

# 17<sup>th</sup> to 19<sup>th</sup> Century British Animal Welfare Theology Reader

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## Introduction

The nine selections included in this reader display both the continuity and diversity of the Christian tradition of animal welfare literature in the British Isles. That the selections span from the late 17<sup>th</sup> to late 19<sup>th</sup> century, should not be a sign that this literature has died out. This tradition continued (e.g. C.S. Lewis' 1947 lecture on vivisection<sup>1</sup>) and continues still (e.g. in the work of CEFaw). Rather the desire to create a reader which would be free of copyright concerns caused us to not include texts from the twentieth century. The authors included in this reader span the gamut of British Christian commitments of their time periods including high and low church Anglicans, non-conformists, Presbyterians, and a Theosophist. All, however, use Christian sources and Christian doctrines to frame their arguments.

The purpose of this reader is twofold. First, it seeks to demonstrate that care for non-human animals is not a novel movement in British Christianity. Rather, many, perhaps most, arguments made to today regarding humanity's duty to non-human animals by both Christian and non-Christian ethicists were already being articulated from the pulpits of British churches centuries ago. The second purpose is to provide a sampling of the rationales used to ground that duty which might contribute fruitfully to contemporary discussions about the most promising theological approaches to ethical consideration of non-human animals. Various authors in this reader might be brought into conversation with approaches which emphasize, for example, divine command, virtue, rights, or sentience. There are also lessons to be learned from these authors regarding dangerous temptations in ethical discourse. Too often, for example, do many of these authors make their points about the barbarity of their countrymen's treatment of animals by comparing them to the 'barbarian' colonized peoples of the British Empire. We have sought to indicate the context, promise, and limitations of each via the short introductions which proceed them. We have also provided possible discussion questions and the conclusion of each text.

Because this is a reader composed of texts published in the United Kingdom during the 17<sup>th</sup> to 19<sup>th</sup> century, it suffers from some of the limitations of the churches and the publishing industry of that era. During this period both ordained ministry and formal theological training in most Christian denominations, including the Church of England, were restricted to men and, with rare exceptions<sup>2</sup>, almost all the men who were ordained were white. This is reflected in the identities of the authors of most of the texts below. This does not mean that women or people of other ethnic groups were not proponents or originators of the ideas expressed in these texts, only that the bias of the textual heritage means that these ideas were not often preserved in print in their words. Similarly, the audience of most of these texts would have been members of the white, British middle and upper classes. There is an assumption on the part of most of the authors below that their audience will assume that civilization, Christianity, and Britishness are, if not completely synonymous, at least closely enough linked for it to be difficult to think one of one without calling to mind the others. This is a limitation of British animal welfare literature of this period. Readers may want to consider if there are similar or different limitations surrounding British animal welfare literature today.

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<sup>1</sup> Wellcome Collection. 'Vivisection / by C.S. Lewis.' Accessed 18 November 2022. <https://wellcomecollection.org/works/hqverwuh>.

<sup>2</sup> Pamela Roberts, 'The Story of a Pioneering Priest' *Church Times*, October 2, 2015. <https://www.churchtimes.co.uk/articles/2015/2-october/features/features/the-story-of-a-pioneering-priest> (retrieved December 2, 2022).

All texts in this reader are in the public domain and most are accessible in full text format via free online collections such as the Wellcome Collection. To as great an extent as possible, we have sought to preserve the spelling and punctuation of the original sources. We have typically not included footnotes or endnotes which appear in those sources. Most of the texts are parts of longer works which we have abridged. The abridgements are indicated via '[...]'. Where appropriate we have given some indication of the content of the missing text, e.g. '[Numerous anecdotes are related before the argument is resumed]'

We hope that this reader will be useful TEI institutions. It is a work in progress. If you come across other texts which should be added to this in future, please let us know.

*The CEFAW TEI team*

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The Creatures Goodness, as They Came out of God's Hands, and the Good Mans [sic] Mercy to the Brute Creatures, Which God Hath Put under His Feet in Two Sermons by Thomas Hodges - 1675<sup>3</sup>

*These sermons were preached by Thomas Hodges, then Rector of Souldern Oxfordshire, at Oxford University. The exact identity of Hodges is unclear as there were two active preachers of that name at this time. This Hodges was either the Chaplain to the House of Lords who died in 1671 (with this sermon being published posthumously) or a more obscure cleric who passed away in 1688.<sup>4</sup> Both Hodges would have preached during Cromwell's reign and after the Restoration. The 17<sup>th</sup> century was a time when biblical and classical learning co-existed with the newly emergent Scientific Revolution. Science itself was still being defined during this period as can be seen in Hodges' reference to the work of the French royal physician Marin Curea de La Chambre whose interests included both psychology and what would now be called the pseudoscience of physiognomy.<sup>5</sup> The subject of the moral status of animals was very much under discussion, especially with regards to the English reception of the work of René Descartes (1596-1650) who assumed that animals were essentially complicated automatons. Hodges likely would have been aware of the work Cambridge Platonist Henry More (1614-1687) who followed Descartes in many areas but disagreed sharply with him regarding the ensoulment of animals.<sup>6</sup> While Hodges alludes to the scientific debates in the introductory letter to his patron included below, his arguments in the sermon itself attempt to establish a theological foundation for a moral approach to animal welfare. Many of these arguments anticipate ones which will appear in later writings by authors who show no explicit knowledge of his work and for this reason it is accurate to call him a 'forgotten pioneer'.<sup>7</sup> 17<sup>th</sup> century spellings have been preserved in the text.*

[Excerpt from the introductory letter]

To the much Honoured Richard Winwood, Esq.

Sir,

I Here humbly present to you, and under your Name and Patronage publish to the World two sermons, the one concerning the primitive Goodness of the Creatures as they first came out of God's hand; the other of the righteous Man's goodness, kindness, and mercy to the Creatures, which God hath put into his hand, or under his feet. If any question me for preaching on the first Subject, saying, saying wherefore is this loss? My answer is, that God himself, who is infinitely wise, did preach on the Creatures goodness and excellency unto Job, and thereby brough him on his knees, even to abhor himself in dust and ashes. That Solomon, the wisest of Men since Adam, shewed his Wisdom not in Metaphysical Speculations or Notions, not in Logical Sophisms or Terms of Art, not in

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<sup>3</sup> Thomas Hodges, *The Creatures Goodness, as They Came out of God's Hands, and the Good Mans Mercy to the Brute Creatures, Which God Hath Put under His Feet in Two Sermons : The First Preached before the University of Oxford : The Second at the Lecture at Brackley* (London: Tho. Parkhurst, 1675).

<sup>4</sup> John Morillo, *The Rise of Animals and Descent of Man, 1660-1800* (Lanham: University of Delaware Press, 2018), 72-73

<sup>5</sup> O. Walusinski, 'Marin Curea de La Chambre (1594-1669), a 17<sup>th</sup>-century pioneer in neuropsychology' *Revue Neurologique* 174 no. 10 (December 2018), 680-688.

<sup>6</sup> Morillo, 72,

<sup>7</sup> Ibid.

Philological Criticisms: But in that he Spake of Trees, from the Cedar-tree that is in Libanon unto the Hyssop that springeth out of the Wall; he spake also of Beasts, and of Fowls, and of creeping Things, and of Fishes. And I have heard of Mr. Wheatley of Banbury, an eloquent and a famous Preacher, that he made a whole Sermon in commendation of a Horse. And truly where God gives a Text, and preaches on it himself, his Ministers have a sufficient warrant to make a Sermon. As for my choice of the Subject of the second Sermon and my Discourse thereon; my apology is, if it need one, that it hath often grieved my Soul, to see how the poor brut Beasts have been used, or abused rather, by their inhumane, merciless, absurd, & unreasonable cruel Masters, who having no understanding became worse than the Beast that perisheth. And I would, if it was possible, put a stop to the rage of brutish Men, and however bear testimony to the truth, namely, that 'tis a good Character or a good Man to be merciful to his Beast.

As for this Address to you; I may say that of all Men living of quality that I have known, you are most free from this fault. You are like the good Man in the Text, you do regard the life of your Beast. And I with all your Servants may be like their Master, or like Eleazir, Abraham's Steward, that had such a care of his Master's Camels. Further, SIR, give me leave to tell you that I have read a Treatise of Monsieur de la Chambre, to prove that Beasts have reason; and that one of the Ancients saith, that Canis is Logicus, Ethicus, Theologus. Now if so it be, that Dogs make Syllogisms, and that they do *discurrere* as well as *currere*, discourse as well as course, I presume you may know as well as most Gentleman in England. Honoured SIR, Although I never did preach to the those irrational Animals (as the Book of Conformities tells us S. Francis did to the Wolf, and the Birds,) to teach them their duty to God or Man; nor do I pretend to preach in these Sermons to stir up Men's Devotions from what is reported of the great Reverance which S. Anthony's Mule, S. Francis his Sheep, and the Cook of Lisbon's Dog shew'd to the Sacrament; yet I may and must profess to learn Gratitude to my Benefactours, and particularly to your Worthy self from Patroclus<sup>8</sup> his Lyon, who fawned on him when thrown to him in the Theatre at Rome to be devoured by him, and all this for a good turn the Man had formerly done him in Africa by pulling something out of the Lyons foot that hurt him...

[Excerpt from Sermon 1]

There's one Query more to be briefly spoken unto... and that is, what is required of us towards the repair of the ruins of the Creation, to restore the Creatures to their primitive goodness and beauty. To this I answer,

1. That God doth not require, that we should repair the Angelical Nature; that we should pour Wine and Oyl into their wounds....
2. God doth expect that we should put off the old Man with his deeds, and put on the new Man which is renewed in knowledge, after the Image of him that created him. That, being in Christ, *id est*, being indeed Christians, we should become new Creatures, be renewed in the Spirit of our minds, and walk in newness of life, that, as in Adam we all dyed, and became dead in Sins and trespasses; so in Christ, the second Adam, and by a lively Faith in him, we should all be made alive. And, because Adam was the Son of God by Creation at first; that we should all be Partakers of the Divine Nature; be his workmanship, created in Christ Jesus unto good works; Live and walk as the Sons of God; all as the Children of the most High, that the Lord may take pleasure in us again; as he did in Adam in Paradise, before he sinned.

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<sup>8</sup> Hodges appears to have confused the Roman slave Androclus with the Greek hero Patroclus.

3. We must make a good use of all God's good Creatures: getting a new right to use them, (although the old one be not utterly lost) and using them always aright, according to the Creator's will, and for his glory.

Many are the good uses we may make of the Creatures & this Doctrine of the Creatures usefulness and goodness.....

[Excerpt from Sermon 2 on the text Proverbs 12:10<sup>9</sup> – “The Righteous Man regardeth the life of his Beast”]

...It may seem not unreasonable nor unprofitable to bestow one lecture about them [i.e. animals], namely for this end, to instruct and teach Men, who have a right to the use of them, how to use them aright, too make them good Lords of those Servants. As he that rules over men must be just, so he that is Lord over these brut Creatures must not be cruel towards them. As God will require the life of a Man of the Beast that slayeth him, the Beast shall be put to death. So will God call Men to account for the lives of their Beasts, if they be cruel unto them. For my own part I would not when my Lord cometh, be found causelessly, or cruelly beating, or misusing these my Servants and my fellow Servants.

From the words we may observe,

1. That Man hath a Right and Title to the Beasts of the Earth; and that not only in common, but each Man hath a particular Right and Propriety in them. The righteous Man regardeth the life of his Beast.
2. That a good or righteous Man is good or merciful to his Beast.
3. That unrighteous or wicked Men are unmerciful or cruel to their Beasts.

Of the first. God the sovereign Lord of Heaven and Earth, the Maker of Man and Beast, hath made him Lord over the Beasts; he hath put them all under his hand, or under his feet....They were all ready to come and go at his word of Command: And this was the Language of their Obedience to Adam their Lord, Lo we are all thy Servants. Before Sin came into the lower World, Adam commanded without rigour, and they obeyed with obedience reverence and readiness, without the least force of compulsion. And since the fall, God, hath (in a great measure) renewed our forfeited Charter, and men have been able by force or art to subdue and govern over the greater & wilder sort of Beasts, such as Elephants, Lyons, Leopards, Bears, Tygres, &c. Elephants have been brought so far under Man's yoke, as to be yoked together to draw a Chariot, and in some places to draw the Plough, if we will believe Pliny. But behold a more sure word of Prophecy, St. James tells us Chap. 3. V. 7 That every kind of Beasts, and of Birds, and of Serpents, and things in the Sea, is tamed, and hath been tamed of mankind....Nothing is so violent and noxious by Nature, but humane art and industry hath made it serviceable to Man's use....And as for the tamer Creatures, we have a right to them ordinarily, either by Descent, as Heirs to our Parents; or by Donation, as free gift; or by purchase; or else as found when lost, or gotten in, or by means of lawful War from an Enemy. And so it may be said of any particular person, though but a private Man, (who is by any these lawful means, Possessor of the Beasts) as God saith of King Nebuchadnezzar, I have given him the Beasts of the Field also to serve him....

And now is it so, that we have a Right to and Authority over the brut Creatures, yet let us be cautioned against abusing or misusing of them. Say not in your hearts, Our Beasts are our own, who is Lord over us? May we not do what we will with our own? and doth God take care for Oxen? May

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<sup>9</sup> This is printed as Proverbs 20:10 in the original source,

we not rather with Balaam, that there were a sword in our hands to slay them when they stop or start aside, since they are our own? May we not rather say to them, Our Fathers made your yoke heavy, but our little finger shall be heavier than our Fathers loins? To such absurd and unreasonable Men I shall oppose the reproof, which the Ass gave to his Master Balaam, What have I done to thee, that thou hast smitten me these three times? And again the reproof of the Angel, V. 32, Wherefore hast thou smitten thine Ass these three times? Although God hath given us a Right to the bruit Creatures and a Dominion over them; yet 'tis with certain limitations and restrictions. We are Lords over them, 'tis true; but we must not play the Tyrants over them....

God gave Man the Beasts and other living Creatures for food, but yet with this condition, provided always they did not eat *Membrion de vivo*, not like salvage [sic] Beasts tear and eat of living Creatures, whiles the life was in them, but that they should first kill them, and pour out their blood before they eat them. Arise, kill, and eat. Kill first, and then eat. Nor were they at liberty in all things as to their cooking, or dressing of them. Thou shalt not seeth a Kid in his Mothers milk. God most wise, most merciful would have his People not only abhominat all cruelty to the bruit Creatures, but even to abstain from all appearance of it. And that he might teach them mercy by his own example, that they might be merciful to the bruit Creatures as their Father in Heaven is merciful, He ordained them to be offered up upon his Altar, but not till they were first slain, and their blood in which their life is, was poured out at the foot of it. God would have no Sacrifice no not of a Beast to be burnt alive upon his Altar.

Accordingly a good Man, who is the Child of God and Image of God, the work of his Heavenly Father he will do: he will be mild, gentle, merciful, not only to Brethren, Neighbours, and Strangers, but even to the bruit Creatures, so saith the Text, A good Man, a righteous Man, is merciful to his Beast...

#### **Discussion Questions:**

1. How does Hodges think the Biblical accounts of Creation, Fall and Redemption inform human relations to animals?
2. What does Hodges think ownership of animals allows for? What limits are there on what one can do to animals one owns?
3. What normative sources does Hodges draw on in framing his argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
4. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Hodges' argument most closely aligned?



A Dissertation on the Duty of Mercy and Sin of Cruelty to Brute Animals. - Humphrey Primatt - 1776.<sup>10</sup>

*Humphry Primatt (1734-1776) was a Church of England clergyman, who served as vicar of Higham in Suffolk and Swardeston in Norfolk from 1766 to 1774. He was a signatory of the 1772 Feathers tavern petition which sought to end the requirement that graduates of Oxford and Cambridge and clergymen of the Church of England must subscribe to the Thirty-Nine Articles. He retired from ministry in 1774 and died in either 1776 or 1777. This extract is from his only published work which appeared in 1776. The work was one of the first in English to be dedicated to an attack on cruelty to animals. It anticipates Jeremy Bentham's (1748-1832) emphasis on pain as the crux of a proper moral reflection regarding animals. A new edition of the work was published in 1822, being edited by Arthur Broome, who was one of the founders of the Society for the Prevention of Cruelty to Animals in 1824.*<sup>11</sup>

*The late 18<sup>th</sup> century was the apex of the Enlightenment and many of its concerns can be seen in Primatt's Dissertation. Include in these are an emphasis on a rationally-order Nature which is both discoverable through investigation and normative for ethics. Common among Enlightenment thinkers was the assumption that investigation into the natural order of things could result in the subversion of the conventional political and moral arrangements of their day, and this is evident in Primatt's work as well. Primatt's preference for basing his arguments on universal principles, rather than the Biblical citations found in Hodges' sermons above, is also characteristic of Enlightenment thought.*

Love is the great Hinge upon which universal Nature turns. The Creation is a transcript of the divine Goodness; and every leaf in the Book of Nature reads us a lecture on the wisdom and benevolence of its great Author. The Philosopher, inured to study and contemplation, untainted with pride, and unbiased by prejudice, sees and acknowledges this truth as incontestable, that the Supreme Being is wise, and just, and good, and merciful. And from the observations he has made upon the animal part of the creation that is within his view and reach he draws this general conclusion, that every creature must have its proper use and office, (however latent as to us;) and that the different powers, appetites, perfections, and even comparative defects of different animals, are essentially necessary to answer the different purposes for which they were created and to promote the common good of the whole. I shall not undertake to illustrate this particular, as it would carry me too far from my purpose; and as all that I could say would be but a repetition of what has already been written by the many learned and ingenious Naturalists, whose sole aim it has been to demonstrate the existence and perfection of GOD from the works of Creation. I shall therefore take it for granted, that as GOD is wise and good, all his works and appointments must be the effects of wisdom and goodness.

Upon this principle, every creature of GOD is good in its kind, that is, it is such as it ought to be. For to suppose otherwise is to arraign the divine Wisdom for making such as it is. And as every creature is good in its kind and did not make itself what it is, but is such as it is solely by the will and appointment of GOD; it follows that whatever its perfections or defects may be; they cannot be owing to any merit or demerit in the creature itself, being, not prior, but consequential to its

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<sup>10</sup> Humphrey Primatt. *A Dissertation on the Duty of Mercy and Sin of Cruelty to Brute Animals* (London: T. Cadell, 1776).

<sup>11</sup> Richard D. Ryder, "Humphry Primatt" in *Oxford Dictionary of National Biography* (Oxford: Oxford UP, 2004), <https://doi.org/10.1093/ref:odnb/47020> (retrieved September 29, 2022).

creation. There is not therefore in nature any foundation for pride on account of perfection, nor for contempt on account of defect. Subordination is as necessary in the natural, as in the political world; it connects the whole together, and makes the creatures dependent upon, and subservient to each other; and it preserves that harmony, variety, beauty, and good order, which would be lost in perfect sameness and equality.

Every creature is to be considered as a wheel in the great machinery of Nature; and if the whole machine is curious and beautiful, no wheel in it, however small, can be contemptible or useless. In some animals, their usefulness (which to us is their perfection) is subservient and owing to their defects. Consequently, to despise or abuse them for being defective, is to despise or abuse them for being useful. The most ugly animals, though we knew no other use of them, may be considered as a foil, like the shades in a good picture, to set off the beauties of the more perfect. And even the loathsome vermin are not without their use, when they compel us to preserve neatness and cleanliness in our houses and persons.

An Animal, whatever it be or wherever it is place in the great Scale of Being, is such, and is so placed by the great Creator and Father of the Universe. At the Top of the scale of terrestrial animals we suppose MAN; and, when we contemplate the Perfections of Body, and the Endowments of Mind, we presume, He possesses above all the other animals, we justly suppose Him there constituted by his Maker. But, in this highest rank, we may observe degrees and difference, not only as to stature, beauty, strength, and complexion, but also as to those very Powers of the Mind, which so eminently distinguish Men from brutes. Yet, in one particular we all agree alike, from the most perfect to the most dull and deformed of men, and from him down to the vilest brute, that we are all susceptible and sensible of the misery of Pain; an evil, which though necessary in itself, and wisely intended as the spur to incite us to self-preservation, and to the avoidance of destruction, we nevertheless are naturally averse to, and shrink back at the apprehension of it. Superiority of rank or station exempts no creature from the sensibility of pain, nor does inferiority render the feelings thereof the less exquisite. Pain is pain, whether it be inflicted on man or on beast; and the creature that suffers, whether man or beast, being sensible of the misery of it whilst it lasts, suffers Evil; and the Sufferance of evil, unmeritedly, unprovokedly, where no offence has been given, and no good end can possibly be answered by it, but merely to exhibit power or gratify malice, is Cruelty and Injustice in him that occasions it...

It has pleased GOD, the Father of all men, to cover some men with white skins, and others with black skins: but as there is neither merit nor demerit in complexion, the white man (notwithstanding the barbarity of custom and prejudice) can have no right, by virtue of his colour, to enslave and tyrannize over a black man; nor has a fair man any right to despise, abuse, and insult a brown man. Nor do I believe that a tall man, by virtue of his stature, has any legal right to trample a dwarf under his foot. For, whether a man is wise or foolish, white or black, fair or brown, tall or short, and I might add rich or poor (for it is no more a man's choice to be poor, than it is to be a fool, or a dwarf, or black, or tawney,) such he is by GOD's appointment; and, abstractedly considered is neither a subject for pride nor an object of contempt. Now if amongst men, the differences of their powers of the mind, and of their complexion, stature, and accidents of fortune, do not give to any one man a right to abuse or insult any other man on account of these differences; for the same reason, a man can have no natural right to abuse and torment a beast, merely because a beast has not the mental powers of a man. For such as the man is, he is but as GOD made him; and the very same is true of the beast. Neither of them can lay claim to any intrinsic Merit, for being such as they are; for before they were created, it was impossible that either of them could deserve; and at their creation, their shapes, perfections, or defects were invariably fixed, and their bounds set which they cannot pass.

And being such, neither more nor less than GOD made them, there is no more demerit in a beast's being a beast, than there is merit in a man's being a man; that is there is neither merit nor demerit in either of them.

A Brute is an animal no less sensible no pain than a Man. He has similar nerves and organs of sensation; and his cries and groans, in case of violent impression upon his body, though he cannot utter his complaints by speech or human voice are as strong indications to us of his sensibility of pain, as the cries and groans of a human being, whose language we do not understand. Now as pain is what we are all averse to, our own sensibility of pain should teach us to commiserate it in others, to alleviate it if possible, but never wantonly or unmeritedly to inflict it. As the differences amongst men in the above particulars are not bars to their feelings, so neither does the difference of the Shape of a brute from that of a man exempt the brute from feeling; at least, we have no ground to suppose it. But shape or figure is as much the appointment of GOD, as complexion or stature. And if the difference of complexion or stature does not convey to one man a right to despise and abuse another man, the difference of shape between a man and a brute cannot give man any right to abuse or torment a brute. For he that made man and man to differ in complexion or stature, made man and brute to differ in shape or figure. And in this case likewise there is neither merit nor demerit; every creature, whether man or brute, bearing that shape which the supreme wisdom judged most expedient to answer the end for which the creature was ordained....

But perhaps, it will be said, it is absurd to make such an inference from a mere supposition that a man might have been a brute, and a brute might have been a man; for, the supposition itself is chimerical, and has no foundation in nature; and all argument should be drawn from fact, and not from fancy of what might be or might not be. To this I reply in few words, and in general: that all cases and arguments, deduced from the important and benevolent precept of Doing to others as we would be done unto, necessarily require such kind of supposition; that is, they suppose the case to be otherwise than it really is. For instance; a Rich man is not a Poor man; yet, the duty plainly arising from the Precept is this,--The man who is now rich, ought to behave to the man who is now poor, in such a manner as the Rich man if he were poor would be willing that the Poor man if he were rich should behave towards him...And if the supposition is reasonable in one case; it is reasonable, at least not contrary to reason, in all cases to which this general precept can extend, and in which the duty enjoined by it can and ought to be performed. Therefore though it be true that a man is not a horse; yet, as a horse is a subject within the extent of the precept that is, he is capable of receiving benefit by it, the duty enjoined in it extends to the man, and amounts to this,--Do You that are a Man SO treat your horse, AS you would be willing to be treated by your master, in case that You were a Horse. I see no absurdity nor false reasoning in this precept nor any ill consequence that would arise from it...

[....]

#### **Discussion Questions:**

1. How does Primatt understand the relationship of creation, nature, and God? Does the Fall play any role in Primatt's understanding of this relationship?
2. How does Primatt understand the difference between human and animals?
3. What normative sources does Primatt draw on in framing his argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
4. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Primatt's argument most closely aligned?

## The Task – William Cowper – 1785<sup>12</sup>

*The son of an Anglican clergyman and member of an influential professional family, Cowper (1731-1800) lived an unconventional and difficult life perhaps better suited for a romantic of the next century. His uncle, the clerk of the parliaments at Westminster, attempted to secure various legal positions for him, but due to Cowper's frequent bouts of depression and chronic fear of public speaking such attempts proved unsuccessful. The refusal of this same uncle to allow Cowper to marry his daughter precipitated the first of Cowper's suicide attempts. While recovering, Cowper had a conversion experience which led him to embrace Evangelicalism. Through his landlady, Mary Unwin, he became friends with John Newton and collaborated with him to publish a volume of hymns entitled the *Olney Hymns*. Newton's 'Amazing Grace' first appeared in print in this work. A secret vow to his cousin to not marry another prevented him from following Newton's insistent advice that he wed Mrs Unwin and this precipitated another suicidal crisis which Cowper emerged from with the conviction that God had rejected him. Despite his private spiritual desolation, Cowper continued to participate in the Evangelical movement and his later and most successful writings, including the text excerpted below, anticipated the priorities of domesticity, opposition to slavery, and care for animals which would animate the movement in the coming decades.<sup>13</sup>*

*The Task was one of Cowper's most popular compositions in his own time and it continued to be one of the most widely cited texts in animal welfare literature for at least a century following its publication. The poem itself ranges in topics, starting with a meditation on the sofa on which Cowper sat when first composing it to a conclusion which focuses on eschatology and the last judgement. The selections below come near the end of the poem, with Cowper's plea for animal worth immediately preceding his turn to eschatology. Cowper's championing of all animal life and freedom to the extent that it does not interfere with human dominion would prove to be his most lasting influence on British animal welfare literature.*

[from Book 6 – A Winter Walk at Noon]

[...]

I would not enter on my list of friends  
(Though graced with polished manners and fine sense,  
Yet wanting sensibility) the man  
Who needlessly sets foot upon a worm.  
An inadvertent step may crush the snail  
That crawls at evening in the public path;  
But he that has humanity, forewarned,  
Will tread aside, and let the reptile live.  
The creeping vermin, loathsome to the sight,  
And charged perhaps with venom, that intrudes  
A visitor unwelcome into scenes  
Sacred to neatness and repose, the alcove,  
The chamber, or refectory, may die.  
A necessary act incurs no blame.  
Not so when, held within their proper bounds  
And guiltless of offence, they range the air,

<sup>12</sup> William Cowper, *The Task and Other Poems* (London: Cassell & Company, Ltd, 1899).

<sup>13</sup> John D. Baird, "William Cowper" in *Oxford Dictionary of National Biography* (Oxford: Oxford UP, 2004), <https://doi.org/10.1093/ref:odnb/6513> (retrieved March 28, 2023).

Or take their pastime in the spacious field.  
There they are privileged; and he that hunts  
Or harms them there is guilty of a wrong,  
Disturbs the economy of Nature's realm,  
Who, when she formed, designed them an abode.  
The sum is this: if man's convenience, health,  
Or safety interfere, his rights and claims  
Are paramount, and must extinguish theirs.  
Else they are all—the meanest things that are—  
As free to live and to enjoy that life,  
As God was free to form them at the first,  
Who in His sovereign wisdom made them all.  
Ye, therefore, who love mercy, teach your sons  
To love it too. The spring-time of our years  
Is soon dishonoured and defiled in most  
By budding ills, that ask a prudent hand  
To check them. But, alas! none sooner shoots,  
If unrestrained, into luxuriant growth,  
Than cruelty, most devilish of them all.  
Mercy to him that shows it, is the rule  
And righteous limitation of its act,  
By which Heaven moves in pardoning guilty man;  
And he that shows none, being ripe in years,  
And conscious of the outrage he commits,  
Shall seek it and not find it in his turn.

Distinguished much by reason, and still more  
By our capacity of grace divine,  
From creatures that exist but for our sake,  
Which having served us, perish, we are held  
Accountable, and God, some future day,  
Will reckon with us roundly for the abuse  
Of what He deems no mean or trivial trust.  
Superior as we are, they yet depend  
Not more on human help, than we on theirs.  
Their strength, or speed, or vigilance, were given  
In aid of our defects. In some are found  
Such teachable and apprehensive parts,  
That man's attainments in his own concerns,  
Matched with the expertness of the brutes in theirs,  
Are oft-times vanquished and thrown far behind.  
Some show that nice sagacity of smell,  
And read with such discernment, in the port  
And figure of the man, his secret aim,  
That oft we owe our safety to a skill  
We could not teach, and must despair to learn.  
But learn we might, if not too proud to stoop  
To quadruped instructors, many a good

And useful quality, and virtue too,  
Rarely exemplified among ourselves;  
Attachment never to be weaned, or changed  
By any change of fortune, proof alike  
Against unkindness, absence, and neglect;  
Fidelity, that neither bribe nor threat  
Can move or warp; and gratitude for small  
And trivial favours, lasting as the life,  
And glistening even in the dying eye.  
[...]

And I, contented with a humble theme,  
Have poured my stream of panegyric down  
The vale of Nature, where it creeps and winds  
Among her lovely works, with a secure  
And unambitious course, reflecting clear  
If not the virtues yet the worth of brutes.  
And I am recompensed, and deem the toil  
Of poetry not lost, if verse of mine  
May stand between an animal and woe,  
And teach one tyrant pity for his drudge.

The groans of Nature in this nether world,  
Which Heaven has heard for ages, have an end.  
Foretold by prophets, and by poets sung,  
Whose fire was kindled at the prophets' lamp,  
The time of rest, the promised Sabbath, comes.  
Six thousand years of sorrow have well-nigh  
Fulfilled their tardy and disastrous course  
Over a sinful world; and what remains  
Of this tempestuous state of human things,  
Is merely as the working of a sea  
Before a calm, that rocks itself to rest.  
For He, whose car the winds are, and the clouds  
The dust that waits upon His sultry march,  
When sin hath moved Him, and His wrath is hot,  
Shall visit earth in mercy; shall descend  
Propitious, in His chariot paved with love,  
And what His storms have blasted and defaced  
For man's revolt, shall with a smile repair.  
[...]

#### **Discussion Questions:**

1. What are the limits of human dominion for Cowper? When does dominion allow humans to harm non-human animals and when does it not?
2. How does Cowper relate the freedom of non-human animals to that of God? How might human understanding of one inform understanding of the other?

3. What does Cowper think humans can learn from animals regarding virtues and ethical behaviour?
4. What normative sources does Cowper draw on in framing his argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
5. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Cowper's argument most closely aligned?

## A Sermon on Cruelty to Dumb Animals – Charles Daubeny - 1799<sup>14</sup>

*Charles Daubeny (1745-1827) was a Church of England clergyman at North Bradley, Wiltshire and later became archdeacon of Salisbury. He travelled widely in his youth and, perhaps influenced by an admiration of orthodox Christianity acquired during a visit to Russia, became a staunch proponent of the high church Anglicanism. This resulted in him publishing a number of tracts criticising more Evangelical doctrines, particularly that of private judgement in religious matters. He argued instead for the need for deference to church authority in interpreting the Bible. Daubney was a prolific philanthropist and left thousands of pounds to charity upon his death in 1827.<sup>15</sup> Daubney's sermon shows his conviction that morality requires a Christian education and, therefore, England's morals and its Christianity go hand in hand. He frames animal cruelty as a blight on the Christian character of England.*

[The set text for this sermon was Romans i.31 which is quoted in brief as “Without natural affection, implacable, unmerciful.”, at the head of the printed sermon]

Man in his bodily part is allied to brutes; in his soul he is allied to angels. In this world he is put to the trial; whether the body and its lusts shall destroy the soul, or whether the soul shall raise the body to a participation of its own glory. Considered in his natural condition, as fallen from God and goodness, man is a corrupt ungovernable creature. In a state of slavery to his appetites and passions, he knows no other law than that in his members; which is continually bringing him into captivity to the law of sin; continually degrading him to a level with the wild beasts of the forest.

In this condition; cruelty constitutes on principal feature of his character. The natural man knowe[t]h no mercy; because he is unacquainted with that religion which is founded on mercy. In the description therefore which St. Paul has given on the heathens, when living without God in the world; to the long catalogue of vices and enormities which disgraced the creature originally made in the image of his Creator, the Apostle adds, by way of filling up, as it were, the disgusting picture, that they were “without natural affection, implacable, unmerciful.” Rom. i. 31....

These general remarks upon the natural condition of man, and the end designed to be answered by Christianity, considered as the means which have been graciously appointed to restore him in some degree at least, to the image of his divine Maker, I have purposely laid down, as the ground-work of a discourse upon cruelty to Dumb Animals; a sin, which certainly is not seen in the light in which it ought to be seen in a Christian country.

The wise man tells us, that “a righteous man regardeth the life of his beast.” From whence it follows, that cruelty to a beast is incompatible with the character of a righteous man. By a righteous man is here to be understood a religious man; for we know of no righteousness in man, but what consists in a conformity to the Gospel of Jesus Christ; which teaches man, “to deny ungodliness and worldly lusts, to live soberly, righteously, and godly in this present world.”—The words of the wise man therefore, when addressed to a person living under the Gospel dispensation, speak this plain language; no true Christian can possibly be a cruel man: cruelty being absolutely inconsistent with the genius of that religion which he professes. From whence it will follow, that a just estimate of a

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<sup>14</sup> Charles Daubeny. *A Sermon on Cruelty to Dumb Animals: Preached at the Free Church, Now Called Christ's Church, in Bath, on the Sunday before Lent, 1799* (London: Vernor and Hood, 1799)

<sup>15</sup> Peter B. Nockles, “Charles Daubeny” in *Oxford Dictionary of National Biography* (Oxford: Oxford UP, 2004), <https://doi.org/10.1093/ref:odnb/7186> (retrieved September 29, 2022).



man's Christian character may be formed, from that disposition which he feels towards the brute creation.

This is a subject, which for want of being placed before Christians in its proper point of view, seldom makes that impression upon the human mind which from its importance, it ought to make. It does not often, it is to be feared, occur to man, that though he is the lord of the creation here below, it was never designed that he should be the Tyrant of it. For his use of the animals placed under subjection to him, as for the use of any other gifts which divine Goodness shall bestow upon him, man must be accountable. And although abused dumb animals may not, literally speaking, rise in judgment against him; yet it should be remembered, that their Creator will take their cause in hand; on the consideration, that the abuse of any of God's works must originate, in an irreligious disregard of the God that made them. With persons who look not beyond the present world, the foregoing consideration will have but little weight. They know that there is no court of justice here below, in which actions of this nature are tried. They may therefore with impunity grant full indulgence to their natural disposition. In wanton cruelty, or by unreasonable service they may kill their horse or their dog; for who is to controul [sic] them?—The property they consider as their own; and they look forward to no account.—Or in cruel sport, disgraceful to human nature, they make the sparring of two Game Cocks, pampered up for the wicked purpose, their favourite pastime: for alas! there is no human law to prevent such savage practices. And yet these tyrants of the creation are men; for they wear the shape of men; they are possessed of the same passions with ourselves; but then those passions are not under the controul [sic] either of reason or religion. In a word, my brethren, such tyrants are, what the Scripture distinguishes by the title of natural men; men, who are perfect strangers to the blessings of Christianity; and consequently men, who can have no interest in the merits of a crucified Redeemer....

The great Creator never made a single creature for the purpose of its being miserable. Sin alone brought misery into the world. But sin belongeth only unto man. Man, therefore, is the only creature, who ought to inherit misery, as his birthright. What misery other creatures are condemned to feel, is, for the most part, a consequence of the corruption of fallen man. The beasts of prey are by nature cruel and ferocious. But when the cravings of hunger are satisfied, they, for the most part, lie down in their dens, harmless and inoffensive. It was left for man alone to take pleasure in cruelty. Not satisfied with the privilege with which the Creator of the universe has invested him, by which he is authorized to make such use of the creatures below him, as may be necessary for his support, comfort, and convenience; he feels himself at liberty to make their sufferings his pastime; and in a temper of cool insensibility, which even brutes do not feel, sees innocent animals daily falling victims to his passions, to his avarice, or to his sports.

If we look into the book of Job, we meet with the following sublime description of that noble animal, which is perhaps more abused than any other animal in the creation. "Hast thou given the Horse strength? Hast thou clothed his neck with thunder?—He paweth in the valley and rejoiceth in his strength: he goeth on to meet the armed man: he mocketh at fear, and is not affrighted; neither turneth he back from the sword." Job xxxix. 19 Was this noble animal permitted to appear in court against his tyrant man, he would most certainly have a very heavy bill of indictment to bring forward. How many of those privileged beings, who have both reason and religion to direct their conduct, would feel themselves shrinking from the trial!—When it is considered, what a number of those useful animals are mercilessly flogged to death for the sake of procuring us some few hours earlier intelligence, than might be otherwise obtained: how many of them are sacrificed to the mad frolics of thoughtless dissipated young men; and how many are galloped out of their lives, for the purpose of determining a senseless wager between persons, upon whom God has been pleased to

bestow a greater portion of riches, than understanding; we feel ourselves constrained to confess that such cruelties, are not more inconsistent with the Christian religion, than they are disgrace to the character and “legislature of a christian [sic] country.”

Even our children, whose peculiar characteristics ought to be innocence and love, are permitted to grow up in the practice of those wanton and cruel sports, which nourish in them that savage disposition, which, if not counteracted, will tend to make them, when advanced to riper years, the curse and scourge of the society to which they belong. This ought to be a subject of consideration with all parents: with religious parents it ever will be. Most children of firm health, are naturally disposed to cruelty. This disposition is only to be counteracted, by a religious education. The turn of young minds should therefore be a constant object of parental observation. All opportunities should be taken, if we may so say, to mould and fashion the tender materials committed to their charge into a Christian shape, before they harden into life. To this end the very amusements of children might be made instrumental where attention and judgment are not wanting on the part of the parent. At all events, it should be remembered that whatever hardens the heart, tends to render it less susceptible of the impressions of Christianity. For although tender feelings and Christianity are not inseparably connected, yet, it may be said, that, where tender feelings are wanting, genuine Christianity will never be found. The parent who considers this, and considers moreover, that cruelty to dumb animals, in spite of all those high pretensions to civilization which we boast, is, it is to be feared, one of the crying sins of this nation; will be anxious to counteract a growing evil, at the only period of life, at which, perhaps, it is to be counteracted with effect.

Indeed a stronger proof of the low state to which Christianity is reduced in any country, cannot be drawn, than from the cruel disposition of its inhabitants. The spiritual man knows and feels this. He considers that all creatures, from man the appointed lord here below down to the meanest reptile that crawleth upon the earth, derive their existence from the same Fountain of Life: and that the mercy of the Creator is over all his works. Grateful to his heavenly Father for the comforts, conveniences, and privileges, which fallen man is permitted to enjoy in this world; he considers the government of the creatures that has been committed to him, as a Trust, of which an account must one day be given. Acquainted with the genius and spirit of Christianity, he knows that man was not born to be cruel; and when he is so, it is because the carnal principle by which he is allied to the brutes that perish, is suffered to triumph over that spiritual one, by which he claims connection with the God that made him. Doing good, as every righteous man doth from a sense of duty, he therefore regardeth the life of his beast; abstaining from all manner of cruelty, on the reflection that his beast has a body to feel as sensibly as himself; and delighting to render the life of his beast as easy and comfortable as may be, on the consideration that the same God, to whom he himself looketh up for mercy, was the maker of them both. He considers, moreover, that from the beasts, many an useful lesson is to be learnt; by which man may become better qualified for that dignified station, which he has been appointed to fill in the scale of created beings. From the use of animals in their natural capacity, he will be led on to the intellectual application of their several properties and qualities; the contemplation of which, by suggesting to him moral reflections and useful observations, fail not to render him, both a wiser and a better man....

#### **Discussion Questions:**

1. How does Daubeny understand the effects of the Fall on human moral development? How is this the same or different to that of its effects on animals?
2. What is the main reason that Daubeny thinks it is wrong to be cruel to animals?
3. Does Daubeny's understanding of proper moral behaviour toward animals as arising only in the process of Christian sanctification limit the applicability of his arguments in some way?

4. What normative sources does Daubeny draw on in framing his argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
5. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Daubeny's argument most closely aligned?

## Speech Delivered in the House of Lords on 2<sup>nd</sup> Reading of Cruelty to Animals Bill – Lord Erskine – 1809<sup>16</sup>

*Though a scion of the Scottish aristocracy Thomas Erskine (1750-1823) dedicated his life to the defense of radicals and liberalism, both in the law courts and in parliament. The third son of the Earl of Buchan, he was acquainted with most of the major figures of the Scottish Enlightenment and was on friendly terms with Jeremy Bentham. He was called to the bar in England and gained a reputation as an able, if unconventional, advocate for those accused of libel and those prosecuted for their support of the French Revolution. He aligned himself with the Whigs and served as an MP and later, after a brief appointment as Lord Chancellor, in the Lords. Erskine was a late convert to abolitionism, having been convinced in the course of the debates which led up to the passage of the Slave Trade Act 1807 to support it. He was a lover of animals and kept a menagerie at his home which included two leeches which he claimed had saved his life. After losing the Lord Chancellorship he devoted much of his time to attempting to enact legal protections for animals, including proposing the bill for which this speech was written. It failed to pass, and the first legal protections of animals in Britain would have to wait until Martin's Act of 1822.<sup>17</sup>*

*As an orator Erskine was not above appealing to whatever authorities he thought would best win his audience's approval, so it may be that his use of theology in this selection is more an expression of the kind of arguments he hoped would help his bill pass than his true convictions. However, his arguments in this speech found a lasting place in Christian reflection on animal welfare, particularly his framing of human dominion as being a 'moral trust'. Erskine's speech is also an early example of the canonisation of certain texts in this tradition. He appeals within his speech to Cowper's *The Task* which would become, along with Erskine's own speech, a touchstone for later authors in this tradition. This speech was written toward the end of Erskine's political career and at the height of the Napoleonic Wars which is perhaps reflected in his desire in the latter half of the speech to position the outlawing of animal cruelty as not so much a revolutionary advancement as a recognition of what is decent and necessary within a civilized society.*

My Lords; I am now to propose to the humane consideration of the house, a subject which has long occupied my attention, and which I own to your lordships is very near my heart. It would be a painful and disgusting detail, if I were to endeavour to bring before you the almost innumerable instances of cruelty to animals, which are daily occurring in this country, and which, unfortunately, only gather strength by any efforts of humanity in individuals to repress them, without the aid of the law.— These unmanly and disgusting outrages are most frequently perpetrated by the basest and most worthless; incapable, for the most part, of any reproof which can reach the mind, and who know no more of the law, than that it suffers them to indulge their savage dispositions with impunity.— Nothing is more notorious than that it is not only useless, but dangerous, to poor suffering animals, to reprove their oppressors, or to threaten them with punishment.

The general answer, with the addition of bitter oaths and increased cruelty, is, What is that to you?—If the offender be a servant, he curses you, and asks if you are his master? and if he be the master himself, he tells you that the animal is his own. Every one of your lordships must have witnessed scenes like this. A noble duke, whom I do not see in his place, told me only two days ago, that he had lately received this very answer. The validity of this most infamous and stupid defence arises from that defect in the law which I seek to remedy. Animals are considered as property only:

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<sup>16</sup> HL Deb 15 May 1809, vol 14, col 554-56, 569-70.

<sup>17</sup> David Lemmings, "Thomas Erskine, first Baron Erskine" in *Oxford Dictionary of National Biography* (Oxford: Oxford UP, 2004), <https://doi.org/10.1093/ref:odnb/8873> (retrieved March 28, 2023).

to destroy or to abuse them, from malice to the proprietor, or with an intention injurious to his interest in them, is criminal; but the animals themselves are without protection; the law regards them not substantively; they have no rights!

I will not stop to examine whether public cruelty to animals may not be, under many circumstances, an indictable offence: I think it is, and if it be, it is so much the better for the argument I am about to submit to your lordships. But if even this were clearly so, it would fall very short of the principle which I mean anxiously and earnestly to invite the house to adopt. I am to ask your lordships, in the name of that God who gave to man his dominion over the lower world, to acknowledge and recognize that dominion to be a moral trust. It is a proposition which no man living can deny, without denying the whole foundation of our duties, and every thing the bill proposes will be found to be absolutely corollary to its establishment; except, indeed, that from circumstances inevitable, the enacting part will fall short of that which the indisputable principle of the preamble would warrant.

Nothing, my lords, in my opinion, is more interesting than to contemplate the helpless condition of man with all his godlike faculties, when stripped of the aids which he receives from the numerous classes of inferior beings, whose qualities, showing location of and powers, and instincts, are admirably and wonderfully constructed for his use. If, in the examination of these qualities, powers, and instincts, we could discover nothing else but that admirable and wonderful construction for man's assistance; if we found no organs in the animals for their own gratification and happiness; no sensibility to pain or pleasure; no grateful sense of kindness, nor suffering from neglect or injury; no senses analogous, though inferior to our own: if we discovered, in short, nothing but mere animated matter, obviously and exclusively subservient to human purposes, it would be difficult to maintain that the dominion over them was a trust; in any other sense at least than to make the best use for ourselves of the property in them which Providence had given us. But, my lords, it calls for no deep or extended skill in natural history to know that the very reverse of this is the case, and that God is the benevolent and impartial author of all that he has created. For every animal which comes in contact with man, and whose powers, and qualities, and instincts, are obviously constructed for his use, nature has taken the same care to provide, and as carefully and bountifully as for man himself, organs and feelings for its own enjoyment and happiness. Almost every sense bestowed upon man is equally bestowed upon them; seeing, hearing, feeling, thinking; the sense of pain and pleasure; the passions of love and anger; sensibility to kindness, and pangs from unkindness and neglect, are inseparable characteristics of their natures as much as of our own.

Add to this, my lords, that the justest and tenderest consideration of this benevolent system of nature is not only consistent with the fullest dominion of man over the lower world, but establishes and improves it. In this, as in every thing else, the whole moral system is inculcated by the pursuit of our own happiness. In this, as in all other things, our duties and our interests are inseparable. I defy any man to point out any one abuse of a brute which is property, by its owner, which is not directly against his own interest. Is it possible then, my lords, to contemplate this wonderful arrangement, and to doubt for a single moment that our dominion over animals is a trust? They are created indeed for our use, but not for our abuse. Their freedom and enjoyments, when they cease to be consistent with our just dominion and enjoyments, can be no showing location of part of their natures; but whilst they are consistent, I say their rights, subservient as they are, ought to be as sacred as our own. And although certainly, my lords, there can be no law for man in that respect, but such as he makes for himself, yet I cannot conceive any thing more sublime, or interesting, more grateful to heaven, or more beneficial to the world, than to see such a spontaneous restraint imposed by man

upon himself. This subject is most justly treated by one of the best poets in our language. Mr. Cowper, in the Task, says:

The sum is this. If man's convenience, health,  
Or safety, interfere, his rights and claims  
Are paramount, and must extinguish theirs.  
Else they are all—the meanest things that are:

He then proceeds in a most affecting and sublime appeal to our humanity and justice. I have not a sufficient recollection of it, and I will not destroy the effect of it by misrepeating it. The same subject is touched upon, in most eloquent prose, in the theological works of Mr. Jones, which were put into my hands the other day by my worthy and excellent friend at your table. [Here lord Erskine read an extract.] Mr. Young, of Trinity college Cambridge, has also published an excellent treatise on the subject; and many of the most worthy and respectable of the clergy have done honour to their sacred functions, by impressing upon their congregations the divine commands, as it regards this important duty. Every other branch of our duties, when subject to frequent violation, has been recognized and inculcated by our laws; and the breaches of them repressed by punishments. And why not in this, where our duties are so important, so universally extended, and the breaches of them so frequent and so abominable?

[....]

So far from involving the magistrate in doubtful discriminations, he must be himself shocked and disgusted before he begins to exercise his authority over another. He must find malicious cruelty; and what that is can never be a matter of uncertainty or doubt, because nature has erected a standard in the human heart, by which it may be surely ascertained.—This consideration surely removes every difficulty from the last clause, which protects from wilful, malicious, and wanton cruelty, all reclaimed animals. Whatever may be the creatures which, by your own voluntary act, you choose to take from the wilds which nature has allotted to them, you must be supposed to exercise this admitted dominion, for use, or for pleasure, or from curiosity. If for use, enjoy that use in its plenitude; if the animal be fit for food, enjoy it decently for food; if for pleasure, enjoy that pleasure, by taxing all its faculties for your comfort; if for curiosity, indulge it to the full. The more we mix ourselves with all created matter, animate or inanimate, the more we shall be lifted up to the contemplation of God.

But never let it be said, that the law should indulge us in the most atrocious of showing location of all propensities, which, when habitually indulged in, on beings beneath us, destroys every security of human life, by hardening the heart for the perpetration of all crimes. The times in which we live, my lords, have read us an awful lesson upon the importance of preserving the moral sympathies. We have seen that the highest state of refinement and civilization will not secure them. I solemnly protest against any allusion to the causes of the revolutions which are yet shaking the world, or to the crimes or mistakes of any individuals in any nation; but it connects itself with my subject to remark, that even in struggles for human rights and privileges, sincere and laudable as they occasionally may have been, all human rights and privileges have been trampled upon, by barbarities far more shocking than those of the most barbarous nations, because they have not merely extinguished natural unconnected life, but have destroyed (I trust only for a season) the social happiness and independence of mankind, raising up tyrants to oppress them all in the end, by beginning with the oppression of each other. All this, my lords, has arisen from neglecting the cultivation of the moral sense, the best security of states, and the greatest consolation of the world.

[....]

**Discussion Questions:**

1. How does Erskine argue that animals have moral worth beyond just their utility to humans?
2. How does Erskine's framing of dominion as a 'moral trust' restrict human use of non-human animals?
3. What concessions does he make toward the end of the speech in order to assure his listeners that the law will not be revolutionary?
4. What normative sources does Erskine draw on in framing his argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
5. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Erskine's argument most closely aligned?

## Humanity to Animals: The Christian's Duty: A Discourse – William Hamilton Drummond - 1830<sup>18</sup>

*William Hamilton Drummond (1778-1865) was an Irish non-subscribing Presbyterian minister. His father, a surgeon, died while Drummond was a child, leaving the family impoverished. Drummond studied at Glasgow University, but left without a degree due to lack of funds. While a student he began publishing his own poetry. He completed his studies for ministry under the auspices of first Armagh and then Antrim presbytery and took up a call to ministry in Belfast. He was a founding member of the Belfast Literary Society and was eventually elected to be a member of the Royal Irish Academy. He was a popular preacher and was often asked by philanthropic agencies to speak at their events. The speech below is an example of such a sermon, first delivered in 1829. In 1839 Drummond would write a book-length treatment on this theme entitled 'The Rights of Animals, and Man's Obligation to Treat Them with Humanity' which was submitted to the SPCA's essay competition on the topic of 'Man's Obligation as respects the Brute Creation.'<sup>19</sup>*

*Drummond's Discourse begins with an extensive study of Biblical passages before moving to a more general reflection on animals' place in Creation and humans' duties to them. He wrote near the beginning of what would be a century of colonial expansion by Britain. This is reflected both in his anthropological interest in the customs of other ethnic groups and in implied parallels between his understanding of the proper treatment of colonized peoples and of animals (e.g. his framing of animals as belonging to 'tribes' which enjoy a certain sovereignty of their own which is to be respected provided it does not interfere with the projects and aims of his listeners).*

### Preface [from the Publisher]

The Society for the Prevention of Cruelty to Animals was instituted in London in 1824. It is patronised by many Ladies and noblemen of high distinction and it appears, from a published account of their proceedings, that they have been successful in abolishing or correcting many cruel practices in the British metropolis. They are anxious to draw public attention to the subject, by "appeals from the press and delivery of discourses from the pulpit." Several distinguished preachers in England have advocated their cause; and were the pulpit and the press every where to do their duty, we might hope that the great iniquity of Cruelty to Animals would rapidly diminish, and at last totally disappear. The following Discourse, preached at the request of the Society, is now made public by desire of many who heard it, with the hope, that it may be instrumental in accomplishing so meritorious an object.

### Discourse [from the author]

...I have now, at the hazard of incurring the charge of prolixity, pursued this topic<sup>20</sup> much farther than may appear necessary. But the subject not having, hitherto, occupied as much general attention as it merits, I felt anxious to shew, by numerous examples, that animals hold a much more distinguished place in the sacred Scriptures, than careless or superficial readers imagine; and from

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<sup>18</sup> William Hamilton Drummond, *Humanity to Animals: The Christian's Duty: A Discourse* (London: Hunter, 1830).

<sup>19</sup> R. K. Webb, "William Hamilton Drummond" in *Oxford Dictionary of National Biography* (Oxford: Oxford UP, 2004), <https://doi.org/10.1093/ref:odnb/8090> (retrieved September 29, 2022).

<sup>20</sup> The topic being a list of Biblical mentions of animals which constitutes the first half of the lecture.



this circumstance alone, independently of any positive precept; we might reasonably conclude, that they are not proper objects of contempt or disregard, much less of inhumanity. As Peter, when, in a vision, he beheld a sheet of vast dimensions, let down from heaven, "wherein were all manner of four-footed beasts of the earth, and wild beasts, and creeping things, and fowls of the air," was commanded not to call " what God cleansed, common or unclean ;" so may we suppose ourselves commanded by a voice from universal nature, not to vilify or contemn, much less abuse or torture aught which owes its formation to infinite wisdom and Almighty power. But when we find the Son of God himself breathing mercy and compassion, and illustrating his heavenly doctrines by images and examples taken from the animal kingdom, can we, for a moment, doubt, whether humanity to animals be an evangelical virtue ; or, whether he who delights in perpetrating acts of cruelty, does not forfeit all just pretensions to the name and character of disciple to the meek and benevolent Jesus? Notwithstanding, how many, who are proud of their Christianity, never consider the kind treatment of animals, as in any manner connected with Christian duty? How many start, and wonder, and exclaim, when it is recommended to them under the sanction of religion?

But not to insist on this argument at present, we appeal to man's natural understanding and ask, what can be more abhorrent from all just notions of the beneficent Parent of all, than to imagine it could be for any but a merciful end, that he constituted man the lord of the lower creation? The very superiority of man's powers is a reason for discretion and lenity in their use; for they are seldom withstood, or exasperated by opposition. He triumphs in his undisputed dominion over the animal tribes, and boasts that though he be surpassed by one or another in fleetness, or muscular strength, in hearing, or in sight, he surpasses them all in the combination of his faculties under the guidance of reason; the strongest cannot cope with his potent enginery, nor the fleetest escape his arrows and his balls.

But is it not that very reason, of which he is proud, and which constitutes his superiority, to be employed as a minister of mercy, not as an executioner of wrath?

Oh, 'tis excellent  
To have a giant's strength; but it is tyrannous  
To use it like a giant.

Though amply empowered to conquer, to subdue, and to tame the animal creation, let him know that his powers have their limit, and animals have their rights. He has no privilege from heaven to go forth, like a demon of destruction, wantonly and unsparingly to slaughter and destroy. The indulgence to use is not to be misinterpreted into a liberty to abuse the gifts of Providence. We may pluck the fruit, but not hew down the tree. We may urge the nerves and sinews of the courser, but we may not strain them till they snap asunder. The charter of dominion given to man, contains a clause in behalf of the animal tribes. God is the maker of them all, and to all of them he has allotted their proper abodes and peculiar gratifications. If some, for our convenience, dwell around us in our fields and gardens, others have their habitation far off in the wilderness, in the cold regions of the North, or the arid sands of the torrid zone, in savannahs and jungles, and "lonely islands in the watery waste." By what right does man, after invading and dispossessing them of the heritage which God gave them, carry havoc and carnage through their innocent and unresisting tribes?

It is a foolish idea, the offspring of ignorance and vanity, to suppose that all things were created for the sport and gust, or even for the use of man. Numberless myriads of animals are annually born, and annually die, with which he has no manner of connexion. They were created from the same principle of benevolence as that which created man, and which delights in being diffused: they were created for a similar object also, for their own enjoyment of life, for the participation of as much

happiness as they are capable of receiving; and having fulfilled the design of their creation, they are swept away like the children of men, to make room for new generations. Man forms but a link in the great chain of being; and though he be the highest of the terrestrial links, he is by no means to esteem himself the only being worthy of consideration in the order of providence. Other creatures are more independent of man than he of them; they ask not his aid to construct their habitation, to form their raiment, or provide their food; on the contrary, he is their debtor for almost all his bodily comforts, and if deprived of their contributions, he would be a miserable starvling. Without carrying our ideas so far as some have done who affirm that they have taught him to weave and spin, to swim and to sail; it must be admitted that by them is enabled to live in warmth, ease, and luxury. How many of his labours in agriculture, manufactures, and in al the useful arts are facilitated by their cooperation? How many works which excite our admiration and employ our industry, would never have existed without them? For what part of his dress or his food, is he not directly or indirectly their debtor?....

Happily, man is not every where insensible of the benefits which he derives from the inferior creatures, ungrateful for their services, nor even unconscious that in some of them he may find a fidelity, a high courage, a general self-devotion for their master, which might be sought for in vain among his own species. Some of those nations which our national pride and vanity regard as barbarous, may teach us lessons of humanity. The Cossack and his horse are as sworn friends; they seem to understand each other as well as if they were equally gifted with the language of reason: and the kindness of the master is well repaid by the willing labours of the faithful and affectionate steed? The same may be affirmed of the Turk, and the Tartar, and the wild Arab. They treat their horses as creatures possessed of wants and feelings, similar to their own; and instead of the goring spur, and lacerating lash, they employ encouraging words and gentle strokes to induce them to put forth their speed, and carry the rider swiftly to the goal....

It has already been noticed that some contend against the necessity of taking any life, even for the sake of sustenance. There are whole tribes in the East, who live entirely on milk and vegetables, from notions of humanity to brutes, commingled with superstitious fears, derived from the doctrine of the transmigration of souls. But while we avoid one extreme, let us not fall into another. Nature teaches men, especially those who live in climes which do not greatly and spontaneously abound in esculent roots and vegetables, the necessity of animal food. How could the nations of the arctic zone subsist without the seal and the whale, the dog and the rein-deer [sic]? The nutritious and grateful aliment which animals afford, so congenial to the physical powers and constitution of man, demonstrates that nature designed it for our use. Besides, it would be easy to show, that if we did not take the lives of irrational creatures, their numbers would soon usurp entire possession of the earth, devour, as the locust devoured in Egypt, all the vegetable productions of the land, and at length compel us in self-defence, to declare war against them. Self-preservation is the great law of nature. We are therefore, justifiable in taking the lives of all such creatures as are necessary to our support; and of all such as come under the description of vermin, noxious reptiles, and birds and beasts of prey, especially when they invade our property and are engaged in acts of theft and ravening. If a viper come out of the heat and fasten on our hand, as on that of the Apostle Paul, we may, as he did, shake it into the fire. When the lion and the bear invaded the fold of David, he achieved a heroically meritorious feat in rescuing the prey from their jaws, and destroying the destroyer. "The sum is this," as well expressed by an amiable moral poet—

If man's convenience, health  
Or safety, interfere, his rights and claims  
Are paramount, and must extinguish theirs.

Else they are all—the meanest things that are,  
As free to live and to enjoy that life,  
As God was free to form them at the first  
Who in his sovereign wisdom made them all.<sup>21</sup>

If animals may be killed for food, or to protect ourselves from harm, they may be killed for intellectual nutriment—to promote the views of science, and elucidate our knowledge of nature. But though we may kill, we may not torture; we are not to imagine that even a love of science will justify the application of the wedge and the screw, the needle and dissecting knife, to living creatures....

Before we determine on the death of an animal, it would be well to know on what principle of use or necessity its death may be justified. What argument shall we plead for taking the lives of creatures which do us no harm while living, and are of no utility when dead? Let the sea-bird enjoy her rocks, and without molestation enliven the scenery of the coast with her airy wheels and rapid flight. Let the small finny shoals sport in their native streams; and the insect swarms go through their mazy evolutions in the air, to the sound of their own music. We have no right to disturb them. They do us no wrong. They encroach not on our province. They enjoy the gift which their Maker gave them, and let them enjoy it while they may, without any barbarous attempt of man to curtail the period of their fleeting ephemeral existence. A benevolent mind rejoices to see all things happy. The aspect or the expression of felicity, wherever seen or wherever heard, affects it with delight. Its sympathies extend to the whole worlds of reason, life, and sense; yes, even to the inanimate creation, rejoicing in its beauty, and sorrowing in its desolation. It grieves to see a fertile land turned into a wilderness; the house where the din of festivity once resounded, laid in ruins; or the ship that had tilted in triumph over the waves, left to perish among the breakers. It is touched by the plaint of the sentimentalist, who laments and moralizes even on the subject so trifling as a fallen column, a fractured vase, or a mountain flower. How much more should our sympathies extend to our fellow-inhabitants of the earth, which, though they occupy a lower sphere than ourselves, are notwithstanding, as sensibly alive to pleasure and pain? A good man would not willingly inflict a moment's suffering on the vilest and most loathsome of creatures; for even these, as well as the most beautiful, are the creatures of God—the tenants of his animal kingdom; and the love the Creator teaches a regard for the thing created; allegiance to the great King commands him to respect the rights of his meanest subject.

### Discussion Questions

1. How does Drummond understand humanity's relationship with animals? What limits does he draw on human authority over animals?
2. In what ways does Drummond show greater scientific, social, and anthropological interests than previous selections? How does this help his argument? In what ways is his use of these are problematic (e.g. think about how he uses 'tribe' to describe both animals and certain groups of people)?
3. What normative sources does Drummond draw on in framing his argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
4. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Drummond's argument most closely aligned?

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<sup>21</sup> See Cowper's *The Task* earlier in this reader.

## The Obligation and Extent of Humanity to Brutes: Principally Considered with Reference to the Domesticated Animals – William Youatt - 1839<sup>22</sup>

*Although William Youatt (1776-1847) trained as a nonconformist minister, he achieved fame as a veterinary surgeon. He was an important proponent of expanding the focus of veterinary science beyond the care of horses to other domesticated animals. He was one of the founding members of the English Agricultural Society and was eventually appointed veterinary surgeon to the Zoological Society of London and to the Society for the Prevention of Cruelty to Animals. Youatt was long time editor of the journal 'The Veterinarian' and publication which was instrumental in establishing the Royal College of Veterinary Surgeons. The selection below is from a book submitted to the SPCA for their 1839 essay contest.<sup>23</sup>*

*Youatt wrote at a time when animal welfare was increasingly finding a place in law and society. Despite Lord Thomas Erskine's failures to get similar laws passed in 1809 and 1810, the first piece of animal welfare legislation, The Cruel Treatment of Cattle Act (aka Martin's Law), was passed in 1822. This was followed by the more extensive Cruelty to Animals Act (aka Pease's Act) of 1835. In 1837 the SPCA was granted royal patronage and would be granted permission by Queen Victoria to change its name to acknowledge this, becoming the RSPCA, in 1840. Youatt's essay reflects this growing establishment of animal welfare principles through his interweaving of Biblical citations and popular poetry with the language of established rights and arguments in support of them made by prominent politicians and legal scholars.*

[from a chapter entitled 'On the Duty of Humanity to Animals']

It is only a delegated right which we possess over the inferior creation. It was entrusted to us by Him who made us all; whose grand object in the creation of the world was the production of the greatest good; who, notwithstanding this delegation, has never withdrawn his watchful care, and whose tender mercies are over all the works of his hands; who, in the establishment of the Jewish religion, condescended again and again to express his regard, not merely for man, but for the brute, and to enact certain laws which had especial reference to the protection and welfare of the inferior animals--who in the Old Testament made the divine favour to depend in a most important degree on the practice of humanity--and who, in due time, gave to the world that second and better revelation in which we are exhorted to "be merciful as our Father also is merciful," for then, and then alone, we shall obtain mercy.

With regard to the extent of this delegated power, it includes the use of the inferior creatures as food, but implies no thoughtless waste of life, no unnecessary pain in the destruction of the animal.

To be born and to die is the lot of every created being. The benevolent purposes of the Creator are better answered, and a greater sum of happiness is enjoyed by a succession of beings passing through the different stages of existence, than, at least in this lower and probationary world, could be obtained by the prolonged life of any of them. In fact, we can hardly conceive of indefinitely prolonged life; for the wheels of every machine will wear away, and the springs will lose their elastic

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<sup>22</sup> Wellcome Collection. 'The Obligation and Extent of Humanity to Brutes; Principally Considered with Reference to the Domesticated Animals / By W. Youatt.' Accessed 17 August 2022. <https://wellcomecollection.org/works/m5s54vab/items>.

<sup>23</sup> Ernest Clarke and Sherwin A. Hall. "William Youatt" in *Oxford Dictionary of National Biography* (Oxford: Oxford UP, 2004), <https://doi.org/10.1093/ref:odnb/30250> (retrieved 18 Nov. 2022).

force, and every movement has a tendency gradually to cease. Each being has a certain duration of life allowed him, and then he passes away.

He sometimes dies of disease. This is the usual lot of the human being; but he has relatives and friends to soothe his sorrows or minister to his necessities, and he has time to prepare himself for his last account.

In a few cases the biped or quadruped dies of pure old age, the machine being absolutely worn out. This is scarcely desirable even for the human being; for the last years of such an individual are those of trouble and sorrow. To the inferior animals either of these kinds of death would be a curse. The concluding periods of life would be those of wretchedness or of famine. To them another mode of departure is allotted, a sudden and a violent one.

Throughout the whole of the creation one class of animals preys upon another. The devoted ones are aware, to a certain extent, of their danger, and use a variety of precautions to ward it off: but this seems very little to interfere with their enjoyment; there is no anxiety or dread, and their life is evidently one of happiness. When they have been the cause of existence to others of the same species, and who will fill their places, and do their duties, their fate suddenly overtakes them, and they die. That which is literally true of the pet is essentially so of the greater part of these creatures.

The lamb thy riot dooms to bleed to-day,  
Had he thy reason, would he skip and play?  
Pleas' d to the last, he crops the flow'ry food,  
And licks the hand just rais' d to shed his blood.  
Oh! blindness to the future, kindly given,  
That each might fill the circle marked by Heaven.

Man is only one of the agents in this system of destruction, and, while he destroys not wantonly, nor renders the mode of death unnecessarily painful, he is lawfully exercising his power in converting the inferior animals to his use.

The greater part of his raiment is derived from the animal creation, and with the same provisoes [sic] he has a right to obtain it thence ; and, finally, as his intellectual faculties will enable him best to calculate on the results of certain modes of proceeding, and the benefits that may ensue or the evils that may be avoided, he has a right to tax the strength and speed of the animals around him. Beyond this there is no law of nature or religion which gives him license to proceed. This tenure cannot be better defined than in the oft-quoted language of Cowper:

The creeping vermin, loathsome to the sight,  
And charg'd perhaps with venom, that intrudes,  
A visitor unwelcome, into scenes  
Sacred to neatness and repose, may die.  
Not so when, held within their proper bounds,  
And guiltless of offence, they range the air,  
-Or take their pastime in the spacious field ;  
They there are privileged.  
The sum is this: If man's convenience,  
Health, or safety, interfere, his rights and claims  
Are paramount, and must extinguish theirs.  
Else they are all-the meanest things that are--

free to live, and to enjoy that life,  
As God was free to form them at the first,  
Who in his sov'reign wisdom made them all.

This delegated power naturally, necessarily, supposes an account to be rendered of the manner in which it has been exercised. In the fulness of his pride, and the carelessness and the cruelty of his heart, man may grossly violate the laws of nature, and unnecessarily shorten or embitter the lives of his slaves; but that Being who created the inferior animals, who has condescended to prescribe rules for our conduct towards them, and who has placed their happiness and their lives so much at our disposal, will hereafter assuredly vindicate their rights.

They are delegated rights which are committed to us, and by Him who made all things for the promotion of the greatest possible happiness that his creatures could enjoy. There are precepts enough, as we have already seen, which inculcate humanity in every part of the sacred volume; but can we find one admission that the brutes are mere machines, and to be used as our capricious fancies may dictate? A great many of these animals have the same feelings of pain with ourselves; and all of them have that degree of sensibility which is best adapted to the situation in which they are found. By what ordinance are they placed beyond the pale of justice? They are designed, to a very considerable extent, for our use and pleasure; but where is the privilege of sacrificing them when and as we please, and with every circumstance of inhumanity?

That we possessed this right was, a few years ago, the almost universal belief; such is still the opinion of many. These persons betray a woful [sic] state of ignorance on one of the most important subjects that can engage the attention of man. We ask again, will any of those who act as ill-humour or passion prompt tell us what code of law, human or divine, permits them to use their dumb slaves with brutality? Will they tell us on what principle there should exist an acknowledged right in favour of roan, and none with regard to the inferior animal? Is common feeling a different thing in the human being and the brute?

These are questions, however, which need not be farther urged. The law of the land has begun to recognize the *jus animalium*. It will no longer permit the claim of property to be urged against it. It will permit no man to use even his own with injustice and cruelty. It has entered on this new and glorious career of legislation; and it is to be hoped that it will pursue its course until the brute receives, in return for the benefits which it bestows on man, "sufficient nourishment, and merciful treatment, and a death as little painful as circumstances will permit."

I have read, many a time, and at each period with increasing pleasure, the opinion on this point of one of the best judges that ever filled the bench, Lord Chief Justice Hales: "I ever thought," says he, "that there is a certain degree of justice due to the creatures as well as from man to man, and that an excessive use of the creature's labour is an injustice, for which we must account. I have, therefore, always esteemed it a part of my duty, and it has invariably been my practice, to be merciful to my beasts; and upon the same account I have declined all cruelty to any of God's creatures. Where I had the power, I have prevented it in others. I have abhorred those sports that consist in torturing them; and if any noxious creatures must be destroyed, or creatures for food must be taken, it has been my practice to do this with the least torture or cruelty; ever remembering, that, although God has given us a dominion over his creatures, yet it is wider a law of justice, prudence, and moderation, otherwise we should become tyrants, and not lords over God's creatures."

The consideration of this delegated trust shall be summed up in the language of Lord Erskine, in his speech thirty years ago, on the second reading of the bill for preventing malicious and wanton cruelty to animals:— “We are too apt to consider animals under the dominion of man in no view but that of property; whereas the dominion granted to us over the animal world is not conceded to us absolutely. It is a dominion in trust; and we should never forget that the animal over which we exercise our power has all the organs which render 'it susceptible of pleasure and of pain. It sees, it hears, it smells, it tastes. It feels with acuteness. How mercifully, then, ought we to exercise the dominion entrusted to our care!”

But let an absolute power over the lives and services of the inferior animals be acknowledged—let them be considered as created for our convenience and abandoned to our caprice;—in the isolated state of man, let the mode in which those services can be most advantageously exacted for his individual benefit be the guide of his conduct to them—or, when he has linked himself with society, let the manner in which they can be rendered most valuable to the community, as well as to the individual, be the guide of action—*yet then comes a question*. Will mild or cruel treatment, moderate or murderous exactions of labour, care or neglect, regulated conduct or wild and unfeeling caprice, best conduce to our obtaining all that we can enjoy from the subjugation of the inferior creation? We will place the subject on the ground of interest, on a pure selfish principle, and yet on one that will sufficiently answer our purpose: How shall we best derive from our quadruped slaves the advantages which their subjugation affords us?

It would need no laboured detail to shew that humanity and interest. here go hand in hand—that the advantage which we derive from our slaves will be commensurate with the care which we take to put them in a condition to labour ; to maintain them in that condition ; to give them the desire willingly to exert themselves for us; to tax them not beyond their natural powers ; to restrain our own occasional ill-temper, and to discourage all acts of cruelty in others.

It would be difficult to point out a departure from a system of well-regulated humanity that would not be prejudicial to the interests of the individual or of society; and if so, the voice of society, and the laws of society, ought to restrain it. It would be difficult to imagine a single instance of cruelty to any animal which would not call for immediate restraint or punishment on account of the injury done to the individual or the community, and the greater mischief which might result from the influence of bad example. The laws relating to animals might be safely made to turn on this principle; for it is one sufficient for every humane purpose, if legislators would make it so. The rights and comforts of the brute might be perfectly comprehended in the rights and welfare of society. I shall have occasion, by and by, to follow this out, when, with loathing, I review the acts of cruelty inflicted on the different domesticated animals. I am reasoning now on general principles.

Cruelty not only defeats its own object, so far as the interests of the owner of the animal are concerned, but it has a baneful influence on the character, and general habits, and domestic conduct, and present and future happiness, of the individual. Of the truth of this, instances must crowd on the recollection of every one. There are failings, or even vices, which may, to a certain degree, be counterbalanced by some good habits and dispositions; but he who is habitually cruel—cruel to those who can neither remonstrate nor resist—cannot have one redeeming quality, so far as the kindlier affections are concerned. The practice of cruelty exerts a malignant influence on every thing that can humanize or ennoble a rational being; whereas in the excellent language of Lord Erskine, in the speech to which reference has already been made, "the humanity which we extend to the lower creatures comes abundantly round in its consequences to the whole human race. The moral sense which the practice of it awakens will have a most powerful effect on our feelings and sympathies for each other. The violences and outrages committed by the lower orders of people are,

at the beginning at least, more owing to the want of thought and reflection than to any malignant principle; and whatever, therefore, sets them a thinking on the duties of humanity, more especially where they have no rivalries nor resentments, and where there is a peculiar generosity in forbearance and compassion, has an evident tendency to soften their natures, and to moderate their passions in their dealings with one another.”

### **Discussion Questions**

1. How does Youatt understand the relationship of human predation to non-human predation? Do you agree with his analysis?
2. What are the limits Youatt places on the human’s rights over animals?
3. Youatt often describes animals as humanity’s ‘slaves’. Is this language an accurate description, a problematic one, or both?
4. What normative sources does Youatt draw on in framing his argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
5. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Youatt’s argument most closely aligned?



## Plea for Mercy to Animals – James Macaulay – c.1875-76<sup>24</sup>

*James Macaulay (1817-1902) was born in Edinburgh in 1817 and trained in medicine at Edinburgh University. In the course of his studies he travelled to Paris in 1837-8 and witnessed François Majendie's animal experiments which disgusted him to the degree that he published *An Essay on Cruelty to Animals* in 1839. Rather than practicing medicine Macaulay became a travel writer and an editor of popular magazines aiming at the moral and religious improvement of their readers. He was the general editor of the periodicals of the Religious Tract Society, an evangelical publisher which is perhaps best known for publishing the *Boy's Own Paper* and the *Girl's Own Paper*. That organisation also published this work. In his *Plea for the Mercy of Animals*, Macaulay revisits themes of he first addressed thirty-six years earlier.*<sup>25</sup>

*The extract below is drawn from the first chapter of the *Plea*. Many of the arguments made by Macaulay are either summaries or extensive quotations of earlier authors. It is included here partly as evidence of how the tradition of animal welfare literature had matured in the late 19<sup>th</sup> century to the extent that there was a developing canon of modern source texts (e.g. Bentham, Cowper's *The Task*, Lord Erskine's orations). However, Macaulay is also instructive for the ways his arguments were framed in terms which were characteristic of his time, including his optimism about the progressive reformation of society by evangelical Christianity, his preference to attribute error to ignorance rather than malice, and his endorsement of broadly imperial attitudes towards other nations and ethnic groups.*

[Extracts from Chapter 1 entitled 'Claims of the Lower Animals to Humane Treatment from Man']

The term "cruelty to animals," in the following pages, includes all kinds of ill-usage and needless suffering which the lower animals undergo at the hand of man. Comparatively a small proportion of this suffering is caused by wanton cruelty. To inflict pain in cold blood, or for the sport of the thing, may well be called not only inhuman but fiendish. The very name of humanity implies some relation to the better feelings of our nature; while inhumanity points to that unmixed spirit of evil by which man is degraded. A disposition to take delight in the infliction of pain for its own sake, is so far repugnant to the sympathies even of man's fallen nature, that our efforts are to be directed more against ignorance and thoughtlessness than against wilful cruelty.

The different kinds of animal sufferings must be dealt with in different modes. Where these are inflicted by wilful cruelty, stern repression is needed, and the helpless creatures must have such protection as the law can give. In the punishment of offenders of this class, the present penalties are not always suitable nor sufficient. Compared with a small fine or short imprisonment, it is thought by some that corporal chastisement would be more powerful as a deterrent, as it would certainly be the punishment most fitting for those who wantonly inflict pain. In other cases our weapons must be educational rather than repressive. If the injuries are caused by ignorance or by thoughtlessness, we must point out the reality of the suffering, and try to awaken sympathy for dumb animals; teaching also that want of thought does not release from moral responsibility and just blame. If the injuries are incidental, and produced in the pursuit of some justifiable end, as in destroying animal life for the uses of man, we have to see that there be as little suffering as possible. The advancement of human knowledge and happiness may rightly supersede the claims of the lower animals, but we must examine how far these benefits are real. The advancement of the healing art,

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<sup>24</sup> Wellcome Collection. 'Plea for Mercy to Animals / by James Macaulay.'

<https://wellcomecollection.org/works/qhem5awf/items>, (retrieved 17 August 2022).

<sup>25</sup> G. Le G. Norgate and Nilanjana Banerji. "James Macaulay" in *Oxford Dictionary of National Biography* (Oxford: Oxford UP, 2004) <https://doi.org/10.1093/ref:odnb/34669> (retrieved 17 Nov. 2022).

for example, might warrant the adoption of experiments on living animals, but we must be satisfied that the results of vivisection are such as justify the practice of it, and that these results can be obtained in no other way.

It is only in recent times that this subject has obtained due attention. In ancient times, there was among the nations no recognition of common brotherhood, and little sympathy for man, as man; and no sense of those claims which the children of one great family have upon each other for justice and mercy. Patriotism was the most liberal of their virtues, and within a sphere so contracted it would be in vain to look for humanity to the brute creation. With the exception of a passage in Plutarch's Life of Cato the Censor, a brief reference in one of Cicero's Familiar Letters, and a few other allusions, I do not know of any protest in the classical writers of antiquity against cruelty to animals. On the contrary, the pages of historians and poets abound with descriptions of the most cruel amusements. We are told that in the horrible scenes of carnage in the Roman amphitheatre women took as intense an interest as men, and even gave the signal for the death of the combatants. Well might St. Paul, in his description of the world before the advent of Christ, crown the black catalogue of the crimes of heathen nations by declaring that they were "full of murder, implacable, unmerciful" (Rom. i. 29, 31). The delight taken in the barbarous games of the circus was probably in his thoughts, where not only beasts were tortured, but human victims murdered for the sport of Roman citizens. And when the same apostle describes "the fruits of the Spirit," as exhibited by the Christian converts, he speaks of mercy, kindness, gentleness. The disposition of mind is the same, whatever the objects upon which it is exercised. These heathens were cruel, whether looking on the combats of men or of the lower animals. And we thus understand the principle conveyed in the ancient Hebrew proverb, "A righteous man regardeth the life of his beast; but the tender mercies of the wicked are cruel."

In speaking of cruelty among heathen nations, whether in ancient times or in our own day, we do not forget apparent exceptions. The old Egyptians protected and even worshipped certain animals, and in India the destruction of any animal life is by some regarded as an impious crime. But this is utterly distinct from the habitual spirit of gentleness and mercy arising from principle, not from superstition. Of all ancient nations, and of modern people not Christian, the Jews alone, in their laws and institutions, had regard to kind treatment of animals, and this was because such treatment was specially enjoined by Divine precepts. Of the enactments in the Jewish code we shall speak presently. It was not, however, till the Gospel of Christ had brought a revelation for all the world instead of for one nation, that the true spirit of Divine love and compassion was diffused among men. The prejudices which once opposed the progress of this Divine goodwill are continually lessening. The barriers offered by difference of nation, of country, of race, have been gradually removed; and it is not surprising that the exercise of compassion should be extended beyond the equally arbitrary limit of our own species.

There is a remarkable passage in the works of Jeremy Bentham, applying the principle of natural law to the rights of animals. It is quoted by Sir Arthur Helps in his "Talks about Animals and their Masters." "The day may come, when the rest of the animal creation may acquire those rights which never could have been withheld from them but by the hand of tyranny. It may come one day to be recognised that the number of legs, the villosity of the skin, or the termination of the *os sacrum*, are reasons insufficient for abandoning a sensitive being to the caprice of a tormentor. What else is it that should trace the insuperable line? Is it the faculty of reason, or perhaps the faculty of discourse? But a full-grown horse or dog is beyond comparison a more rational as well as a more conversable animal than an infant of a day, a week, or even a month old. But suppose the case were otherwise, what could it avail? The question is not 'Can they reason?' nor 'Can they speak?' but 'Can they suffer?'"

It is well, however, to establish the duty of humanity to animals on the broad ground of religious principle; not natural religion only, but the religion of the Bible. Very little good will be done if the subject is regarded merely as a matter of law and of police. Not thus can we deal with the subject in the education of the young, or in appealing to public opinion. There is no plea for kindness to animals so strong as that it is harmonious with the spirit and the doctrines of Christianity.

"There is one aspect," says Dr. Chalmers, in the peroration of his eloquent sermon on the subject, "there is one aspect in which the duty of humanity to the lower animals may be regarded as more profoundly and more peculiarly religious than any one virtue which reciprocates, or is of mutual operation among the fellows of the same species. It is a virtue which oversteps, as it were, the limits of a species, and which, in this instance, prompts a descending movement on our part, of righteousness and mercy towards those who have an inferior place to ourselves in the scale of creation. The lesson of this duty is not the circulation of benevolence within the limits of one species. It is the transmission of it from one species to another. The first is but the charity of a world. The second is the charity of a universe. Had there been no such charity, no descending current of love and of liberality from species to species, what, I ask, would have become of ourselves? Whence have we learned this attitude of lofty unconcern about the creatures who are beneath us? Not from those ministering spirits who wait upon the heirs of salvation. Not from those angels who circle the throne of heaven, and make all its arches ring with joyful harmony, when but one sinner of this prostrate world turns his footsteps towards them. Not from that mighty and mysterious visitant, who unrobed Him of all His glories, and bowed down His head unto the sacrifice, and still, from the seat of His now exalted mediatorship, pours forth His intercessions and His calls in behalf of the race He died for. Finally, not from the eternal Father of all, in the pavilion of whose residence there is the golden treasury of all those bounties and beatitudes that roll over the face of nature, and from the footstool of whose empyreal throne there reaches a golden chain of providence to the very humblest of His family. He who has given His angels charge concerning us, means that the tide of beneficence should pass from order to order, through all the ranks of His magnificent creation; and we ask, is it with man that this goodly provision is to terminate,—or shall he, with all his sensations of present blessedness, and all his visions of future glory let down upon him from above, shall he turn him selfishly and scornfully away from the rights of those creatures whom God hath placed in dependence under him?"

"We know that the cause of poor and unfriended animals has many an obstacle to contend with in the difficulties or the delicacies of legislation. But we shall ever deny that it is a theme beneath the dignity of legislation, or that the nobles and the senators of our land stoop to a cause which is degrading, when, in imitation of Heaven's high clemency, they look benignly downward on these humble and helpless sufferers. Ere we can admit this, we must forget the whole economy of our blessed Gospel. We must forget the legislation and the cares of the upper sanctuary in behalf of our fallen species. We must forget that the redemption of our world is suspended on an act of jurisprudence which angels desire to look into, and for effectuating which the earth we tread upon was honoured by the footsteps, not of angel or of archangel, but of God manifest in the flesh. The distance upward between us and that mysterious Being, who let Himself down from heaven's high concave upon our lowly platform, surpasses by infinity the distance downward between us and every thing that breathes. And He bowed Himself thus far for the purpose of an example, as well as for the purpose of an expiation,—that every Christian might extend his compassionate regards over the whole of sentient and suffering nature."

[....]

It may seem strange that, if this is so clearly an obligation of Christian duty, the general recognition of it should have been so tardy. But it is not strange when we remember how slow are the triumphs of Divine love over human passions and interests. It is only in recent times that slavery and the slave trade have been regarded by common consent as contrary to the spirit of Christianity; and many evils are still countenanced among nations nominally Christian. We need not wonder, then, at the tardy recognition of the claims of humanity to animals as a moral duty.

The Jewish religion, while adapted to an earlier dispensation and a peculiar people, had the same Divine Author and origin as the Christian religion. Hence the sacred writings of the Old Testament, except where relating to matters national or ceremonial, are equally binding in respect to moral and practical questions with those of the New Testament. In the Old Testament are many statements and precepts on the subject of humanity to animals. Let us briefly consider, first, some special enactments in the Jewish code of laws, and then various other passages in the Bible, which give the highest sanction of religion to the duty we are enforcing.

[Macaulay proceeds to gloss numerous Biblical passages relating to the care of animals before turning to questions of dominion]

It is true that God has given to man "dominion over the fish of the sea, and over the fowl of the air, and over the cattle, and over all the earth" (Gen. i. 26; ix. 1-3). But the dominion thus conferred is not absolute. It is limited by the eternal obligations of justice and mercy, even in matters not included in special precepts of the Scriptures. It is also to be regarded not only as a right but as a trust. On this point we quote some sentences from a remarkable speech by the great Lord Erskine, when he was trying to induce the Government of his day to legislate for the protection of animals from cruelty: "That the dominion of man over the lower world is a moral trust, is a proposition which no man living can deny, without denying the whole foundation of our duties. If in the examination of the qualities, powers, and instincts of animals, we could discover nothing else but their admirable and wonderful construction for man's assistance; if we found no organs in the animals for their own gratification and happiness,—no sensibility to pain or pleasure,—no grateful sense of kindness, nor suffering from neglect or injury,—no senses analogous, though inferior to our own; if we discovered, in short, nothing but mere animated matter, obviously and exclusively subservient to human purposes, it would be difficult to maintain that the dominion over them was a trust: in any other sense at least than to make the best use for ourselves of the property in those which Providence had given us. But it calls for no deep or extended skill in natural history to know that the very reverse of this is the case, and that God is the benevolent and impartial author of all that He has created. For every animal which comes in contact with man, and whose powers and qualities and instincts are obviously adapted to his use, Nature has taken care to provide, and as carefully and bountifully as for man himself, organs and feelings for its own enjoyment and happiness." "The animals are given for our use, but not for our abuse. Their freedom and enjoyments, when they cease to be consistent with our just dominion and enjoyments, can be no part of their natural rights; but whilst they are consistent, their rights, subservient as they are, ought to be as sacred as our own."

In the same strain as those eloquent arguments of Lord Erskine are the words of the gentle and genial poet Cowper:-

"The sum is this: if man's convenience, health,  
Or safety interfere, his rights and claims  
Are paramount, and must extinguish theirs;  
Else they are all, the meanest things that are,  
As free to live, and to enjoy that life,

As Goel was free to form them at the first,  
Who in His sovereign wisdom made them all."

Other motives of a religious bearing might be urged on behalf of our dumb clients. The fact of their being the creatures of God ought to secure our kind and humane treatment of them.

[Macaulay proceeds to offer further Biblical proofs and then relates a numerous anecdotes showing animal intelligence is not reducible to mere instinct including the case of Greyfriar's Bobby]

Well, we are not telling these stories here to illustrate the disputed question of instinct and reason, nor to encourage any morbid affection towards the lower animals. Because some animals are intelligent, docile, and affectionate, it does not follow that all animals are to be praised, or any of them to be petted. There are very bad and disagreeable animals, as there are very bad and disagreeable people, but we have no right to treat them with cruelty. Where animals do not interfere with man's rights and convenience, they have a claim to humane treatment. If the Creator has given to them such wonderful qualities and capacities, man should not injure wantonly God's creatures. This is an inference at which no one need shake the head. And another inference from such stories is the very practical one, that we may get good example sometimes from the lower animals. We may learn from them

Many a good  
And useful quality, and virtue too,  
Rarely exemplified among ourselves;  
Attachment never to be weaned or changed  
By any change of fortune, proof alike  
Against unkindness, absence, or neglect:  
Fidelity, that neither bribe nor threat  
Can move or warp; and gratitude for small  
AnJ trivial favours, lasting as the life,  
And glistening even in the dying eye." — *Cowper*.

Bishop Butler, in the opening chapter of his "Analogy," "On a Future Life," gives various reasons against concluding that the dissolution of the body must be followed by the destruction of the living agent. "But," he adds, "it is said these observations are equally applicable to brutes; and it is thought an insuperable difficulty that they should be immortal, and by consequence capable of everlasting happiness." This objection Bishop Butler calls both invidious and weak, for immortality would not imply that they must arrive at great attainments, and become rational and moral agents; "even this would be no difficulty, since we know not what latent powers and capacities they may be endued with." But the economy of the universe might require the existence of living creatures without any capacities of this kind. And all difficulties as to the manner how they are to be disposed of are so apparently and wholly founded in our ignorance, that it is wonderful they should be insisted upon by any but such as are weak enough to think they are acquainted, with the whole system of things.

So great a thinker as Bishop Butler did not consider it irrational to conceive the continuance of the life of the lower animals with their present capacities. However this may be, the motives to humanity are equally strong. If, as some wise and good men have supposed, there may be a place for lower creatures than man in a future world, we should feel the responsibility of our relation to them now all the greater. Or, if we regard them only as a passing part of the present system of things, then, in knowing that death is the end of their little existence, we have the strongest motive to let them enjoy their brief life, and cruelty appears the greater injustice.

## Discussion Questions

1. In what ways does Macaulay use Biblical texts and more contemporary texts in ways similar to other authors included in this reader? Does he use these passages to the same effect or is he making his own points with them?
2. How is the fight for animal welfare a peculiarly Christian duty for Macaulay? Do his arguments imply that non-Christians do not have good reasons to support animal welfare?
3. Macaulay's use of Chalmers' sermon implies a worldview of beneficent hierarchy extending from God to the angels to man and finally to animals. Does hierarchy have a place in discussions of animal welfare or is hierarchy an unhelpful way to think of our ethical commitments?
4. What normative sources does Macaulay draw on in framing his argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
5. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Macaulay's argument most closely aligned?

## A Sentimental View of Vivisection – Mona Caird, 1894<sup>26</sup>

*Mona Caird (1854-1932) was a prolific novelist and essayist who was part of the New Woman movement in art and literature which flourished in the late nineteenth and early twentieth centuries. Much of her work focused on arguing for equality in marriage, with her novels both documenting how this could be achieved through delaying marriage and showing the danger of abuse and violence when such advice was not followed. She was involved in many political and social reform movements including advocating for changes to laws around childcare and divorce, women's suffrage, temperance, and antivivisectionism. This is one of two works she wrote in support of the antivivisectionism.*<sup>27</sup>

*Caird identified as a free-thinker and was for a time a theosophist, but, as is evident in the selection below, she also was willing to draw on themes and tropes from the Christian tradition of animal welfare literature to argue her point. In the below the contrast between classical and Christian society seen in Macaulay's Plea is utilized, but Caird develops this further by drawing an analogy between the persecution of classical Christians and the contemporary abuse of animals. She also deploys the language of sin, redemption, and creed in making her point, though often uses these with some degree of irony. Caird was familiar with ways which social Darwinism attempted to apply lessons from the theory of natural selection to human society (later herself becoming a fierce opponent of eugenics) and this is reflected in the much less benign view of nature and science and the greater scepticism of humanity's inevitable moral progress taken in this piece. Caird is not above indulging in the prejudices of her day, as is evident in her aside about people of Pasifika in this work, but her main aim is to rebut what she takes to be arbitrary hierarchies of value both in human society and the animal kingdom as a whole. She attributes at least some of the persistence of these prejudices to a masculine rejection of sentiment as a means of moral insight.*

In order to measure the distance that we have travelled since the time of the early Christians, in regard to certain principles of conduct and morality, let us imagine a tragic incident of ancient Rome, say in the days of the Antonines, when the Empire had at its head, rulers of high character, and among them, one of the noblest and wisest men who ever lived. Let us try to imagine some untimely conscience, born through one of Nature's occasional freaks, amidst the splendour and the tumult of the Imperial city: an unhappy prophetic soul, tormented with appeals and perceptions, belonging not to its own time, but to ours. Suppose him to have summoned courage to announce to his astounded father that he took no interest in seeing the lions fed on Christians, and that he objected, on moral grounds, to the carnage of the arena. "What! take no interest in seeing the lions fed on Christians? Object to bur manly national sports! Great Jupiter! is this sentimental milk-sop, my son?" Such would, assuredly, have been the feeling of the mortified parent, whose very daughters witnessed, with delight, the combats of the amphitheatre, and turned down their thumbs, when the wounded gladiators looked up to them, in a last hope of mercy, in a manner worthy of their iron-hearted race. "Everybody" went to the amphitheatre, and, obviously, "everybody" could not be barbarous and inhuman. The Christians never were more useful in their lives than when providing amusement to the assembled city. Unjustifiable to use them as fodder for lions? Stuff and nonsense; the Gods had provided them for the purpose; besides they were a tiresome, agitating people, and most irreligious; so unorthodox! Their attitude towards the Gods was simply shocking. And they disturbed the peace of the Empire. One really had no patience with this young upstart who presumed to set himself up as a judge of the conduct of all Rome. Who was he forsooth, that he

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<sup>26</sup> Wellcome Collection. 'A Sentimental View of Vivisection / by Mona Caird.'

<https://wellcomecollection.org/works/xqj43qeg/items>, (retrieved 17 August 2022).

<sup>27</sup> Schneller, Beverly E. "(Alice) Mona Caird (née Alison)" *Oxford Dictionary of National Biography*. 23 Sep. 2004, <https://doi.org/10.1093/ref:odnb/40932>, (retrieved 18 November 2022).

should object to institutions which the wisest men approved and supported? Besides it was such "bad form." And well-bred Rome arranged its toga with an approved gesture, and ordered its chariot for the next performance at the amphitheatre.

Since this ill-starred youth was sufficiently sensitive to feel disgusted at sights that all his world approved, he must have suffered keenly from the lack of sympathy and the scorn that he would meet on every hand; and when he saw the generous and humane Emperor, Marcus Aurelius, among the supporters of the fashionable barbarities, one may suppose that he felt solitary indeed in his conviction, and ready, at times, to doubt his own sanity, or at any rate, to fear that he must be lacking in manly qualities, since everyone whom he most respected, sneered at his scruples and tried to shake him out of his hyper-sensitiveness. And probably his mentors succeeded. If our hypothetical youth ever existed, (as in all likelihood, he *did* exist and suffer, in obscurity and solitude), he was probably convinced, as he grew older and more accustomed to the standards and sentiments of his time, that all the world was right and he was wrong. In the same way, many a young man of the present day is shaken out of feelings that are finer and nobler than those of his contemporaries.

Let us now reverse this imaginary picture, taking London of to-day for the scene, and for hero, a stern soul yearning for the customs of the ancients, as less effeminate and sentimental than our own. Let us suppose him to devote his life, in all good faith and rectitude, to a determined effort to persuade the reluctant British public to cast heathens to be devoured by wild beasts, in the Albert Hall, and to establish a body of gladiators for the general amusement; also on the same, ever serviceable plea, to vivisect men and women (as was done frequently in the middle ages), for the advancement of science and the good of humanity, "Shocking! disgraceful! impossible, inconceivable!" The British public would doubtless treat such a proposition as that of a dangerous lunatic. Yet our Roman youth underwent a sort of martyrdom for daring to object to the very practice now regarded as so utterly preposterous. Such are the changes of human thought and sentiment. But our reactionary philosopher might commend his case to modern enlightenment by arguing that the doctrine of the survival of the fittest demanded the sacrifice of the unfit, whose artificial preservation was harmful to the race. The sentiment of the day—he would point out—was too humanitarian; it interfered with the beneficent action of nature, by its ill-timed pity and protection. Nature had no mercy for individuals; why should man pity them? Let us add the ruthlessness of man to the ruthlessness of Nature and see what sort of a regenerated world we should then have for a happy hunting-ground. True, its harshness and cruelty might tempt many to suicide, for there would be neither hope nor comfort anywhere on earth; but this would only be a cause for congratulation, since the unfortunate were proved to be "unfit" and the sooner they were hounded out of the society that they enfeebled, the better for those that remained. The whole law of nature, (so the argument would logically run) is founded on sacrifice; it is through the sacrifice of the weak to the strong that nature works her evolutionary will, and therefore our best policy is to imitate Nature in her methods, which are so much wiser than ours, and to frankly fall upon our unfit brothers and force them, through torture, if it seem advisable, to the service of humanity.

Any one who objected to this stern but salutary doctrine, must be regarded as a sentimentalist. It is useless (so its expounder would point out) to urge that life—already so full of tragedy,—would become an absolute wilderness, hideous and unbearable, if weakness and misfortune, or a lack of the cruder kind of force and bluster were to be punished more severely than the worst of crimes: misfortune would be the only crime in a society organized on modern scientific principles of this sort; and crime (in the old sense of the word) would be sanctified by the superior force that had made it possible.

Now, although this is precisely the reasoning that certain modern thinkers are constantly using, the proposition, in the crude and startling form given above, would certainly be regarded as



preposterous; whence we may infer the vast difference between the ancient and the modern standards of morality: the difference lying in the modern view of personal rights and in the sentiment of mercy. We may be the inferiors of the ancient Romans in many respects, but we have grasped a principle that they had scarcely conceived; one that places us on a new social plane, and offers a starting-point for developments beyond anything possible to the ancient civilizations, however high of their kind. These rested on no permanent principle except that of patriotism, which itself was without the nourishment that can only be afforded it, in the long run, by security of personal rights. There was an idea of duty to the state, but little or no sense of fealty towards one's fellow man, as an individual. No binding force was at work, producing a spirit of mutual defence among the people, except as against a foreign foe. Ancient civilisation appeared to be a brilliant inflorescence of human power, doomed to certain extinction as soon as the impetus died away. We moderns feel that we have something to preserve in our state, something that belongs to *each* of us, as well as to *all* of us, as a birthright; a right fought for by our ancestors, and needing jealous care, even now that it may not be taken from us, in the name of humanity and the common good. This tendency to encroach upon individual liberty on the plea of the general good, is a great and increasing danger of our times, and corresponds to the apparently entirely different danger that springs out of the tyranny of despotic governments.

The sense of the sacredness of personal rights, happily strong so far, forms an element of stability in the modern commonwealth that enables it to tide over many perils, in spite of a thousand otherwise fatal forces of disruption. It will be an evil moment for us when that belief in individual claims and liberties grows dim.

[...]

The Emperor [Marcus Aurelius] seems to have tacitly assented to the theory which placed slaves and Christians and prisoners of war on a lower plane of being than the Roman citizen, and doomed them, *on that plea*, to hideous ill-usage [sic]. Nor did he see, that the fact (if granted) of their being on a lower plane, was entirely beside the point, since it is obviously capacity for suffering and not accident of birth, or any other accident, that gives a rational claim to exemption from torture.

Why should the fact of being born on the shores of the Danube, or of holding the doctrines of Christianity make it rational—let alone just—to abandon to wild beasts, one who was thus born or thus convinced, while the creditable accident of having first seen the light by the waters of the Tiber afforded protection from such a fate? Putting aside all question of mercy, is such a position even intelligible?

There are some rights that can be claimed only in virtue of intellectual or moral faculties, but the right to immunity from torture, if it can be claimed at all, is surely established by the mere fact of possessing a sentient nervous system. Apart, once more, from all humane considerations, is there any other form of claim that is even comprehensible?

A claim ought obviously to hold some relation to the thing claimed; and what relation has one's birth-place, or creed, or usefulness, or moral status to the torments from which one pleads to be saved, simply because one can feel them? If sensibility be not sufficient ground, in itself, for exemption from torture, then the Romans were *not* morally mistaken when they fed their lions on Christians; they were only misguided in their ideas as to the inferiority of Christians, a mere question of fact, not of morals. And who could severely blame them for that little error of judgment—if so it really was? Possibly they were not so far wrong after all, even as to the Christians, and almost certainly the gladiators and prisoners of war, were inferior to the average Roman citizen, and if this were the case, be it observed, the citizen was perfectly justified in treating them as he did, provided

the theory be accepted, in its simple incoherence, that rank in the scale of being is the real test in the matter.

Unfortunately that preposterous test is still in vogue among people calling themselves civilised.

Let anybody question his average acquaintances as to their opinion of vivisection, and he will find that ninety-nine out of a hundred vaguely approve of it, and if pressed for their reason, they will reply that an animal is lower in the scale of being than man; thus choosing exactly the same plea as that of the ancient Roman when he justified his treatment of his slaves and prisoners.

Why then, does the modern Englishman blame the ancient Roman, whose reasoning he repeats? He may consistently condemn his judgment as to the importance and worth of his victims, but how can the modern condemn the ancient, on moral grounds, without at the same time condemning himself?

[....]

Now it is obvious (as has been pointed out above) that if any knowledge of importance can be obtained from animal vivisection, enormous benefits might be expected from human vivisection. Yet we shrink from the idea with horror; not so much, it would appear, because of the awfulness of the pain involved (since animals also suffer awful pain), but because of the kind of victims used. We feel that it is so "very much to his credit" that a man should be a man and not an animal, that we behave as the Romans behaved when they exempted their own worthy citizen from the slaughter of the arena, because they were so pleased with him for abstaining from being a prisoner or an alien or a "pestilent" Christian.

[....]

If we visit some wild island in the Pacific, we are not surprised, though we may regret to find the inhabitants gratifying their appetites on roast relative or boiled stranger. We sadden at the evidence of the inborn savagery of our species, but we have, at least, the consolation of remembering that these untutored brothers are savages, by common consent, and that no one with any pretensions to civilization, justifies their cruelties, or calls them by euphonious epithets.

But, when, instead of our island in the Pacific, we visit some great centre of civilisation, where the religion of mercy is professed, where all the intellectual and moral culture of the day finds its home, then we are left with colder comfort when we find that in spite of all this supposed enlightenment, men are still guilty of cruelties as terrible (to put the case mildly) as the worst that ever entered into the heart of the most ferocious savages to conceive. Then we are driven to ask ourselves, with horrible doubt of the eventual redemption of our race, whether the civilized state is anything more than an elaboration of barbarism, a new and wider field for the selfishness and brutality of the human animal. Of what avail are our religions and philosophies, if they cannot so much as teach us to exempt from atrocious torture, the race of animals who appeal by their very helplessness to our mercy?

Have all our sufferings, all our efforts and aspirations left us blind, and stupid, and brutal to this extent ?

If anything, after this, could add to the sense of hopelessness and unbelief in man's goodness, it is his attempt at justification. To sin, terribly and shockingly is not always to be past redemption; but to

sin in that way, with words of piety on the lips, with bland smiles and elevated sentiments—setting forth one's devilries in the light of self denying virtues—this seems to indicate absolute deadness of the moral nature—on one side, at any rate—and to make belief in human goodness seem almost insane. For what is the defence for taking creatures, capable of affection, of fear, of gratitude, of devotion, in short of suffering—; what is the defence for taking these creatures and mangling them—brain, spine, liver, heart, blood-vessels, bones; for poisoning them, inoculating [sic] them with disease, suffocating them, paralysing them with a drug that renders them motionless, while leaving the sensibilities as keen as ever; for freezing them, skinning them alive, baking, boiling and burning them—?

[....]

The instinct of tyranny is inborn, and when the chance comes, it springs forth in priest and King, in demagogue and sage. Science is losing her old benign quality, and is growing like some fierce fetish of a despised superstition; thirsting for propitiatory sacrifices, and teaching her too docile pupils to offer, on her altar, some trembling creature that cannot retaliate, some unfriended brother; with the promise that in acknowledgment of the pious offering, the new God will prepare for the faithful, a great reward-if mangling and murder can avail anything.

Thus our unfortunate race sees itself betrayed by the two great forces that professed most for its salvation: Religion and Science. They have both encouraged us in this cowardly abuse of our power; they have both helped to hold us under the yoke of our meanest and most selfish instincts. They have both urged us, or allowed us, unrebuked, to oppress the weakest and most unprotected creatures alive.

The Churches of the civilized world have scarcely lifted a finger against this abuse; they have, by their silence (and sometimes by their speech) aided and abetted their hated enemy Science, now, for the first time in history, when she has made her successful appeal to the selfishness of man, and is, in this respect, doing her best to undermine his moral sense. And thus, these professed guardians of our welfare have been instrumental in producing among us a sort of moral insanity, a disease, which is now rapidly spreading far and wide, maiming and blinding and stupifying the conscience.

It is a perilous and critical moment, that we, as a race, are approaching, apparently with closed eyes. Science seems to have understood only the superficial facts of existence and of man's nature, after all. She has advanced as a conqueror, and has placed vast powers, won by her, at man's command. How will he use them? How will he face and resolve the problems of his complex existence? What will he decide to make lawful and what unlawful, in the struggle of life, and the aspiration after knowledge? Are all things to be accounted lawful, in this pursuit? Are all considerations of mercy to be thrown over, so soon as the object is tempting enough to our selfishness? Is nothing to be safe and nothing to be sacred? Upon the solution to these problems rests the moral rank of the race, for the future, and the security of all life and liberty. In solving them, man proclaims, consciously or unconsciously [sic], the nature of his faith in the universal government, and try as he may, he cannot set this question apart from the fundamental conceptions whereon his religion or his philosophy are resting. How are hideous cruelties to helpless beings to be reconciled to the principles of justice and of mercy, and what moral law is that, which has not a place of honour for these? Surely the whole question of a moral law in the universe, whether from the theistic or from the agnostic point of view, stands or falls with the answer to this question: May men torture animals to benefit themselves? If the answer be Yes, then the world may be governed by a powerful and a coldly intellectual being, but assuredly it cannot be governed by a [sic] wise, or a loving, or a just, or a merciful one, nor can the nature of things, in any way, be dominated by those principles. Pessimism and cynicism—if that view be adopted—become the only rational creeds.

Let any really clear-headed person, honestly try to build up a system of morals which would leave the practise of vivisection as a foundation for the code, and see how he succeeds. He would be forced to give charity and sympathy and unselfishness and pity a place therein, to avoid a contradiction in terms. Kindness would have to be added, and forbearance, even under provocation; and man would be exhorted to be not only just but generous, to render more than the mere letter of the law demanded of him. Even the milder forms of selfishness must be discouraged, and sins of omission as well as of commission condemned; while the higher kinds of imaginative sympathy would take rank as ideals. The responsibilities of power would be insisted upon, and also the claims of the weak (at lowest) to remain unmolested, and (at highest) to be defended and cared for. Chivalry, courage in defence of the helpless, justice, mercy—these are the qualities that would be indisputably essential to any civilized standard of ethics. Now imagine such a system with the following propositions added:—N.B. As regards the virtues inculcated above, it must be understood that they are not intended to be put in practice towards animals, for these have no means of claiming protection from our code, whose principles are to be considered as applicable only to our fellow men, because they only can hit back if we injure them, whereas animals are unable, in that emphatic manner, to remind us of our moral sentiments, and of our lofty ethical standards. Let us therefore read our code as follows:

Be merciful.

Be just.

Be chivalrous.

(Except to animals.)

Be generous.

Be sympathetic.

Do not abuse your power.

Regard your responsibility

as co-extensive with your power.

(Except in the case of Animals).

Bear your own sufferings courageously, both those that you bring on yourself and those that come to you through heredity and the faults of your fellows.

(Unless you can lay hold of some defenceless creature and force it to suffer for you; if so, do not let any sentimental consideration deter you from enlightened research. You may derive benefit from it, who knows? May the blessing of God and Humanity rest upon you and your labours. Amen).

Is this the sort of code that we intend to adopt, as guide and compass for our future? If so, may heaven help us and our victims!

### Discussion Questions

1. In what ways does Caird recapitulate arguments found in other pieces included in this reader? How, if at all, does she make those arguments her own?
2. Is the parallel Caird draws between Christian martyrs and animal victims of vivisection a successful one? Why or why not?

3. Why does Caird appeal to sentiment and with what is she contrasting it? Is sentiment a reliable moral guide or does it have its own dangers?
4. What do you make of Caird's uses of the terms 'civilized' and 'civilization' in this essay? Does she think that there are actually 'civilized' societies? Is her use of these terms problematic in any way?
5. What normative sources does Caird draw on in framing her argument (e.g. Biblical authority, the light of reason, nature, Greek/Roman sources, Church teaching, science, contemporary law, etc.)?
6. With which contemporary ethical approach(s) (e.g. divine command theory, utilitarianism, deontology, virtue ethics, etc.) is Caird's argument most closely aligned?