

## **Governing Animals: Animal Welfare and the Liberal State**

KK Smith (2012). Published by Oxford University Press Inc, 198 Madison Avenue, NY 10016, USA. 240 pages Hardback (ISBN 978-0-19-989575-5). Price £22.50.

In *Governing Animals*, the author, Kimberly K Smith, seeks to build a political framework (principally for and tailored to the United States) that improves the welfare of animals as well as humans in what she argues is a single community that is extensively linked and interdependent. As stated, she moves beyond the arguments relating to animal rights and the existence of animal emotions, stating that there exists a “rich and ongoing discourse” for these topics and that the forthcoming discussion will assume that animals “can have moral standing”. That said, *Governing Animals* purports that US society is entering a new phase where difficult questions must be asked, discussed, and ultimately answered in regards to how we make decisions and relate to animal welfare. The readiness for this phase is evidenced in, firstly, the widely accepted notion that animals are in possession of moral standing and, secondly, that multiple examples of contemporary law, ranging from the Animal Welfare Act, the Endangered Species Act, as well as state and regional ordinances, and comments by legislatures exist at all levels. *Governing Animals* seeks to provide a foundation for this discourse, and in my opinion, does so effectively.

Picking up this text, I found myself in a position that many US citizens will likely find themselves in as well — concerned that animals should be provided a greater quality of life, but unsure how to progress and which steps should be taken. Being an animal welfare scientist, I believe I am acutely aware of the expectations the public have, the objectives of government, and the difficulties facing the various animal industries in meeting these demands. Still, *Governing Animals* seeks to build acceptance with the reader that the ingredients for change are present.

Across seven chapters (including introduction and conclusion), the text seeks to give a historical background to this effort, the circumstances as they exist now, and suggestions for the future. Beginning with examples from medieval trials and extending to current interpretations of the Animal Welfare and the Endangered Species Acts, Professor Smith relates the evolving relationship between our community and the animals around us. Here, she lays the groundwork for a theme that runs throughout the book — that the relationship between animals and humans is recognised and protected by contemporary judicial processes.

From here, Smith seeks to establish that animals — at least some — are members of the social contract which guide the expectations we have for fellow humans within the society, a detail which she argues is largely already practiced though less well vocalised. At this point, Smith lays out a primary concept which I think sets her work apart from those who would argue that animals are members of society no different from a typical human US citizen. Her objective is not to recognise the natural rights of animals, but improving protection of animal welfare by protecting the relationships

between human and animals. Shifting focus away from the acceptance of intrinsic rights of animals and their capacity as moral agents, Smith advises that animal welfare is best improved and maintained by recognising the benefits that humans derive from positive relationships with animals. I believe this concept is novel and an important bridge that accommodates the differences between animals and humans with the quality of life most people would feel should be provided to those animals.

Smith also addresses several additional topics including whether legislation should (and can) recognise animals as property of humans, how the interests of animals should be recognised within a legal framework, and recommendations for reform to bring the current national feeling regarding animal welfare in line with the patchwork of local, state, and national laws. In this last topic, I believe that Smith offered a second major theme which is likely the best means to improve the quality of animal welfare within a nation that is apprehensive to large government. I may be over-interpreting her position, but she suggests that the nation as a whole is not yet ready to accept widespread and all-encompassing animal welfare legislation. Smith advocates in summary that: “the limits of the liberal state, the fact and value of cultural pluralism, and the persistent inequities in our criminal justice system all should lead us to disfavor reliance on criminal prohibitions to improve protection for animal welfare. Indeed focusing on criminal law betrays far too narrow a conception of the progressive goals of the animal welfare/rights movement: to create a more humane society where humans and nonhumans flourish together”.

With this notion, Smith recognises the shortcomings of penalising people for acts which reduce the welfare of animals as well as the particular difficulty this effort would have within the US. Instead, she advocates a role for government and the various institutions ranging from the Humane Society to breeding organisations which compose our society to educate and promote concepts of animal welfare to a population that generally is supportive of improving animal conditions. Given people’s sense that they know something should be done but unsure of which steps to take, informed dialogue and an improved understanding of what animals need and what is best for them can set them on a course towards clarifying their indecision.

From there, people can improve the lives of the animal with which they directly interact, ie pets, with and make decisions as a more unified society in regards to the animals which they act indirectly with, ie those within agriculture. Recent efforts by the United Egg Producers in conjunction with the US Humane Society to establish pro-animal welfare guidelines for laying hen production and shift away from certain practices are an example of how an educated public can facilitate an improvement in the quality of animal welfare. Granted, their collaboration is working towards development of federal legislation which I think Smith would discourage, but key to the situation are the dialogue and the growing sense of the agriculture community for what the public wants. While the specific details of this exchange may not be as Smith outlined (eg

does the public have an accurate understanding of commercial egg production?), I think the mechanisms that she envisioned are present in a broad sense and provide for change that can improve animal welfare.

Altogether, I found the book genuinely interesting and well organised into a comprehensive thesis with supporting positions constructed in a logical and thorough manner. On some points I did find myself questioning whether some of the opinions she used to support her argument were overstated. For instance, comments by legislators in support of several government actions and/or bills could be easily taken out of context and I was concerned that she was using an emotional tangent by an individual as supportive of widespread acknowledgement by that body, ie the Senate, for the resolution. Nonetheless, that these arguments and thought processes were stated in actual legislative debate and/or judicial opinions supports her notion that the concepts contained within her text are not so far from the public's understanding and expectations for animal welfare. Indeed, a force or action is needed to bring these understandings from the periphery and onto centre stage where they can be adequately addressed. In this regard, Smith has taken concrete steps towards this end and hopefully, meaningful and productive discourse will result.

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### **Zoo Animals: Behaviour, Management and Welfare, Second Edition**

G Hosey, V Melfi and S Pankhurst (2013). Published by Oxford University Press, Great Clarendon Street, Oxford OX2 6DP, UK. 696 pages Paperback (ISBN 978-0-19-969352-8). Price £32.99.

This book has three co-authors. Two are university professors while the other is a zoo keeper and conservationist. This provides a combination of both a scientific and practical perspective of the problems arising in modern accredited zoos with high standards of animal welfare.

Chapter 1 explains that accredited zoos are complicated organisms, relying upon multiple specialists to function well. As such, accredited zoos declare four key tasks: conservation, education, research and recreation. The accredited zoos are scientifically, governmentally regulated institutions; with their best scientific research published in peer-reviewed journals such as *Zoo Biology*, *Applied Animal Behaviour Science* and *Animal Welfare*.

Why do people visit zoos? Visitors want to educate their children (36%), to have a fun day (26%), to see animals (25%) and to communicate with the wild (11%). So, all the four primary tasks of zoos are equally important: to preserve wildlife, to investigate, to educate, to entertain. The emotional aspect is the basic difference between zoo and museum visitors. The unique opportunity of zoos is to make it possible for people to communicate with nature

using all of their senses. At the same time, zoos allow people to remain safe from dangerous animals. The development of good, modern zoos is driven by public reaction to poor enclosures and poor conditions of animal keeping.

Chapter 2 tells the history of zoos from ancient times to modern day, showing changes in purpose and management, with examples of particular animals, zoos, enclosures, directors and curators. The reader can follow the evolution of zoos from tsar menageries and barren cages to Hagenbeck-type panoramic enclosures, without bars. This coincides with a transition from taxonomic collections to compositions, representing fauna from regions of the world, such as Australia or the Arctic. However, zoo development was not always smooth. The Hygiene Era of 1920s, had characteristically sterile compounds made from concrete, steel and glass and painfully high degrees of reverberation and can still be found in many zoos today.

Chapter 3 is devoted to legislation at national and international level. One of most important international laws is the 1973 Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), regulating trade for approximately 5,000 animal and 25,000 plant species. Another two are the 1992 Convention on Biological Diversity (CBD) for measures for conservation of components of biological diversity for sustainable diversity and the International Air Transport Association (IATA) Live Animal Regulations (LARs) intended to ensure that live animals are transported safely, legally and with good standards of welfare. Membership of these international associations is voluntary, and hundreds of airlines are already affiliated. Also, many international associations, programmes and laws regulating health, disease and reintroduction issues are listed in the Chapter 3.

Chapter 4 focuses on animal behaviour. The role of the ethogram is explored, supported by photos and drawings to facilitate the identification of different types of behaviour. Behavioural diversity in captivity reflects the efforts of keepers to improve the zoo environment and welfare of animals. Different types of animal learning and training, the role of motivation and formation of abnormal behaviours are considered, in relation to animal personality and taxa.

The authors discuss in detail, why certain taxa are worse than others as regards to stereotypy and other behavioural abnormalities, and strongly suggest behavioural observations in the wild to help understand the reasons for these problems. The harmful effects of keeping predator and prey species in neighbouring enclosures is explored, as even smell of predator faeces can result in anxiety in certain prey species, such as small monkeys. Also, changes in either physical or social environment can have complex, taxon- and person-dependent effects on zoo animals, ranging from primates to elephants.

Chapter 5 is on individual identification and record-keeping systems. Individual markers are vital in conservation, research, breeding, monitoring of health and studbook keeping. Despite great variation in different types of tags, microchips, rings, wingmarks and flipper bands, their relia-