals*, edited by P. Beirne and N. South, 55–83. Cullompton, UK: Willan.
- Brantley, A. 2009. "An FBI Perspective on Animal Cruelty." In *The Link between Animal Abuse and Human Violence*, edited by A. Linzey, 223–227. Brighton, UK: Sussex Academic Press.
- Browne, A. 1993. "Violence against Women by Male Partners: Prevalence, Outcomes and Policy Implications." *American Psychologist* 48, 1077–1087.
- Clawson, E. 2009. "The New Canaries in the Mine: The Priority of Human Welfare in Animal Abuse Prosecution." In *The Link between Animal Abuse and Human Violence*, edited by A. Linzey, 190–200. Brighton, UK: Sussex Academic Press.
- Connell, R. W. 1995. *Masculinities*. Oxford: Blackwell Publishers.
- Connelly, J., and G. Smith. 1999. *Politics and the Environment: From Theory to Practice*. London: Routledge.
- Denzin, N. 2001. *Interpretive Interactionism (Applied Social Research Methods)*. London, UK: SAGE Publications.
- Ellis, S. 2018. "Of Elephants and Men: Politics and Nature Conservation in South Africa." *Journal of Southern African Studies* 20 (1), 53–69. <http://doi.org/10.1080/03057079408708386>
- Farrell, G., K. Clark, D. Ellingworth, and K. Pease. 2005, January. "Of Targets and Super-targets: A Routine Activity Theory of High Crime Rates." *Internet Journal of Criminology*. https://docs.wixstatic.com/ugd/b93dd4_fb29958195674be1a633b70c36ee051c.pdf

- Flynn, C. P. 2002. "Hunting and Illegal Violence Against Humans and Other Animals: Exploring the Relationship." *Society & Animals* 10 (2), 137–154.
- Francione, G. L. 2007. "Reflections on Animals, Property, and the Law and Rain without Thunder." *Law and Contemporary Problems* 70 (1), 9–58.
- Forsyth, C. J., and R. D. Evans. 1998. "Dogmen: The Rationalisation of Deviance." *Society & Animals* 6 (3), 203–218.
- Frasch, P. D. 2000. "Addressing Animal Abuse: The Complementary Roles of Religion, Secular Ethics, and the Law." *Society and Animals* 8 (3), 332–349.
- Goodey, J. 1997. "Masculinities, Fear of Crime and Fearlessness." *The British Journal of Sociology* 37 (3), 401–418.
- Groombridge, N. 1998. "Masculinities and Crimes Against the Environment." *Theoretical Criminology* 2 (2), 249–267.
- Halsey, M., and R. White. 1998. "Crime, Ecophilosophy and Environmental Harm." *Theoretical Criminology* 2 (3), 345–371.
- Harding, S., and A. Nurse. 2015. *Analysis of UK Dog Fighting, Laws and Offences*. London: Middlesex University.
- Harland, K., K. Beattie, and S. McCready. 2005. *Young Men and the Squeeze of Masculinity: The Inaugural Paper for the Centre for Young Men's Studies*. Ulster, UK: Centre for Young Men's Studies.
- Hawley, F. 1993. "The Moral and Conceptual Universe of Cockfighters: Symbolism and Rationalization." *Society and Animals* 1 (2), 159–168.
- Hutton, J. S. 1998. "Animal Abuse as a Diagnostic Approach in Social Work: A Pilot Study." In *Cruelty to Animals and Interpersonal Violence: Readings in Research and Application*, edited by R. Lockwood and F. Ascione. West Lafayette, IN: Purdue University Press.
- John, G., J. Robinson, and K. Redford. 1985. "Hunting by Indigenous Peoples and Conservation of Game Species." *Cultural Survival Quarterly* 9 (1). <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/hunting-indigenous-peoples-and-conservation-game-species>.
- Kimmel, M., J. Hearn, and R. W. Connell. 2005. *Handbook of Studies on Men and Masculinities*. London, UK: SAGE Publications.
- League against Cruel Sports. 1997. *Wildlife Guardian*, 36, Spring. London, UK: League against Cruel Sports.
- Lewchanin, S., and E. Zimmerman. 2000. *Clinical Assessment of Juvenile Animal Cruelty*. Brunswick, ME: Biddle Publishing Company and Audenreed Press.
- Linzey, A. (ed) 2009. *The Link Between Animal Abuse and Human Violence*. Brighton: Sussex University Press.
- Lombroso, C., and W. Ferrero. 1895. *The Female Offender*. London, UK: Fisher Unwin.
- Maguire, M. 2000. "Researching 'Street Criminals': A Neglected Art." In *Doing Research on Crime and Justice*, edited by R. D. King and E. Wincup. Oxford: Oxford University Press.
- Merton, R. 1990. *Delinquency and Drift*. Piscataway, NJ: Transaction.
- Morley, R., and A. Mullender. 1994. *Preventing Domestic Violence: To Women*. London, UK: Home Office.

- Nurse, A. 2011. "Policing Wildlife: Perspectives on Criminality in Wildlife Crime." *Papers from the British Criminology Conference*, 11, 38–53.
- Nurse, A. 2012. "Repainting the Thin Green Line: The Enforcement of UK Wildlife Law." *Internet Journal of Criminology*, October.
- Nurse, A. 2013a. *Animal Harm: Perspectives on Why People Harm and Kill Animals*. Farnham, UK: Ashgate.
- Nurse, A. 2013b. "Privatising the Green Police: The Role of NGOs in Wildlife Law Enforcement." *Crime, Law and Social Change* 59 (3), 305–318.
- Nurse, A. 2015a. *Policing Wildlife: Perspectives on the Enforcement of Wildlife Legislation*. Basingstoke, UK: Palgrave Macmillan.
- Nurse, A. 2015b. "We Don't Need No Legislation: Wildlife Protection Depends on Enforcement." *The Conversation*. <https://theconversation.com/we-dont-need-no-legislation-wildlife-protection-depends-on-enforcement-37930>
- Nurse, A. 2017. "Criminalising the Right to Hunt: European Law Perspectives on Anti-hunting Legislation." *Crime, Law and Social Change* 67 (4), 383–399.
- Nurse, A., and D. Ryland. 2014. *Cats and the Law: A Plain English Guide*. London, UK: The Cat Group.
- Nurse, A., and S. Harding. 2016. "Contemporary Dog-Fighting Law in the UK." *Journal of Animal Welfare Law*, 2016 (February), 1–10.
- O'Leary, K. D. 1999. "Psychological Abuse: A Variable Deserving Critical Attention in Domestic Violence." *Violence and Victims* 14 (1), 3–23.
- Petersen, M. L., and D. P. Farrington. 2009. "Types of Cruelty: Animals and Childhood Cruelty, Domestic Violence, Child and Elder Abuse." In *The Link between Animal Abuse and Human Violence*, edited by A. Linzey, 24–37. Brighton, UK: Sussex Academic Press.
- Roberts, M., D. Cook, P. Jones, and D. Lowther. 2001. *Wildlife Crime in the UK: Towards a National Crime Unit*. Wolverhampton, UK: Department for the Environment, Food & Rural Affairs/Centre for Applied Social Research (University of Wolverhampton).
- Rollin, B. E. 2006. *Animal Rights and Human Morality*. New York, NY: Prometheus.
- Royal Society for the Prevention of Cruelty to Animals. 2006. *Annual Review 2005: Royal Society for the Prevention of Cruelty of Animals*. Horsham: RSPCA.
- Royal Society for the Prevention of Cruelty to Animals. 2007. *Annual Review 2006: Royal Society for the Prevention of Cruelty of Animals*. Horsham: RSPCA.
- Schaffner, J. E. 2011. *An Introduction to Animals and the Law*. Basingstoke, UK: Palgrave Macmillan.
- Shapland, J., A. Atkinson, H. Atkinson, B. Chapman, J. Dignan, M. Howes, J. Johnstone, G. Robinson, and A. Sorsby. 2007. *Restorative Justice: The Views of Victims and Offenders, the Third Report from the Evaluation of Three Schemes*. London, UK: Ministry of Justice/University of Sheffield.
- Sherman, L. W., and H. Strang. 2007. *Restorative Justice: The Evidence*. London, UK: The Smith Institute.
- Sutherland, E. 1973. *On Analysing Crime*. Edited by K. Schuessler. Chicago, IL: University of Chicago Press.

- Sykes, G. M., and D. Matza. 1957. "Techniques of Neutralization: A Theory of Delinquency." *American Sociological Review* 22, 664–673.
- Vaughan, A. 2013. "The War on African Poaching: Is Militarisation Doomed to Fail?" *The Guardian*. <https://www.theguardian.com/environment/2013/aug/13/war-african-poaching-militarisation-fail>
- Weber, M. 1964. *The Theory of Social and Economic Organization*. New York, NY: The Free Press.
- White, R. 2007. "Green Criminology and the Pursuit of Social and Ecological Justice." In *Issues in Green Criminology*, edited by P. Beirne and N. South. Cullompton, UK: Willan.
- White, R. 2008. *Crimes Against Nature*. Cullompton: Willan Publishing.
- Wise, S. M. 2000. *Rattling the Cage: Towards Legal Rights for Animals*. London, UK: Profile.

Author Biography

Angus Nurse is Associate Professor, Environmental Justice at Middlesex University School of Law where he teaches and researches criminology, law and environmental justice. He has previously worked in investigations and compliance with an environmental NGO and as an Investigator for the Local Government Ombudsman. His books include *Animal Harm* (Ashgate, 2013) and *Policing Wildlife* (Palgrave Macmillan, 2015).