

PROBLEM ANIMALS
A CRITICAL GENEALOGY OF ANIMAL CRUELTY
AND ANIMAL WELFARE IN SWEDISH POLITICS
1844-1944
Per-Anders Svärd
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Problem Animals

A Critical Genealogy of Animal Cruelty

and Animal Welfare in Swedish Politics 1844–1944

Per-Anders Svärd

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For my daughter, Ellen

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Högdalen, Stockholm

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Introduction

WE COULD NOT KEEP the animals out. On the contrary, the past four decades have seen a significant increase in both public and academic interest in the human–animal relationship. The development of animal rights philosophy, the rise of a social movement for animal liberation, the emergence of cognitive ethology, and the advent of a new series of ecological sensibilities have all been instrumental in forming this trajectory. Alongside and within this conjuncture, a burgeoning field of human–animal studies has also seen the light of day. This development started in moral philosophy in the early 1970s and quickly spread to other disciplines like history, sociology, anthropology, cultural studies, gender studies, literature, and law (see Flynn, 2008; Nocella, Sorenson, Socha, & Matsuoka, 2014; Taylor & Twine, 2014). Already in 1993, animal advocate Andrew Rowan could observe that more critical work had been produced in animal ethics since the 1970s than in the previous 2,000 years taken together (Rowan, 1993, p. 63). Today, another two decades down the line, we can no doubt say the same for the social sciences and the humanities in their entirety.

Although human–animal studies remains a field on the margins, its research interests and agendas have started to make inroads into mainstream academia. This is evidenced by the flood of books, journals, university courses, conferences, and interdisciplinary projects recently devoted to the relations, interactions, and interfaces between human and non-human animals. “Animality,” some have even argued, is starting to take up a position alongside “race” and gender as one of those indispensable “lenses” through which society must be studied to be properly understood (Gross and Vallely, 2012).

In political science, however, the interest in this “animal revolution” (Ryder, 2000) or “animal turn” (Andersson Cederholm, Björck, Jennbert, & Lönngren, 2014; Weil, 2010) has been slight. In a recent anthology on politics and animals, the editors David Schlosberg and Marcel Wissenburg (2014) remark that while there is an entire “academic industry on animal rights, welfare and ethics, there has been comparatively little offered in the

political realm” (p. 1). Despite the growing attentiveness in neighboring disciplines, and despite the key role played by the state in regulating the human–animal relationship, students of politics have taken little notice of what is arguably an ongoing paradigm shift in species relations. Unlike their colleagues in moral philosophy, political theorists have been reluctant to face the challenge of the “animal issue.” With a few exceptions—most notably the work by Robert Garner (1993, 1996, 1998, 2013) and recent contributions by Martha Nussbaum (2004, 2006), Sue Donaldson and Will Kymlicka (2011), Timothy Pachirat (2011), Siobhan O’Sullivan (2007, 2011), Alasdair Cochrane (2010, 2012), Kimberly K. Smith (2012), and Dinesh Joseph Wadiwel (2015)—political theory has not progressed far beyond the sweeping dismissal of non-human inclusion offered in Thomas Hobbes’s *Leviathan* (1651/1996): “To make Covenants with bruit Beasts, is impossible” (p. 97).

It is a historical irony in this regard that Western political theory seems to have forgotten (Freudians will be tempted to say “repressed”) the instrumental role animals played in its own birth. When Aristotle laid the groundwork for the empirical study of politics and staked out its subject matter, he did so by explicitly excluding the animals from the *polis* (*The Politics*, I: ii, 61). Although political philosophers have long rejected the other exclusions (of women, slaves, and foreigners) that Aristotle established along the same continuum, they have largely failed to reassess the status of non-human animals. Nor have they fully grasped the mediating role played by animals and animality in the production of politics as we know it. Taking Aristotle’s discursive cut to represent a pre-political fact, Western political philosophy has typically committed itself to a view of politics as an exclusively *human* affair. The investment in this anthropocentric ontology, in turn, has led to the marginalization of animal issues as uninteresting or simply unimportant.

When political theorists have occasionally returned to the point of this constitutive scission, they have tended to do so either from a normative perspective (following ethicists and legal philosophers in asking questions about the moral standing of non-human beings), or from the viewpoint of environmental philosophy (treating animals as embedded parts of eco-communities rather than as individuals) (see Schlosberg and Wissenburg, 2014). Much less energy has gone into empirical study of the political processes and ideologies regulating the use and treatment of animals—that is to say, the historically specific conditions and features of interspecies politics.

Yet, it can be argued that the most pressing questions about the human–animal relationship are precisely *political* in this sense. As Jason Wyckoff

(2014b) has pointed out, the predisposition to frame animal maltreatment in ethical terms has tended “to obscure the ways in which (and the degree to which) the wrongs suffered by animals at the hands of humans are *structural*” (p. 539, emphasis in original). The question, Wyckoff insists, is not just how we ought to relate to other sentient beings. More importantly, we should ask under what institutional conditions our interspecies encounters take place *to begin with*. After all, we do not just “happen upon” animals—we are historically and structurally set up to meet and interact with them in specific ways.

This observation shifts focus away from the typical concerns of animal ethics (“what is right or wrong for me to do in relation to non-human animals?”) and locates the issue among the core concerns of political philosophy: What is a good/just society? Are there any plausible organizational principles of such a society that would allow for having a class of moral patients—indeed, an overwhelming majority—relegated to institutionalized disadvantage and mistreatment? If not, what are the structural constraints militating against change? And how can these obstacles be overcome? When approached from this angle, the problematic is recast in terms of *social justice* and asymmetrical *power relations* rather than in terms of personal conduct—an apposite move, I think, that places it where it should be, within the field of critical political theory and analysis (see also Jenkins, 2012; Pedersen & Stănescu, 2012).

In the academic division of labor, however, the task of mapping the *Realpolitik* of the human–animal relationship has mostly fallen on other disciplines than political science. So, for example, a number of critical sociologists, anthropologists, and philosophers have inquired into the connections between animal exploitation, human oppression, and the mechanisms of moral exclusion (see Nibert, 2002, 2013; Noske, 1997; Patterson, 2002; Sanbonmatsu, 2011; Spiegel, 1989; Torres, 2007). Likewise, the spaces of intersection between sexism and speciesism has been extensively explored by feminist animal rights advocates (see Adams, 1990; Adams and Donovan, 1995, 1996, 2007; Birke, 1994; Gålmark, 2005; Luke, 2007; MacKinnon, 2004; Oliver, 2008; Wyckoff, 2014a). Several historians and other historically oriented scholars have also contributed to our understanding of the shifting politics of the human–animal relationship over time (see, for example, Ritvo, 1987, 1997; Kean, 1998; Kete, 1994, 2002, 2007; Franklin, 1999; Thomas, 1984; Tester, 1991; Malamud, 2011; and, in Sweden, Alexius Borgström,

2009; Bromander, 1971, 1987; Dirke, 2000; Cserhalmi, 2002, 2004; Falkengren, 2005; Gålmark, 1997a).

Although these research efforts have necessarily touched upon political themes—and re-politicized many naturalized dimensions of the human–animal relationship in the process—little research has taken a sustained interest in the articulation of species relations in the formal political arena of the state. Nor has there been much interest in the political origins of the long predominant paradigm in the field of animal policymaking, namely the *animal welfare regime*. This book is an attempt to address this gap.

I. WHENCE THE ANIMAL WELFARE REGIME?

This book is concerned with the historical transition between two discursive regimes that may be identified within the field of Swedish animal politics in the period from 1844 until 1944. I will call these regimes the “anti-cruelty regime” and the “animal welfare regime” (or “animal welfarism” for short), and make it my task to theorize the latter’s replacement of the former as the main legitimizing framework for most practical human–animal interactions. Naturally, demonstrating the occurrence and relevance of this shift—not to mention going through the minutiae of its development—is a task for the upcoming empirical chapters. Nonetheless, a brief comment on the differences between the discursive regimes that I identify in this book is necessary already from the beginning. (The main differences are also summarized in Table 1.)

By the “anti-cruelty regime,” I refer to the kind of policies against animal mistreatment that were established in many European countries in the nineteenth century. These early laws and regulations were often founded in the name of “public morality” and geared toward curbing overt, public violence toward animals, typically by threatening to punish individual abusers. After a while, however, a broad shift may be discerned in the field of animal policymaking. Instead of focusing on individual animal abusers and condemning their moral shortcomings, the policy area of animal protection started to drift toward the institution of positive regulations, a greater differentiation of rules, demands for minimal standards in animal keeping, and the institutionalization of systematic monitoring programs.

Table 1.
Summary of regime characteristics

The anti-cruelty regime	The animal welfare regime
<ul style="list-style-type: none"> • Negative regulation—defines what is <i>not</i> allowed in animal treatment. • Focus on regulating individual behavior/morality. • Aims to deter animal cruelty and punish offenders. • Single standard for animal treatment (i.e., not being “cruel”). 	<ul style="list-style-type: none"> • Positive regulation—prescribes general, minimal standards for animal husbandry. • Focus on the regulatory framework and the monitoring of compliance. • Aims to prevent harm to animals (foreclosing punishment). • Diversity of standards for animal treatment (i.e., different rules for different industries).

This new order, which I have chosen to call the “animal welfare regime,” should be rather familiar to the contemporary reader. When I speak of this regime, I refer to a policymaking paradigm built around positive, state-sanctioned standards of “good” animal keeping and husbandry that has become typical in most Western societies today. Founded in a basic recognition of non-human sentience and moral considerability, animal welfarism as public policy typically describes the conditions under which animals may lawfully be kept in captivity, killed, experimented upon, put on public display, and so on. Over the course of the twentieth century, animal welfarism became the dominant discourse for regulating the use of animals throughout the Western world, and it remains the predominant framework for policymaking and public debate about animal treatment to this day.

This is particularly true for the case of Sweden, the stage where this book is set, and where animal welfarism exercises a powerful grip over the public debate. Sweden got its first law against animal cruelty in 1858 and, after a number of revisions of this original statute, its first comprehensive animal protection act in 1944. It is no exaggeration to say that the welfarist ideas underlying the latter act has had a pervasive influence. When the treatment

of animals is discussed, contemporary Swedish discourse often invokes the idea of a particularly animal-friendly national spirit along with a strong belief in historical progression (Diesen & Mille, 2009). In the motivation for Sweden's current animal protection act from 1988, for example, it is stated that "[i]n our country animal protection is deeply rooted in people's consciousness. An important part of our cultural heritage is that animals should be guaranteed protection." (Proposition 1987/88:93, p. 14) For all the boldness of these claims, however, it remains unclear what these "deep roots" and this "cultural heritage" really are. Despite the vast reach and influence of the animal welfare regime today, its *emergence* and its *replacement* of the earlier anti-cruelty discourse as the near-universal political "solution" to the problems associated with animal use is far from fully understood.

The most common assumption in this regard tends to be that animal welfarism, as we know it today, simply emerged out of the previous anti-cruelty regime as its logical continuation. This outlook, which also seems to inform some of the existing research on the early history of animal protection and advocacy in Sweden (see Chapter 2), emphasizes continuous progress in society's concern for animals. From this perspective, modern animal welfarism is more or less taken to be what you get when anti-cruelty sensibilities mature and society becomes more animal friendly.

This is also how the idea of welfarist legislation seems to have been perceived in Sweden in the 1930s and 1940s. In the government report that laid the groundwork for the 1944 animal protection act, for example, the idea of more comprehensive welfarist legislation was explicitly framed as a way to bring legal regulations in line with the more enlightened attitudes toward animals that had developed among the public (SOU 1938:36, pp. 71–72). When the new act was first presented in 1944, the newspaper *Dagens Nyheter* greeted it as a "victory for animal protection," and the initial response from the animal protection organizations was that the law promised "great improvements" for the animals ("Nya lagförslaget en djurskyddsseger," 1944). To a contemporary animal protectionist like Stig Wesslén, the 1944 law was "indubitably the most important" achievement of the animal advocacy movement in Sweden, and correctly implemented it would offer "a guarantee against all kinds of animal cruelty" (Wesslén, 1948). Even in our own time, prominent spokespersons for animal protection have not hesitated to locate the 1944 law as a key moment in Sweden's "long history of detailed and progressive legislation related to animal welfare" (Berg & Hammarström, 2006,

p. 297), and label it as “a great step forward” for the animals (Dahlén, 2007, p. 31).

Indeed, it is difficult to see the transition from the earliest anti-cruelty laws to our contemporary animal welfare programs as anything other than a progressive expansion of humanitarian attitudes toward animals. To borrow an image from philosopher Peter Singer (1981/2011), the transition from the anti-cruelty regime to modern animal welfarism seems to fit very well into the Enlightenment schema of an “expanding circle” of moral consideration and compassion. Certainly, given our contemporary standards of kindness toward animals, the first Swedish anti-cruelty law that was founded in 1857 presents itself as an indisputable improvement over the strict property view of animals that it replaced. Similarly, we are likely to interpret the shift to welfarist policies in the 1930s and 1940s as a continuation of this process and as an entrenchment of the same humanitarian values.

None of this, of course, is to say that we see a purely linear development when we look back. On the contrary, we can recognize many obstacles and setbacks along the way. Nonetheless, the *general* picture that emerges is one of gradual progress, in which the animal welfare regime registers as a decisive advancement over the older anti-cruelty regime in terms of the scope and depth of its concern for animals. Whatever its remaining flaws, the reasoning goes, the modern animal welfare regime must have been an improvement over what preceded it.

The Regulation vs. Abolition Controversy

But is that necessarily so? Recently, the status of animal welfarism as a politico-ethical framework exhaustive of human obligations to animals has been strongly contested. After the advent of the animal rights movement, a new international debate has flared up about the merits and shortcomings of the state’s role in protecting animals. Serious questions have been asked about the historical trajectory of animal welfarism: Have things improved for the animals over time, or have they gotten worse? Does animal welfarism represent unambiguous historical progress, or is it rather an obscuring ideology in the service of ever-expanding animal exploitation? Is it not a worrying paradox that the use of animals has expanded and intensified like never before precisely under the auspices of a universalizing regime devoted to their “protection”?

Within the animal advocacy community, conflicting interpretations of the promises and limitations of the animal welfare regime has led to a growing

split in recent years. The line of division has come to run between two main camps. On one side, we find the reform-minded “animal welfarists” who hold that the modern animal protection laws found in most Western countries today represent unquestionable historical progress. From this perspective, further advancement—maybe even full animal liberation—is eventually to be expected along the same path, if only public support can be mustered for continued reform (see, for example, Phelps, n.d., 2007, 2015; Friedrich, 2011; Garner in Francione & Garner, 2010). On the other side, we find the so-called “abolitionist” faction of the animal rights movement, who claim that the gains made under the welfarist regime have largely been illusory. From this point of view, the main historical function of animal welfarism has been to cover over the ugly realities of animal exploitation and lull the public into accepting ever-multiplied atrocities (see Francione, 1996, 2000, 2008; Francione in Francione & Garner, 2010; Dunayer, 2004; Hall, 2006, 2010). From this latter perspective, the idea of achieving animal liberation along the political reform route is not only rejected, it is marked as counter-productive and a waste of movement resources that would be more meaningfully spent on raising consciousness about animal rights and veganism.

The objective of this book is not to settle this contemporary dispute. While I largely side with the abolitionist position when it comes to the ideological function of animal welfarism today (Svård, 2008, 2011a, 2012), it may well be too early to gauge its long-term consequences. Nonetheless, the abolitionist critique has introduced an important problem that warrants further investigation: How come that the same regulatory framework that is universally lauded for protecting animals has also been compatible with such a remarkable expansion and intensification of their use?¹ It goes without say-

¹ While historical figures are unreliable, there can be no doubt that the use of animals has increased significantly over the course of the nineteenth and twentieth century. In 1900, a Swedish politician estimated the number of animals slaughtered in Sweden every year to three million larger animals, millions of fish, and thousands of predators (II 1900:41, p. 18). In the 1880s the number animals used in experiments in Sweden were estimated to a thousand or so (Bromander 1987, p. 215). Even if these estimates are taken to be low they cannot compare to the contemporary situation where over 80 million land-living animals are killed every year and the number of animals experimented on have increased with a factor of five hundred since the 1880s (Statistics Sweden [SCB], Agricultural Statistics Unit, 2014, p. 272–273; Swedish Board of Agriculture, 2009, 2013a, 2013b). To this, we may add the development of previously unheard of invasive practices like factory farming and intensive breeding—not to

ing that this problem cannot be fully untangled here. What I *want* to do, however, is to take this seeming paradox as the starting point for a genealogical inquiry into the political history of animal cruelty and animal welfarism. What interests me in this regard is how animal welfarism came about as a hegemonic political discourse in Sweden, and whether we are justified in thinking about its emergence as a logical continuation and progressive improvement of the previous anti-cruelty regime. A critical assessment of this problematic is necessary, I think, for making sense of our current attitudes toward animals. I will address this issue by turning to the parliamentary debates that took place in Sweden between 1844 and 1944, and ask how the meaning of animal mistreatment was discursively produced, contested, and revised in the period leading up to the founding of the 1944 animal protection act.

II. AIM AND SCOPE OF THE STUDY

With this book, I wish to contribute to the political history of the human-animal relationship in two ways.

First, I want to chronicle for the first time the early history of a policy area that has received very little attention. I will do this by presenting a comprehensive overview of the main issues and problems regarding animal cruelty and animal protection that were debated in the Swedish Riksdag between 1844 and 1944.

Second, and more importantly, I offer a critical reinterpretation of the early period of anti-cruelty ideology and the subsequent emergence of the

mention the “ontological” violence resulting from the recently developed capacity to biotechnologically manipulate animals (Davis, 2010; Weisberg, 2014). From an animal rights perspective, this puts the efficacy and progressive promises of the animal welfare regime seriously in question. As legal scholar Gary L. Francione (2010) has put it, “[w]e have had animal welfare, both as a prevailing moral theory and as part of the law, for more than 200 years now, and we are using more nonhuman animals in more horrific ways than at any time in history” (p. 49). Similarly, the political theorists Sue Donaldson and Will Kymlicka (2011) have argued that “[w]hat surely is clear, after 180 years of organized animal advocacy, is that we have made no demonstrable progress towards dismantling the system of animal exploitation. Campaigns ranging from the very first nineteenth-century anti-cruelty laws to the 2008 Proposition 2 [a ballot initiative to ban gestation crates for pigs in California] may help or hinder at the margins, but they do not challenge—indeed, do not even address—the social, legal, and political underpinnings of Eternal Treblinka.” (p. 3)

Swedish animal welfare regime. It is my contention that animal welfarism, as we know it today, cannot be meaningfully understood unless we also revisit the struggles in which it was forged and account for the alternatives that were forgone in its constitution.

The primary aim of this book is therefore to produce a deconstructive genealogy of the concepts of animal cruelty and animal protection in Swedish policymaking from the middle of the nineteenth century and up to the founding of the modern animal welfare regime in the middle of the twentieth. This inquiry is driven by two over-arching questions:

- How did the political problem of animal cruelty emerge and change over the century under study?
- Are we justified in interpreting the new orientation in animal policymaking in the 1930s and 1940s as the result of an unbroken evolution of humanitarian values, or does this progressivist narrative warrant problematization?

To answer these questions, I will turn to the parliamentary debates in which animal mistreatment was first articulated as a political “problem” in need of regulation. However, the problems that were put on the political agenda will not be considered here as immediate “facts” that the politicians just had to respond to. Instead, taking a post-Marxist discourse theoretical approach, I will regard these problems as historically specific constructions—*problem representations* or *problem articulations*—always contingent upon their particular context of enunciation. My core assumption is that such problem representations are actively involved in the production of social realities and identities by re-articulating the relation between signifying elements and interpellating people to identify with specific social ontologies. To represent something as a political problem means affirming or challenging existing perceptions of the world in a way that makes the concern in question stand out not only as *a* problem but also as a *particular kind* of problem. Problem representations, then, both feed off and contribute to the maintenance of discursive regimes, or the general social “grammar” by which people make sense of social reality. Moreover, drawing on Lacanian psychoanalysis, I will argue that both the inertia and the transformative trajectories of these discursive formations were contingent upon certain emotional investments and underlying ideological fantasies. The broad goal of this approach is to chart the generative discursive and affective structures that regulated meaning in

the field of animal policymaking, and to inquire into their historical conditions of possibility as well as their normative consequences for the animals.

To capture the historical problematizations of the human–animal relationship in more concrete terms, the following questions have guided the analysis of the material (I will discuss this analytical framework further in Chapter 1):

- What was the “problem” of animal (mis)treatment represented to be in the different political debates during the period?
- What solutions were foregrounded?
- What kinds of animal (ab)use were left unproblematized?
- Under what discursive conditions did the problem representations emerge (both in terms of their underlying assumptions and in terms of immanent antagonisms and “extra-discursive” dislocations)?
- What productive effects did the problem representations have (in terms of the social categories and identities they produced)?
- What affective investments and ideological fantasies were at work in the problem representations?

To move ahead of things and anticipate the results of this study, the main result of my analysis is that there are good reasons to problematize the typical progressivist narrative that takes animal welfarism to be the “natural” successor of the anti-cruelty commitments of the earlier period. Through a reading that pays more attention to the breaks and discontinuities in the problem representations of the period, I conclude that the “welfarist turn” in the 1930s and 1940s may be more intelligibly grasped as the outcome of a long-standing crisis of the previously hegemonic anti-cruelty regime itself (see also Svård, 2014b). The main problem was that this older discursive formation produced constant friction in relation to the speciesist, animal-exploiting social order. The issue was thus not that the old regime did not protect animals enough and had to be improved—its main flaw was that it inadvertently threatened to protect animals a little *too much*. However, thanks to a combination of complex ideological maneuvering, affective manipulation, and displacement of responsibility for animal cruelty to various “other” groups, this dislocation could be contained and discursive stability maintained for a nearly a century until the break finally came in the late 1930s.

When the shift finally took place, it entailed a thoroughgoing rearrangement of the symbolic coordinates in the field of animal policymaking, but not in an unambiguously progressive way. Rather, I will argue that this turn to animal welfarism re-articulated the problem of animal mistreatment in a way that allowed speciesist practices not only to be sustained, but to be significantly expanded. At the same time, and most importantly, this institutional reaffirmation of speciesist domination did not register as such, but rather as its opposite: as a logical, timely, and progressive advancement for the animals.

Material and Delimitations

This study focuses on Swedish political history for several reasons. The first is personal. With a background in the Swedish animal rights movement since the mid-1990s, I have often found myself puzzled by the ideological constitution, contradictions, and vicissitudes of the contemporary animal welfare regime—not to mention the peculiar emotional attachments people seem to develop in relation to this order. My interest in the history of this policy area thus stems from a wish to make sense of our situation today. While much has changed after the cut-off date of the present study—and while the genealogist must reject all appeals to metaphysical continuities and insist instead on recording “the singularity of events outside of any monotonous finality” (Foucault, 1971/1984, p. 76)—we still live within a historical constellation where certain key elements have arguably been in place for the better part of a century. Yet, we largely lack a theoretically informed account for the emergence of this discursive regime that could also help us critically assess contemporary conditions. This book attempts to address that gap—for me, but also, I hope, for others.

A second reason for studying Sweden is that the country is often extolled for its long-standing and progressive animal protection tradition, a fact that makes the local inflection of animal protectionist themes in this national environment particularly interesting. From this perspective, Swedish politics might even constitute a “paradigmatic” case of animal welfarism that could be of broader metaphorical and prototypical value for highlighting the characteristics of a certain type of discursive formation (Flyvbjerg, 2006, p. 232).

Finally, there is a general lack of research into the *political* history of animal cruelty and animal protection, in Sweden and elsewhere. Existing research on the period discussed here has dealt with the emergence of the animal protection movement in Sweden (Dirke, 2000); with the attitudes

toward animals in the Swedish countryside (Cserhalmi, 2004); with the historical debates over animal experimentation (Alexius Borgström, 2009; Bromander, 1987); with the regulation of sexual practices involving non-human animals (Rydström, 2003); and with the practical implementation of the law against animal cruelty in the courts (Striwing, 1987) (see Chapter 2 for a further discussion of these contributions). Research on the human-animal relationship in Sweden in later periods include studies on animals as victims of crime (Striwing, 1998); on the epistemology and ethics of animal experimentation (Forsman, 1992); on the cultural construction of human-animal relations (Falkengren, 2005; Segerdahl, 2009); on the shifting perspectives on anthropocentrism (Lundmark, 2000); the reproduction of speciesism in education (Pedersen, 2007, 2010); on the role of proto-religious ideals in animal rights activism (Jacobsson, 2014; Jacobsson & Lindholm, 2012); and on the culture of the vegan movement in Sweden in the late 1990s (Abnersson, 2004). None of these studies, however, has taken the political and legislative arena at the national level as its main focus.

These factors in combination provide, in my view, suitable conditions for an exploratory case study that may not only fill a historiographical gap, but also offer an opportunity for theory development and “analytical generalization” (Yin, 2014, pp. 40–41) relevant to a broader field of critical animal studies.

The time period covered in this book ranges from the first proposal for a law against animal cruelty in the Swedish Riksdag of the Estates² in 1844, to the founding of the country’s first comprehensive animal protection act in 1944. Over this century-long period, I aim to show, a significant ideological shift occurred in the politics of animal treatment. This movement stretches from what I have called an early “anti-cruelty” discourse— bent on deterring violence and punishing animal abusers for their violations of public morality—to a much more extensive system of preventive, standard-setting, and differentiated regulations founded in the name of “animal protection.” Conveniently spaced one hundred years apart, the years 1844 and 1944 frame this movement from the first parliamentary debates about criminalizing animal cruelty, to the legal entrenchment of a new discursive regime pertaining to animal treatment.

² From 1668 through 1865, the Swedish parliament, *Riksdagen*, was organized as a diet of four estates: nobles, clergy, burghers, and peasants. In 1866 the Riksdag of the Estates was replaced by a bicameral (two-chamber) parliament.

The material under study consists of all the chamber debates and policy documents (motions, law propositions, interpellations, and official government reports) relating to the issues of animal cruelty and animal protection produced in, or commissioned by, the Swedish Riksdag and government over this one hundred year period.³ The material was collected by searching for certain keywords in the indices of the Riksdag library collections (“animals,” “domestic animals,” “animal cruelty,” “animal protection,” “animal experiments,” “vivisection,” “slaughter,” and so on).

The focus of the book is placed on the use of animals for labor, in agriculture, and in scientific experiments. The omission in this regard of other issues like fishing, hunting, pet keeping, circuses, menageries, and zoos, is regrettable but necessary for practical reasons. At the same time, this delimitation of the material does correspond to the political priorities expressed in the empirical material. When animal cruelty and animal protection was debated, animal labor, the use of animals in agriculture, and vivisection were by far the most salient issues that came up for discussion. By following the categorizations made in the Riksdag debates themselves I believe it is possi-

³ All the material studied in this book consists of written documentation. Translations are my own, unless otherwise stated. Some of the sources may be considered “primary” in the sense that they record the participants’ own words. This is the case for the written motions and the government propositions. The protocols from the Riksdag debates on the other hand, are to some extent “secondary” sources in the sense that someone else transcribed them. We can assume that the transformation of speech into writing involved some editing: removing pauses and hesitations; introducing punctuation; correcting syntax and overlooking unfinished sentences; politely disregarding occasional stuttering, tics, and slips of the tongue; ignoring the listener’s reactions and interventions; and so on. In addition, there is the human factor—we must assume that the transcriptions contain some mistakes, misunderstandings, and omissions that were never corrected. In other words, we cannot say that what we can read in the records today is exactly what was said in the Riksdag at the time. Nor can we say anything about how it was said and how it was received by the listeners in general. Who spoke with confidence and who expressed themselves with hesitation? What emotions were expressed in the timbre of their voices or in their body language? Who was conceived as an authority and who lacked legitimacy in the view of rest of the Riksdag? When did the audience nod in agreement and when did they roll their eyes? When did they loudly protest and when did they indifferently snooze in their benches? These questions, while important, are unanswerable and will have to be bracketed. In the end, my main concern is not with *how* the politicians said things, but with the conditions under which they could be meaningfully said *at all*.

ble to capture the most important features and developments in this policy field as they were understood at the time. In fact, the apparent omission of certain other themes from the formative debates in policy area may be taken as an indicator of the historical limits of the political discourse, and may therefore be read as a finding in itself.

With a longitudinal scope of one hundred years, I also think this book can offer a comprehensive overview of the changing political discourses of the human–animal relationship in Sweden. This long historical scope, however, comes at the price of limited contextualization and a restricted breadth of vision. While I have tried, to the best of my ability, to situate the studied episodes in their historical context, it should be noted that I have built my interpretations mainly on the Riksdag and government material. This delimitation to the national political arena naturally means that the conclusions that can be drawn are limited. I do not claim, for example, that the material studied here reflects a general “Swedish” view of animal maltreatment in the period. On the contrary, the material is for the most part restricted to the statements and opinions of a small elite. (An elite, moreover, that for most of the period was made up solely of men. Out of all the material studied in this book, only one motion, from 1934, was penned by women.)

At the same time, it can plausibly be argued that the authoritative position from which these problem representations were enunciated gave them resonance far beyond the Riksdag walls. If nothing else, it can be assumed that what we encounter in the national-level political documents is indicative of what educated, respectable, public speech about animal issues looked like (or at least what it was *expected* to look like) in the period. I will assume, in other words, that the political debates accounted for in this book are meaningful as fairly reliable sample cards of what lay “in the true” (Foucault in Barrett, 1991, p. 143) of official speech about animal treatment in Sweden at the time under study.

Overview of Legislation on Animal Treatment 1736–1945

Before 1858, Sweden had no specific law regulating the treatment of animals. The only previous law relating to this matter, *Byggningsbalken* from 1736, only recognized harms done to animals in terms of the unlawful destruction of other people’s property.

Sweden’s first law against animal cruelty was founded in 1857 and came into force in 1858. This regulation stated that “If anyone, in the treatment of

one's own or the animals of another, exhibits apparent cruelty; to be punished by fines from five up to and including one hundred Riksdaler Riksmünt." (SFS 1857:61)

In 1864, when a new criminal code (SFS 1864:11) was introduced, the animal cruelty statute was included in the section on crimes against public morality. In 1890, the maximum fines for animal cruelty were raised from 100 kronor to 500 kronor, and in 1900, imprisonment for up to six months was included in the range of possible punitive measures (SFS 1890:33; SFS 1900:49).

In 1907, the statute was changed to include free-living animals. It now read: "If anyone, in the treatment of animals, exhibits apparent cruelty; to be punished by fines. If the circumstances are highly aggravating; to be sentenced to imprisonment for a maximum of six months" (SFS 1907:44).

The wording was changed yet again in 1921 to: "If anyone, in the treatment of animals, exhibits apparent cruelty, by mistreatment, overworking, mismanagement or otherwise, to be punished for animal cruelty by fines. If the animal cruelty is of a severe nature or the circumstances highly aggravating; to be sentenced to imprisonment for a maximum of six months." (SFS 1921:187)

In 1937, a slaughter law was introduced that made stunning mandatory when slaughtering larger animals. The law's introductory paragraph read: "When slaughtering domestic animals the animal shall be stunned immediate before the draining of blood. Poultry and rabbits, however, may be euthanized [*avlivas*] without previous stunning by the swift separation of the head from the body." (Proposition 1937:188, p. 2, SFS 1937:313)

In 1944, finally, the first preventative animal protection act was founded. Its portal paragraph read: "Animals are to be treated well and insofar as possible be protected from suffering" (§ 2). For animal experiments, the 1944 law stated that the animals were not to be inflicted with "more suffering than is indispensable." (§ 13) (Proposition 1944:43, p. 2, 4)

The 1944 animal protection act did not replace the paragraph on animal cruelty in the criminal code but complemented it. The latter was now changed to "Anyone who, by mistreatment, overworking, mismanagement or otherwise subjects an animal to inappropriate suffering is to be sentenced for animal cruelty to fines or imprisonment." (SFS 1944:220)

The new animal protection law and the change in the animal cruelty statute came into force on 1 January 1945.

III. DISPOSITION

This book is organized as follows. In Chapter 1, I introduce the post-Marxist and psychoanalytical theoretical and methodological framework that this study builds upon. Here, I lay out my view of how political problems are discursively constituted and how they relate to the fantasmatic dimensions of social and political life. I also discuss the relevance of taking a perspective on speciesist ideology as an institutionalized regime of practices. Finally, the chapter outlines how this study relates to, and builds upon, a critical animal rights perspective.

In Chapter 2, I give an overview of previous research about the historical relationship between humans and other animals in Europe and Sweden. The main objective of the chapter is to display some of the more influential explanations for the shift toward more benevolent attitudes vis-à-vis animals that can be registered in European culture from the eighteenth century onward. I also review the previously existing literature about the attitudes toward animals in Sweden in the late nineteenth and early twentieth century. In connection to this, I lay out how my study differs from some of the assumptions and conclusions in this previous research, and I explain how have chosen to approach the topic in an alternative manner.

The six empirical chapters that follow are mainly organized in a chronological fashion, with the exception of Chapter 4 on the vivisection debates in the 1880s and Chapter 7 about the slaughter issue. These topics and problem areas were often debated alongside other animal protection issues, but for analytical purposes and for the sake of the presentation, these two issues have been broken out of the general chronology here.

Each empirical chapter starts with an overview of the most important developments in terms of legislative changes and reform proposals. They also end with a summary of the main conclusions.

In Chapter 3, I turn to the first Riksdag debates about cruelty toward animals in the 1840s and follow this development up until the institution of Sweden's first anti-cruelty statute in 1857. This chapter also lays the groundwork for the rest of the book by identifying several of the political themes that were to return throughout the period covered in this book. I will argue, for example, that these early debates tied in to an elite project of social discipline, and that the problem of animal exploitation was typically displaced from Swedish society in general to a threatening "other." I also highlight the problematic tension or foundational antagonism within the legal notion of

“apparent cruelty,” a concept that would serve as the main requisite for criminal liability all the way until 1944.

Chapter 4 discusses the previously mentioned vivisection debates in the 1880s and locates them in a historical context of rapid modernization. Here, I explore the conflict between different knowledge and value regimes that catapulted the practice of animal experimentation into public consciousness as a highly contentious political issue. Particular attention is paid to how the figure of the vivisector was constructed as a fantasy threat symptomatic of social dislocation in general.

In Chapter 5, I return to the debates about the main anti-cruelty paragraph and follow the discussions that led up to the law’s revision in 1907, when legal protection from “apparent cruelty” was extended to all animals, domesticated as well as free-living. The chapter also surveys some of the new issues that emerged on the political agenda, like long animal transports. I also discuss the picture of the animal protection movement that emerged as a caricatured threat to the speciesist order. Moreover, I argue that the previously identified tension within the law’s foundations was becoming more and more pronounced in this period, and I discuss how this nascent crisis was discursively managed.

In Chapter 6, I deal with the continued debates about the anti-cruelty statute and the struggles over its meaning that took place in the 1910s. I also discuss the government’s 1921 law proposal and the debates it provoked before it was revised and adopted by the Riksdag. The chapter highlights the proliferation of new animal issues and the growing problem of subsuming them all under the existing anti-cruelty principle. I also briefly explore the spatio-temporal dimensions of the animal protection discourse and discuss how its visions of a future harmony between humans and animals performed important ideological work in the present.

In Chapter 7, I switch again to a parallel timeline and explore the debates about slaughter from 1887 until the introduction of Sweden’s first slaughter law in 1937. In this chapter, I focus on the representation of the slaughter methods used by certain other(ed) groups like the rural farming population, the Swedish Jews, and the indigenous Sami population. I also highlight the issue of pig slaughter according to the “Danish–American” method that was used in the Swedish bacon industry at the time. The main point I try to make in this chapter is that the displacement of the problem of slaughter cruelty to certain “others” worked as a fantasy screen to cover over society’s own traumatic involvement in the killing of animals.

In Chapter 8, I deal with the debates in the 1930s and 1940s that ended up producing the 1944 animal protection act. The chapter gives an overview of the breadth of issues that were in the period, and develops the main argument I wish make about a significant difference between the early anti-cruelty paradigm and the subsequent animal welfare regime. Most importantly, I aim to show how the animal protection act represented a kind of speciesist “backlash” in the sense that it managed to absorb and neutralize a lot of the potential critique of routinized animal cruelty.

In Chapter 9, I summarize my findings and present my most important conclusions. I also return to assess some of the previous research and clarify in what ways my study modifies the usual picture of historical animal politics in Sweden. I conclude with a discussion about possible avenues for future research, as well as about the implications this study might have from the standpoint of animal advocacy.

The book ends with a summary in Swedish.

1. Toward a Critical Genealogy of Animal Welfarism

Theoretical and Methodological Considerations

THIS BOOK DEALS WITH the historical politics of animal treatment from the perspective of a psychoanalytically informed discourse theory. In articulating this position, I draw primarily on three traditions: post-Marxist discourse theory, Lacanian psychoanalysis, and Carol Bacchi's "what's the problem represented to be?" approach to policy analysis.

The main inspiration for this book's social and historical ontology comes from the "Essex School" of ideology and discourse studies, as developed by Ernesto Laclau, Chantal Mouffe, and their followers (see Laclau & Mouffe, 1985/2001, 1987/1990; Laclau, 1990, 1994, 1996, 2005, 2014; Mouffe, 1993, 2000, 2005; Smith, 1998; Torfing, 1999, 2005; Howarth, 2000; 2013; Howarth, Norval, & Stavrakakis, 2000; Howarth and Torfing, 2005; Glynos & Howarth, 2007). This perspective has variously been characterized as "post-structuralist" or "post-Marxist." These denominations, however, does not mean that it represents a full break with either of the previous traditions. This brand of discourse theory should rather be seen as an attempt to develop certain principles of structuralist Marxism associated with theorists like Antonio Gramsci and Louis Althusser in response to the crisis of the left and the parallel rise of the "new social movements" after 1968 (see Smith, 1998; Torney & Townsend, 2006). As Laclau and Mouffe (1985/2001) themselves have put it, the emphasis may be put on both the "post" and the "Marxism" in post-Marxism—meaning that it should be seen as an attempt to reappropriate an intellectual tradition while simultaneously going beyond it (p. 4).

Briefly put, post-Marxist discourse theory retains the Marxist preoccupation with social structure, although this structure is no longer conceptualized as a closed system reducible "in the last instance" (Engels, 1884/2008; Althusser, 1970/2008) to its economic substratum. Nor is economism replaced by any other essence or finalistic *telos*. Instead, social structure is conceived

in terms of *discourse*, meaning here an open-ended constellation of historically contingent practices constitutive of certain “forms of life” (Howarth, 2000). Yet, such structures are always undermined by social antagonism and lacking the capacity to fully constitute themselves as sutured totalities or self-contained “wholes.” This lack of an ultimate guarantee for structural closure leads, in post-structuralist fashion, to an emphasis on the role of *power* and *politics* in founding, sustaining, and changing social identities and relations (Laclau & Mouffe, 1985/2001).

Combining these post-Marxist tenets with Carol Bacchi’s (1999, 2009, 2012) related “what’s the problem represented to be?” (WPR) approach, the main focus of this study is placed on how animal maltreatment was discursively articulated as a *problem* in need of (or not in need of) political regulation. The point of taking such an approach is that it allows us to lay out a critical, deconstructive genealogy of the “problems” of animal use; in other words, to reveal how these problems emerged as ideological constructs—as given “social realities”—only within certain historical power relations and within continuing struggles for discursive hegemony (Glynos & Howarth, 2007).

This genealogical perspective is then complemented with some key concepts garnered from recent attempts to work out the political implications of Lacanian psychoanalysis (see Boucher & Sharpe, 2010; Daly, 1999; Glynos & Howarth, 2007; McGowan, 2004, 2013; Stavrakakis, 1999, 2007; Žižek, 1989/2008, 1993). The key contribution of psychoanalytical theory in this study is that it highlights how the power of discourse does not just rely on its *formal* capacity to constitute meaning, but also, crucially, on the role of *affective investment* and the work of *fantasy* to “bind” people in loyalty to a given outlook. Thus, where discourse theory provides this study with the concepts necessary to grasp the constitution of political problems, I will rely on the Lacanian dialectic of lack, desire, and *jouissance* (“enjoyment”) to account for the “force” or “stickiness effect” of the same constructions (see Glynos & Howarth, 2007; Svärd & Tinnerholm Ljungberg, 2013; Stavrakakis, 1999, 2007; Svärd, 2011b, 2011c).

In the following sections, I will outline the meaning of these concepts and their interrelations. The general assumption of the theoretical and methodological framework presented here is that the historical debates about animal cruelty and animal protection are best conceived as a sequence of attempts to impose hegemonic “sense” in a terrain—the human–animal relationship—that was (and is) fundamentally dislocated and therefore in need of fantas-

matic support. The analytical task thus becomes to offer a retroductive account for the emergence, constitution, and sequencing of the different “problems” of animal mistreatment both in terms of their formal (discursive, semiotic) dimension and their substantive (affective, fantasmatic) dimension.

I. DISCOURSE AND IDENTITY

The basic premise of post-Marxist discourse theory is that *all* identities (of objects as well as subjects), are constituted in and through historically specific systems of meaningful practices, or *discourses* (Howarth, 2000, pp. 8–9; Howarth and Stavrakakis 2000, pp. 3–4). From a post-structuralist perspective, all forms of social and political life play out against the background of such ensembles of signifying practices that set the limits to what can be intelligibly and legitimately thought, said, and done (Torfing, 2005, p. 14). Discourses are not reducible to linguistic practices,⁴ but we can think of them as structured *like* languages in the Saussurean, semiotic sense: as systems of differences without positive terms (Saussure, 1916/2015, p. 149). Within discourse, objects and subjects attain their meaning not by expressing any inherent essence, but from their positions of *difference* in relation to other elements in the system (Laclau & Mouffe, 1985/2001, p. 107; McGowan, 2006, pp. 3–4; Hawkes, 1977; Sturrock, 1979). We arrive at the identity of an object or subject only by distinguishing it from what it is *not* (a term like

⁴ From a post-Marxist perspective, discourses are not just linguistic constructions. The concept refers to a much broader ontological category that encompasses all meaningful *practices*. In this regard, Laclau and Mouffe (1985/2001; 1987/1990) draw a parallel to the “language games” discussed by Ludwig Wittgenstein in his *Philosophical Investigations* (1953/2012). Here, Wittgenstein offers a scenario where a builder *A* and his assistant *B* are cooperating to build a house; *A* calls out the words “slab,” “pillar,” “block,” etc. whereupon *B* fetches the intended items for *A* to put in their designated place. In this context, Wittgenstein suggests, linguistic meaning and physical action comprise a unified whole, a “language game” that makes the construction of a building possible (pp. 12–14). We can certainly make an *analytical* distinction between linguistic actions (*A* calling out the words) and non-linguistic actions (*B* fetching the items), but this does not make the non-linguistic actions less meaningful. Both kinds of actions acquire their meaning from the context that precedes them both. This “whole” that includes both linguistic and non-linguistic elements can therefore in itself be neither linguistic, nor non-linguistic; it precedes this distinction. Discourse, then, is also another name for this “totality.” (Laclau & Mouffe, 1985/2001, p. 108; 1987/1990, p. 100).

“man,” for example, only has meaning to the extent that is contrasted with something else, like “woman,” “machine,” or “animal”). These differential distinctions, however, are not fixed beforehand but differ between contexts. This ultimately renders all social identities arbitrary, malleable, and contingent upon their generative and mediating circumstances.

Discourse theory thus takes an anti-essentialist and anti-foundationalist view of social structure (Sayyid and Zac, 1998). This means that discursive formations cannot be transcendently “anchored” by appealing to any outside determinant, historical “law,” or meta-order that structures the system without being structured itself in return (Derrida, 1967/2001, p. 352). Instead, discourses are founded by means of *articulation*, which refers to any practice—linguistic or non-linguistic—that reconfigures the relations between social elements so that their identities are modified as a result. Through articulatory practice, free-floating signifying elements (words, terms, but also material objects) have their meaning changed and turn into partially fixed *moments* of discourse held in place by their association to certain privileged signs, *master-signifiers* or *nodal points* (Laclau & Mouffe, 1985/2001, p. 105; see also Lacan, 2008, p. 28). Slavoj Žižek illustrates this logic with an example from political identification:

[I]n the ideological space float signifiers like “freedom”, “state”, “justice”, “peace” ... and then their chain is supplemented with some master-signifier (“Communism”) which retroactively determines their (Communist) meaning: “freedom” is effective only through surmounting bourgeois formal freedom, which is merely a form of slavery; the “state” is the means by which the ruling class guarantees the conditions of its rule; market exchange cannot be “just and equitable” because the very form of equivalent exchange between labour and capital implies exploitation; “war” is inherent to class society as such; only the socialist revolution can bring about lasting “peace”, and so forth. (Liberal-democratic “quilting” would, of course, produce a quite different articulation of meaning; conservative “quilting” a meaning opposed to both previous fields, and so on.) (Žižek, 1989/2008, p. 113)

The sense making brought about by this closure of the symbolic field, however, can only temporarily halt the sliding of meaning. This makes discursive stability a precarious condition, always vulnerable to subversion by unexpected, dislocating events (Howarth and Stavrakakis, 2000, p. 4). The maintenance of discursive “objectivity” under these conditions of undecida-

bility is therefore dependent on power and political intervention. If all experience is mediated by discourse, and if there is no meaning prior to the constitutive “language game” (Wittgenstein, 1953/2012, § 7), then there can be no safer “ground” for the worldviews and practices of a society than the historically given power relations peculiar to it (Laclau & Mouffe, 2001, p. 108; 1987/1990, p. 100). How the world should be interpreted, how social interaction should be organized, how human identities should be defined—and how human–animal relations should be configured—will then ultimately be a question of power struggle between different groups slugging it out for the privilege to install their own preferred worldview as the socially dominant one. In other words, the fixation of stable identities is premised on the more or less forceful exclusion or repression of alternative meanings in the quest for *hegemony*.

All attempts to impose hegemony, in turn, always involve the positing of a constitutive “outside” or a threatening “other” that unifies the elements on the “inside” (or among “us”) by posing as their shared negation. Collective identities are formed by the expansion of signifying chains of equivalence in which the particular differences between the constituent moments are toned down. The moments of the chain “bleed into” each other and become “identical” by being similarly opposed to a given antagonistic/constitutive outside. This political *logic of equivalence* is instrumental in the forging of shared identities and coalitions between social forces. (You and I can become “us” only in shared opposition to what we both are *not*. That is to say, “we” find ourselves sharing an identity only in contrast to “them,” the “others,” however defined.) The contrary movement—when the particular differences within the system are emphasized and the shared identity is weakened—is called the *logic of difference*. (The national “we,” for example, may break apart if it is emphasized that the population is divided along lines of class, gender, “race,” profession, religion, and so on.) (Howarth, 2000; Glynos and Howarth, 2007).

These two logics pull in different directions. In the extreme case, the logic of equivalence may lead to an antagonistic polarization of society into two rival camps, pitting a unified “us” against a blocking “them.” The logic of difference, on the other hand, works to reduce antagonism, dissolve oppositional chains of equivalence, and absorb particular identities into an existing

system of differences (Castle, 1998; Laclau and Mouffe, 1985/2001).⁵ Successful hegemonic interventions, then, are those that manage to exclude alternative representations, naturalize a given dispersion of differences, and forestall the formation of oppositional fronts.

At the same time, the exclusions that are necessary to found any hegemonic discourse cannot be fixed forever. On the contrary, the necessity of exclusion reveals the fundamentally *antagonistic* dimension of the social. If an identity (of a subject or object) can only be established by the repression of alternative meanings, this goes to show that this identity was never self-sufficient to begin with—indeed, that its seeming self-identity was always already parasitic on that which was expelled in its founding. In other words, what makes an identity *possible* to begin with is also what makes it *impossible* to sustain without continuous political intervention (Howarth, 2000). Moreover, the boundary between “inside” and “outside” established by the exclusionary articulation can never be permanently fixed. The foundational antagonism that must be repressed in order for a discourse to stabilize and “sediment” can always be reactivated. This is particularly likely in periods of crisis or when something unexpected happens that cannot readily be assimilated into the existing discourse. Such shocks to the system—*dislocations* in Laclau’s (1996) terminology—may pry open hegemonic perceptions and reveal the system’s antagonistic and constructed character. This in turn may prompt discursive change by opening up for alternative interpretations and the articulation of new political subjectivities (like when new social movements emerge in response to the breakdown of the typical patterns of social reproduction) (Howarth and Stavrakakis, 2000).⁶

⁵ The classical political example of the logic of difference is of course state co-optation, that is to say when the state meets the demands of different protest movements by treating them as separated and possible to satisfy without upsetting the existing structure of power relations. Such recuperation prevents the formation of a chain of equivalence—that is, different movements joining in opposition to the state as their common enemy—and absorbs these elements as moments of the existing order while marginalizing radical critique (see Castle, 1998).

⁶ In this regard, discourse theory and Lacanian psychoanalysis differ from standard accounts of social constructionism. The problem with social constructionism is that it often reveals a desire for ideological totalization by assuming that the socially constructed universe is “all there is.” Here, essentialism is attacked, but only to install the social construction itself as a new essence. All forms of meta-language are dismissed, but always from a point that looks suspiciously like meta-language. In short, constructionism too starts to speak from a point

The critical task of discourse analysis, against this background, is to interrogate the articulatory maneuvers by which antagonism is effaced and hegemonic closure is achieved. In this book, I will do this mainly by focusing on the ways in which the notion of animal cruelty and the concern with animal protection were constructed as political *problems*. Before we move on to that, however, something must be said about the interface between discourse and subject, and the philosophical anthropology on which this study is based.

II. LACANIAN PSYCHOANALYSIS: LACK, ENJOYMENT, AND DESIRE

So far, I have dealt only with the formal–semiotic aspect of discourse, that is to say, the rules by which meaning is necessarily (negatively, relationally, historically) created. This theoretical framework allows us to describe how meaning was articulated and structured in the historical debates over animal treatment. However, this only goes some way toward the aim of providing a critical genealogy of Swedish animal protection ideology. We also want to explain how and why some discursive structures emerged as particularly strong candidates for hegemony. This means providing an account not only for semiotic structuration, but also for the special “force” or “stickiness effect” exhibited by some discourses (Laclau, 2005; Stavrakakis, 2007). This is where I will turn to the Lacanian dialectic of lack, desire, and *jouissance* (or

outside the construction—a position the existence of which it vehemently denies. (Žižek, 1987, p. 33) As Stavrakakis (1999) points out, standard versions of social constructionism are often incapable of answering a crucial question: “[I]f the level of construction is engulfing the totality of the real, what stimulates the production of new social constructions? What stimulates the desire to articulate new constructions of reality?” (Stavrakakis, 1999, p. 67) To answer this question, constructionism has often had to take recourse to some sort of “shock” from the outside—a move that is conceptually impossible for its totalizing versions. From the discourse theoretical and psychoanalytical standpoints, however, it becomes clear that the immanent lack and constitutive impossibility of any signifying structure will not only allow for discursive re-articulation, but under certain circumstances even prompt it. Moreover, the category of dislocation introduces an “extra-discursive” dimension into discourse theory that allows it to maintain an allegiance to the materialist tradition without falling into reductionism (Howarth, 2000, p. 111; Laclau, 1989, pp. 72–78). For in-depth critiques of standard historicist and constructionist notions of “immanent” social causation and its Lacanian alternatives, see Copjec (1994) and Rothenberg (2010).

“enjoyment”), and the role they play in subjective identification and in the formation of political projects.⁷

Jacques Lacan’s psychoanalytical theory of the subject emphasizes the difficulties humans, as linguistic beings, encounter in forming their identities. In particular, Lacan notes the paradox that human identity, that most intimate experience of being who we “really are,” cannot emerge from within ourselves but must come from the outside, from the socio-symbolic system we are thrown into when entering language at young age. To develop an independent identity, the individual has to identify with the signifiers (possible identities, subject positions) that are offered by the discursive order around her. The problem, however, is that the signifiers on offer are incapable of fully capturing the lived experience the subject. No signifier will ever fully “fit” the individual (Lacan, 1997, p. 179–180). I may identify as, say, a “man,” an “academic,” or a “Swede,” but these signifiers refer to abstract concepts (Saussurean signifieds) and not to my individual existence. Therefore, they will ultimately be unable to capture what it is to be “me.” For the subject, this means that to be determined by the signifier is simultaneously to be negated and alienated by it (Žižek, 1997, p. 43). This leads to a basic paradox: to achieve my identity I must identify with something/someone—but this something/someone is not, cannot be, “me.” “I,” as it turns out, is always already an “other.” Rather than delivering the promised self-identity, then, the signifier demands subjection. To acquire an identity, the individual must yield to the Law of the symbolic network and sacrifice those aspects of its existence that do not fit in.

This is where the Freudian concept of “castration” takes a different turn in Lacan as *castration in the symbolic*. From this perspective, the entrance into the social world comes at the price of “cutting away” the parts of one’s existence that available discourses cannot represent (Stavrakakis, 1999). (To become a “boy,” for example, a child must disavow and repress any impulses or features of its personality that may be read as “girlish.”) As a result, Lacanian

⁷ For an overview of Jacques Lacan’s psychoanalytic theory of the subject, see Jürgen Reeder (1994), Bruce Fink (1996), Rob Lapsley (2006), and Lionel Bailly (2009). The account for the Lacanian contribution to the critique of the ideology below is built mainly on the interpretations of later political theorists, most notably Slavoj Žižek (1989/2008, 1993); Yannis Stavrakakis (1999, 2007); Glyn Daly (1999); Jason Glynos and David Howarth (2007); Matthew Sharpe and Geoff Boucher (2010); and Todd McGowan (2003, 2013). For introductions in Swedish, see Svärd (2011a, 2011b) and Hyrén (2015).

psychoanalysis centers on the chronic *lack* of the subject, understood here as an incompleteness of self-identity or a shortage of *being*. This lack manifests itself in the subject's experience that she has lost some precious meaning, that she is not "whole," or that there ought to be "something more than this." But in line with what has been said above about the impossibility of a full closure of meaning, the subject's lack is only an effect of the perennial failure of representation as such. From the individual's point of view, however, this necessary incompleteness is experienced as a loss of originary fullness. In Lacanian terms, the entrance into language—our becoming social subjects—always entails the sacrifice or repression of a pre-symbolic *jouissance* or "enjoyment." This does not mean that children subsist in a blissful state of harmony before they emerge as subjects in the symbolic order. The truth is that we never had "It," that elusive "Thing" that we feel we have lost. The point is only that as linguistic subjects in thrall of signification, human beings are prone to *posit* this state of harmony as a real possibility. Castration, then, paradoxically produces and maintains a double illusion: first, the experience of an originary loss, and, second, the hope that the lost object—and with it, fullness of identity—may be restored (Stavrakakis, 1999, 2007; McGowan, 2013).

This experience of constitutive lack, in turn, fuels human *desire* to overcome the "identity deficit," to recover that fullness which has been sacrificed, lost, or blocked. Here again, the discourses we inhabit offer numerous signifiers for us to identify with. Desire latches on to some of these signifiers, hoping that one of the objects they propose to represent is that missing piece that may overturn castration and render the subject "whole" again. The psychoanalytical answer to the question why some discourses become more likely candidates for hegemony is therefore that these discourses in some way hold out the promise that they can deliver the desired object and restore the subject's enjoyment (Žižek, 1989/2008).

In Lacanian jargon, the mysterious object-cause of desire that is supposedly able to cure the existential lack is called *objet petit a*, or "object small a." What particular thing or idea that comes to embody this object, however, is not predetermined. People may invest their desire in a variety of objects, ranging from the most idealist and sublime (God, love, revolution, etc.) to the most material and mundane (a new car, a new pair of shoes, the latest mobile phone, etc.). But once the subject attains one of these things, she invariably finds that "that's not it!" The *jouissance* the subject obtains is always less than the *jouissance* expected (Lacan, 1999, p. 111). The foundation-

al lack is not abolished, but lives on and stimulates desire to attach itself to another object—and so the cycle continues.⁸

None of this, of course, is to say that our identifications and the objects we desire are always useless, or that they cannot enrich our lives or bring us any satisfaction at all. The point is just that they are not enough to abolish the constitutive lack of the castrated subject. Moreover, as long as there is lack, desire will be sustained and continue to pursue another object to fill the void. As we will see in the following, this affectively charged circuit of enjoyment, lack, and desire has serious political implications.

Enjoyment as a Political Factor

The real innovation of Lacanian political theory, the way in which it moves beyond standard models of social constructionism and discourse analysis, lies in its foregrounding of *enjoyment as a political factor* (Boucher & Sharpe, 2010, pp. 7–9; Stavrakakis, 1999, pp. 60–66). The main argument here is that political discourses manage to “recruit” and “grip” people precisely by manipulating an unconscious kernel of *jouissance* at the heart of the subject (Žižek, 1989/2008). As Louis Althusser (1970/2008) pointed out, ideologies become successful not mainly by misrepresenting the world, but by interpellating people to adopt an “imaginary relationship ... to their real conditions of existence” (p. 36). Ideology, in this sense, does not tell “Beautiful Lies” as much as it explains to the individual how she fits into the social order. Ideology furnishes the individual with a social mandate and a definite role to play, all while instilling her with the feeling that her social position was freely chosen (Boucher & Sharpe, 2010, p. 45, 60). What the radical Lacanian interpretation adds is that this identification with one’s social position is also shot through with intense *affective* investments; the binding force of ideology does not just lie in semiotic trickery, but more importantly in the knots of *enjoyment* that it produces and feeds on.

Although I have followed the standard practice of translating the Lacanian term *jouissance* as “enjoyment” it should be noted that this concept cannot simply be equated with “pleasure.” As Freud (1920/2003) pointed out, there is much more to human behavior than the pursuit of pleasurable states and the avoidance of pain. If pleasure—the release or loosening of disturbing tension—was people’s only driving force it would be impossible to account

⁸ This logic is perhaps most vigorously exploited today by consumerist ideology, in which we are cynically urged to buy our way to lifestyle completeness (see Stavrakakis, 2007, Chapter 7).

for human self-destructiveness or the “daemonic” compulsion to repeat harmful behaviors that Freud often observed. Responding to this dilemma, Freud hypothesized that those self-sabotaging behaviors must in fact offer some kind of dark satisfaction at the unconscious level.

Building on this Freudian injunction to go “beyond the pleasure principle,” the notion of enjoyment takes on a more sinister inflection in Lacanian and other recent Freudo-Marxist political theory. Here, enjoyment “involves obscene forms of satisfaction that are experienced as unpleasure; it is how subjects ‘get off’ in ways that disgust them and that they consequently disavow, pretending to themselves that they only have this repulsive experience thrust upon them unwillingly” (Boucher & Sharpe, 2010, p. 8). Moreover, enjoyment is associated with the Freudian “death drive” (Freud, 1920/2003a, 1923/2003b), re-conceptualized as the lacking subject’s compulsion to return to and reenact the originary sacrifice that spawned the subject to begin with—along with its (illusory) missing object. Although the lost object never existed in a positive sense, the death drive’s urge to return to the point of the loss magically recreates the object, but only through repeating its traumatic sacrifice. We can “have” what we have lost only by losing it again. The subject is thus caught perpetually circling the void of the unattainable object, mopping up whatever morsels of enjoyment it can while remaining impotent to recover the “real thing” (McGowan, 2013, pp. 13–15; Boucher & Sharpe, 2010, pp. 11–12).

In Lacanian political theory, then, the remarkable resilience of certain established ideologies is explained by the subjects’ lack and their subsequent *repetition of ritualized practices through which they gain temporary access to a part of the enjoyment lost in their socialization*. This repetition has the effect that it allows the affective investments in a given social order to override people’s knowledge about the problems of the same order, often leaving them in a state of what the Greeks called *akrasia*: knowing one’s good but failing to act upon it (Aaltola, 2015; Stavrakakis, 2007). In brief, the situation is an “emperor’s new clothes” scenario: People may very well know that the nation is a fiction, that money is a fetish, that gender roles are mindless and limiting, or that animals are routinely harmed for the most trivial reasons. But this knowledge is often powerless to affect their behavior as they adopt a cynical distance to discursive failure and engage in reproducing existing social patterns as if nothing had happened.

Ideological Fantasy

Our primary concern here is how the obscene dimension of enjoyment performs ideological work by playing into political identification and discursive consolidation. As already mentioned, the subject's attempts to identify with the signifiers made available in discourse are doomed to fail because the discourse itself is lacking and dislocated. There is no outside of the discourse, no "metalanguage," that could serve as an anchor or guarantee for a final suture of meaning. In Lacanian terms, identification with the "other" of discourse fails because "there is no Other of the Other" (Lacan, 1966/2006, p. 688)—there is no outside of the outside that could keep it in place. But if the subject's desire to restore her enjoyment is necessarily thwarted by failed identifications—how can desire be sustained in the long run? Why does it not wear out and lead to the subject's disillusionment? How come political discourses—the "grand narratives" of nationalism, religion, gender, revolution, the market, and so on—remain durable in the face of antagonism? How do they manage to sustain their subjects' loyalty even though they are unable to deliver their promised Utopias?

This is where *ideological fantasy* enters the picture. In Lacanian theory, fantasy is a feature of the psyche that stimulates desire by promising to eliminate the lack in the discourse. Fantasy proposes to heal the wound in the big Other and restore discursive order as a safe haven for the subject's identification. It does so by restaging social antagonism and producing alternative scenarios to "explain" the lack of closure and the blockage of the promised enjoyment. By this move, the *immanent* negativity and lack of the discourse is covered over and expressed instead in positivized form as an *external* threat or obstacle (Žižek, 1989/2008; Daly, 1999).

Nationalist identification is as an illuminating example in this regard. In nationalist discourse, the "nation" appears as a real object: a unified, harmonious "people" with a common destiny. This construction, of course, is nothing more than a historical fiction of the modern epoch, an "imagined community" (Anderson, 1983/2006). In fact, everyday experience of social conflict and strife would seem to confirm that national harmony is notoriously lacking. Nonetheless, the consistent failure of the nation to realize itself does not seem to take the allure out of nationalist identification. Pursuing the Lacanian line of reasoning, this is because nationalist discourses can count on a certain fantasmatic support. In fantasy, the *immanent* negativity of the nationalist discourse, its inability to fully constitute itself, finds its

“explanation” in an external blocking force—a force all too often incarnated in the figure of an “enemy” driven by an alien *jouissance* and intent on destroying or stealing “our” (national) enjoyment (Žižek, 1989/2008; Stavrakakis, 2007, Chapter 7).⁹

Nationalist fantasies in particular have no problem conjuring up such enemies to explain the nation’s failure to emerge. The national enemy may come from the outside in the form of intruding immigrants, the military threat from neighboring nations, or some secret global conspiracy. Alternatively, the threat may come from the “enemy within” in the form of ethnic/cultural minorities or “traitors to the nation” like establishment politicians, internationalist intellectuals, outspoken feminists, or radical workers’ movements. In all cases, however, the enemy is represented as a blocking force that prevents the nation from achieving its full “reality” either by becoming what it was “meant to be” (the Utopian vision), or by restoring its former glory (the myth of a Golden Age). In reality, of course, the nation fails to emerge because there can be no such thing. But in ideological fantasy, access to this “national Thing” is framed as possible, as within reach—if only the enemy-obstacle can be overcome. In this sense, ideological fantasy can maintain the subject’s loyalty to nationalist discourse even though the latter keeps failing to deliver on its promise (Daly, 1999).

It may seem paradoxical to say that the same force that blocks discursive suture is what ultimately sustains it. But this is the crucial point. If the subject of nationalist discourse would actually be able to defeat the “enemy” and reach out for his prize, he would find it dissipating in the same moment he

⁹ The central role that the other’s threatening enjoyment plays in racist ideology is clearly explicated by Jacques-Alain Miller (2008) when he writes: “Racism is founded on what one imagines about the Other’s *jouissance*; it is hatred of the particular way, of the Other’s own way of experiencing *jouissance*. We may well think that racism exists because our Islamic neighbor is too noisy when he has parties; nevertheless it is a fact that what is really at stake is that he takes his *jouissance* in a way different from ours. Thus the Other’s proximity exacerbates racism: as soon as there is closeness, there is a confrontation of incompatible modes of *jouissance*. For it is simple to love one’s neighbor when he is distant, but it is a different matter in proximity. Racist stories are always about the way in which the Other obtains a *plus-de-jouir*: either he does not work or he does not work enough, or he is useless or a little too useful, but whatever the case may be, he is always endowed with a part of *jouissance* that he does not deserve. Thus true intolerance is the intolerance of the Other’s *jouissance*.” (See also Žižek, 1993, pp. 203–204.)

touches it. Direct contact with the object of desire would not fulfill desire but undo it, inducing anxiety and threatening to dissolve the subject in the process. Ideological fantasy thus involves a delicate balancing act. On the one hand, fantasy tries to overcome castration by “patching up” a dislocated discourse so that the subject can find a comfortable guarantee for its own “truth.” On the other hand, the obstacle installed by fantasy helps to keep this metaphysical object at a distance so that the subject will never have to face the traumatic fact that “there is nothing there.” This is what Žižek (1989/2008) means when he says that “*fantasy is a means for an ideology to take its own failure into account in advance*” (p. 142, emphasis in original). The discourse “knows,” so to speak, that it that it will ultimately fail to hegemonize the discursive field—but thanks to ideological fantasy it never has to perform this feat for its adherents to keep acting according to its decrees.

Animal Rites: Speciesism as Institutionalized Practice

This brief discussion of the role of affective investment has already hinted at the ritualized character of social ideologies. The individual is always interpellated to recognize herself as a *particular* kind of subject in a *particular* social order governed by specific institutions. The ideological socialization that shapes the subject’s “imaginary relationship” to her historical conditions of existence grows out of this institutional framework in which she subsists—or, to borrow another of Althusser’s (1970/2008) concepts, from the “Ideological State Apparatuses” (ISAs) that mediate her world. This institutional aspect encompasses social realities like the mode of production, the family, mass media, literature, culture, and the educational, political, legal, and religious systems of a given community (p. 17).

Such institutions are not necessarily unitary and smoothly coordinated. Nor can their status, *contra* Althusser, be regarded as epiphenomenal to the economic structure. Following Jason Glynos and David Howarth (2007), I propose instead that we regard these institutions as contingent assemblages of *articulatory practices* that are responsible for the “ongoing, routinized, forms of human and societal reproduction” (p. 104). Social practice, in this sense, may be regarded as more or less ritualized rule-following, dictated by discursive norms of appropriateness (see March & Olsen, 2006). When a series of such heterogeneous practices are strung together in a chain of

equivalence, they make up a *regime* of practices.¹⁰ Once instituted and sedimented, such regimes provide the substantive “grammar” necessary for structuring the field of practices that they hegemonize. When I speak in the following of the historical “anti-cruelty regime” and “animal welfare regime” in Swedish politics, it is ensembles of practices of this kind that I have in mind—that is to say, more or less sedimented sets of discursive rules that regulated what could appropriately be thought, said, and done about the treatment of animals in a given period.

However, the deep immersion into the lifeworld of communal practices does not just determine the subject’s horizon of intelligibility in the formal sense. Institutionalized practices also structure the subject’s relation to lack and enjoyment in a way that “grips” the subject and aligns her behavior with the predominant social regimes. As Mark Bracher (1996) has put it, “the bedrock of a group’s sense of identity ... might be said to lie in *the unique way in which a group finds enjoyment*, the unique combination of partial drives that, like a unique blend of spices, gives each group’s enactment of libido and aggression a unique particularity” (p. 5, emphasis added). By partaking in the in-group’s ritualized practices (celebrations, festivals, forms of recreation, etc.),¹¹ the subject acts to maintain the “social bond,” understood here as a shared identification with certain privileged but tendentially empty signs or “master-signifiers.” Yet, the community supposedly held together by this bond does not exist in the positive sense; it is only an imagined community. In other words, the shared rituals do not express the community’s “essence.” It is rather the other way around; it is the social ritual that conjures the mystical essence into (transient) existence and allows the lacking subjects to approach it (though never grasp it). What ultimately constitutes the social bond and maintains in-group solidarity, then, is not the community’s positive qualities, nor the properties of its subjects, but their particular way of organizing their relation to their *lack* and the way in which they find piecemeal *jouissance* or “partial enjoyment” in jointly circling their castrating wound (Stavrakakis, 2007; Svärd & Tinnerholm Ljungberg, 2013).

¹⁰ This requires, as per the usual logic of equivalence, that the sutured elements share a common “outside.” In other words, the unifying regimentation of all the different and disparate practices that make up “our way of life” is only possible insofar as these elements find themselves negated by the customs of some “other” group.

¹¹ Consider also all the mundane practices through which community is enacted in what Michael Billig (1995) has called “banal nationalism.”

So, where do the animals come in here? The simplest way to answer this question is to say that *they were always here*. Human society and culture has always been intertwined with animals (real as well as symbolic), resulting in a complex bricolage of interspecies encounters and practices. To take part in a human community is invariably to take part in its relations to animals and in its ritualized uses of animals. These “animal rites,” of course, take different form in different human societies—from worshipping animals as gods, over domesticating them for labor and enshrining them in art, to casually picking up a Big Mac at McDonalds. In all cases, however, animals figure as integral parts of civic culture or “our way of life.” One of the arguments I want to make in this book is that all human–animal relations, whatever their particular expression, must be understood as inscribed in the same kind of affectively charged practice-regimes that constitute the subjects’ place in the world in general. Whatever we are, we are *with* animals. And whatever discursive regime people are invested in it is likely to involve an investment in certain ways of using animals.

This means that particular practices of animal use cannot be understood in isolation but must be read in relation to the broader economies of meaning and affect that they are part of. This is perhaps most clear in the case of the consumption of animal products and the intense attachment many people form to their food habits. Eating meat, for example, is never just “eating meat.” It is part of social ritual, the sharing of meals and preferences with significant others in a way that reaffirm frail identities and reproduce “our way of life.” To be sure, the consumption of flesh offers a modicum of immediate toothsome pleasure, but as a cultural practice it is much more than that. What/who we eat (and how, and with whom) defines and re-embeds us as proper subjects in the social fabric.

The subjectification effect of our food habits may be witnessed, for example, in the long-standing association between meat eating and masculinity in western culture. To be a man is to eat meat—and to eat meat is to be a man, which is why it is often considered more appropriate for women to consume meats that are perceived as “less-than-real” meat, like fish and chicken. This is also why the prospect of giving up meat is usually more intimidating for men than women, since men tend to have more at stake in terms of identity loss in this regard. (For further discussions about the gendering of animal use, see Adams, 1990; Gålmark, 2005; Luke, 2007.)

Another example of the connection between food habits and social identity can be found in the cathetic attachment people develop to their national

cuisines. The typical rationalist interpretation of this phenomenon would be that these national ways of eating have developed due to the local availability of certain foods, the cultural entrenchment of certain courses, combined with individual habituation from young age, and so on. But as Yannis Stavrakakis (2007, p. 203, 209–210) has pointed out, these accounts miss one important feature, namely the emphasis that is often put on the in-group’s exclusive ability to enjoy “their own” food. For all our modern, cosmopolitan sensibilities, part of what makes “our” food “ours” is that others do *not* eat it, or, even better, that it contains specialties that the others cannot muster.¹² The others may have a taste of our “Thing,” but they will never truly enjoy it the way that we do. Indeed, knowing that they cannot have what we have is part of what makes what we have desirable to begin with.

Naturally, the social bond does not hinge solely on the eating of meat and other animal-derived foods. What is clear, however, is that the consumption of animals takes pride of place in many social rituals intimate to the subject and that they are highly charged with affect. To paraphrase Lacan’s famous dictum, there is “something in meat that is more than meat,” an excess that escapes rationalist recuperation but is deeply implicated in identity formation. To bite into meat, from this perspective, is not just to feed—it is to tap into the buried circuitries of obscene enjoyment that bind people together. It entails a secret signal, an unconscious plea for recognition and inclusion: “*Look, I take my enjoyment in the same way that you do!*” And once cathectically “plugged in” to this circuitry, the subject often finds it difficult to withdraw this emotional investment and change their behavior.¹³ For many people, transitioning from being a subject of this “Ideological Steak Apparatus” to another identification (as a vegan or animal rights advocate

¹² For example, what could delight a Swedish dinner host more than opening a can of *surströmming*—fermented herring—and seeing his foreign guests recoil in horror from the putrid stench?

¹³ As most vegetarians and vegans will tell you, the hardest part of giving up animal products is not getting used to new flavors and textures, or to learn to cook new meals. The toughest obstacles are precisely *social*: facing the resistance of friends and family, being ridiculed by co-workers, or having to be that “difficult” guest at parties or in restaurants—in short, being the one who *challenges the way in which others take their enjoyment* and, as a result, risks being subject to the ostracizing reflexes of carnocentric society.

for example) is an arduous process of affective disinvestment and reinvestment.¹⁴

One final point should be made about the affective economy that holds many of our animal rites in place, namely how the fantasmatic element of social reality often resists public disclosure—how it cannot be addressed directly in respectable discourse (Glynos and Howarth, 2007. p. 148; Žižek, 1997/2008, p. 179). For example, when the consumption of meat and other animal-derived products comes under criticism today, it is usually publicly defended in roundabout ways by reference to some greater good: health, nutrition, jobs, tradition, freedom of choice, and so on. What we do *not* get in public, political discourse are direct references to the enjoyment taken in meat consumption and its surrounding rituals (family dinners, holiday feasts—all those moments of “partial *jouissance*” among “us,” the social in-group). Such confessions of the enjoyment taken from animal consumption do occur, of course, but only in private (“I could never give up meat!” “I couldn’t live without cheese!” etc.)¹⁵ Exclamations like these are admissible

¹⁴ American philosopher Tom Regan (2004) has suggested that there are three types of animal rights advocates. First, there is the handful of “DaVincians”—people who, like the famous vegetarian Leonardo da Vinci, have experienced life-long identification and empathy with animals. Second, there is the slightly bigger group of “Damascans”—people who, akin to Paul (Saul) on his way to Damascus, convert as the result of a sudden revelatory experience that “opens their eyes” to the realities of animal exploitation. Finally, there is the vast majority who Regan calls “muddlers.” This group (including Regan and myself) consists of people who spend a long time brooding over the issue and just “muddle along” until “a day finally dawns when we look into the mirror and, to our surprise, we see an Animal Rights Advocate looking back at us” (p. 26). This can be a very slow process. To us muddlers—particularly us men—there are so many questions that have to be answered, just “so many things we think we have to ‘figure out’ before we can come down on the side of animal rights” (p. 26). But maybe, as I have suggested here, this is not just a *cognitive* process (of coming to grips with bewildering questions), but also an intensely *affective* one of tearing up emotional bonds and rearranging them. Instead of “muddlers,” many of us might perhaps be better described as “mourners,” struggling at length to let go of a precious fantasmatic object.

¹⁵ It may not be a coincidence that recent research (Piazza et al., 2015) has identified “4Ns” behind the rationalization of meat consumption today. Alongside with the expected (formal, discursive) constructions of meat-eating as “natural,” “normal,” and “necessary,” the research team also identified a fourth “N” pertaining to the affective level, namely “nice”—as in “the enjoyment people derive from eating meat” (p. 115). Animal rights advocates have often

among peers, but they translate poorly to the official, respectable level of discourse. They are just too particular and intimate, and as such, they conjure up an overbearing surplus-enjoyment by coming too close to revealing the vacuity of our affective commitments.

The main point of all this is that all the public discussions and debates about the use of animals in the period studied in this book (as well as today) took place against a quite simple background: that humans used and killed animals in large scale; that they were often intimately invested in these institutionalized practices; and that they had no intention of giving them up. Yet for all its obviousness, this “public secret” could not be addressed directly in the debates studied here. It was not (and is not) a respectable political position to say that “we do all this because this is the way we happen to enjoy doing things.” Nevertheless, as we shall see, this Real dimension of enjoyment that could not be expressed directly never ceased to structure the discourse in its absence. The practice of meat eating in particular functioned as a nodal point that organized the meaning of a whole range related practices of animal treatment, even when it was not explicitly mentioned. At the same time, thanks to its infusion with a shared enjoyment, meat-eating was insulated from critique. Ritualized animal consumption came to constitute a “no-go zone” that was carefully avoided by all parties involved in the debates. The only exception was when the reformers occasionally ventured to propose problem representations that implied, directly or indirectly, a threat to this silent pact. In those cases, retaliation was swift and the potential transgressor was typically marked as driven by an excessive, alien enjoyment of his own (being unbalanced, aggressively zealous, or inappropriately sentimental about animals). Any substantial extension of animal rights, it was immediately sensed, would come at the expense of society’s animal rites. Almost every attempt to expand protection for animals, therefore, met with charges of absurdity and between-the-lines accusations of betraying in-group solidarity.

III. INTERROGATING POLITICAL PROBLEMS

Politics is about problems. When we think about political practice what immediately springs to mind is the identification of social “issues” or “prob-

emphasized the importance of the first three “Ns” in sustaining speciesist practices (e.g., Joy, 2014), but as I have highlighted elsewhere the fourth, affective dimension requires much more attention (Svård, 2012, 2014a).

lems,” the debates over their relevance, and the different strategies and policies that governments launch for dealing with them. From a discourse theoretical perspective, however, political problems are a bit more complicated. Most importantly, the thesis that *all* identities are discursively constructed implies that the *identities of political problems* must also be understood as features of particular discursive regimes. In other words, the identity or meaning of a political “problem” is never objectively given for people to simply react to. Rather, as Carol Bacchi has emphasized, problems are always constituted *as such*; they acquire their meaning not by presenting their inherent “essence,” but by being *re-presented* (produced, enacted) in social, sense-making practices.

In her “what’s the problem represented to be?” (WPR) approach to policy analysis, Bacchi (1999, 2009, 2012) draws on Foucauldian governmentality studies, actor-network theory, as well as science, technology, and society (STS) studies to account for the ways in which problematizations are implicated in the governing of people’s hearts and minds. Here, the concern is not how “real” social problems can be defined in their positivity—the question is rather how these problems attain their ontological status as “realities” to begin with. Following Michel Foucault, Bacchi argues that our analytical attention should be turned to “practical texts” like policy documents because it is here that we may trace the implicit structures of meaning that problematize the world for us. The main idea is to work “backwards” from policy recommendations and political solutions to map out the underlying discursive belief systems that allow different policies to present themselves as objective responses to pre-existing social “facts.”

This kind of analysis, then, is concerned with public policy as a mode of biopolitical governing of conduct. To Bacchi, the primary power of policy-making does not lie in the direct sanctions it may impose on undesired behavior (even if policies do that too), but in the much more far-reaching *problem representations* and the associated reality versions they invite us to embed ourselves in, identify with, and be complicit in maintaining. The WPR framework is thus not a traditional problem *solving* approach aimed at improving the efficiency of governing practices and technologies (Cox, 1981, pp. 128–129). Rather, it resonates with Foucault’s (1978/1997) definition of critique as “the art of *not* being governed or better, the art of not being governed *like that and at that cost*” (p. 28, emphasis added).

The main objective of the WPR approach is to de-ontologize the problematizations through which we are governed by taking apart naturalized,

taken-for-granted problem representations and reveal their contingent origins. To this end, the approach encourages us to “problematise (interrogate) the problematisations on offer through scrutinising the premises and effects of the problem representations they contain” (Bacchi, 2009, p. 25). Offering a generic framework for this type of analysis, Bacchi suggest that we ask not only (1) what the “problem” is represented to be in a given policy proposal, but also (2) what *assumptions* or *presuppositions* this problem representation rests upon; (3) how this representation *has come about* (necessitating genealogical inquiry into the practices and processes that made this representation dominant); (4) what the representation is *silent* about or leaves *unproblematic*; (5) what *effects* the representation has (in terms of producing discursive “truths,” subject positions, dividing practices, and lived experiences); as well as (6) how and where this particular problem representation is disseminated, defended, and disrupted (p. 48). (I have presented my modified versions of these analytical questions in the Introduction, and I will return to them below.)

The WPR approach has been developed for the analysis of specific policy proposals, but it can also be fruitfully modified for my purposes here. I will do this in four ways:

First, for all the genealogical ingenuity of Bacchi’s WPR approach, it lacks a clear account of how “problems” actually come together. I propose to remedy this lack by locating the analytical framework of WPR more firmly within the post-Marxist ontology I have outlined in this chapter. This means grasping the representation of problems in terms of *articulation* and *hegemonic intervention* (see Glynos & Howarth, 2007, p. 167). When the different actors in this book framed animal cruelty as a political problem, they sought to install a certain version of the world and interpellate others to identify with it. But these agents could only do so by drawing on given historical elements that they combined and modified to construct their own preferred reading of the issue. Any critical assessment, then, must circle around what elements “went into” the problem representations at any given time, what was left out/repressed, and how the human–animal relationship was ontologized as a result of this articulatory practice.

Second, since I am not just interested in individual policy proposals but polyphonic debates, an important concern for me will be the *struggle* between different attempts to problematize (and de-problematize) the treatment of animals. In this regard, it is of particular interest to ask how the political *logics of equivalence and difference* were brought to bear in the de-

bates. This means paying attention to the way some participants tried to string discursive elements together and imbue them with a shared “problem identity,” while other actors tried to break up these chains of equivalence and absorb the contested elements into the existing discourse. We can put this more concretely: The animal advocates in the Riksdag, as we shall see, often pushed for reform by equating the practices they wanted to regulate with other practices that were already criminalized, thereby implying that the phenomena were the same, that they shared the identity of punishable “animal cruelty.” This is the logic of equivalence. Those who opposed such reform, on the other hand, would typically highlight that the practices in question were very different, thereby dissolving their common identity and separating the issues from each other. This is the logic of difference. All political “problems,” I will assume, are formed through the interplay between these oppositional logics.

Third, I take *deconstructive genealogy* to mean not only the taking apart of old problems, but the interrogation of historical *sequences* of problem representations. The point of this, of course, is not to excavate some kind of “original” meaning of terms like animal cruelty, protection, or welfare. Nor is the objective to trace the gradual evolution of the concepts’ “inner core.” Instead, the point is to highlight that the meanings of these and other terms and values were never original or fixed, but ultimately constructed from other elements alien to and different from them (Beronius, 1991, pp. 54–55; Foucault, 1971/1984). To be sure, all discursive articulations are historical in the sense that they must draw and build on culturally available elements. But at the same time the meaning of a given set of discursive elements may always be reshaped under the particular strategic conditions in which they are articulated. Thus, the task of deconstructive genealogy, as Jason Glynos and David Howarth put it, is to

reactivate and make evident options that were foreclosed during the emergence of a practice [or, here, a political “problem”] – the clashes and forces which are repressed or defeated – in order to show how the present configuration of practices [or “problems”] relies on exclusions that reveal the non-necessary character of the present social formation, and to explore the consequences and potential effects of such “repressions”. (p. 155)

Finally, and following from the above, I wish to incorporate into the framework for analyzing problem representations the affective, fantasmatic di-

mensions highlighted by Lacanian theory. If discourses are ultimately contingent constructions, this raises the question of what makes them attain solidity and “grip” people in spite of their fictitiousness. The Lacanian answer to this question, as laid out above, is that discursive regimes become successful to the extent that they can manipulate a kernel of enjoyment in the subjects that they interpellate. To account for this dimension, the analysis must pay attention to the fantasmatic elements in the material, particularly those that may testify to a restaging of the discourse’s immanent, structural lack. Expected features in this regard would be resistance to official disclosure (as with the avoidance of certain topics like the enjoyment of meat-eating); attempts at scapegoating (e.g., displacing the responsibility for animal cruelty from “us” to “them”); expressing fear of the “other’s” theft or sabotage of our enjoyment, or hinting at the undesired consequences for “our way of life” if the others would have their way; the attribution to other groups of contradictory characteristics or an alien mode of enjoyment (i.e., the condensation of certain ignoble features that our society wants to disavow into the figure of the other); the blockage of Utopian prospects (keeping the promised enjoyment alive by keeping it at a distance), and so on. (Žižek, 1989/2008; Glynos & Howarth, 2007, p. 148)

IV. SYNTHESIS AND ANALYTICAL FRAMEWORK

We can now summarize the theoretical framework and synthesize its methodological implications. I have claimed that political “problems”—in this case the problem of animal (mis)treatment—attain their identity through discursive articulation, that is to say, through practices that rearrange the relationship between signifying elements and modify their meaning in the process. Articulation involves the making and breaking of signifying chains according to the logics of equivalence and difference. Different social forces contending for hegemony struggle over what elements should “go into” a political problem and what elements should be excluded from counting as problematic. The resulting problem representations come across as lodged in competing ontologies, meaning that they offer themselves as normatively charged “reality versions” for people to identify with. In the present case, the political problematizations are seen as the key to understanding the social(ized) reality of the human–animal relationship.

The “force” or “stickiness effect” that successful problematizations exercise on their interpellated (recruited) subjects is here understood in psychoanalytical terms. To “grip” a subject, discourses with hegemonic pretensions

have to address the lack and desire of castrated subjects, by offering to restore some of their lost enjoyment. The institutionalized and ritualized network of social practices and regimes of practices that make up the social world define possible social identities for the subject to take on as her own “truth” (including the truth about her own and her society’s relations to other animals). Moreover, the participation in ritualized practices has a performative effect by producing the illusion of social essence or a “home” for the subject. This community, however, is ultimately imagined. It is not anchored in any transcendental signified, but held together by what it does *not* have. The social bond, from this perspective, is just another name for the affective attachment formed among people organizing their relation to lack and enjoyment in a similar way.

What the social bond ultimately offers, however, is just an illusion of Being. The subject’s experience of “coming home” and attaining an identity was supposed to be guaranteed by the discourse, but the problem is that the discourse itself enjoys no such guarantee. There is no outside of the discourse, no meta-language that could keep it in place. To maintain discursive consistency under these conditions—indeed, to hold on to the experience of a social “reality” at all (Žižek, 1989/2008, p. 45)—fantasy has to intervene. The work of ideological fantasy is to “explain away” the discourse’s inconsistencies and leaks by identifying a social “symptom,” an external obstacle or enemy that is blocking the completion of the social order as it “was meant to be.” In other words, fantasy restages the discourse’s immanent antagonism as an external blockage. Commitment to this fantasy then sustains the subject’s desire by upholding the illusion that the failure of social reality will be overcome once this threat is defeated. In the process, the subject’s integrity is sustained, dislocation elided, in-group solidarity reaffirmed, and ritualized practice re-validated.

Assuming this philosophical anthropology and theory of social formations as my starting point, the key to unpacking the historical politics of animal treatment lies in grasping the articulation of historical problems and how they corresponded to broader discursive “forms of life” and affective investments. My ambition in this regard has been to work in a retroductive fashion to provide the problem representations offered in the Riksdag documents with plausible explanatory conditions of their emergence. Retroduction, in short, entails hypothesizing about what generative structures must have been in place for a given set of observable statements to materialize (Blaikie, 2000, p. 108; Glynos & Howarth, 2007, pp. 24–26; Sayer, 1979,

pp. 114–117). As with all forms of discourse analysis, however, the retroductive hypothesizing by which the results of this study have been arrived at cannot be reduced to one simple procedure or standardized “method” (Derrida, 2002, p. 17). Indeed, if all social systems are historically specific constellations of elements without fixed meaning, there can be no “one size fits all” approach to understanding and explaining social phenomena. Thus, the conclusions drawn from an analysis cannot be justified merely by reference to the correct application of a particular procedure (Wetherell & Potter, 1992, p. 101). Rather, the analytical concepts must be modulated to the particular case under study (Howarth, 2000, pp. 139–140). As outlined above, I have tried to do this primarily by recasting the methodological framework of Carol Bacchi’s WPR approach in post-Marxist and psychoanalytical terms, with the goal of letting the problem representations of the historical actors themselves take center stage throughout the analysis.

Coding and Analytical Categorization

Putting this radicalized WPR framework to work, a series of codings and reductions were carried out to make the large corpus of material manageable. The first step involved identifying what the “problem” of animal (mis)treatment was represented to be in the political debates. This was done by going through the documents and marking out the problems and solutions foregrounded by the politicians and state officials themselves, in their own words. This step, of course, already entailed a “primary interpretation” in deciding what would count as a problem representation (Alvesson & Sköldberg, 2009, pp. 286–287). However, given that the genre of political speech is focused precisely on articulating problems and solutions, this initial “tagging” of the material is not likely to be controversial. A political “problem,” in this context, was simply defined as whatever phenomenon or situation pertaining to animal treatment that the politicians and officials themselves foregrounded as morally problematic and/or in need of legal regulation. This first step also entailed making initial side-notes about possible silences, elided complications, potential assumptions behind the problem articulations and their likely consequences, as well as making cross-references between different sections and documents.

The second step consisted of organizing the coded material into a number of thematic categories according to the most salient topics and problems that were debated. This was done by going through the identified “problems” and copying sections of text between documents to produce clusters of similar

problem representations. This moment involved more of an active intervention on my part, in the sense that the selection of fragments and grouping of statements meant imposing on them my own logics of equivalence and difference. Some of the categories I formulated in this process were inspired by previous research. They were thus “theory-driven” in the sense that I was already predisposed to see certain issues as issues of a particular kind (Svensson, 2011, p. 182). This is especially the case for discursive themes like the pervasive hierarchization of different life forms; the fear that animal cruelty would lead to human brutalization; the gendering of the animal cause; and the employment of nationalist language (I will return to these features of speciesist discourse in Chapter 2). Other categories arose more inductively during my work as I began to perceive patterns, repetitions, regularities, and variations in the content and modes of expression. Some of these categories have been retained until this final version, while others have been discarded as irrelevant, merged together, or split into sub-categories at some point in the process.

The third step consisted of leveling the full set of analytical questions against the collected “archive” of problem representations: What was the “problem” of animal (mis)treatment represented to be in the different political debates during the period? What solutions were foregrounded? What kinds of animal (ab)use were left unproblematized? Under what discursive conditions did the problem representations emerge (both in terms of their underlying assumptions and in terms of immanent antagonisms and “extra-discursive” dislocations)? What productive effects did the problem representations have (in terms of the social categories and identities they produced)? What affective investments and ideological fantasies were at work in the problem representations? Again, this process was informed by previous research as well as by my theoretical assumptions. It also entailed repeated revisions of the research questions, my analytical framework, and the form of presentation to align them with the categories produced from the material.

Although the method of presentation necessarily differs from the method of inquiry, the structure of the following pages bears the mark of this workflow and its resulting categories. The first part of every empirical chapter consists of an overview of the main “problems” that were formulated in the period. The second part moves on to discuss the most important conditions and effects associated with the identified problem representations. Each

chapter ends with a summary of my findings organized in relation to the study's analytical questions.

Filling in the Gap: History between the Real and Representation

My goal throughout this book has been to retroductively reconstruct the sense-making regimes of the period under study and to offer thick descriptions as well as situated explanations of the encountered phenomena (Glynos and Howarth, 2007). At the same time, it goes without saying that I have also been guided by my own intuitions and preconceptions about what could reasonably have been going on in the Riksdag debates. It is a humdrum insight in the methodological literature that researchers are prone to fill in the gaps in their findings with their own preconceived notions. This book is unlikely to be an exception to that rule. Indeed, it could not be. The totality of History, as Fredric Jameson (1981/2002, p. 39) have argued, belongs to the domain of the "Real" in the Lacanian sense. As such, it cannot be comprehended in its positivity and will always escape full discursive domestication.

Representing history, therefore, is necessarily a matter of "filling in the gaps" to produce a consistent and plausible version of reality—albeit one that will nonetheless be subordinated to the Real and haunted by an unrepresentable remainder. The labor of interpretation, in other words, bears an uncanny resemblance to the work of ideological fantasy. The version of history the analyst presents is to some extent always his or her own fantasy screen, an imaginary reconstruction of a whole that never was. And just like fantasy, the historical reconstruction may draw on unconscious and affective energies to sustain its appearance of independent "being." The only way to counter this effect, of course, is to suspend oneself, insofar as that is possible, in the to-and-fro moment between empirical observation and theoretical hypothetization, and refuse to come down with a finalistic version of history. Thus, while I believe that the interpretations in this book are plausible, they should remain tentative. The ultimate veracity of my conclusions will have to be judged by their theoretical usefulness and from the standpoint of the new perspectives they might open for. Whether this book has any lasting value this regard, of course, will be for others to decide.

V. ON ANIMAL RIGHTS AND HUMAN WRONGS

This is not a book about animal ethics. Nonetheless, it is "animal rights-informed" in the sense that it starts from a commitment to critical reevaluation of the status of non-human animals in contemporary society. In my

view, the development in animal ethics over the recent decades amounts to a powerful critique of the traditional anthropocentric assumption that animals exist as resources for humans to use as they see fit (for introductions, see DeGrazia, 2002; Armstrong & Botzler, 2008; Linzey, 2009a; for a comprehensive anthology in Swedish, see Gålmark, 1997b).

Western social morality, in its religious as well as its secular manifestations, has almost invariably made a sharp distinction between humans and other animals when it comes to gauging their moral considerability and worth (see, for example, Phelps, 2007; Steiner, 2005). Even though hardcore Cartesians (who would deny the existence of non-human sentience) are in short supply and animal welfarist concerns are widely recognized today, the moral gulf between humans and animals remains entrenched. Typically, this traditional ethic has prescribed that only fully developed “persons”—that is, human beings—fully belong within the circle of moral concern, whereas all other animals have been taken to lack some qualification for premium grade membership. But this idea of an “insuperable line” between humans and other species, as philosopher Jeremy Bentham called it already in 1789 (1823, p. 236), is precisely what animal rights¹⁶ philosophers have been busy questioning over the last forty years.

¹⁶ I will loosely use terms like “animal rights” and “animal liberation” to denote any position that challenges the traditional paradigm and seeks significant change in the moral and legal status of animals. However, it is important to note that animal rights philosophy has never been *one* single philosophy. It was never consensus on ethical axioms or first principles that lent unification to this philosophical field or its parallel social movement. It is probably better to say that animal rights advocates, in this broad sense, share a commitment to a certain *problematic*—namely, the breakdown of species as a central moral category. For this reason, one can find proponents of animal rights and animal liberation in all established “schools” of ethical thought. More or less radical re-evaluation of the moral standing of non-humans has been defended by utilitarians (Singer, 1975/2002; Matheny, 2006; Tännsjö, 2010), deontologists (Regan, 1983, 2003; Francione, 2000), Kantians (Franklin, 2005; Korsgaard, 2012, 2103), liberal contract theorists (Rowlands, 2000; Garner, 2013), post-humanist “anarchic communitarians” (Willett, 2014), capacity theorists (Nussbaum, 2004, 2006), conservative virtue ethicists (Scully, 2002), Marxists (Benton, 1993), as well as adherents of a feminist ethic of care (Adams & Donovan, 1996, 2007)—to mention only a few examples. While these contributions have all developed within or in dialogue with the Anglo-American tradition of analytical philosophy, more and more interest in the animal issue has also emerged within continental philosophy, a realm that long seemed unwilling to rethink the human–animal relationship

Instead of affirming the traditional cleavage along species lines, animal rights advocates have tended to foreground the similarities and continuities between species in terms of their morally relevant traits. Moreover, they have worked to reveal the anthropocentric biases hidden in our moral language and in the predominant systems of ethics. To this end, they have stressed that many animals, just like human beings, can experience pain and suffering as well as joy and well-being. Likewise, they have emphasized that premature death always represents a permanent and non-compensable loss of all future experiences for any sentient individual, regardless of species. These aspects remain morally relevant regardless of the affected individual's capacity for rational thought, speech, reciprocity, or any other supposedly "uniquely human" trait.¹⁷ Much like ourselves, then, many non-human animals could

(see Singer, 2004). Once the continental tradition turned its interest toward the animal, however, its long commitment to the philosophies of being, identity, and language soon spawned a number of intriguing analyses of the role of "animality" in society and philosophy. The work of the later Jacques Derrida (2008) as well as Giorgio Agamben (2004) should be mentioned in this regard, as does, if more indirectly, the psychoanalytical work of Julia Kristeva (1980/1982), the philosophy of Gilles Deleuze and Félix Guattari (1972/2009), and the "cyborg" socialist feminism of Donna Haraway (1991, 2008). For critical introductions to this continental field, see Atterton and Calarco (2004); Cavalieri (2009); Calarco, (2008); and Wolfe (2003a, 2003b). While these perspectives obviously differ from each other, and often come into conflict, they have that in common that they work from the dissolution or rejection of the inherited assumptions about a strict ontological or ethical boundary between the human and the animal.

¹⁷ As it turns out, most of the capacities that have been called on to trace the insuperable line between humans and animals are either not possessed by all humans, or possessed by some animals. Hence the famous "argument from marginal cases," known already from Antiquity but developed by modern animal rights adherents to show that wherever the dividing line between humans and animals is drawn, some animals are likely to be included and some humans are likely to be left out of the sphere of moral concern. Consider, for example, the common idea that superior intelligence is what entitles humans to use animals. But if that is the case, it seems to follow that humans of lesser intelligence (small children, people suffering from severe brain damage, etc.) could also be used in the same way as non-humans. And if we try to avoid this conclusion by lowering our demands on intelligence to accommodate for these humans, then it is likely that many non-humans will also qualify for inclusion. This line of reasoning has led many animal rights philosophers to reject cognitive and cultural capacities as being morally relevant, and instead place their focus on sentience, subjectivity, and

be said to have a *prima facie* claim to have their interests, experiences, and lives taken into normative consideration.¹⁸ And if this is the case, it follows that those of us who are able to pass and act upon our moral judgment are obliged to respect these interests and claims in all sentient beings. Neglecting to do so would amount to the moral error of *speciesism*¹⁹—a parallel concept to sexism and racism—the core of which Joan Dunayer (2004, p. 5) has defined as the “failure, in attitude or practice, to accord nonhuman beings equal consideration and respect” simply because of their belonging to another species. Rejecting speciesism, as a moral prejudice as well as an institutionalized system of practices, animal rights advocates call for comprehensive social change, including the abolition of age-old practices like eating animal flesh and other animal-derived produces, as well as the dismantling of the massive industrial complexes predicated on breeding, using, and killing billions of animals for human purposes every year.

interests as the foundations for moral status. For further discussion about the argument from marginal cases, see Dombrowski (1997, 2013).

¹⁸ Naturally, this analogical reasoning can be problematized, particularly when it comes to the assumption that man is the proper measure of all things. This has also been done, particularly from feminist perspectives wary of the assimilationist thrust of rights discourse. As Kelly Oliver (2008, p. 217) asks: “Why do animals have to be like us to have inherent value? The notion that man is the measure of all things is precisely the kind of thinking that justifies exploiting animals, along with women and the earth, for his purposes. Wendy Brown (2002) says that rights are what we [women] cannot not want; but are they what animals want? Indeed, we might ask, which human culture will be the standard for considering whether or not animals are like “us” and deserve rights? This is particularly problematic considering that many cultures do not even have a concept of rights. The question, then, of which humans are ‘us’ is as vexed as the question of which animals are like us.” See also Kennedy (2002) for a discussion of the limits of rights as protections in the face of countless sources of material and symbolic inequality that are in themselves left unaffected by rights rhetoric and legislation.

¹⁹ The psychologist and animal rights advocate Richard Ryder claims to have coined this term in the early 1970s. While lying in the bathtub reflecting on recent social struggles for civil rights and women’s emancipation, Ryder started to wonder why there was no word for arbitrary human discrimination of animals. Thus, in a suggestively Archimedean way, the concept of *speciesism* was born (Ryder, 2005). The term was then developed and brought to wider attention by other authors, particularly by Peter Singer in his seminal book *Animal Liberation* (1975/2002).

Although these practical implications of the animal rights position are often seen as controversial, it is also possible to stress the opposite. As animal rights philosopher and theologian Andrew Linzey (2009a) has emphasized, the typical arguments for discriminating *against* animals may in fact more often be arguments for discriminating *in their favor*. Indeed, if any other group were permanently unable to voice their interests, incapable of consenting to the way they are treated, and stripped of any means of defense against aggression, we would probably conclude that the case for their moral protection would grow stronger, not weaker. Reassessing the issue from this viewpoint shifts the burden of proof from the animals' defenders to those in favor of the *status quo*. Moreover, it does so on the terms of traditional morality itself, thereby turning the naturalized exploitation of animals into the "extremist" position to be defended. As philosopher James Rachels has put it apropos the animal rights challenge to our food habits:

Vegetarianism is often regarded as an eccentric moral view, and it is assumed that a vegetarian must subscribe to principles at odds with common sense. But ... the opposite is true: the rule against causing unnecessary pain is the least eccentric of all moral principles, and that rule leads straight to the conclusion that we should abandon the business of meat production and adopt alternative diets. Considered in this light, vegetarianism might be thought of as a severely conservative moral stance. (Rachels, 1999, p. 212)

From this perspective, the animal rights position seems well aligned with the first principles of traditional ethics. Many animal rights philosophers have also tried to frame their work as driven precisely by an ambition to overcome the arbitrary limitations of traditional ethical systems while defending their core principles and bringing them to bear on human–animal relations in an unbiased way.

Much more can be said about this, but for reasons of space I will have to forgo further discussion about animal ethics and animal rights here, and refer the reader to the substantial literature already introduced. For me, the main motivation for studying the history of the human–animal relationship lies in what it may offer us today in terms of emancipatory prospects. I believe that understanding the historical emergence of the currently hegemonic formation of speciesist relations and practices—that is to say, the animal welfare regime—is of key importance if we are to address the predicament we are in today and begin to formulate a critical, political, and ethical re-

response. Not, of course, because history repeats itself. Nor because accounting for a historical development will grant us powers of prediction. What historical inquiry can afford us, though, is a keener sense of perception when it comes to assessing our current situation in terms of both its risks and its potentials for change. Grasping the dynamics of power in sense-making, that truly *political* dimension that is generative of politics as we know it, is the only real transhistorical lesson that can be learned here (or, indeed, anywhere). And given the stakes, it ought to be learned. It is for these purposes I wish to draw on the broad field of animal rights or animal liberationist philosophies. Not to argue for the superiority of one particular position over the other, nor to judge history by the standards of our time, but to show how these strands of thought provide us with alternative viewpoints from which we may destabilize hegemonic discourses. As these philosophical positions often resonate with moral beliefs we already share, they allow for an “immanent critique” of dominant discourses while also providing tentative, provisional ground for critical reflection on the human–animal relationship.

With this book, then, I wish to express a commitment to the cause of non-human liberation from commodification and exploitation at the hands of humans. It holds that the minimal standards of coherence and consistency that any persuasive ethical stance must adhere to are incompatible with the double standards of societal morality and the negligence shown toward speciesism in most established philosophical and political thought. Although genealogy alone—“grey, meticulous, and patiently documentary” as it must be (Foucault, 1971/1984, p. 76)—cannot produce the social and political changes that are called for in this regard, my hope is that once the present institutions of the human–animal relationship have been de-ontologized, new paths will be cleared for rethinking and rearticulating this relationship in a spirit of generosity and solidarity.

In keeping with the general theoretical thrust of this project, this is also a relational endeavor. Rethinking the position of non-human animals means rethinking what human animals are. As John Sanbonmatsu (2004) has put it: “Only by attending to the monsters we make of ourselves in inflicting ceaseless and unspeakable brutality and violence against the minds and bodies of other sensitive beings-in-the-world, might we begin to construct a narrative about who and what we are” (p. 222). So while this book refrains from offering a truth, it offers a choice—a space for ethical deliberation and decision about who we want to be.

2. From Indifference to Benevolence

Changing Attitudes toward Animals in Europe and Sweden

THE HUMAN-ANIMAL RELATIONSHIP has gone through many changes over time. In recent years, many historians and other historically oriented scholars have started to take a serious interest in the transformations of these relations. Much of the existing research has been directed toward Western Europe, particularly England, and the new attitudes toward nature and animals that started to emerge there from the eighteenth century and onward. It is impossible to cover all of this literature in this chapter, but I will discuss some of the main tenets of the previous research on the broader European history before moving on to the development in Sweden.

The first part of this chapter gives an overview of some of the more influential theoretical accounts for the historical shift in human-animal relations in Europe. To begin with, I will discuss what I call the “middle class thesis” laid out by Keith Thomas (1984) and Keith Tester (1991). This has been an influential argument claiming that the commitment to animal protection was born with the experiences of the emerging urban bourgeoisie in the eighteenth century. After this, I turn to the place of kindness toward animals in the European “civilizing process” as envisioned by Norbert Elias (1939/1982) and applied to human-animal relations by Adrian Franklin (1999). Then, drawing on the work of Kathleen Kete (2002, 2007), Harriet Ritvo (1987, 1997) and others, I outline some of the most prominent discursive themes that were co-articulated with the idea of animal protection in the European nineteenth century. These themes include the intersection of anti-cruelty sensibilities with class politics, imperialism, racism, and gender.

In the second part of the chapter, I focus on Sweden in the nineteenth and early twentieth century and give an overview of previous research on the human-animal relationship in this country. I also explain how the present book differs from previous accounts in its assumptions and interpretations

of the problematic at hand. For the presentation of the animal protection ideas in Oscanian Sweden, I draw primarily on the work of Karin Dirke (2000) who has studied the emergence and development of the country's first animal protection societies from 1875 until 1920. After this, I turn to a discussion of the attitudes toward animals in the Swedish countryside, based on a study by Niklas Cserhalmi (2004). The following section contains a presentation of previous research conducted by Lennart Bromander (1971/1987) and Katarina Alexius Borgström (2009) on the debates about vivisection in Sweden from the 1880s until the 1940s. Finally, I briefly discuss some additional works that mostly lie outside the scope of my own study but have been useful for this project nonetheless. The chapter concludes with a summary.

I. EUROPEAN PERSPECTIVES

The Middle Class Thesis

A prominent theme in previous studies on the origins of the animal protection idea in Europe has been the role of the incipient middle class and its associated intellectuals in promoting benevolent attitudes toward animals. We find this theme, for example, in historian Keith Thomas's (1984) distinguished study *Man and the Natural World: Changing Attitudes in England 1500–1800*. According to Thomas, the predominant view of animals up until the eighteenth century was intensely anthropocentric. Drawing on assumptions that go back to Greek and Judeo-Christian Antiquity,²⁰ the English ideologues of the human–animal relationship placed humanity at the pinnacle of creation and reduced the rest of creation to the role of serving this master species. Between humans and animals lay an unbridgeable chasm: “Man stood to animal as did heaven to earth, soul to body, culture to nature. There was a total qualitative difference between man and brute. In England, the doctrine of human uniqueness was propounded from every pulpit.” (Thomas, 1984, p. 35) What followed from this divide, Thomas contends, was a striking indifference to animal suffering: “For most persons, the beasts were outside the terms of moral reference. ... It was a world in which much of what would later be regarded as ‘cruelty’ had not yet been defined as

²⁰ For an overview of the older history of the human–animal relationship in western culture, see, for example, John Passmore's “The Treatment of Animals” (1975), Norm Phelps's *The Longest Struggle* (2007), and Gary Steiner's *Anthropocentrism and its Discontents: The Moral Status of Animals in the History of Western Philosophy* (2005).

such.” (p. 148) Whatever cruelty was in the early modern imaginary, it was not something that could happen to animals.

It may seem paradoxical that this kind of indifference could be maintained even though many people at the time lived in the immediate proximity of animals. Would not this closeness rather produce an awareness of the similarities between man and beast? Thomas, however, argues that this close, contiguous relationship actually facilitated the instrumentalization of non-humans; it was precisely *because* of this blurred boundary between the human and the animal realms that bad treatment of animals could present itself as a way to reinscribe human superiority. As sociologist Keith Tester summarizes the argument:

Within this project of establishing animals as a distinctive other, virtually anything could be done to them as long as it did not threaten to undermine the clear yet fragile boundaries which laid down the truth of human and social life. If anything, early modern attitudes contained a direct incitement toward violence; *aggressive behavior towards animals was an active way for humans to define themselves as the centre of the universe and the zenith of God’s work.* The spatial blurring of classificatory difference was countered by active domination. (Tester, 1991, p. 51, emphasis added)

This tyrannous view of animals, Thomas and Tester argue, was widespread among both the aristocracy and the rural farmers in England. By the late eighteenth century, however, the rising bourgeoisie had begun to challenge these attitudes. Educated about the similarities between humans and animals and comfortably distanced from the rough realities of animal husbandry in the countryside, this city-dwelling and pet-keeping social stratum rapidly adopted kindness to animals as one of their distinguishing moral features. The emerging concern for animals that characterizes the nineteenth century has often been accredited to this social class.

Thomas and Tester try to explain this shift in moral sentiment by the experiences of industrialization and urbanization, a world-changing process that started precisely in England (Thomas, 1984, pp. 180–182; Tester, 1991, pp. 51–55). These grand social upheavals tore up the contiguous, metonymical relationship that had existed between animals and humans in the countryside and replaced it with a distanced, metaphorical, and sometimes romanticized one. Confronted with a quick and vast expansion of human knowledge while simultaneously discovering new relations to companion

animals in the household, the urban middle classes were particularly well situated to form a new outlook in which the strict boundary between humans and animals began to dissolve. As Tester puts it apropos the English situation, the new middle class and its intellectuals soon made themselves

the agents and protagonists of a taxonomy which saw humanity as just one small part of a potentially infinite thing. As they sat by the fireside, examining fossils and stroking the dog, they could see that anthropocentrism was a myth; their science laid the foundation for a new, objectively true classification of the universe. Meanwhile, the rural population carried on its old ways; it still had a direct, personal relationship with animals, it retained a stake in the anthropocentric attitudes without which the definitions of human and animals in the rural world would collapse. The stage was set for mutual incomprehension and hostility. (Tester, 1991, p. 54)

This clash of worldviews between a new middle-class “man of feeling” and the inert and indifferent farming and working classes and workers has regularly been invoked in the historical literature on the emergence of the new attitudes toward animals.

However, the urbanization thesis is not the only account that can be given for this ideological shift. Historian Kathleen Kete (2007), for example, rejects the assumption that urban life equaled distance from animals. On the contrary, the big European and American cities teemed with animals used for labor, transport, and food—not to mention all the stray dogs, birds, and rodents who lived off the waste of the city machine. Dense human populations invariably meant dense animal populations, and non-humans were by no means invisible in the cities of the eighteenth and nineteenth century. Drawing on the work of Harriet Ritvo (1987) and Susan D. Jones (2003), Kete maintains that the number of urban animals increased throughout the nineteenth century, meaning that the inhabitants of the bigger cities were in no way shielded from their non-human neighbors. It was only in the twentieth century, for example, that urban families stopped keeping animals in their backyards, and the expansion of tram and automobile traffic displaced the use of horses and other draft animals. The animal-free city that we know today is actually a rather recent phenomenon. Kete therefore stresses that compassion for animals emerged as a central cultural value long before the privileged classes were separated from animals as a material fact (Kete, 2007, pp. 6–7; see also Franklin, 1999, p. 15).

Kete also questions the explanatory force sometimes attributed to Enlightenment sensibilities and the *Sturm-und-Drang* emotionality associated with the middle classes in the Revolutionary era. There is no doubt that these cultural strands, along with the Puritan “stewardship” model of creation, facilitated more sympathetic dispositions toward animals. Nonetheless, these attitudes remain the *explanandum* rather than the *explanans*. To Kete, then, the mystery of the changing attitudes toward animals from the late eighteenth century onward remains unresolved (Kete, 2007, p. 6).

Animals and the Civilizing Process

Sociologist Adrian Franklin (1999) gives another long-term perspective on the historical shift in attitudes toward animals. Drawing on sociologist Norbert Elias’s argument in *The Civilizing Process* (1939/1994), Franklin connects the changing relations between humans and other animals to a much longer historical movement of “civilization”—meaning here a slow but continuous refinement of manners and tastes along with a growing disapproval of coarseness and violence. According to Elias, the European Middle Ages was a volatile age defined by competition between warrior lords and constantly shifting power centers. In this period, violence was not only a feature of everyday life, it was also much more socially accepted. With the emergence of the centralized state, however, a new social division of labor and longer chains of dependency were established between people. Participation in this new administrative order demanded a higher degree of individual self-restraint, which in turn fostered and rewarded the development of new personalities. At first, these more sophisticated manners were cultivated among the elites. But as their social mores and tastes were gradually appropriated by lower strata aspiring to rise in the ranks, the higher classes were forced to reinvent the marks of their own distinction, leading to a partly self-propelling civilizing dynamic (Franklin, 1999, pp. 17–18).

One of the features of this process was the civilizing of sports, or rather the “sportization” of previously unrestrained popular activities and games (Elias and Dunning, 1986). And this is where the animals enter the picture. In Roman Antiquity, bloody spectacles like fights to the death between wild animals and/or humans had been commonplace. In the following Christian era, humans could no longer be sacrificed for public entertainment, but games involving fighting animals remained popular recreations (see the next section). Hunting was cherished as a splendid diversion, especially among the nobility who considered it a sport of kings.

What all these activities ultimately offered, Franklin (1999) argues, was an outlet of emotional energies through “physical contest, with a build-up of pleasurable excitement and a resolution” (p. 19). When the Europeans came under the yoke of civilization the need for such emotional outlets did not disappear, but sports became more controlled and regulated. Again, this development was spearheaded in England. After the Civil War in 1642–1651, English society had been increasingly “parliamentized” as the formerly warring elites negotiated new ways to co-exist and share power. This process bred novel modes of sociality that soon trickled down and disseminated into other spheres of society. Among these was the “club,” a new institutional form that soon became predominant in the world of sports. Organized sports, with its standardized rules and tournaments between clubs, began to civilize competitive games and limit their violent content. This development, Franklin observes, ran in parallel with the crackdown on popular “blood sports” involving animals. The socio-psychological function of these old, cruel spectacles (providing ritualized, cathartic pleasure through physical excitation and release) was retained, but channeled and restrained in modern “sportized” forms—all as a part of the Eliasian civilizing process (Franklin, 1999, pp. 18–21).

Franklin, then, suggests that the historical account offered by Thomas and Tester may have to be inverted in terms of cause and effect. Thomas and Tester, as we have seen, suggested that ritualized animal cruelty was born out of a need to manifest human difference and superiority under conditions of classificatory uncertainty. The urban middle classes who were distanced from animals and prone to sentimentalize them then rejected this disposition. But if the civilizing process is conceived as a general historical movement, the rising opposition to animal cruelty may have been just another example of the growing distaste for violence in Europe. According to Franklin’s alternative interpretation, organized animal cruelties may be seen as fulfilling the social role of sports before “sportization,” and as such they did not primarily satisfy anthropocentric day-dreams of cosmic superiority. They rather represented mundane, ritualized ways of organizing collective pleasure and excitement. However, as acceptance for violence was lowered throughout society, support for cruel games involving animals also fell away. To Franklin then, it was not necessarily the strict human–animal boundary in itself that encouraged animal cruelty. Reversing the causality, he holds that cruel sports

were mainly about pleasure—albeit pleasure organized in a way that “may have unintentionally reinforced the human–animal boundary” (p. 21).²¹

Disciplining the “Dangerous Classes”

Despite the research efforts discussed above, it remains difficult to say what occasioned the changes in cultural and moral attitudes toward animals during the eighteenth and nineteenth centuries. What remains clear, however, is that there was a number of salient themes in the nineteenth century discourse about animal cruelty that served as a cultural backdrop for the political debates we are about to study. It is obvious, for example, that the promotion of anti-cruelty themes ran in parallel to new lines of class division. This does not mean that people’s class position functioned mechanically to generate divergent standpoints on animal treatment. The fact is that we know very little about the experiences and views of the lower classes, which, for obvious reasons, have been underreported in the existing accounts. What we *can* say about this class dynamic, however, is that once the commitment to animal protection as a cultural value took hold, the asymmetry of power between the classes led to a disproportional vilification of the lower social strata. As Keith Thomas notes, it soon became an established dogma in nineteenth century discourse that the lower classes had a disposition for violence toward animals:

Throughout the nineteenth century it remained axiomatic that it was “among the lower classes of the community that cruelty mostly abounded”. The vil-

²¹ With this focus on blood sports as a pleasurable social ritual, Franklin is one of the few that brings special attention to the affective politics of human–animal history. However, the notion of pleasure in Franklin remains undeveloped and restricted to a tension-release model, reminiscent of what early psychoanalysis called the *Lustprinzip*. The account for speciesist ideology that I will present in this book also draws on psychoanalytic tenets, but starts with the later Freud and his going “beyond the pleasure principle” to the discovery of the death drive (Freud, 1920/2008a, 1923/2008b). The subsequent Lacanian rendering of the drive that I build upon here allows for a broader understanding of the role of affect in sustaining institutionalized human–animal relations. Substituting enjoyment (*jouissance*) for pleasure, my analysis will foreground the role of affective investment in *all* institutionalized social practices and not just organized sports (although the latter remains a striking example of the socio-psychological dynamic in question).

lains were “the hardened and profligate” cab-drivers, “the rascally and insensible blackguards of Smithfield market”, and the unspeakable bargees. The Act of 1835 against the cruelty to animals declared its intention to reduce both the sufferings of dumb creatures and “the demoralization of the people”. (Thomas, 1984, p. 186)

What the lower classes themselves thought, felt, and did is of lesser importance in this regard. What matters is the way they were *represented* to think, feel, and do, and how these representations fed into political claims for disciplinary measures. The issue, in other words, was never just about different perspectives or actually existing degrees of sophistication in the interaction with animals and the natural world. The question of animal mistreatment was from the beginning entangled in much broader struggles for class hegemony, social control, and imperial superiority.

Kathleen Kete (2007), for example, interprets the newfound love for animals among the ascendant bourgeoisie precisely as part of an elite response to underclass unrest. In the late eighteenth and the early nineteenth century, the Terror of the French Revolution and the chaos that followed the Revolutionary and Napoleonic Wars made a massive impression on the propertied classes of Europe. From their perspective, revolutionary liberalism and working class radicalism remained twin menaces to social stability throughout the nineteenth century. In their struggle to reaffirm existing hierarchies, the European elites took on a conservative mindset and became preoccupied with disciplining *les classes dangereuses*. According to Kete, one of the major cultural themes in the European Age of Empire was precisely the link “established in the post-Revolutionary ‘social imaginary’ between violence toward animals and violence toward people, especially on the part of the lower classes who, it was imagined in turn, were more susceptible to sense impressions, more impulsive, and more animal-like than their observers” (p. 1).²²

²² This idea that violence toward animals could brutalize man and beget violence to humans goes back to Greek Antiquity, but it also found wide resonance in the early modern period. In Thomas More’s *Utopia* (1516), for example, slaughterhouses were relegated outside the city walls to keep the sight of violent death at a distance. Likewise, both John Locke (1689/1991, p. 119) and Immanuel Kant (1780–1781/1991, p. 127)—none of which can be noted for their particular sentimentality for animals—feared the demeaning influence of animal cruelty and argued in favor of the practice to exclude butchers, hardened by killing, from juries of life or death.

Many of the reform demands put forward by the early animal advocates testify to such an interest in quelling the passions of the underclasses. In England this can be seen in the attacks on blood sports like cock fighting, cock throwing (where rocks were thrown at tied up birds), dog fighting, bear and bull baiting (where purpose-bred “bulldogs” were set upon tethered bears and bulls), and bull running. Commonly associated with noisy public gatherings, drinking, gambling, and brawling, it is not difficult to see how these popular pastimes spoke to the enjoyment-laden fantasies that the Puritan elites entertained about the “mob” (Kete, 2007, pp. 2–3; Thomas, 1984, pp. 144–145; Turner, 1980, pp. 20–21).

Historian Harriet Ritvo (1987) has also noted how the early animal protection movement got entangled in a conservative project of quarantining social violence. While pioneer organizations like the Royal Society for the Prevention of Cruelty to Animals (RSPCA) (founded in London in 1824) were no doubt sincere in their intentions to fight animal suffering, they also needed political influence to move the issue. They soon found that if they adapted their message to address the fear of human brutalization and the conservative desire for godly reconstruction it would resonate stronger with the ruling classes. Thus the reform activities of the RSPCA came to target mainly underclass practices and reaffirm that invisible line “dividing the lower classes, already implicitly defined as cruel and in need of discipline, from the respectable orders of society” (Ritvo, 1987, p. 133). With this strategy, Franklin (1999) notes, “the reformers got off the ground (after a record of failure) by dressing up their campaign to stop violence to animals as social discipline” (p. 23).

This interlacing of anti-cruelty sentiments with class contempt and anxieties concerning the social order was initially a recipe for success. In England, the animal advocates managed to secure the first legal protection for animals (the so-called “Martin’s Act”) already in 1822, a reform that predated both the abolition of slavery in the British Empire and the first regulations of child labor in factories by over a decade. As Kete (2007, p. 3) points out, this approach was soon copied in several other countries where animal protection societies were built on the same pattern of class. As we shall see later on, a variation on this theme also applied in the case of Sweden in the mid-nineteenth century.

Animality, Nation, and “Race” in the Age of Empire

While the “transmission of bourgeois values was openly a goal of legislation prohibiting violence to animals on the streets of urban Europe” (Kete, 2002, p. 26), class was not the only dimension involved. Nor were the lower class “others” the only out-group in contrast to which the respectable classes constructed their own identity. Kindness to animals could also be couched in terms of a national mission incumbent on the most civilized countries:

To be kind to animals came to stand high in the index of civilization. Indeed, it formed part of the project of civilization. France and Britain together looked down on the fringes of Europe, for example, Spain, where bullfighting was practiced, and beyond Europe, North Africa and the Levant, where dogs were treated like objects. The barbarian other—the urban working classes, continental peasants, southern Europeans, Catholic Ireland, Russians, Asians, and Turks—was defined in part by its brutality to beasts. (Kete, 2007, p. 3; see also Kete, 2002, p. 26; Ritvo, 1987, pp. 126–127)

Here the question of animal treatment was not just interrelated with domestic social hierarchies. It was also placed within a kind of moral geography in which the most civilized nations were placed at the center. Moreover, these distinctions between nations and ethnic groups in terms of their relative virtues easily paired up with other classifying practices popular among the budding scientific community. As Ritvo (1997) has shown, the debates among nineteenth century zoologists and naturalists over how to categorize animals and understand their hereditary traits soon invited portentous attempts to slot humans into racial categories. The negative attitudes expressed by contemporary scientists about “mongrelization” and “hybridization” among animals displayed a fear of upsetting natural boundaries and an urge to maintain biological “purity.” Zoological classifications started to overlap social categories as the pedigrees of highbred animals were compared to the ancestries of high-ranking human families. At the same time, the perception of a significant gap between Europeans and other human “stocks” was taxonomically entrenched (pp. 120–130). These strands of thought, in turn, set the stage for vulgar social Darwinism, eugenics, and arguments for European imperial supremacy.

Vivisection and the gendering of the animal cause

Another feature of nineteenth century scientific development—the one that may have invited the most controversy in legislative assemblies—was the growing practice of animal experimentation, or “vivisection” as it was called (see French, 1975; Rupke, 1987; Guerrini, 2003). When physiology was established as an independent science in France and Germany in the nineteenth century, it emphasized the utility of using animals in experiments to gain knowledge about the inner workings of the body. But this development also met with public resistance and gave rise to a number of organizations against painful experiments on animals. The political debates over vivisection that followed raged from the middle of the nineteenth century until around World War I, at which time the experimentalist discourse had managed to secure a safe position. Largely, as I will return to in Chapter 3, this was a struggle over the place of science itself in the modernizing parts of the world. In this test of strength between old and new elite ideologies, philosophical idealism stood against scientific materialism, emotion against reason, and tradition against modernity (Bromander, 1987; Rupke, 1987).

Moreover, as the affective intensity of these debates goes to show, the issue was not just about animal treatment. It also had to do with the traumatic dislocation of the boundary—at once reaffirmed and questioned by science itself—between humans and animals. The response to this dislocation, however, looked different in different countries. In England, for example, commitment to the antivivisection cause was often articulated alongside other social struggles like the abolition of slavery and the fight for women’s suffrage (Elston, 1987; Gålmark, 1997a). In Germany, on the other hand, the critique of scientific materialism was sometimes bound up with anti-Semitism and found a target in the alleged “Judaification” of the medical corps (Maehle & Tröhler, 1987, p. 176). In other words, the meaning of vivisection was never given in itself; it was problematized and politicized in different ways depending on the context in which the issue found resonance.

As just hinted at, the animal protection cause also had a gendered dimension. This was evinced, for example, in the pairing of animal protection ideas with early feminism. Again, this was a question of overlapping cultural categories. The caring, empathic, and sentimental attitudes that were valued by the animal protectionists were often coded as “feminine” traits, and as such they could be represented as a civilizational counterweight to “masculine” reason, aggression, and dominance. This reappraisal of the feminine also

opened up some space for the legitimate participation of women in the public sphere. Although many animal protection societies remained male dominated when it came to leadership positions, women could be empowered as campaigners, educators, and organizers (Dirke, 2000; Elston, 1987). Given that women were culturally positioned as more in touch with nature and closer to the animal, they could also claim to speak for the subaltern side of the age-old binaries of western dualism: culture/nature, human/animal, mind/body, and reason/emotion. The articulation of animal protection themes with these gendered themes gave the movement a twist that located it in opposition to both masculine reason and to the rationalizing forces of modernity in general. This was perhaps most evident in relation to vivisection, a practice that could easily be framed as the epitome of male domination over nature, animals, and women. To many nineteenth century anti-vivisectionists “[m]ale, rational, and rapacious science was the enemy, an argument that placed antivivisection within the feminist movement but also, in its attack on the primacy of reason, within the current of *fin de siècle* thought” (Kete, 2007, p. 21). Although this kind of critique had largely been marginalized by the time of the Great War, it remained an important undercurrent in the anti-vivisection movement and also prefigured some key themes in modern eco-feminism (see Adams, 1990; Adams & Donovan, 1996; Farians, 2013; Merchant, 1980).

II. ANTI-CRUELTY AND ANIMAL PROTECTION IDEAS IN SWEDEN

Compared to England and a few other well-researched countries, the history of anti-cruelty and animal protection ideas in Sweden has attracted little scholarly interest. However, a few studies overlap the topic and period of interest in this book. Here I will briefly go through the main tenets of the works that have been particularly beneficial to me in this project. I will also clarify where and how my own approach differs from these previous research efforts.

The Origins of the Swedish Animal Protection Movement

In *De värnlösa vännern: Den svenska djurskydds rörelsen 1875–1920 (Defenders of the Defenseless: The Swedish Animal Welfare Movement 1875–1920)*, historian of ideas Karin Dirke (2000) has done pioneering work by charting the origins of the animal protection movement in Sweden. Her book remains

a given starting point for any discussion about human–animal relations in Oscarian Sweden, and it forms an important backdrop for the present study.

Inquiring into whether there has been a distinct “Swedish” tradition of animal welfare and how it was inflected, Dirke draws on a wealth of organizational documents and publications to give a broad account of the ideas and values that animated the early animal protection societies in Sweden.²³ According to her, the core ideas of the Swedish “friends of animals” were initially imported from abroad but they soon took on an independent, national character. The Swedish movement grew quickly, was internationally active, and became one of the leading movements in Europe until its decline after World War I (p. 5).

Cultural and Intellectual Influences on the Swedish Movement

Dirke argues that the Swedish animal protection movement’s ideas grew out of the peculiar mix of Enlightenment rationalism and Romantic sentimentalism that characterized the European nineteenth century in general. These outlooks roughly produced two types of arguments for change in the treatment of animals. The first set of arguments was *utilitarian* and promoted the rational, efficient, and practical use of animals. From this point of view, animal protectionism represented the triumph of reason over ignorance. The second type of argumentation was geared toward *identification* with the animals, and as such they reflected a Romantic desire for closeness with nature and the recovery of a lost authenticity (p. 124, 283). This latter position sometimes aligned itself with conservative politics thanks to its emphasis on morality, charity, and compassion. However, Dirke stresses that it could also engender much more radical standpoints regarding the rights of animals. Against some previous research that has assumed that animal protection was primarily a conservative idea, Dirke contends that in Sweden, at least, the idea found allegiance among politicians from all camps. If anything, it enjoyed more support from the liberal benches than from the conservative ones in the Swedish Riksdag (pp. 123–125).

²³ The first animal protection society to be formed in Sweden was *Sällskapet småfoglarnas vänner* (The Society for the Friends of Small Birds), founded by a Gothenburg zoologist in 1869. This was followed by *Strängnäs djurskyddsförening* (The Animal Protection Society of Strängnäs), founded by the philosopher Adolf Leonard Nordvall in 1870. After this, a large number of local animal protection groups emerged around the country (Dirke, 2000; Carlsson, 2007).

Intellectually, the movement also drew on two philosophical traditions and two sets of typical arguments. The first was a kind of idealist-rationalist philosophy with Platonic overtones, which, at the time, found its main spokesperson in the Swedish philosopher Jacob Boström. Boström, in turn, was one of the main influences on the premiere theorist of the Swedish animal protection and anti-vivisectionist movements, the philosopher and schoolmaster Adolf Leonard Nordvall. Perhaps somewhat surprisingly from our perspective, a movement leader like Nordvall did not emphasize the similarities between humans and animals. Instead, he stressed the differences and discontinuities between species. Humans, in his view, were infinitely superior to animals—and this was precisely why animals ought to be protected. It was the gulf between the higher and lower rungs of creation that imbued humans with an ethical duty to attend to the animals' well-being. Bringing a twist to Immanuel Kant's (1780–1781/1990) famous dismissal of animals for not being fully rational, Nordvall turned their inferiority into an argument for moral action on their behalf (or differently put, he made an argument for the betterment and perfection of man, using animals as a kind of training ground for mercy) (pp. 71–77; see also Bromander, 1987, pp. 218–223).

The second intellectual current that Dirke has identifies behind the animal protection movement was an empiricist–sensualist strand of philosophy associated with the likes of John Locke and Jeremy Bentham. Here the similarities between humans and animals were actively foregrounded. Species dissimilarities were seen as differences in degree rather than in kind. At the bottom of this outlook lay an epistemological assumption; if all knowledge and experience came from the senses, and if the animals had senses—did it not follow that the animals too were experiencing creatures vulnerable to pain and suffering, however rudimentary and vague? And if so, why should these experiences not factor into our moral considerations? (Dirke, 2000, pp. 284–285)

Social Composition and Image of the Movement

In terms of the movement's social composition, Dirke shows that despite its early connections to the Royal court²⁴ it was not primarily a conservative, upper class phenomenon (as implied, for example, by Bromander, 1987,

²⁴ In 1882, the Nordic Society was founded at the Royal Palace in Stockholm under the protection of the princess Eugénie (see also Carlsson, 2007; Börtz and Börtz, 1982).

pp. 231–232) Organized animal protection in Oscarian Sweden attracted a much broader educated middle class, city-dwelling but not therefore completely distanced from animals. Also characteristic of the Swedish movement, Dirke tells us, was the prominence of three particular groups within its ranks: veterinarians, teachers, and women.

The veterinarians were particularly active in *Svenska allmänna djurskyddsföreningen* (Swedish Society for General Animal Protection), founded in 1875, and its umbrella organization *De svenska djurskyddsföreningarnas centralförbund* (Central Organization of the Swedish Animal Protection Societies), founded in 1897. Dirke interprets the veterinarians' interest in animal protection as a part of the occupation's professionalization in the nineteenth century. The veterinarians stood for a scientific outlook and often found themselves battling superstitious beliefs among traditional-minded animal owners. At the same time they were regarded as second-rate doctors by the medical establishment. Therefore, as an occupational corps, the veterinarians had a direct interest in promoting their progressive social function by associating themselves with the humanitarian cause of the day. True to their scientific mandate, the veterinarians shunned sentimentalizing the animals and maintained a utilitarian view of animals as available for humans to use. This outlook, however, did not stop them from emphasizing the similarities between human and non-human animals and attacking human insensitivity in the treatment of animals. In the end, however, the veterinarians' immersion in a utilitarian and managerial framework set certain limits to their commitment. Thus, when animal protectionists and vivisectionists came to loggerheads in the 1880s, the veterinarians sided with the scientific establishment and largely withdrew from the barricades (pp. 80–84, 226–228).

School teachers and pedagogues made up another important segment of the early Swedish animal protection movement. Here, Dirke notes how the perception of children and animals took parallel trajectories in European history. In medieval times, animals and children were often regarded as alien and quite object-like, but by the seventeenth century both categories had transitioned to being regarded as important moral patients (pp. 169–171). The new understanding of children as malleable creatures in need of moral upbringing also aligned itself with the vision of social progress characteristic of the Enlightenment: a good society was a society formed by proper education of the young. Teachers and pedagogues therefore constituted a prime, and often willing, target for the outreach work of the early animal protec-

tionists. Kindness to animals was promoted in education and animals often figured as models and illustrations for moral concepts (pp. 176–179, 281–283, 288–289).

Women, finally, constituted an important group in the Swedish movement. Although they did not hold leadership positions in the early organizations, women were often very active. Some of them, like Elna Tenow, Lizzy Lind-af-Hageby, and Leisa Schartau soon rose to prominence and even attained international recognition as animal protectionists as well as feminists (see also Gålmark, 1997a). We have already touched upon the gendering of the vivisection issue and the cultural construction of a conflict between “masculine” reason and “feminine” compassion. Many of those who subscribed to this outlook felt that the balance between these forces had recently tipped over in favor of cold reason, utilitarianism, and scientific nihilism. One of the prime symptoms of this dislocation, of course, was vivisection. The remedy for this imbalance was to restore feminine traits like empathy, compassion, and nurturance to bring civilization back on track. This type of narrative shone through in the Swedish animal protection movement as well. Dirke (2000) characterizes the early movement as in thrall of a complementary gender ideology where women were taken to represent “all that was lacking in modern society: love, warmth, and sympathy” (p. 269). Unlike the veterinarians and teachers who foregrounded utilitarian arguments for animal protection, those who sided with the feminine ideal typically privileged a perspective of identification with the animal.

This gender discourse was conservative in the sense that it distributed human potentialities along rather essentialist lines. At the same time, it could be highly provocative since it claimed room for both women and animals in the public sphere, and did not shy away from attacking high-status male groups like scientists and doctors. The discourse of complementarity, Dirke argues, initially furnished women with a restricted role in the public arena—but once there, they audaciously refused to restrict the “feminine principle” they were taken to incarnate to the realms of motherhood and home-making. Compassion, the leading women of the movement argued, knew no limits and should ideally permeate society in its entirety (pp. 275–276, 283–284).

In her book Dirke explicitly wants to challenge the conception of the “friends of animals” as cranky and eccentric extremists. This image, she argues, is a product of the aggressive critique that the animal protection movement, its women in particular, drew in the late nineteenth and the early

twentieth century. This negative image is still widespread today, and according to Dirke it has influenced a lot of contemporary research that has been prone to read the commitment to animal rights as a neo-Rousseauian knee-jerk reaction to modernity in general. The picture Dirke presents of the Swedish movement is much less monolithic and brings many nuances to the fore. For example, she notes that the movement's critique of progress and science did not imply a rejection of modernization *in toto* but only of a particular mode of technocratic progress. Against the assumption that the friends of animals romanticized country life, she notes that much of the movement's criticism was directed toward bad treatment of animals in the countryside, and so on. The early animal protectionists were not a homogeneous group, but in general they did not see themselves as opponents to civilization and modernity. Rather, Dirke argues, they perceived themselves as the guarantors of humanitarian advancement.

Continuity or Discontinuity?

Regarding the political debates of the time, Dirke discusses the vivisection debate in the 1880s and the 1907 revision of the anti-cruelty law. The scope of her investigation, however, does not reach the 1921 law revision, the 1937 slaughter law, or the 1944 animal protection act. For obvious reasons then, she has little to say about the shift from the anti-cruelty paradigm to the animal welfarist regime that begins to register in the political debates from the mid-1930s. When she draws out the historical implications of her study to the present day, she rather stresses a progressive continuity and finds that history has vindicated the often reviled early animal protection movement and crowned its principles with partial success:

It can be established that the movement has been successful in promoting its issues. Animals are today generally slaughtered only after stunning. Animal experiments are, at least formally, subject to some regulation. The most significant victory of the friends of animals, however, has been won in the field of public opinion. To demand ethical consideration in the treatment of animals is no longer considered suspicious or fanatical in any way. In this sense the story of the Swedish animal protection movement is a story of success. (Dirke, p. 290-291)

This assessment, of course, does not imply that Dirke thinks that the ideas of the early friends of animals are the same as the ones informing public opin-

ion today. Nor does it mean that she regards the present situation as the end of history as far as animal ethics is concerned. Nevertheless, this claim of success for the animal protection idea downplays the expansion and intensification of animal use during the twentieth century. Moreover, the account seems to imply a kind of subterranean continuity of ideas. No difference is made here between the early anti-cruelty principles and later modes of animal welfarism—these concepts are conflated and subsumed under a generic commitment to protecting the animals. In my view this produces a perception of continuity that may be challenged when the process is seen in a longer time perspective. Against this implied continuity, I will foreground the immanent antagonism of the early anti-cruelty regime and the dislocating threat it represented to speciesist normality. From this perspective, the “welfarist turn” that characterized the later decades of this study may be interpreted in a quite different way—namely, as functional to the reproduction of speciesist relations.

Kindness to Animals in the Countryside

The second big study of human–animal relations that overlaps the period of this study is agrarian historian Niklas Cserhalmi’s (2004) *Djuromsorg och djurmisshandel 1860–1925. Synen på lantbrukets djur och djurplågeri i övergången mellan bonde- och industrisamhälle (Animal Welfare and Animal Abuse—Attitudes Towards Farm Animals and Cruelty to Animals 1860–1925)*. Cserhalmi’s main mission in this book is to challenge previous work on the rural population’s attitudes toward animals in older times. According to Cserhalmi, many of the most influential accounts for this history have been ill informed and lacking in nuance. They have also led to different conclusions, as in the cases of Peter Singer’s (1975/2002) influential book *Animal Liberation* and John Passmore’s oft-cited article “The Treatment of Animals” (1975). Published in the same year, these contributions present very different pictures of old agrarian society. According to Singer, the old system of small-scale family farming represented the “good old days” of organic human–animal relations (in contradistinction to modern factory farming). For Passmore on the other hand, there were no good old days at all; kindness to animals, he argues, is a quite recent phenomenon.

What, then, was really the case? Driven by the suspicion that previous accounts have been tendentious by downplaying rural compassion for animals Cserhalmi takes issue with the middle class urbanization thesis promoted by Anglo-Saxon scholars like Keith Thomas, Keith Tester, and Hilda Kean. As

outlined above, the latter took a view of the growing empathy toward animals as a more or less original invention of the urban elites in England. Among the farmers, rural people, and the old landed aristocracy on the other hand, the traditional instrumental view of animals supposedly persisted, meaning that most farmed animals had to endure quite difficult lives until they were “saved” by the dissemination of bourgeois values. According to Cserhalmi, however, the problem with these accounts is that they have been over-reliant on sources from social classes and organizations with an interest in representing themselves as more sophisticated than the rural population.

In search for a non-tendentious answer to the question of the rural population’s historical attitudes toward animals, Cserhalmi has turned to survey data collected by museum historians and archivists in the 1930s and 1940s. (In this period, a series of questionnaires were sent out to old people in the Swedish countryside asking questions about their childhood conditions in the late nineteenth century.) In addition, Cserhalmi has gone through several hundred old protocols from animal cruelty court cases in the countryside from the periods 1860–1865 and 1920–25 in search of normative statements regarding the moral status of animals.

The main hypothesis of Cserhalmi’s study is that “man has always lived with feelings of empathy for the animals on the one hand and productivity requirements on the other” (Cserhalmi, 2004, p. 357), and that this constitutive conflict that has led to a constant re-negotiation of moral values on the individual as well as the societal level. While the balance between these values have shifted back and forth over time, Cserhalmi holds that that it is unlikely that a strictly instrumental view of animals ever held hegemonic sway over the rural population. Torn between empathic identification and economic exigencies they were much more likely to foster a combination of instrumental and intrinsic attitudes. Without downplaying the many examples of intense exploitation of animals Cserhalmi shows that the rural population in Sweden often held quite generous ideals of compassion toward animals—ideals that were moreover institutionalized or culturally “contractualized” in a way that offered practical guidance in most everyday dealings with animals (p. 325). Most importantly, these ideals seem to predate the reform efforts of the urban campaigners and the animal-friendly politicians. Based on his empirical findings Cserhalmi largely rejects the Anglo-Saxon middle class hypothesis and concludes that “it is clear that peasants and ordinary people on the Swedish countryside regarded animals as creatures with

an intrinsic value long before the urban elites started their animal protection campaigns at the end of the century” (p. 358).

The main subject matter of Cserhalmi’s study lies outside the scope of the present book. Still, it offers an important corrective to the picture of rural attitudes offered in the realm of national politics. As we will see later on, the reform-minded politicians were often inclined to displace the problem of animal cruelty to a segment of backward, rural farmers along with the uneducated working classes. While these representations are often factually belied by Cserhalmi’s findings, their employment in the political rhetoric still speaks of their functional role as fantasies about the animal abusing other.

From Contract to Cynicism—or Beyond Binaries?

Just like Dirke, Cserhalmi attempts to draw out the consequences of his inquiry to the present day. In this regard, he offers an interesting discussion that further challenges the assumptions of Thomas and Tester. According to Cserhalmi, the idea that distance from farmed animals will facilitate warm feelings toward the same could just as easily be turned around: maybe it is precisely *because* we are so physically distanced from these animals that we fail to acknowledge the intensity of their suffering? As modern urbanites, most of us no longer feel normatively bound by the “contract” with animals that preoccupied past generations of farmers, Cserhalmi argues. As a result, it is easier for us to overlook the contradictions in our own views of animals—including the two discordant beliefs that seem to form the core of the contemporary discourse on animals: (1) the self-congratulatory feeling that that we are more animal friendly than ever, and (2) the cynical insight that animals are treated worse than ever. Cserhalmi suggests that this split vision can be maintained partly because of our distance to farmed animals, which allows for a moral “dialectization”—that is to say, the possibility for individuals to drift in and out of different moral standpoints without having to face the consequences of their choices (pp. 325–326): “Dialectization, made possible by the suspension of contract and distance, is the most rational and convenient view of animals for our society, for it allows us to eat the animals and keep them too,” Cserhalmi concludes (p. 326).

There is certainly something to this observation. Still, I think that there is an element that Cserhalmi fails to recognize when he talks about the dialectization of norms, namely that such binary oppositions are never self-contained—they are always internal to each other and always privileges one side of the dichotomy (see Žižek, 1994, pp. 23–25; Balibar, 1994, pp. 198–

199). In the present case, the recognition of intrinsic animal value is clearly subordinated to institutionalized instrumental use. Nor is the choice between different standpoints ever made in a neutral terrain—the terrain itself is constituted by the choices. In other words, the choice between an intrinsic and an instrumental position on animal value presupposes as well as produces a medium in which the choice takes place, in this case a discourse of animal protection geared toward the “balancing” of interests that appear to be pre-constituted but in reality are heavily shaped by the circumstances. Much like Dirke, Cserhalmi neglects to make a distinction between traditional anti-cruelty sentiments and modern animal welfarism—they are both functionally conflated into one and the same sympathetic, “intrinsic” view of animals. As a result, he does not take note of the specific character of the choice between values that people stand before today, a choice that would make little sense outside the historically specific space of representation offered by the animal welfare regime.

Ultimately, what is elided by this operation is the antagonism of the contemporary discourse itself, its Real dimension that cannot be represented directly but finds its expression precisely in the excretion of polarized alternatives between which we find it impossible to strike a harmonic balance. Caught up in this play between pre-defined binaries it never even occurs to us to sidestep the game and refuse the choices we are offered altogether. I will return to this effect of the animal welfarist discourse in the concluding chapters of this book.

Vivisection in Sweden

The history of vivisection in Sweden has attracted some attention before. Two works in particular have been of interest to me here. The first is a longer article by Lennart Bromander originally published in Swedish in 1971 and then translated into English as a book chapter in 1987. The second is a book-length historical survey of the legal regulations of animal experimentation in Sweden by legal scholar Katarina Alexius Borgström, published in 2009.

In “Vivisektionsdebatten i Sverige under 1880-talet” (“The Vivisection Debate in Sweden in the 1880s”) Lennart Bromander has studied the controversy over vivisection that flared up in Sweden in the 1880s. This debate, paralleled at the time in several other countries, came as a response to the institutionalization of physiology as an experimental science and the subsequent increase in the use of animals for research. Even though the number of animals used at the time was relatively small, the political debate raged with

great intensity. The time of this debate also coincides with the founding of the first anti-vivisection society in Sweden, the Nordic Society to Combat Scientific Animal Cruelty (*Nordiska samfundet till bekämpande af det vetenskapliga djurplågeriet*) in 1882. In 1880 the leader of the Nordic Society, the previously mentioned philosopher A.L. Nordvall, issued a pamphlet against vivisection that was distributed to all the members of the Riksdag. Nordvall's pamphlet also strongly informed the first Riksdag motion for a regulation of the practice in 1881. This attack on vivisection prompted a response from the defenders of vivisection, and a "pamphlet war" ensued with the parliamentarians caught in the crossfire. Repeated debates on the subject took place in the Riksdag in 1881, 1884, and 1884 without, however, leading to any actual regulation.

Bromander gives an overview of the ideas behind the anti-vivisectionist resistance of the time, focusing mainly on the philosophy of A.L. Nordvall and his critique of vivisection. Nordvall's writings were full of examples of gut-wrenching experiments carried out on animals, and he did not shy away from anthropomorphizing the animals and attributing them with human feelings and emotions. Yet, to him, the most important thing was not the suffering of the animals, but the demoralization of humanity that vivisection entailed. The recent passion for science, epitomized in vivisection, had overshadowed humankind's moral duties toward the animal creation and led some scientists to make moral monsters out of themselves. If the scientists had truly been seeking the truth, Nordvall contended, they would have started by inquiring into the morality of consciously making animals suffer. But since they did not, they were revealed to be in thrall of materialist misbeliefs that could only lead to godless nihilism (Bromander, 1987, pp. 219–220).

The main conflict Bromander identifies in the political debates in the 1880s follow along these same lines. The vivisection controversy emerges here as part of a struggle between a religiously tinted idealism and scientific materialism. In Bromander's presentation, these conflicting attitudes are mapped onto political allegiances as well, suggesting that anti-vivisectionism was typically fused with political conservatism (pp. 231–232). However, as Dirke (2000) has pointed out, the critique of animal experimentation had a much broader social base in Sweden, and most opponents of vivisection did not hold the kind of elaborate idealist convictions that staunch conservatives like Nordvall did (pp. 285–286). Nonetheless, Bromander's account shows how the debates over vivisection at the time were expressions of a major tectonic shift at the level of discursive regimes.

In my own account for the vivisection debates in the 1880s (laid out in Chapter 4), I will expand on Bromander's and Dirke's interpretations. I will do this primarily by highlighting the passions that the issue stirred. In particular will try to show how the figure of the vivisector served as a fantasmatic condensation-point for a whole series of ontological anxieties that can be traced back to the far-reaching social dislocations that marked the period in general.

In *Djuren, läkarna och lagen – en rättslig studie om djurförsöksetik* (*Animals, Doctors, and the Law—A Legal Study of Animal Experimentation Ethics*), legal scholar Katarina Alexius Borgström (2009) takes a multi-method approach to the study of the regulation of animal experiments in Sweden. The main objective of Alexius Borgström's research is to track the overarching systematicity in the regulation of animal experiments as well as to contrast the practical application of the rules to the normative structures that have undergirded the legislation. Since experiments involving animals were not formally regulated in Sweden until 1944, the main part of her study starts where this book ends. She does, however, offer an introductory historical overview that covers the political debates before the institution of the animal protection act.

Regarding the legal systematics of the early legislation against animal cruelty, Alexius Borgström contends that it was vague. The anti-cruelty paragraph of 1857 amounted to some restrictions on the property rights of animal owners. But seeing as animals were not legal *subjects* in themselves, it was unclear what the law was supposed to protect. In the practical implementation of the paragraph, the interpretations oscillated between an urge to maintain the standards of public morality and a will to protect animals as intrinsically valuable beings. According to Alexius Borgström, the legal praxis soon drifted away from the strict letter of the law, probably under influence of animal protectionist ideals. It remained unclear, however, exactly how the law should be interpreted. The main difficulty in this regard was to pin down the meaning of the main requisite for criminal liability: the exhibition of "apparent cruelty." The typical procedure for drawing the line between acceptable animal use and criminal animal abuse was to weigh, in each case, the animal's need for protection against the contesting human needs for food, labor, and so on. Although the enactment of the law was often arbitrary (not to mention biased in a speciesist way), Alexius Borgström argues that the court decisions were typically driven by utilitarian, consequentialist principles, even if nothing of the kind was expressed in the actual text of the

law. Another principle that was often articulated as a guideline for interpretation was that practices of animal use that were established as traditions or standard practice in the local community could not be targeted by animal cruelty charges. Moreover, it was generally assumed that the law did not apply to vivisection, no matter how “apparent” the cruelty of the experiments. This confusion about the main principle of the law and its interpretation notwithstanding, no further criteria for how to read the law and define “apparent cruelty” were issued in the nineteenth century (pp. 66–69). I will return to the difficulties concerning interpretation throughout this book as I try to show how the immanent tension of the old anti-cruelty legislation made it increasingly unwieldy until it was no longer workable and had to be replaced by another regulatory order.

Regarding the underlying normative structures of the legal regulations in the nineteenth century, Alexius Borgström identifies two main perspectives. First, a *rationality-based perspective* geared toward human utility, and, second, a *moral-ethical animal protectionist stance* that could be underpinned by utilitarian thinking as well as general appeals to the value of empathy. Both perspectives could also draw on different dimensions of Christian doctrine. In the political debate over animal experiments, these two main attitudes appeared as on the one hand a “heteronomous” demand for regulation of animal use, and on the other hand as an “autonomist” argument for the freedom of science.

Along with these perspectives, Alexius Borgström identifies a third stance that she calls “species hierarchical.” This refers to the common assumption that different animal species not equally worthy of protection. Judging from contemporary court cases she argues that horses and dogs were the highest valued animals, while animals with a negative public image, like wolves and rats, were largely considered unworthy of protection. This latter perspective, Alexius Borgström suggests, was not challenged until the turn of the century when an extension of the law to cover also animals in the wild was debated (pp. 69–70; see also Dirke, 2000; and Chapter 5 below).

By the time that the first animal protection act was instituted in 1944, certain things had changed. Alexius Borgström sees in the new law a general acceptance of the idea that animals are worthy of at least some protection for their own sake. By this time, the idea that the Swedes were a particularly animal-friendly people was also firmly established. Regarding the regulations of animal experimentation in the 1944 act Alexius Borgström argues that they kept sliding between goal-oriented principles and utilitarian trade-offs,

but in the end they strongly privileged the researchers' interests in using animals without restrictions (Alexius Borgström, 2009, pp. 81–82; see also Chapter 8 below). Characteristic for the normative discussion around animal experimentation in the 1940s was that the scientific perspective enjoyed a much stronger position. It could no longer be openly challenged in the name of public morality: “The belief in the benefits of natural scientific progress seems to have been so well entrenched, and so little questioned, that we may talk about the near hegemony of science.” (p. 85).

I largely agree with Alexius Borgström's account for the concrete political and normative changes from the 1858 anti-cruelty law up and through the 1940s. What I want to modify in her story, however, is a point similar to the one I have tried to make about the work of Dirke and Cserhalmi, namely that the emerging animal welfarist regime should not be seen as merely “more of the same” in terms of more kindness to animals or just a shift in normative dispositions from a utilitarian pole to an animal protectionist one. In my own account for this “welfarist turn,” I will instead foreground the long-standing crisis of the anti-cruelty regime that preceded the shift in the 1930s and 1940s. According to the view that I will advance, the movement from indifference to benevolence that ended up in the animal welfarist program of the 1940s was certainly not unreal. Nonetheless, I regard it as second-order to another process in which the speciesist social structure was confronted with severe dislocation and had to fight to stabilize itself for a long time until a new closure was attained in and through the 1944 animal protection act. In short, where Alexius Borgström suggests that the values of animal protection slowly (but incompletely) overtook anthropocentric attitudes, I see the anti-cruelty discourse collapsing due to immanent antagonism and external pressure, leading to the emergence of animal welfarism as a new mode of speciesism.

Other Works

Apart from the works discussed above, I have also benefited from a few other studies related to the topic of this book. In *Djurplågeri—en studie i lagstiftning och rättsfall (Animal Cruelty—A Study in Legislation and Court Cases)* (1987), Helena Striwing has studied the implementation of the Swedish animal cruelty legislation before 1987. Her critical review focuses on a later period than this book, but she does include a useful introductory chapter tracking the changes of the Swedish anti-cruelty paragraph from 1857 and onward.

In *Sinners and Citizens: Bestiality and Homosexuality in Sweden, 1880–1950*, Jens Rydström (2003) takes a queer theoretical approach to the changing discourses about homosexuality and sex with animals in Sweden. These practices were both illegal at the time under study here,²⁵ and they were often discursively joined as twin aspects of the same dreaded perversion: the “sodomitic sin.” Rydström’s study focuses on the performative production of the meaning of sex and sexual crime. In particular, he outlines how the boundaries of “normal” sexual habits were challenged and redrawn in the period as same-sex sexual practices were medicalized and homosexuality emerged as a personal and cultural identity. His account builds on medical journals, psychiatric reports, court records, letters, diaries, and interviews to track the emergence of urban homosexuality along with continuing strands of queer practices in the countryside. What may be noted from the perspective of this book is that although the topics of bestiality and sodomy were highly affectively charged, they were almost completely absent from the “main” debates about animal cruelty and animal protection. In fact, there is only one mention in these debates, from 1944, of sex with animals as a potential animal protection concern. This, of course, does not mean that these issues were entirely unrelated in the public mind, but it does give some indication of where different political issues were thought to “belong” at the time.

III. SUMMARY

In this chapter, I have outlined some of the most influential explanatory models for the change in attitudes toward animals in Europe since the eighteenth century. These include the “middle class thesis” propounded by scholars like Keith Thomas, Keith Tester, and Hilda Kean, who highlight the distinctive ideals of kindness to animals that were adopted by the urbanized middle classes and intellectuals in England in the period of early modernity. This development, the argument goes, represented a remarkable deviation from the traditional anthropocentrism that had characterized English culture before. This ideological change has been explained by the distance of the

²⁵ The prohibition of sex with animals was repealed in 1944 along with the general prohibition against homosexuality (Rydström, 2003, pp. 173–172). From April 1, 2014, however, “performing sexual acts with animals,” is again criminalized in Sweden, but now as a part of the animal protection act itself (and explicitly excluding acts carried out for reasons of veterinary treatment or breeding, i.e., insemination) (SFS 1988:534, new paragraph § 9a added through SFS 2014:112).

urban middle class from everyday contact with animals, along with their broadened scientific worldview and their new habit of keeping pets. Against this thesis, however, it has been argued that the cultural ideal of animal protection is significantly older than the rise of this social stratum, leaving the causal link under-substantiated.

I have also discussed the claim that the growing concern for animals was part of a more general European “civilizing process,” as laid out in the historical sociology of Norbert Elias and applied to human–animal relations by Adrian Franklin. Here, the anti-cruelty ideal is conceived as rooted in the development of the centralized state and the new personality traits that were fostered by the networks of co-operation that this organizational mode necessitated. Direct violence lost legitimacy as a means of conflict-resolution and new forms of sociality and sophisticated manners developed among the elites before they started to “trickle down” into other spheres of society. According to Franklin, these new refined sensibilities were expressed both in the civilizing of sports in general and the rejection of popular “blood sports” in particular—a development that, again, seems to predate the assumptions of the middle class thesis.

In addition to these over-arching attempts to grasp the historical development I have highlighted some of the more important themes in the contemporary European discourse on animal treatment. For example, I have discussed Kathleen Kete’s argument that animal protection ideas were integral to a conservative project for social discipline and control of the masses in the post-Revolutionary era. Here, the emphasis on kindness toward animals came to serve as a measure of civilization and a distinguishing moral feature of the new European elites. Thus, many of the efforts to curb animal cruelty tended to target lower-class practices and populations in a dual effort to protect animals and discipline the “dangerous classes.” The contemporary fascination with science and its drive for classification of the natural world also entailed a conflation of natural and social categories through which the unruly lower classes and various foreign “races” were cast as more animal-like than the respectable social strata in the heartlands of European civilization. At the same time, the animal protection cause could take on a more liberal and radical inflection, like when it was articulated together with the struggles against slavery or for women’s rights. In these contexts, animal protection was seen as a logical extension of humanitarianism and as a necessary element in society’s progressive advancement.

Regarding Sweden, this chapter has presented an overview of the findings and arguments in the most important works that overlap the period of this study. These include Karin Dirke's account for the ideas of the early Swedish animal protection movement; Niklas Cserhalmi's study of the attitudes toward animals in the Swedish countryside; and Lennart Bromander's and Katarina Alexius Borgström's readings of the early vivisection debates. What these accounts reveal is that while animal protection as a general concept enjoyed wide dissemination in Europe, it also took on a local inflection in Sweden. Among these particularities I have discussed the influences of Bos-trömian idealist philosophy; the early prominence of groups like veterinarians, schoolteachers, and women in the movement; the surprisingly (given the typical theoretical assumptions) generous attitudes toward animals in the countryside; and the broad political support of anti-cruelty measures even outside the conservative camp.

While my own account of the history of animal policymaking in Sweden is heavily influenced by these works, I have also highlighted how my assumptions and conclusions differ from the extant research. The most important divergences have to do with the distinction I make between the animal welfare regime and the anti-cruelty regime that preceded it. Previous studies, I have argued, have not been attentive enough to the differences between these two discursive paradigms. As a result, they have either tended to overstate the progressive continuity of the animal protection ideas, or tended to frame the historical development as a tug of war between two different "poles," in which the animal friendly position has slowly risen to prominence over indifference or productivity concerns. The longer time perspective of this study in comparison to the others allow for a partial revision of their conclusions. Over the following chapters, I will argue that the rise of the animal welfare regime may be read as a response to a discursive crisis that had been brewing within the anti-cruelty discourse already from its founding. From the perspective that I will advance, animal welfarism appeared not primarily as a sign of slowly weakening speciesist hierarchies, but as a sign of their reaffirmation in a new discursive configuration.

3. “I Do Not Want to Speak Here of the Educated Classes ...”

Classifying Animal Cruelty 1844–1858

THE SWEDES DISCOVERED ANIMAL CRUELTY, as a crime, in the middle of the nineteenth century. This chapter deals with this early period of debates in the Swedish Riksdag of the Estates. The focus lies on how the human–animal relationship was represented and problematized in the national political debates, from the first motion to criminalize animal maltreatment in 1844, until the introduction of Sweden’s first law against animal cruelty in 1858. By tracing how the different actors involved tried to impose their preferred interpretations of the “problem” of animal maltreatment, I will attempt to map out how the early discourse of anti-cruelty was articulated and negotiated in a complex terrain of conflicting and over-lapping norms. I will also argue that the discursive construction of the problem of animal cruelty in these early years set the stage for many of the debates that would follow over the subsequent century.

The chapter begins with a chronological overview of the reform efforts and debates that took place in the Riksdag of the Estates from 1844 to 1858. After this, I turn to describing the problem representations that were most foregrounded by the participants in the political debates themselves. These were, first, *the problem of the lower-class animal abuser* (i.e., the view that cruelty toward animals had its primary roots in the moral underdevelopment of the lower social classes); second, *the problem of human brutalization* (i.e., the fear that animal mistreatment would undermine morality and orderly social conduct, especially among the lower classes); and, third, *the problem of line drawing* (i.e., the challenge of establishing a clear boundary between legitimate animal use and illegitimate animal abuse).

My outline of these problems is then followed by a discussion of the broader conditions and productive effects of these representations, as well as their significance for future political discourse in the same field. In this part

of the chapter, I will focus on the following features of the debates and how they contributed to constituting the problem of animal cruelty:

A natural hierarchy. In this section, I will discuss the inscription of the issue of animal treatment in the ancient Western figure of a “Great Chain of Being” or a “*scala naturae*,” that is to say, the pervasive assumption that all living things could be ranked in a natural or cosmic hierarchy where the higher orders were set to rule over the lower ones. This type of outlook underpinned the claim for human superiority over animals. It also implied a ranking of different human groups in terms of their distance from the animal, thereby aligning the animal cruelty discourse with other contemporary social hierarchies.

The fantasy of the animal-abusing other. By this, I wish to highlight how the problem of animal cruelty was typically displaced from the systemic, institutionalized exploitation of animals in Swedish society and located instead in the figure of a disagreeable “other”—in this case the lower-class animal abuser.

The articulation of animal vulnerability and its limits. This refers to the assumption that animals, as “lesser” creatures in the cosmic order, were largely incapable of being harmed in other ways than through physical pain. These assumptions helped define the limits of the animal cruelty crime by excluding certain concerns from the range of wrongs that could be done to animals.

Animal nationalism. This section discusses the use of nationalist discourse in shaping the problem of animal cruelty. The figure of the nation, I will show, was invoked to tap into certain assumptions about the moral standing of the Swedish nation and its people in relation to other countries, and then drawing on these assumptions to produce claims for or against legal reform.

A focus on visible and symbolically valued animals. Here, I note how certain animals (primarily horses) were foregrounded as “ideal victims” of animal cruelty. The focus on these particular species was socially and culturally conditioned, but it also helped shaped future assumptions of what “proper” animal cruelty looked like—assumptions that would be challenged later on when new modes of animal exploitation emerged that did not fit neatly into the established anti-cruelty discourse.

Animal rites before animal rights. Finally, I discuss how all the politicians involved in these early debates evinced a commitment to maintaining the basic structure of the speciesist social order. While animal cruelty was generally frowned upon, exhibiting too much kindness toward animals was also considered problematic. To stay “in the true” of contemporary speciesist

normality, both the reformers and their opponents had to temper their demands and participate in policing the boundary between humans and animals.

The chapter ends with a summary of the findings.

Overview of Reform Efforts and Legislation 1844–1858

Before 1858, animals had no direct legal protection in Sweden (Striwing, 1987; Alexius Borgström, 2009). The 1734 law revision that had replaced Sweden’s medieval laws made it illegal to harm or kill animals belonging to another human, but this was mainly a question of property rights and not a matter of protecting animals for their own sake (*Byggningsbalken*, SFS 1736:0123 1, chapter 22). Animal protection in the “modern” sense—based on a minimal recognition of the moral considerability of non-human individuals—was probably first debated in the Riksdag of the Estates in 1844 when the first motion for a law against animal cruelty was presented in the Noble Estate (motion NE, 17 August 1844, book 1, p. 293; see also Alexius Borgström, 2009, p. 51). The Riksdag’s Law Committee rejected this first legislative effort but the initiative was soon repeated. In 1847, another motion in the Noble Estate demanded that a paragraph on animal cruelty should be included in a planned revision of the Swedish criminal code (motion NE, 1847, book 1, p. 314). This time the Law Committee looked favorably upon to the proposal and suggested that anyone found guilty of “apparent cruelty” in the treatment of “one’s own or the animals of another,” should be sentenced to fines (appendix to RotE protocols 1847–1848, vol. 7, section 1, book 22, p. 42; appendix to RotE protocols 1847–1848, vol. 7, section 1, book 21, pp. 47–48). The planned revision of the criminal code was delayed, however, which meant that the proposed animal cruelty paragraph was also abandoned.

In 1856, four motions addressing the issue of animal cruelty, one from each estate, were presented in the Riksdag. Again, the Law Committee was charitable to the demands. Closely echoing the motivation and wording from 1847, the Committee proposed a new law that read: “If anyone, in the treatment of one’s own or the animals of another, exhibits apparent cruelty; to be punished by fines from five up to and including one hundred Riksdaler Riksmünt” (LU 1857:37, p. 3). This law was passed by the Riksdag of the Estates in 1857 and came into force in 1858 (SFS 1857:61).

I. MAIN PROBLEM REPRESENTATIONS

What, then, did the problem of animal mistreatment look like in the early Swedish debates? What concerns were voiced in the attempts to elevate the issue of animal cruelty to a problem in need of legal regulation? The following sections deal with the most salient problems articulated in the 1840s and 1850s. I will address these problem representations and the debates that surrounded them one at the time, before turning to their broader discursive preconditions and effects.

The Problem of the Lower-Class Animal Abuser

In 1844, Nicolaus Torsten Roos in the Noble Estate presented the first motion for a law against animal cruelty in Sweden. According to Roos, animal cruelty was a “justly complained about evil” that the lawmakers had ignored for far too long. This negligence, Roos speculated, was due to the assumption that the animal owners’ “private interest alone would be sufficient to effect a mild and caring treatment of the domestic animals, bred and kept by man for utility or pleasure” (motion NE, August 17, 1844, book 1, p. 293). But experience had shown that the self-interest of the animal owners did not necessarily translate into good animal care. On the contrary, Roos argued, mistreatment of animals was a quite common phenomenon—or at least it was among certain parts of the population, which he quickly moved to define. It is worth quoting this passage at length as it lays out several important themes that would remain important throughout much of the period studied in this book:

I do not want to speak here of the educated classes. Among their members one ought to be able to assume so much sensibility, that they would not torment a domestic animal over its capacity, even though it is not unheard of that individuals, who claim to be educated, in irresponsible rashness let their animals pay for a passing fancy or an ill-considered whim on the part of their masters. But it is now mainly my intention to draw attention to the social classes that supply animals as beasts of burden in return for payment. These people often appear more keen on their monetary profit for the day, than on caring for the animals. It is a painful grievance to see, what I in my hometown have to witness almost daily, how carters and carters’ servants, in the most barbaric way and with the roughest of weapons torment the draught animals, who have been loaded above their capacity, and how these poor animals are

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violently driven to pull their loads uphill, merely because the driver is too lazy to take a more even, but a few steps longer detour. It is in an attempt to bring about a corrective to a savageness that ought to be alien to an era bearing the name of education and enlightenment that I now venture to propose provisions of responsibility for those who, by slashing and beating, starving, or by some other abuse, are found to mistreat so-called domestic animals of whatever kind. And while I do not wish to forego the esteemed Law Committee's consideration, allow me to mention, that since the fines for excessive driving and hard riding in the streets and public places of the capital are set to 3 r:dr 16 sk. b.co, a lesser degree of responsibility could or should not be established for the mistreatment of animals, on first occasion; but with repeated offenses, to be increased. (Motion, NE, August 17, 1844, book 1, p. 293.)

This passage offers, in concentrate, several of the key concerns that animated the earliest Swedish debates. The first thing to strike a modern reader is probably the emphasis placed on the lower classes' mistreatment of animals. Already in this first motion, a distinction was made between the animal friendly higher strata and the animal abusers among the common people. This kind of problem representation would recur in the debates throughout the nineteenth century. With few exceptions, the problem of animal abuse was located among the lower social classes—the urban working classes, the rural farmers, the poor, or the socially deviant—and attributed to these groups' lack of education and moral refinement.

Some of these lower class elements, however, drew a disproportionate amount of attention from the politicians. Foremost among these “usual suspects” were the carters and their hired hands transporting goods by horse through the streets of Stockholm. The beating, overworking, and starving of horses and other draft animals was a returning cause of complaint, and a given starting point for reform demands. “There can hardly be anyone,” a member of the Peasant Estate argued in 1856, “who has not witnessed, with disgust and resentment, how domestic animals and beasts of burden in particular are tormented and whipped, in order to carry out the most unreasonable tasks ...” (Gustaf Johansson, PE, November 29, 1856, p. 343). A 1856 motion from the Peasant Estate may illustrate the moralizing tone that was heard in these debates:

[H]ow common is it not to see emaciated horses, gasping under the burdens laid upon them, beaten with sticks or whips, designed by cruelty to appall,

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pushed to strain their last powers in order to reach their destination a few minutes earlier, where they are often left for hours beneath the open sky and without the slightest shelter, to endure the wind, rain and cold; or horses worn down by work, sometimes even to the extent that they are flayed all across the side after the length of the hame, who are nevertheless harnessed in order to serve self-interest; or emaciated oxen who are under the yoke in the Spring and Autumn, mercilessly beaten to perform work beyond their strength; or, at markets, horses, all but skin and bone, who nevertheless are stimulated by every kind of mistreatment to exhibit a liveliness long dispelled by starvation, overwork or age; and lively colts on which the owner, his passions excited by drinking, try to impose a dressage, as incomprehensible to the animal as unnatural: to make the animal stand still by beating it. Do we not also often witness, as a result of the animal’s purported disobedience, the owner’s wounded pride erupt in wrath, resulting in cruel torment of the animal? Is it not also often experienced how the beasts have had their neck tendons, ears, tails, and more cut off, only to satisfy the owner’s vindictiveness or hatred? Are there not, lastly, those who do not hesitate to subject the animal to torture and suffering just to watch the beasts’ anguish and agony under the torment? (Pehr Östman, PE, November 19, 1856, p. 467)

Descriptions of the alleged animal abusers were often voiced in this harsh register. The culprits were represented as lacking in education, moderation, and enlightened manners, while exhibiting an array of disagreeable qualities like self-interest, profit hunger, laziness, meanness, savageness, vengefulness, hard-heartedness, barbarism, lack of self-control, and a predisposition for violence. The identity of the “animal abuser” that emerged from the combination of these elements was that of a drink-sodden, uneducated brute in brazen disregard of the Christian and humanitarian doctrines proper to a civilized nation. The focus of these representations, in other words, lay not only on the *consequences* of the animal abusers’ actions (that is to say, animal suffering), but just as much on their *moral character*. As the Law Committees put it both in 1847 and 1857: “Cruelty in the treatment of animals speaks of a savage and inhumane mind, from which, if left unchecked, the most dangerous eruptions are to be expected. It violates the better sensibility inherent in man and is incompatible with milder customs.” (LU 1847/48:58, pp. 47–48; LU 1857:37, p. 2) The need to control these vile character traits was consistently foregrounded.

Animal abuse among the more privileged classes, on the other hand, was rarely mentioned as a problem. As Roos put it in his 1844 motion, the higher social strata were assumed to possess a degree of “sensibility” that inoculated them against committing acts of cruelty. Even if they too could sometimes fall under the spell of “irresponsible rashness,” upper class animal abuse was represented as atypical, irregular, and accidental. In fact, animal cruelty among the higher social classes was only explicitly problematized once in these early debates. This was in 1856 when Sven Ersson from the Peasant Estate highlighted the mistreatment of horses and other animals used for transport along the public roads. Appalled by the whipping and overworking of these animals, Ersson argued that the educated people who used these services had a special responsibility. To him, animal cruelty caused by the privileged classes was “so much more reprehensible, seeing that they have been in the position to enjoy more education than is allotted to the common people ...” (PE, December 3, 1856, p. 42). The moral sensibilities attributed to the educated classes thus implied an element of *noblesse oblige*. The higher someone’s education, the greater their downfall if they were implicated in cruel behavior. For the most part, however, the use and potential abuse of animals among the higher social classes was passed over in silence.

The same was true for the population in general, as well as for standard modes of animal husbandry. The examples of animal cruelty that were put forward as social problems in need of regulation were limited to the excesses of a part of the population, particularly the urban carters and the rural farmers who beat and overworked their animal property. Animal use *as such*—habituated and institutionalized in agriculture, transport systems, food habits, and so on—was never problematized. Thus, while animal cruelty could be represented both as a common phenomenon and as an important moral issue, the problem was restricted to a delimited sphere of society. This, however, did not mean that it was *impossible* to imagine the extension of the critique of animal cruelty to other social spheres, groups, or practices. As we shall see later on, the troubling intuition that animal cruelty was more than a lower-class problem would play a significant role in the future development of the policy area.

The Problem of Human Brutalization

A second important problem representation concerned the risk that mistreatment of animals would have a negative impact on human social relations. Here the idea was that cruelty to animals would breed further immoral

behavior and crime,²⁶ especially among the lower classes. The bishop of Karlstad, Carl Adolph Agardh, expounded this position in 1844 when he spoke in favor of Roos’s motion:

In my view, it is not so much because of the animal, but rather for humanity, that I believe the present law ought to be adopted. For when the animal is mistreated by a human, the human herself is barbarized and sinks closer to the animal that she pursues. Granting her this right will thwart the lower classes’ betterment and their elevation from the state of savageness, as well as the education that one hopes will prevent this cruelty. Furthermore, this affects the public, who, as daily witnesses to the exercise of wild cruelty, come to regard it with indifference, and become themselves cruel and savage. Also for those who, while they make use of the animals, are forced to witness their mistreatment without being able to prevent it, the lack of punishment constitutes a cruelty. (CE, September 25, 1844, book 3, p. 265)

According to this view, the problem was not just about bad treatment of animals. The issue also encompassed “those acts of mistreatment, that ... contribute to the brutalization of milder human sentiments” (Johan Haqvin Wallman, CE, 25 September 1844, book 3, p. 265). In the Burgher Estate, the estatesman Carl Fredrik Waern warned that the animal abuser’s “rampage, when left unrestrained, will soon transform into a corresponding savage conduct toward his likes” (BE, September 23, 1844, book I, p. 364). Similarly,

²⁶ The idea that cruelty to animals fosters cruelty to humans has a long history going back to thinkers like Hesiod, Pythagoras, Empedocles, and Porphyry. Closer to the period of this study, an author like Thomas More relegated slaughterhouses to the outskirts of his *Utopia* (1516/2003), out of sight for its ordinary citizens. John Locke (1990, pp. 119, 126–127) also argued that animal cruelty destroyed compassion and that butchers, hardened to the sight of death, should be excluded from jury duty. Along similar lines, Immanuel Kant (1990, p. 12) argued that while we have no direct duties to animals, showing them kindness was still important to develop and maintain human sociability. As Kathleen Kete (2002) has pointed out, a key principle informing the early European animal protection movement was “the need to quarantine violence, because like disease it ‘communicates an immoral contagion of the worst and most virulent kind among those who witness it’” (p. 27, quoting Harrison, 1982, p. 120). In our own time, the link between animal cruelty and human violence has been highlighted by animal rights and feminist activists, but it has also caught the attention of law enforcement agencies and empirical researchers (see, for example, Linzey, 2009b, and Holmberg, 2003).

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a member of the Clergy Estate stated in 1856 that a law against animal mistreatment was needed,

not only to ease the mute suffering of the poor brutes, but also, should it be possible through such legislation to prevent the savageness and cruelty, which appear in several people’s minds, and is nurtured and developed by the rough and barbaric treatment of the animals under their dominion. — It is thus for the sake of the animals as well as for humankind, that such mischief ought to be prevented. (Sandberg, CE, December 3, 1856, p. 616)

It was also emphasized, as we will see later on, that people who mistreated animals disgraced themselves and descended to the animals’ level or even below it. In other words, the question of protecting animals was not merely a matter of preventing non-human suffering but also a matter of maintaining social order and safeguarding human dignity.

The Problem of Line Drawing

A third important problem representation had to do with the consequences of regulating the use and treatment of animals. No participant in the early debates disputed that animal mistreatment constituted a moral problem. Nor was it disputed that the issue was worthy of attention. There was considerable disagreement, though, about *what kind* of problem animal cruelty was and how it could be solved. Generally speaking, there were two positions. One group argued that the problem of animal abuse required immediate legal regulation, while the other held that legislation was too risky and that the evolution of social morality would solve the problem in due course without any political intervention.

Regarding the risks, the typical objection to a law against animal cruelty was that it would be too difficult to draw the line between “normal,” socially accepted animal use, and criminal cruelty. This was the main objection from the Riksdag’s Law Committee when it rejected Nicolaus Torsten Roos’s 1844 motion. The Committee agreed with Roos that animal mistreatment was commonplace, but they also insisted that there had to be room for some physical force in the handling of animals. Two things had to be considered, the Committee argued. First, the “different degrees of sternness, whereby certain animals must be treated to make them obey,” and, second, “the specific conditions that may be at hand during [the animals’] employment, and which render an exception from ordinary care excusable” (LU 1844:2,

pp. 1–2). These considerations led the Law Committee to conclude that it would be “near impossible, without the peril of mistake, by law to decide the limit, concerning the treatment of animals, at the transgression of which an owner should be regarded as lapsed into criminal responsibility” (p. 2). In other words, the use of force was taken to be indispensable in the everyday handling of animals, but the Committee found it impossible to decide exactly where this legitimate violence tipped over into illegitimate cruelty. It followed, in their view, that penal regulations against animal cruelty would be unviable in practice.

The idea that criminalization of animal abuse would lead to difficult line-drawing problems was often expressed. A recurring fear was that a law against animal cruelty would be misused to direct false accusations against innocent animal owners. Such a law, it was said, would “bring about multiple affairs, trials, and chicaneries” that would be very bothersome for the authorities to handle (Wallman, CE, September 25, 1844, book 3, pp. 264–265). Given the lack of a self-evident measurement of what should count as animal abuse, criminalization would encourage harassment and “leave room for false accusations and indictments, without achieving the good that [the law] was intended [to achieve]” (Billström, BE, September 23, 1844, book 1, p. 365).

This problem representation was also connected to the property status of the animals. The liberal Law Committee member Lars Billström, for example, argued against Roos’s 1844 motion by emphasizing that the proposed regulation “would amount to most alarming trespasses on the right to property, which ... amounts to sovereign rule over that, of which one enjoys dominion” (p. 365; see also PE, December, 3 1856). The opponents of anti-cruelty legislation often reasoned along these lines, foregrounding that any attempt to regulate animal treatment would lead into a marshland of competing interpretations that would upturn established institutions and values.

Even so, the opponents of an animal cruelty law could not just dismiss the mistreatment of animals as a non-problem. This meant that they had to present some kind of alternative solution if they rejected legislation. Their typical recourse was to foreground the role of moral progress. The improvement of social morality, it was often argued, was a necessary corollary to social development and progress in general. Milder customs in the treatment of animals were taken to be part of an ongoing civilizational development. But given the risks just discussed it was considered unwise to hasten this process using legal measures. Thus the 1844 Law Committee argued that the most

efficient corrective to animal cruelty had to be sought in “a higher sense of morality, the awakening of which is not the purpose of criminal legislation” (LU 1844:2, p. 2). Clarifying this standpoint, Lars Billström emphasized that the true solution to animal cruelty lay in the “mitigation of thought and customs that doubtlessly follows from a more general and increasing enlightenment,” a process that rendered “legislation of this kind, now far less than before, called upon by necessity” (BE, 23 September 1844, book 1, p. 365).

This problem representation basically stated that social customs had long been undergoing a process of refinement and that this process was likely to continue, perhaps even accelerate, in the near future. According to this view, legislation was unnecessary because the problem would soon go away by itself. This framing had the practical advantage that it allowed the problem to be recognized while the responsibility for taking concrete action could be avoided. Over the years to come, this way of representing the problem of animal cruelty would become a staple argument among the opponents of reform. Almost every demand for change in this policy area was met with the claim that the problem in question was already about to disappear or that it was bound to do so very soon due to moral progress.

However, the strategy of appealing to moral evolution did not offer the reform opponents quite the knockdown argument they may have wished for. The argument that social morality was auto-refining itself could just as easily be used to make a case for the opposite conclusion. For if it was true that society was moving toward ever-greater heights of civilization and enlightenment, why should the state *not* intervene to speed up this development? Would it not be a moral failure in itself to fail to act in the service of moral advancement or, even worse, to place obstacles in its way? And how long would society have to wait for this inevitable change to come? As Lars Adolf Prytz put it in a motion in the Noble Estate in 1847:

Where one waits in vain, or at least waits too long for manners to be improved among the people to set a limit to the barbarism that can daily be seen ... exercised toward the animals ... then surely the law ought to intervene to stop the violence and the cruelty against the defenseless or unprotected, if ever so much simpler a link in the chain of creation than humanity itself, when the latter, failing to follow the guidance of reason which raises her above the animals, sinks to their equal or even below them. (NE, December, 22 1847, p. 314)

According to this view, the law had an important role to play in furthering moral development. In this context, the reform advocates often referred to the development in other countries, particularly Norway and England, where anti-cruelty laws had already been adopted. Thus, the outvoted minority in the 1844 Law Committee could complain against the majority that “most educated Nations” had already adopted laws against animal mistreatment. This meant that the Riksdag could not sit idle and let the Swedes become “the only people to neglect ... what true humanitarianism, no less than Christendom, demands of it” (LU 1844:2, p. 2). A member of the Clergy Estate expressed the same standpoint in 1856: “Legislation in other civilized countries has not failed to consider as worthy the institution of certain special laws for the protection of these ‘quiet martyrs’; and the omission of the same in our law should rightfully be regarded as a flaw.” (Carlander, CE, December 3, 1856, p. 616.) This kind of problem representation, which would return over the years, often invoked the notion of society-wide moral progress while drawing on the pride of the nation to raise the stakes in the debates.

Against the claim that it would be too difficult for the courts to decide if animal cruelty had been committed or not, the reform advocates held that the worries were exaggerated. The problem could be solved, they claimed, by formulating the law in general terms and then letting the courts deal with each concrete case. It belonged to the judges, the 1857 Law Committee wrote, “to discern whether the animal has been handled according to reason or if the purpose could not have been achieved by other means, not offending to the [moral] sensibility” (LU 1857:37, p. 3). This representation of the problem placed the *purpose* of the particular animal use center-stage. While the critics held that the law’s vagueness would lead to arbitrary verdicts, the proponents of regulation preferred to frame this openness as a way for the law take into account future changes in the public opinion. In this way, legislation could be represented as a means in the service of moral progress and enlightenment, without challenging the “purposeful” use of animals as such.

The conflict between those who demanded legal regulation and those who claimed that moral progress was the solution to animal cruelty would be restaged many times throughout the nineteenth century. For now, it is sufficient to note that both sides in the debates accepted the notion of purposefulness in the use of animals as a license for exploitation. It was taken for granted that humans had the right to use non-human animals for their own ends. The disputes were generally limited to an argument over when and

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where “the moderate, often necessary use of force” against animals could be said to turn into “punishable mistreatment” (LU 1857:37, p. 2).

II. CONDITIONS AND EFFECTS OF THE PROBLEM REPRESENTATIONS

The main problem representations discussed in this chapter were conditioned by a series of assumptions, presuppositions, and fantasy scenarios, that were not always explicitly stated, yet required in order for the problem representations to make sense. Once articulated, these problematizations also had productive effects, for example in terms of the solutions they favored, as well as the categories of objects and subjects they set up. In the following, I will discuss some of the most important conditions and effects of how the problem of animal cruelty was represented.

A Natural Hierarchy

A first important condition for how the early animal cruelty debates played out was the assumption that human use of animals was legitimate as long as it did not involve excessive abuse. Animals were seen as resources existing for humans to use, but at the same time humans had a moral responsibility not to be cruel to them. This idea of protecting animals from some harms while simultaneously preserving their status as resources would not have made sense without an understanding of their ontological status as creatures located “halfway,” so to speak, between dead matter and humanity. Many of the problem representations outlined in this chapter were underpinned by the assumption that the human–animal relationship represented a natural and normative hierarchy.

The notion of a hierarchy of all living things is a figure of thought that has deep roots in Western thought. It goes back at least to Aristotle, who also included in it an explicit hierarchy between humans (Aristotle, 1993). Via St. Thomas Aquinas (1990) in the thirteenth century, the concept of a “Great Chain of Being” or a *scala naturae* was taken up by the Roman Catholic Church and became official Christian doctrine. As such, it exercised tremendous influence all through the Renaissance, the Reformation, and the Enlightenment. According to this worldview, humans—usually by virtue of

their *logos*, reason, immortal souls, or closeness to God—were higher and more dignified beings than (the irrational, soulless, non-speaking) animals.²⁷

The animal cruelty debates in the 1840s and 1850s drew heavily on the discourse of a natural or cosmic hierarchy to frame the issue politically, both in the animals favor and against them. In the animals' favor, the idea of an all-encompassing *scala naturae* meant that humans could be attributed with special responsibilities. For example, the proponents of anti-cruelty legislation often argued that to be a proper Christian or a fully enlightened humanitarian, a person had to obey the natural law, promote compassion, and denounce animal cruelty. The preservation of full human dignity depended on this. Conversely, a person who lost these virtues could be reduced to the level of the animal. As the bishop Agardh put in 1844: “[W]hen the animal is mistreated by a human, the human herself is barbarized, and sinks closer to the animal which she pursues” (CE, September 25, 1844, book 3, p. 265). Similarly, Lars Adolf Prytz's 1847 motion for an anti-cruelty law stressed the moral imperative to aid defenseless animals, even if the latter were much “simpler a link in the chain of creation than humanity itself.” The exercise of reason, which raised humanity above the animals, was necessary to avoid humanity's degradation to “their equal or even below them” (motion NE, December 22, 1847, p. 314). Sometimes this representation also included a hierarchical ranking of different human groups, like when Sven Ersson in the Peasant Estate argued that animal abusers “degrade themselves in savageness and wildness not just below the darkness-dwelling heathen, but below the soulless animals who are so often the subject for their remorseless mistreatment” (PE, 3 December 1856, p. 41-42).

According to this view, it was reason or divine appointment that gave humans dominion over animals, but it was the same reason and religious commandments that called for moderation in the treatment of the subordinated: “By virtue of her reason, humankind is appointed to rule over the animals; but this reason, where it is not led astray, tells her also, that she may not use her power to needlessly torment or mistreat the animals, but only employ them for her utility.” (Pehr Östman, PE, November 19, 1856, p. 467)

In practice, however, the “rule” and “utility” side of this equation was likely to take over. The restrictions on human behavior prescribed by reason and religion did not extend beyond a paradigm of “humane treatment.” There

²⁷ For a discussion of the broader historical consequences of this outlook for animalkind see, for example, Singer (2002), Gålmark (2008), Nibert (2002), Phelps (2007), and Steiner (2005).

was a consensual assumption that there was a realm of legitimate animal use that included taking advantage of them for food, clothing, and labor power (practices like animal experimentation or the use of animals for entertainment were not mentioned in these early debates). Moreover, it was a common belief that rough treatment of animals was a natural necessity. It was assumed that there were many situations in which “the exception from ordinary care [was] excusable” (LU 1844:2), for example when disobedient animals had to be forced to comply, or when natural conditions like the Swedish climate did not allow working animals to be spared from the weather. In fact, animals could be used for pretty much any “purpose,” as long as this purpose was socially accepted, achieved by “reasonable” means, and did not involve excessive mistreatment.

These representations were all modelled on an essentialist understanding of the human–animal relationship. Following the pattern of what Jacques Derrida has called the “metaphysics of presence” in Western thought, the difference between humans and animals was articulated in terms of fullness and lack. Humans were construed as possessing (or close to possessing) an essential completeness or full self-identity that animals had no (or little) part in. Bearing the mark of constitutive lack, the animals for their part were (at most) construed as humans *minus something*. Thus conceived, the human–animal relationship implied not only a dichotomy between man and brute but also a graded continuum along which different life forms were distributed. This scale made it possible to claim that people who abused animals fell away from the normative ideal and could no longer aspire to the rank of being fully “human.”

What is more, this metaphysical matrix produced a peculiar dialectic of sympathy and detachment in relation to animals. On the one hand, a person could display his/her enlightened status by caring for animals. On the other hand, it was precisely this caring for animals that marked the person’s difference from, and elevation over, the same animals. The same discourse that promoted compassion for the animals, then, was in itself parasitic on the figure of a cosmic hierarchy. For humans to be able to position themselves closer to the ideal, animals (and subordinated humans) had to remain where they were to provide “civilized man” with a constitutive outside. The coherence of the early anti-cruelty discourse, then, was premised on the maintaining of animal inferiority.

The idea of a cosmic hierarchy of all living things was never an isolated idea alongside others. The figure of a Great Chain of Being always merged

with other discourses. This produced some interesting tensions when it came to the problematization of the human–animal relationship. On the one hand, human superiority was taken for granted as a matter of humanity’s immanent essence. On the other hand, this essence was always in some sense deferred. It was not immediately accessible, but rather something to be achieved or approximated by proper behavior. This meant that a human being’s actual position along the scale could vary depending on the degree to which they had realized their potential. Being human was a good start, but it was not enough to be *fully* human. The heavy stress on education and enlightenment, as well as the fear of human brutalization, should be seen against this background of a graded continuum along which people could rise and fall in moral stature. To qualify for the rank of fully human a person had to exhibit the right combination of education, class position, religious sensibilities, and a reason “not led astray.” According to this normative matrix, animal abusers and “darkness-dwelling heathens” fell far below the threshold of respectability, while the educated social strata fared much better. The discourse of a Great Chain of Being was thus always already implicated in the foundational ideology of class society as well as with certain notions of national superiority. In this regard, the political discourse on animal treatment in Sweden was well in line with the broader historical development in Europe (see Chapter 2).

The Fantasy of the Animal-abusing Other

Another important aspect of the problem of animal cruelty was that it was typically represented as the work of an “other.” This type of problem representation would shift and mutate over time, but it kept returning throughout the period studied in this book. Regardless of its concrete manifestation, the most striking feature of this scenario was that the wellspring of animal abuse was never located in contemporary society as such (i.e., in its institutionalized exploitation of animals, its cultural devaluation of non-human beings, its food habits, and so on). Instead, animal abuse was almost exclusively attributed to *someone else*. The general pattern was that the “in-group,” however defined, was described as inherently friendly to animals. But this shared animal friendliness could only be produced by contrasting the diverse elements making up the in-group with an animal abusing “out-group” that served as a common negation of the former. Who these “others” were changed over time. They included (as we have seen in this chapter) the uneducated lower classes and poor farmers, but also (as we shall see later on)

minorities like the Jews and the Sami, foreigners, the occasional “mad scientist,” and some socially deviant groups like criminals and the mentally ill.

My interpretation is that this recurring pattern of displacement of responsibility for animal cruelty may be accounted for in terms of discursive antagonism and ideological fantasy. The main dilemma, I think, was not so much that there were certain individuals or groups who did not know where to “draw the line” in their treatment of animals. The real crux was that *society itself* was unable to draw this line. This may be inferred, for example, from the recurring objections that an anti-cruelty law would be impractical, confuse the courts, encourage false accusations, and violate established property relations. Underlying these representations was the troubling intuition that the norms governing the “natural” order of human–animal relations were in fact everything but natural and consistent. The case was rather the opposite. Any practice that was accepted in one area of animal husbandry could easily be condemned as “cruelty” if it was transposed to another area or to another group of animals. Similarly, any attempt to construct a constitutive “outside” to “normal” animal use by branding certain practices as excessive risked inviting comparison with similar practices on the “inside.”

This inability to reconcile society’s own contradictory norms was at the root of many of the debates in the period. To achieve their “truth effect,” any articulation of animal cruelty or animal friendliness had to appeal to some foundational element outside the system of signification. But there was no such transcendental center or “meta-language.” There was only a bewildering multitude of relations, hierarchies, and practices, all with their own discursive preconditions, rules of formation, and degrees of embeddedness in social practice. *The* human–animal relationship, in short, never existed.

This constitutive impossibility of the human–animal relationship, however, could not be grasped or confronted directly, as this would undo the edifice of speciesist relations as such—and this is where the fantasy of the animal abusing other came in. As I argued in Chapter 2, ideological fantasies afford discourses their “reality effect” by covering over the antagonistic fissure on which discursive “objectivities” are founded. In fantasy, the immanent impossibility of full discursive closure is restaged as an external, contingent, and manageable threat. In the case of the early animal cruelty debates studied here, the work of fantasy can be traced in the displacement of animal cruelty from society in general to the figure of the lower class animal abuser. This figure in turn, was typically attributed with a whole series of distasteful traits—savageness, greed, drunkenness, violence, and so on—that

bourgeois society sought to disavow and distance itself from. This fantasmatic construction was the first such “bogeyman” to appear in the Riksdag debates, but it would not be the last. Although the concrete identity of this “enemy other” changed over time and according to the topic discussed, the general pattern remained the same. Whenever the question of animal cruelty was raised, it was accompanied by similar fantasies of some delimited, different, or deviant “outside” group responsible for the problem, and whose elimination, disciplining, or punishment would restore harmony to human–animal relations. In this way, attention was systematically diverted from the fact that the in-group itself was never particularly kind to animals to begin with. The problem of animal cruelty—whatever it was—always lay with “them,” never with “us.”

The Articulation of Animal Vulnerability and its Limits

Any intelligible definition of the problem of animal cruelty had to rest on a more foundational notion of the animals’ capacity for being mistreated or, in other words, of their *vulnerability*. This, however, has never been a fixed measure. Cultural conceptions of non-human vulnerability have varied markedly over time and between societies, and we can assume that the social entrenchment of animal use has often militated against a full appreciation of non-human experiences in this regard. Nonetheless, the whole idea of criminalizing animal cruelty was dependent on some pre-existing view of the range of practices that could come into question as candidates for criminal animal cruelty. In what ways, then, was it assumed that animals could be harmed? What capacities were foregrounded as morally and politically relevant, and what was background or avoided?

In the period discussed in this chapter, it is clear that the emphasis lay on the physical, bodily harm done to animals. Most proposals in favor of an anti-cruelty law cited physical violence—the slashing, beating, or whipping of animals—as the major causes for concern. Some proposals also added overworking, starvation, deprivation of water, and exposure to the elements as objectionable harms. It is also clear that the physical pain and suffering that resulted from such treatment or such conditions were recognized as ills that the animals themselves experienced in a subjective way. Mental or psychological suffering, on the other hand, was never foregrounded as key problems in this period. Only one motion, from 1856, referred to non-human “anguish and agony” (*qval och vånada*) as a problem, a vague wording but one that suggests at least a minimum of concern for the animals’ psychologi-

cal distress (Pehr Östman, PE, November 19, 1856, p. 467). For the most part, however, the “higher” mental faculties of animals only came to the fore when they were used as arguments *against* protective legislation. This happened, for example, when animal disobedience—a notion implying a modicum of preference and free will—was framed as a legitimate reason for their punishment (LU 1844:22). On the whole, however, this implicit acknowledgment of non-human agency had little bearing on the articulation of animal vulnerability. To be “cruel” to animals in this period meant, above all, to harm them physically.

However, not all physical harms counted as such. While lack of food and water were mentioned as problems in the debates, there was hardly any discussion about the general living conditions of the animals. When lack of shelter was condemned, for example, the critics referred to animals being exposed to the weather during labor or after being abandoned in the streets, and not to issues like stabling conditions. Nor was there any discussion of issues like caging, restriction of movement, animal transports, or similar concerns that we have become accustomed to seeing as crucial welfare issues today.

Finally, we may note that the killing of animals was never problematized in these early debates. Given the broad consensus that animals were available as resources for humans to use, it is not surprising that there was no deeper discussion about whether death constituted a possible harm to animals or not. What is noteworthy though—especially in comparison to the times to come—is that there was no mention at all of potential cruelty to animals in relation to practices like slaughter, hunting, or fishing. While it was possible to criticize individual animal abusers who happened to torment an animal to death, the problem of killing in itself was either avoided or simply did not emerge as intelligibly related to the notion of animal cruelty.

Animal Nationalism

Another condition behind the early problem representations was the nation. References to the nation were common in the mid-nineteenth century debates. Much like today, this empty but affectively charged signifier furnished the actors with resources that could be mobilized for many different political purposes. In the material studied here, the nation emerged both as a battleground and a weapon in the debates over animal cruelty and protection. In particular, nationalist assumptions fed into the discussions about social progress and the role of legislation vis-à-vis moral advancement.

To begin with, nationalist sensibilities could be appealed to when making arguments about what kind of nation Sweden was and ought to be. What was at stake, according to the reformers, was whether Sweden would be among the leaders in moral progress and introduce a law against animal cruelty, or if the country would fall behind its more enlightened European contenders. The typical approach here was to refer to recent animal protection advancements in other countries and then demand that Sweden should follow suit. In a sense, the animal protectionists in the Riksdag symbolically held the nation hostage and demanded their ransom in the shape of reform. If their demands were not met, Sweden would lose its pride of place among the civilized countries.

But this appeal to national pride could be used both ways. If it could be shown, as some opponents to reform tried to do, that other countries were in fact *not* so far ahead in terms of animal protection, then Sweden's relative disadvantage would not be so troublesome (see, for example, BE, September 23, 1844, book I, p. 365). Moreover, the opponents could draw on national pride to reject legal protection of animals. Following this strategy, G. F. Ekholm argued in the Burgher Estate in 1844 that the examples of animal cruelty presented by the reformers were entirely alien to the Swedish people, thus leaving reform redundant: “Let me leave aside, what these examples might prove, since no one could hope to succeed in claiming that there is such an inclination in the temper of the Swedish people for mistreating animals, that there is a need for a law there against” (p. 365). Statements like this implied that there were other nations where people were more inclined towards animal cruelty. Animal protection, it followed, might be necessary *there*, but not *here*.

These appeals to the nation, regardless of which side employed them, drew heavily on the discourses of a moral hierarchy and social progress. Both sides premised their argumentation on the assumption of a kind of moral geography or a progressive space-time continuum where the task was to locate, or relocate, Sweden in its rightful, leading place in relation to other nations.

Visible and Symbolic Animals

Another precondition for the representations of animal cruelty had to do with the selection of animals to be foregrounded in the debates. As we saw in Chapter 2, it has often been assumed that the emergence of the animal protection movement as an urban phenomenon was due to the city-dwellers'

disconnection from the cycles of rural life combined with a growing middle-class sentimentality for animals. But while it is true that many of the pioneers of the animal protection cause in Sweden were educated urbanites of some social rank, it is also clear that they were not distanced from all animals. Not only were the parliamentarians likely to encounter many animals in the streets of Stockholm whenever the Riksdag of the Estates convened (indeed, many of them probably even made their way to the assemblies by horsepower)—several of the participants in the debates also represented themselves as personal witnesses to regular acts of cruelty toward horses in the streets of the capital. Moreover, they seemed to assume that their audience was equally familiar with such scenes.

Why, then, did horses figure so prominently in these debates? And what did this foregrounding mean for the perception of “typical” animal cruelty? Karin Dirke (2000) has argued that the nineteenth century animal protectionists in Sweden directed their attention primarily to animals that were visible to them, and horses and other draft animals were obviously an integral part of life in the city at the time. Karin Dirke reports that the carters in Stockholm employed 2,750 horses at the beginning of the twentieth century, to which should be added many horses employed by the military garrisons in the area (Dirke, 2000, pp. 13–14, after Thorsell, 1990, p. 47). This made horses readily available as objects of concern. We can assume that the everyday visibility of these animals goes a long way towards explaining why most early statements in favor of anti-cruelty legislation appealed to experiences from the streets, in particular the mistreatment of horses (see also O’Sullivan, 2007, p. 337).

However, simply being in the line of sight was not a sufficient condition for an animal to be construed as worthy of protection. Rats were also visible in the streets of Stockholm, but their treatment did not draw any political attention. So what made the horses so special? Dirke (2000) has argued that in addition to being physically present, horses also took part in a “positively charged world of symbols” (p. 14). Real horse bodies were not only immediately present in the streets, they were also available as sites of inscription for the *symbolic horse*—the powerful and proud creature of legend, yet the mild and gentle servant of man. When this symbolic creature was violated, it was likely to provoke a stronger moral response than the treatment of most other

animals.²⁸ Dirke thus contends that an animal had to fulfill two criteria to awaken moral sympathy: the animal had to be present—visible in society, in the streets, or at least in the public debate—and it had to be invested with a positive symbolic value. Horses, along with small birds and pets, were among the first species to be acknowledged by the Swedish animal protection movement precisely because they managed to straddle both these categories and being present both in the flesh and in the realm of ideas (pp. 14–15).

The discursive focus on horses and other draft animals, however, did not mean that the scope of the suggested reforms was restricted to these species. The proposals in favor of regulating animal treatment demanded protection for all domestic animals. (This demand, in turn, was often framed as a logical but long overdue correction of the 1736 law that granted owned animals protection from other people but not from their owner.) It is difficult to say to what extent the focus on horses was a strategic one to open the door, so to speak, for the protection of other animals, or if it was just a question of the horse’s “symbolic capital” dominating the discourse in its own right. In any case, as the poster boy for animal cruelty victims the horse provided a prototypical model for the meaning of “animal cruelty” (i.e., slashing, beating, and overworking). It also defined what the typical “animal abuser” looked like (a greedy carter, a backward farmer). Even though the 1858 law condemned all kinds of “apparent cruelty” to domestic animals, this “ideal type” of animal abuse often loomed in the background when animal cruelty was discussed. These assumptions would have important consequences later on when it turned out that not all animal abuse mapped neatly onto the horse-beating model, and that the law would be much more difficult to implement than had been anticipated.

*Animal Rites Before Animal Rights:
Border-patrolling the Kingdom of Ends*

A crucial feature of the debates about animal cruelty was the ever-present tension between the humanitarian intuition that animal suffering deserved ethical attention, and the speciesist assumption that animal exploitation was

²⁸ This preoccupation with the horse as particularly worthy of protection was a wider phenomenon at the time. Remember, for example, how Dostoyevsky chose the horse to be the emblematic victim of evil in both *Crime and Punishment* and *The Brothers Karamazov*. Or think of the famous story of Friedrich Nietzsche’s final psychological collapse just after witnessing a horse being beaten in the streets of Turin in 1889.

legitimate. As we saw in the discussion about line drawing, this was a dilemma both for the reformers and for their opponents, and it clearly affected the range of practices that could be considered as possible cruelties.

While there was a broad commitment to maintaining the speciesist social order, this was never expressed as a flat-out rejection of concerns for animals. Rather, it was a matter of careful negotiation of the meaning of morality and its limits in relation to other species. Thus, while the opponents of anti-cruelty reform were quick to point out all the trouble that regulation would bring, they never went so far as to reject the animal protection efforts altogether. Taking such a position was simply unviable in light of the reigning moral ideals—after all, the problem of animal cruelty could only be ignored by uneducated brutes. The reform opponents instead preferred to foreground another aspect of the hegemonic ideology, namely progress. Animal cruelty, they argued, would best be dealt with by the continued refinement of moral and cultural values. This strategy of deferring the issue to the future would remain a popular recourse for the opponents of reform throughout the nineteenth century.

The reformers, for their part, often accepted the idea of general social progress but claimed that legislation was necessary to complete this development. Their main worry was to avoid going too far and demanding too much. After all, the proposed anti-cruelty reforms were never intended to challenge the use of animals as such, or even go so far as to trespass on “anyone’s lawful use of their property” (PE, December 3, 1856, p. 43). To minimize this risk, the reform advocates relied on the discursive strategy of displacement and condensation outlined above. This amounted to a fantastic “politics of containment”: The problem of animal cruelty was described as ubiquitous, but its causes were restricted to the socially subordinated, marginal, and deviant—in short, to those social elements who were seen as legitimately “disciplinable” because of their class position or disposition for cruelty. Coupled with the risk for human brutalization, this framing allowed the reform demands to come off as less threatening to the existing order.²⁹

²⁹ As discussed in Chapter 2, this displacement of animal cruelty to the lower social strata and the socially deviant had its counterparts also elsewhere in Europe. From the material studied here, it is difficult to say whether the focus on the savagery of the underclasses in Sweden was merely a strategy for gaining political traction or if it was a sincere conviction among the

Both the reformers and the defenders of status quo thus had to navigate a complex and difficult terrain. On the one hand, they had to take care not to violate the virtues and duties toward animals prescribed by Christendom and enlightened bourgeois morality. On the other hand, they had to make sure that the animals were not invited into the inner circle of the moral community where they would be recognized as holders of more extensive rights. Both the reformers and their opponents thus actively participated in border patrolling what Immanuel Kant once called the “Kingdom of Ends.” All the participants in the debates swore allegiance to the humanitarian doctrine that animals were to be valued, but they also insisted—more or less harshly—that the latter’s instrumentality to human purposes had to be maintained. Policing this border was an important priority for everyone involved.

The practical outcome of this shared priority was the legal requirement of “apparent cruelty” that seemed to focus more on the perpetrator’s personality and character traits than on the animals’ suffering. As it turned out, however, the meaning of this signifier refused to stay in place. When we move on to the later political debates it will become clear that the meaning of apparent cruelty was gradually emptied of its original, concrete content and that it soon opened for the inclusion of a whole range of activities and practices that it was never intended to affect. On the one hand, the notion of criminalized “apparent cruelty” was needed to frame everyday animal use as “normal” and uncontroversial. On the other hand, the metaphorical value of apparent cruelty that had been relegated to the “outside” and attributed to the animal abuser always threatened to return and contaminate the “inside.” This incessant sliding of the notion of cruelty, I will argue throughout the rest of this book, prompted a discursive crisis that could not be overcome within the confines of the old anti-cruelty paradigm. The rather sudden “welfarist turn” in the 1930s and 1940s, I will try to show, can only be accounted for against the background of a century-long wrestling match with an unruly concept that was, at the same time, necessary for the speciesist order and a constant threat to it.

III. SUMMARY AND CONCLUSIONS

In this chapter, I have followed the discursive formation of the early field of anti-cruelty policymaking as it played out in the Swedish Riksdag of the Es-

reform advocates. In any case, the productive *effects* of the discourse were the same, excreting a picture of the animal abuser as a “classed” category connected to social disorder.

tates from the first motion on the subject in 1844 until the institution of the country’s first anti-cruelty law fourteen years later. This process meant moving from a legal situation in which the treatment of animals had only been regulated in terms of property rights, to a law that formally prohibited animal cruelty. This first anti-cruelty statute, founded in 1857 and in force from 1858, read:

If anyone, in the treatment of one’s own or the animals of another, exhibits apparent cruelty; to be punished by fines from five up to and including one hundred Riksdaler Riksmünt. (SFS 1857:61)

This law, I have argued, was the first legal expression of an emerging anti-cruelty regime in Swedish politics. As such, the law also embodied, in a quite uneasy way, some of the main contradictions and tensions typical for the era—particularly the uncertainty over how to define and deal with the problem of animal cruelty in a society systemically involved in the exploitation of animals. This section summarizes the findings in terms of what characteristically “went into” the political problem of animal cruelty—and what came out of it—in the middle of the nineteenth century.

What was the “problem” of animal (mis)treatment represented to be in the debates? What solutions were foregrounded?

When we look back at the early Riksdag debates about animal cruelty, three main problem areas stand out. First, there was a marked focus on the lower classes as the principal agents of animal abuse. These classes’ lack of education and moral refinement was framed as the main cause of animal mistreatment. The typical picture that emerged of an animal abuser was a carter beating his horse in the streets, or a farmer who overworked or starved his animals. This animal abusing figure was in turn often attributed with a series of repulsive traits and motives, and placed at the center of attention as the politicians debated whether criminal legislation was necessary to control the savageness of the uneducated mind, or if the problem would go away by itself as society progressed toward higher stages of moral awareness.

Second, and related to the first problem representation, was the concern that animal cruelty would lead to human brutalization. Unchecked animal abuse, the reformers insisted, would foster insensitivity and violent behavior among humans, and particularly so among the lower classes. A human who mistreated animals was represented as morally fallen to a more primitive

level or even to the level of the animal. This problem representation led to demands for criminal legislation against animal cruelty to safeguard human dignity and preserve social order.

Third, there was a complicated struggle over where to draw the line between legitimate animal use and immoral animal abuse. In this context, it was agreed that some use of force was acceptable to handle and discipline disobedient animals. But there was also a consensual view that there was such a thing as excessive, and therefore unacceptable, animal cruelty. Exactly where the line should be drawn between these phenomena, however, was unclear, which led to a clash between competing problem representations. In this context, the opponents to reform often emphasized the risks with legislation. A law against animal cruelty, they held, would undermine private property, swamp the courts with false accusations, and encourage harassment of innocent animal owners. Moreover, given the varying definitions of animal cruelty, such a law would be impossible for the courts to implement in a consistent way. The reformers, for their part, downplayed these concerns and argued instead that legislation was necessary to hasten the progress of moral enlightenment. Their typical solution to the problem was to leave it up to the judges to assess whether animal cruelty had occurred or not in every given case.

Under what conditions did these problem representations emerge? What productive effects did these representations have?

The debates over animal cruelty in the 1840s and 1850s took place against a background of certain time-typical assumptions. Among these conditions, I have highlighted the assumption that the human–animal relationship could be cast as a natural hierarchy of life forms modelled after the ancient figure of a “Great Chain of Being” or a “*scala naturae*.” In this hierarchy, humans were firmly positioned above animals and granted a right to rule over the non-human creation. At the same time, this assumed supremacy charged humans with a special moral responsibility in their dealings with animals. In fact, one of the main sins of the animal abuser was that he failed to embody the ethical comportment that the educated classes saw as a distinguishing feature of civilized man. The Great Chain of Being, then, did not only determine the relations between species, it also structured the relations between human groups by ranking them after how they behaved (or were said to behave) toward animals. In this sense, the notion of a cosmic hierarchy was

already from the beginning intertwined with other discourses involving class differentiation, social progress, and Swedish national superiority.

The assumption about a hierarchy of all living things also informed the articulation of the possible harms that could be done to animals. The perception that animals stood low in the cosmic order implied that they were less perfect creatures and therefore susceptible to a more narrow range of harms than their human superiors. This assumption, in turn, fed into the construction of animal cruelty as a legal concept in the sense that it restricted the kinds of actions that could be defined as possible crimes. It was generally assumed that cruelty to animals could only take the form of physical harms, like violent beating, overworking, starvation, and exposure to the elements. Consequently, other (potentially) relevant issues—like psychological suffering, life in captivity, and premature death—were not problematized at all in the early debates.

Following Dirke (2000), I have also highlighted the focus that was put on physically visible and symbolically high-valued animals. Here, the mistreated horse was disproportionately foregrounded by the politicians—something that suggests that these animals, apart from being visible in the streets, also partook in a world of treasured cultural symbols. To Dirke’s observation, I have added the claim that the emphasis on horses and other draft animals produced a kind “ideal victim” of animal cruelty. When the first anti-cruelty law was founded, this vision strongly informed what was meant by “apparent cruelty.” Animal cruelty “proper,” so to speak, was when a laboring animal was physically mistreated by a particularly savage owner. This unspoken assumption would be seriously challenged later on, when other types of animal cruelty were foregrounded that did not conform to this paradigmatic view of the crime.

What affective investments and ideological fantasies were at work in these representations?

When the politicians tried to pin down what animal cruelty was, they constantly ran into definitional trouble. This failure to lock this crucial signifier into place has here been interpreted as a sign of discursive incoherence and antagonism—that is to say that the norms governing the human–animal relationship were often deeply contradictory. Whenever someone tried to draw a clear line between legitimate animal use and illegitimate animal abuse, they found that the criteria chosen to mark animal cruelty could also apply to many other practices that were socially established and taken for

granted as natural facts. It was simply impossible to extend the concept of animal abuse and apply it to *all* these potential cruelties without challenging the speciesist social order as such. After all, none of the participants in the debates was prepared to relinquish society’s established “animal rites” (like meat eating and the use of animal labor power) in favor of animal *rights* in any substantial sense.

In other words, there was a tension between the image of benevolent human dominion, and the socially institutionalized fact of extensive animal exploitation. The failure of the discourse on animal treatment to reconcile these elements and fully constitute itself as a whole had to be dealt with somehow. The main solution to this dilemma, I have suggested, came in the form of the ideological fantasy of an animal-mistreating “other.” Incarnated in the figure of the uneducated and cruel lower-class animal abuser, this other came to serve as a placeholder for all the anxieties pertaining to animal treatment. The problem of animal cruelty was almost exclusively displaced to this figure, who also became a condensation point for a whole range of unwholesome traits—laziness, greed, meanness, vengefulness, drunkenness, and a disposition for violence—that the educated classes disavowed and wished raise themselves above. Moreover, this displacement of the animal cruelty problem from “us” to “them” restaged the immanent antagonism of the discourse as an external, contingent, and politically manageable threat. Instead of confronting the foundational dissonance in the commerce between species, a picture was painted of a basically harmonious human–animal relationship disturbed only by the wild and excessive animal abuser. Thanks to this fantasy scenario, the fundamental lack of consistency in the norms governing the human–animal relationship—indeed, their constitutive impossibility—could be sidestepped. When the meaning of animal cruelty was consistently articulated as the work of a deviant other, the cultural self-image of kindness toward animals could be sustained even as it broke apart in reality. Somewhat paradoxically then, it can be argued that the emerging anti-cruelty discourse *needed* the animal abuser to sustain itself as the naturalized horizon of speciesist intelligibility.

This kind of scenario, in which the responsibility for animal mistreatment was shoveled over to a fantasmatic other, further influenced the meaning of the phrase “apparent cruelty” in the final anti-cruelty law of 1858. It was often assumed that the main thing the law needed to control was the excessive and alien drives of the animal abuser. This understanding of “apparent cruelty,” in turn, directed disproportionate attention to the perpetrator’s

malicious intentions or wicked personality as the wellspring of animal cruelty. While this was not the only possible interpretation of the final law, it was an influential one that would often be invoked in the later debates and draw the ire of many reform-aspiring politicians who did a more extensive reading of the statute.

What kinds of animal (ab)use were left unproblematized?

The dominant representation of animal cruelty as a lower-class problem meant that animal abuse among the higher social strata was left unproblematized. If the educated classes ever exhibited cruelty toward animals this was because they were temporarily overtaken by irresponsible impulses and not because of some fundamental moral shortcoming on their part (as was purportedly the case with the lower classes). Moreover, there was a general silence regarding the involvement of the everyday beneficiaries of animal labor power and the consumers of animal-derived products in cruelty toward animals. These elisions further contributed to toning down the extent and systematicity of animal exploitation. Instead of being represented as a social problem inherent to “our” social order, animal cruelty was typically framed as an individual problem or a problem among “them,” the “others.”

If we add to this the rather restrictive articulation of animal vulnerability and the silence over issues like captivity and slaughter, we get a rather diminutive picture of the problem of animal cruelty. What this Lilliputian rendering of the issue mainly expressed, I think, was a “politics of containment” in which the main urge was to limit the number of phenomena or actions that could potentially count as animal cruelty. The “problem,” in short, could not be permitted to grow too big. In theoretical terms, we can say that what was allowed to “go into” the problem of animal cruelty was determined by a continuous struggle between the discursive logics of equivalence and difference. The logic of equivalence was pursued by the reformers who pushed for an extension of what might count as cruel treatment of animals. Yet, they did so only half-heartedly and accepted that the chain of elements that signified “cruelty” had to be cut short and reduced to something politically manageable. From this perspective, the 1858 anti-cruelty law represented a partial success for the opposite logic of difference. This law, underpinned as it was by an implicit vision of the “ideal” animal abuser and the “ideal” animal victim, could temporarily halt the sliding of the meaning of cruelty and stop it from overflowing too many practices of animal use. Nonetheless, this law was only a frail compromise between the competing

“I DO NOT WANT TO SPEAK HERE OF THE EDUCATED CLASSES...”

discursive logics. As a number of new animal issues appeared on the political agenda in the late nineteenth century, the precariousness of the early anti-cruelty regime would become increasingly apparent. It is to these issues that we now turn.

4. Prometheus Unbound

Anatomy of the Vivisection Debates 1881–1888

ANIMAL EXPERIMENTATION, or “vivisection” as it was usually called at the time, became the most heated animal cruelty issue in the 1880s.³⁰ Extensive debates over vivisection took place in the Swedish Riksdag in 1881, 1884, and 1888. This chapter deals with these debates, focusing on how animal experimentation was articulated and fought over as a political problem.

Today, we may think that the conflict over animal experimentation has always been about the same ethical dilemma—that is to say, human utility versus animal suffering. But while it is true that these themes have been highlighted also historically, it would be too simple to reduce the vivisection debates to recurring expressions of one single conflict. The debates were never *one* debate, and they were never debates over *one* subject matter. The meaning of vivisection has been articulated in different ways in different historical contexts. Indeed, just like any particular word gains its meaning from its relations to all other words in language, so every practice—including scientific experimentation—is indebted to the totality of social practices for its specific meaning and status. As historian of science Nicholaas Rupke (1987) has pointed out, the roots of the animal experimentation controversy “reach deep into broad, cultural divisions, each stance being inextricably intertwined with other issues. Each is an integral part of a view of society in which science has been assigned a different place.” (p. 8)

³⁰ The term “vivisection” stems from the Latin words *vivus* (“living”) and *sectio* (“cutting”), that is, to cut into the living body. The word has forerunners already in Roman Antiquity, and the compound forms “vivisection” and “vivisection” were introduced in English and German in the early eighteenth century. In earlier periods vivisection referred to cutting into the living bodies of both humans and animals, but over time it came to refer almost exclusively to the use of animals (Maehle and Tröhler, 1987, p. 14; see also Guerrini, 2003). In the Swedish material studied here, the word generally referred to experiments on living animals, but it could also be used as a synonym for animal experiments and dissections in general.

In the period studied here, the question was not simply whether vivisection was right or wrong in itself. It was also, as we shall see, a question about what role and meaning science in general should be accorded in a time when society that was being violently split by the processes of capitalist modernization (see Kete, 2002; McNally, 2011). We should keep in mind here that when these debates took place, natural science had not yet acquired the position it has today as a dominant mode of knowledge production. The social role of science was still subject to negotiation and struggle, and vivisection often appeared at the heart of this conflict. Therefore, a genealogical account of the vivisection debates must treat them as inscribed in a broader framework of power struggles. In other words, we should not read the vivisection debates as isolated episodes any more than the attacks on the lower class animal abusers in the previous period (see Chapter 3) can be read as independent of contemporary bids for bourgeois hegemony. Rather, we need to interpret the vivisection controversy as one of many flashpoints of conflict between larger historical blocs or discursive regimes laying claim to the right to represent reality far beyond the laboratory walls.

This chapter begins with a brief historical overview of the practices of dissection and vivisection, and the controversies surrounding them, to situate the Swedish debates in a historical context. This is followed by a description of the main problem representations that figured in the debates, as they were articulated by both the critics and defenders of vivisection in the Riksdag. Next, I discuss the broader discursive conditions and effects of these problematizations. The chapter ends with a summary.

I. VIVISECTION: A HISTORICAL BACKGROUND

The practice of dissecting animal as well as human corpses to learn about their anatomy goes back to Antiquity. Unlike today, however, these early research efforts had little direct connection to the practical treatment of diseases and injuries. Surgery, in the modern sense, did not yet exist and the role of the physician was largely limited to treating wounds and setting broken bones. The natural philosophers and physicians of the time pursued animal studies mainly to gain general knowledge of nature and of the cruder mechanisms of the body, and not for their therapeutical value.³¹ Since the

³¹ Summing up the uses of anatomical study in Roman times, Galen himself wrote that it “has one application for the man of science who loves knowledge for its own sake, another for him who values it only to demonstrate that Nature does nothing in vain, a third for one who pro-

religious and ethical doctrines of the time often prohibited the use of human bodies for research, non-human animals—both dead and alive—were used instead (Guerrini, 2003, p. 7).

The premiere authority on medicine in the Roman era, Galen of Pergamum (A.D. c. 130–c. 210), was also an avid vivisectionist who performed numerous procedures on animals. After the fall of the Roman Empire, however, the practice of vivisection waned considerably. Galen's major works on anatomy were lost to Europe and preserved only in the Arab world for hundreds of years, leaving aspiring European researchers without clear guidance for anatomical study (Boas, 1962; Maehle and Tröhler, 1987). The rise of Christendom also represented a shift in philosophical interest away from empirical research to the mysteries of the soul and the afterlife (Phelps, 2007). This hiatus lasted throughout the Middle Ages and research using animals did not pick up speed again until the Renaissance.³²

The real breakthrough for dissection and vivisection came after the great anatomical discoveries of Andreas Vesalius (1514–1564) and William Harvey (1578–1657). The influence of mechanist philosophy—according to which living bodies were just complex machines and, as such, essentially similar across species—also fueled the interest in anatomical research and animal experimentation.³³ The new study of anatomy captured the imagina-

vides himself from anatomy with a function, physical or mental, and yet another for the practitioner who has to remove splinters and missiles efficiently, to excise parts properly, or to treat ulcers, fistulae and abscesses." (Galen, *On Anatomical Procedures*, quoted in Boas, 1962, p. 129.) None of these uses, it may be noted, related directly to the treatment of disease.

³² "Progress in anatomy before the sixteenth century," writes historian Marie Boas (1962) "is as mysteriously slow as its development after 1500 is startlingly rapid." (p. 130) It is a myth, she further contends, that the lack of studies of human anatomy in the Middle Ages followed from a religious ban on the use of human bodies. There was no such general prohibition. Instead, Boas attributes the lack of anatomical research to the lack of meaningful theoretical instruction. Moreover, the medical men of the time tended to adopt "the Moslem view, that medicine should deal with disease and its causes rather than try to fathom the structure of man. Even the surgeon had little need to know anything more than surface anatomy and the articulation of the limbs, the latter useful in case of dislocation." (p. 131)

³³ By the influence of mechanism, I mean the impetus it gave to the study of empirical regularities in living organisms, and not its oft-presumed disregard for animals. Proponents of animal rights/liberation have made much of the detrimental consequences of mechanist philosophy for the animals. The main target of this critique has been René Descartes's claim

tion of scholars as well as the wider public,³⁴ and soon began to undermine the authority of ancient authors like Galen and Hippocrates.

But the practice of dissection also became controversial, especially when the interest in dissecting human corpses grew. Usually, the bodies of executed criminals were used for this purpose (in some countries, dissection after death even became an integral part of capital punishment), but there were also plenty of stories circulating about scientists and their hired hands scouring the graveyards and morgues for fresh bodies to dissect (Guerrini, 2003; McNally, 2011). From a popular perspective, the anatomists' curiosity did not only disrespect the dead, it could also be interpreted as an attempt by the privileged classes to keep exploiting the bodies of the poor even after death. For these reasons, dissection sometimes became highly politicized. In England, for example, riots regularly broke out when enraged masses tried to

that animals are mere unfeeling automata. Peter Singer, for example, in his 1975 book *Animal Liberation*, called Descartes' position the "absolute nadir" of Western cultural and philosophical views of animals (Singer, 1975/2002, p. 200). However, as Anita Guerrini (2003, p. 33–34) and Gary Steiner (2005, Chapter 6) have pointed out, Descartes' actual views may have been distorted and the historical impact of Cartesian automatism has probably been overstated by animal advocates. While many people have been willing to accept the idea that the subjectively experienced life-worlds of animals are somehow duller and less intense than human subjective existence (a conclusion that in itself reflects how firm the grip of the "metaphysics of presence" has been), very few have been willing to defend the proposition that animals experience *nothing at all*. In fact, vivisection itself provided some of the strongest arguments against Cartesian ethics. As experimental physiology continued to reveal similarities between humans and other animals, more people became inclined to agree with Voltaire's famous polemic against the vivisectionists: "Answer me, mechanist, has Nature arranged all the springs of feeling in this animal to the end that he might not feel?" (Voltaire quoted in Singer, 2002, p. 202). We may also note, along with Tristram Stuart (2006, p. 135), the historical irony that Descartes himself—though repeatedly appointed Animal Enemy No. 1 by posterity—followed and advocated a vegetarian diet for health reasons.

³⁴ "So pervasive," writes David McNally (2011), "was the influence of anatomy that it underwent a semantic inflation, emerging as a paradigm for all sorts of investigations in the arts and human sciences. Infiltrating philosophy, literary criticism, political economy and botany, the term featured in the titles of one significant work after another: *The Anatomy of Wit* (1578), *Anatomy of Absurdity* (1589), *The Anatomy of Melancholy* (1621), *The Political Anatomy of Ireland* (1672), *Comparative Anatomy of the Trunks of Plants* (1675), and so on." (p. 26).

save the bodies of publicly executed criminals from being handed over to the dissectors (McNally, 2011).

According to David McNally (2011), this politicization of anatomical and physiological research was not accidental but rooted in the ruthless socio-economic upheaval brought by the emergence of capitalism. In the eyes of the new working classes, McNally argues, the dissectionist appeared as a mirror-image of the capitalist processes that were rapidly overturning their conditions of existence. Proletarian life in “free” market society was characterized by the severing of old communal ties, enclosure of common lands, and bodily subordination to a new regime governed by cold calculation, rationalization, and extraction of surplus value—a development that seemed to find a sinister parallel in the physiologists’ desire for mapping, cutting, and partitioning the bodies of the poor. From this perspective, McNally argues, the human or animal body cut open on the physiologist’s slab easily became a metaphor for a social body that was already being torn apart by market compulsions.

The practice of vivisection, then, went into the nineteenth century with a public relations problem that was not limited to the issue of animal suffering. The public often harbored a sense of suspicion regarding the experimental scientist’s moral character and about the role of science as such. The success story of anatomical research was always tempered by this apprehension, and this tension grew as animal experimentation expanded in scale and intensity over the nineteenth century.

The number of animals used in research began to boom when physiology was established as a scientific discipline. This development was spearheaded in France by scientific celebrities like François Magendie (1783–1855) and his student Claude Bernard (1818–1878). Disavowing traditional, clinical medicine for its lack of methodological rigor, both men advocated an experimentalist approach to physiology and considered the use of animals indispensable to progress. They both vivisected large numbers of animals, often repeating their experiments with only minor parameter tweaks and without using any anesthesia. This research agenda made them pioneers in the development of the hypothetico-deductive paradigm of science (LaFollette and Shanks, 1995, Chapter 3). At the same time, their lack of useful results and their callousness in regard to animal suffering raised suspicion and drew the ire of the early animal protection movement (Guerrini, 2003, pp. 71–74, 81–87). Bernard in particular became a prime target for anti-vivisection cam-

paigns throughout Europe even long after his death, and his name often figured in the Swedish vivisection debates in the 1880s.

Early Vivisection and Anti-Vivisectionism in Sweden

One of the first and most famous vivisectors in Sweden was Olof Rudbeck the Elder (1630–1702), professor of medicine at Uppsala University. Rudbeck, an early Cartesian,³⁵ became famous for his discovery of the lymphatic system through dissection of animals. Inspired by the universities in Leiden and Padua, he also designed an “anatomical theater” for public demonstrations of dissection.³⁶ But Rudbeck’s fame notwithstanding, it seems that vivisection was not regularly practiced at Swedish universities until the second half of the nineteenth century. Lennart Bromander (1987, p. 215) argues that vivisection was first introduced into higher education programs in 1864 by Frithiof Holmgren, the country’s first professor in physiology at Uppsala University. In 1874, Holmgren’s disciple Christian Lovén became the second professor in the discipline at the Carolingian Institute. Both men had their training from Germany, and brought the practice of vivisection back with them from the continent.

The number of animals used during these first years seems to have been relatively small compared to later times.³⁷ For the whole of Sweden, Holmgren himself recorded for one year the use of some 1.000 frogs (usually killed before the physiological demonstrations),³⁸ seventy rabbits, and a few dogs (Bromander 1987, p. 215).

³⁵ Swedish science was long dominated by a combination of Aristotelianism and Lutheranism but in the late seventeenth century Cartesianism and utilitarianism made important inroads (Russell, 1991, p. 309). Although Descartes himself died in Stockholm in 1650 while acting as an advisor to the Swedish queen Kristina, his scientific ideas did not take hold in Sweden until several decades after his death.

³⁶ Built in Uppsala in 1662–1663, the theater was seldom used for its original purpose to dissect humans since only bodies of executed criminals could be used and these were in short supply (Russell, 1991, p. 309–310).

³⁷ As a comparison, in the years 2008–2012, the number of animals used in research in Sweden averaged out at around 969.000 per year according to the Swedish legal definition of animal experiments, or 367 880 per year according to the EU definition (Swedish Board of Agriculture/Jordbruksverket, 2009, 2013a, 2013b).

³⁸ Unlike today, frogs were very popular animals in vivisection in the nineteenth century due to their ease of procurement and their ability to survive surgery. So predominant was the use

The establishment of vivisection in Sweden coincided in time with the founding of the earliest animal protection societies, the first of which was founded in Gothenburg in 1869 and devoted to the protection of small birds. The first general animal protection society was founded in Strängnäs in 1870, by the Kantian philosopher and school master Adolf Leonard Nordvall whom we already met in Chapter 2 (see also Dirke, 2000, pp. 71–77; Bromander, 1987). In 1882, the same Nordvall also founded the first organization specifically dedicated to the vivisection issue: The Nordic Society to Combat Scientific Cruelty to Animals (still around today under the name *Djurens Rätt*—Animal Rights Sweden). As the leader of the anti-vivisectionist movement in Sweden, Nordvall would significantly influence the first Riksdag debates on the issue. In fact, the first motion questioning vivisection from 1881 built on a pamphlet by Nordvall that was distributed to all the members of the Riksdag (Dirke, 2000; Carlsson, 2007; Bromander, 1987; Börtz and Börtz, 1982).

Overview of Reform Proposals 1881–1888

The first Riksdag debate on vivisection took place in 1881, following a motion by Robert Arfwedson in the second chamber (motion II 1881:100). The motion drew heavily on Adolf Leonard Nordvall’s just mentioned polemic against vivisection. Arfwedson also took inspiration from the English *Cruelty to Animals Act* from 1876 that had already included some regulations of animal experiments.³⁹

In his motion, Arfwedson demanded that “painful experiments on animals for scientific purposes” ought to be restricted to pre-defined university locations where they would only be allowed under the supervision of an initiated professor. He also demanded that the animals should be anaesthetized during painful procedures and killed before they woke up. Curare—a drug that was often used in animal experiments but met a lot of criticism because it only paralyzed the animals without eliminating their pain—should be pro-

of frogs at the time that Claude Bernard himself referred to them as “the Jobs of physiology” (LaFollette and Shanks, 1995, p. 49).

³⁹ The English law of 1876 set some legal limits to the use of animals for scientific purposes. For example, experiments without anesthesia now required a special permit and the use of curare had been prohibited. The English law also introduced a system of licenses for the use of animals and allowed government inspectors to monitor the experiments (see, for example, Forsman, 1992, pp. 136–137)

hibited. Moreover, the police ought to be informed about all planned vivisections and appoint special observers, if possible from among the local animal protection organizations, to oversee the experiments. Finally, Arfwedson argued that violation of these rules should be punished with fines (p. 11).

Arfwedson's motion, along with Nordvall's pamphlet, occasioned a polemic reply in defense of vivisection by Gustav von Düben, a professor of anatomy at the Carolingian Institute. Von Düben's pamphlet was also distributed to all members of the Riksdag and both documents were extensively quoted by the politicians. After a long debate, and on the initiative of the liberal Sven Adolf Hedin, the Riksdag asked the Royal government to investigate "whether so called vivisection ought by law to be prohibited or exercise thereof limited and placed under public control" (II 1881:35, p. 45). After collecting information from the universities in Uppsala and Lund, the Academy of Sciences, the Veterinary Institute in Stockholm, and the Swedish Animal Protection Society, a report commissioned by the Royal government concluded that there was no need for legal intervention (LU 1884, p. 51).

This report did not lay the issue to rest, however. In 1884, count Carl Magnus Björnstjerna presented a new proposal for a law to regulate vivisection (motion II 1884:72). According to Björnstjerna, the practice of animal experimentation was rapidly growing and reaching a new and alarming stage in Sweden. This development demanded the attention of the legislators who had previously been reluctant to act. Like Arfwedson before him, Björnstjerna did not demand a ban on vivisection. He only wanted to regulate "the excesses and the unjustified curiosity" that he thought was spiraling out of control, and he hoped that the Swedish lawmakers would look to the English antecedent law for inspiration (p. 5). Björnstjerna's motion was dismissed by the Law Committee with the argument that the conditions had not changed significantly since the 1881 report. It was also argued that a specific law regulating animal experimentation ought to be put on hold as a general revision of the criminal code was pending. The 1884 Riksdag ruled in favor of the Committee's proposal.

The final proposal to regulate vivisection in the 1880s was issued by second chamber member Christofer Ludvig Anjou in 1888 (motion II 1888:88). Anjou noted that the previous law proposal had focused either on whether animal experiments were beneficial for medicine or not, or if they were compatible with morality or not. But since the public was split on these matters and no consensus could be expected, Anjou argued that a law had to be based on the points where both camps agreed. These points were that ani-

mals should only be used for particularly important purposes; that animal suffering should be kept to a minimum; and that when animal experiments were considered unavoidable, great care should be taken to make sure that the results were not lost but fully taken up by science and medicine (p. 14). Anjou thus strategically refrained from making any far-reaching claims about the utility or morality of vivisection, and was content to “limit the number of unnecessary and non-beneficial experiments of this kind and lessen the suffering of the experimental animals” (p. 15). This would be achieved by a law that demanded that (1) animal experiments could only be carried out in approved university laboratories under the supervision of a professor or scientist in charge of the laboratory; (2) experiments would be allowed only on anesthetized animals and the animals should be killed before they woke up, at least as long as this did not affect the purpose of the experiment or if the expected pain was minor; (3) curare and other paralyzing agents were to be prohibited; (4) all planned experiments should be advertised in the newspapers to invite all students of physiology, and at least five people had to appear for the experiment to be conducted; (5) all experiments should be documented, including information about their purposes, the methods used, all the observations made, and all the results achieved. Transgressions of the law should be punished with fines from 100 kronor and up to 400 kronor in the case of repeated offenses (p. 16).

Against Anjou’s motion, the 1888 Law Committee responded that they had weighed the evidence and come to the conclusion that animal experiments were both indispensable and justifiable, provided that animal suffering was limited to the least amount possible and the experiment had a reasonable purpose. Like its predecessor in 1884, the Law Committee held that no major changes in the use of animals had taken place in Sweden that made legislation necessary. On the contrary, the Committee emphasized, recent years had seen remarkable advances both in terms of scientific discoveries and in terms of improvements for the animals used for vivisection (LU 1888:35). Again, a heated debate followed before the Riksdag decided in accordance with the Law Committee’s dismissal.

Though vivisection would occasionally reappear on the political agenda after the 1880s (see chapters 5 and 8 below) the debates never reached the level of intensity that was displayed in this period. Vivisection would remain a formally unregulated practice in Sweden until 1944 (see Alexius Borgström, 2009).

II. MAIN PROBLEM REPRESENTATIONS

The Challenge to Vivisection

Robert Arfwedson's 1881 motion set the tone for the kind of critique that would be delivered against animal experimentation throughout the 1880s. Over the motion's eleven pages, Arfwedson listed numerous alleged atrocities of modern physiology. The examples included vivisectors who had drilled holes in the skulls of dogs, flushed out parts of their brains with water, and poked out their eyes in order to study brain functions; cut the spinal cords of dogs and used them for numerous experiments; drilled through the skulls of rabbits; constructed ovens to study animals slowly dying from heat, and so on. To Arfwedson it was clear that any kind of "normal" animal cruelty—the kind of mistreatment that was already criminalized in Sweden since 1858—faded to insignificance compared to these scientific infamies. These examples, he hoped, would give his audience an idea "of the gruesome cruelty to animals that is probably occurring and going unpunished at most universities in civilized Europe" (motion II 1881:100, pp. 1–2).

Arfwedson and the other critics of vivisection often framed the problem of vivisection in this way, as a growing trend that violated the existing anti-cruelty legislation. It could not be the intention of the existing law, they argued, that one specific profession—the experimental physiologists—should be allowed to capriciously torment animals. The typical picture that was painted consisted of a previously untroubled Sweden with a corps of honorable scientists that was suddenly being flooded by the corrupting effects of vivisection from abroad. As a result, the scientists had started (or would soon start) to take moral liberties. Tens of thousands of animals, it was argued, were being used in painful experiments at the European institutes for physiology and anatomy, and Sweden would soon follow suit.⁴⁰

One of the worst tragedies from this point of view was that the experiments yielded only dubious results. This standpoint was backed up by many references too contemporary scientists who questioned the usefulness of

⁴⁰ It is difficult to assess the actual extent of vivisection in Europe at this time, but it is unlikely that it was as dominating as the opponents made it out to be. In 1882, the British anti-vivisectionists in the Victoria Street Society (formed in 1875 by Frances Power Cobbe and still in existence under the name National Anti-Vivisection Society), estimated the number of vivisectionists in Europe to 85 in France, 45 in the United Kingdom, 51 in Italy, 29 in Germany, and 1 in Norway (Carlsson, 2007, p. 26).

animal experimentation. These critics, in turn, argued along different lines. Some, like the English ex-vivisectionist Charles Bell, gave their critique a religious inflection when they held that it could not be providential design that the secrets of nature would reveal themselves only through acts of cruelty. Others argued that the results garnered from vivisection were inconclusive, even misleading, and had no bearing on human medicine (motion II 1881:100, pp. 2–4). Moreover, different scientists seemed to draw quite different conclusions from their experiments. This could lead to absurd situations, as Count Björnstjerna complained in 1884: “[François] Magendie sacrificed 4.000 dogs to prove that Sir C. Bell’s views [on the nervous system] were correct, and then another 4.000 to prove that they were false.” (II 1884:42, p. 3)

Another source of disdain for vivisection was that animals were often used to re-demonstrate existing knowledge about the body, or merely to practice certain skills (p. 5). It was this presumed trend, with a growing number of animals used, as well as the intensification and repetition of the gruesome experiments for dubious ends, that the critics warned was about to overflow Sweden as well. The tide had to be stemmed before it was too late.

On a related note, the critics scorned the hubris of modern science that had led it to make monopolistic claims on knowledge about the mysteries of life. Against these overblown pretensions, the reformers argued that the physiologist had to realize their proper place:

Physiology is not *science*, it is *one* science among many others. One of these others is *morality*, and it is precisely the latter that has the last word in the present case, for the question is not what physiology demand and considers necessary, but what is right and wrong.’ (Arfwedson, motion II 1881:100, p. 8, emphasis in original)

According to Arfwedson, the implicit motto of vivisection was that “the means justifies the ends,” something that was “absolutely reprehensible from a moral viewpoint” (p. 9). Moreover, if this kind of Jesuit morality was accepted, it would soon habituate its practitioners to cruelty and desensitize them to suffering. Left unchecked, this desensitization would not only undermine the respect for the existing anti-cruelty law among the public but even prepare the ground for the use of humans in experiments. “He, who has once come so far as to use living animals as experimental objects without

feeling compassion,” Arfwedson stated, “will not find it difficult to treat humans in the same way when the opportunity presents itself.” (p. 5)

Against the objection that vivisection constituted a limited practice in Sweden and that there were no experiments carried out here that resembled the horrors outlined in the continental anti-vivisectionist literature, the reformers replied that the shroud of secrecy surrounding the practice made any assessment of the truth impossible. And in any case, the point was not to change the past but to prepare for the future when the trend of vivisection was going to hit Sweden with full force. According to Arfwedson, the signs were clear already in 1881. Cruel vivisections of animals paralyzed with *curare* were already carried out in physiology classes at Swedish universities, he claimed, “and no particular gift of clairvoyance is needed to foretell that where these [practices] have taken hold, more is to expect” (p. 7).

To combat these problems, the would-be reformers often looked abroad for inspiration. England, for example, had already passed a law regulating vivisection to some extent. A series of recent international animal protection conferences in Europe had also seen their participants agree on the need to regulate vivisection (p. 7). These reform proposals typically included that animal use should be reduced to a minimum; that the use of living animals should be banned whenever the purpose of the experiment could be achieved using dead animals instead; that anesthesia should be used whenever possible and that the sedated animals were killed before they woke up; that vivisection should not be allowed in order to repeat experiments, satisfy mere curiosity, or for simple demonstration purposes.⁴¹ But although these reform principles were embraced they usually included one important caveat—namely that none of the above would apply if it meant impeding scientific progress. The reform efforts almost invariably stopped short of demanding a ban of animal experiments. While some of the participants in the debates, like Arfwedson himself, argued that they “would not hesitate to vote for an unconditional prohibition of all aspects of vivisection” (p. 8), their concrete policy proposals were pragmatic. No participant in the debates of the period went so far as to question the human entitlement to use animals for scientific purposes.

⁴¹ These demands of the early animal protectionists prefigured the now well-known “Three Rs”—“replacement,” “reduction,” and “refinement”—laid out as ethical guidelines for animal research by Burch and Russell (1959) and since then implemented in several countries’ animal experimentation policies.

In summary, the following themes recurred in the critics' problem representations throughout the 1880s. Vivisection was (1) cruel and painful in a way that offended the spirit of the existing anti-cruelty law; (2) invalid or at least flawed as a scientific methodology; (3) promoting an unacceptable "Jesuit" or utilitarian morality where the end justified the means; (4) conducted in secrecy without public control; (5) a trend coming from abroad that had to be controlled before it was too late; (6) an expression of a perverse lust for experimentation among some scientists; (7) making pretentious materialist-mechanist knowledge claims at the expense of the moral and spiritual dimensions of reality; and (8) a brutalizing endeavor that could habituate its practitioners and the public in general to wanton cruelty.

In Defense of Vivisection

The defenders of vivisection had a strategic advantage in the debates. Science and scientists enjoyed a high social status and could claim privileged knowledge regarding matters of nature, physiology, and medicine. Several of the Riksdag's pro-vivisectionists were physiologists or medical doctors themselves. Expressed in later sociological terms, the scientists held a lot of cultural and symbolic "capital" that they and their defenders could exchange for legitimacy in the political debates. At the same time, the pro-vivisectionist position was not a hegemonic one, at least not in the Riksdag. It is important to remember here that unlike their counterparts today the defenders of vivisection did not have the confidence to base their arguments on the therapeutic benefits of animal experiments. The equivalence between animal experiments and cures for human diseases that is taken for granted in today's biomedical discourse was not yet established in the 1880s—there simply was no such record of accomplishment. Thus, while arguments from human benefit were central to the defenders of vivisection they also had to rely on a host of supportive arguments to make their case.

This did not mean that the pro-vivisectionists did not try to draw on arguments from utility. As the physician and second chamber member Charles Dickson argued in 1881, it was "precisely through these experiments on the silent animals, we have come so far, that we have been able to prevent and alleviate many diseases and pains for humanity. I therefore believe that we are fully justified in using these experiments" (II 1881:35, p. 35). Similarly, the professor of medical and physiological chemistry August Almén argued in 1888 that "medicine would have remained in the same position where it was a thousand years ago, if it had not been brought forward by these exper-

iments on living animals” (I 1888:18, p. 28). It was often emphasized that scientific progress was now made every year, and hardly any of this development had been made—or could be made—without the use of living animals.

But even though many examples of great scientific discoveries were cited in the Riksdag, far from all of them were clear cut cases of concrete human benefit from vivisection. Louis Pasteur’s microbe experiments, for example, were repeatedly mentioned, but they were only very recent events and their full implications were far from clear at the time. Similarly, the practice of vaccination was still a new and experimental one (and often met with skepticism among the public). The discoveries made by giants like Vesalius and Harvey had shaken the foundations of Ancient and Medieval physiology, but they pertained to a crude level of anatomy and even after centuries had passed they did not have any direct relevance to medical treatment. The new stars of physiology—like Magendie, Bernard (see above), and Rudolf Virchow—were not only controversial for their methods, they also had very little to show in terms of practical results of their research.⁴² In fact, it was not until the final debate of the decade, in 1888, that the argument was put forward that drug testing on animals was necessary for the production of pharmaceuticals for humans. More often, the arguments in favor of vivisection ended up with a few examples like the successful battle against anthrax in cattle and the improvements in hospital safety thanks to sterilization and antiseptics. Not even Axel Key, a Carolingian Institute professor and pathologist who staunchly defended vivisection, dared claim that vivisection had saved more than “tens of thousands of humans and hundreds of thousands of animals” (II 1884:42, p. 41). And in all these cases, the critics could well question if the animal experiments had played the pivotal role attributed to them.

One of the claims that were brought in to bolster the case for vivisection and dissection was that these practices were necessary for education in physiology and medicine. As the physician Charles Dickson argued in 1881, the high standard of medical science in Sweden was attributable in great part to the use of animals. Just like teachers in mathematics had to illustrate their

⁴² To the great satisfaction of his numerous critics, Bernard himself once wrote that the students of physiology had achieved very little in terms of useful results: “Without doubt, our hands are empty to-day, but our mouths may well be filled with legitimate promises for the future.” (Bernard quoted in Paget, 1907, pp. 32–33.)

theorems on the blackboard, the argument went, the physiologist had to use animals to demonstrate the correctness of his views (II 1881:35, pp. 33–34). This meant that if the opponents to vivisection had their way, the quality Swedish medical corps would deteriorate until it consisted “only of empiricists, who in the treatment of disease would have to follow textbooks and rely on observations made by others” (p. 34). Echoing Claude Bernard’s new physiological doctrines, Dickson made a sharp distinction between clinical empiricists and experimentalists, where the latter stood for the lion’s share of scientific advancement. Any law that would restrict the use of animals in education would therefore be a hard blow against medical progress.

Another supportive pillar for vivisection was the high status of the scientist in general. The scientist-subject was articulated as an educated, refined, and noble character. He worked hard and sacrificed himself for his work and for the common good. The scientist’s moral elevation, in turn, was framed as a guarantee for decent treatment of the animals. Conversely, the critique of vivisection was often seen as an attack on the scientists as a group. Charles Dickson, again, complained that the reformers in the Riksdag wrongfully placed the scientists “on a par with mischievous boys, who pull the legs and wings of flies and so forth, to see if they can still fly” (II 1881:35, p. 35; see also Thomasson, II 1884:42, p. 33). This was an insult to the entire profession.

Against these accusations, the pro-vivisectionists often articulated the practice as a self-sanitizing business where cruelty to animals was almost impossible by definition. Animals would never suffer needlessly, because

animal cruelty exercised by an educated man, and especially a scientifically educated man or a physician, would indeed be so shameful, that it cannot be conceived of unless it happens for the sake of a greater purpose, to the real benefit of men and animals, *but then it should not be called animal cruelty.*’

(Almén, I 1888:18, p. 27, emphasis added)

The defenders of vivisection also often repeated that a law to limit vivisection amounted to the abolition of scientific freedom. No evidence had been presented for the accusation that vivisectionists were crueler than other citizens, so why should they in particular be subject to degrading “police regulation”? (Sjöcrona, I 1888:18, p. 17) Against the English law that served as inspiration for many of the reform proposals it was argued that it had done great damage and all but eradicated experimental medicine from the island kingdom

(Key, II 1884:42, p. 14). Following England's path would only lead Sweden into a similarly dismal state. Axel Key pleaded:

[I]n the name of mercy, for the sake of humans and animals, do not restrain this research! Gentlemen! Research on animals is absolutely necessary for the advance of medical science in all directions. With a law, such as the proposed one, this research is dead. (pp. 41–42)⁴³

Regarding the cruelty of the experiments, the defenders of vivisection conceded that animals had often been mistreated. But that was all in the past. *Now*, they held, vivisection of living animals had been “rendered painless by the means invented by medical science,” like adequate anesthesia and improved surgical methods (Nyström, II 1888:26, p. 17). Anesthesia was only omitted in a few cases—and these instances were in any case insignificant in relation to the millions of animals abandoned to the suffering caused by everyday practices like slaughter, fishing, hunting and castration.

The implied trend of growing vivisection activity was regularly dismissed as a product of anti-vivisectionist propaganda. Very few experiments on animals were carried out in Sweden, and none involved unnecessary cruelty. To emphasize the absurdity of legal regulation it could be argued a law on vivisection would only affect four professors in Sweden (Sundell, I 1881:28, p. 3). Moreover, the antivivisectionists were said to exaggerate the numbers of animals used in Europe, and in any case these numbers had no connection to the Swedish situation:

[H]ow many animals are vivisected in Sweden at present and how is vivisection carried out? ... In Uppsala 500 to 600 frogs are expended every year, and here at the Carolingian Institute roughly the same number. Of higher animals 20 to 30 rabbits are expended in Uppsala, and here in Stockholm around 30 to

⁴³ The recurrence of this theme of scientific freedom throughout this period shows that it would be a mistake to read the debates only as an evaluation of a specific scientific methodology. As Lennart Bromander (1987, p. 214) has pointed out, this was as much a trial of science itself, or a struggle over science's proper place in society—and the scientists individual reputations hung in the balance. It was also, as Kathleen Kete (2002: 28) notes for the broader European context, a debate within the elite itself over what elite discourse would prevail—traditional values and religious doctrines stood against modern scientific standards of knowledge production.

40. All in all then, around 1,000 frogs and 70, or let us say at most 100 rabbits. Withal, 1 or 2 dogs are used in each place. This is the extent of the vivisections, against which one has wanted to stir up a storm within the nation. (Key, II 1884:42, pp. 10–11)

According to Professor Key, 80–90 per cent of these animals were killed before any invasive procedures were carried out. For the rest, it was standard practice to administer anesthesia, and all animals who had undergone surgery were killed before they woke up. No more than five per cent of the animals were used in experiments without anesthesia, he held. In other words, there was no need for concern because “no animals receive an easier death than those who are meant for scientific purposes, for they are killed instantly” (p. 10). In Key’s opinion, the case against vivisection rested only on a biased selection of some regrettable excesses in laboratory practice that had taken place several decades before the current debates.

Finally, the attacks on vivisection were typically framed as founded in a peculiar over-sensitivity among the “friends of animals.” This sentimentality and over-zealousness, it was argued, not only led the critics to exaggerate the crimes committed against animalkind—it also risked leading to absurd and dangerous conclusions like the end of fishing, hunting, and even meat-eating as such.

In short then, the pro-vivisection discourse in the 1880s was commonly constructed around the following themes: (1) the assumed utility—or at least the future utility—of experimental physiology; (2) the indispensability of dissection and vivisection for medical education; (3) the scientists’ moral character as a guarantee for responsible research; (4) the importance of academic and scientific freedom; (5) the dismissal of scientific animal cruelty as a thing of the past and the denial of a growing trend in vivisection; and (6) the warning that the good intentions of the animal protectionists were hypocritical and would have disastrous consequences.

III. CONDITIONS AND EFFECTS OF THE PROBLEM REPRESENTATIONS

The problem representations outlined above were in turn conditioned by a series of assumptions, omissions, and affective investments. In the following sections, I will discuss these features in more detail. To begin with, I will focus on how the debates about vivisection were located at a historical breaking point between traditional and modern outlooks. This break, as Lennart

Bromander (1971, 1987) has pointed out, was manifested in the Swedish vivisection debates as a conflict between idealist and scientific discourses which gave very different meanings to the phenomenon of vivisection. For the idealist critics of vivisection, for example, the practice was interpreted as a nihilist abomination that would undermine moral standards and lead to social catastrophe. In my view, this resistance to vivisection reflected a much broader historical conflict between new and old elites vying for discursive hegemony. It was in this struggle that the practice of vivisection emerged as a particularly embattled phenomenon. When old and new knowledge regimes clashed at the threshold of modernity, vivisection appeared as a flashpoint of symbolic and affective conflict as both sides in the debates fought hard to fix the meaning of vivisection and integrate it into their preferred representations of the animal cruelty problem.

Another characteristic of this period was that the old notion of “apparent cruelty” was increasingly challenged and made subject to re-negotiation. The main difficulty had to do with the prospects of applying the old anti-cruelty law to vivisection. In short, was vivisection criminal “apparent cruelty” or not? If it was, what would that mean for science? If it was not, what would that mean for the concept of animal cruelty in general? Here, I will argue that the vivisection debates helped reveal a crucial but hidden tension within the old concept of “apparent cruelty” that would continue to cause political trouble throughout the period under study in this book.

This part of the chapter also revisits the notion of a Great Chain of Being and look at how the human–animal relationship was couched in what I will call an ontology of “tragic naturalism” where human exploitation of animals was represented as a regrettable necessity. This assumption strongly informed the defense of vivisection and undermined the position of its critics who could be cast as hypocrites for attacking animal experiments while overlooking all kinds of cruelty in their own everyday lives. In my discussion of this topic, I will highlight again how the shared commitment to speciesist normality among the actors involved imposed invisible boundaries on the debates and made sure that the critique of vivisection did not explode into a full-scale critique of human domination.

I will also take up two types of ideological fantasies that structured the debates: First, I will discuss the fear that growing social concern for animals would amount to a slippery slope leading to absurdities like vegetarianism and the abandonment of humanity to the blind powers of nature. Second, I look at the representation of the vivisectionist as a moral monster created by

materialistic science. I will then connect both of these fantasies to an underlying desire for harmony and consistency in the human–animal relationship in a lifeworld increasingly split apart by the forces of modernity.

Idealism vs. Materialism

What made the debates over vivisection so intense in the 1880s? Lennart Bromander (1971, 1987) has argued that the most important background to the Swedish vivisection debates in the 1880s was “the conflict which constantly recurs throughout the nineteenth century between idealism and materialism, between a view of the world colored by religion and the progress of scientific research” (p. 214). This is indeed a crucial point. This conflict of worldviews, a clash between traditional values and emerging capitalist modernity, was widespread in Europe at the time. The theme has been epitomized in novels like Mary Shelley’s *Frankenstein, or The Modern Prometheus* (1818)⁴⁴ and H.G. Wells’s *The Island of Doctor Moreau* (1896), both laying out the dangers of a science that recognized no limits and did not hesitate to tamper with life itself.⁴⁵ The basic warning was this: if the excesses of the scientific mind were not controlled, promethean hubris would take over, and

⁴⁴ The story of Dr. Frankenstein was directly inspired by vivisection, via scientists like Erasmus Darwin and Luigi Galvani who had attempted to re-animate dead animal tissue. Shelley’s novel was subtitled *The Modern Prometheus*, invoking the Greek myth of the Titan who brought fire to humanity and was punished by the gods to have his liver eaten out by an eagle for all eternity. To Shelley however, Prometheus did not bring humanity so much a blessing as a seed of corruption. With fire, humans could cook, but cooking encouraged hunting, which meant violence and killing. Here, like in the Ancient myths of humanity’s fall from grace and the loss of the Golden Age, the exploitation of animals was articulated as equivalent to social decline and moral debasement. In fact, both Mary Shelley and her husband Percy Bysshe Shelley were early promoters of vegetarianism (even before that word was invented, see Preece, 2008). Allegorically then, the powers of science that seemed to offer so much good were also taken to contain the forces of humanity’s undoing. It is not difficult to see how vivisection could be articulated as a core moment of this threatening materialism. Similarly, in *The Island of Dr. Moreau*, the main theme is the blurring of the line between human and animal due to the meddlesomeness of science.

⁴⁵ It may be further indicative of the allure exercised by the new physiology on the artistic mind that when August Strindberg, Sweden’s most famous author, released a collection of short stories in the midst of this controversy in 1887, he chose the title *Vivisektioner* (“Vivisections”).

life itself would be reduced to mere instrumental value. From this, only great horror could follow (as in Shelley's novel, were the nameless monster ends up destroying his scientist creator). The opponents of vivisection often drew upon idealist discourses of this kind to bolster their arguments.

As we have seen, the number of animals used for vivisection in Sweden in the 1880s was very low compared to later times. Bromander (1987) argues that this early, small-scale use of animals in experiments could not in itself have been enough to stir up such a heated debate. Instead, he suggests that the vivisection issue was more of a manifestation of a much deeper and broader clash between different views of science and its place in society.

Where the defenders of vivisection often took their inspiration from the development in European science, many of its opponents rested on a Christian and philosophical idealism that was often, though not necessarily, mixed with political conservatism. At this point in time, Swedish idealism-conservatism came with a distinct flavor, that of *Boströmianism*, after Sweden's leading philosopher in the nineteenth century, Christopher Jacob Boström (1797–1866) who had been a professor of practical philosophy at Uppsala University 1842–1863. Boström had promoted a brand of rationalistic idealism that came to dominate Swedish university philosophy and had great influence on other academic disciplines up until the turn of the century. Politically, Boström's philosophy translated into a conservative defense of a society of estates headed by a monarch. It also mixed well with orthodox religious sentiments. Through his own work and through his students, Boström's thinking gained considerable influence among the strata of Swedish society educated in the humanities. (Bromander, 1987, pp. 216–17)

This idealist outlook was not just a philosophical position, but a medical one as well. One of the leading medical figures of the time, Israel Hwasser at Uppsala University, shunned modern experimental medicine and hailed the authority of classics like Hippocrates, Galen and Sydenham. Instead of seeing medicine as a materialist and experimentalist endeavor, Hwasser and his likes promoted a traditionalist view of medicine as a humanitarian, moral calling. This disdain for experimental study may seem eccentric to modern readers who are accustomed to associate medical advancement with high-tech laboratory practice rather than with bedside caring. But as Bromander notes,

the almost boundless faith in the possibilities of medicine which is so common nowadays was wholly alien to the people of the 1880s. If, then, the doctor

started to make use of new experimental methods, there was every reason to adopt a skeptical attitude. For the majority of educated people, the doctor as a natural scientist was an incongruous figure, a repulsive *mésalliance* between the revered humanist and the crude empiricist. (Bromander, 1987, pp. 217–18)⁴⁶

Many of the attacks on vivisection in the 1880s reflected this kind of idealist outlook, skeptical toward science and often shot through with Christian sentiments. This meant, above all, a privileging of moral values over scientific inquiry and a rejection of the scientists' monopolistic knowledge claims. As Edvard Casparsson in the second chamber put it in 1881, the work of science was ephemeral while morality was eternal: "[C]ompassion and mercy shall ... remain when all the laws and systems of science are crushed into dust" (II 1881:35, p. 33). Other statements emphasized that virtue and knowledge was inseparable and that true knowledge had to be gained by moral means. This position was clearly expressed by a second chamber member in 1884: "I am convinced, that for the one who carefully observes and studies nature, without violating her, she will in good will reveal her secrets and solve her riddles. It is attentive study, not violation of nature, that makes the progress of the great man and thinker."⁴⁷ (Sparre, II 1884:42, p. 24) This kind of outlook seemed to underpin many of the attacks on vivisection, rendering the latter as a problem going far beyond the violation of animals. Vivisection, from this perspective, represented a fundamental misgiving about the nature of reality and represented an almost ontological sin.

The assumed failure of vivisection's ontology and methodology led to further accusations. In particular, vivisection was blamed for fostering atheism as well as moral and political nihilism. The fear here was that the modern mechanist and atomist teachings that underpinned vivisection would lead to

⁴⁶ This confusion could even scare people from seeking medical care. As a member of the Riksdag argued in 1881: "[W]hen one knows of the reluctance often found in the common man against consulting physicians, it is not an indifferent matter if a conceptual confusion arises between necessary operations carried out by the art of healing in the interest of humanity, and the experiments carried out on animals in the interest of science" (Casparsson, II 1881:35, p. 30-31). In other words, the more the physicians were associated with experimentalism, the more their humanist credentials withered away.

⁴⁷ Note that the metaphorical feminization of nature here also made "her" an object for men's protection—and no doubt from other men's violent desire.

the eradication of all moral and spiritual dimensions of reality. To borrow Max Weber's (1920/1993) later term, it must have seemed to the critics like modern science was striving for the full "disenchantment" of the world. As the naval officer Carl Gustaf Lindmark put it, the experimentalists spared no effort "to kill the divine and spiritual within the cosmos" (II 1888:26, p. 27). Commenting on a statement by the German vivisectionist Emil du Bois-Reymond (1818–1896) who had argued that the soul was nothing but a contingent configuration of atoms, Lindmark retorted that such doctrines would, "if they find resonance among men, sooner or later lead to a chaotic grimness and a demoralization of customs" (p. 27).

Many of those critical to vivisection assumed that materialist science was about to bypass religion as the prime vehicle for finding eternal truths. In their view, science was drunk on success and had started to feel entitled to disregard even the basic commandments of Christendom. But as Oscar Berg in the first chamber insisted, religion made no exception for science: "The law on which a Christian people is based, and thus also the Christian scientist, is as we know the sacred writ" (Berg, I 1881: 28, pp. 1–2). While Christianity did allow humans to use animals, there was a limit to the suffering humans could inflict on them:

The Lord has ... shown that we should treat the animals not in a cruel way. Now it does say: slaughter and eat, but we are not allowed to torment and torture them. From that point of view I must express my serious dislike for vivisections. (Berg, I 1881:28, pp. 1–2; see also Berg, I 1884:34, p. 22)

The concern here, again, was not animal use *as such* but a moment of excessive cruelty that went beyond what was construed as legitimate and necessary.

The critics of vivisection also often saw vivisection as a shocking display of cold utilitarian calculation. The vivisectors might be honest in their quest for truth, but so had the defenders of torture been, and their views had been thoroughly discredited by posterity. Similarly, the Jesuits had privileged the ends over the means only to find their legacy condemned by posterity. The opponents of vivisection often stressed the implications of the argument from utility: "If painful experiments on animals are accepted, one must also draw the full conclusion that if the whole of humanity may gain and benefit, *experiments on humans should also be allowed.*" (Casparsson, I 1884:34, p. 27, emphasis added) From this perspective, modern science had to be con-

trolled before it reached the level of Jesuit arrogance, and the values it was prepared to trample under foot had to be restored. Science was not completely rejected but it was consistently emphasized that it was trumped by morality:

[E]ven if science and its *justified* demands should be highly valued, one should value the noblest and best sentiments of the human heart even higher: mercy and justice for all, not the least the defenseless animals. What I know for sure is that the *end* never justifies the means, even if it tries to drape itself in the wide mantle of science.' (Fredenberg, II 1884:42, p. 27, emphasis in original; see also, for example, Barnekow, I 1884:34, p. 38)

The perceived arrogance of experimental science made some critics brand it as outright "nihilism." It should be remembered that nihilism, at this time, was not only a philosophical concept but a political one, mainly referring to the ideas of certain Russian revolutionaries. As Bromander (1987) reminds us, Nordvall's pamphlet and Arfwedson's 1881 motion on vivisection appeared in the Riksdag only a year after Tsar Alexander II in Russia had been assassinated by the social revolutionaries in *Narodnaya Volya* ("The People's Will"). The Swedish press had taken a terrified interest in the activities of these insurgents, and the political connotations of this word choice could hardly have escaped anyone. The analogy was intended as a warning; if the amorality of vivisection would take hold, great disorder could follow. As Oscar Berg put it:

Is everything that is useful, right? Have we the right to do whatever we imagine may lead to a beneficial goal? Well, if that is the proposition, the Russian nihilists are right, for in committing regicide, they believe themselves to benefit the lives of millions of people, but no other human can therefore consider this right. One cannot deny that the French revolution with all its horrors also brought some good, but can one therefore say that it is right to make revolution? (Berg, II 1884:34, p. 19)

Carl Gustaf Lindmark also emphasized the similarity between the experimentalist ethos and the nihilist credo by offering another quote from previously mentioned Emil du Bois-Reymond, now attacking religious preconceptions in the philosophy of nature: "Bold on the heights of unlimited doubt, the researcher shuns filling the gaping void around him with the

images of fantasy, and gazes without fear into the merciless driving forces of nature, divested of all divinity.” Lindmark then compared this sacrilegious statement with the following one, attributed to a nameless nihilist: “Take earth and heaven, take life and death, the soul and God and spit on it, that is Nihilism!” (II 1884:42, p. 21) The case was simple: in his rejection of faith and spirituality, and in his arrogance about holding the key to the life’s mysteries through vivisection, the scientist sided with the abominable nihilists.⁴⁸

The ultimate consequence of the barbarism inherent in animal vivisection, some critics implied, was that the scientists would soon turn to experimenting on humans. This claim that vivisection of humans was an imminent risk may sound alarmist, but such violations were not unheard of and they had a long history that the politicians seemed well aware of. Stories about human vivisection go back to Antiquity and they were not unknown to the educated members of the Riksdag. Carl Gustaf Lindmark, for example, complained in 1888 that vivisection had been practiced without any useful results ever since the Ptolemaic kings in ancient Egypt “handed over prisoners sentenced for life to the physicians to be vivisected for the benefit of medical science” (II 1888:26, p. 27).⁴⁹ It was repeatedly implied by the critics of vivisection that human experimentation was a secret wish among the physiologists. “[P]erhaps it was just a joke,” stated Oscar Berg in 1881, “what a vivisectionist is supposed to have said: ‘we cannot settle for less than the

⁴⁸ Another political fiend associated with experimental physiology was Verdandi, a radical student organization founded in Uppsala in 1882. The club had quickly made itself infamous in Oscanian Sweden for its attacks on religion, nationalism and sexual bigotry. These student radicals were considered kindred spirits to the vivisectors because of their scandalous “preaching of atheism, depravity and legalized murder, under the euphonious name of ‘euthanasia’ or the art of dying in peace” (Lindmark, II 1888:26, p. 28). To a modern reader this connection between laboratory vivisection and left-liberal student politics seems tenuous. But seen in the light of the efforts to equalize vivisection and science with godlessness, political extremism, and moral decay it fits well into the polarized ideological climate of the 1880s.

⁴⁹ In ancient Alexandria the practice of vivisection reached its peak with the anatomists Herophilos (c. 330–250 B.C.) and Erasistratos (c. 305–240 B.C.) who became known for their studies of tendons and nerves in living animals. But the pair also went down in history marked with ignobility. According to rumors written down by later Roman historians and Christian dignitaries, the Ptolemaic kings authorized the Alexandrian duo to perform vivisections on living human prisoners sentenced to death (Maehle and Tröhler, 1987, p. 16; Guerrini, 2003, pp. 6–7).

permission to vivisect prisoners sentenced for life.’ This time may yet come.” (I 1884:34, pp. 20–21) Second chamber member Paul Petter Waldenström, also warned for this slippery slope: “It is my conviction that vivisection on animals sooner or later will lead to large scale vivisection of men.” (I 1888:26, p. 44) Such experiments were already underway in Europe, Waldenström argued, and cited examples of risky operations performed on humans, as well as the inoculation of children with syphilis.

This articulation of an equivalence between physiological research, mechanism, experimentation, atheism, political radicalism, nihilism, and human vivisection figured widely in the debates. Moreover, when vivisection was inscribed in this context it became a crystallization point for a whole range of social and political anxieties—particularly, it seems, conservative–religious ones. In this regard, the critique of vivisection in the Swedish Riksdag was both aligned with, and differed from, the popular objections to vivisection chronicled by David McNally (2011; see also Chapter 2 above). In McNally’s account, lower class resistance to vivisection is understood as a cultural encoding of the workers’ lived, bodily experience of capitalist exploitation. In contrast, the Riksdag debates reflected a tectonic shift in knowledge regimes that posed a serious challenge to traditional structures of authority. In this sense, the conflict in the Swedish Riksdag was more reminiscent of the struggle between old and new European elites over the role of science described by Kathleen Kete (2002). In any case, this goes to show that “vivisection” had no pre-given meaning, but figured as a floating signifier that different forces fought to capture and imbue with their own meaning.

The Meaning of Cruelty

The conflict over vivisection may also be seen as conditioned by a crucial tension within the established anti-cruelty discourse. The 1858 law against exhibiting “apparent cruelty” in the treatment of domestic animals had been partly motivated by a desire to control the “savage” mindset and moral ignorance attributed to the lower social strata (see Chapter 3). But as the vivisection debates revealed, the meaning of “apparent cruelty” could be widened to include many other practices. “Cruelty” was not necessarily limited to denoting a savage mindset. The term could also denote treatment that was experienced as cruel from the animals’ own perspective. Of course, this double meaning of cruelty was already implied in the debates of the 1840s and 1850s, but the full force of the tension inherent to the concept was not actualized until vivisection started to be problematized.

The main trouble was that in the case of vivisection, the old prohibition against “apparent cruelty” paradoxically seemed to apply and not apply at the same time. The treatment of animals in vivisection was sometimes undeniably “cruel” in the everyday sense of the word—it caused pain, it required callousness, it was premeditated, and so on—yet, the vivisector was not the kind of person to do undeniably cruel things. The critics of vivisection sometimes insisted that the existing law should be applied to the vivisectors, but this immediately met with the counter-argument that the vivisectors were no crueler than anyone else who took part in the normal and naturalized use of animals (like slaughter, hunting, and fishing)—indeed, the vivisector was the only one who could claim to exploit animals for a wholly unselfish purpose. This charge, then, easily backfired on the critics. Nonetheless, the feeling remained that the practice of vivisection somehow belonged to the realm of cruelty even if it could not easily be pinned down in this category.

This problematic sliding of the signifier “cruelty” would continue to cause trouble within the field of animal politics. Was the term meant to apply “objectively” to all cases of animal suffering (something that would not only criminalize many experiments, but undermine the speciesist order as such), or would it refer only to a particular mindset or a given set of culturally defined “excesses” (something that seemed to make its application much too arbitrary)? This conceptual impasse would remain at the center of the debates for decades until the anti-cruelty regime was superseded by the discourse of animal welfarism from the mid-1930s and onward.

*Nature Red in Tooth and Claw:
Human Dominion and Nature’s Own Vivisection*

As we have seen, the figure of a Great Chain of Being and the theme of human dominion over the rest of natural creation influenced the debates over animal cruelty already in the 1840s and 1850s. This ontological assumption recurred in the debates in the 1880s, and it was expressed both by the defenders and the critics of vivisection. The main difference between the early debates and the ones in the 1880s was that those in favor of vivisection in the later period more often articulated man’s dominion as the outcome of a natural struggle for existence. According to this view, vivisection was legitimate because it was an integral part of this struggle. The critics on the other hand, more often clung to the Biblical idea of a covenant between humans and the natural world that imposed moral restraints on human action. Typically, on the latter account, humans were allowed to use animals for food and labor,

but they were not allowed to inflict unnecessary harm. As Oscar Berg in the first chamber put it in 1881, the Biblical message to humanity was “slaughter and eat—you may, but not torment” (I 1881:28, p. 12).

Just like before, the defense of human dominion often involved the articulation of a natural hierarchy of lifeforms:

In all areas there are lower and higher interests which assert themselves. Throughout the entire world order we see as an all-pervading law that the lower must yield to the higher, serve the higher and its purpose. ... [H]umanity is placed on earth not only to be the highest creation and being, but also to cultivate the land, to make it obedient, to let the whole of creation serve her interests. (Wretling, II 1888:26, p. 33)

Even though the “lower organic creation” explicitly held the capacities for “life, sensitivity and consciousness,” it was assumed that it had been “placed on earth to be subservient to us and serve our interests” (p. 33). And this was so by necessity, the defenders of vivisection held. If the ethical message of the Bible was literally interpreted as “thou shalt not cause the animals suffering,” this would render hunting, fishing, slaughter, castration, and so on immoral—something that, in turn, would “make man’s existence impossible” (Nysström, II 1888: 26, p. 48).⁵⁰

⁵⁰ There was a peculiar tension in these accounts. On the one hand, the human right to use animals for their own purposes was taken for granted. On the other hand, this natural right was not enough on its own, it had to be bolstered by reference to necessity. It can perhaps be argued that this representational strategy ultimately reflected the power asymmetry between humans and animals and, in the symbolic register, the uneven “exchange relation” between the species. It has been observed in many cultures that the act of killing animals is surrounded by rituals seemingly designed to square the “debt” or imbalance incurred by taking a life. By taking on the role of someone regrettably driven by necessity to exploit and kill, part of this symbolic debt could be settled and the relation could be reframed as one of mutual sacrifice rather than as one of one-sided exploitation. And while the language of “debt” or “exchange” was not used, the structure of such a relation loomed in the background. In other words, the mere reference to divine or natural hierarchy was not satisfying on its own as it implied a greedy, one-way transaction. Something else—guilt or remorse—was arguably needed to “balance” the human–animal relationship and recapture the human virtue lost through violent exploitation.

The defenders of vivisection did not reject traditional morality, but they often interpreted it in a naturalistic fashion where natural competition and the survival of the strongest were foregrounded. Professor Axel Key, for example, explained in 1884 that

life is hard and the struggle for existence is tough. One animal lives off the other. We humans too, are forced to this. We take the right to use animals for our own individual benefit, for utility, for pleasure, yes, to satisfy our fancies [through wearing furs, for instance], and how much pain do we not inflict on them in so many different ways. But above the right to use them for the sake of the individual must be the right to use them for a great majority, yes in the interest of the whole society, for all humanity. (II 1884:42, p. 37)

Animal experiments were often justified in terms like these, by reference to an unforgiving natural order where animals preyed upon each other. Interestingly, however, these hardened assertions were often hedged by a curious modicum of regret. The brutal state of nature was represented as inevitable, but it was never articulated as a desirable condition. On the contrary, it was often acknowledged that human participation in this cruel natural order constituted a moral problem, especially from a Christian standpoint. The appeal to nature for moral values thus never amounted to an unreserved embrace of natural teleology as an ethical “model.” Rather, it appeared in the form of what we might call a “tragic naturalism.” According to this view, the world was the way it was and this could not be changed. Nonetheless, the prudent thing to do was to express regret and sadness over nature’s inherent cruelty. (Indeed, one of the most condemning charges against the vivisectionists was that they failed to do this and instead seemed to take delight in exercising cruelty.)

The “tragic” dimension here lay in the framing of the issue as a matter beyond human control. It was fate, not choice, that had humanity participate in this bloody drama. Necessity, not free will, forced them to exploit the natural world. “It is no doubt saddening,” the Baron von Kræmer said in 1884, “that our existence includes something called cruelty; but unfortunately it permeates the entire world we live in. I only need to mention the familiar scientific law of the struggle for existence.” (I 1884:34, p. 29) Or as a member of the second chamber put it in 1888, it was “a necessity for humankind, as well as her right, to subordinate the creation. Do we not see daily, how man is compelled to cruelly destroy the animals to protect his own life and his

existence?” (Wretling, II 1888:26, p. 33) Thanks to this introduction of natural coercion, humanity could be absolved from at least some of its sins in relation to animals. (The question whether *all* habituated animal use was imposed on humankind against their will by impersonal external forces was never raised in this context.) These assumptions also partly reversed the question of guilt by articulating humans as victims of natural circumstance rather than foregrounding animals as victims of human choices.

The emphasis on the necessity and inescapability of animal exploitation in nature as well as in society led some politicians to push the analogy further and articulate the facts of predation and food shortage among wild animals as nature’s own vivisection: “We live in the world of suffering, and *nature herself is the most terrifying surgeon of all*, for with few exceptions every freely living animal is doomed to die either by starvation, or by the fangs and claws of the predator.” (Nyström, II 1888:26, p. 17, emphasis added) The articulation of signifying chains like these attempted at the same time to naturalize the cultural phenomenon of vivisection, and to diminish the relevance of human choice in relation to the overwhelming cruelty of the natural order. What humans did to animals, then, was assumed to fade to insignificance in comparison to the incessant suffering inflicted by nature’s own scalpels. In this way, the defenders of vivisection sought to absorb this new and provocative practice into an established framework for grasping natural relations.

Vegetarianism and Other Absurdities

While nature’s cruelty was articulated as lamentable from a moral standpoint, changing it was not an option. On the contrary, it was assumed that too much care for the animals would only lead to absurd and undesirable outcomes. One of these perceived absurdities was vegetarianism. As Zacharias Ahlin in the second chamber argued in 1881, Sweden had recently seen a troubling trend of exaggerated “fondness toward animals that is sometimes in danger of turning into great sentimentality. I want to recall here the well-known vegetarianism.” (Ahlin, II 1881:35, p. 40) Although not much was said about this “well-known” phenomenon,⁵¹ it was apparently seen as an

⁵¹ It is clear that the term “vegetarianism” was known to the members of the Riksdag as it never needed any further explanation. The word “vegetarian,” as Rod Preece (2008, pp. 12–13) explains, first became established in England in the late 1830s. Before that, followers of a “vegetable diet” or “vegetable regimen” in the western world seemed to have preferred terms

exotic practice that was best avoided. Participating in the cruelties of nature, Baron von Kræmer stated in 1884, was a necessity for anyone who wanted “game and fish or animal food in general, and would not restrict oneself to live only off vegetables, like a familiar sect in East India; one which—for this very reason, it is assumed—has degenerated both in terms of physical and mental powers.” (I 1884:34, p. 29)

It is interesting to note here that the notion of vegetarianism or a vegetable diet was only activated in the debates by the defenders of vivisection, and it was only brought up to discredit the critics of animal experimentation. On the few occasions that vegetarianism was mentioned (both here and later on), it was framed either as the product of inappropriate sentimentality or as an artifact of exotic, eastern religion.⁵² In both cases it was assumed that vegetarianism would lead to ridiculous consequences like making humans defenseless against nature. One speaker, for example, claimed that in Buddhism a righteous, vegetarian believer did not even “dare to kill the lizards crawling over him, even in his own bed” (Wretlind II 1888:26, p. 33). The Hindu, it was said, was prepared to go so far in his “misplaced compassion, that he establishes hospitals for aged cows ... and work the oxen until they drop and get eaten alive by predators” (p. 33). These foreign absurdities, some politicians warned, were now about to be imported into Sweden by the sentimental animal protectionists.

Straining Gnats and Swallowing Camels: The Tu-Quoque Argument

The success story of vivisection was often questioned in the 1880s. Vivisection, the critics argued, had been practiced since Antiquity—but what did it have to show for itself? Where were all the advancements for human health that were supposed to legitimate the use of animals in research? In response, the defenders of vivisection did their best to catalog the practice’s contribu-

like “Pythagorean,” after the vegetarian philosopher, to define their lifestyle. The Swedish Academy did not include the word *vegetarian* in its dictionary until 1900, but as these debates show the term was in use in Swedish at least two decades earlier.

⁵² In *The Bloodless Revolution: Radical Vegetarians and the Discovery of India* (2006), Tristram Stuart has shown that vegetarian ideas imported from the far East were both well-known and hotly debated in intellectual circles in eighteenth and nineteenth century Europe. Though vegetarianism was only mentioned in passing in the Swedish debates in this period, the term was consistently connected to Indian philosophy and religion.

tions to science throughout the Riksdag debates. This defensive strategy, however, was not sufficient on its own. It was therefore often combined with rhetorical maneuvers designed to rob the critics of their high moral ground. For who were these critics to attack vivisection when they themselves participated in numerous cruelties towards animals? Were not the animal protectionists also implicated in harming animals—directly or indirectly—through meat-eating, hunting, fishing, and castration of domestic animals?

In their historical overview of attitudes towards vivisection Andreas-Holger Maehle and Ulrich Tröhler (1987, p. 23) have called this response the “*tu-quoque* argument” (Latin: “you, too” or “you, also”). Versions of this argument were widely used throughout the Swedish vivisection debates. Employed as a rhetorical strategy, the objective of the *tu-quoque* argument was to diminish the problem of vivisection by comparing it to the multitude of cruelties animals regularly suffered at the hands of humans. While vivisection might occasionally be painful, its defenders held, at least it was carried out for a beneficial reason—something that could not be said for many other uses of animals. As Charles Dickson put it in the 1881 Riksdag debate: “When one thinks of how many larger and both unnecessary and meaningless cruelties we commit daily and often only for our own entertainment, it seems to me a true application of the thesis: ‘to strain gnats and swallow camels.’” (II 1881:35, p. 35) If the critics of vivisection wanted to put an end to vivisection, were they not also obliged to demand an end to many other practices of animal use? A member of the first chamber formulated the challenge in 1881:

I believe then, that it could not justly be disputed, that the human is in her full right to subject the animal to pain [through vivisection], albeit the least possible, for a noble and for humanity great purpose. If we do not recognize this, we ought to turn against several other ways in which humans torment the animals without the purpose of such a great and distinguished utility, if any one at all. It may then go so far, that one will want to prohibit slaughter and put restrictions on hunting. (Asplund, I 1881:28, p. 5)

In Gustav von Düben’s pro-vivisection pamphlet from 1881, this inconsistency was also sarcastically highlighted—again with a reference to exotic Indian religion—and quoted in the first chamber debate:

If the antivivisectionist gentlemen were consistent, they would for example refrain from the use of fresh oysters, since these, as is well known, are served vivisected and are reached by the anesthetic only after they have been swallowed; when they are really enlivened, the antivivisectionist gentlemen, following the same rule of consistency would be forced to, like a Hindu sect mentioned by Jagor, carefully and hastily set up *special food stations for vermin*. — *The physiologists do not go that far*. (Gustav von Düben quoted by Beck-Friis, I 1881:28, pp. 10–11, emphasis in the Riksdag protocols.)

This line of argumentation did not only attempt to legitimate vivisection by reference to its utility. It also tried to redefine the positions in the debate. As one member of the Riksdag put it in 1844, the main dividing line was not the one between pro- and anti-vivisectionists. The truly significant difference was the one between “scientific vivisection” (that was carried out by a few people for a noble purpose) and “popular vivisection” (that everyone unquestioningly participated in) (Bergström, I 1884:34, p. 37). This articulation implied that ordinary people were vivisectors too; they just did not recognize themselves as such. The most common examples of such “popular vivisection” were hunting and fishing, along with castration of domestic animals—practices, the pro-vivisectionists held, that caused far more suffering than experimental physiology ever had and ever would.⁵³ And ultimately, of course, the anti-vivisectionist hypocrisy was revealed in their attitudes toward meat-eating:

[C]olossal cruelty is constantly and to a high degree exercised much closer [than in the European vivisection laboratories], and most of all in our kitchens. There lies the very wellspring of animal cruelty. May the loving people, who rampage against vivisection, start with themselves! May they start with their servants! (Lindhagen, I 1884:34, pp. 23–24)

The critics of vivisection found it difficult to respond to the *tu-quoque* argument. The equivalence produced between scientific and “popular” vivisection had them caught between the rock of hypocrisy and the hard place of fanaticism. The reform advocates could only reply in defensive terms, pushing the argument that two wrongs did not make one right. Only a few critics of vivi-

⁵³ For more examples, see Samzelius, I 1881:28, p. 10; Thomasson, II 1884:42, p. 34; Dickson, II 1881:35, p. 35–36; Lyttkens, II 1884:42, p. 35; Key, II 1884:42, p. 38; Almén, I 1888:18, p. 26.

section went a little further, like Carl Gustaf Lindmark who dared hope for a future in which “hunting and fishing as mere amusements will be regarded as savage pastimes” (Lindmark, II 1881:35, p. 37). However, responses like these were only aimed at recreational fishing and hunting. They did not address the question of animal use in general. Just like in the 1840s and 1850s it was clear that the animal protectionists did not wish to pursue their own line of reasoning too far.

But neither, it seems, did their opponents. Considering that the question of food habits was probably the most rhetorically effective weapon in the pro-vivisectionist arsenal it is curious that it was not used even more. Most examples of anti-vivisectionist hypocrisy that were brought up in the debates focused on hunting, fishing, and castration without anesthetics, and not directly on the consumption of animal-derived products. Perhaps we can interpret this omission as grounded in a shared fear of taking the battle to a terrain in which no party could claim the privilege of throwing the first stone. In any case, it is clear that there was a game of what we might call “intra-speciesist” emotional blackmail going on here, in which the defenders of vivisection were ultimately successful in claiming the higher moral ground. In the end, the *tu-quoque* argument privileged the pro-vivisectionists over the critics because the former could frame themselves as more consistent in their inconsistency. Using animals for human purposes might be questionable and even corrupt—but seeing as everyone did it anyway (or *had* to do it anyway, under the conditions of tragic naturalism), the vivisectionists were the only ones doing it for a noble purpose.

From this period onwards, the *tu-quoque* argument was mobilized in response to all kinds of reform demands. Whatever condition the animal protectionists complained about, the opponents would argue that there was some other practice that was not only worse for the animals, but also widely accepted—even, in all likelihood, by the animal protectionists themselves.

It is interesting to note, in relation to this aspect of the debates, that all the elements of a more radical critique of speciesist relations existed already at this time. The animals’ capacity for suffering—albeit reduced mostly to physical pain—was acknowledged without hesitation, and it was also acknowledged that this suffering mattered in moral terms. It was even conceded that the socially dominant norms for animal treatment were morally inconsistent. Indeed, the rhetorical efficacy of the *tu-quoque* argument itself relied on the recognition of this fact. This, of course, means that the argument itself was inconsistent; an allegation of moral failure cannot be annulled simply by the

observation that the other party is also guilty of moral failure. A necessary precondition for the *tu-quoque* argument to “work,” then, was a conviction that the reformers would never step outside the given discursive regime and reject anthropocentric morality as such. As we have seen, this wager was correct. The furthest the animal protectionists were willing to go was to criticize practices like fishing for leisure or hunting for sports. In other words, it is difficult to imagine the debates making sense without the background both of a willingness of the animal protectionists to self-discipline themselves in accordance with hegemonic norms, and an unspoken speciesist solidarity uniting the different parties in the debate.

The Split Society and the Vivisector's Perverse Enjoyment

As we have seen, the critique of vivisection in the 1880s was often articulated in a highly affective and moralizing register. While the critics of animal experimentation often insisted that they did not wish to question science as such, nor the virtues of most scientists, they often expressed intense distaste for the figure of the “fallen” vivisector. Much like the lower class animal abusers of the 1840s and 1850s, the vivisector in the 1880s was constructed as taking a perverse enjoyment in harming animals. The critics of vivisection regularly returned to what they perceived as a repulsive fanaticism among the modern scientists in whom they saw a perverse drive for “truth” and personal renown that motivated them to transgress all moral bounds. In this regard, they were particularly fond of quoting the seemingly excessive and immoral statements made by some vivisectors, revealing in the process their own mixture of revulsion and fascination for the latter.

Already in the first motion from 1881, Robert Arfwedson quoted the well-known French vivisectionist Claude Bernard on the ideals of the scientist: “The physiologist,” Bernard had written, “is no ordinary man. He is a learned man, a man possessed and absorbed by a scientific idea. He does not hear the animals’ cries of pain. He is blind to the blood that flows.” (Bernard quoted in motion II 1881:100, p 10.)⁵⁴ A similar attitude was expressed in a quote from a certain professor Cyon:

Vivisection is an art, which is not given to everyone and cannot be taught to anyone. The real vivisector must go to a difficult vivisection with the same *permeating movement of joy*, with the *same pleasure*, whereby the surgeon car-

⁵⁴ This translation of Bernard after Preece (2002, p. 309).

ries out a difficult operation from which he expects extraordinary results. He who shies back before cutting up a living animal, he who approaches vivisection as an unpleasant necessity, he may well repeat this or that vivisection, but he shall never be a virtuoso of the art. (Motion II 1881:100, p. 10, emphasis in original)

Statements like these were often presented as evidence for the fanatic inclination of the modern experimentalist. It was implied that the one-sided and prolonged pursuit of science had blinded these men to other crucial values, habituated them to cruelty, and awoken in them a peculiar enjoyment of animal experimentation. As Oscar Berg put it in 1881:

There is an old saying that goes: The appetite grows while one eats. And so it is with the vivisectionists. It is horrifying to be witness to a vivisection for the first time, but in time you start to torment frogs and cats and dogs, and finally it turns into a pleasure, just like the case is with hunting.” (Berg, II 1881:28, p. 12)

In 1884, Carl Björnstjerna also defended his motion with the argument that the vivisectors’ lust for experimentation had to be controlled before it went too far:

Many prominent vivisectionists concede that during the ongoing work, they are so exclusively concerned with the scientific experiment they are conducting, that they never even notice the suffering of the experimental animals. When this is the case, could it not happen that this scientific fervor and this lust for experimentations easily could be transferred from the animals to humans. I will not claim with certainty that this has really happened, but it is well-known that quite serious remarks in this regard have already been put forward from various quarters. Thus, from a purely humane viewpoint as well, the lust for experimentation ought to be monitored and restrained as much as is possible without harming science. (Björnstjerna, II 1884:42, p. 5)

In my view, the recurring focus on the abhorrent and deviant enjoyment of the vivisector suggests that we are, again, dealing with fantasy in the Lacanian sense—that is to say, a scenario designed to mask the failure of the discursive order. The period under study was a tumultuous one, when the traditional social order was increasingly dislocated by the rise of capitalist

relations, new scientific ontologies, new technologies, industrialization, urbanization, secularization, and new family constellations—in short, what we today call “modernity.” It was a historical conjuncture in which the constitutive “impossibility of society” (Laclau and Mouffe, 1985/2001) must have made itself felt among many people, including the politicians engaged in these debates. As I have argued (see Chapter 2), fantasy sustains social reality by covering over the antagonistic void at the heart of the discourse; “society” is *constitutively* impossible, but fantasy allows us to feel that is only *temporarily* blocked by an enemy force. The politico–ideological effect was fetishistic misrecognition: instead of grasping the cruelty of vivisection as a normal, systemic effect of a speciesist social order in which animals were routinely subordinated, fantasy displaced the moral problem to the deviant vivisector. At the same time, this fantasy condensed a series of “wicked” characteristics of the era—rampant materialism, atheism, and political nihilism—into the same character. The vivisectors found themselves situated at the intersection of a series of social crises that made their work a super-charged condensation point for fantasmatic investments. To many, the experimental physiologist must have appeared as the very incarnation of the traumatizing rupture that modernity brought to the social realm. When society lay bleeding, many eyes were drawn to the man holding a scalpel.

This interpretation goes beyond previous readings of the vivisection debates in the nineteenth century, which have focused mainly on the social construction of conflicting worldviews. As I have tried to indicate, the affective dimension deserves more attention here. The experimental scientists were not just criticized for having the wrong conception of the world, nor were they chastised only for tampering with something that should not be tampered with—they were also accused for taking an intense, alien enjoyment in this nihilistic engrossment. Many of the solutions debated were also designed to control and discipline the excessive drives attributed to the vivisector (appointing witnesses and supervisors, making sure that experiments were not repeated, and so on). In short, much like the lower class animal abuser came to “stand in” for the blockage of harmony in the 1840s and 1850s (see Chapter 3 above), the vivisector came to figure as a symptom of discursive dislocation and an obstacle for social reconciliation in the 1880s.

IV. SUMMARY AND CONCLUSIONS

What was the “problem” of animal (mis)treatment represented to be in the debates? What solutions were foregrounded?

The debates over vivisection in the 1880s were characterized by a strong polarization. Both the critics and the defenders of the practice tried to frame the issue by linking vivisection with other, positive or negative, concepts, and phenomena, thus giving rise to widely divergent problem representations.

The defenders of the vivisection often framed experimentalist science as the Royal Road to knowledge. For the subjects interpellated by this discourse, the idea of regulating vivisection appeared as a threat to progress and academic freedom. This problem representation involved framing the scientist as a self-sacrificing individual in tireless pursuit of eternal truths. Moreover, the refined character of the scientist was offered as a guarantee against unnecessary cruelty toward animals. If a scientist occasionally had to perform painful experiments, this was only to achieve a greater good. Concrete examples to the contrary were met with dismissal on the grounds that they represented earlier, unrefined stages of experimental science or that they were exaggerations on the part of the critics. Whatever problems were associated with vivisection in the past, these had now been done away with—alternatively, they would soon be overcome as experimental physiology was reaching full maturity.

For the idealist conservatives and those inclined toward romantic radicalism on the other hand, vivisection served as evidence of the detrimental influence of the scientific worldview in general. While they did not dismiss science *in toto*, they associated its perceived excesses with the contemporary decline of religiosity and the loss of moral foundations. In vivisection, they saw modernity showing its true face, and it was the face of Promethean hubris. The cocksure claims of experimental physiology seemed to sacrifice all traditional wisdoms and replace them with a cold, calculating materialism. This doctrine was said to undermine Christian and humanitarian values, and replace them with a crude “Jesuit” or utilitarian morality in which the end justified the means. As a result, tens of thousands of animals were secretly tormented in the most horrifying ways, only to produce dubious and contradictory results. In addition, vivisection was said to contribute to the brutalization of the scientists as well as the public. Articulated together with political extremism and terrorism, vivisection could be represented as just another sign of nihilist catastrophe *in statu nascendi*. To the opponents of

vivisection then, legal regulation was urgently needed to stem the tide of experimental cruelty that was about to flood Sweden. The typical solutions in this regard stopped short of a strict ban, however, and typically involved reform measures like restricting the right to perform vivisections to licensed researchers; minimizing the number of animals used; making anesthesia mandatory; disallowing the use of animals for mere demonstrations; and doing away with the secrecy surrounding the practice.

Under what conditions did these problem representations emerge? What productive effects did these representations have?

The most important thing to be noted here is that the vivisection debates were not just about the proper treatment of animals. As Lennart Bromander (1971, 1987) has argued, vivisection was not very widespread in Sweden in or before the 1880s. Indeed, were we to measure the extent of the practice by the standards of the upcoming twentieth century we would hardly notice it at all. The reason that vivisection still managed to cause so much debate was that the practice found itself located at a particular historical juncture. In the late nineteenth century, traditional social and religious values were challenged by the forces of modernity in all their dynamic forms: capitalism, class struggle, science, technological development, industrialization, urbanization, feminism, secularism, and so on. In this period of dislocation, vivisection emerged as a highly provocative floating signifier that different social forces fought to capture and impart with their own meaning. This struggle was most clearly manifested in the contestation between religious-idealist and scientific-materialist outlooks in the Riksdag, as old and new elites clashed with each other over the privilege to define the world.

In the midst of this momentous transition between hegemonic knowledge regimes, old discursive patterns were re-articulated to fit the new situation. The old assumption about a Great Chain of Being, for example, was recast by the defenders of vivisection in vulgar Darwinist terminology as a “struggle for existence” in which the interests of the “lower” life forms necessarily had to yield to the interests of their superiors. While this brutal natural state was regrettable from a moral point of view, there was nothing to do about it. Just like the beasts lived off each other, so mankind was forced to take advantage of the animals. Disrupting this order would only lead to social degeneration and introduce in Sweden the kind of absurdities found in exotic religions like Buddhism and Hinduism, where righteous believers did not consume

animal flesh and were (allegedly) prohibited to defend themselves against the dangers of nature.

It followed from these assumptions that those who opposed vivisection were not only unrealistic dreamers. They could also be represented as hypocritical when they singled out animal experiments for criticism while continuing to support “popular vivisections” like hunting, fishing, castration, and meat-eating. This disarticulation of the opposition’s claims (and the production of the animal protectionists themselves as sentimental dreamers) was ultimately successful, and relied in no small part upon the wager that there was a limit to how far the reformers were willing to push their kindness toward animals. The reformers’ continued commitment to a social order based on animal use left them largely defenseless against the accusations of inconsistency, a fact that the pro-vivisectionists did not hesitate to exploit.

Another important condition for the vivisection debates to occur in the first place was the undefined meaning of the legal notion of “apparent cruelty.” When this concept was encoded in the 1858 anti-cruelty law, it was with a special eye toward controlling unruly passions and cruel dispositions of the underclasses. However, it could also be read in a more literal or “objective” way to denote cruel *effects* rather than just cruel intentions. The dual meaning of the notion “apparent cruelty” made it possible to apply it to “scientific animal cruelty” as well. What was most troubling with this expanded reading was that it departed from the reigning assumptions about what an “ideal” animal abuser looked like. When the vivisectionist was articulated as an animal abuser, the antagonism within the concept of animal cruelty was reactivated and threatened to collapse the established distinctions between legitimate and illegitimate animal treatment. Here again, the struggle stood between a reformist logic of equivalence that wanted to identify at least some aspects of animal experimentation as “apparent cruelty,” and a logic of difference that endeavored to de-problematize vivisection and withdraw it from discursive contestation. Even though the vivisection debates did not lead to any immediate legal changes they contributed to the undermining of the original anti-cruelty paradigm by renegotiating what should go into the problem of animal cruelty. The most important productive effect of the reform efforts in the 1880s, then, may have been that they helped recast animal cruelty as a phenomenon that was not necessarily limited to the excessive acts of a savage underclass.

What affective investments and ideological fantasies were at work in these representations?

Both sides in the vivisection debates sought to stabilize their problem representations by appealing to an affective register and invoke fantasmatic threats. For the defenders of vivisection, the threat was located in the overzealous animal advocates who would stop at nothing to live out their sentimentality toward animals. If these elements would have their way, a series of absurdities would follow, including the end of animal consumption and free science. While animal protection was generally mentioned as a worthy cause, any perceived excess was immediately attacked in the debates. Well-meaning humanitarian concern for animals was one thing, but as soon as the debates came close to questioning the speciesist order in a more fundamental way, the animal advocates were recast as a threat to “our way of life.”

The critics of vivisection, for their part, often tried to represent the vivisectionists as driven by a lust for truth that had taken an obscene turn, and blinded the researchers to all moral values. Ultimately, however, this figure of a “mad scientist” animated by nihilistic materialism served as a condensation point for a whole range of anxieties—or “ontological insecurities,” to borrow a later sociological term (Giddens, 1991)—spawned by the rapid pace of social transformation. The vivisectionist came to “stand in” for a number of unsettling trends associated with modernity: the replacement of religion with science and the “disenchantment of the world”; the breakdown of traditional values and hierarchies; the stirring of political radicalism; and so on. Emerging here as society’s “symptom,” the vivisectionist was not just envisioned as cruel toward animals, he seemed to block social reconciliation in general and stand in the way for the healing of society’s wounds.

This “mad scientist,” of course, never existed. But ideological fantasy is not concerned with verifying reality, only with sustaining the subject’s desire in the face of dislocation. The production of a “bogyman” is not accidental but a key feature of political life since it holds out the promise of social harmony once the obstacle has been overcome. For those groups who felt discursive dislocation eating away at the social fabric, the Frankensteinian scenario of science running amok offered a visible, and vincible, external incarnation of an immanent flaw—the constitutive failure of the human-animal relationship to attain full closure.

What kinds of animal (ab)use were left unproblematized?

Just like in the previous period, the articulation of animal vulnerability was mainly restricted to physical harms. The main problem of vivisection, in the 1880s, was that it caused physical pain. But this problematization also meant that much of the problem could be taken out of the practice through the use of painkilling drugs or by sedating the animals and killing them before they woke up. The killing of animals thus remained largely unproblematized in these debates, as did the issue of keeping them in captivity. The only time killing or psychological suffering was brought up as potential problems was when it became necessary to attack the reform advocates for their hypocrisy in supporting practices like hunting and fishing. Otherwise, the politicians seemed to tiptoe around this issue as much as they could and were reluctant to say anything that would make a problem out of meat-eating.

In my view, these silences and this reductive view of animal vulnerability again betrayed a widely shared will to reduce the problem of animal cruelty from a general social problem to something politically manageable. Even though all the elements of a much more radical critique of the speciesist order were already in place, no one seemed willing to give voice to it. One rather gets the feeling that there was something of a silent pact at work, in which political respectability had to be bought with the promise of not overstepping the boundaries of speciesist normality. In other words, there was an elephant in the room that no one wanted to talk about because they were all, as it were, preparing to eat it. Much like in the previous period then, the debates over vivisection took place at a superficial level, leaving the edifice of speciesist relations intact.

5. When All Animals Became Equal

Zoologies of Inclusion and Exclusion 1884–1907

THE FIRST LAW AGAINST ANIMAL CRUELTY in Sweden was adopted in 1857 and came into force in 1858. This law, as we saw in Chapter 3, prohibited “apparent cruelty” in the treatment of “one’s own or the animals of another.” Over the rest of the century, only a few changes were made to this statute before the law underwent a more substantial revision in 1907 to include free-living animals (and not just those in human possession). This chapter deals with the debates leading up to this revision, focusing on how different themes relating to animal cruelty were politicized and re-problematized in the face of discursive crisis.

The chapter proceeds as follows. First, I give an overview of the main changes and legal developments in the policy area. Then will I discuss the main issues and problems that were articulated in the Riksdag debates. These included the emergence of long animal transports as a political problem; the thorny issue of including “wild” animals; and the continued struggle over the meaning of “apparent cruelty.” After this presentation, I turn to a discussion of the conditions and effects of these problem representations. Here, I will continue the exploration that started in the previous chapter and focus on the discursive crisis that grew from within the concept of “apparent cruelty.” This crisis, I will argue, worsened bit by bit as new potential animal cruelty issues were pushed onto the political agenda. I will also discuss the changing views of animal vulnerability and the challenges these posed for the established anti-cruelty regime. In addition, this section takes up the recurring fear of human brutalization and the mobilization of nationalist ideas and sentiments in the framing of cruelty toward animals. Finally, I discuss the representation of the animal protection societies and how they could be framed as a threat not only to individual animal owners, but also to speciesist normality as such. The chapter ends with a concluding summary.

Overview of Reform Efforts and Legislation

The first change of the 1858 anti-cruelty law took place in 1864 when Sweden got a new criminal code. When this code was adopted, the animal cruelty statute was incorporated into it under the heading of “crimes against public morality” (*sedlighetsbrott*). As Helena Striwing (1987) explains, the crimes in this section of the code were considered *delicta publica*, that is to say, “acts that could not be allowed to continue because they were presumed to undermine public morality” (p. 21). This determination of the anti-cruelty statute as an instrument of moral discipline further testifies to the law’s functional role in the elite project of “civilization” that I have already outlined in Chapters 2 and 3.

It would seem that the incorporation of the animal cruelty statute into the criminal code was a rather uncontroversial move. The statute itself, however, soon met with criticism from the early animal advocates in the Riksdag. A number of reform proposals were presented in the Riksdag from the 1880s onward. Most of these early initiatives were rejected or led to investigations that were soon dropped by the government. Before the end of the nineteenth century, only two concrete changes were made in the law, both relating to the level of punishment. In 1890 the maximum level of fines was raised to 500 kronor (SFS 1890:33), and in 1900 imprisonment for up to six months was introduced among the possible punitive measures, “if the circumstances were highly aggravating” (SFS 1900:49). These changes, however, did not include any revision of the definition of animal cruelty itself.

In 1907, the definition of the crime was revised to cover “apparent cruelty” against *all* animals (i.e., free-living and not just domestic ones). This change was preceded by numerous reform demands, notably a series of motions penned by Johan Nydahl of the Liberal Coalition Party.⁵⁵ The new law that resulted from these efforts read:

⁵⁵ Nydahl’s and the other reformers’ original ambition had been to achieve a more extensive revision of the anti-cruelty paragraph, but in the end they had to compromise and settle for the law’s extension to free-living animals. Though the final wording of the law was produced by a dissenting Law Committee member, the then liberal Carl Lindhagen, the persistence of Nydahl in pursuing this change earned the final 1907 statute the nickname the “Nydahlian law” (*Nydahlska lagen*) (see Carlsson, 2007).

If anyone, in the treatment of animals, exhibits apparent cruelty; to be punished by fines. If the circumstances are highly aggravating; to be sentenced to imprisonment for a maximum of six months. (SFS 1907:44)

I. MAIN PROBLEM REPRESENTATIONS

Some of the typical problem representations in the policy area remained the same in this period. The fear of human brutalization, for example, was still a common feature of the complaints, as was the focus on the uneducated animal abuser. At the same time, the end of the nineteenth century was characterized by a broadening and diversification of the animal issues on the political agenda. This proliferation of issues put further strain on the old anti-cruelty regime by posing problems that were difficult to express in the established political syntax on animal cruelty. As we have already seen, the understanding of animal cruelty as a marginal underclass phenomenon was challenged by the “discovery” of scientific experiments as a potential animal cruelty issue in the 1880s. But this politicization—or “cruelification”—of vivisection was not an isolated episode. It is my contention that, from this period onward, a more general discursive crisis begins to show in the political debates over animal treatment. This crisis manifested itself in the growing dissatisfaction with the existing law, and shines through even more in the pervasive difficulties that the politicians experienced when they tried to define, express, and rework the concept of animal cruelty. As we will see in this chapter, this discursive dislocation regularly expressed itself across the broadened field of animal issues under debate.

A first important theme in the debates concerned the range of species that would be protected by the law. The old law only referred to “one’s own animals or the animals of another,” a wording that seemed to exclude free-living animals altogether. But this begged the question about where to draw the line between owned and unowned animals: If a free-living animal was caught by a human, did the animal then immediately become that human’s property and fall under the law’s protection? Did the law against “apparent cruelty” apply to wild animals who had been caught in snares or jaw traps? And what about the millions of fish routinely pulled out of the sea? Did a fish become a piece of property, and hence protected from “apparent cruelty,” when caught by an angler or fisherman? If so, could it not be conceived as a significant cruelty to hook them in the mouth or pull them out of the water to suffocate? And if *all* animals should be protected by the law, as the reformers suggested—what would that mean for a practice like vivisection? The renegotiation

of these complex legal and moral problems was at the center of animal politics around the turn of the century.

Another lingering point of contention was how the phrase “apparent cruelty” should be interpreted. Did the term apply to *any* kind of pain or suffering that was inflicted on animals in an “obvious” or “apparent” way? Or was it restricted to an assessment of the perpetrator’s intentions or moral disposition? The reformers in the Riksdag who wanted more extensive legislation against animal cruelty generally complained that the existing law was far too vague in this regard. Its inconsistent wording, they claimed, caused confusion among prosecutors and judges about what should count as animal cruelty. This in turn led to verdicts that were much too lenient in relation to the gravity of the crimes.

In addition, several new concerns were on the rise that the old law seemed unequipped to deal with. Among these were the expansion of vivisection (as discussed in the previous chapter), long animal transports (see below), and certain slaughter methods (to be discussed more extensively in Chapter 7). These practices often involved animal treatment that seemed to be “cruel” in the everyday sense of the phrase, but they rarely led to legal action because they diverged from the common understanding of what “real” or “ideal” animal cruelty looked like. When forced to address these new developments, the reformers in the Riksdag tended to demand a more concrete definition of what “animal cruelty” meant; more detailed regulations for specific types of animal use (like vivisection, slaughter, and transports); tougher punishment for animal cruelty; and a general extension of the law to cover all animals.

The politicians who resisted such change usually held that the existing law was good enough. In their view, further regulation was unnecessary at best and dangerous at worst. Capitulation to the demands of the “friends of animals” risked leading to absurd consequences like the end of hunting and fishing, as well as the curtailment of free science and medical advancement. Rather than choosing this risky path, they argued, animal cruelty ought to be dealt with by way of continued moral enlightenment and Christian education.

At the same time, both sides tended to agree on certain assumptions. The idea that humans had the right to use other animals for their own purposes was never seriously questioned. Consequently, the problem of animal cruelty was never problematized as a systemic feature of society. Instead, the problem was framed as a contingent or accidental deviancy located among certain social groups. As a result, the producers of animal-derived products

were rarely foregrounded as problematic, and the consumers of these products were problematized even less. Just like before, both sides in the debates let imply that the main objective of the anti-cruelty legislation was to manage a worrisome excess of cruelty among certain social elements and to prevent this excess from spreading and disturbing the social order.

When the anti-cruelty statute was revised in 1907 to include animals in the wild, this was largely seen as a progressive move and as a timely expansion of the principles behind the old law from 1857. However, as I will attempt to show in the following, this revision also represented an act of resistance to the destabilization of the speciesist order that the old anti-cruelty principle had occasioned. The preparatory documents for the 1907 law did not just include free-living animals, they also tied the concept of “apparent cruelty” to the vagaries of public opinion in a way that explicitly relativized and fragmented the whole concept. As I remarked in the previous chapter, it had been possible to do a literal or “objective” reading of the old concept of criminal animal mistreatment. But this kind of interpretation invited a lot of trouble by equalizing a wide range of common practices with criminal animal cruelty. In the Law Committee memorials leading up to the 1907 law revision, therefore, it was made quite clear that “apparent cruelty” was not to be read as an absolute benchmark of animal mistreatment. After the turn of the century, it was more explicitly stressed that “animal cruelty” was a relative notion, to be defined as that which went beyond the kind of animal use that was locally accepted or that which was already established in the different sectors of the economy. Briefly put, if people in a given region or a given industry thought that a certain type of animal use was okay, it was. In practice, this affirmed the speciesist preference that different thresholds for criminal liability should apply for different industries and different areas of animal husbandry. In my view, this move—something of a school example of the recuperative logic of difference—came as a response to the dislocation that was spreading throughout the anti-cruelty discourse. This method, to impose difference to counter the expanding meaning of animal cruelty was a winning stratagem that would be repeatedly deployed over the following decades until it culminated in the “welfarist turn” in the 1930s and 1940s.

The Problems of Lower-Class Animal Abuse and Human Brutalization

How, then, did the representations of animal cruelty look in more detail? One typical problem representation that we recognize from the earlier peri-

ods was the highlighting of animal abuse among the lower social strata. In the early slaughter debates, for example, the main concern was the treatment of animals in home slaughter among the rural farming population (see Chapter 7). Similarly, when examples of shocking animal cruelty were cited in the Riksdag, they were often taken from veterinary or police reports from the countryside that documented acts of severe negligence or overworking of animals (see, for example, motion II 1898:108; II 1898:19).

Another recognizable feature of the problem of animal cruelty was the fear that cruel behavior to animals would ruin a person's character and lead to violent behavior. As Edvard Wavrinsky put it in an 1896 motion (II 1896:133), mistreatment of animals "contributes to a great degree to the demoralization and hardening of its practitioner. Savageness barbarizes. And the example infects widely." (p. 2) In other words, once animal cruelty took hold it was also contagious and risked infecting others. The brutalization of the animal abusers also partly explained the low conviction rate, since witnesses were afraid to report them: "As a rule *animal abusers are also human abusers*, and as such feared, which is why they often can avoid measures taken against them and carry on with their mistreatment of the poor animals." (Motion II 1896: 133, p. 3, emphasis added) All this, Wavrinsky and other reformers held, pointed to the need for tougher punitive measures to deter these social elements from animal cruelty.

Animal abuse was also connected to the use of alcohol, one of the major social issues in nineteenth century Sweden. It was because of the "unrestrained orgies in the taverns and alehouses" that animals became "the innocent victims of the bad temper of the masters or servants, their negligence or their savageness, especially under the influence of intoxication" (p. 2). In fact, Edvard Wavrinsky assumed that "most animal cruelty offenses are committed under the influence of alcohol or in ire" (II 1896: 20, p. 54). This representation too, pointed mainly to the lower class elements who frequented the taverns a little too much.

In contrast to these representations, animal abuse among the higher social strata was regularly downplayed. The only real exceptions in this regard was the critique leveled against the vivisectors in the 1880s (see Chapter 4), along with the occasional complaint about upper class horse races in which the animals were overstrained and injured.

The Problem of Live Animal Transports

Not all problem representations were old, however. In the late 1800s, the discourse was challenged by a number of new animal issues that suddenly registered on the political agenda. One of these new items was long transports of living animals. Today, of course, such transports are often pointed out as a key animal welfare problem. In Sweden, the issue has been repeatedly highlighted and debated, particularly after the country's accession to the European Union in 1995. The creation of a common European market, it has often been argued, brought stronger economic incentives for transnational transports of living animals (see, for example, SOU 2003:6). As an issue on the political agenda, however, the issue is much older. Long animal transports were first addressed as a political problem in the Swedish Riksdag in 1884—111 years before the EU accession.

This was in the period sometimes called the “second industrial revolution” when railway networks expanded and steamboats were introduced on a wider scale. This technological and infrastructural development had profound social effects: communications improved, news traveled faster, even the sense of time changed when transports had to be coordinated over vast areas—and trade, including the trade in animals, increased over greater distances.

These “extra-discursive” changes had begun to seep into—or pry open—the anti-cruelty discourse already in 1884 when first chamber member Oscar Berg presented a motion to strengthen the statute against animal cruelty. In his proposal, Berg specifically complained about how birds and other animals were “transported and crammed together in small cages, baskets and vehicles” (motion I 1884:10, p. 13). That same year, second chamber member Carl Gustaf Lindmark could claim that “everyone has heard about the well-founded complaints over the way in which these transports [by railroad and steamboats] are conducted ...” (II 1884:41, p. 28).

The first motion specifically aiming to regulate animal transports came in 1902 from the then left-liberal Edvard Wavrinsky (he would later become a social democrat). He too emphasized that long transports had increased rapidly in Sweden as a result of intensified trade, both domestic and overseas.

This animal cruelty issue, Wavrinsky argued, had already been recognized as such by local authorities and by the National Railway Board (*Jernvägsstyrelsen*). According to a 1900 decree by the Board it had come to

pass that animals, “confined to cages, boxes or baskets have been so crammed together in their respective holding spaces that one or more of the animals died as a result of asphyxiation” (National Railway Board, decree of 7 August 1900, quoted in motion II 1902:23, p. 8). According to another decree by the Over-Governor of Stockholm and several regional authorities, many animals transported to the capital were already sick or weak when they were sent on the journey. There was often a lack of proper storage facilities for the animals on the boats; older animals were kept with younger ones, which led to the former trampling or otherwise harming the latter. In addition, the animals were sometimes offloaded from the boats only to have to wait for hours for further transports (Decree of 18 May 1901, quoted in motion II 1902:23, pp. 9–11). Some local authorities had already issued regulations to deal with these problems. Nation-wide regulations, however, were still lacking. Wavrinsky thus stressed the urgency of reform in this area and pointed to several countries abroad where special regulations for animal transports already existed.

The reformers in the Riksdag emphasized the humanitarian motives for regulating live animal transports. However, and perhaps wise from their previous experiences, they also propped up their claims with economic arguments. In defense of Berg’s 1884 motion, for example, Carl Gustaf Lindmark argued that more control over transports would be beneficial also “from the standpoint of self-interest,” since the owners could sell healthy animals for more money (II 1884:41, p. 28). Similarly, Carl Magnus Björnstjerna argued that long animal transports were economically detrimental for the nation. Animals from Sweden, he contended, would “arrive in England in a worse condition than animals from other countries.” This was not only because of the steamboat ride overseas, but also because of “the way in which transport is conducted on our railroads, where the animals lose a lot in value” (Björnstjerna, II 1884:41, p. 30). That transport cruelty was a question of great economic importance was also stressed by Edvard Wavrinsky. Transported animals, he noted, were often injured and sometimes killed during transports, which meant that the meat had to be discarded (motion II 1902:23, p. 15). Wavrinsky also emphasized that it was important to avoid regulations that would increase prices. Instead he foregrounded that “the interests of the sellers, consumers and humanitarianism are not contradictory” (motion 1902:23, p. 15, see also II 2TfU 1902:16, p. 14). According to this problem representation then, there was a basic harmony of interests among

all the parties involved, including the animals, meaning that they would all benefit if the activity was regulated.

The problem representations around the transport issue typically focused on the failure of the existing law to recognize live transports as a proper animal cruelty issue. As Oscar Berg put it in 1884, the old law's fixation with the "apparentness" of the cruelty meant that it took a blind eye to many other factors that caused animal suffering:

The habit to treat animals in a careless way or cruelly, like for example cramming several calves bound by their feet or sheep into small cages; to leave them for days without water or food on the railway or on other transports; to afford the animals that are to be slaughtered an unnecessarily cruel and painful death—this habit does certainly dull mankind's natural compassion for the suffering of others; but the crime is no less a crime when it is ignored. In a law for the animals' protection that really *wants* what it proclaims, ought therefore not to lack regulations that afford protection also for that kind of mistreatment that is often left unrecognized due to thoughtlessness or hard-heartedness... (Motion I 1884:10, p. 12, emphasis in original)

In other words, the old law—preoccupied as it was with the mindset of the perpetrator—was framed as unfit to deal with certain types of animal mistreatment that had other causes or had become routine due to thoughtlessness or habituation. Long animal transports was one such phenomenon that the anti-cruelty regime could not easily accommodate for as the transports in themselves were not the product of a deviant mind bent on harming animals. This kind of animal cruelty was rather a by-product, so to speak, of infrastructural changes and the workers' habituation. To the reformers, this was a glitch in the existing law that had to be addressed as soon as possible.

A typical example of how this limitation of the old law worked can be found in the second chamber's first temporary committee's response to Wavrinsky's 1902 motion. In its memorial (II 2TfU 1902:16), the Committee initially agreed that the present law did not suffice to deal with the transport issue. The law against "apparent cruelty" was *in principle* applicable to the conditions during transports, they said, but it did not cover all the cases in which legal or police intervention was warranted. The Committee noted, for example, that the police was rarely present at the sites of loading and offloading and that it would be difficult for witnesses to report animal cruelty during transports. The existence of a problem was thus admitted. Nonetheless,

the Committee concluded that animal mistreatment during transports did not fully qualify as “apparent cruelty” as it was legally defined. The real cause of animal mistreatment was rather inappropriate equipment and other external factors like the low costs for transports (pp. 13–14). The crowding of animals in transports was thus treated as a troublesome fact by the Committee, as were the underlying economic motives. Still, the Committee did not think that such treatment of animals fulfilled the requirements for “apparent cruelty.” This was because the suffering of animals was not an effect of a distinct “cruel” intention. Or, as the first chamber’s temporary committee put it more to the point in 1902:

Some of the thus presented abuses are of such a kind that they must be considered as expressions of apparent cruelty, and therefore as real crimes, valid for prosecution according to the penal code, Chapter 18, § 16.

For most abuses, however, one could hardly say that they stem from this motive. Their cause is less malice than lack of forethought, and they demand for their elimination not sterner penal regulations, but rather more appropriate and more rigorous rules of conduct [ordningsföreskrifter]. (I 2TfU 1902: 7, p. 7, emphasis in original.)

Again, animal suffering was never denied, but as long as it stemmed from mere “lack of forethought” and not from “malice” it did not fit with the reigning view of what animal cruelty looked like.

In sum, the main problem representation in the debate over live transports pertained to technological and infrastructural developments, particularly the introduction of the railway and the expansion of steamboat traffic. These changes facilitated trade but also made it possible to transport a greater number of animals longer distances. The senders of animals were sometimes pointed out as responsible for cramming animals together in confined spaces, but there was strong resistance to defining this treatment as criminal animal cruelty. Since their prime motivation was not “malice,” the sellers and the transporters could not be identified as proper animal abusers. If anything, they were victims themselves, risking economic losses if the animals were harmed.

This kind of representation displaced the problem of animal cruelty from the buying and selling animals *en masse*, as well as from the self-interest of the sellers and transporters. As a result, no human individual or group was pointed out as responsible. The problem of long animal transports was ren-

dered impersonal and the preferred solution was to issue more concrete rules for handling animals. Great care was taken, even by the reformers, to articulate a fundamental harmony between the interests of sellers, transporters, consumers, and animals. This harmony might have been upset by contingent, accidental problems (like the wrong equipment, cheap fares, and the lack of suitable rules of conduct) but no basic conflict of interests was foregrounded here.

Compared to the earlier debates about animal cruelty, the debates about live animal transports had a slightly different focus. Back in the 1840s and 1850s, the Stockholm carters and their servants, along with an anonymous mass of uneducated lower class elements, had been directly targeted and stigmatized as animal abusers. These culprits were represented as problematic due to their purported lack of moral refinement. In the vivisection debates in the 1880s, a similar “bogeyman” role was played by the vivisectors, who were represented as morally fallen due to the influence of a particular brand of scientific callousness. In the animal transport debates, by contrast, there were hardly any attempts to vilify any specific group. This may be because the transport issue was directly connected to the everyday consumption of animal products. Given that the human right to use animals for food was taken for granted, it was more difficult to blame to someone in this case. In want of such a well-defined enemy figure, the problem of animal suffering was displaced onto impersonal forces and restaged as a logistical failure rather than as the result of deliberate human decisions. Nonetheless, the debates over animal transports contributed to the further dislocation of the anti-cruelty regime by bringing the old law’s shortcomings to the fore and blurring the line between legitimate and illegitimate animal treatment.

The Problem of Animals in the Wild

Making clear distinctions between acceptable and unacceptable uses of animals was an endemic problem within the anti-cruelty regime. This problem was also at the center of the debates around the turn of the century. In this context, the most controversial issue was the range and scope of the old anti-cruelty law: what animals did it apply to? As it had been written, the law prohibited “apparent cruelty” shown in the treatment of “*one’s own* or the animals *of another*”—in other words, the law protected animals who were already human property. This phrasing implied that cruel acts toward animals in the wild, or toward animals without an identifiable owner, could not be criminal offenses. At the same time, such a sharp distinction was counter-

intuitive, especially considering that the rationale for the law had been to foster moral sensibilities. (What would the point of such a law be if prospective animal abusers were left to torment unowned, free-living animals at will?) These contradictions raised complicated questions. Was it really in the spirit of the law that free-living species should go unprotected? Or would they suddenly become protected if they were captured and claimed as property by a human? If so, what would that mean for common practices like hunting, fishing, and trapping? Questions like these further challenged the anti-cruelty law as well as the tacit assumptions about the nature of animal cruelty it had been based on.

Around the turn of the century, the animal advocates in the Riksdag raised repeated demands for an expansion of the anti-cruelty statute to include animals in the wild. The issue was particularly highlighted in a series of motions written between 1902 and 1907 by Johan Nydahl from the Liberal Coalition Party. The main problem, in Nydahl's opinion, was that the exclusion of unowned animals was inconsistent and led to unreasonable conclusions. A good illustration can be found in Nydahl's first motion on the matter. Here Nydahl recapitulated a story about a stevedore in Gothenburg who had poured petroleum on a rat and then set the animal on fire. At first glance, this act seemed to fulfill all the criteria of "apparent cruelty." But according to Nydahl the stevedore could just laugh in the face of the magistrate who wanted to convict him for animal cruelty because the rat in question was not a domesticated animal owned by a human. Although the shrewd magistrate immediately got back at the stevedore and sentenced him anyway (for being careless with fire!), the episode illustrated a disturbing inconsistency (motion II 1902:87, p. 14). The main problem, Nydahl argued, had to do with similar cases being treated in different ways:

A savage human, who satisfies her lowest urges, her vile desire to torment a living, sentient being, may, if this being is not a domesticated animal, escape punishment altogether. And yet, she displays the same criminal will, and the same dangerous tendencies, as the one who treats a domesticated animal in the same way (motion II 1902:87, p. 14).

Inconsistencies like these caused recurring complaints from the animal advocates in the Riksdag. However, when the problem was articulated in this way, the reformers came close to overstepping another problematic boundary. When they equalized practices on the (unregulated) "outside" with prac-

tices on the (criminalized) “inside,” they threatened to undo the constitutive exclusion that had closed off “normal” animal use from the charge of animal cruelty to begin with. After all, the old law had managed to contain the meaning of animal cruelty so that it would only apply to the excesses of certain deviant groups. When the reformers attempted to expand the meaning of “cruelty,” they ran the risk of transgressing and revealing the arbitrariness of the line that separated normal animal use from criminal abuse.

Nydahl himself was aware of this and took great care to state that his proposal was not intended to question the use of wild animals. “As surely as the professions of hunting and fishing *can* be practiced in a way that is not in accordance with the laws of humanitarianism, just as surely they can be practiced so that they ought not reasonably be characterized as worthy of punishment.” (motion II 1902:87, p. 14, emphasis in original). Exactly where the line should be drawn here, however, was a judgment call that Nydahl and the other reformers felt had to be left to the courts.

Those who were against this revision of the law were difficult to convince that the line-drawing problematic would go away when the issue was handed over to the courts. These politicians were quick to sense the reactivation of the discursive antagonism immanent to Nydahl’s and the other reformers’ proposals, and they did their best to exploit it to their own advantage. In response to the reform demands, they often warned that an extension of the law to protect *all* animals from cruelty would be entirely unviable. The 1902 Law Committee memorial on Nydahl’s motion, for example, warned that inclusion of all animals would logically entail protection of the whole “lower standing, with regard to their physical development and emotional life poorly equipped animal world” (LU 1902:17, p. 5). The results would be ludicrous, a member of the second chamber argued:

The motion by the proposer and the dissenters [i.e., a minority in the Law Committee] aims to protect all animals and thus also the so called lower animals. Now, there may be all sorts of lower animals ... crawling on the road when one drives by, and even though you see them there is nothing to do but to drive on, and in that way kill thousands of these animals, while thousands of others are left lying wounded but alive for days on end before death arrives to liberate them. (Nilsson, II 1902:17, p. 31)

According to the defenders of the old law, giving up the implicit hierarchical distinctions between different species would lead to all sorts of unmanagea-

ble conclusions: travelling would become impossible; people could no longer trap wild animals or even catch flies in glue; and anglers would be committing a crime as soon as they used live bait.

As a consequence of the old law's ambiguities, much of the debates came to center on what creatures belonged, or would belong, to the category of "animals" that were protected under the law. As the reformers pushed on with their expansive interpretations, their opponents had to qualify their restrictive reading and make their reasoning more explicit. The rearticulations that followed may be traced particularly in the Law Committee memorials from the first years of the twentieth century.

The 1902 Law Committee, for example, argued that it was quite easy to define the types of animals that were already protected by the old law (LU 1902:17). It could be assumed that when the old law talked about "animals" (*kreatur*), this meant "a *domestic* animal or a *therewith equivalent* animal" (p. 5, emphasis added). According to the Committee this implied that only "higher" animals could count as animals in the eyes of the law. In addition, the wording "one's own or the animals of another" was interpreted to cover not only animals born in captivity but also "such wild animals that, captured or tamed has belonged to a person for some time." The courts, the Committee held, had already developed a praxis which meant that "a person who has caught a wild [animal] or taken possession of a ownerless animal, has also in and through the catching or seizing come to be regarded as the owner and could therefore be punished also for such cruel treatment of the same that has taken place immediately thereafter" (p. 5).

From the Law Committee's perspective then, the old anti-cruelty statute could not apply to "lower" animals like worms and insects (as they did not belong to the category of *kreatur*), and it *already* applied in a manageable way to "higher" animals who were trapped in the wild. This interpretation seemed to mean that the only animal categories that were unaccounted for were fish and game. But the inclusion of these animals was blocked for practical reasons, the Law Committee explained: "These animals could, however, by the nature of the matter only in rare cases be subject to animal cruelty, seeing as it could not reasonably come into question to subsume under this concept the greater or smaller suffering that hunting and fishing, as customarily practiced, entail for the animals." (p. 5) In other words, the assumed necessity of hunting and fishing mandated that the treatment of these animals be kept outside the field of potential animal cruelty.

These objections, however, did not assuage the concerns over the law's inconsistencies. The repeated efforts by Johan Nydahl and others to keep the issue on the Riksdag's agenda finally bore fruit in 1907. By then, Nydahl has scaled down his reform ambitions and only demanded the inclusion of wild animals. The opponents' position had also gradually been changed so that the idea of including all animals no longer appeared as the threat it had initially been. It is to a discussion of this discursive shift we now turn.

The Problem of Defining "Apparent Cruelty"

The novelty of the 1907 law was not only that it expanded the anti-cruelty statute to protect free-living animals. It also represented a renegotiation of the meaning of "apparent cruelty." This principle, as it had been written, *could* be read to imply some kind of "absolute" standard of animal cruelty against which concrete actions could be measured. This "absoluteness," in turn, could be rhetorically levered by the animal advocates to equalize different practices as representing particular instantiations of the same abstract thing. But this very malleability of the concept also led to its long-term collapse. When more and more practices of animal use were latched onto this signifying chain and articulated as actual or potential cruelties, the boundary between normal animal use and criminal animal abuse became increasingly blurred. The emergence of new animal issues on the political agenda that could not be so easily assimilated into the existing anti-cruelty regime exacerbated the problem.

In the face of these dislocating experiences, speciesist relations needed to be stabilized. The main response, as articulated in the later Law Committee memorials before the 1907 law revision, was to *relativize* the standard of "apparent cruelty." This was chiefly accomplished by anchoring the meaning of apparent cruelty in the "public sense of justice." The strategy was to articulate "apparent cruelty" in a way that discouraged its interpretation as a fixed threshold level and made it relative to whatever norms the speciesist order already accepted. Thus, whether something was "cruel" or not should be gauged according to the established and accepted—but highly heterogeneous—norms of animal treatment that already reigned in the different spheres and industries where animals were used. The following sections deal with how this struggle over the meaning of "apparent cruelty" played out.

One point of criticism—as we saw above in the discussion of animal transports—was that the old law understood "apparent cruelty" in a narrow sense that made the law inapplicable to many cases of animal mistreatment.

Edvard Wavrinsky, for example, complained in an 1899 motion that “apparent cruelty” denoted only someone who took “pleasure in causing another suffering, one who, so to speak, torments for the sake of torment” (Wavrinsky, motion II 1899:82, p. 2). In other words, the law seemed to demand too much in terms of “a high degree of evil” or a “wicked will” for an act to be considered as real cruelty (p. 3). According to Wavrinsky and the other reformers, this restrictive wording went a long way toward explaining the leniency shown by many courts when it came to animal cruelty. The fines meted out were often low, precisely because the expression “apparent cruelty” was so strong that most mistreatment of animals did not qualify as such in the eyes of the judges (p. 4).

The wording “apparent cruelty,” then, was criticized for setting the bar for animal cruelty too high. This led the reform-minded politicians to propose other, alternative wordings. Wavrinsky, for his part, called for a new law that would cover not only acts of “apparent cruelty” but also “every savage mistreatment [*misshandel*] of animals that would violate the public sense of justice and morality” (p. 6). In his first motions on the topic, Johan Nydahl also argued that the animal cruelty paragraph should be changed so that “mistreatment [*misshandel*] of animals” would suffice for criminal liability (see, for example, motion II 1902:87, p. 15)

Against these alternative wordings, the opponents of change often fell back on the claim that that animal cruelty was first and foremost a crime against public morality. This reduced animal suffering to a secondary concern, and reaffirmed that the perpetrator’s mindset and how the action offended the public sense of justice were the main problems. Commenting on Wavrinsky’s 1899 motion, one member of the Riksdag spelled out this position in the clearest possible way:

Let us first clarify, why animal cruelty is punished. Is it punished, as many believe, for the sake of the animal itself? No, this is a misunderstanding, at least from the standpoint of our legislation. The action is not punished on the understanding that mistreatment [*misshandel*] of animals ought to be punished in the same way that mistreatment [*misshandel*] of humans is punished. Rather the action is punished as a crime against public morality [*sedlighetsbrott*]. Does the law then punish all vices? No, that is not the case. Vice is punished as such only when it is expressed in a way that offends the public sense of morality—only *when* it does so, and *insofar* as it does so. (Afzelius, II 1899:9, p. 42, emphasis in original.)

This was a very restrictive reading of what animal cruelty would mean, and it goes to show how wide the span of possible interpretations was. According to this latter view, the legal measure of animal cruelty could not be based on the most refined moral sensibilities out there. Instead, the threshold of animal cruelty had to be aligned with the “sound, natural average sensibility of the whole people” (p. 42). Only if this public opinion was disturbed or offended by the treatment of animals could it be a question of animal cruelty proper.

The term “mistreatment” also carried other problematic connotations that evoked fierce resistance. The 1902 Law Committee (LU 1902:17), for example, argued in response to one of Johan Nydahl’s early motions that changing the wording of the law from “apparent cruelty” to “mistreatment” would be inappropriate. In their view “a certain sternness toward the animals is often connected to such uses of the same that must be regarded as fully lawful and justified” (p. 5). Therefore, it would be unsuitable to pass a law that implied that “every treatment which entails suffering for the animals” would lead to punishment (p. 5). The fear, in other words, was that the term “mistreatment” would include a little too much into the category of animal cruelty. One of the Law Committee members, the then liberal (later to be social democrat) Carl Lindhagen, clarified what was ultimately at stake regarding the term “mistreatment” when he argued that:

Treating animal cruelty as mistreatment of animals in general could be rather difficult from the point of view of interpreting the law, considering that humans use animals without restriction for their own purposes, and as *the mere killing of an animal involves mistreatment to the greatest degree*. (Lindhagen, II 1902:17, p. 23, emphasis added.)

Lindhagen’s statement suggested that “mistreatment” [*misshandel*] could refer to *any* action that somehow interfered with an animal’s typical functioning. This connotation could be extended even to the point of branding the killing of animals as a kind of mistreatment. But to equalize the killing of animals with animal cruelty was socially and politically impossible. To avoid such absurd conclusions, Lindhagen argued that the wording “apparent cruelty” ought to be preserved, because vague or not, it was more in line with the public opinion than talking about “mistreatment” in an unqualified way (p. 23).

The objections to reform also often emphasized that the existing law had never meant to punish all “cruelties” toward animals to begin with. The 1899 Law Committee (LU 1899:26), for example, held that the word “apparent” had been carefully chosen to avoid legal action against the everyday use of animals. Such use inevitably entailed the employment of animal labor power as well as the use of force to make animals obey. It had never been the intention of the law to punish such reasonable use of force—even if this fact was likely to agitate some “overly sensitive minds” (p. 7). This interpretation was often repeated in subsequent documents from the Committee.

This reading of the anti-cruelty law was, of course, correct. The law had never meant to punish all behavior that caused animal suffering. But the argument was also arguably founded upon a selective appropriation of parts of the preparatory documents for the 1858 law. While the 1857 Law Committee had explicitly accepted the “moderate, often necessary use of force” in the treatment of animals, it had in fact never issued more detailed instructions than saying that the interpretation of the law should be left to the courts. It had been left to the judges to discern in each case “whether the animal has been handled according to reason or if the purpose could not have been achieved by other means, not offending to the sensibility” (LU 1857:37, pp. 2–3). This statement did not in itself clarify what “reasonable” handling of animals was, nor did it define in detail what “sensibilities” the law was meant to protect. In other words, when the defenders of the old law referred to the intentions of the original lawmakers they were partly inventing a rationale for the old law to aid them in their own contemporary predicament.

When the law was finally revised in 1907, the meaning of the old statute was further renegotiated along the lines of this selective reading. The shift in meaning that led up to this was perhaps most clearly expressed in the Law Committee memorials from 1903 and onward. By this time, the Committee had started to accept the idea of extending the law to all animals. This extension, however, was intimately coupled with a rewriting of the rationale behind the anti-cruelty statute. In this process, the motivation for the law was gradually furnished with more developed justifications for why the animal cruelty statute should not be read in an “absolute” way, but always in relation to the public sense of justice. We can see this shift, for example, in the 1903 Law Committee memorial (LU 1903:53, p. 9). Here it was first highlighted that the public opinion had developed in an increasingly animal friendly direction, which meant that the general population now regarded as

immoral [*osedligt*] and condemnable every procedure by which suffering, in want of a sufficient, reasonable purpose, is inflicted upon an animal of some higher development, disregarding whether the animal is of such a kind that it can be called “animal” [*skapatur*] or not, and whether the same is in someone’s possession or subsists in a free condition. It seems to the committee, therefore, that the time has come ... to extend the penal protection to animals in general.

This section admitted that the public thought that protection from animal ought to be extended beyond domesticated animals. This declaration, however, was immediately followed by an elaboration on why animal cruelty should not be read as an absolute measure:

There is surely no reason to fear that such a regulation [i.e., the inclusion of wild animals] would be misused. A correct interpretation of the statute’s meaning places the implementation of the same in relation to what the sense of justice [*rättsmedvetandet*] demands, and insofar as this sense recognizes a difference between the higher animal world and the lower, weakly equipped in terms of physical development and emotional life, this can and ought to be acknowledged no matter how general the statute is stated. The boundary in this regard is too imprecise and changing to be laid down in law and it ought to be risk free to leave it to the courts to try, for each case, if and to what extent punishment for cruelty also against the lower animals is called for and approved by the public opinion. (LU 1903:53, p. 9)

This re-articulation of the anti-cruelty statute’s “true” meaning tied the problem of animal cruelty to the public sense of justice in a much more explicit way than had been the case in the earliest political debates. While the ultimate adjudication was still left in the hands of the courts, it was now made explicit that the judges should align their verdicts with the public opinion. In concrete terms, this meant, that if the public did not think that “lower” animals could be subject to animal cruelty, nor should the courts.

The Law Committee memorials from 1906 and 1907 went even further than this when they tied the notion of “apparent cruelty” to *local* standards of animal treatment:

It ought ... to be evident that anyone who exercises hunting and fishing by employing the locally established [*för sin ort vanliga*] means of catching, does not thereby become guilty of punishable animal cruelty. No more in this case

than in the case of domestic animals will the law likely apply in other situations than when someone, according to the local public opinion [*den allmänna mening i orten*], obviously transgresses what is allowed in the treatment of animals. (LU 1906:10, p. 2; LU 1907:4, p. 3)

This new representation of the problem of animal cruelty had two main implications. On the one hand, it allowed for the expansion of the law to cover free-living animals. On the other hand, it did so only after making sure that this legal protection would neither extend to all sentient life-forms, nor interfere with practices like hunting or fishing as long as they were carried out using locally accepted methods.

When it came to vivisection, the Law Committee was very clear that this practice would not come under the auspices of a revised law at all. Vivisection, the Committee boldly stated, was an issue that had nothing to do with the present debate: “The committee holds that vivisection, insofar as it pertains to a scientific activity that is warranted by the social conditions and conducted in the service of society, should no more after than before the proposed legal change be regarded as standing in conflict with the moral and juridical laws of society.” (LU 1906:10, p. 3; LU 1907:4, p. 3) In other words, the revision of the law would not impinge upon the freedom of science in any way as long as the research in question was deemed to be beneficial to society.

The new articulation of the animal cruelty crime that materialized here was not entirely different from the way the issue had been understood before. It had, for example, long been assumed that the judges should address animal cruelty cases in accordance with to the prevailing social norms regarding proper animal treatment (see also Alexius Borgström, 2009). But it was only after 1900 that this praxis was made explicit as the basis for concrete law proposals. Indeed, these things *had* to be made explicit and sorted out for the law to be extended other animals than those in captivity.

It is difficult to say to what extent the 1907 reformulation of the law led to any practical change for the animals. What should be clear, however, is that the extension of the law involved a reconstruction of the problem that undermined the potential interpretation of “apparent cruelty” as indicating some kind of absolute benchmark. Quite to the contrary: by explicitly conditioning the legal norm from the standpoint of the public opinion—indeed, even the local opinion (meaning, in practice, the opinion of the different animal industries)—of what should be counted as animal cruelty, the yard-

stick for measuring criminal liability could no longer be conceived as *one* yardstick. In this regard, the reform of 1907 was not simply a step forward for the reformist logic of equivalence stressing the similarity of domestic and wild animals. The law revision also represented a partial victory of the logic of difference as it disassembled “apparent cruelty” as one unified concept. The new law could certainly be framed as a logical extension of the already existing paradigm, but in practice the new problem representation relativized and fragmented the law’s foundations as much as it extended them.

II. CONDITIONS AND EFFECTS OF THE PROBLEM REPRESENTATIONS

Just like before, the main issues and problems debated in the Riksdag were constructed from a set of assumptions, omissions, and affective investments. The way the problems were represented also had productive effects in terms of the political possibilities they defined and the different discursive categories they set up. I have already discussed several of these features in relation to the main problems under debate in the period. In the following, I will continue the discussion of how the political discourse of animal cruelty and animal protection was organized. First, I will turn to the origins of the concept of “apparent cruelty” and argue that the difficulties the politicians had with defining this idea followed from its antagonistic conditions of emergence; “apparent cruelty” had been devised as the “outside” of normal, uncontroversial animal use in the 1840s. But the boundary drawn between these realms was vague and elusive, and in the face of external dislocation it soon started to crack up and had to be reinforced.

Second, I will turn to the changing views on animal vulnerability and the troubles the participants in the debates had to square conflicting norms with each other. Here, I will particularly emphasize how the practice of meat eating and the “ghost” of vegetarianism loomed in the background and structured the scope of all the debates in an implicit way.

Third, I will return to the use of nationalist language to show how the debates about animal cruelty were often framed by assumptions about a uniquely animal friendly disposition among “us,” the Swedes, in contrast to the people of other countries.

Fourth, I turn to the representation of the animal protectionists and how their efforts and motives were framed in the political debates. On one hand, the “friends of animals” were represented as champions of humanitarian progress, but on the other hand they were attributed with an excessive sen-

timentality and a provocative, over-zealous mindset that became the object of much suspicion—a framing that I interpret as expressing an intuitive fear of the animal protectionists as a threat to the established speciesist order.

The Constitutive Crisis of Cruelty

A crucial point of contention in the debates, as we have seen, was how the phrase “apparent cruelty” should be interpreted. This tension had appeared already in the earliest debates about animal cruelty. Indeed, I would like to argue that the tension was *produced* precisely by the founding scission that separated out some practices of animal treatment as excessive and “cruel” while rendering everyday animal use as uncontroversial. The problem was that it seemed impossible to fix the boundary between these realms once and for all. The ambiguity of the concept “cruelty” continued to cause trouble for both the reformers and the defenders of *status quo*. If anything, the problem was exacerbated by the series of new issues that came onto the agenda by the end of the century. Faced with these novel concerns—representing, in my view, dislocatory events that could not be immediately assimilated in the dominant discourse—the old meaning of “apparent cruelty” was destabilized. Where the concept had previously invoked a fairly well-defined image of an uneducated, lower-class thug, it was now challenged by a host of practices which *seemed* to match the everyday meaning of cruelty, yet could not reasonably be acknowledged as crimes within the speciesist regime.

What characterized this historical movement, as I see it, was that the concrete content of “apparent cruelty” had gradually been emptied out. It no longer referred only to the “ideal” animal abuser envisioned in the mid-nineteenth century. Stripped of this specific meaning, the signifier became something of an empty place holder or an umbrella under which a whole series of controversial practices could be lodged. In our theoretical terms, it began to function as a nodal point capable of transferring its identity to a whole range of other signifiers in an open-ended and ever-expandable chain. Thus, “apparent cruelty,” a term that had originally been identified with “excessively whipping a horse in the streets,” could soon (potentially) be “vivisectioning a rabbit,” which was (potentially) “bleeding out a pig without stunning,” which was (potentially) “overstraining a race horse,” which was (potentially) “transporting living animals long distances”—and so on. Metaphorically substituting one term for another, this production of a shared identity among a range of different practices followed the typical logic of equivalence. But this movement ultimately represented a threat to speciesist

normativity and had to be contained. The way I see it, the differentiation of animal cruelty (its “dispersion,” so to speak, over a whole series of local or industry thresholds) that was effected by the 1907 law was one way to achieve that kind of “containment.”

Naturally, there were other options. The consequences of the conceptual inflation could simply have been accepted, or it could have been staunchly maintained that animals did not matter very much. However, the actors who were involved were constrained by the historical circumstances in a way that precluded such radical positions. In other words, while it was clear that *something* had to be done to deal with the unfixedness of “apparent cruelty,” it was also clear that far from *any* reaction lay within the realm of the possible. While the reformers actively laid claim to the contested signifier “cruelty” and wanted to expand it to a broader set of phenomena and practices, they could not push this logic too far. They had to make halt well before they started questioning the use of animals *as such*. To achieve balance in this regard, and to pre-empt the expected objections, they had to swear their allegiance to the *doxa* of animal use. For those who resisted change on the other hand, the challenge was to keep the definition of animal cruelty restricted to a minimal set of excessive practices without coming off as cold-hearted or cruel themselves in the process.

Both sides, in other words, positioned themselves on the same continuum, delimited on each side by two “no-go zones”: complete disregard for animals was out of the question, but so was exhibiting too much kindness toward animals. The corridor that was opened in the middle was ultimately too narrow to accommodate for a more far-reaching change of the law’s main requisite, but it was broad enough to allow for the expansion of the law to cover all animals (after the necessary adjustments discussed above).

What the tug of war over the definition of cruelty suggests, it seems to me, is that what troubled the discourse of the human–animal relationship was not just a question of conceptual *contradiction*, but a matter of *antagonism* or constitutive impossibility. In other words, it was not just that different norms regarding animal use collided or were mutually exclusive (even though this aspect was also important in structuring the debates, guiding the actors’ maneuvers, and organizing the possible outcomes). The ultimate problem was the lack of a firm foundation for *any* of the rivaling norms. (Indeed, had there been a “transcendental signified” or an “Other of the Other” that could suture the discourse and bring closure to the system, no debate or contestation would have been possible to begin with.) In my view then,

the debates around the turn of the century had started to push up against the limits of the signifying system and threatened to lay bare the precariousness of the cruelty/anti-cruelty distinction as such. The “external” dislocation brought on by newly recognized issues like vivisection, slaughter, and long live transports further contributed to this discursive crisis. In theoretical terms, we may think of these problems as following from an encounter with the “Real” dimension of social reality. As Lacanian psychoanalysis stipulates, a signifier cannot attach to a part of the world without leaving something unrepresented, a “dark spot” in meaning that ultimately subverts the sense making process itself. This undomesticated remainder—the Real—always persists as a corrosive force eating away at the edges of any formal system of representation (see Daly, 1999). Hence the failure of any law or law-like system to eliminate its own immanent antagonism.

As I see it, then, the core dilemma in the animal cruelty debates was not just that the meaning of “apparent cruelty” tended to expand to areas previously untouched by it. It should also be emphasized that the original meaning of the term was produced by the forceful expulsion of a particular, “ideal” version of animal cruelty to serve as a constitutive outside to “normal” animal use. But this very exclusion, the same discursive gesture that made it possible to define animal cruelty to begin with, was also the founding condition for the concept’s destabilization over the century that followed.

All this highlights the “primacy of the political” in the constitution of social reality. In the end, the contestation of different norms represented so many attempts to install a reality where none was essentially given. Considering the strategic power balance at the time, mistreatment of wild animals could be added to the chain of elements signifying cruelty in 1907, but cruelty itself could not be replaced with another organizing node (such as “mistreatment”). And even though the final law revision could be articulated as progressive and as a victory for humanitarianism, it was also arguably a way to reaffirm the neutrality of speciesist social relations. To borrow Žižek’s (1994) formulation, we might characterize the 1907 reform as “a lie in the guise of truth” (p. 8): Yes, it really did extend a measure of formal protection to some previously unprotected animals. But in the process it also rearticulated the problem of animal use in a way designed to arrest the subversive sliding of the signifier “apparent cruelty” and maintain non-human subordination.

Animal Vulnerability and the Ghost of Vegetarianism

As noted in the previous chapters, the definition of animal vulnerability in the earliest political debates was limited to the infliction of physical suffering, mostly from direct violence but also from starvation and exposure to the elements. From the 1880s onward, however, more nuances and distinctions started to register in the discourse on animal harm.

Following the introduction of long animal transports by railway and on steamboats, for example, more attention was directed toward the animals' conditions in terms of cramped quarters, lack of space, lack of straw bedding, and so on. This extended the range of possible vulnerabilities beyond immediate physical pain. Unlike the animal welfare discourse of today, however, these problem representations did not seem to be informed by a notion of "natural behavior." At least there are no clear indications of this in the material studied here. Rather, the problem was articulated in terms of comfort and/or disease prevention.

Another common assumption that informed the articulation of the animal cruelty problem was that different animals held different capacities for suffering. "Higher" animals were represented as more sensitive to suffering than "lower" ones—a framing that (not so incidentally) rendered human beings the most sensitive creatures of all. This assumption was so strong that it could even be argued that no non-human pain could ever rival the pain of a human. As a member of the Riksdag explained in 1900: "The higher the standing of a creature, the more complete, the more delicate its nervous system, and considering that the human stands above all the rest, she also stands to experience the worst pains." (I 1900:29, p. 13). Again, this view was aligned with the notion of a *scala naturae* discussed in the previous chapters—with the difference that it was now more often expressed in terms of degrees of biological sophistication than in terms of religious cosmology. This differentiation between "higher" and "lower" creatures often informed the objections against legal reform and allowed those opposed the inclusion of all animals to ridicule the implication that even the "lowest" of animals would be protected.

While other notions of animal vulnerability were renegotiated in the period, the killing of animals for food remained largely unproblematized. Slaughter was accepted as a necessity by the reformers and their opponents alike. Consequently, the putting to death of animals rarely registered in discourse as a possible harm in itself. The debates over "humane slaughter," for

example, focused mainly on the effectiveness of certain methods of killing from a pain perspective (see Chapter 7).

In this context, it is interesting to note the extent to which the topic of eating animals was avoided in the debates. There was in fact a striking silence about this practice. Even so, it is clear that meat eating worked as a powerful nodal point that regulated the terms for the whole discussion about animal use even in its absence. In my view, meat eating was always the elephant in the room in these debates. Everyone knew that the issue was there, but it could not be made explicit without disclosing the degree to which the high-falutin discourse about “humanitarianism” and “progress” was conditioned by something as “lowly” and private as the enjoyment taken in meat-eating and its accompanying rituals.

Only rarely was the normality of slaughter destabilized. This happened, for example, in the debate over whether “apparent cruelty” would be replaced with “mistreatment,” when Carl Lindhagen suggested that “the mere killing of an animal involves mistreatment to the greatest degree” (II 1902:17, p. 23). Admissions like these, however, mostly served as a warning that the debate was veering off track and entering into an area where no one really wanted to go. Similarly, when vivisection was debated in 1900, the mass killing of animals for food was only brought up to frame the anti-vivisectionists as inconsistent and unrealistic. Second chamber member Fredrik Landelius, for example, argued in 1900 that three million larger animals, millions of fish, and thousands of predators were killed in Sweden every year—a number far greater than the mere thousand (or so it was claimed) animals consumed by vivisection. This listing of numbers, of course, built up to a rhetorical question: How could this mass killing be defended if a minor practice like vivisection was immoral? (II 1900:41, p. 18) More interesting, however, is that Landelius, in this intervention, briefly hinted at vegetarianism as a possible alternative to slaughter:

If someone would say: yes, but this [killing of millions of animals] is absolutely necessary for our survival, I would not altogether deny it, but there are those who have a different opinion on the matter. Ask, for example, the vegetarians what they think thereof. (II 1900:41, p. 18)

This was obviously not intended as an argument for vegetarianism. The message was rather the opposite: if the protection of animals was extended, the country would enter a slippery slope toward absurdity. Nonetheless, the

example shows that the killing of animals could be comprehended as a moral dilemma in its own right, albeit one that should preferably be passed over in silence.

It is interesting to note here that over a hundred years of animal protection debates, vegetarianism was only mentioned a handful of times, and when it was mentioned it was usually to charge the animal protection reformers with inconsistency. The vegetarians, it was implied, had shown by example that the mass killing of animals for food was not unescapable—so why did the friend of animals not fully practice what they preached and abstain from tormenting or “vivisectioning” their own food? In this context, it did not matter much that the defenders of status quo also partook in the consumption of animals. This version of the *tu-quoque* argument placed the burden of proof exclusively on the animal protectionists who aspired to the higher moral ground, and it was a challenge that they typically failed to meet.

Sweden and Other Countries

Just like in the previous periods, laws from other countries were often invoked to make the case for legal reform in Sweden (see, for example, Berg, motion I 1884:10; Treffenberg, motion I 1894:16; Wavrinsky, motion II 1902:23). These examples were offered for two main reasons. First, to provide examples of working legislation elsewhere as guidelines for Swedish reforms. Second, to create moral pressure by arguing that Sweden was falling behind other countries in terms of moral development. The case for stricter animal protection was often framed as a matter of national pride; Sweden was compared to other nations and was found lacking. This lack, of course, was especially embarrassing if those other nations were already considered less civilized than Sweden. As Edvard Wavrinsky put it in an 1898 debate on toughening up the punishment for animal cruelty, imprisonment already existed as a penal measure for animal cruelty “in all civilized countries, except for those where the population engage in animal cruelty as a national character flaw, like in Spain, home of bull fighting, Italy and Russia” (Wavrinsky, II 1898:19, p. 52). A similar hierarchy of nations was clearly expressed by the vice speaker of the first chamber in 1898:

[I]n Norway, Denmark, and Finland, apparent cruelty to animals can be punished by imprisonment. The same goes for the great cultural nations. Apart from Sweden, only Russia, Spain, and Italy have been reluctant to impose terms of imprisonment in cases like these, and I imagine it cannot be very flat-

tering to be on the same level as Russia and Spain in terms of humanitarianism. (I 1898:16, pp. 33–34.)⁵⁶

Another way to promote legal reform was to frame Sweden as an inherently progressive country. As Johan Nydahl argued in 1900, Sweden had been a pioneer country in opposing slavery and abolishing torture, and it was also in Sweden that opposition to vivisection had first occurred (Nydahl, motion II 1900:143, p. 15). It was, therefore, only logical to continue on the same track and extend this humanitarian ethos to the use of animals. This kind of national teleology could also be appealed to if Swedish laws were found to be less progressive than those in other countries. In these cases, however, the problem was never framed as grounded in a “national character flaw” among the Swedes. Instead, the problem representations emphasized that the expected progressive movement had been derailed and Sweden had to get back on the right track.

This implicit national teleology, however, could also be used to reject reforms. In these cases, the same rhetorical trope was used to show that Sweden was *already* better than other countries and that further change was therefore unnecessary. In a 1900 debate on vivisection, for example, Leonard Grundberg explained why there was no need for further legal reform in Sweden:

I do not wish to dispute that many physiologists have made themselves worthy of blame for showing unnecessary cruelty towards animals in their experiments, but I hold that among us the reasons for such complaints are scant. This in turn I believe is because of the greater compassion for animals among us Northerners than among other people. Evidence thereof is found when one travels in countries to the south. One need not go further down than Germany. In the southern parts of Germany, and even more so in Austria, one can witness how dogs are used as draught animals for not large, but quite heavy carts, loaded with vegetables, fruit and the like, and often they are bound to the cart so that they cannot even lie down in the street but must stand for

⁵⁶ In contemporary “meat nationalist” discourse in Sweden, Italy and Spain are still among the usual suspects when it comes to assigning blame for animal cruelty. Russia, however, seems to have dropped out of the picture as the “outside” of choice for defining Swedish animal friendliness. Today, places like China, South East Asia, and regions like the Middle East tend to be much more highlighted.

hours on end, while the owner runs in and out of the houses. This is already enough to be distasteful to us Northerners. If one goes to Italy, one finds even worse conditions. There one can see these poor donkeys burdened with unnaturally heavy loads and driven forward by being beaten and pushed with sharp tools, and you meet people carrying hens in bundles, tied together by the feet, much like we carry shot birds. In Spain, as we know, cruel bull fighting is quite the popular pastime.

Among us, all these things would be branded as more or less severe animal cruelty. ... I believe that this greater sense of humanitarianism that no doubt can be found among us, is an unwritten law, that constitutes the best corrective against cruelty toward animals. (Grundberg, I 1900:29, p. 11)

National pride and assumptions about Swedish moral superiority traversed many of the debates on animal cruelty, giving rise to a kind of moral geography where animal cruelty was represented as “out of place” in Sweden. This view was often shared by the reformers and their opponents, even though they drew different conclusions from it. For the reformers, improved animal protection was national destiny. For their opponents, this destiny had already been realized. For both groups, however, the problem of animal cruelty was never really inherent to Swedish society as such. If Swedish animal friendliness was found lacking, this was always due to some contingent, temporary blockage. Whatever animal cruelty was, it was not systemic, not a product of the basic organization of Swedish society. Other nations could suffer from essentialist “national character flaws” in this regard, but not Sweden.

“These Fanatical Animal Protection Societies”

A recurring argument against legal reform in this period was that broadening the scope of the law would lead to all kinds of harassment. We may remember this argumentative strategy from the mid-nineteenth century debates, where it was often claimed that a law against animal mistreatment would bring about numerous “chicaneries” and legal charges against innocent animal owners (see Chapter 3).

One crucial fear was that the proposed extension of the anti-cruelty law would dissolve the distinctions between different uses of animals so that “all unkind treatment of all kinds of animals would be liable to criminal punishment” (Hasselrot, I 1902:14, p. 8). Even though it was likely that the prosecutors and courts would dismiss most of these accusations, it was argued that a

new law would nevertheless open a space for sinister attacks on animal owners. From the farmers' viewpoint, one member of the Riksdag claimed, any expansion of the anti-cruelty statute "would lead to a lot of harassment and wholly insurmountable difficulties" (Nilsson, II 1902:17, p. 30). Another politician concurred that "a number of harassments and difficulties" would follow—especially given that there were "highly divergent opinions as to what animal cruelty is and what it is not" (Jansson from Djursåtra, II 1902: 17, p. 35).

The apprehension felt in this regard was often linked to insecurities regarding the motives of the animal protectionists. As noted earlier, several animal protection societies had been formed in Sweden over the second half of the nineteenth century. Some of the politicians who actively promoted animal protection in the Riksdag—like Oscar Berg, Carl Magnus Björnstjerna, Curry Treffenberg, and Edvard Wavrinsky—were in fact prominent members of one or more of these societies. The work of these organizations was also often mentioned with respect. The Law Committee memorials of the time, for example, regularly praised the animal protection groups for their contribution to the people's education and moral enlightenment. In the Riksdag debates as well, the animal protection societies were customarily hailed as champions of humanitarianism.

At the same time, however, the animal protectionists could be represented as over-sensitive, sentimental, and mushy. There was a widespread suspicion that these "friends of the animals" would drift off into extremism if they were not restrained by reason. The excessiveness of the animal protectionists simmered under the surface, just waiting to break out in the form of harassment of innocent people or a general attack on "our way of life." Reading the debates, it becomes quite clear that "animal friendliness" was a concept in need of constant policing and containment.

The suspicious attitudes toward the animal protectionists came to the fore when the debates got a little more heated in the Riksdag. In the debate over Oscar Berg's 1884 motion to strengthen the animal cruelty act, for example, the demand for higher fines was met with the argument that it was "only a whim on the part of some people who want to present themselves as tender-hearted towards the animals" (Jonsson, II 1884:41, p. 33). In the same debate, the vice speaker of the second chamber dismissed the demands as mere "mawkishness" over the animals (Ifvarsson, II 1884:41, p. 35). In a 1900 debate on vivisection, the critics of animal experiments could be represented as "sentimental ladies and sentimental gentlemen" who were prone to exagger-

ate the number of animals used in experiments just to discredit science (Björlin, I 1900:29, p. 9). In the same debate, the medical doctor Leonard Grundberg warned that “it is with the friends of animal protection as with many other praiseworthy organizations in our time, that when it comes to agitation their activities can lead to more damage than good” (Grundberg, I 1900:29, p. 12). If the animal advocates would have their way, scientific freedom would be doomed because “a science under police surveillance, that is the death of science” (p. 12). Another physician in the first chamber, August Almén, found it “deplorable that this love for animals is accompanied by, I almost want to say hatred for the vivisectionists and the practitioners of physiology” (I 1900:29, p. 15, 18). Likewise, in 1906, Carl Nyström in the first chamber warned for “the tremendously powerful agitation that goes on around [the vivisection] issue. The law must be so formulated as to withstand this agitation.” (Nyström, I 1906: 15, p. 45)

These problem representations all constructed the animal protectionists as far too excessive in their attachment to animals and as too intemperate in their demands. Moreover, it was repeatedly implied that the hidden agenda of these groups was to push animal protection legislation to the extreme, if not immediately, so in the future. As the former Minister of Justice Ludvig Annerstedt put it in a 1903 debate:

It is well known, that there are some members of society who, when it comes to animal protection, hold a position that goes well beyond the public opinion. If the proposed law is adopted, they would no doubt claim that in their view, even quite mild measures taken in daily animal husbandry, would amount to apparent cruelty toward animals. (Annerstedt, II 1903:40, p. 54)

Similarly, first chamber member Carl Birger Hasselrot argued in 1906 that these agitators were insatiable:

There are surely some, both gentlemen and ladies, who cannot get enough in this case, and their demands are met time after time by expanding the range of the law and raising the latitude of punishment—yet they immediately return to have the law further expanded and sharpened. (Hasselrot, I 1903:40, p. 5; see also Lindgren, I 1906:15, p. 41)

When the law was about to get extended to all animals in 1907, Cornelius Sjöcrona objected sharply. This change in the law could in principle have been accepted, he argued, if it had not been for

these fanatical animal protection societies, [because of which] we risk constant harassment. I must say that I certainly do not want to see anyone in my kitchen making themselves guilty of cruelty to animals which are needed for cooking, but on the other hand I do not want these animal protection-loving ladies spying in my or any other private individual's kitchen. (Sjöcrona, I 1907:9, p. 9)

Beyond the general characterizations of the animal advocates as driven by an excessive, sabotaging enjoyment, it is interesting to note the gendered dimension in some of these statements. Concern for animals was obviously coded as a predominantly feminine virtue. And framed as such the interest in animal protection was also associated with stereotypical female “weaknesses” like being sentimental and irrational. It is not a coincidence that many of the attacks on animal protection started out by noting that this issue was promoted by both “sentimental gentlemen and sentimental ladies.” By this move, both the men and the women of the animal protection movement were represented as motivated by the same “female” irrationality, an equalization, we can assume, was more condemning for the men of the animal protection movement. In the male-only realm of politics at the time, this comparison must have been a way to hint at these animal lovers’ political emasculation and their failure to live up to the norms of (male) public reason.

The Dislocation of the Animal Protectionists

On the one hand then, animal protection was recognized as an important humanitarian cause fully aligned with Christian morality and Enlightenment values. It was often repeated that the animal protection societies had done a good job in educating the people (that is to say, the lower classes). On the other hand, this praise was typically restricted to the general consciousness-raising work of these organizations. When the animal protectionists also started to push for political reform, they were often portrayed as wolves in sheep's clothing. Blinded by their effeminate sentimentality they were likely to make demands that were entirely out of proportion. While most friends of animals seemed moderate enough, there was always a suspicion that the

organizations also harbored factions with more extreme “agitation” on their agenda, and who would not settle for moderate reform, but would return with more and more absurd proposals. Again, then, the overbearing surplus-enjoyment of the other lurked in the background—there was something provocatively excessive with this passionate attachment to animals.

Naturally, the animal protectionists did their best to capitalize on the recognition of animal protection as a legitimate moral pursuit. In the political debates, they actively tried to articulate a chain of equivalence between animal protection and other progressive causes, like the abolition of slavery and torture. At the same time, the animal advocates faced great difficulties when trying to reject the accusations leveled at them. For there was a point to the criticism: Why did the friends of animals not draw the full (and presumably absurd) conclusions that followed from their position? Why did they not, for example, admit that a prohibition of *all* acts of cruelty would also end hunting, fishing, and scientific experiments? In the eyes of the critics, this only strengthened their fantasies about the animal protectionists: Must they not be either confused or, even worse, secretly wishing for all these absurdities to be realized?

Then again, it could be the case that these inconsistencies were read the wrong way. Maybe the animal protectionists were not so much confused and extremist as simply *dislocated*? On the one hand, they held a strong intuition that animals mattered morally and that present conditions were unacceptable. On the other hand, they were not prepared to challenge their own food habits and so on (alternatively, they thought such change impossible). In addition to this split subject position, they had to navigate a social field that was crisscrossed by contradictory norms regarding what was acceptable and unacceptable in the treatment of animals. Given these conditions, how could the reformers possibly articulate a position that would pass as coherent *and* be recognized as respectable in the political realm? The answer is that they could not. No matter what position they took, they would either be accused for inconsistency in relation to hegemonic standards of animal treatment, or for trespassing on the natural order of things. This, of course, is not to say that the hegemonic discourse was consistent in itself, only that between two failing discourses the hegemonic one held the advantage—and especially so if it enjoyed fantasmatic support and offered its subscribers access to a partial *jouissance* through everyday rituals based on animal exploitation. These discursive conditions thus set quite restrictive limits for the political subjectivities that the “friends of animals” could develop in this period.

III. SUMMARY AND CONCLUSIONS

What was the “problem” of animal (mis)treatment represented to be in the debates? What solutions were foregrounded?

The problematizations of animal treatment in the Riksdag debates between 1884 and 1907 were characterized by both continuity and change. Like before, the main perpetrators of animal cruelty were represented to be deviant individuals, usually associated with an uneducated underclass lacking in moral virtue, prone toward alcohol abuse, and susceptible to brutalization. The main objective of the animal protection reform demands in the period was to manage and neutralize the troublesome excessiveness of this other. To achieve this, the reformers generally emphasized the need for a stricter law and tougher punishment for animal cruelty. Their opponents on the other hand argued that society had to put its trust in the ongoing process of moral education and enlightenment. In both cases the problem of animal cruelty was represented as manageable without any deeper restructuring of the human–animal relationship.

In addition to this “traditional” understanding of animal cruelty, however, a series of new animal issues emerged as political problems on the Riksdag’s agenda. These problems included vivisection (see Chapter 4), slaughter (see Chapter 7), long animal transports, and cruelty toward animals in the wild. What unified these new issues was that it was difficult to attribute a coherent meaning to them in the language of the established anti-cruelty regime. In the case of long live transports, for example, it was a recurring complaint that animals were cruelly treated—yet it seemed that no one could be sentenced for animal cruelty since there was no malicious intent at work. Similarly, in the case of cruelty toward free-living animals, the old anti-cruelty law could not come into play because the harm was not done toward “one’s own or the animals of another.”

To remedy these problems, the would-be reformers in the Riksdag regularly demanded a clarification of the anti-cruelty statute, as well as an extension of the law to cover free-living animals. Those who were against such reforms typically objected that a law protecting *all* animals from cruelty would bring a lot of unwanted complications. If all animals were to be protected from cruel treatment, then an everyday practice like driving over worms on the roads would become a criminal offense, as would hunting and fishing—even vivisection, and with it all hope of scientific progress, would be abolished. Moreover, an extension of the law would encourage all kinds of

harassments and false accusations against innocent animal owners by overpassionate animal advocates.

The main challenge for the politicians in this period, I have argued, was how a broadened understanding of what cruelty meant would be squared with their unspoken commitment to maintaining speciesist relations. This tension was expressed in a clash of different problem representations as the contending parties tried to pin down a viable definition of criminal animal cruelty. Here, the struggle stood between two different readings of the old law and its implications. Some politicians foregrounded a literal interpretation in which “apparent cruelty” represented a more or less absolute benchmark for how animals could be treated. Others emphasized that “apparent cruelty” was a relative notion, to be understood in relation to the dominant attitudes among the public. The first reading had some impact on the 1907 law revision in the sense that at least some animals in the wild came under the anti-cruelty law’s protection. The second reading, however, was arguably even more influential as it snuck into the preparatory documents for the 1907 law and reworked its normative basis.

When the law was extended to cover “apparent cruelty” to all animals, the meaning of “apparent cruelty” and “animals” had both been changed by a selective re-articulation of the old statute’s meaning: only “higher” animals would count as animals; vivisection, hunting, and fishing were explicitly excluded from the purview of the animal cruelty law; and “apparent cruelty” would henceforth be measured strictly in relation to what the public sense of justice happened to condone or condemn. Thus, when animal cruelty was re-articulated in the preparatory documents for the 1907 law, it was along the lines of a “politics of containment” aiming to limit the practical impact of the reform.

Under what conditions did these problem representations emerge? What productive effects did these representations have?

In my view, the new political concerns in this period emerged as dislocatory events, that is to say, as phenomena that could not be immediately integrated in the existing system of meaning and therefore caused something of a discursive crisis. The old anti-cruelty law had been founded through the expulsion of a certain “ideal” type of animal mistreatment to serve as the constitutive outside of “normal” and legitimate animal use. But these founding assumptions were now increasingly upset by the “discovery” of a whole set of potential cruelties. These forms of animal abuse seemed to fulfill the

requisite for criminal animal cruelty, but they could not unequivocally be deciphered as such using the available grammar of the anti-cruelty regime.

The underlying dilemma here was that any comparison of practices across the boundary between legitimate and illegitimate animal use threatened to draw attention to and reveal the arbitrariness of this distinction itself. This reactivation of the antagonism on which the anti-cruelty regime was founded prompted the politicians to react and redraw the boundary again. In theoretical terms, I have tried to frame this struggle over the boundaries of the animal cruelty problem in terms of two competing logics of equivalence and difference. When the reformers pushed for the extension of the anti-cruelty law, they employed a logic of equivalence that expanded the chain of possible “cruelties.” Conversely, the opponents of change put a logic of difference to work in their efforts to contain the problem, disassemble the critical complaints, and separate the oppositional demands from each other.

The problem representations in the period also frequently drew on other discursive features and resources. Among these, I have highlighted the changing assumptions concerning animal vulnerability. While the predominant view was still that there was a strict hierarchy among all living beings, where the “higher” creatures were more sensitive and worthy of protection than the “lower” ones, some openings began to appear for the recognition of new harms beyond physical pain. In the transport debates, for example, the rough conditions the animals had to endure in cargo holds and boxcars were beginning to be seen as problematic in themselves. Most things stayed the same, however. Issues like psychological suffering were toned down or not raised at all. The dilemma of killing animals for food was typically avoided, unless it could be used to brand the would-be reformers as hypocrites for complaining about animal cruelty while they still partook in meat eating.

Another assumption that was regularly invoked was the idea of Swedish national superiority when it came to the treatment of animals. This assumption was mostly mobilized to promote reform, using the argument that Sweden was different from other, less cultured, countries and needed to maintain its place in the imagined hierarchy of civilization. At the same time, this very assumption could be used to neutralize the reform efforts by claiming that Sweden was already far ahead of the pack and that no change was needed here. In both cases, however, the representations produced a picture of Sweden in which animal cruelty was an accidental, contingent, and manageable phenomenon. The idea that animal cruelty could be a *systemic* feature of social organization was only expressed regarding other countries.

What affective investments and ideological fantasies were at work in these representations?

I have already discussed the threatening fantasy of the vivisector that emerged in the beginning of this period (see Chapter 4). But there were other fantasy-enemies who figured in the debates. In this chapter, I have discussed the continued stigmatization of the underclass animal abuser, a figure that looked much like it did in the previous period (with the difference that more attention was now directed to the rural population rather than to groups like the urban carters). As before, it is my contention that the foregrounding of these groups helped displace the problem of animal cruelty from the social order as such, while siphoning off some of the pressure following from social dislocation in general.

Alongside these groups, this chapter has emphasized the representation of the Swedish animal protection societies. These organizations were often applauded for their work in the service of humanitarianism, but as soon as the debates got a little heated in the Riksdag the representations often turned suspicious and resentful. The animal protectionists were not just well-meaning do-gooders, it was said, they also harbored a secret agenda to push their demands to the extreme. It was repeatedly implied that the “friends of the animals” were driven by an uncontrolled, femininely tinted sentimentality that prompted them to attack venerable social institutions and disrespect natural relations.

According to my interpretation, this production of fantasy “enemies” came as a response to the discursive crisis that the human–animal relationship itself was going through. As the unease grew about the definition of animal cruelty, the leaking discourse needed to be patched up somehow. At this moment, the figure of the over-sentimental animal protectionist could be installed as a warning about the chaos that would follow if the established species hierarchy was further disturbed. It is also tempting to see in this figure the condensation of a broader range of time-typical dislocations like the agitation for social equality in general and women’s rights in particular; the fear of state intervention in private property relations; and the conflict over scientific rationality. Whatever the merits of such a reading of the latent content of these representations, it is clear that this fantasmatic threat contained a call for loyalty with the speciesist regime. And this call did not only go out to the opponents of change—it also constituted a call for moderation

among the reformers, urging them to return to the fold, maintain intra-speciesist solidarity, and give up their attacks on “our way of life.”

What kinds of animal (ab)use were left unproblematized?

Most saliently, all the debates in the period accepted the assumption that humans were entitled to use other animals for their own purposes. This naturalization of animal use played a major role in structuring the debates, yet its foundations were rarely spelled out. On the contrary, as soon as the debates drew closer to questioning this taken-for-grantedness, both the reformers and the defenders of the status quo intervened to police the boundaries of speciesist normality. In my view, the careful circling around these sensitive issues—particularly the food habits—revealed a shared investment in animal use that no one really wished to question or bring to the fore. Then as now, the rituals of animal consumption were deeply embedded in what it meant to belong to the community, to take part in “our Thing.” But the visceral, obscene dimension of (partial) enjoyment that undergirded this belonging could not be directly represented in respectable political speech. What was repressed in the official discourse about “us,” however, was all the more foregrounded on the “outside.” In the deviant animal abuser, the fear of brutalization, the “national character flaws” of other countries, and in the purported extremism of the animal protection movement, we find the outward projections of those obscenities and excesses that had to be forsworn and disavowed in the realm of politics.

6. Struggling to State the Obvious

Taxonomies of Animal Harm 1908–1921

THE NEW ANTI-CRUELTY STATUTE from 1907 stated that all animals, and not just domestic ones, would be protected from “apparent cruelty.” Apart from the raising of the maximum punishment for animal cruelty in 1890 and 1900, this was the first substantial change of the statute since it came into force in 1858. However, it would not be the last.

As I argued in the previous chapter, the 1907 law revision may be interpreted as an ambiguous renegotiation of the official anti-cruelty discourse of the time. On the one hand, a logic of equivalence was at work, extending the identity of the animal cruelty crimes that were already recognized to other forms of mistreatment. On the other hand, a discursive logic of difference was employed, relativizing and fragmenting the meaning of cruelty in an effort to undermine the concept’s subversive potential. While the 1907 law was generally framed as a progressive expansion of humanitarian ideals, it also covertly reaffirmed the legitimacy of animal exploitation (as long as it corresponded to locally established standards of animal treatment and was furnished with a reasonable “purpose”). But these efforts to exorcise the metaphorical surplus-value gushing forth from the concept of cruelty could at best establish a temporary equilibrium. Seen from this perspective, the 1907 law was a precarious compromise, and it would not take long until demands for further reform were raised.

The big challenge in the field of animal politics throughout the 1910s would be to construct an updated definition of animal cruelty that could strike a balance between the very different yet equally naturalized norms that traversed contemporary human–animal relations. Such a definition would have to accommodate, at the same time, the universal condemnation of animal cruelty *and* the universal acceptance of continued animal use. Translating these conflicting ambitions into a serviceable legal principle was no mean feat. As we will see in the following, it was as if everyone knew what animal cruelty was but no one seemed to be able to express it in a politically man-

ageable way. As the number of animal issues on the political agenda kept proliferating, this struggle to state the obvious continued throughout the 1910s until the next law revision took place in 1921.

Although a series of new animal issues were introduced on the political agenda in this period, for reasons of space I will limit this chapter to a discussion of the debates about the main anti-cruelty paragraph between 1907 and 1921. The chapter begins with an overview of the reform efforts that took place in the Riksdag in this period. I then turn to the debates over the notion of “apparent cruelty” and the alternatives that were suggested to this term in the period. This is followed by a discussion of the broader conditions and effects of the problem representations that governed the discourse on animal cruelty and animal protection. Here, I will foreground how the legitimacy of animal use was constructed in its spatio-temporal dimensions and how it was mediated by deep-seated progressivist assumptions. I will also discuss the changes that occurred in the understanding of animal vulnerability in the period. The chapter ends with a summary.

Overview of Reform Efforts and Legislation 1908–1921

The reformulation of the law’s underlying principles in 1907 did not put the reform demands to rest. The extension of the animal cruelty statute to cover all animals had fulfilled some of the demands of the animal protectionists, but they remained discontent with what they felt was as a vague and poorly implemented law. A number of new animal issues also emerged in the political arena in this period, in relation to which the old wording of the law was often found insufficient. Among these issues—left out of this chapter for reasons of space—were the use of animals in circuses, variety shows, and travelling menageries, where exotic animals were put on public display. First addressed in a 1907 motion, the issue of using animals in entertainment was connected to the corruption of good taste and the debasement of public morality (motion I 1907:43). This initiative did not succeed, but it raised the issue and set the stage for a regulation of menageries that would appear in 1916 (SFS 1916:596).

The issues of tail docking and ear cropping of horses and dogs were also new items on the agenda in the 1910s. These issues were raised as a single-issue reform demands in 1917, but they were not resolved in the period discussed in this chapter (I will return to them in Chapter 8). It should be noted, though, that the complaints about tail docking and ear cropping somewhat surprisingly worked as a catalyst for a more extensive revision of

the animal cruelty statute in 1921, as they allowed the 1917 Law Committee to initiate yet another inquiry to change the old law that would culminate in a law proposal from the government a few years later.

This period also saw what is likely to be the most peculiar proposal to be presented during the first hundred years of animal protection debates in the Swedish Riksdag. Focusing on the slaughter of bees in honey production, this 1920 motion was the only political proposal in the whole period to highlight the suffering of insects as a problem in need of legal regulation (motion II 1920:14). I will discuss this exceptional proposal further below.

The problem of vivisection had been largely buried as a political issue since the 1880s, but in 1918 it returned in a partly new guise (motion I 1918:55; motion I 1918:57; motion II 1918:113; motion II 1918:114). Inspired by contemporary political trends, the representation of vivisection now focused on the lack of transparency and public accountability of the practice. This initiative did not result in any changes, but its scaled down ambitions (compared to the critique of vivisection thirty years earlier) does indicate the extent to which the power relations had shifted in favor of the scientific discourse over the anti-vivisectionist one.

The debate over the meaning of “apparent cruelty” continued in this period and was especially highlighted in two reform initiatives from 1912 and 1913 before it became the main concern in the debates over the government’s 1921 proposition for a new anti-cruelty statute. This proposition was presented as an attempt to upgrade and clarify the intention of the law by qualifying the meaning of animal cruelty as a legal concept. After modification by the Law Committee, the Riksdag adopted a revised wording of the criminal code that read:

If anyone, in the treatment of animals, exhibits apparent cruelty, by mistreatment, overworking, mismanagement or otherwise, to be punished for animal cruelty by fines. If the animal cruelty is of a severe nature or the circumstances highly aggravating; to be sentenced to imprisonment for a maximum of six months. (SFS 1921:187)

This revised paragraph came into force on 1 July 1921.

I. MAIN PROBLEM REPRESENTATIONS

The debates about animal cruelty and animal protection in this period kept circling around previously established themes, particularly the vagueness of

the existing anti-cruelty legislation. But the period was also were characterized by a diversification of problematic practices. Alongside the old questions of deviant animal abuse, slaughter without stunning, and vivisection, criticism arose regarding the use of animals in circuses, menageries, and public shows; the tail-docking of horses and ear-cropping of dogs—even the slaughter of bees was attacked in one motion. For reasons of space I will not discuss all of these debates and problem representations here. Instead, I will restrict the presentation to those parts of the debates I believe best illustrate the discursive changes that took place in this period.

Elusive Cruelty

The continued difficulties with defining what the existing law really meant by “apparent cruelty” came to the fore in the debates about two reform motions from 1912 and 1913, as well as in the government’s final proposition for a law revision in 1921. In these debates, the meaning of cruelty was intertwined with numerous problem representations. Here, I will first discuss the articulations advanced by the proponents of legal change, and then move on to the problem representations put forward by their opponents. It may be noted, however, that there was no clear consensus within the respective camps on this issue. The reformers often disagreed with each other, and their opponents were also at odds with each other about the preferred wording of the law.

One of the chief complaints among the reform-seeking politicians was that the existing law left the courts confused about its proper interpretation. The lack of clear guidance, it was claimed, meant that the law was implemented in different ways in different courts. This was troubling from a legal security perspective, but also from the animals’ standpoint as the sentences for animal cruelty often turned out quite lenient.

Moreover, the reformers claimed, the old definition of animal cruelty was outdated. It no longer corresponded to the public sense of justice. As explained in a 1912 reform motion by Emil Molin, Edvard Wavrinsky, and Waldemar Skarstedt, the old law seemed to be applicable only in those cases “when someone causes suffering with the *intention* to cause suffering or *only for the pleasure* he attains by the pain of the suffering victim” (motion II 1912:118; p. 5, motion I 1912:47, p. 5, emphasis added). At the same time, the wording could be interpreted so that “*any* mistreatment set to be condemned by the sound, natural sense of morality” should be liable to punishment (motion II 1912:118, p. 5; motion I 1912:47, p. 5, emphasis added). The

latter interpretation was indeed quite wide, but the authors of the motion claimed that the police applied it daily in cases where horses were overworked, injured, or beaten in the city streets. The authors took this fact to indicate that a more liberal or generous interpretation of the law did no longer conflict with the public sense of justice. In many other situations, however, the first and more restrictive interpretation was strictly observed. This meant that some practices that routinely caused severe animal suffering could often evade prosecution altogether.⁵⁷ The problem, in other words, was that most courts clung to a formalistic interpretation of the law—that is to say, they did not convict offenders for animal cruelty if there was no overt intention to cause suffering.

As a case in point, the 1912 motion offered an example of slaughterhouse cruelty from 1907: A slaughterhouse manager in Skänninge named Palme had been charged with animal cruelty for slaughtering pigs by hoisting the animals in the air by their hind legs before sticking them to bleed out, all without any means of stunning. The local court found Palme guilty of animal cruelty and sentenced him to pay a fine and cover the court's expenses. The regional Court of Appeal, however, soon overturned the sentence and acquitted Palme. The 1912 reformers argued that the Court of Appeal held to an outdated interpretation of the law “according to which the action must imply an *intention to torment the animals* or imply a *conscious transgression of the allowable* to be considered liable to punishment” (motion II 1912: 118, p. 5, motion I 1912:47, p. 6, emphasis added). But this restrictive reading of the law flew in the face of what “animal cruelty” had come to mean, and it was also inconsistent with the way the law was interpreted when the police regularly took action against animal cruelty in the streets.

This kind of problem representation, typical for the reform initiatives in the period, highlighted how the ambiguity of the existing law undermined its consistency while sending mixed messages to the public about what constituted proper animal treatment.

⁵⁷ This was especially so in the case of slaughter, the 1912 motion held. The animal protection societies had worked for a long time to improve slaughter conditions and introduce “humane methods,” and this work had effectively shifted public opinion to favor stunning slaughter (see Chapter 7).

Alternative wordings

The perceived mismatch between the law's spirit and its implementation prompted a number of proposals for alternative wordings to clarify the statute's intention. In the 1912 motion just discussed, the proposed alternative was to replace "apparent cruelty" with the term "mistreatment" (*misshandel*) as the core requisite for criminal liability (motion II 1912:118, p. 6; motion I 1912:47, p. 7).

This alternative wording, however, was dismissed by the Law Committee majority with the argument that *misshandel* had a special meaning in the Swedish criminal code that made it unsuitable for application to animals. The Swedish term *misshandel* is probably best translated into modern legal English as "assault and battery" but in everyday language, the term can also apply to the "mis-handling" of someone or something in general. The word thus carries the double connotations of aggressive physical violence and inappropriate handling (of humans, animals, or inanimate objects). The Law Committee's main objection to the term was that *misshandel* already figured as a crime in the 1864 criminal code's Chapter 14 "on murder, manslaughter and other mistreatment" (*om mord, dråp och annan misshandel*). Here, the Law Committee argued, murder and manslaughter were defined as two instantiations of a more general category of *misshandel*. As a legal term, the Committee held, *misshandel* could be used "to designate a killing as well as a less invasive violation of bodily integrity. To employ this criminal concept straight off also in relation to animals would already for this reason seem impossible" (LU 1912:18, p. 5). In other words, if *misshandel* could refer to any significant transgression of an individual's bodily integrity, it could not be used as a requirement for criminal animal cruelty because the integrity of animals "had" to be violated as a routine matter (or so it was assumed). Using this term then, risked far-reaching consequences. As one member of the Law Committee, Carl Lindhagen, clarified in a minority report, *misshandel* was "objectively speaking [*sakligt sett*] the most complete proposal. But the people are surely not ready for a legislation of this kind that would place animals and humans on a fully equal footing in this regard" (Lindhagen, minority report, LU 1912:18, p. 7). This statement was not elaborated further, but it seems that it rested on the assumption that the alternative wording would reduce the difference between mistreatment of humans and other species too much.

The debate over the law's formulation continued in 1913, when Emil Molin returned with a new motion that succinctly captured the lawmakers' dilemma and suggested another way out by replacing apparent cruelty with the now established generic term "animal cruelty":

The hesitation to change the wording of the animal cruelty statute seems to be founded in the difficulty to find a correct linguistic expression for the concept of punishable animal cruelty. Any attempt to rewrite this concept seems doomed to failure already in advance. Nevertheless, the matter may really be simpler than it seems. Rather than circumlocutions such as "apparent cruelty in the treatment of animals," "cruelty in the treatment of animals," "mistreatment of animals," and so forth, we could without risk for misunderstanding simply put "Animal cruelty [*djurplågeri*]⁵⁸ is punishable with fines," etc. The phrase "animal cruelty" has already been adopted in the Swedish language. The public sense of justice recognizes the meaning of this word. To torment [*plåga*] animals is worthy of punishment. The concept "torment" means, in this context, either a conscious action or punishable thoughtlessness. No matter what circumlocutions are invented for the concept of animal cruelty, it cannot be assumed that it will find room for all possible forms of animal cruelty worthy of punishment, and whatever shape a new statute against animal cruelty might take, it would probably in the end be left to the courts to decide

⁵⁸ It should also be noted here that the Swedish word *djurplågeri* consists of two parts: *djur* which means "animal," and *plågeri*, which is a nominalization of the verb *plåga* ("to torment" or "to make suffer"). Etymologically related to "plague," *plåga* may also, as a noun, be read as "a pain" or "an agony." It is difficult to translate *djurplågeri* directly into English and I have generally used "animal cruelty" as it is the most common term in English and it is often used in similar contexts. *Djurplågeri* does not, however, carry all the connotations of "animal cruelty." In the latter expression, "cruelty" may refer more directly a personality trait or a character flaw. That someone is (of a) "cruel" (disposition) would in Swedish read that a person is *grym*, but there is, in this context, no corresponding Swedish term for the disposition to *plåga* others. The Swedish term *djurplågeri* is perhaps a bit closer to the German *Tierquälerei*, which literally reads "animal torture" or "animal atrocity," and which is also often translated as "animal cruelty." This is why Molin could argue that to *plåga* animals meant to subject animals to torment or suffering either with conscious intent or by sheer negligence. The word *djurplågeri* in itself, unlike the term "apparent cruelty," did not imply a cruel intention. *Djurplågeri* focused rather on the outcome of a given process and could therefore cover both intentional and non-intentional acts leading to animal suffering.

whether punishable animal cruelty has occurred or not. (Motion II 1913:8, p. 2)

The Law Committee memorial (LU 1913:2) on Molin's motion accepted the claim that the law was inconsistently applied by the courts and conceded that the present wording was unclear. However, the Committee did not accept "animal cruelty" as a suitable alternative, as this wording was also insufficiently clear. Instead, the Law Committee suggested that the government should be charged with working out a new wording "whereby the concept of punishable animal cruelty is expanded to include also other cases of animal cruelty than those which exhibit apparent cruelty" (p. 6). In other words, the 1913 Law Committee acknowledged that the exhibition of "apparent cruelty" was not exhaustive of the possible wrongs that could be done toward non-human animals. The big question was how to properly name and define this class of not-yet-included wrongs without recreating the law's ambiguities (and without causing spillover effects to other areas of accepted animal use). This was a tough challenge, and it would take almost a decade before the government returned with a concrete proposal for revising the law.

In the meantime, another oft-proposed strategy for overcoming the terminological problem was to include more concrete examples of animal cruelty in the criminal code to clarify how it should be implemented. In this regard, reference was often made to foreign legislation. The contemporary Danish, Norwegian, and Italian anti-cruelty laws, for example, were more detailed when they listed the types of treatment that would count as "cruelties." The point here was to provide the courts with more substantial guidelines for determining when animal cruelty had occurred (see, for example, Petersson et al., minority report, LU 1912:18; Lindhagen, minority report, LU 1912:18, p. 6). Finding agreement on such a list of possible harms to animals, however, was difficult. No concrete advances toward a reformulated anti-cruelty statute were made throughout the rest of the 1910s (most likely, the outbreak of the First World War and the political turbulence that followed also reduced the interest in animal cruelty issues in this period).

The Government's 1921 Proposition

In 1921, the government finally presented a proposition (1921:6) to overhaul the anti-cruelty legislation.⁵⁹ This law proposal was ultimately modified by the Riksdag's Law Committee and the final version of the law ended up changing very little in principle. Nevertheless, the controversies around the proposed reform were illustrative of the discursive fractures and struggles that were going on at the time.

In the 1921 proposition, the government stated that the main problem laid in the way the old law had been written and the confusion this caused in the implementation stage. To remedy this problem, the government proposition went for a combination of the strategies and solutions already outlined above: changing the main requirement for criminal liability and clarifying what animal cruelty meant. Most importantly, the government suggested that "apparent cruelty" should be replaced with "indefensible mistreatment" as the main requirement for criminal responsibility. The latter concept was also furnished with a number of clarifying examples. The full proposed wording read:

Any person responsible for indefensible mistreatment [*oförsvarlig misshandel*] or overworking [*överansträngning*] of animals or the infliction of suffering on animals by mismanagement [*vanvård*], is to be punished with fines for animal cruelty. If the animal cruelty is of a grave nature or the circumstances particularly aggravating [*synnerligen försvårande*]; to be sentenced to imprisonment for up to six months. (Proposition 1921:6, p. 2)

The key term here was "indefensible treatment." How this concept should be understood was developed by the then Minister of Justice, the party-independent lawyer Birger Ekeberg. His definition homed in on the intentional infliction of animal suffering without practical purpose:

⁵⁹ The proposition was occasioned by the Riksdag's missive to the government from 4 May 1917, issued in response to a motion by Sanfrid Welin (II 1917:246) for a prohibition of tail docking of horses. The issue of tail docking itself was suspended by the Law Committee, who instead took the independent initiative to ask for a major revision of the law to be extended beyond 'apparent cruelty' as previously defined (LU 1917:42).

As animal cruelty ought to be regarded every action that can be designated as mistreatment [*misshandel*] of animals, thus every action that inflicts suffering of a not too insignificant kind and that is not called for under the circumstances. Under [the term] animal cruelty would therefore not fall every harsh treatment of an animal. If pain is inflicted on animals for a practical purpose, as is the case with physical punishment [*aga*], and if the treatment is not harsher than what is called for by the circumstances, it is not to be considered as animal cruelty. (Proposition 1921:6, p. 16)

The Minister's statement was very clear that the threshold for when an animal was "harshly" treated had to be understood in relation to the "practical purpose" of the action. Only when the treatment of the animal exceeded what was needed to achieve this practical purpose could it be considered as a case of *misshandel*. In this regard, the 1921 government proposition was in line with the 1907 law that insisted on keeping different criteria for different areas of animal husbandry. In other aspects, however, the government went further and proposed more controversial changes.

The Ontology of Mistreatment

By embracing the word "mistreatment" (*misshandel*), the 1921 government dismissed the earlier argument that the term was inapplicable to animal treatment. Re-articulating this problem, the Minister of Justice argued that in relation to animals *misshandel* did not mean the same thing as it did in the criminal code's chapter on murder, manslaughter, and assault. This was due to the ontological differences between the humans and other animals: "The difference in this regard, which is called for by *the nature of the mistreated object*, will probably not cause any difficulty," the Minister contended (Proposition 1921:6, p. 17, emphasis added). As "objects," humans and animals were different—presumably, the animals were more "object-like" than humans—and therefore susceptible to mistreatment in different ways.⁶⁰ The minister qualified this remark further: "[M]istreatment of animals cannot be regarded as encompassing such *violations of integrity, that are unique to the*

⁶⁰ The minister further added that *misshandel* was already used in a different sense than "assault" in the existing criminal code, namely in the contemporary prohibition of *misshandel* of corpses. (The desecration of a dead human body could at the time lead to fines, prison, or even penal labor.) This meant that the term was not in principle restricted to the treatment of human beings (or human ex-beings).

human constitution, but refer only to the infliction of *pain or suffering in a more primitive sense*” (p. 17, emphasis added). This statement meant that humans, by virtue of some uniquely human capacity *X*, could be harmed in ways that animals could not. Later on, the Minister would clarify that “because of the ... coarser constitution of the object, mistreatment of animals generally [requires] a more considerable intervention than which is required for mistreatment of humans” (p. 18). These key statements were not elaborated further, but from the emphasis on integrity and the distinction between the primitive and the non-primitive, the coarse and the sophisticated, we may infer that this human quality had something to do with our standing as “higher” life forms.

Defining the Indefensible

Another feature of the proposed law was that the mistreatment had to be “indefensible” (*oförsvärlig*) to constitute a criminal offense. Here, the government’s proposition was inspired by the Danish animal protection law from 1916 that used the expression “to treat animals in an indefensible way” as a requirement for criminal liability. This phrasing, however, was rejected by the Swedish Minister because it was too imprecise. To “treat animals in an indefensible way” was read by the Minister as referring to any act that “cannot be defended because of the special interests that that evoke its undertaking”—that is to say, any act that could be interpreted as “indefensible” because of its immoral *motives* (Proposition 1921:6, p. 17). It could, for example, be seen as “indefensible”—but not as actual “mistreatment”—to put an animal in harm’s way even if no harm came to pass. Similarly, it could be “indefensible” to engage in “sinful use” (*otuktigt bruk*) of an animal even if the animal did not suffer from the sexual encounter.⁶¹ It could also be seen as “indefensible” to break in a horse in such a way that the animal, while physically unharmed, would be scared of future riding (Proposition 1921: 6,

⁶¹ Curiously, this was the only reference to sexual activity between humans and animals made in the animal protection debates throughout the entire period studied in this book. Such acts, along with homosexual acts, had long been prohibited, and in the 1864 criminal code they were housed together under the headline of “fornication against nature. For an in-depth discussion of this problematic, see Rydström (2003). The latter crimes were also placed in the section of crimes against public morality in the code, but in the Riksdag debates devoted to animal cruelty and animal protection the question of sex with animals was never evoked. It seems that these issues belonged to different discursive “problem complexes” altogether.

p. 17). The Danish law, in other words, could be read to imply that acts like these should be defined as criminal animal cruelty even if the animals were not significantly harmed.

This difference between “indefensible mistreatment” and “to treat animals in an indefensible way” might seem subtle, but it was clearly important to the Swedish Minister of Justice (proposition 1921:6, p. 17). While the Minister wanted to use the notion of “indefensible mistreatment” rather than “apparent cruelty,” he made it a priority to articulate this indefensibility in a way that avoided association with any moral absolutes (i.e., things that were indefensible to do no matter what). Just like the preparatory documents for the 1907 law then, the 1921 proposition wanted to make sure that “indefensible mistreatment” was rendered as something *relative*, something that should always be measured in relation to the established practices of animal use and in consideration of the latter’s “practical purposes.” Following the same logic of difference that I have discussed in the previous chapter, the problem representation in the 1921 law proposal endeavored to cast each type of animal use as a more or less self-contained unit with its own specific boundaries and excesses.

The Collision of Interests

Going on to define what “indefensible mistreatment” meant in more concrete terms, the Minister stated that: “For my part, I believe the combination of the words ‘mistreat,’ ‘overwork,’ and ‘mismanage’ suitable to exhaustively describe the act of animal cruelty.” (Proposition 1921:6, p. 18) He did not, however, define any particular threshold level at which this mistreatment, overworking, or mismanagement would begin to count as animal cruelty.⁶²

⁶² Overworking and mistreatment could be “indefensible,” at least in principle. But according to the Minister, it was inappropriate to speak about mismanagement (*vanvård*) in the same way. This, he argued, was because the term mismanagement in itself already implied something indefensible (Proposition 1921:6, p. 20). But this begged the question—surely the same could be said for physical mistreatment and overworking? The Minister explained that the main ambition here was to avoid, as far as possible, problematic qualifying adjectives like “severe,” “brutal,” and so on. This was possible for mistreatment and overworking, but not for mismanagement. (As noted above, “mistreatment” of animals already implied a more intensive intervention than standard practice dictated. Similarly, “overworking” already implied something more than just “work.”) Mismanagement on the other hand could “hardly be liable to punishment straight off” (p. 18). Therefore, the Minister insisted that mismanagement

To forestall the predictable objection that these wordings would allow *any* intentional action along those lines, no matter how mild, to be prosecuted, the Minister hastened to add that there were in fact many acts of mistreatment, overworking, and mismanagement that were “called for by legitimate interests” and would therefore be “fully defensible” (Proposition 1921:6, p. 19). This caveat, of course, reactivated the old dilemma represented by the contradictory norms of animal use. If the law-makers opted for a positive legislation that defined illegal treatment of animals in detail, there was a risk for spillover effects to other uses that enjoyed social legitimacy but would accidentally correspond to the criteria for criminal cruelty. If the legislature opted instead for a general wording and avoided detailed definitions of the crime, interpretation would become difficult and the space for inconsistent implementation in the courts would reopen.

The challenge, in short, was to negotiate the collision of contradictory interests in a way that satisfied the urge for reform but without exploding the shell of contemporary human–animal relations. The management of such colliding interests was a central feature of the Minister’s problem representation in the 1921 law proposal. Like before, this maneuver involved a lot of careful boundary drawing between the elements belonging to the legal “inside” and the elements relegated to the criminal “outside.” This line drawing relied on appeals to common sense, the presumed legitimacy of established practices, and the benchmarks set by the “public sense of justice” (the latter often conflated with whatever was demanded by sectorial economic interests). In the Minister’s words:

A positive regulation, full or partial, of the relevant collisions of interests is neither practicable nor necessary. In many areas reference can be made to certain established principles of what is allowed or not. But also in other cases it ought not to be too difficult to decide what, at the present cultural stage and with the current social attitude shall be regarded as justified or unjustified. So must, for example ... corporal punishment [*aga*] be regarded as allowed, within the limits stated by common methods of training. Tail docking of horses for the sole purpose of luxury or fashion concerns is unjustified, but the proce-

should only be considered as animal cruelty if it caused suffering. This meant that negligent treatment that damaged, for example, the animal’s development, its capacity for producing milk, or its reproductive capacities could not on its own qualify as criminal animal cruelty. (Proposition 1921:6, p. 19).

dure may become justified insofar as it is still carried by a public interest in breeding. It will be the task of judicial implementation to adapt here to the attitudes of [public] life itself. Naturally, it is presupposed that the intervention takes place with all the concern for the animal that is practically enabled by the use of contemporary technical equipment. The special interest in animal protection [i.e., the animal protection movement] has, here and in other similar cases, the opportunity to indirectly affect the judicial implementation by using the path of persuasion. (Proposition 1921:6, p. 19)

Here again, it was emphasized that “indefensible mistreatment” should not be interpreted as an objective standard. The idea was instead to be understood as fully context-dependent and associated with different “stages” of social and moral development among the public. This was another reason why the Minister argued that “indefensible mistreatment” was a better wording than, for example, “unnecessary mistreatment.” The former term implied that interests could be weighed against each other to find out whether a certain type of animal treatment was defensible or indefensible. The latter term, on the other hand, implied that some uses of animals could be “unnecessary” in the sense that they could just be dispensed with altogether. And that was an absolutist interpretation that the Minister was quite eager to avoid. The main ambition with the chosen wording, he argued, was to bring about a “balancing between the interests of both sides” (proposition 1921:6, p. 20), but another way to put it is that the Minister’s prime concern was to tailor the problem representation so that the “collidability” of interests was preserved and no type of animal use was ruled out as simply “unnecessary.”

Two things were clearly not problematized in this context. First, there was no discussion about the power asymmetry between the parties whose interests were supposed to be “balanced.” The obvious risk that the animals’ interests would be systematically disregarded when confronted even with the most minor of human concerns was not addressed at all. Second, the “interests” that were attributed to the two groups were cast at largely predetermined, as if they were already existing entities set on an unavoidable collision course on neutral ground. This framing elided some crucial ethical issues by failing to ask questions about the social conditions in which the different “interests” in using animals emerged to begin with. Instead of problematizing the neutral medium in which human and non-human interests were supposed to “collide,” this articulation facilitated a naturalization of animal exploitation as something simply “given.”

Slaughter and Vivisection

Historically, slaughter and vivisection were among the hottest topics in the Riksdag debates. Nonetheless, they were quickly passed over in the government's 1921 law proposal. The representations of these issues were very brief and dismissive of further discussion, probably because a deeper discussion would have led to further definitional difficulties. The main trouble here was how these practices would be squared with the main principles of the proposed law. As we saw above, the Minister of Justice had stated that the categories of mistreatment, overworking, and mismanagement were more or less exhaustive for defining animal cruelty. The Minister admitted, however, that "the circumstances associated with slaughter" could pose "certain problems" for this categorization:

Since the euthanasia [*avlivandet*] in and for itself cannot be punished, necessary interventions for this purpose must be allowed. But if the intervention, according to the normal practical outlook, cannot be regarded as necessary it seems as if the same can and ought to take on an independent significance and be judged as infliction of suffering, that is to say "mistreatment," according to the normal rules. (Proposition 1921:6, p. 18)

In other words, as long as animals were killed using commonly accepted methods there could not be any question of animal cruelty. Following this problem representation, criminal animal cruelty during slaughter could take place if the methods used went beyond the currently accepted understanding of what was a "necessary intervention." While the killing of animals was not a problem in itself, it could "regress," so to speak, to punishable mistreatment if it was carried out in the wrong way.⁶³

⁶³ Note also the euphemisms, the lack of agency, and the abstract formulations in this short discussion of slaughter. In terms of vocabulary, the animals were not "killed" (much less "murdered"). The euphemism of choice was "euthanasia" (*avlivande*). In fact, grammatically speaking, the animals were not even euthanized by anyone. In the Minister's turn of phrase, there were no human subjects carrying out slaughter, and there were no animals slaughtered. There were only "circumstances associated with slaughter" going on (out there, somewhere, sometime). There were no concrete human actions towards animals, only abstract "interventions." Some of these actorless interventions inflicted suffering, but the sufferer was grammatically elided. Taken together, these discursive moves produced a detached representation of

On the question of vivisection, the proposition was equally brief. The Minister noted only in passing that several other countries had issued special regulations to control the practice. Such measures, however, were in his opinion unnecessary in Sweden. Repeating the familiar mantra from 1881, the Minister stated that “It ought to be clear that experience in our country has not evinced any need for special regulations of this issue” (Proposition 1921:6, p. 20).⁶⁴

The 1921 Debates

Despite the elaborate motivation for the new law, the government’s 1921 proposal met with resistance in the continued political process. One of the more interesting comments came from the legal scholars in the Law Council. Although the Council majority accepted the government’s proposition, the law proposal was in their eyes

slaughter. Any concrete details of the slaughter that might provoke an emotional or critical response—or produce a culpable actor—were erased. Granted, human speech about animal oppression is often abstract in these regards (see Dunayer, 2001), but this is one of the more extreme examples. It is probably no coincidence that the level of grammatical subterfuge increased precisely on the subject of slaughter. The challenge was to produce an exhaustive categorization of animal cruelty crimes while simultaneously leaving the practice of killing animals untouched. This meant, above all, that slaughter had to be disassociated from “mistreatment.” This was done by articulating mistreatment as something above and beyond the necessities of slaughter (according to the current social standards). At the same time, slaughter and mistreatment bore some undeniable resemblances. This could not help but to produce, as the Minister choose to put it, “certain difficulties.” Therefore, the concreteness of slaughter had to be toned down, and the concrete violence of the human actors backgrounded.

⁶⁴ This summary dismissal may be seen as illustrative of the changing status of the vivisection issue in the twentieth century. By this time the practice of animal experimentation had expanded and become established as a feature of “normal science” in the Kuhnian sense (Kuhn, 1996). Only one longer debate of vivisection took place in the period, following a couple of motions by Edvard Wavrinsky and Nils A:son Berg in 1918 (motion I 1918:55; motion I 1918:57; motion II 1918:113; motion II 1918:114). But in these critiques of vivisection the practice was no longer called into question like it had been thirty years earlier. Instead of attacking vivisection head on, the reform demands were now largely restricted to improving public transparency of the practice. Instead of drawing primarily on moral values, the reformers now drew on historical events like the failure of secret diplomacy to prevent the World War and emphasized the need for public scrutiny of state activities.

not such that, if the proposal is elevated to the status of law, it would, in its judicial implementation, be easier than before to draw the proper line between punishable treatment of animals and such less good treatment that ought not be subject to punishment; but considering that a change in the law text from the present definition of the crime to the proposed one would undoubtedly *give it a phrasing that would express the purpose of the punitive protection better* than the present one, and that moreover would be better suited to the changing conditions that might come, it appears the proposal ought not to be rejected. (Proposition 1921: 6, pp. 36–37, emphasis added.)

The most interesting aspect of this statement is that it explicitly argued that the proposed changes would not make the law easier to implement—that is to say, the new wording would not make it any less difficult to draw the line between legitimate animal use and illegitimate animal abuse. The wording would, however, offer a better expression of the law’s intent.

This was an interesting remark in two ways. First, because it framed the original 1858 law as essentially aiming to achieve the same objectives that were now outlined in the 1921 proposition—something that, it should be clear to us now, represented a rather contentious appropriation and reconstruction of the historical process. The “purpose of punitive protection” had no doubt changed over the preceding six decades. Second, we may note how the Law Council explicitly privileged the discursively constructed solution over the factual efficacy of the law. In other words, the new law was defended by the Law Council majority *not* because it would solve the problem at hand, but because it would help to maintain symbolic legitimacy for the law.

The Riksdag’s First Law Committee (1LU 1921:11), for their part, rejected the government’s proposition. The Committee maintained, against the Law Council’s half-hearted endorsement, that the main objective of a revised animal cruelty statute had to be to manage all those problematic cases of animal abuse that had previously fallen into a legal grey area. In particular, the Committee objected to the government’s claim that the meaning of animal cruelty was exhausted by the categories “indefensible mistreatment,” “overworking,” and “suffering caused by mismanagement.” The problem here was that some cases did not fit neatly into any of these categories. One example was when already wounded horses were forced to draw carriages. Under the old wording about apparent cruelty, the Committee argued, a case like this would be regarded as animal cruelty, but it was unclear if the new law would see this as a clear cut case of either mistreatment, overworking, or

mismanagement (pp. 15–16). The Committee warned that the new law would be even less relevant to real-world conditions than the old one had been—especially given the broadened understanding of animal cruelty that had been developed in court praxis. The Committee further argued that the word “indefensible” was too imprecise to base a penal regulation on, and simultaneously so strict in its meaning that it might raise the bar for criminal liability too high. The Committee thus concluded that the proposed new wording was not preferable to the existing one (1LU 1921:11, p. 16).

At the same time, the Committee did not wish to preserve the old law as it was. Given that the statute had often been interpreted in a very narrow way by the courts, there was some reason to improve it. The Committee therefore advocated a compromise between the government’s proposal and the already existing law that read like this:

If someone exhibits apparent cruelty, by mistreatment [*misshandel*], overworking, mismanagement, or otherwise, in the treatment of animals, to be punished for animal cruelty with fines. If the animal cruelty is of a grave nature or the circumstances otherwise aggravating; to be sentenced to imprisonment for up to six months. (1LU 1921:11, pp. 23–24.)

This revision preserved the notorious notion of “apparent cruelty,” but qualified the term by providing a few concrete examples of possible animal abuse. It is doubtful whether this entailed any meaningful change, beyond the consolidation of contemporary court praxis.⁶⁵ The meaning of “apparent cruelty” was hardly more apparent here than it had been before.

This lack of clarity was reflected in the short second chamber debate that followed. The Committee’s proposal, one opponent held, would do nothing to improve upon the existing court praxis. Moreover, it risked sending out the signal that Riksdag aimed to toughen up the law to a much greater degree than was really the case. This was especially problematic as it would validate the concerns of those who agitated for more prosecutions in animal cruelty cases:

⁶⁵ As Helena Striwing (1987, p. 24) has pointed out, the only change of direct practical relevance was that animal cruelty could now be punished with imprisonment not only if the circumstances were “aggravating,” but also if the crime was of a “grave nature.”

[A]ll these animal protection-friendly gentlemen and ladies, above all the latter, will perceive the law as supporting their eagerness to see animal cruelty prosecuted, and there will be, as far as I can see, no end to the accusations handed to the prosecutor demanding indictment of these misdemeanors. This is what I am so afraid of, that through this deviation from the present legislation, we will enter into a period of harassment concerning the goals in question here, so that every time an animal protection-friendly person is of the opinion that a horse has been overworked or subject to mismanagement, he will run to the prosecutor. (Hederstierna, II 1921:17, p. 123)

This time, however, the familiar fear of harassment was not enough to dispel the reform will. Against the claim that updating the law would lead to all kinds of false accusations, the reformers objected that the prosecutors would have no trouble in separating out the unfounded accusations and put them *ad acta*. In addition, to make severe, fraudulent accusations was already punishable by fines, which would probably discourage most chicaneries (p. 17).

The First Law Committee's proposal was accepted by the Riksdag (unanimously and without debate in the first chamber and, after a very brief debate, by a vote of 87 against 62 in the second chamber). The revised law came into force in on 1 June 1921.

II. CONDITIONS AND EFFECTS OF THE PROBLEM REPRESENTATIONS

By now we are already well acquainted with some of the core dilemmas of policymaking in this field, particularly the disturbing unfixity of the signifier "cruelty." I have also already discussed much of the ideological work put into revising the animal cruelty statute in 1921. In the following, I will delve a little deeper into some of the broader conditions and effects that were connected to the problem of defining animal cruelty. First, I will discuss how the understanding of animal cruelty and animal protection was conditioned by certain assumptions about the future. Second, I turn to the changing understanding of animal vulnerability, including a quite outstanding 1920 initiative to ban the painful slaughter of bees.

The Space–Time of Interspecies Justice

As I argued in the previous chapter, the 1907 law revision relativized the notion of "apparent cruelty" in the sense that it was wedded to a series of locally grounded norms defining appropriate and inappropriate animal

treatment. This “spatially” differentiated understanding of what should count as cruelty was retained in this period and reconfirmed in the 1921 law proposition.

But there was also a temporal aspect to this issue. When the politicians talked about the “public sense of justice” this referred, first, to the contemporary public opinion. This conceptualization had a conservative side to it in the sense that it defined appropriate animal treatment as whatever was already accepted in the different spheres and sectors of society (a move that in itself tended to equate the “public sense of justice” with the often less noble private interest in using animals for commercial purposes). At the same time, “the public sense of justice” could be seen as something moving toward ever-greater degrees of sophistication. The repeated references to an ongoing moral enlightenment, for example, presupposed that the treatment of animals was bound to get better. As a member of the 1921 Law Council put it: “With the continuing cultural advancement, the sense of human obligations toward the animals will certainly become further consolidated and the scope of these obligations will be widened.” (Proposition 1921:6, p. 37) Those who advocated for change could draw on this aspect of the discourse and appeal to the faith in progression as a reason to hasten, so to speak, the arrival of the enlightened future.

But this progressivist discourse could also be appropriated and commandeered by speciesist norms. In these cases, progressive enlightenment was represented as something *in principle desirable* but *regrettably blocked* by the limited consciousness of the public. One example from this chapter is Carl Lindhagen’s objection to the substitution of “mistreatment” (*misshandel*) for “apparent cruelty.” The alternative term was objectively speaking more correct, Lindhagen argued, but the problem was that “people are surely not ready for a legislation ... that would place animals and humans on a fully equal footing in this regard” (minority report, LU 1912:18, p. 7). The interesting thing with this dismissive statement is that it simultaneously contained a quite radical proposition. While it emphasized that the population was not ready for this reform now, it implied that the people would actually, someday, be ready for a more far-reaching equality between humans and animals.

In fact, many of the debates in this policy area took place—as they still often do—against the background assumption that humanity would at some future time enter into a very different relationship with the other species. As the liberal professor Israel F:son Holmgren said in 1928, a time might come

when people would give up the use of animals even for food: “Mankind, it could be said, is only at the very beginning of its development, and is trying to raise itself from the low and barbaric standpoint it used to occupy. For my own part I hold the strong conviction that the day will come, when it does not occur at all that people kill living creatures to eat them.” (F:son Holmgren, I 1928:13, p. 26; see also motion I 1934:12) The problem was just that this condition could not be brought about immediately because it was blocked by the people’s present, limited conception of justice.

This assessment was, of course, true in the immediate sense. Even if the politicians would have wanted truly radical change—and they did not—they could not have pushed their demands too far considering the social entrenchment of speciesist norms. More interesting, however, is how the understanding of a more animal-friendly future could be used to dissipate political responsibility and displace the moral burden from the politicians in the present. For as it turns out, the implicit appeal to the future did not just evacuate the reality of the present in favor for a more “real” future reality. It also opened up a space of enunciation from which the politicians could evaluate the present cloaked in the authority of the future. Speaking from this enlightened position, they could not only draw on the future’s utopian energies but also displace the problem from their own unwillingness to act to the people’s moral inertia in the present (for other examples, see Holmgren .

In the affective register, this temporal displacement or deferral of interspecies harmony bore a strong resemblance to the kind of “tragic naturalism” that I discussed in connection to the vivisection debates in Chapter 4. In those debates, the use of animals was lamented as a forced choice or something beyond human control. This problem representation cast humanity as victims of an unforgiving natural order, thus exonerating them from responsibility of actual animal treatment. In my view, the deferral of change to a distant “animal protection-to-come” (or maybe even a “vegetarianism-to-come”) drew on a similar melancholic disposition that allowed political passivity to be fantasmatically restaged as tragic inevitability. At the same time, the deferral of species justice maintained it as a tacit utopian vision (reminiscent of the eschatological “peaceable kingdom” in Christian doctrine). The impossibility of achieving this state in the present, then, became the retroversive condition for its possibility in the future, or at least for its preservation as an ideal—an ideal that could not help but to leave its mark (or Derridean “trace”) in the contemporary debates. Though I cannot pursue this line of reasoning further here, I think that the articulation of the hu-

man–animal relationship in its normative dimensions cannot be fully accounted for without some grasp of this generative spatio-temporal matrix.

Animal Vulnerability

The limits of animal vulnerability remained largely the same as in the previous period, that is to say, animals were considered vulnerable primarily to bodily harm and less so to mental suffering. There were some signs of changing conceptions though. In the early debates about slaughter without stunning, for example, the animals' anxiety in anticipation of slaughter or during the period of exsanguination was sometimes highlighted (see Chapter 7).

Some clues to the understanding of animal vulnerability can also be found in the continuing debates about the law's wording. For instance, we may note how certain terms were resisted as unsuitable for application to non-human harms. The controversy over the term "mistreatment" (*misshandel*) as a replacement for "apparent cruelty" in the early 1910s, in particular, shows that the former word was too closely connected to the mistreatment and killing of humans. In the 1921 law proposition, it was argued that the reason why mistreatment of animals had another meaning than the mistreatment of humans was because of their coarser constitution compared to humans. This assumption still mapped onto the basic pattern of the Great Chain of Being, ranking organisms in a hierarchy from the imperfect to the perfect. And just like before, humans were placed at the top of this hierarchy by virtue of some special capacity. Whatever it was that made a creature eligible for moral consideration, humans had "it" in full while non-humans had "it" to a lesser degree or not at all. This hierarchical model was largely retained in this period, though it was now more and more framed in secular and scientific rather than religious terms.

The Slaughter of Bees

There was one dramatic exception though, and it deserves mentioning because it complicates the naturalized ontology of the *scala naturae* in an interesting way. In an odd motion from 1920, the demand was raised to criminalize the painful slaughter of *bees*. The author of the motion, second chamber member Carl Molin, attacked the widespread use of what he regarded as cruel methods in Swedish honey production. According to Molin, a bee-keeping instructor himself, many beekeepers still stuck to an outmoded method of harvesting honey from the beehives. This method included gassing the bees to death with sulfur dioxide and then burying them in the

ground. But this method did not actually kill the bees, Molin argued. It only paralyzed them and condemned them to an agonizing death after being buried alive. Quoting a number of other bee-keeping experts, the motion vividly described the torment that this traditional “bee slaughter” entailed:

In despair, the bees race around each other, and as many as possible crawl into empty cells to protect themselves from the smoke. Others, who cannot do so, seek protection under each other or stop to clean their eyes, burning from the sulfurous smoke, with their forelegs. Soon, however, the smoke overpowers them, they go numb much like humans with carbon monoxide poisoning, with the difference that humans can breathe carbon monoxide without physical pain, whereas sulfur fumes cause great agony, especially since the bees try to close their respiratory openings and take in air only in small portions. But this only prolongs the bees’ agonies.

[...]

When the bee owner believes the bees are dead, they are shaken out into the pit which is then dug over. But when the bees are freed from the effects of the sulfurous smoke, they quicken back to life—they have only been stunned. Now a struggle for life begins in the pit, a desperate effort to get out in the open air, but they are and remain trapped. Here they shall die, die a slow death by hunger. The bees, whose entire lifework has been to gather to a home to secure life for themselves and their offspring, are re-warded for their assiduous toil by starvation to death in homelessness. (Alexander Lundgren, quoted in Molin, motion II 1920:14, p. 7)

In Molin’s motion the bees were attributed not only with sentience but also with a great deal of intelligence and other advanced mental features. This led to the conclusion that the sulfurization of bees had to be seen as a type of animal cruelty “equal to the slaughter of domestic animals without previous stunning.” To remedy this problem, Molin argued for a revision of the animal cruelty statute to brand as apparently cruel also anyone who “taxes a bee hive by suffocation” (p. 4).

The Law Committee memorial rejected Molin’s motion but it still expressed remarkable sympathy for the bees. The dismissal stated that a formal revision was unnecessary because the law already applied to cruelty to *all* animals. Evidently, that included bees: “He who, in the treatment of bees exhibits apparent cruelty, is thus already liable to punishment according to the current law,” the committee concluded (LU 1920:4, p. 6). Moreover,

anyone “who after stunning the bees bury them in the ground or otherwise abandon them to a slow death, makes himself guilty of punishable animal cruelty” (p. 7). The Law Committee, in other words, largely accepted Molin’s problem representation (even though they rejected immediate change and preferred to wait for an upcoming general review of the animal cruelty statute).

What makes this episode so remarkable is of course the strong commitment to the welfare of the bees and the vivid, compassionate language used to express their experiences. Before Molin’s intervention, insects had rarely been mentioned as objects of moral concern. At most, the Riksdag members had discussed the ill-treatment of insects as a risk factor for human brutalization (the favorite example recounted how bad-mannered boys entertained themselves by pulling off the legs and wings of flies). In these cases however, the focus had never mainly been on the suffering of the insects but rather on the moral degeneration of some humans. Insects had more often been called to attention to ridicule the animal protection efforts and frame them as a slippery slope toward anti-humanist absurdity. If the animal protectionists would have their way, it had been argued, humans would not even be allowed to defend themselves against insects and other vermin. The proposal to extend the animal cruelty statute to include all animals, for example, had met with the objections that this would criminalize the catching of flies in glue as well as driving over “lower” life forms on the roads. While all participants in the debates accepted that the treatment of animals was a morally pertinent question, the treatment of insects had never been at the center of the debate. In the hierarchy of organisms, insects were positioned at the margins of life itself.

Given this background, the problem representation offered by Molin—not to mention the motion’s favorable treatment by the Law Committee—was all the more remarkable. The Committee’s categorical assertion that killing bees without proper stunning constituted criminal animal cruelty represents a surprising anomaly in the discourse on animal suffering. If anything, one would have expected outright denial of the moral and legal considerability of these creatures. But this was not the case. From our modern point of view, defending the interests of insects might appear as a radical idea, even to many animal rights advocates. But already in 1920 the issue of cruelty toward insects was treated as a quite serious matter in the Riksdag. This should indicate that past discourses of the human–animal relationship were often more complex than they appear to be at first glance.

III. SUMMARY AND CONCLUSIONS

What was the “problem” of animal (mis)treatment represented to be in the debates? What solutions were foregrounded?

According to the reformers in this period, the main political problem was the inconsistency and insufficiency of the old anti-cruelty law. This law, it was often said, was out of touch with the public sense of justice. It demanded too much in terms of cruel intentions in order to find an animal abuser guilty. Moreover, it seemed like different courts made different assessments of what should count as animal cruelty. To deal with these problems the animal advocates in the Riksdag called for further clarification of the law along with the criminalization of other types of animal mistreatment that were not necessarily the product of a malicious mindset. The solutions that were promoted included changing the wording of the main requisite in the law from “apparent cruelty” to “mistreatment” or just “animal cruelty,” to cover other kinds of animal abuse that the present law overlooked.

While the opponents most of these alternatives directly unsuitable, a small victory for the reformers came in 1913 when the Riksdag asked the government to revise the anti-cruelty statute. However, nothing substantial happened on this front until 1921 when the government presented a proposition to update the law. In its law proposal, the government concurred that the existing law was vague and inconsistently implemented. In response to this problem, the government suggested that the exhibition of “apparent cruelty” should be replaced with “indefensible mistreatment or overworking of animals or the infliction of suffering on animals by mismanagement” (Proposition 1921:6, p. 2) as the main requisite for criminal liability. The Riksdag, however, dismissed this proposal and ultimately went along with the First Law Committee’s revised version of the statute that read: “If anyone, in the treatment of animals, exhibits apparent cruelty, by mistreatment, overworking, mismanagement or otherwise, to be punished for animal cruelty by fines. If the animal cruelty is of a severe nature or the circumstances highly aggravating; to be sentenced to imprisonment for a maximum of six months.” (SFS 1921:187)

Under what discursive conditions did the problem representations emerge? What productive effects did the representations have?

What the development in the 1910s mainly goes to show is that the 1907 law revision had failed to settle the question of what animal cruelty really was. As

the number of animal issues on the political agenda proliferated, the lack of stable foundations for the criminal legislation remained a crucial condition for all the political debates. In their attempts to lock down the meaning of animal cruelty, the proponents of change kept drawing on the expansionist logic of equivalence to include previously unrecognized forms of mistreatment under the aegis of animal cruelty, while their opponents tried to fight off these attempts by differentiating the issues insofar as possible.

At the same time, the debates in this period exhibited a greater degree of diversity than before. The division between the reformers and their opponents was no longer so clear cut. There were, for example, more suggestions for alternative wordings for the anti-cruelty law, and there were more diverging interpretations within each camp regarding what the old law meant and how it should be implemented. All this, in my view, implies that there was an increased degree of discursive dislocation in this period; on the one hand, everyone seemed to feel that “animal cruelty” had a distinct meaning that was deeply embedded in the political and moral discourse of the time, but on the other hand the politicians constantly had to struggle with each other—and with themselves—to fix the meaning of this concept.

Just like before, the struggles over the meaning of animal cruelty was restricted by the limits imposed by the speciesist social order in general. There was no serious wish to overstep these boundaries, which meant that all reform proposals had to be tempered so that they did not go too far. We can see this, for instance, in the 1921 government proposition, which contained an extensive discussion about the principles behind the law proposal. Yet, the principles laid out by the Minister of Justice in this document were all carefully hedged so that they would not come into conflict with the hegemonic order by implying that there was such a thing as an absolute threshold for animal cruelty. Avoiding this dilemma seems to have been a paramount concern for all actors involved. To preserve the social system of animal exploitation (*and* maintain a space for punishment of the transgressions that were deemed to be too excessive), the relativity of the different norms governing human–animal relations had to be preserved.

This meant that the debates that played out within the confines of the anti-cruelty regime kept going down the same blind alley: Change was urgently needed, yet change was impossible. All that was needed was the stating of the obvious, yet the obvious could not be stated. This deadlock would remain until the anti-cruelty regime was superseded by the “welfarist turn” a few decades later.

What affective investments and ideological fantasies were at work in these representations?

Among the opponents to reform we could still see the now familiar fear that the animal protectionists represented a threat to the speciesist order and “our way of life.” Similarly, among all involved, the vision of the deviant, other animal abuser was still called upon as an external threat that the law needed to control. Nonetheless, the focus on the animal abuser’s cruel personality loosened a bit in this period as it became more widely recognized that the old law over-emphasized the malicious intentions behind an act and disregarded its effect on the animals. The debates in the 1910s and early 1920s, therefore, can be seen as fledgling efforts to move beyond the old discursive regime and find new ways of conceptualizing animal cruelty that were not reliant on the same old bogeyman for its consistency. (As we will see in the upcoming chapter on the slaughter debates from 1887 until 1937, however, the urge to displace society’s own animal cruelty to someone else had certainly not subsided—it only found new targets.)

In this chapter, I have mainly highlighted another type of ideological fantasy within the field of animal politics, namely the vision of a distant human-animal harmony to come. This restaging of the lack in the discursive regime did not take the typical shape of a horrific scenario in which someone else was charged with cruelty toward “our” animals or the theft of “our” enjoyment. Instead, the fantasy was articulated in a “beatific” register, hinting at an ideal state to come (Glynos & Howarth, 2007). Nonetheless, following the typical fantasy structure of lack, desire, and temporary blockage, this utopian scenario was placed beyond immediate reach and its unattainability was blamed on the people’s inertia. Interestingly, this redeeming, almost eschatological, vision was most commonly used to legitimate political passivity as it offered the politicians a way to represent themselves as progressive in principle but forced to passivity by the circumstances.

What kinds of animal (ab)use were left unproblematized?

Much like in the previous period, the range of recognized wrongs done to animals covered mostly the infliction of physical harms, while issues like psychological suffering, captivity, and killing were toned down or avoided altogether in the debates. When the 1921 law proposition had to touch upon issues like vivisection and slaughter, for example, it skipped over them as quickly as possible, suggesting that the fantasy vision of an “ideal” type of

animal use still loomed in the background. In my view, further problematization of these “hot” issues was resisted because such a move would upset the coherency of this fantasy screen and raise difficult questions about society’s own institutionalized animal cruelty. We can also note the urge to keep the debates about the animal cruelty paragraph separate from other issues like hunting, fishing, circuses, sexual abuse of animals, and so on. Again, this focus on separation and containment seemed to be a priority in order to foreclose inadvertent problematization of other issues that no one wanted to problematize.

7. Terrible Things Will Remain

The Slaughter Debates 1887–1937

THE ISSUE OF KILLING ANIMALS for food gave rise to some of the most intense debates in the period. This chapter offers an overview and a critical interpretation of the slaughter debates between 1887 and 1937—from the first motion on the subject until the founding of the first law mandating stunning slaughter of larger animals, fifty years later. The focus lies on the problematization of slaughter, that is to say how the putting to death of animals was articulated as a problem in need of (or not in need of) political regulation. Particular attention is paid to the slaughter carried out by (or for) the Jewish and Sami minorities in Sweden, as well as the slaughter of pigs in the Swedish bacon export industry. It is highlighted how the problem of slaughter cruelty tended to be displaced to these “other” groups while the “regular” slaughter carried out to satisfy everyday demand for meat in Sweden remained backgrounded and unproblematized.

These debates about slaughter took place in a discursive terrain where the borders were heavily regulated. In this field, more than any other area of the human–animal relationship, there were clear limits to what kind of problem representations could be enunciated. Far from any position on slaughter could qualify as being “in the true” of respectable political discourse. The key dilemma that loomed in the background was how the problem of slaughter cruelty could be framed so that the solution would not come into conflict with the practice of meat-eating. In this regard, the *outcome* was largely decided beforehand, but the *problem* remained to be articulated. Moreover, the problem had to be phrased in a way that would be in line with modern concerns for animal well-being *and* allow for continued exploitation of non-humans. The different actors in the debates had to wrestle with this conundrum throughout the period. On the one hand, they had to condemn senseless animal cruelty, but on the other hand their animal friendliness could not be allowed to imply that there was something intrinsically wrong with the killing of animals for food.

One strategy for managing this dilemma was—as we have already seen examples of in previous chapters—to displace the problem of slaughter cruelty from “our” treatment of animals and “our” food habits to certain other(ed) groups. This displacement, in turn, was dependent on the prospect of condensing a series of negative traits into the others, thereby constructing them as likely animal abusers. To achieve this effect, speciesist ideology has often articulated itself with nationalist or racist discourses. The latter have conveniently offered the resources needed to “explain” the other groups’ cruelty by reference to their primitive level of development or by their failure to assimilate to the dominating culture’s norms. As the post-colonial theorists Glen Elder, Jody Emel, and Jennifer Wolch (1998) have argued, the treatment of animals has often figured as a prominent element in the categorization and racialization of human groups. “Animals and their bodies,” they write, “appear to be one site of struggle over the protection of national identity and the production of cultural difference”—something that in turn leads to a “process of animal-linked racialization [that] works to sustain power relations between dominant groups and subordinate immigrants, deny their legitimacy as citizen-subjects, and restrict the material benefits that derive from such status” (pp. 72–73). How such animal-linked boundaries between Swedish population and other groups were discursively drawn up in the slaughter debates will be discussed throughout this chapter.

The chapter starts out with an overview of the political proposals and legislative efforts on the topic of slaughter from 1887 until 1937. This is followed by sections that discuss, in order, the problem representations around traditional home slaughter in the countryside; Jewish *shechita*; the “Danish–American” slaughter method; and reindeer slaughter among the indigenous Sami. After this, I turn to the method of electric stunning that was advanced as a solution to the slaughter dilemma in the 1930s. The subsequent sections deal with the most significant conditions and outcomes of the problem representations that were put forward in the debates. Here I attempt to explain why the slaughter issue could no longer be contained within the old anti-cruelty paradigm and why a special slaughter law was needed to maintain stability in speciesist relations. In this context, I also emphasize the role played by ideological fantasy in displacing the problem of slaughter cruelty from “us” to “them.” The chapter ends with a summary of the findings.

Overview of Reform Proposals 1887–1937

The first motion specifically demanding regulation of slaughter was presented in the Riksdag in 1887. This motion focused on slaughter without stunning as it was traditionally carried out in the countryside (motion II 1887:80). Similar initiatives were repeated in the 1890s until the Riksdag decided to commission a report on the slaughter issue in 1896 (motion I 1894:16; motion I 1895:51; motion I 1896:30; I 1TfU 1896:1; II 3TfU 1896:10). This report concluded that stunning slaughter enjoyed wide public support, and that the key to eliminating animal suffering was to introduce modern shooting devices and slaughter masks as standard equipment in slaughterhouses. But there were also some complications with this promotion of stunning slaughter. In particular, a law demanding mandatory stunning threatened to criminalize ceremonial slaughter according to Jewish tradition, so called *shechita*.⁶⁶ What was at stake here was the religious freedom of the Jews, a problem exacerbated by the fear that slaughter reform might be perceived as driven by an anti-Semitic agenda (I 1TfU 1909:17).

This first round of debates did not lead to any change. After having moved the issue around among different ministries for a couple of years, the Royal government decided to abandon the issue in 1901. When the question about regulating slaughter methods was raised again in 1903 and 1909, home slaughter in the countryside was still discussed, but the issue of *shechita* was increasingly emphasized (motion I 1909:50; motion II 1909:194; I 1909:41; II 1909:56, I 1TfU 1909:17). Religious freedom, the reformers claimed, could not justify the immorality of *shechita*. Nor was it acceptable for the law to maintain different standards for Jews and Gentiles.

In 1909, reindeer slaughter among the Sami population was also brought up as a problem in need of regulation (II 1909:56). Reindeer slaughter too, was traditionally carried out without stunning, something that caused much consternation among the Swedish animal protectionists.

Already at this stage, the Riksdag majority agreed that the time had come to fortify the advances of animal protection by imposing special regulations on slaughter. However, the Riksdag did not want to make a final stand on the

⁶⁶ The Swedish documents use the Swedish word *skäktning* and sometimes the German term *schächten*. In most cases I have chosen to use the most common English transliteration, *shechita*, which is etymologically related and phonetically close to the Swedish and German words. There was, however, no actual use of this Hebrew word in the Riksdag documents.

complicated issue of *shechita*, nor did it want to recommend any particular slaughter method over all others. Instead, another report was commissioned to provide the riksdag with a basis for decision. This report, however, was never finished, a fact that was repeatedly complained about throughout the 1910s.

When the animal cruelty paragraph was revised in 1921, no special regulation of slaughter was added (see Chapter 6). This omission led to new demands for a ban of *shechita* being raised the following year (motion II 1922:139, 1LU 1922:7). The same year, in 1922, the Parliamentary Ombudsman (*Justitieombudsmannen*) presented a report on slaughter that would set the tone for the debate for several years to come (JO 1923:12). According to the Ombudsman, there was now a broad consensus that stunning was always desirable in the slaughter of animals. This meant that *shechita* as well as the old methods of reindeer slaughter either had to be banned or thoroughly reformed. The Ombudsman also highlighted another problem area, namely the slaughter of pigs without stunning according to the so-called “Danish–American” method practiced at the export slaughterhouses in southern Sweden. From the early 1920s then, the slaughter debates circled around three main problems: *shechita*, reindeer slaughter, and pig slaughter without stunning. The foregrounding of these three issues also meant that the problem of traditional slaughter in the countryside was gradually displaced.

The Parliamentary Ombudsman’s intervention did not occasion any immediate response from the government. The long wait for a formal government proposition finally led several Riksdag members of both chambers to issue their own law proposal in 1925 (motion I 1925:26, motion II 1925:35, 1LU 1925:6). This proposal had been worked out by an animal protection organization, and it aimed to make stunning mandatory (with some exceptions for reindeer). The 1925 proposal led the Riksdag to order another “comprehensive inquiry” of the kind commissioned in 1896 and 1909. This inquiry finally resulted in a government proposition for a slaughter law in 1927, forty years after the first motion on the issue.

The government’s law proposal (proposition 1927:85) promoted stunning slaughter for all larger animals (for rabbits and poultry the “swift separation of the head from the body” was considered enough) (p. 2). There were, however, some important exceptions: One paragraph (§ 4) stated that the King could grant an exception from the stunning demand under “special circumstances.” Moreover, the rules would not apply to reindeer slaughter until a future date to be decided by the King (pp. 2–3). To the critics, it was obvious

that these exception clauses were primarily designed to protect *shechita* and the Danish-American slaughter method (for religious and economic reasons, respectively). A long debate ensued, but the Riksdag did not come to an agreement. In 1928, the same law proposal was put forward again by way of several motions, only this time without the much-disputed exception clause in § 4. Still, the Riksdag remained split on the issue.

The 1930s began with the banning of *shechita* in Norway. This fact, some argued, would lead to increased production of *kosher* meat in Sweden for export to Norway. Many animal protectionists found this development offensive, and the efforts to bring about a special slaughter law were renewed. In 1931, a new motion brought back the demand for mandatory stunning of larger animals. Again, the Riksdag decided that the issue had to be investigated—and, yet again, the royal government dropped the issue after two years (motion II 1931:44; 1LU 1931:6). The process was repeated with two motions in 1934, but this time the Law Committee was much more optimistic (motion I 1934:12; motion II 1934:1; 1LU 1934:34). Seeing that some other countries had recently passed laws to regulate slaughter, the Riksdag called for yet another inquiry regarding the possibility of mandatory stunning. It would take until 1937, however, before the government presented a proposal for a law regarding slaughter of domestic animals.

The final law proposition on the matter (1937:188) was essentially the same as in 1927, with the difference that the infamous § 4 that would make an exception for *shechita* and the Danish-American slaughter method had been removed. The motivation for the law was also largely the same as ten years earlier. The previous law proposals in 1927 and 1928 had stumbled on the issues of *shechita* and Danish-American slaughter. Religious and economic concerns had split the Riksdag and blocked reform. In 1937, however, both these problems were perceived as much more manageable. The perceived economic risk for the pork industry no longer existed, and the government argued that a mode of stunning compatible with the religious rules of *shechita* had been found, namely electric stunning. Moreover, this stunning method was at least tentatively accepted by the leading Swedish rabbis as being compatible with the traditional dietary laws.

The problem of reindeer slaughter remained, however. Electric stunning was not a viable option for outdoor slaughter in the northern wilds, and a number of alternative methods that had been tested turned out to be too complicated. The 1937 slaughter law proposal thus concluded that the law

should only apply to the slaughter of reindeer from an undefined future date to be decided by the King.

This time, the law proposal was accepted by the Law Committee and passed in both chambers. Sweden's first slaughter law came into force on 1 July 1938.

I. MAIN PROBLEM REPRESENTATIONS

The Problem of Traditional Home Slaughter

The conservative Per Zimdahl was the first politician to address the practice of slaughter as an issue in need of special political attention in 1887 (motion II 1887:80). According to Zimdahl, the old law against animal cruelty suffered from a blind spot when it came to slaughter, in particular the kind of traditional home slaughter that was still carried out here and there in the countryside. Zimdahl gave an example from the slaughter of cattle:

First, the animal is led to a sled, often placed in the immediate vicinity of the other animals, on which it, after the slow tying together of the feet and legs, is violently thrown down, after which the binding in one way or the other is even more tightened, while a rope or the similar is put around the mule of the animal in order to silence any noise during the death pangs. Finally someone (not seldom an old gammer or gaffer) strides forward with the knife, whereby, to begin with, a longer incision is made along the lower part of the animal's throat. Then follows the most gruesome thing of all, namely when the poor animal's windpipe and gullet are torn from each other by the force of hand. When this inhuman torment has been visited upon the animal, the knife is finally taken up again and directed toward the inner parts—*and all this while the animal is fully conscious.* (Motion II 1887:80, p. 4, emphasis in original.)

To Zimdahl, this practice was all the more shocking given that modern slaughter masks were now readily available to eliminate the animals' suffering altogether (p. 4). Zimdahl applauded the work of the animal protection societies who had spent much time educating the public about such modern slaughter methods (some animal protection organizations even sold "humane" slaughter equipment at the time). Nevertheless, when it came to "rooting out old, for centuries entrenched habits," education was not enough—legislation was also needed (p. 5). This conviction prompted Zimdahl to demand more detailed regulations to prevent animal cruelty during

the slaughter process. The Law Committee was sympathetic to the aim of Zimdahl's motion but still rejected it with the argument that a revision of the penal legislation was already underway, and that the slaughter issue ought to be a part of that process (LU 1887:10).

Curry Treffenberg, the enfant terrible of Swedish conservatism, took up the slaughter issue again in 1894 motion. Here again, the main problem representation focused on the primitive treatment of animals in the countryside, and the slaughter process was described very much like in Zimdahl's motion. Treffenberg proposed an inquiry to review the need for a slaughter regulation, but his motion was rejected by the Law Committee, this time with the argument that the existing law against animal cruelty was already applicable to slaughter, and that it was better to rely on the improvement of animal treatment along the "path of persuasion and enlightenment" (*öfvertygelsens och upplysningens väg*) than on legislation (LU 1894:55, p. 13). When Treffenberg returned with his proposal the following year (motion I 1895:51), however, the first chamber's Temporary Committee approved it and even stressed the urgency of the matter:

No one can deny that here, as with every other humanitarian issue, "the path of persuasion and enlightenment" is the "safest," but unfortunately it is also *the slowest*: and when unspeakable suffering of living creatures is at stake it would amount to an indefensible cruelty to abandon every measure for the prevention of such suffering to time and a slowly growing enlightenment. (I 2TfU 1895:19, p. 2, emphasis original)

This time, the first chamber approved the proposal without debate, while it was rejected again in the second (II 1895:46, pp. 25–27). In 1896, finally, Treffenberg's proposal was accepted by the Riksdag. In a missive to the king, the Riksdag asked the Royal government to investigate whether it would be possible to "issue regulations to minimize the suffering of domestic animals during slaughter by the use of stunning or other similar measures" (II 3TfU 1896:10, p. 5). This started a process where the issue was moved around among the authorities for several years. This led to no result, however, and the case was formally closed by the King in 1901.

Up until around 1900 then, the problem of slaughter—when it was articulated as a political problem at all—centered on the treatment of animals in small-scale slaughter in the countryside. The use of painful slaughter methods was usually attributed to entrenched habits, cultural inertia, and

thoughtlessness among the rural population. This representation in turn, was contrasted with the development of enlightened values among the higher social strata. As Carl Nyström in the first chamber put it in 1894: “There is an enormous, beneficial, and ennobling power in a law that is undergirded by the sense of justice among the educated and that aims to cultivate the sense of justice among the uneducated” (I 1894:37, p. 45). Slaughter cruelty, in other words, was typically articulated as a problem among the uneducated rural population, and not as an urban or a general “Swedish” problem.⁶⁷

It can be questioned, of course, whether the rural farming population was really that cruel to animals, or if the reviled slaughter methods were really that common. As Niklas Cserhalmi (2004) has shown, there was a marked difference between the assumptions of the educated city elite and the actual attitudes toward animals in the Swedish countryside during this period. Contrary to the typical assumptions, Cserhalmi argues that ideals of compassion in the treatment of animals seem to have enjoyed widespread support.

In any event, the typical solution proposed by the reformers of the time was to introduce mandatory stunning before an animal was drained of blood. In this context, it was argued that modern stunning equipment like slaughter masks or bolt guns (or, in the absence of such technical equipment, a heavy blow with a club or hammer to the animal’s head) held the key to abolishing animal suffering. The efficiency and suitability of these stunning methods and technologies were never seriously questioned in the whole period.⁶⁸ The only real point of contention was whether legislation was needed

⁶⁷ This problem representation is also interesting in the sense that it clashes with the contemporary conception of old, small scale farming as a rather idyllic affair characterized by organic bonds between humans, animals, and nature—a picture that, today, is often alluded to in the marketing of animal products. But in the early period examined here the ideal was often the opposite, at least when it came to killing animals for food. If anything, the large scale industrial slaughterhouses were idealized for their technical and professional efficiency, and it was repeatedly noted that the public slaughterhouses allowed for much better control than home slaughter.

⁶⁸ This was not just a question of silence about the potential problems of the stunning technologies. It can be argued that the practice of stunning performed a lot more ideological work in neutralizing the controversy of slaughter. For example, Noëlie Vialles, in her study of French abattoirs, has shown how the introduction of stunning slaughter mysteriously evacuated the moment of killing thanks to the division of the labor involved: “In a place where animals are slaughtered each person is able to say what he does: *one anaesthetizes, the other bleeds. Two*

or if the new stunning methods would be adopted in due course as society progressed along the “path of persuasion and enlightenment.”

In a few years, however, the situation would become more complicated as a number of new elements were introduced as fixed features of the slaughter discourse. One was the traditional Jewish practice of *shechita*. A long struggle would ensue over whether *shechita* should be defined as animal cruelty or as a legitimate expression of religious freedom. Another issue was reindeer slaughter without stunning as traditionally performed among the indigenous Sami population in northern Sweden. A third problem was the omission of stunning for economic reasons, an aspect that would be increasingly foregrounded when the so-called Danish-American method of pig slaughter was debated in the 1920s and 1930s. I will discuss these three issues in turn.

The Problem of Shechita

None of the reform proposals from the nineteenth century had mentioned the old Jewish tradition of *shechita* as a particular problem. But it was not ignored for long. In 1900, the National Board of Medicine first mentioned the issue of what it called “slaughter according to Jewish ritual [*judisk ritus*]” as part of the review process for the report on slaughter commissioned by the Riksdag four years earlier. The Board described this practice in vivid detail:

This slaughter is carried out in such a way that, after the slaughter animal in one way or the other has been thrown down and locked down on its back with the nose stretched out, without previous stunning, a cut is made with a long polished extremely sharp knife in the neck all the way to the spine, whereby the blood vessels of the throat are severed and the animal bleeds out completely. By the severing of the arteries the brain is quickly deprived of oxygen and unconsciousness ensues. (I 1TfU 1909:17, p. 15)

The general assessment of *shechita* in this report was critical, but the Board was also sensitive to the political and moral complications that surrounded the slaughter method, in particular the issues of religious freedom and anti-Semitism. Regarding the former, the Board feared that a mandatory stunning

men are necessary for neither of them to be the real killer. The double disjunction of repeating the fatal moment, only evades it more effectively.” (Vialles, 1994, p. 46, emphasis added, see also Burt, 2006, p. 121–122.) Taking the killing out of the slaughterhouse in this way must be considered one of the more outstanding accomplishments of material semiotics.

law could amount to a problematic “intervention into the recognized right of the Jews to practice their religion” (1TfU I 1909:17, p. 15). The Board was also aware that the slaughter issue might be exploited by forces hostile to the Jewish community. Thus, it was noted that the “agitation” against slaughter without stunning abroad had been initiated by the animal protection groups, but that “the struggle, particularly in Germany and Austria, [had] been taken up with great zeal by the anti-Semites” (1TfU I 1909:17, p. 15; see also Kete 2002; Maehle and Tröhler 1987).

Neither the animal protectionists nor the anti-Semites had achieved much success though. At the time of the Board’s report, only Switzerland and the German kingdom of Saxony had banned slaughter without stunning. In a few other countries, regulations had been passed to improve the treatment of the animals when they were wrestled to the ground before the throat cut (thus addressing some animal welfare concerns but without intruding on the ceremonial moment of the slaughter procedure).

Around the turn of the century, *shechita* was practiced at some of the slaughterhouses in the bigger cities in Sweden, “albeit probably not in any larger scale” (p. 15). The National Board of Medicine for their part concluded that if *shechita* was to be regulated, special demands should be placed on the slaughterer’s skills and the routines for handling the animal when it was thrown down and fixated for the final incision. In other words, the suggestion was not to ban the practice, only to refine it and minimize animal suffering. This view, that the practice of *shechita* could be reformed and brought in line with contemporary standards of animal treatment, would remain the typical position of the Swedish government throughout this period. The suggestions by the National Board of Medicine, however, led to no immediate results. In 1901, the then Minister of Agriculture concluded that no further measures were necessary, and the issue was formally dropped.

Animal Cruelty and Human Brutalization

The main problem with *shechita* had to do with the suffering associated with the throat incision and the long period of exsanguination. The typical representation was captured in a 1909 joint motion by the conservative Adolf von Möller and the left-liberal (later social democrat) Edvard Wavrinsky (motion I 1909:50, motion II 1909:194). Von Möller and Wavrinsky offered a broad critique of contemporary slaughter practices in their motion, but it was clear that one type of slaughter bothered them more than the rest, namely *shechi-*

ta. Quoting a “scientifically educated, prominent expert,” the authors assessed the practice as follows:

After the cattle destined for slaughter has been thrown to the ground and tied up, it is placed on its back with the head stretched out so that it comes to rest on the horns. Thereafter the arteries on both sides of the neck are cut, as are the esophagus and the windpipe, and all this, it should be noted, without any prior stunning.

During the long time it takes for the blood to drain off, the animal is fully conscious and sentient, and communicates its pain by means of anxious and imploring gazes and repeated blinking with the eyes. It cannot give off any sound, since the windpipe has been cut.

As it is known that the draining of the blood from the brain can be rather slow, and that the activity of the brain continues as long as a certain amount of blood remains, anyone—regardless of his religious faith—may realize that such a slow torture to the death must unconditionally be labeled as cruelty. (Motion I 1909: 50, pp. 4–5, emphasis original)

Shechita was also criticized for being potentially harmful for the humans involved in slaughter.⁶⁹ As it was put in a 1903 motion:

The entire procedure of the Jewish slaughter method makes a horribly savage and brutal impression—no one can contradict this—and it ought to be abolished both for the sake of the animal and of those participating in the slaughter. This issue of slaughter in general is the greatest of all animal protection issues. Its scope is so enormous that other issues seem to me dwarfed in comparison, and it would be sad if our representation [in the riksdag] would not have enough eye for its importance, not enough humanity and heart for the animals to have it solved according to the demands of humanitarianism.

⁶⁹ A recurring point in the debates was the age limit for participation in slaughter. It was generally assumed that it was unsuitable for children to be present during slaughter, but the opinions differed over the proper age limit, partly because there was still a need for children’s labor on small family farms and in the herding of reindeer. In the final proposition (1937:188) the age limit was set to eighteen years for anyone administering stunning or blood draining, even though younger people could perform these tasks under supervision of someone eighteen or older.

(Quote from veterinarian professor John Vennerholm, 15 March 1903, in motion I 1909:50, p. 2)

The problem representations pertaining to *shechita*, then, focused mainly on the suffering associated with cutting the throats of conscious animals; the long period of exsanguination; the force needed to throw down and fixate the animals; and its unhealthy effect on human bystanders.

However, the critique of *shechita* was not restricted to the questions of animal suffering and human brutalization. The problem representation was sometimes extended to include an assessment of the moral character and cultural standing of the Jewish community as such. Von Möller and Wavrin-sky, for example, argued already in 1909 that *shechita* ought to be seen an expression of “distorted ideas or an antiquated cult, wherein animal cruelty is included as a moment in a God-pleasing act” (p. 5). This led them to the conclusion that the Jews had to adapt to superior Swedish norms:

In the light of increasing enlightenment, a more primitive idea must, here as elsewhere, give way to a higher one. The Swedish Christian state ought not to allow the notions of freedom of religion and consciousness to be misused to protect the committing of acts prohibited by law. (Motion I 1909: 50, p. 5)

In the Riksdag debate about the 1927 slaughter law proposal, similar assumptions were often made about the cultural level of the Jews. The conservative mayor of Halmstad, Georg Bissmark, for example, hoped that the Jews would soon adapt and not “sail behind the rest of the population and stay on the same level as the Laps [the Sami]” (I 1927:26, p. 22). It was also in 1927 that Helmer Molander of the Swedish Communist Party brought an (in)famous message from the Stockholm section of the Swedish Food Workers’ Union to the Riksdag. These slaughterhouse workers supported stunning slaughter and saw *shechita* as “a barbaric slaughter method” that could not be defended on religious grounds (II 1927:28, pp. 30–31). If the Riksdag did not put an end to the practice, the workers threatened to do so themselves by taking direct action—an endeavor in which they claimed to have the support of the majority of the population (II 1927:28, p. 31). Molander’s speech ended with a greeting from the slaughterhouse workers stating that “if *shechita* is to take place at all, then the Jews ought to go home to Palestine and perform it” (II 1927: 28, p. 32).

In 1930, the social democrat Carl Petrus Olsson complained about the upsurge of ritual slaughter in Sweden after the practice had been banned in Norway. This ban, it was said, had led to the relocation of *kosher* meat production for Norwegian Jews to Sweden “where this barbaric slaughter method is still allowed in the name of religious tolerance” (II 1930:34, p. 2). According to Olsson, a Norwegian rabbi regularly traveled over the border to conduct *shechita* in Sweden. But allowing this “inhumane and savage” slaughter method was offensive to the Swedish public, Olsson held:

For the majority of Swedish citizens, *shechita* appears as inhumane and undignified for our culture, and it could be strongly questioned if it is flattering for our country to give way to a Mosaic superstition of this kind at the expense of humanitarianism—and even more so since our standpoint on this issue has meant that the Norwegian people’s decision to cast off a barbaric relic of the Old Testament has only led the barbarism in question to move in over our borders. (1930:34, p. 3)

In a 1934 motion, Otto Wallén of the Farmer’s League⁷⁰ attacked “the barbaric method that is still allowed in the slaughter of domestic animals, namely the ritual Jewish *shechita*, which in an offensive way contradicts the established moral foundations of our country.” Such “terrible animal cruelty” ought not to be “tolerated in a civilized society” (motion II 1934:1, p. 1). Quoting a contemporary newspaper headline, Wallén described *shechita* to the Riksdag as “the disgustingly brutal slaughter method of the Jews, which is a shame for our cultured society,” and he noted with satisfaction that “the purely Swedish press in Sweden has unanimously rallied to my side” (II 1934:21, p. 75). Wallén claimed to have received numerous letters and phone calls demanding a ban of *shechita*, and he wagered that the Swedish public opinion had never been as consensual as it was on this issue (II 1934:21, p. 75). Wallén reminded the Riksdag of the standpoint of the Food Worker’s

⁷⁰ At the time, the Farmer’s League was the only Swedish riksdag party with an explicit racial policy on their agenda. According to the 1933 party program, the Farmer’s League would combat the “introduction of inferior foreign racial elements,” and protect the Swedish people from “degenerative influence.” These formulations were abandoned only in 1946. In a 1939 debate on the funding of subsistence and education for Jewish refugees, Otto Wallén would explicitly label himself as an “anti-Semite” and argue that “the Asian racial group is not a suitable company for our decent Swedish racial group” (II, 22 February 1939).

Union in 1927: “It is sound and clear: that those who wish to be guests in Sweden ought to accommodate to the arrangements called for by civilization. If not, they ought to be uninvited guests and go back.” (II 1934:21, p. 75)

From statements like these, it is clear that the opposition to *shechita* was not always and exclusively a matter of opposition to animal suffering. There were also attempts to draw upon the otherness of the Jews to articulate *shechita* as a particularly sinister practice incompatible with civilized, modern Swedish society. Conversely, the practice of *shechita* could be used to mark the Jewish community in general as supporters of a pre-modern barbarism. In both cases, a discursive logic of equivalence was brought into play that strongly associated Jewishness and animal cruelty, thus reinforcing the boundary between “us” and “them.”

Two Kinds of Jews

Another recurring strategy in the combat against *shechita* employed the logic of difference. Here, the typical objective was to weaken the Jews’ claim to religious freedom. This was typically done by splitting the Jewish community into two groups: one framed as modern and eager to assimilate, and the other as orthodox and unwilling to change. The first group could then be used as “proof” that Jewish identity was malleable and that second group was either insignificant, insincere, or simply outdated in its fixation with the old slaughter methods. Von Möller and Wavrinsky, for example, emphasized already in 1909 that many modern Jews did not live by the traditional dietary laws:

[A] large number of the less conservative or the more educated Jews disregard these commandments as insignificant and consume non-kosher meat just as well as the meat from swine forbidden to them, while the ritual Jews still insist on the preservation of the Talmudic commandment of *shechita* as being religiously significant and sanctified. (Motion I 1909: 50, p. 5)

On the one hand, then, there were the moderate—“less conservative” and “more educated”—Jews who were happy to ignore the scriptures. On the other hand, there were the “ritual Jews” who aspired to a lifestyle in strict observance of the rabbinic instructions. The “educated” Jew was represented as already assimilated and, therefore, unlikely to oppose stunning slaughter. The “ritual” Jews on the other hand, were understood to be orthodox, even

fundamentalist, and segregated by choice—something that in turn implied that the legislators were in their full right to force them into compliance.

In 1927, the liberal professor Israel F:son Holmgren similarly questioned whether the Jews really honored the commandment to abstain from meat produced without the proper ceremony. The Swedish Jews, he held, were in fact “avid meat-eaters” and did not really care about their dietary codes:

Over the decades, I have sat down at the table with a great number of Jewish friends and acquaintances, but I have never observed that they neglected to consume meat, neither in the home nor in the restaurants, but they have enjoyed it with an appetite. I therefore think that the educated Jews in our country do not attach much importance to this matter for their own part. (Motion I 1927:203, p. 8)

The case was different, however, with Jews who had recently arrived in Sweden:

For example, we have here in Stockholm, a quite significant Jewish colony, the members of which, at least to a large extent, are located on a rather low level of culture, and who, even after many years of residence in the country, cannot speak Swedish and neither read. Perchance is it among this part of the Jewish population that the strictest orthodoxy is to be found. (Motion I 1927:203, p. 8)

Here again, a difference was established between the educated, assimilated Jews who ate any kind of meat, and the newly arrived Jews, who were less sophisticated, more orthodox, and prone to dogmatism. In 1934, the social democrat Carl Lindhagen also knew to tell that most Jews did not really care about the old dietary rules. In an attack on *shechita*, he explained:

What is this shenanigan ... that a specific sect should be allowed to exercise animal cruelty ... in this country in order to eat the animals according to old ritual? ... Should this ancient superstition really still be tolerated in our country? Most of the Jews in this country, who adhere to the Mosaic creed, it is said, eat meat without concern for how it has been slaughtered. And the others may well adjust themselves too, or they may leave the country—I can see no other solution—if this is so important for them. (I 1934:20, pp. 35–36)

In addition to these purported inconsistencies, it could be argued that many Jews had already adapted their faith to Swedish society in significant ways. This too suggested that their traditional lifestyle was not really that important to the Jews. As Otto Wallén put it in 1934:

The commandment to observe the Shabbat on the Saturday, for example, ought to be just as important as the commandment about slaughter methods, but it is unheard of that a Jewish businessman in this country would close his shop on a Saturday. If this zeal to follow rituals and commandments is dependent on whether fidelity to the law entails economic loss or not, then it seems like the religious aspect cannot be accorded decisive significance. (Motion II 1934:1, p. 1)

The Swedish General Women's Association for Animal Protection argued along the same lines in 1935 when they claimed that the Jews had already abandoned literal interpretation of the scriptures when it came to practices like blood sacrifice, stoning of criminals, usury, and strict observance of the Shabbat. If *shechita* was banned, the women held, there was no reason to think that that Jews would not soon adapt to this as well (proposition 1937:188, p. 34).

These representations all acknowledged that there was conflict between the Jews' religious freedom and mandatory stunning slaughter, but they tried to downplay this contradiction by imparting a specific meaning to the dietary laws. The rabbinic prescriptions were framed as archaic remains, unimportant to most Jewish believers, and so on—all with the implication that, overall, the problem was relatively small and could legitimately be ignored by the legislature. In theoretical terms, these interventions tried to split up the Jewish identity and to absorb the “modern” and “educated” Jews into the dominant culture's signifying chain. The remaining Jews, in turn, were marked as archaic and “out of place” in a way that undermined their status as recognizable subjects with a legitimate voice.

In Defense of Shechita

The central claim in favor of *shechita* as an indispensable religious practice was that the Torah/Pentateuch prohibited the enjoyment of blood and the eating of animals who had been harmed or died from natural causes before they were drained of blood (see Deuteronomy 12:21, 23, 24, Leviticus 11:39, 17:15). A strict interpretation of the relevant texts would seem to prohibit a

righteous believer to consume meat from animals slaughtered in any other way. As the rabbi of the Mosaic congregation of Gothenburg, Dr. Koch, put it in 1904:

Shechita, which is practiced on healthy, prior to the blood draining unharmed animals, by men trained in theory and practice for the purpose, is a religious institution for Mosaic believers. Regulations to the effect that even the animals destined for *shechita* would be stunned, would amount to a violation of the religious feelings of a part of the Swedish citizenry, and pose an obstacle for these people to eat meat slaughtered in Sweden (Koch, quoted in I 1TfU 1909:17, p. 16).

Similarly, in 1927, the leaders of the largest Jewish congregations in Sweden held that a stunning law would “prevent all practice of the Jewish slaughter method and thus interfere with the freedoms of religion and conscience of many Mosaic believers, and possibly force them to abstain from enjoying meat” (proposition 1927: 85, p. 41).

Inconclusive Evidence

When *shechita* was debated in the Riksdag, the right to religious worship was consistently contrasted with the perceived cruelty of the practice. But the latter was not an uncontested fact. While *shechita* was subject to many attacks in the Riksdag and in the press, it was not rejected by all scientific authorities. In 1904, for example, the rabbi Koch presented an extensive compilation of expert statements dismissing the claim that *shechita* caused more suffering than stunning slaughter. On the contrary, Koch held that “according to several prominent authorities, [*shechita*] is the most humane of all slaughter methods” (I 1TfU 1909:17, p. 16). Correctly performed, the throat incision would lead to almost instant unconsciousness. In the 1920s, the leading rabbis in Sweden made a joint statement that rejected the charges of animal cruelty and emphasized that the Jewish faith had always prescribed humane treatment of animals. Furthermore, they held, a large number of scientific surveys had shown that the method “when it came to its humane-ness was not surpassed by any other slaughter method and did not involve any animal cruelty whatsoever” (proposition 1927: 85, p. 41).

It should be emphasized here that *shechita* was not only defended by Jewish authorities. The manager of the public slaughterhouse in Stockholm, for example, argued that the critique against *shechita* was mistaken. According

to him, all contemporary physiologists agreed that the animals lost consciousness “almost instantly” after the incision (proposition 1927: 85, p. 41). In the 1927 Riksdag debate another defender of *shechita* insisted that the “most prominent experts in the world” had concluded that “Jewish *shechita*, well and correctly performed, does not entail any animal cruelty. Regarding the demands of humanitarianism, this method called *shechita* is second to none. Unconsciousness follows almost immediately after the *shechita* incision, and the twitching [of the animals] is merely a matter of reflexes.” (II 1927:28, p. 39)

No doubt, most commentators were more suspicious of the method. The predominant intuition was that the pain from the throat incision had to make itself felt during the seconds or minutes it took the animal to lose consciousness from blood loss or pressure drop. Nevertheless, it is important to note that there was no scientific consensus that the government or any other actor could rely on as the final truth of the matter.

Solving the Problem of Shechita

Regulating *shechita* was a tough challenge for the Swedish government. On the one hand, there were the media and the animal protectionists—even the organized slaughterhouse workers themselves—who demanded a ban of slaughter without stunning (at least for larger animals). On the other hand, the religious freedom of the Jewish community had to be respected. Moreover, many politicians felt that a political distance had to be maintained to the organized anti-Semitism of the time. (The 1927 Minister of Justice, Johan Thyren, for example, insisted that all those who wanted to a strict ban of the slaughter method had to be motivated by anti-Semitism rather than by love for the animals.)

A complete ban of *shechita* would also beg the question why industrial slaughter without stunning—particularly the Danish-American method—was not banned. But prohibiting the Danish-American method, as we shall see later on, was thought to be too much of an economic risk. Prohibiting *shechita* straight away would thus threaten to set a precedence that would affect the Swedish bacon industry as well. (Indeed, it is very likely that the long delay of the Swedish slaughter law depended more on the pecuniary interests of the pork producers than on the religious sentiments of the Jews.) A final complication was that the scientific jury was still out on the issue of animal suffering. Many physiological authorities advised against the method,

but there was no shortage of scientists who were ready to defend *shechita* as a humane method.

These complications notwithstanding, by the 1920s it was clear that something had to be done to deal with this infected issue. For infected it was. As one member of the Riksdag noted in 1927, “next to the education question,⁷¹ there is hardly any issue that has been so exhaustively treated in the press and stirred such public interest as the present issue” (II 1927:28, p. 36). In the same debate, a defender of *shechita* complained that “the Swedish people has in this respect been so infamously catered to by the press that it has never been worse” (II 1927:28, p. 39). The Minister of Justice himself said that he had “hardly ever experienced an issue that has set the passions ablaze as much as this one” (I 1927:26, p. 20).

The challenge for the government, then, was to take the controversial practice of *shechita* and rearticulate it in a way that made regulation tolerable to a majority of the chamber members. The proposal had to appease the friends of the animals as well as the champions of religious freedom—all without causing trouble for the bacon industry. The solution opted for in the government’s 1927 slaughter law proposal was to avoid direct confrontation with the religious dietary laws but still introduce mandatory stunning in an indirect way. The suggested solution was to allow the throat incision to be made without previous stunning, but then administer stunning immediately *after* the cut had been made. In this way, the government hoped to reach a workable compromise: the animals would remain unharmed before the cut, yet stunning would be applied before the animals experienced any pain. To make this possible, the religious moment of slaughter had to be discursively redefined so that it applied only to the throat cutting itself. As it was put in the 1927 proposition:

First, the animal is fixated and laid down as a preparation for the so called *shekht* incision [*schäktsnittet*]. These preparations, which only serve the purpose to bring the animal into the position necessary for the cut, *do not belong to the ritual* and is not carried out by the person who performs the *shekht* inci-

⁷¹ A few weeks after this debate, the Riksdag would decide on an educational reform that would open up more schools to girls and make the “*folkskola*” (literally “the people’s school,” or “primary school” in later terminology) the common school form open to all social classes and preparatory for higher education. The conservative right resisted this school reform, and there was a lively public debate on the issue going on in Sweden.

sion. Thus, when it comes to these preparations, there is *no ritual obstacle* for using the method with is found appropriate from the point of view of animal protection. (Proposition 1927:85, p. 35, emphasis added.)

By insisting that only the incision itself had religious meaning, the government aimed to avoid the accusation that the law violated religious freedom. Also, by restricting the ritually pertinent moment to the cut itself, the rest of the handling of the animals would be left open to regulation. Indeed, the Minister of Justice noted, there were already a number of such informal regulations in force at the Stockholm public slaughterhouse where *shechita* was practiced. These regulations covered, for example, how the animal was to be bound and restrained to avoid unnecessary suffering. Making the move from these already existing informal rules to formal legislation would thus be a minimal change, the Minister argued (proposition 1927:85, p. 36).

But the main objection against *shechita* had not been the treatment of animals before the ceremonial incision. The core complaint had been about the suffering during exsanguination. Here, the government had to find a work-around that addressed these objections without impinging on the ceremonial aspect of slaughter. The solution, again, was to define a clear ending of the religious moment, namely *immediately after* the incision. The idea was to administer stunning (using a bolt gun or the similar) as soon as the animal's throat had been opened. This procedure was meant to meet the animal protectionists' demand that the animals had to be unconscious during the blood draining.

Again, something of the kind was already regular practice at the Stockholm slaughterhouse. Here, the *shochet* (the religious official performing the slaughter) had an assistant who, immediately after the throat incision, made another cut through the prolongation of the spinal cord. The purpose of this second incision was to "end or at least hamper the cramping and reflex movement, and thereby remove the unpleasant impression the method otherwise would make on the spectator" (proposition 1927:85, p. 38). As many critical commentators noted, however, this second incision did not render the animals unconscious during the blood draining, it only paralyzed them. Still, as one report concluded, the hope was that since "the Jews tolerate the neck sticking after the *shekht* cut, there could be no reasonable motive for them to oppose the use of a shooting or captive-bolt device at the same temporal moment of slaughter" (proposition 1927:85, p. 38). In other words, if the neck incision immediately after the ceremonial cutting of the throat was

already compatible with the ritual, then the use of regular stunning equipment should also be acceptable. This conclusion, in any case, was what the government was aiming for in its representation of the problem.

In short, the government was very active in trying to shape the meaning of *shechita*, and above all in restricting the properly religious moment of the ceremonial practice to a minimum. Thanks to these maneuvers, the government hoped to evade the problems perceived by the proponents of stunning slaughter while leaving the religious freedom of the Jews untouched. This strategy, however, was ultimately unsuccessful, as the Riksdag came out divided on the issue of stunning in both 1927 and 1928. It was not until the mid-1930s that the technology of electric stunning seemed to offer a solution to the problem of *shechita* that could be more widely accepted.

The Problem of the Danish-American Slaughter Method

The Danish–American slaughter method got its name, it seems, from the rationalized assembly-line practices developed in the industrialized slaughter and meat packing business in the United States in the late nineteenth and early twentieth century (see Burt, 2006, pp. 122–123; Patterson, 2002, Chapter 3). Similar industrial processes had been introduced in Denmark, the leading agricultural economy among the Nordic countries. In the early twentieth century, the Danish–American method was routinely used at a number of Swedish export slaughterhouses specialized in producing bacon for the English market.

More concretely, the Danish–American method referred to a procedure in which the pigs were hoisted in the air by a chain around one of the back legs, stuck in the throat, and left hanging while bleeding to death. No stunning method was used. Many scientific authorities criticized this method for being cruel to the pigs. One empirical study, for example, stated that the blood of the pigs kept running “in a stream” for 37–55 seconds, thus suggesting a prolonged period of suffering. According to the teaching staff of the Veterinary College, this meant that “the swine most certainly remain conscious until shortly before the moment of death.” In other words, there was “no guarantee for painlessness with this method of slaughter, and in comparison to the modern stunning methods, the method used at the export slaughterhouses cannot help but to fall short” (proposition 1927:85, p. 44). The preparations for the killing were also criticized. According to the veterinarian who reviewed the law proposal the Danish–American method ought to qualify as “apparent cruelty by mistreatment”—that is to say, as a criminal

offense—when the chain around the back leg cut into the skin or when the leg had to carry the animal’s weight. The veterinarians concluded that while the incision in itself was usually carried out in a professional way, the hoisting and exsanguination took far too long for an observer to “relinquish the impression, that the slaughter method is cruel” (proposition 1927:85, pp. 44–45).

The defenders of the method usually denied these problems. They emphasized instead that the slaughterhouse workers were skilled; that the process was monitored by veterinarians; that proper technology was used; and that any problems either belonged to the past or were exaggerated by the animal protectionists. In addition, the slaughterhouses had an economic interest in treating the animals as well as possible since failure to do so would negatively affect the quality and price of their products. As one member of the Riksdag put it: “Here, the humanitarian standpoint converges with the standpoint of business.” (I 1928:13, p. 31) Taken together, these factors were considered enough to satisfy the interest of animal protection.

Another common way to neutralize the critics was—as we have seen before—to point out how they were inconsistent or implicated in some even more painful form of animal exploitation. Thus Janne Nilsson, a member of the Farmer’s League and chairman of a slaughterhouse organization in Skåne (later to become Minister of Defense), could concede that taking another life was in itself a problematic affair, but that it did not matter much in a context where the killing of animals for food was generally accepted:

I wonder if the vegetarians do not regard [killing] as something cruel, no matter under which conditions it is carried out. But as no one in the previous debate has gone into this matter, neither will I, and instead I will start from what seems to be the common assumption, that this is something that will still be allowed to go on. (II 1927:28, p. 43)

The question, then, was never *if* slaughter would be carried out, only *how*. And once this had been established the Danish-American method was not as bad as it had been made out to be. At Nilsson’s own slaughterhouse, he boasted, ninety pigs were slaughtered every hour and the whole process of slaughter, from preparation of the animal to its death, only took “half a minute up to one minute in total” (II 1927:28, p. 44). To those who felt that a full minute of fear and suffering might be overstretching the concept of humane treatment, Nilsson retorted that there were plenty of prominent ani-

mal protectionists who had nothing against hunting animals with dogs, sometimes forcing the prey to flee in panic for up to a day. Practices like these, Nilsson emphasized, had to “amount to a death anxiety that outweighs a whole year of killing at one export slaughterhouse” (II 1927:28, p. 45). Again, this kind of argumentation was effective to put the animal protectionists on the defensive.

The Virtues of Serving Mammon

One of the reasons why the slaughterhouses clung to the Danish-American slaughter method was the assessment that stunning slaughter would be more labor-intensive and require investments in new technology. More important, however, was the fear that stunning slaughter would affect the meat quality and ruin market opportunities for Swedish pork. Conventional wisdom, at the time, had it that stunning slaughter led to incomplete blood draining. This, in turn, was thought to yield bacon of poorer quality and with a shorter shelf life. It was also assumed that the English consumers—the target market for the bacon exporters—were extra sensitive to this difference in quality. As a member of the Riksdag put it in 1927: “The gentlemen are probably aware that it is not easy to satisfy the taste of the Englishmen. I am thinking primarily about the bacon. This is a case where we must exercise the utmost caution.” (I 1927:26, p. 39) In other words, failure to satisfy the English taste buds would spell disaster for the bacon producers who were dependent on their export to the island kingdom (see also proposition 1927:85, p. 47).

This economic threat was exacerbated by the fear of what the Danish competitors might do if Sweden regulated the slaughter business. The Swedish export slaughterhouses already found themselves in a desperate struggle with the Danish competitors. If stunning slaughter became mandatory, the Danish companies would not hesitate to sabotage the Swedish trade by pointing out “the inferiority of Swedish pork in terms of its shelf life” (Proposition 1927:85, p. 47). As a member of the Law Committee put it, it would not be long before a “close-by competing nation” would whisper into the ears of the English that “you cannot eat meat from Sweden, for it is not at all like you want it. The businessmen of that nation will surely jump on the opportunity to try to kill the competition ...” (I 1927:26, p. 33)

This fear of Danish competition was not unfounded. The value of the Swedish pork exports were estimated to around 45 million kronor in the late 1920s, and over 50 million after 1930. Still, the Swedish industry was dwarfed by the Danish one. In one week in 1928, 10,400 pigs were slaugh-

tered at the Swedish export slaughterhouses while 97,000 were slaughtered in Denmark. Moreover, Danish pork sold in England for 82–85 shilling per hundred pounds, whereas Swedish pork was valued at only 72–75 shilling per hundred pounds (I 1928:13, p. 31). The odds, in other words, were already stacked against the Swedish industry, and a stunning slaughter law would only make matters worse. All in all, this meant that the issue was of “such national economic significance that it cannot be considered from an emotional point of view” (proposition 1927:85, p. 47).

When the government included an exemption clause in the 1927 slaughter law proposition it was clear that these economic considerations had guided the decision. The liberal Minister of Justice at the time, Johan Thyren, was very candid in this regard:

[T]he government has not been able to fully take a blind eye to the reflection put forward from several quarters, that it might happen that the English importers will attach significance to the circumstance whether the animal has been stunned before slaughter or not (I 1927:26, p. 17).

Or, as he put it more succinctly in the second chamber debate: “Here, God is no longer concerned, but Mammon, and to him too we must show consideration on this matter.” (II 1927:28, p. 23) This concession to the demon of greed, the Minister explained, was necessary because “humans are, as is well-known, rather conservative, at least when it comes to matters of daily habits, and the English are no exception to this general rule. It is quite possible that they ... will say to the Swedish exporter, that they do not want pork from stunned animals, but prefer it the traditional way.” (I 1927:26, pp. 17–18) Moreover, considering the power of the Danish pig industry, it was impossible to “imagine that the Danes will accept prior stunning, if they have even the slightest suspicion that this measure would have impact on the economic result” (I 1927:26, p. 18). So, while the Swedish government in principle disapproved of animal suffering and would prefer to introduce mandatory stunning in the export slaughterhouses, they had to take into account that the Danes would never consider a similar measure if it affected the industry’s bottom line.

According to this problem representation, then, the animal friendly Swedish government was morally committed to a ban of the Danish–American slaughter method, but its hand was regrettably forced by external forces like the Danish competition and the English breakfast habits. Just like in the case

of *shechita*, this led to a political deadlock that was not overcome until the electric stunning made its breakthrough in the middle of the 1930s.

The Problem of Reindeer Slaughter

The third type of slaughter that was singled out as particularly controversial was reindeer slaughter among the indigenous Sami population in the north of Sweden. This issue was first raised in connection to the 1909 slaughter debate initiated by Adolf von Möller and Edvard Wavrinsky. Here, the Liberal Coalition Party's Jakob Byström objected to the omission of reindeer slaughter in the Law Committee's memorial. According to Byström, the slaughter of reindeer was "still carried out in many places, in spite of all civilization, in such a barbaric way that it is remarkable that nothing, in the name of mercy, has been done about it." (II 1909:56, p. 40) Byström's main complaint concerned the large "slaughter fairs" held thrice a year and where hundreds of reindeer could be killed in a day. The reindeer, he claimed, were herded to these markets by the use of dogs, after which the trade deals were made and the slaughtering commenced:

And so begins the execution. Slaughter, in the real sense, it is not. Lassos are not used—for this the reindeer are now too wild. Rather, there is spectacular hunting adventure with shooting and screaming people and dogs. Some animals are mortally wounded and remain laying down, but in many cases they are just wounded—some fall down and have to lie and wait for the death blow, while others make a last desperate attempt to escape on crushed legs or with heavily bleeding wounds. (II 1909:56, p. 40)

According to Byström, the killing of reindeer often took place under strong influence of "the spirit of alcohol"—so much, in fact, that these events did not deserve the name "slaughter" but "should rather be called wild hunting orgies" (II 1909:56, p. 41).

All this was even more provocative, Byström felt, given that "the affairs of our nomads lately have gained so much and so public attention," and since the state "by law and through the purchase of larger and larger areas of land has tried to favor their sustenance." These were privileges that the Sami had been given and that should not to be misused but "managed with reason and with the dignity worthy of a Christian people" (II 1909:56, p. 40). Much like in the debate over *shechita*, there was a distinctive sense of resentment toward the "other" in Byström's representation. From a Swedish perspective,

there was a feeling of having been generous to the others (according the Jews religious freedom and offering the Sami land and hunting rights), only to see these privileges abused in the most horrifying ways.

Byström's intervention was the first explicit attack on reindeer slaughter practices in the Riksdag documents. In the years to come, however, reindeer slaughter among the Sami would be foregrounded as one of the main problems in need of regulation. In 1922, reindeer slaughter was pointed out as one of the three special areas of concern in the Parliamentary Ombudsman's report, and from this point on it had a given place on the slaughter reform agenda.

In the 1927 proposition for a slaughter law, the Minister of Justice clarified the scope of the issue by explaining that there had been 157,697 reindeer with known owners in Sweden in 1921. The vast majority of these owners were Sami, in total 2,775 people belonging to "both the nomad and non-nomad parts of the country Laps [*lapp-allmogen*]"⁷² (proposition 1927:85, p. 49). The exact number of reindeer slaughtered every year was not stated, but we can assume the number was higher than the few thousand killed ac-

⁷² Byström and the other participants in the debate consistently used the word "Lappar" ("Laps") to refer to the Sami people, the indigenous inhabitants of Sápmi/Sábme/Saemie, a region spanning the Northern parts of what is today Norway, Sweden, Finland, and parts of the Kola Peninsula in Russia. The word *lapp* exists in some Sami dialects where it refers to the practice of herding reindeer. At the time we are investigating here the word was used, in Swedish, to denote the entire Sami population/culture. Over time, however, the word has increasingly come to be considered a derogatory, even racist, term due to its historical use. Swedish Sami policy at the time made a big difference between the Sami and the Swedish population. The legislation on "Sami privileges" to grazing land from 1886 branded the Sami as a nomadic people whose proper role was to remain uncivilized reindeer herders separate from the Swedish population. If they chose to settle down, the Sami ought to be swiftly assimilated so that their uncivilized ways would not mix with Swedish culture. The slogan was that "*lapp ska vara lapp*" ("a Lap ought to stay a Lap"), which in practice meant a forced choice between traditional reindeer herding or assimilation. It was not until the 1970s that the Sami began to be recognized as an indigenous people, and the Swedish state did not issue a formal apology for its historical treatment of the Sami until 1998. Tensions still exist between the Swedish state and the Sami over political representation, land, and hunting rights. At the time of writing, Sweden has not ratified the ILO Indigenous and Tribal Convention (no. 169) from 1989 on the rights of indigenous populations. (For an overview and analysis of Swedish Sami policy since the 1800s, see Mörkenstam, 1999.)

ording to the *shechita* method and far less than the half-million pigs killed every year at the export slaughterhouses.

Technical Innovations and Sami Conservatism

When the problem of reindeer slaughter was defined in the 1927 government proposition, the focus was again on the big slaughter fairs where reindeer were killed *en masse* during the winter months. According to a 1913 field study by the professor of veterinary medicine Hjalmar Dahlström (1915), reindeer slaughter among the Sami in Övre Soppero was carried out as follows:

The slaughter reindeer are herded into large enclosures or pens. Individual reindeer that refuse to enter the pens are shot down. A man thereafter enters the pen and catches a reindeer with a lasso. With a swift tug, the reindeer is thrown to the ground, after which a man inserts a common Finnish knife [*finnkniv*] slightly to the left of the center line between front and back end of the breastbone. With a few blows with the head of an axe, the knife is driven in all the way to the handle and is left there. The animal is now released, whereupon it usually jumps up. For the first minute it either runs around, hunted by the others, or remains standing still. Its gaze becomes staring and anxious, and the animal opens its mouth wide. During the second minute, the animal begins to walk unsteadily, stagger, or stand straddle-legged. When two minutes have passed, the animal usually falls down. It is not, however, until another minute has passed before the blood loss has become so great that the animal falls on its side from weakness. The difficulty in breathing has increased, but the reindeer is still fully conscious. After four and a half minute, wheezing sounds are heard. Only after seven minutes, breathing has ceased. The sensitivity of the cornea is then still retained. When eight minutes have passed, life seems to have fled. (Proposition 1927: 85, p. 49)

Dahlström also accounted for another slaughter method, practiced in Karasuo, where the animals were stuck in the neck before the heart was pierced. This method was criticized, however, for only paralyzing the animals while leaving them fully conscious until they bled out (much like the aforementioned neck incision used in connection to *shechita* at the Stockholm public slaughterhouse). The paralysis was also thought to prevent efficient blood draining. Similar concerns were associated with the method to

stun the reindeer with a heavy blow over the neck (Proposition 1927: 85, p. 50).

In 1922, Dahlström conducted another field study in Norwegian Røros (Dahlström, 1923). Here, Dahlström tested out different slaughter devices also developed a whole new method to effect stunning. Dahlström called this new method “brain-sticking” and it was described like this:

a curved knife is inserted into the large brain through the cavity between the occipital bone and the bottom of the brain-pan. The brain damage brought about in this manner immediately results in unconsciousness in the animal. Slaughter is then continued by heart sticking in the usual way. (Proposition 1927:85, p. 50)

This brain-sticking method, Dahlström argued, was preferable because it was easy to learn, it could be practiced without complicated equipment, and it did not negatively affect exsanguination.

The brain-sticking method also had the advantage that it did not differ very much from the traditional neck cut, which meant that the Sami, who were regarded as very conservative, might actually adopt it. This presupposition that the Sami were highly indisposed to change recurred throughout the debates in this period. Dahlström himself pointed out that “considering the well-known conservative disposition of the Lap population, this method, which to some extent appears as an improvement over the neck-sticking which is already used by the Laps, ought to be easier to introduce than any other method” (Proposition 1927:85, p. 50). Dahlström’s apprehension was thus based on an assumption of inertia in Sami culture, and he claimed that “the public opinion in the northern parts of our country must be worked on” before any coercive law was introduced. Making similar assumptions, the Lap Bailiff (*lappfogden*) in the northern district of Norrbotten’s county felt that “propaganda for more humane slaughter methods must be carried out for several years before the law in question could come into force, and that applies especially to the slaughter of reindeer” (Proposition 1927: 85, p. 51).

The brain-sticking method became the preferred solution in the government’s slaughter law proposal in 1927. When the second slaughter proposition was presented in 1937, however, the method was rejected for being too difficult to learn and practice. Sticking the brain with a curved knife, one veterinarian stated, was difficult and the method could be mastered only after many failed attempts. The method was also pedagogically deficient.

When the knife was inserted into the neck, the brain-stem was damaged and the animal fell to the ground, paralyzed. But when the knife subsequently entered the large brain, it gave rise to reflex muscle movement that gave the impression that the method offered less stunning than the traditional neck-incision. This meant that it would be “difficult to convince the Laps that a method which looks like their own neck-sticking but in their view appears to offer less stunning could be better than the old neck-sticking” (proposition 1937:188, p. 44).

To determine the best method for reindeer stunning, another round of field studies were made by the county veterinarian David Grimfelt at the behest of the National Board of Medicine. In his reports from 1936 and 1937, Grimfelt recommended the use of bolt guns for stunning of reindeer, and even suggested state subsidies for the purchase of such devices (proposition 1937:188, pp. 46–47). But also in 1937 it was widely assumed that the Sami were unlikely to change their traditional practices. Grimfelt himself argued that a stunning law had to be preceded by at least two years of “intensive enlightenment propaganda” among the Sami (proposition 1937:188, p. 47). A witness to Grimfelt’s bolt gun experiments stated that

the [Sami] population exhibited great reluctance to the use of these, in their view, unnecessary contraptions, especially before it had been made clear that the contraptions were harmless (not shooting loose bullets, but using a bolt that cannot leave the machine). (Proposition 1937: 188, p. 47)

The National Board of Medicine drew the same conclusion and stated that the introduction of stunning slaughter among the Sami would meet with difficulties because of the “conservative inclination of the Lap population and the professional [reindeer herders]” (proposition 1937:188, p. 48).

The Swedish government, then, was faced with yet another dilemma. On the one hand, there were those who demanded Sami compliance with modern values of animal protection. As the conservative Riksdag member Edvard Lithander put it in 1922:

[I]f a nomadic people like our Laps have not assimilated the achievements of civilization [*civilisationens rön*] and ascended to a higher standpoint in all respects, then we may regret this condition and try to better it; but *this cannot be an obstacle for an otherwise advanced civilization to assert itself* ... (II 1922:16, p. 42, emphasis added).

On the other hand, there was the widespread assumption that the Sami, and the rural northern population in general, would be unresponsive to change even if a law was passed. As the County Administrative Board of Norrbotten put it in 1927:

Among the population in the more remote inhabited countryside and especially among the Lap country people there is probably as of yet little sympathy for news in this area, and it would therefore doubtlessly meet with insurmountable difficulties to effectively enforce a law which brands the generally prevalent and, according to public opinion, most proper slaughter method as an act of crime. (Proposition 1927:85, p. 24)

Others, like the social democrat Assar Åkerman, argued that the best course of action was to postpone the reform until the Sami were ready for it:

Regarding the Laps, this nomadic people have put down their animals by heart sticking since times immemorial. This people live under extremely primitive conditions. Oftentimes they have no possibility of proceeding otherwise. Neither do they possess the enlightenment, which we may hope will advance to them in time. In their case, therefore, we ought to wait and see. (I 1927:26, p. 24)

These positions were different on the surface, but they were all premised on the same basic assumption that the Sami were unwilling or unable to change. This assumption seems to have had a decisive influence on the final 1937 slaughter law, where it was stated that the stunning demand would apply to reindeer slaughter only from a future date to be decided by the king (proposition 1927:85, p. 2; see also SOU 1938:36, p. 52). What the Sami themselves thought of this problem representation was never spelled out in the material studied here. In fact, no Sami actor was directly quoted in any of the main Riksdag documents at any time throughout the period studied in this book.

Death Ex Machina: *The Introduction of Electric Stunning*

On March 5, 1937, the Swedish government presented its final proposition (1937:188) for a law regarding slaughter of domestic animals. This law proposal was largely identical to the 1927 proposal, with the important difference that the exemption rules in § 4 (intended to safeguard *shechita* and the

Danish-American slaughter method) had been removed. This meant that stunning before blood draining would become mandatory for all larger animals, except for reindeer to whom the law would apply from a future date to be decided by the King.

The coalition government of the Social Democratic Party and the Farmer's League also offered a motivation for the law that was very similar to the one presented by the liberal Minister of Justice ten years earlier. Back in the 1920s, the law had stumbled on the twin issues of religious freedom and fear of economic losses in the bacon industry. In 1937, however, a new solution was presented that was thought to solve all these problems in one fell swoop. That solution was *electric stunning*.

The Danish-American Method and Electric Stunning

As the National Board of Medicine explained in 1937, electric stunning devices had been tested with good results for quite a long time. The Board envisioned that these machines would come into use at most export slaughterhouses in the near future (proposition 1937:188, p. 22). A veterinarian at the public slaughterhouse in Malmö described the basic technology and process of electric stunning like this:

Stunning is achieved with a special tong with the help of which a pulsating current of 50–60 volts is sent through the brain of the animal. Hereby the animal falls into unconsciousness or a sleep that much resembles the one induced by inhaling chloroform or ether. If this current is allowed to work for 10–15 seconds, the sleep becomes so deep that the exsanguination (the sticking) can be conducted without the animal waking up. If, on the other hand, the animal is left alone after the electricity has been turned off, one will find that it wakes up after a few minutes and tries to stand up, and is fully recovered after another few minutes. (Proposition 1937:188, p. 23)

In 1927 and 1928, a key reason for dismissing slaughter regulation had been that stunning hampered blood draining and negatively affected the taste and shelf life of the meat. In the 1930s, however, most experts rejected these claims. Furthermore, a decisive indication that the English might not make such a big difference between different brands of bacon after all came in 1933 when England adopted a law mandating electric stunning at all slaughterhouses with access to electricity (proposition 1937:188, p. 58). The objection that stunning slaughter would have fatal consequences for the bacon export-

ers could therefore be laid aside. Electric stunning, the experts concluded, would neither demand any costly changes of buildings and equipment, nor would it affect the speed of the production process. In fact, by the time that the government proposition was presented in 1937, electric stunning of pigs was already used at two out of three export slaughterhouses in Sweden. The Minister of Justice concluded that “Concern for the Swedish swine export is no longer an obstacle for the implementation of mandatory stunning.” (Proposition 1937:188, p. 58) When the law was accepted, then, it was in a context where most of the changes it demanded had already been made. In other words, the slaughter law did not abolish the Danish-American slaughter method as much as its disappearance was ratified in retrospect.

Shechita and Electric Stunning

Compared to the Swedish bacon industry, *shechita* was a small-scale business. While over 10,000 pigs could be slaughtered in *one week* at the export slaughterhouses (see above), *shechita* was only practiced on 513 larger cattle, 850 calves, and 100 sheep at the Stockholm City slaughterhouse *in the whole year* of 1935. In other words, there was no strong economic incentive for the Riksdag to protect this slaughter method.

The issue of religious freedom was a tougher problem. As the new Minister of Justice, Karl Gustaf Westman of the Farmer’s League, put it in 1937:

In my view—no matter how alien it might seem to the public opinion in our country to accord religious significance to a slaughter method—we ought to take into regard the fact that out of the Mosaic believers in this country, they number some 8.000–9.000, a large part do actually subscribe to the just mentioned outlook. (Proposition 1937:188, p. 59)

At the same time, the Minister emphasized, the religious interest of this small minority could not “outweigh the ethical interest, which is represented by a very significant part of the population and demands that the animals are protected from unnecessary suffering, as well as the interest in eliminating the presence a slaughter method that is widely considered offensive or scandalous.” (Proposition 1937:188, p. 60)

We may note, again, that the government did not argue that the method of *shechita* was crueler than stunning slaughter. There was still no scientific consensus on this issue. Many authorities dismissed the dramatic reactions of the animals subjected to *shechita* as mere reflexes. The government there-

fore had to stress other circumstances that made *shechita* unsuitable—above all, that there was a greater risk that the method could go wrong, that the slaughter method made a “more unpleasant, more brutal impression on the observer,” and that there was a large public opinion that demanded its abolition (proposition 1937:188, p. 29). These objections, however, were not conclusive in themselves and they could easily be interpreted as covert attempts to stigmatize the Jewish community more than protecting the animals.

In this complicated political situation, electric stunning appeared as a godsend to the politicians. The invention of electric stunning offered a much longed-for solution that could be supported by all parties involved. The news that it would now “be possible to satisfy at the same time both the animal protection interest and the desires of the Mosaic believers” was greeted with jubilation (proposition 1937:188, p. 60).

An important question in this regard, of course, was how the Jewish leadership would position themselves with regard to electric stunning. In a 1935 joint statement, the rabbis of the Jewish congregations in Stockholm, Gothenburg, and Malmö, conceded that electric stunning could be a feasible alternative. If the electric stunning only induced a kind of “sleep” in the animals, the reasoning went, they could be considered physically unharmed before the blood draining commenced. The rabbis only wished to await further experiments that offered a “guarantee that the organs and functions of the animal remained unharmed” by electrical stunning. The congregation leaders also asked for a respite to consult with rabbinic authorities in other countries (proposition 1937:188, p. 36, 39). The Jewish groups would themselves initiate further experiments with the method in Stockholm and abroad. The results were expected in six months, and the Mosaic congregation in Gothenburg petitioned for a postponement of the law to abate the “anxiety that is no doubt present among the Swedish citizens of the Mosaic faith who honor the religious prescriptions in the case of slaughter” (proposition 1937:188, p. 37). Such a postponement was supported by some Swedish politicians, but was rejected by others. The Minister of Justice did see some merit in awaiting the outcome of the experiments, but he did not want to delay too long. In the final bill, the government proposed that the coming into force of the law would only be postponed until July 1, 1938 (proposition 1937:188, p. 60). In this way, the law was rushed in way that would make sure to abolish *shechita* with the tentative “consent” of the rabbis, even though they had not articulated their final opinion on electric stunning.

Exceptions for Reindeer Slaughter

Electric stunning—which required electricity and fixed installations—was not a viable option for outdoor reindeer slaughter in the northern wilds. The use of rifles or captive-bolt guns was the obvious alternative, but considering the alleged conservatism of the Sami population and the professional reindeer slaughterers, as well as the high costs for the necessary equipment, the government concluded that mandatory stunning could not immediately be implemented in reindeer slaughter. On this point then, the government maintained the old proposal that it would be up to the Royal administration to decide when the time had come to apply the law also to reindeer slaughter (proposition 1937:188, pp. 61–62).

II. WHY A SLAUGHTER LAW? CONDITIONS AND EFFECTS OF THE PROBLEM REPRESENTATIONS

Ever since the institution of the first anti-cruelty statute in 1858, nearly all attempts to achieve further animal protection reform had been met with the objection that “apparent cruelty” in the treatment of animals was already prohibited and that there was no need for further change (other than the cultural auto-refinement that would come along the “path of persuasion and enlightenment”). This strategy had often been successful and it was often used in the debates about slaughter as well. Evidently, however, it did not work out. Why was it that the existing anti-cruelty statute no longer sufficed as an argument against regulation of slaughter? Why was a positive slaughter law needed to complement it?

In my view, the slaughter law was mainly needed to manage the crisis of the old anti-cruelty discourse. Over the years, it had become increasingly clear that the notion of “apparent cruelty” was imprecise and difficult to interpret. For example, did it only refer to the cruel mindset or character of the perpetrator, or did it refer to a level of mistreatment that any observer would recognize as “apparently” cruel? Should it be read as an objective standard, or as a judgment relative to the “typical” animal treatment in a particular community, region, or industry? And even more importantly: how should the law be applied to troublesome phenomena like large-scale farming, long live transports, or vivisection—that is to say, practices where a certain amount of cruelty seemed to be inherent to the phenomena themselves, yet not reducible to anyone’s will or intention to cause suffering?

The established anti-cruelty regime had long served to cover over the cracks and contradictions in the edifice of the human–animal relationship. But as we have seen in the preceding chapters, it had also been clear for many years that as a framework for defining moral standards in the treatment of animals it was becoming increasingly strained. In my view, it was the slaughter debates that truly heralded the beginning of the end of this discursive order and highlighted the need for its replacement with a new ideological approach—ultimately manifested in the 1944 animal protection law.

As we saw in the previous chapter, the slaughter issue had begun to disturb the consistency of the old legal paradigm long before the slaughter law was founded. When defending the 1921 revision of the anti-cruelty statute (Proposition 1921:6), for example, the government had to struggle to make slaughter fit under the existing regulatory umbrella. This was in fact the last law proposal to maintain that slaughter practices should be assessed according to the same criteria used to determine any other type of animal cruelty. And this could only be done by articulating a contentious and precarious boundary between purposeful animal use and excessive abuse. As the then Minister of Justice put it in the 1921 proposition:

Since the euthanasia [*avlivandet*] in and for itself cannot be punished, necessary interventions for this purpose must be allowed. But if the intervention, according to the normal practical outlook, cannot be regarded as necessary it seems as if the same can and ought to take on an independent significance and be judged as infliction of suffering, that is to say “mistreatment,” according to the normal rules. (Proposition 1921:6, p. 18)

Here it was argued that the “intervention” required to kill an animal was legitimate as long as method of slaughter enjoyed public acceptance. At the same time, it was held that slaughter *could* be regarded as animal mistreatment if the intervention went beyond what was “necessary.” But the line separating right and wrong in this context was fuzzy and could not help but to invite destabilizing comparisons between different practices across the discursive frontier. The typical appeals to the public sense of justice or to established practices, which had so often been used in previous debates about animal cruelty, were losing their coherence as they no longer had a distinct referent. In addition, the question of taking lives could not help but to elicit moral trouble. As the social democrat Assar Åkerman put it in 1927:

“However one tries to arrange the slaughter process, terrible things will remain which cannot be eradicated in any way.” (I 1927:26, p. 5) In other words, there was no foolproof technical or organizational solution that could domesticate or neutralize the horrors of slaughter once and for all.

This dilemma was further exacerbated in the later period discussed in this chapter as the issue of slaughter grew out of and threatened to explode the old legal framework. While some opponents of a positive slaughter law still argued that the old anti-cruelty statute was sufficient to accommodate for slaughter cruelty, the real trouble was that it was becoming *all too applicable* to slaughter. This was because the meaning of “cruelty” had changed. The traditional interpretation of the phrase as relating only to the motives or the moral character of the perpetrator was perceived as much too narrow and contra-intuitive to many contemporaries. To most of the animal protectionist reformers, of course, there could be no doubt: if cutting the throats of fully conscious animals and letting them bleed or suffocate to death for several agonizing minutes was not the very definition of “apparent cruelty,” then what was?

In other words, the logic of equivalence that had been set in motion by the first anti-cruelty law would not make halt at the slaughterhouse gates any more than it had at the laboratory door in the 1880s. Slaughter too—however embedded and normalized it was as a social practice—stood at risk to be contaminated and colonized by the metaphorical surplus excreted by the notion of apparent cruelty.

At the same time, a radical reinterpretation of the anti-cruelty statute was unthinkable. Such a shift would have threatened to undermine the legitimacy of slaughter as such. Needless to say, there was never any political will to question, much less punish, the killing of animals for food. As the slaughterhouse manager quoted earlier in this chapter noted, it might be true that the vegetarians considered all kinds of slaughter cruel, but he could be fully confident that no one else would want to pursue that line of argument. Quite to the contrary, we can assume that all of the participants in the debates were committed to retaining a normative space for what Jacques Derrida (1991, p. 112) once called the “noncriminal putting to death” of animals.

Nonetheless, the slaughter debates helped reactivate the antagonism that had been repressed in the founding of the original anti-cruelty discourse. They did so inadvertently, by drawing attention away from the deviant and marginal figure of the animal abuser—that fantasmatic projection surface for all the anxieties that seemed to emanate from animal exploitation—and back

to the everyday, majority consumption of meat. This expansion of the meaning of “cruelty” had to be checked somehow. And it was precisely for this purpose that a separate slaughter law was needed.

The political solution to the slaughter dilemma followed the typical logic of difference. The main strategic move here was to redefine the problem so that slaughter would no longer primarily be considered from the point of view of the old anti-cruelty regime. Instead it would be framed as an issue on its own with a separate set of regulatory conditions, which—if met—would foreclose the activation of the anti-cruelty paragraph altogether. While it was impossible to ignore all moral questions raised by the killing of animals, the institution of a separate slaughter law would allow slaughter to be disarticulated from most other types of animal (mal)treatment and be incorporated in an alternative framework. This maneuver effectively preserved the “killability” of animals and insulated slaughter from being questioned *qua* animal cruelty.

Thus, instead of an increasing simplification of the field of human–animal relations into two polarized positions—animal cruelty versus animal friendliness—the institution of a separate slaughter law was a move in the other direction, towards increasing complexity and dissolution of the emerging antagonistic frontier. This frontier was instead typically displaced toward the margins of the social. Mimicking the original displacement of animal exploitation from the social order itself to society’s deviants, the frontier was redrawn between “our” purportedly “normal,” benign, stunning slaughter and the horrific slaughter methods practiced by the “other” groups. In this way, any real threat to the speciesist order was effectively circumvented.

This interpretation differs, I believe, from the typical view of the development of Swedish animal protection policy. The usual approach has been to read this history according to an Enlightenment scheme of moral progression. Following the conventional account, the slaughter law was already from the beginning destined to represent an improvement over the mere anti-cruelty statute in the criminal code. Similarly, the animal protection law of 1944 has been taken to represent further improvement, the inauguration of another stage of progressive development. Given the pervasive assumption of historical progression (which, not-so-incidentally, is ideologically functional in crowning our own time the most “animal friendly” time of all), it is almost self-evident, goes without question, that every historical reform must have been to the better.

However, if we for a moment abandon the assumption of inevitable normative progression and instead ask what features of the social order it was that made change necessary *at the time*, we allow for another account. From this point of view, it is not so clear that the new legislation was finally pushed through because social morality was auto-refining itself in an idealist fashion. Instead, I believe, we can trace this political change to the long-standing dislocatory crisis of the anti-cruelty discourse itself and the building pressure for a new kind of hegemonic structure to replace it.

The Other as Scapegoat

The focus on religious and ethnic minorities in the slaughter debates did not mean that other slaughter issues were not discussed at all. What is clear, however, is that the slaughter methods of these minorities were disproportionately highlighted in relation to the number of humans involved and the number of animals affected. The Jews in Sweden probably made up less than 0,2 per cent of the total population at the turn of the century, and the reindeer-owning Sami at the time were probably even fewer. It follows that the number of animals killed using these controversial slaughter methods made up only a very small fraction of the total number of slaughtered for food in Sweden every year.

Given these proportions, it is striking that the slaughter methods of the Jews and the Sami gained such prominence in the political debates. In comparison, there was hardly any problematization of the slaughter carried out for of the broader Swedish population. Nor were the “normal” stunning slaughter methods ever seriously problematized at any point throughout this period. There was also a difference in tone and timbre of the representations: the brief and clinical descriptions of standard stunning slaughter methods in the Riksdag and government documents cannot compare to the vivid and gut-wrenching descriptions given of the other groups’ animal treatment. This lack of problematization meant that “normal” slaughterhouses and the everyday “Swedish” consumer of meat hardly ever figured as actors potentially responsible for slaughter cruelty.

In this regard, this early discourse finds a disturbing echo in recent debates over the production of *halal* and *kosher* meat in Europe. Here again, the problem of slaughter has been bound up with the discursive production of cultural and racial differences. Now as then, the line drawing between humans and animals, between acceptable animal use and illegitimate animal abuse, between humaneness and cruelty, maps itself with uncanny precision

over the similarly constructed cleavage between “us” and “them.” Most importantly, as Jonathan Burt notes in his study of slaughter in modernity, we need to grasp that the slaughter controversy has never been a mere super-structural conflict lodged on top of pre-existing differences—it has in itself been *productive* of these differences:

[T]he accusation that other methods of slaughter are barbaric and the assertion that the reduction of pain and stress in “humane slaughter” represents, by implication, a higher civility reminds us that the meat industry of modernity has its own highly partial form of cultural differentiation where boundaries are drawn based on slaughter methods. In a sense, the overall picture of the cultural conflict around slaughter reveals that the manner in which we adhere to this or that mode of animal slaughter is one of the constituting elements of our particular social identity. (Burt, 2006, p. 126)

To Burt’s observation, however, we may add the consistent emphasis placed on these other groups’ *affective* deviancy, in particular the surmise⁷³ that they found a peculiar *enjoyment* in being cruel. Consider, in this chapter, the characterization of the wild and drunken “hunting orgies” of the Sami; their lazy unwillingness to accept change; their failure to be grateful for what they had been given by the Swedish state; the Jews’ secret enjoyment of all kinds of meat; their money-grubbing hypocrisy in setting business before the Shabbat while refusing to give up on *shechita*; the greed of the Danish competitors and the stubborn habits of the English consumers, and so on. From a psychoanalytical perspective, this dimension of disgusted fascination with the other’s alien mode of enjoyment testifies to the work of fantasmatic displacement and condensation. What we need to take away from this is that the “manner in which we adhere to this or that mode of animal slaughter” is always already an artifact of affective investment. At the core of the slaughter problematic, then, lay an element of fetishism. By locating the problem of slaughter cruelty among the others and attributing them with a series of disagreeable traits, Swedish society could screen out its own inconsistencies and deny its own complicity in animal cruelty.

⁷³ Following Renata Salecl (1994), I use this message here to denote the necessary “reading between the lines” that allows an in-group to decode—and *enjoy*—underlying, obscene messages about the “other” even when these are enunciated in respectable, liberal political discourse.

III. SUMMARY AND CONCLUSIONS

What was the “problem” of animal (mis)treatment represented to be in the debates? What solutions were foregrounded?

Over the fifty-year period outlined in this chapter, the killing of animals for food was problematized in different ways. Initially, the problem was localized in the countryside where slaughter was often still practiced without stunning. The agents of this animal cruelty were identified as an uneducated rural underclass, acting not so much out of malice as from thoughtlessness and entrenched habit. The proposed solution to this problem was the use of modern slaughter techniques that involved stunning before blood draining, usually by a heavy blow to the head or by the use of a rifle, slaughter mask or captive-bolt gun. For smaller animals like rabbits and chickens, swift decapitation was thought to be an ethically acceptable method of slaughter.

In the early years of these debates, the proposition that special regulations were needed for slaughter was typically rejected with the argument that the old anti-cruelty law was already applicable. If any change was needed, it would be better to bring it about via the “path of persuasion and enlightenment” rather than via legislation. After a while though, the general representation of the slaughter issue started to shift. Traditional slaughter in the countryside fell into the background, a series of new slaughter problems came to the fore, and special legislation came to be considered as an increasingly realistic option.

The main problems that were highlighted in the later period were (1) the traditional Jewish practice of *shechita*, (2) the “Danish–American” pig slaughter method, and (3) reindeer slaughter among the Sami. Just like home slaughter in the countryside, these slaughter methods were controversial because they were practiced without stunning. But they were also controversial because they were practiced by more or less alien, other(ed) groups. Statements attributing the cruelty of these slaughter methods to the primitiveness, backwardness, or barbarism inherent to the group associated with them were common in the debates. The slaughter problem, in other words, was not necessarily restricted to the question of animal treatment; it was also deeply intertwined with assumptions about Swedish national and cultural superiority.

Although the Riksdag majority was in favor of a special slaughter law already in the first decade of the new century, the Swedish government had a hard time juggling these interlocking problems and coming up with a feasi-

ble solution. This was evidenced, for example, in the first slaughter law proposal from 1927, in which the government found it necessary to include an exemption clause for *shechita* and Danish–American slaughter. The intense controversy that arose around this law proposal left the Riksdag deadlocked well into the 1930s, when a possible way out seemed to present itself in the form of electric stunning. This method was treated as a universal solution since it seemed to offer a way to impose mandatory stunning without all the complications related to religion and export profits. These hopes placed in electric stunning finally allowed the government to push through Sweden’s first slaughter law in 1937.

*Under what discursive conditions did the problem representations emerge?
What productive effects did the representations have?*

I have argued that the maintenance of the hegemonic discourse around slaughter (that the use of animals for food is natural, largely uncontroversial, and so on) was dependent on the neutralization of the troubling logic of equivalence that had been disturbing the old anti-cruelty discourse already from the beginning. This old discursive regime, as we have seen, had been founded on the discursive production and expulsion of a lower-class animal abuser who got to bear the main responsibility for animal mistreatment. But this vision of “ideal” animal abuse that was necessary for the anti-cruelty regime to constitute itself would also turn out to be its condition of impossibility. The meaning of “apparent cruelty” was originally articulated to combat a rather small set of practices (like the beating of horses in the streets or the starving of domestic animals). As the years went on, however, this signifier shifted substantially in meaning. Subsequent articulations of “apparent cruelty” showed that this concept was capable of acting as a nodal point whose metaphorical surplus value could overflow a much broader range of practices and mark these, too, as “cruel.” Ultimately, the expansion of this chain of cruelties threatened to polarize the discursive field and undermine the conditions for speciesist normality—including the taken-for-granted practice of slaughter.

It was an intuitive awareness of this dilemma, I think, that spawned the early calls for a special slaughter law to complement the anti-cruelty statute. It was sensed that the old law was unfit for the job as it kept inviting all kinds of line-drawing trouble. Against the logic of equivalence that kept pushing up against the limits of the anti-cruelty discourse, a logic of difference was employed to forestall the emerging problem. This discursive strategy entailed

marking out slaughter as different from other animal cruelty concerns and in need of special legislation. By separating out slaughter in this way and subject it to a different set of rules, the potential equivalence between slaughter and other instances of animal cruelty was broken up and further polarization of the discursive field was blocked.

While the old anti-cruelty principle still remained in existence, the slaughter law produced a “bulwark” in terms of positive regulations, which meant that as long as the formal standards for animal treatment were met in slaughterhouses, the anti-cruelty statute would never come into play. In this regard, the slaughter law prefigured the general regime shift from anti-cruelty to animal welfarism that would be completed with the 1944 animal protection act (to be discussed in the next chapter).

What affective investments and ideological fantasies were at work in these representations? What kinds of animal (ab)use were left unproblematized?

The unifying feature of all the hotly debated slaughter issues was that an “other” was framed as the main agent of slaughter cruelty. This is obvious in the case of the rural farmers, the Jews and the Sami. But also in the case of the controversial Danish–American slaughter method, the blame was to some extent displaced from the Swedish bacon producers (and the domestic bacon consumers) to the stubborn English and the unrelenting Danish competitors.

In the typical fashion of ideological fantasy then, the blame for slaughter cruelty was never put directly on the everyday Swedish consumers of meat. (The Jewish consumers of *kosher* meat, by comparison, could be pointed out as fully responsible for the horrors of *shechita*.) The consistent displacement of the problem of animal suffering and the condensation of cruel dispositions into a troublesome other were typical moves of speciesist ideology. In ideological fantasy, this other was set up as an obstacle for the realization of “our” ideal of kindness toward animals. As a result, instead of recognizing the problematic moral arbitrariness of the slaughter discourse, the subjects interpellated by the hegemonic discourse had their attention drawn to the fantasy enemy taken to block or sabotage the desired resolution. In this way, the *internal necessity* of the given social order—in this case the impossibility of consuming millions of animals every year without causing massive suffering—could be ideologically framed as an *external contingency* (“this is all because of them!”). The many references to the others’ alien mode of enjoyment—how they seemed to find a peculiar pleasure in their cruel rituals and

practices; their greed and laziness, etc.—were in all cases examples of how the others were perversely enjoying themselves at our expense (and the expense of “our” animals).

When the social democrat Assar Åkerman candidly remarked in 1927 that “[h]owever one tries to arrange the slaughter process, terrible things will remain that cannot be eradicated in any way” (I 1927:26, p. 25), he did not just state a factual truth. He also inadvertently articulated the situation’s psychoanalytical truth—namely, that it was constitutively impossible to attain a stable discourse on slaughter without repressing the trauma of the in-group’s own complicity. But as we know, the repressed always returns. Thus, the anxiety about slaughter that was elided in the political discourse was bound to reappear as a symptom somewhere else. For all the attempts to rationalize, neutralize, and naturalize the killing of animals for food, the immanent antagonism of the slaughter discourse could not be abolished. It could only be externalized into the obscene fantasy of the alien animal abuser. More than anything else, then, the fifty years of slaughter debates from 1887 through 1937 confirmed Åkerman’s intuition: Terrible things would remain.

8. Protecting the Animals?

The Rise of Animal Welfarism 1934–1944

THE SLAUGHTER ISSUE DOMINATED the animal protection debates in the 1920s and early 1930s. Alongside this issue, however, the critique of the old anti-cruelty paragraph grew. In the mid-1930s, new reform initiatives were taken that would ultimately lead to the institution of Sweden's first animal protection act in 1944. This new law represented, I will argue, an important shift in the discourse on animal treatment. Previous legislation had been limited to what I have called an "anti-cruelty" perspective—that is to say, it was articulated in a mostly negative way, condemning animal cruelty and aiming to deter it. By contrast, the new animal protection act aspired to be positive, preventive, prescriptive, and educational by setting explicit standards for animal treatment (see Table 1 in the Introduction).

The principal novelty of the new animal protection act was that most of the human–animal interactions in food production and scientific practice would henceforward be regulated by a law where the portal paragraph stated that "Animals shall be treated well and insofar as possible be protected from suffering" (Proposition 1944:43, p. 2). At the same time, the long-disputed notion of "apparent cruelty" was finally removed from the old criminal code and replaced by a new anti-cruelty paragraph that read: "Anyone who exposes animals to *inappropriate suffering* [*otillbörligt lidande*] by mistreatment, overworking, mismanagement or the similar, is to be sentenced for animal cruelty to fines or prison." (Proposition 1944:43, p. 6, emphasis added.) These modified solutions, in turn, were connected to modified problem representations. In this chapter, we will see how a new discursive regime of animal welfare was articulated in the national political debates between 1934 and 1944.

The chapter opens with an overview of the reform proposals and debates that took place in the Riksdag in this period. After this, I outline the main problem representations that emerged around vivisection, animal transports, and protection of slaughter animals, along with practices like castration, tail

docking, and ear cropping. I also discuss the changes in the criminal code's paragraph on animal cruelty. Then I turn to the broader conditions and effects of the problem representations. In this section, I will focus mainly on the changing representations of animal vulnerability; the perceived dangers and promises of a comprehensive animal protection legislation; and the role of nationalist discourse in legitimating the move away from the old law. Finally, I draw together the different discursive components and discuss the ideological make-up of the "welfarist turn" that took place in Swedish animal politics from the mid-1930s.

Overview of Reform Efforts and Legislation 1934–1945

The shift from the old anti-cruelty paradigm to the first articulations animal welfarist discourse as we know it today came rather suddenly in the mid-1930s. Before this point, the reform demands that were presented in the Riksdag were mostly traditional, focusing on the inability of the courts to convict obvious animal abusers, stressing humanitarian values, and demanding tougher punishment for animal cruelty (see, for example, motion II 1935:130, motion II 1935:340).⁷⁴ In other words, the proposal stayed within the typical frame of presuppositions that we now recognize from ten, twenty, and even fifty years earlier. Only one motion from this period, by the social democrat Carl Lindhagen, ventured beyond this structure to emphasize the need for positive regulations of animal husbandry (motion I 1934:12). None of these initiatives, however, was immediately successful.

The pivotal shift in how the problem was constructed came instead from the Riksdag's 1935 Law Committee. Earlier committees had usually been content to note that the existing anti-cruelty statute in the criminal code was enough, that popular education was the Royal Road to enlightened habits, and that more detailed legislation would be either futile (at best) or a dangerous blow to personal integrity and private property (at worst). In 1935, however, the Law Committee took a different turn in their response to a quite ordinary motion. While the traditional anti-cruelty perspective was still important to the Committee, it had also been impressed by the extensive

⁷⁴ The second of these motions, it may be noted, was the first one on the animal issue to be penned exclusively by women. Vira Eklund from the Liberal People's Party, Ruth Gustafsson from the Social Democrats, and Bertha Wellin from the conservative General Electoral League formed a cross-party coalition to demand an inquiry into the possibilities to improve the animal cruelty legislation, with special focus on the degree of punishment.

animal protection acts that had already been passed in some other countries, notably Norway, Finland, and Germany. Such comprehensive measures had previously been ruled out without much discussion, but in 1935 the Law Committee stated that it was “obvious that, by such a [new] method of legislation, great prospects are opened to lead the public opinion on this issue in new directions” (1LU 1935:13, p. 8).

By taking this stance, the 1935 Law Committee shifted the focus of the whole debate. Deterrence and punishment of cruelty, which had previously been the given starting points of the entire discussion, gave way to prevention of animal suffering through prescriptive standards and educational measures. Suddenly, it could be said about the old animal cruelty statute, which had long been praised for its educational merits, that it “obviously [had] no such [educational] effect” (p. 8). Where it had been regularly argued that the criminal law was an important and sufficient tool for moral betterment, all such influence was now denied.

The new main problem representation rather homed in on the general conditions of animal husbandry: “[I]n many places there are undoubtedly deep-rooted customs and habits [of animal treatment] that cause the animals unnecessary suffering. It is not uncommon that the animals are locked away into dark and unsound pens, starved, or mistreated in some other way.” (p. 9). Pointing the finger at entrenched customs was, of course, nothing new. The important difference was that the issue of animal maltreatment was beginning to be articulated more in terms of *welfare standards* (which could be politically determined) than in terms of a *mentality* or *mindset* (which would not immediately bend before political decrees). To punish the kind of animal treatment that transgressed what was commonly accepted was no longer enough, the Law Committee contended. The time had come to seek similar reform in Sweden as had already been implemented in the neighboring countries. The Committee therefore promoted an investigation into the possibility of a “special law on animal protection” (p. 9), proposal that was adopted by the Riksdag, with little resistance.

That this represented a rather sudden discursive shift is evident from the comments of some of the politicians who had argued for reform in the preceding years. One of them described the Law Committee’s new stance as an “absolute bullseye” that went far beyond what he or any of the other reformers could have hoped for. Another greeted the Committee’s memorial as a “great effort for humanitarianism in the world,” and noted with surprise that

“What was considered going too far last year, is self-evident this year.” (I 1935:11, p. 2).

It would take a while, however, before the discursive change was realized in actual legislation. In 1937, the then Minister of Justice, Karl Gustaf Westman of the Farmer’s League, let know that a group a group of experts would be assembled to produce a proposal for a Swedish animal protection law (II 1937:14, p. 3, II 1937:24, pp. 1–2). The Minister appointed Undersecretary Gustaf Adolf Bouveng to lead the work. Bouveng was to be assisted by the Veterinary College Professor Vilhelm Sahlstedt, the Vice President of the National Organization of the Swedish Animal Protection Societies (*De svenska djurskyddsföreningarnas centralförbund*), Harry Stålfors, and second chamber delegate Nestor Hammarlund. Max Schürer von Waldheim, the secretary of the just mentioned animal protection organization, was later added as an extra expert.

Bouveng’s report was delivered on November 1, 1938 (SOU 1938:36). The report took its main inspiration from the kinds of animal protection laws that had already been adopted in England (most recently amended in 1927), Germany (1933), Denmark (1930), Finland (1934), and Norway (1935). The report offered extensive proposals for reform in several areas, including the general conditions of keeping animals in captivity (stabling, feeding, care, binding, and so on); overworking and corporal punishment; putting animals on public displays; the trade in horses; animal transports; castration; tail docking and ear cropping; surgery and veterinary care; scientific experiments; special regulations for slaughter animals; a system for animal protection inspections and police intervention in cases of animal cruelty or other illegal handling of animals; and special regulations for sick and injured animals.

Although the report was very ambitious, Bouveng’s report did not lead to any practical result for several years. When the issue was raised again in 1942, the responsible Minister explained that more urgent matters had taken priority—partly, we can presume, due to the exigencies of the World War—but that a law proposal was soon to be expected (motion II 1942:23; 1LU 1942:49; II 1942:7). In 1944, the final proposition on the issue, largely a simplification of Bouveng’s detailed proposal, appeared before the Riksdag (proposition 1944:43). A series of motions were issued in response to the law proposal (motion I 1944:270; motions II 1944:433, 435, 437, 438) but the final product was only modified in a few details by the First Law Committee (1LU 1944:28). The Riksdag accepted the proposal with very little debate.

Sweden's first animal protection act, along with the corresponding changes in the criminal code, came into force on 1 January 1945.

I. MAIN PROBLEM REPRESENTATIONS

In the previous chapter, I argued that the debates about slaughter can be read as the outcome of a crisis inherent to the old anti-cruelty discourse itself. The key dilemma was that the legal and moral notion of "apparent cruelty" was becoming increasingly unstuck. The metaphorical surplus of "cruelty" risked to overflow slaughter, a practice it was never really supposed to affect. The political solution to this was to foreclose the moral contamination of slaughter by discursively separating, insofar as possible, the practice of killing animals for food from other types of potential animal cruelty. This partial dissolution of the expanding and bothersome chain of equivalent "cruelties" was realized by the institution of a positive slaughter law that, for all practical purposes, took the old animal cruelty statute out of play in slaughterhouses.

In this chapter, I will take this analysis one step farther. My main argument will be that the same logic of difference that was strategically employed in the *particular* case of slaughter in the 1930s was *generalized* to the whole field of animal husbandry with the subsequent animal protection act of 1944. This latter moment represents, in my view, a major move toward the neutralization of the anti-cruelty regime's immanent crisis.

This analysis takes issue with two typical positions on the history of human-animal relations. The first position—we can call it the "mainstream" one—holds that the kind of animal welfare regime that emerged and began to be institutionalized in Sweden (and several other countries) at this time was the logical, enlightened, and progressive continuation of the old anti-cruelty regime. Animal welfarism is here conceptualized as (organically, teleologically) growing out of the anti-cruelty discourse. This is the kind of representation that is often found in later political documents (of a more or less self-congratulatory kind) accounting for the history of animal protection in Sweden. It is also an outlook that has informed some previous research and even the discourse of some parts of the animal rights movement in Sweden (insofar as they conflate the anti-cruelty regime and animal welfarism and take them to be nothing more than sequenced expressions of the same historical drive toward more animal protection).

This mainstream view is not entirely wrong. It is, for example, clear that the discourse of animal welfarism, when it emerged as the new hegemony, was articulated from elements historically given by previous developments.

What is usually backgrounded here, however, is that this transition was never smooth and organic. Rather, in some important aspects it can be characterized as a fairly sudden break with the previous regime. This discontinuity, however, is easily overlooked if one starts from the mainstream position's commitment to historical progressivism—a position that often veers on essentialism by imbuing the historical development with a given *telos*.

The second position—we can call it the “animal rights” position—sees modern animal welfarism as just another historical mode of speciesist domination. According to this problem representation, the most significant ideological role of animal welfarism has been to cover over the terror wrought on animalkind and render continued animal exploitation more palatable to the consumers. From this perspective, animal welfarism does not differ substantially from previous discourses on the human–animal relationship. They all represent the same misotheric apparatus of death and destruction—only under different and ideologically mystifying names. This is a view sometimes held by the more radical and “abolitionist” parts of the animal rights movement.

This view is not entirely wrong either. Although we cannot confidently argue counter-factually and say that things would have been better if another historical path had been taken, it remains difficult to dispute that the exploitation of non-human animals has expanded and intensified immensely under the paradigm that took the name of “protecting” them and ensuring their “welfare.” It is also clear that the language of animal welfare and animal protection has been persistently invoked by the state and the animal industries to justify measures having everything but the animals' welfare and protection in mind. Nonetheless, the problem with this position is that it just inverts the mainstream view. It overstates the historical stability and continuity of speciesist relations and fails to recognize the novelty and specificity of the welfarist regime that emerged during the first half of the twentieth century.⁷⁵ As a result, this position too easily reintroduces historical essentialism by reifying human interests and hypostatizing speciesism.

The critical genealogical reading that I advance here offers, I hope, another account that is neither reducible to one of the two perspectives outlined

⁷⁵ It does so, I think, mainly because the core interest of these authors have been normative rather than political and historical. Their starting point has often been to take the “problem” of animal cruelty as such to be pre-constituted and transhistorical, and their main object of critique has been contemporary rather than historical conditions (see also Svård, 2014b).

above, nor merely a nuanced “middle road” between them. Founded in a different social ontology than either of these two positions, my approach stresses the overdetermined nature of discursive formations. This perspective does not rule out that the weight of history and the inertia of sedimented structures are relevant when it comes to explaining context-bound events, but it does reject the subordination of historical developments to idealist concepts or transcendental “forms.” A properly materialist interpretation of history has to roll back the hypostatizing effects of idealist abstractions and inquire into their contingent, historical conditions of possibility. In the present context, this means attending to the historically specific political articulations through which the animal welfare regime was founded.

The New Problem of Animal Maltreatment

What kind of problem was it then that needed to be addressed by a new animal protection law? Why did the old anti-cruelty statute not suffice to regulate human–animal interactions any longer?

These questions appear even more vexing if we consider the arguments offered in Gustaf Bouveng’s 1938 report. From the motivation given here, one might initially get the impression that a new law was not really warranted at all. According to Bouveng’s own statistics, for example, animal cruelty crimes had already decreased by nearly 75 per cent over the two decades preceding his report. When the report was published, only some 200 people were convicted under the animal cruelty statute every year. A corresponding, if less marked, trend was that the severe cases of cruelty that led to prison sentences were also dwindling. The general standards of animal husbandry had also improved as a result of the country’s rising wealth and cultural development, Bouveng proudly stated (SOU 1938:36, p. 69 and appendix, pp. 150–151). The government’s law proposal from 1944 repeated Bouveng’s assessment of the situation and contended that animals in Sweden were generally well-treated (proposition 1944:43, p. 27). From this perspective then, one could just as well have drawn the conclusion that the existing law was working and doing its job.

What bothered the authors of the 1938 report and the 1944 proposition more was the many alleged exceptions and loopholes that the existing law and its implementation allowed for. Bouveng, for his part, conjectured that there were many cases of animal cruelty that were never reported to begin with. And when they were, the perpetrator was often let off the hook because the courts held to an outdated interpretation of the law. Even the Supreme

Court had acquitted most of the people who had been charged with animal cruelty because the latter had not exhibited enough “apparent cruelty” toward animals. Moreover, there had been many complaints over how soft the courts were in relation to the severity of many of the crimes. To Bouveng, all this indicated that “the possibilities for protecting the animals currently offered by the Swedish law are outdated and insufficient” (SOU 1938:36, pp. 69–71).

In the 1944 proposition, the new Minister of Justice, Thorwald Bergquist of the liberal People’s Party, similarly argued that the existing regulations for the protection of animals were restricted to punishing offenders and the right of the police to confiscate maltreated animals under certain conditions. This made the law incomplete and unsatisfying, especially in comparison to the more comprehensive animal protection laws found abroad. The particular areas the Minister wanted to highlight as in need of regulation were castration, tail docking, and vivisection. In addition, he foregrounded the need for a system of inspections to make sure that animals were not maltreated (proposition 1944:43, p. 27).

None of these concerns were new items on the political agenda. The new thing was that these problems were now articulated as unamenable under the old anti-cruelty paradigm. In particular, the old law was represented as insufficient for the purpose of changing people’s behavior. In Bouveng’s report, it was argued that nothing more could be achieved by modifying the anti-cruelty principle in itself. For legislation to

achieve a significantly better protection of the animals, such a law must be designed, so that it directly or indirectly contravenes existing inappropriate customs and practices regarding animal treatment and ... influences the public opinion towards a more humane handling of animals” (SOU 1938:36, p. 71).

The government’s 1944 proposition also emphasized that the more comprehensive laws that were in place abroad offered much better tools to promote humane treatment of animals than the old Swedish one (proposition 1944:43, p. 27).

This shift is interesting because the old law used to be defended precisely for its educational merits. Moreover, the historical pattern had been one of resistance to expanded legislation because this would lead to unwanted consequences (like infringing on private property or opening up for harassment of animal owners). These qualms were largely gone by the late 1930s. The

main problem of animal mistreatment was now defined as the lack of a comprehensive regulatory framework that could pre-empt animal maltreatment and raise public awareness.

Neither Bouveng's report nor the final proposition said much more about this shift in the over-arching problem representation. Nor was this representation seriously challenged in the various review comments or the motions addressing the final law proposal. The major agricultural industry organizations, insofar as they were quoted in the proposition, seemed to view the 1944 law proposal as little more than a ratification of their existing practices. Hence, they expressed little worry. The politicians for their part disagreed about the details of the law but there was no longer any major conflict over the main problem representation. In this regard, it seems, animal welfarism had already emerged as a new hegemonic formation when it came to thinking and talking about the human–animal relationship. More needed to be said, however, about some of the more specific animal issues that had to be regulated under a new law, like vivisection, castration, and tail docking.

Vivisection

In earlier debates about vivisection, especially in the 1880s, the practice had come under heavy attack in the Riksdag. Even if vivisection was never seriously threatened by prohibition, it was clear that it constituted a battleground between very different worldviews vying for hegemony. In the 1880s, as we saw in Chapter 4, the champions of traditional morality did not hesitate to chastise the defenders of vivisection for being heartless materialists and even nihilists. Moral absolutes were pitted against utilitarian calculations. By the 1930s, however, this political frontier was all but gone and vivisection (this word was still used) was widely viewed as a necessity (if still a regrettable one) (see also Alexius Borgström, 2009, p. 85).

In Bouveng's report, vivisection was defined in a broad sense as encompassing scientific experiments on animals "consisting of surgical procedures, injection or blood draining, or other treatment of a kind that can be presumed to entail suffering for the animals" (SOU 1938:36, p. 104). It was also stated that the practice of vivisection had grown significantly over the years.⁷⁶

⁷⁶ When Bouveng's report was published in 1938, animals were used in experiments at several universities and colleges, the Carolingian Institute, the National Bacteriological Laboratory, the National Pharmaceutical Laboratory, the National Veterinary Bacteriological Institute (as well as by independent researchers connected to these institutions), several larger hospitals,

Laying out his representation of the problems in this area, Bouveng did not hesitate to proclaim that “many of the experiments ... often inflict serious suffering on the experimental animals, of a kind that *from an objective standpoint, must be regarded as animal cruelty*” (SOU 1938:36, p. 103, emphasis added). This initial and harsh statement—representing an “objective” reading of the anti-cruelty principle that would have been unsustainable only a decade or two before—was then gradually toned down. The researchers, Bouveng held, took good care to reduce animal suffering through the use of anesthetics and by selecting “relatively insensitive animals” (like cold blooded vertebrates) for their experiments (SOU 1938:36, p. 103). The most important point though, was that vivisection constituted “an exceedingly valuable tool for science” (p. 103). The experts in the field, Bouveng proclaimed, had made it clear to him that even minor regulations of vivisection would infringe on the freedom of science and obstruct the struggle against disease. A ban on vivisection was therefore out of the question (SOU 1938:36, p. 103). Still, Bouveng thought it would be “valuable for the solution of the present collision of interests if regulation of vivisection, where possible, is sought by such provisions which give effective guarantees against unnecessary animal cruelty without significantly interfering with the freedom of science” (SOU 1938:36, p. 103).

Vivisection was thus represented as a collision of animal and human interests or, more precisely, as a conflict between non-human suffering and scientific advancement. The moral reasoning here was implicitly consequentialist and utilitarian, a position that was no longer challenged or problematized in the name of any absolute values. Nor was it explicated how this utilitarian calculus would work in practice. In fact, this judgment was left to the medical experts—that is to say, to the vivisectors themselves (see also Alexius Borgström 2009).

Starting from this problem representation, the scope of possible regulations was already very limited. What remained was only to ensure the responsible conduct of those involved in the practice. To this end, Bouveng put forward the old proposal of allowing only licensed practitioners to perform vivisection. This, however, would not be a requirement for all vivisectors

some laboratories established by the agricultural societies, some pharmaceutical factories, and some private clinics. Most curiously, from our perspective today, vivisection was also—“maybe,” according to Bouveng—practiced privately in the homes of some individual scientists (SOU 1938:36, pp. 102–103).

since the freedom of science had to be held sacred and since in most cases it could be “assumed with certainty that the people who come to practice vivisection are suited to perform painful experiments on animals” (SOU 1938:26, p. 104). A category of trustworthy vivisectors was constituted here that included people who were, at the same time, scientific experts and public officials. This category would be exempt from the licensing demand. In practice, this meant that vivisection could be carried out without a license in all state, county, and municipal institutions, as well as in the laboratories of the agricultural societies. The only institutions that remained to be regulated were private hospitals and clinics, pharmaceutical factories, and some individual researchers (SOU 1938:36, p. 104). These researchers would have to seek permission from the Board of Medicine, stating the purpose of the experiments, their location, and the number and species of animals to be used. Licenses to perform animal experiments would be valid for two years before they had to be renewed. The Board of Medicine would also be authorized to withdraw a license if necessary. This procedure, Bouveng argued, would allow the Board of Medicine to keep vivisection within reasonable limits without endangering the beneficial results of the practice.

As we have seen in previous chapters, the animal protectionists had long demanded more transparency around the animal experiments. Bouveng’s report, however, rejected most of these claims. Overall, the report was very polite toward the scientific professions and careful not to suggest any regulation that would interfere with their freedom. Regular inspections of experimental activities or mandatory journal keeping over the experiments, for example, were considered to be an “unreasonable burden” on the scientists (SOU 1938:36, pp. 105–106). Only one of the animal protectionists’ demands was met in this regard, namely a duty for the vivisectors to document their purchases of animals for experiments.⁷⁷

In the 1944 proposition, the Minister of Justice also argued that regulation of vivisection was needed. The Minister expanded a bit on Bouveng’s definition of vivisection to include “the use of animals for research or educa-

⁷⁷ This regulation was motivated because, as Bouveng put it, “it has occurred that animals have been stolen from their owners and then sold to vivisection” (SOU 1938:36, p. 107).⁷⁷ But even here the report was quick to quell the suspicion that the scientists themselves organized these thefts. Nevertheless, given that the proposed book keeping of animal purchases did not require much effort, Bouveng found it reasonable to mandate it by law, in order to “prevent as far as possible the just mentioned criminal transactions” (SOU 1938:36, p. 107).

tion, diagnosis of disease, production of pharmaceuticals or a comparable purpose,” insofar as these uses involved “surgical procedures, injection, blood draining, or otherwise entail anxiety or other suffering for the animal” (Proposition 1944:43, p. 51). In relation to these procedures, however, the law proposal stated that the animals could not to be “subject to more suffering than is *indispensable*” (Proposition 1944:43, p. 4, emphasis added).

Exactly how this wording was to be interpreted remained unclear. In her study of the regulation of animal experiments in Sweden, Katarina Alexius Bergström (2009) has argued that the 1944 law never clarified how these rules should be implemented. While a “collision of interests” was explicitly acknowledged, there were no hint as to what constituted “indispensable suffering” for the animals used in the experiments. This, Alexius Bergström concluded, gave the researchers a “total privilege of interpretation.” In practice, this implied a high probability that experiments “carried out by formally competent supervisors were, in practice, never considered as being unnecessary.” Overall, she contended, “the regulation of animal experiments achieved by the legislation of 1944 seems to have been of little real importance” (pp. 83–84).

To this assessment, which I think is correct, I would like to add a few observations about the semantics of the new law and how it managed to leave vivisection largely untouched while making claims to comprehensively regulate it. The most important thing to note is that, the notion of “indispensable” suffering sidestepped the portal paragraph of the 1944 law, which mandated that animals should be protected from suffering “insofar as possible.” (In other words, the protection from suffering “insofar as possible” was overruled if the suffering was considered “indispensable.”) The wording also circumvented the new criminal code’s notion of “inappropriate suffering” (see below). If any of these other principles had been applied to vivisection, it would have opened up for a tougher interpretation and led to some clear complications for the practice. If the animal protection acts’ portal paragraph had been applied, for example, it could have meant that *any* possibility to protect animals from suffering during experiments had to be acted upon. A strict application of the new criminal code statute, in turn, could have suggested that some purposes of vivisection could be “inappropriate” *as such*. The wording “indispensable,” in contrast, made it possible to define the limits of the animals’ suffering exclusively from the viewpoint of the vivisector or the aims of the experiment. In principle, this meant that *any* experiment could be performed, for *any* purpose, with *any* amount of suffering, as

long as it was defined as “indispensable” for the achievement of the desired goal. And in practice, it would be up to the vivisectors to decide whether this suffering was indispensable or not.

The crucial point that needs to be made about this representation of the vivisection problem and its solution is that it separated and exempted animal experimentation *both* from the general demands of the new animal protection act *and* from range of practices that could potentially count as “animal cruelty” under the reformed criminal code. Just as the slaughter law had made slaughter largely untouchable by the animal cruelty paragraph, the notion of “indispensable suffering” freed institutionalized vivisection from similar charges. From this perspective, the ambitious claim of the Minister of Justice that the 1944 act would instate comprehensive regulations of animal experimentation, may be read instead as a further victory for the logic of equivalence.

Animal Transports

Transports of living animals had been discussed as a political problem already around the turn of the century, but the issue became more foregrounded in this period. In a 1937 interpellation, for example, the conservative Riksdag member Eric Hansson argued that the social development had “shown the necessity of subjecting animal transports both by railway and car, as well as by sea, to stricter rules and better control—and, additionally, that effective punishment is meted out for animal cruelty in connection to these transports” (II 1937:14, p. 3). Citing recent press reports on how several pigs and piglets had suffocated or frozen to death during transports, Hansson highlighted that the technological advances implied new dilemmas for animal protection (p. 3). In Bouveng’s 1938 report, it was also emphasized that special regulations were needed for animal transports by car and railway. (Transports by boat had arguably receded due to the expansion of these other means of transportation.) The goal, Bouveng stated, would be to standardize these means of transport to “exclude any appreciable suffering for the animals or at least bring this suffering to a minimum” (SOU 1938:36, p. 90).

Among the issues discussed were speed limits for animal transports by car. In hindsight, it is particularly striking that Bouveng suggested that trailers pulled by any vehicle faster than a tractor (!) ought to be prohibited for live animal transports (SOU 1938:36, p. 130). At the same time, a modern reader may be surprised find that there was no discussion at all about the

duration of the transports. The report acknowledged that animals needed breaks during transport, but no time limits were suggested. Other issues discussed were the size of holding facilities, protection from the elements, ventilation, and the strength of the floors and walls (apparently, there had been incidents with animals stepping through the floors or busting through the walls, sometimes ending up being dragged behind the vehicle for long distances) (pp. 130–131).

Railway transports were represented as less problematic in terms of risks for the animals. According to the report, this was because the railway transports were handled by a small number of companies with relatively long experience, and because the animals transported were rather homogeneous (SOU 1938:36, p. 137). Only a few changes in the railway regulations (from 1925) were suggested. For example, railway officials should have the right to refuse transport of animals as express goods, transport containers should be properly equipped, and animals were not to be transported at the end of the train set where the sidesway was strongest. Animals of different species were to be separated from each other, and the transport containers divided into sections to prevent crowding (particularly of pigs who sometimes suffocated during transport after huddling together in groups).

As it turns out, however, the animals were not the only ones who needed protection from transport-induced harm—there was also a strong business interest in standardizing and regulating the live animal transport system:

Apart from the animal protection interest [the proposed regulations] would also satisfy the justified interest of the animal owners and the animal transporters in being able to take certain, relatively simple measures, to protect themselves not only from repercussions in the form of prosecution for animal cruelty or some other, from an animal protection perspective, inappropriate animal transport, but also from the doubts that they have not exhibited enough kindness to the animals. (SOU 1938:36, p. 90)

What may be noted in this passage is the danger that the old anti-cruelty law stood for. People transporting animals for long distances were represented as having a “justified interest” in avoiding animal cruelty charges. We can assume, of course, that such charges were uncommon (if they occurred at all), but that is less important in this context. What matters is that this risk was highlighted as a problem with the existing legislation. The old legal notion of animal cruelty was never meant to “contaminate” animal transports, but it

did anyway, and this prompted a reaffirmation of the human and capital interests involved. The solution, again, was to institute special rules for the handling of animals during transports, which, if they were followed, would nullify any accusations about criminal cruelty.

Protection of Slaughter Animals

The slaughter law of 1937 had been designed to regulate the moment of killing, primarily by making stunning before blood draining mandatory for larger animals (see Chapter 7). But there were still concerns about the general conditions for animals at the slaughterhouses. It was common, for example, that animals were delivered to a slaughterhouse and had to wait, neglected, for long periods, sometimes days, before slaughter. Bouveng's 1938 report proposed that calves and sheep should be slaughtered on the day of arrival to the slaughterhouse, and other animals as soon as possible after arrival. When it came to stabling and housing conditions, this too should be better regulated according to the general rules in the proposed animal protection law (SOU 1938:36, pp. 106–107).

In 1944, however, these suggestions met with objections from many of the review authorities. The National Board of Medicine, for example, advised against slaughter immediately after arrival to the slaughterhouse, because the exhaustion from the transport would release undesired “serous substances” in the animals’ tissues. The National Board of Agriculture for their part held that the slaughterhouse routines were already so efficient that further regulations would be superfluous. The slaughterhouses had high quality stables and the employees were skilled in animal care. Furthermore, it was common practice that animals were delivered to the slaughterhouse late in the evening, something that would make slaughter the same day impractical. The proposal would also upset the practice of slaughtering certain species of animals at specific times of the day, and thus counteract the rationalization of the slaughter business. (Proposition 1944:43, pp. 25–26) These critics had their way. In the 1944 proposition, the proposal for further special rules for the protection of animals at slaughterhouses were dropped entirely (Proposition 1944:43, p. 29).

Castration, Tail Docking, and Ear Cropping

Castration

In the early years of animal protection politics in Sweden, castration of animals had been one of those issues that were brought up (often along with hunting and fishing) to demonstrate how one-sided and inconsistent the animal protection reform demands were. Why regulate a minor and benign phenomenon like animal experimentation, the typical (*tu-quoque*) argument went, when the farmers castrated tens of thousands of animals every year? Was castration not simply a kind of vivisection that the hypocritical animal lovers just preferred to ignore? After some time, however, the issue of castration began to be articulated as a problem in its own right. In a 1926 motion, for example, it was demanded that castration should only be carried out by veterinarians and under anesthesia. The proposal was approved by the Riksdag and sent to the Veterinary College for review. Here the conclusion was that castration ought to be performed by a veterinarian and under anesthesia when it came to horses of all ages, and for all other animals if they were over three months old (reindeer and poultry were explicitly excluded). Nonetheless, the Royal government decided to drop this issue entirely in January 1933 (SOU 1938: 36, pp. 51–52).

In Bouveng's 1938 report, castration was also taken up as a problem in need of regulation. Again, horses were singled out as in need of special protection: "When it comes to the pain of the procedure the operation is probably particularly painful for horses independent of their age, and when it comes to other animals, for the older ones, while the pain perception for the younger animals can be regarded as less developed." (SOU 1938:36, p. 93) An objection to such mandatory rules had been that mandatory anesthesia and veterinary care would raise costs for the animal owner. But Bouveng dismissed this argument by noting that the procedure was nearly always carried out to increase the selling price of the animal. Nevertheless, Bouveng concluded that the rule of mandatory anesthesia could not be upheld all the way:

To begin with, an exception is needed for practical reasons when it comes to some younger animals, whose sensitivity for the castration operation can assumed to be less developed, and who on this basis, and seeing as a regulation of the opposite type would unreasonably burden the animal owners, should be

allowed to be castrated without engaging a veterinarian and consequently without the application of anesthesia. (SOU 1938:36, p. 93)

The proposal that only veterinarians could perform horse castration was taken up, unmodified, in the 1944 proposition. For other animals, the age limit for mandatory veterinary care was raised to four months—an obvious concession to the animal industries who had complained that it was often impractical to castrate very young animals. The pig industry in particular protested because it was in the habit of selecting boars for breeding only after four months of age (Proposition 1944:43, pp. 39–41). Even more significant was the removal of the demand for anesthesia when castrating animals. According to the Minister of Justice, the decision to anesthetize or not was a judgment that could “safely be left to the veterinarian” (Proposition 1944:43, p. 41).

Tail Docking and Ear Cropping

A similar reasoning characterized the issues of tail docking and ear cropping. Tail docking of horses (and sometimes dogs) meant that the animal’s tail was cut off and the wound was burnt with a hot iron to stop the bleeding. Ear cropping was mainly performed on dogs to fashion their ears in an upright position according to exhibition standards.

From our own perspective, these issues may seem like rather minor concerns in relation to the “big” issues at stake. Nevertheless, tail docking and ear cropping were accorded a lot of room in both the 1938 report and the 1944 proposition. These questions had also been raised in the Riksdag before.⁷⁸ In the early debates about these practices, the reformers typically stressed that tail docking and ear cropping represented purposeless mutilation of the animals. Seeing as these procedures were only carried out for aesthetic and commercial purposes, they were often framed as “luxury surgeries” that were incompatible with the existing anti-cruelty law. The opponents to a ban, for their part, stressed the economic importance of these modifications (particularly for the Swedish export of Ardennes) and emphasized that the use of anesthesia rendered the operations painless (SOU 1936:38, pp. 41–46).

⁷⁸ As mentioned in Chapter 6, a motion (II 1917:246) about tail docking of horses had served as an excuse for the 1917 Law Committee (LU 1917:42) to launch a general revision of the animal cruelty statute.

In his report, Bouveng found the mere aesthetic gains to be of little weight in comparison with the expected suffering of the animals (SOU 1938:36, pp. 97–98). The economic interest of the breeders, however, could not be so easily overlooked. A ban on tail docking and ear cropping would lead to a decline in sales and lost export opportunities, the breeders held. Bouveng would therefore allow tail docking and ear cropping, as long as they were carried out by a veterinarian under anesthesia. While Bouveng thought that tail docking of horses generally should be allowed only to fight disease or to correct malformations, an explicit exception was made for Ardennes and similar horses used for breeding or intended for export (SOU 1938:36, p. 13, 97). Tail docking of other animals had to be performed by a veterinarian and under anesthesia if the animal was older than two months. Only ear cropping of dogs was to be completely banned (SOU 1938:38, p. 13, 98).

The 1944 proposition followed Bouveng in wanting to prohibit ear cropping. This proposal, however, would be overturned by the Law Committee's proposal, after a quite surprising intervention by—the military. According to a missive from the Chief of Army to the Law Committee, certain military experiments were going on regarding the hearing of dogs. The army objected that ending ear cropping among civilian breeders would negatively affect the hearing of dogs employed by the military (1LU 1944:28, p. 1, 23). For this reason, the Law Committee found it prudent to postpone the prohibition of ear cropping to a future date to be decided by the King.

Tail docking, according to the government's proposition, was to be allowed on horses only under veterinary supervision and only to treat disease or to correct malformations. There was, however, a loophole for the export breeders in that the King would have the final say in the matter and would be able to overturn the default paragraph if needed (proposition 1944:43, p. 44). When it came to tail docking of other animals, the proposition took up Bouveng's proposal that the procedure had to be performed by a veterinarian if the animal was older than two months. But just like in the case of castration, Bouveng's demand for mandatory anesthesia was dropped in the proposition (proposition 1944:43, p. 44).

As indicated here, the issues of castration, tail docking, and ear cropping were oddly over-emphasized in the preparatory documents. In the final law—comprehensive and unified as it was supposed to be—these issues largely ended up in the form of watered-down exemption clauses. What nevertheless needs to be noted, I think, is that these practices were located in a complicated borderland where different discursive systems overlapped and

different interests came into conflict. Castration, for example, had often been compared to vivisection in the effort to ridicule regulation attempts. But now demands to regulate castration were being taken more serious, indicating a closing of the gap between the practices. Tail docking and ear cropping, in turn, came very close to exemplifying altogether pointless animal use, backed only by dubious aesthetic preferences and sheer profit interest. This confusion had to be cleared up in some way, and the meaning of these practices had to be defined and insulated from each other insofar as possible. This is also what happened in the final law, where these controversial issues were accorded their own separate paragraphs—a move that once again illustrated the neutralizing logic of difference at work.

Exit Cruelty, Enter Suffering: The New Criminal Code

The 1944 reform did not only institute a new animal protection act. It also changed the old criminal code statute about animal cruelty. After decades of debates over its meaning, the requisite of “apparent cruelty” for establishing criminal liability was now removed. The new criminal code paragraph would instead look like this: “Anyone who, by mistreatment, overworking, mismanagement, or otherwise subjects an animal⁷⁹ to inappropriate suffering is to be sentenced for animal cruelty to fines or imprisonment.” (SFS 1944:220) The Minister of Justice motivated this revision as follows:

In designing a crime description that is slightly wider it has seemed to me more appropriate to connect the concept of the crime directly to the effect, namely the suffering of the animals, than to the mindset exhibited by the perpetrator. Naturally, not all actions that cause suffering for animals can be punished as animal cruelty. Some such actions are prompted by fully legitimate interests. The collisions of interest that could arise in this regard have partly been explicitly regulated in the proposed law about animal protection. So, for example, is the case with the use of animals for scientific purposes. Concerning such cases the Ministry’s proposal has taken up as a precondition for punishment, that the suffering to which the animal is exposed is “inappropriate.” This expression is presumed to mean that the action unequivocally has exceeded the limits of the allowable. (Proposition 1944:43, p. 74, see also p. 73.)

⁷⁹ In Swedish, *djur*, “animal,” in this context can refer to one or more animals: ”Den som, genom misshandel, överansträngning, vanvård eller annorledes utsätter djur för otillbörligt lidande dömes för djurplågeri till böter eller fängelse.” (SFS 1944:220)

Here, as in other places, the substitution of “inappropriate suffering” for “apparent cruelty” was framed as an improvement and expansion of the original anti-cruelty principle. Nonetheless, the concrete examples of animal cruelty offered were still restricted to the previously forged chain of “mistreatment,” “overworking,” “mismanagement,” and other comparable practices. Moreover, in an important sense the new principle was *more* restricted in its field of application than the old one. This was because some of the possible “collisions of interest” that the Minister talked about would already be regulated by the animal protection act itself. This had important consequences. The old criminal requisite could, at least in principle, be leveraged to challenge established practices like, say, vivisection or tail docking for being “apparently cruel” *in themselves*. But not so with the new principle. Henceforward, for a practice to be branded as “animal cruelty” it had either to take place in an area that was unregulated by the animal protection act or, if it was regulated by the same, represent a serious transgression of prevailing standards.

In addition, as Helena Striwing (1987) has pointed out, this change in the criminal code hardly represent an improvement from the standpoint of the courts. The new statute meant that all animal cruelty cases had to be assessed in terms of the inflicted suffering to see if it remained within what the Minister called the “limits of the allowable.” But this was no easier than determining if “apparent cruelty” had been exhibited or not. Moreover, Striwing notes, the Minister’s remark that only actions that “unequivocally” transgressed the allowable should count as animal cruelty benefited the perpetrator more than the animal (p. 26). From this perspective then, it is unclear if the new law represented a practical improvement at all.

Striwing also argues that the 1944 change in the criminal code amounted to a break with the tradition that had been in place since 1857, and in which the definition of the crime was based on the perpetrator’s “cruel” state of mind. Formally speaking, this interpretation is correct, especially vis-à-vis some courts and judges who clung to an outdated understanding of the old animal cruelty statute. These institutions now had to adapt to the new law. But as we have seen there was much more to this issue than the purely legalistic definition. In the Riksdag debates, it had long been clear that the mindset of the perpetrator was not the only relevant criterion for animal cruelty as popularly understood. Local standards of animal treatment, the public sense of justice, the belief in progressive moral development, etc. also influenced

the articulation of animal cruelty. Indeed, it was often argued that the concept was *supposed* to be influenced by such changes. The notion of “apparentness” had explicitly been left open so that it would transform over time in response to changing social standards. And as I have already argued, this was the real problem with the concept—that is to say, that many ordinary, everyday practices of animal use had slowly become a little too “apparently cruel.” The formal break that Striving points to in 1944 represented, from this point of view, a legal encoding of a discursive shift that had been in the works for the better part of a century even though the final “welfarist turn” came rather quickly in the 1930s.

Regarding the level of punishment, Bouveng’s 1938 report suggested that violations of the animal protection law should be punished by fines whereas other cases of animal cruelty would still be punishable by imprisonment under the criminal code’s chapter 18, § 16. Bouveng also insisted that imprisonment should be included in the normal latitude of punishment and not be restricted to “severe” cases of animal cruelty. Even with a new animal protection law, he argued, it would be unwise to try to do without “regulations which allow for noticeable punishment also in, so to speak, normal animal cruelty cases.” This was especially important in cases when “economic interest can be regarded as the motive for the suffering an animal is subjected to” (SOU 1938:36, p. 127).⁸⁰ Bouveng also argued that “some cases of animal cruelty bear witness of such a high degree of savageness [*högggradig råhet*] that penal labor is a more suitable corrective than imprisonment.”⁸¹ The cases he had in mind was when people beat already overworked animals, or when someone tried to get revenge on an animal owner by attacking his or her animals. Bouveng suggested that penal labor would be an appropriate punishment if the perpetrator exhibited “special savageness” [*synnerlig råhet*] or if the circumstances were otherwise aggravating (SOU 1938:36, p. 127). Bouveng also suggested that it ought to be possible to prohibit offenders—especially repeat offenders—from owning or working with animals (for

⁸⁰ This was one of the few instances where economic interest was explicitly stated as a possible motive or cause of animal cruelty. When economic concerns were mentioned it was generally to argue that animal protection initiatives would harm the economy of the nation or of the private individual.

⁸¹ Penal labor existed as a possible form of punishment under the 1864 criminal code. Labor as a specific type of punishment was formally abolished with the introduction of the new criminal code in 1962, even though a ‘duty to work’ remains for prisoners in Sweden.

a limited time or even for life). Arming courts with this juridical option, he argued, would be valuable in the struggle for better animal protection as it would neutralize people of a “savage mind” who would not “stand corrected” even after being reprimanded by the authorities. A more common case where this rule would apply was when “an animal owner or caretaker, due to an abnormal state of mind [*abnorm sinnesbeskaffenhet*], is completely unsuitable to take care of animals” (SOU 1938:36, p. 123). The target group for this regulation would also include unsuitable pet owners and animal transporters who did not follow regulations.

In the 1944 proposition, the Minister of Justice agreed with Bouveng that the old paragraph against animal cruelty had become too restrictive: “Given the notion of human obligations toward animals that is the basis for the [proposed] animal protection law, it cannot be consistent to punish as animal cruelty only those actions that exhibit apparent cruelty toward animals.” (Proposition 1944:43, p. 74) According to the Minister, the new law would lower the bar for animal cruelty to include also a “lesser degree of inappropriate [*otillbörlig*] treatment” (p. 17). Criminal liability would also be conditional on whether the perpetrator had “realized that suffering was caused to the animal” or not, even though indirect intention (*eventuellt uppsåt*) would suffice to sentence an offender. When it came to the level of punishment, the Minister supported the inclusion of imprisonment in the normal latitude of punishment, but did not want to add penal labor as a second-tier punishment for severe animal cruelty. Nor would the Minister support the proposal that a court should be able to prohibit an offender from owning animals (p. 74). The motive for the latter decision was that most of those cases would “probably pertain to persons who were immune [to legal punishment] because of their mental condition [*sinnesbeskaffenhet*]” (p. 74).

It may be questioned, however, to what extent the new criminal code really represented a strengthening of the animal cruelty paragraph. On the one hand, the new regulations did include imprisonment in the normal range of punishment and it did disconnect the crime from the exhibition of “apparent cruelty” in a narrow sense. On the other hand, it is doubtful if the new notion of “inappropriate suffering” implied a lowering of the bar for criminal liability. While this wording displaced the perpetrator’s mindset as the key measure for animal cruelty, it also restricted the latter concept to actions which “unequivocally” lay beyond the “limits of the allowable” and were not protected by any “legitimate interest.” From the few concrete examples of such actions offered in the preparatory documents—the beating of already

overworked horses, personal vendettas against animal owners (SOU 1938:36, p. 127), and the behavior some mentally ill people (proposition 1944:43, p. 74)—it can be argued that the authors still had mostly the deviant and excessive in mind when they thought of animal abuse.

All in all then, the problem representations and the solutions institutionalized by the new criminal code hardly met the challenge of clarifying, once and for all, what animal cruelty meant. The “proper” human–animal relationship was no easier to pin down in 1938 or 1944 than it had been in 1921, 1907 or 1857. This, in my view, was not so much the fault of the politicians as a matter of discursive failure; no matter what concrete definition of animal cruelty would have been chosen, it would have come into conflict (ontological as well as ethical) with other intuitions, habits, and interests. Nevertheless, it is clear the old anti-cruelty paragraph had played out its part. It could not be retained, unreformed, alongside the new animal protection act. It was necessary to overcome the troubling effects that the notion of “apparent cruelty” kept producing when it was came into contact with contemporary practices of animal use. At the same time, the only politically possible way to do this was to leave the new paragraph open to interpretation and connect it to a vague notion of “inappropriate suffering” and the “limits of the allowable.”

This reform reconstructed the boundary between “outside” and “inside” along new lines, but it also reinscribed the same kind of antagonism that had marred the old anti-cruelty paragraph for so long. The crucial innovation of the 1944 reform, therefore, was not its purported refinement of the animal cruelty statute. Its historical stroke of genius lay instead in how the articulatory logic of difference was employed to take apart a link of “cruelties” that had been in the making for a hundred years and to absorb the most troubling “collisions of interest” into the new system of animal protection.

II. CONDITIONS AND EFFECTS OF THE PROBLEM REPRESENTATIONS

Animal Vulnerability

In explaining the need for reform, Bouveng’s 1938 report and the 1944 law proposal both articulated the vulnerability of animals in partly new ways. As we have seen in previous chapters, physical mistreatment, overworking and mismanagement had already been recognized as possible animal harms and in need of regulation. In the Riksdag debates it was also clear that some kinds

of psychological suffering were recognized (anxiety and fear in anticipation of slaughter, for example). In the 1938 report, animals were also increasingly defined as vulnerable to improper housing and lack of a natural environment. Stables and other housing facilities, it was stated, had to be spacious enough to allow some freedom of movement and protect the animals from rain, melting water, and draft, as well as cold, dark, or humid conditions (SOU 1938:36, p. 74). The animals were also to be provided with adequate food and water, and there was a demand for “appropriate care.” The latter demand was vaguely defined but included “satisfactory cleaning” of the stables, something that sometimes seemed to be a problem in the real world of farming (p. 76). Unlike today’s ethological discourse, however, these problems were never phrased in terms of the animals’ ability to exercise their “natural behavior.”

The report also drew clear lines between different categories of animals. Animals caught in the wild, for example, were thought to need more space in captivity than domestic ones: “Captivity in itself often enough entails suffering for the [non-domesticated] animal, whether these sufferings consist in pain or hardship or are purely psychological.” (SOU 1938:36, p. 75) Curiously, this did not exclude the use of “wild” animals in circuses or the similar, but seems to have been more directed towards curbing the youthful mischief of “boys who keep birds in cages or fish in a bucket or pond” (SOU 1938:36, p. 75).⁸² The main aim was to end “such keeping of mammals and birds in captivity, which is mainly based on mischief, curiosity and the like” (SOU 1938:36, p. 75).⁸³

Following the now familiar figure of the *scala naturae*, the report also made an explicit distinction between “higher” and “lower” animals. This

⁸² While Bouveng agreed with the critique that wild animals in captivity experienced “psychological suffering,” the report stressed that this was only for a while, and “not of the kind that its occurrence could motivate a ban on keeping animals in pens and enclosures.” All this, of course, given that all necessary measures were taken to make the conditions as satisfactory as possible for the animals, and that their use served a “rational purpose” (SOU 1938:36, p. 81). According to Bouveng, the principle should be that if an animal was inflicted with “significant direct pain,” or “marked and severe psychological suffering, like pure anxiety” this should be reason enough to cancel the show or exhibition. On the other hand, “moderate corporal punishment and moderate starvation,” was acceptable.

⁸³ In this context Bouveng noted with satisfaction that the old—and today practically forgotten—habit of keeping squirrels in cages was dying out in Sweden (SOU 1938:36, p. 75).

time, however, the hierarchy was not modelled on religious categories but rather on evolutionary ones. According to Bouveng it was a scientific fact that “that the ability to feel pain ought to be much less developed in the lower animals” (SOU 1938: 36, p. 73). It was clear to him that “warm-blooded animals to a greater extent than cold-blooded ought to be treated with consideration and good will, and that invertebrates ... must be placed significantly lower than the cold-blooded vertebrates” (p. 74). Nevertheless, Bouveng did not want to introduce this distinction into the law itself. This was because it lay “in the interest of society that no animals are subject to thoughtless or brutalizing treatment ...” (One reason that this distinction was still stressed in the report probably had to do with the question of vivisection; as we saw above Bouveng was eager to foreground that Swedish researchers tried to minimize suffering by using anesthesia and “lower” animals insofar as possible.)

A similar distinction was made between younger and older animals, where the young were taken to be less sensitive to physical pain. This assumption was important for the issues of castration, tail docking, and ear cropping, where the use of anesthesia would be mandated for older animals but not for younger ones (SOU 1938: 36, p. 93). It seems that there was an assumption here of a parallel between ontogenesis and phylogenesis; an older individual was believed to be more sensitive than a younger one, in much the same way that a “higher” species was considered as more developed than a “lower” one. Similarly, wild animals were attributed with a more acute sensitivity than the dulled senses of the domesticated species.

In a sense then, a particular individual’s vulnerability could be “triangulated” by considering its age, its standing in the evolutionary hierarchy, and whether it was born free or in captivity. This cognitive mapping, I believe, reveals something important about the underlying structure of the human–animal relationship at the time. Patterned on an essentialist metaphysics of presence, these representations distributed vulnerabilities according to how close a particular animal came to embodying an “ideal” animal (arguably, again, the human being). Animals who approximated this pristine ideal were somehow more “real” than others. This effect could be produced metaphorically (a mature or wild animal was more “present” *qua* animal than a young or domesticated one) or metonymically (by their close association with humans). So, for example, Bouveng could state without further explanation that “monkeys, dogs, cats, and horses are more sensitive to pain than most other animals” (SOU 1938:36, p. 103). At the same time, what these repre-

sentations of animal vulnerability happened to have in common was that they distributed animal vulnerabilities according to human convenience: younger animals were easier to castrate than older ones; framing domesticated animals as less sensitive than wild ones toned down the dilemmas associated with the routine exploitation of the former; and the use of “lower” animals lent legitimacy to vivisection.

The conceptualization of non-human vulnerability was further informed by the equalization of animal well-being with productivity. It was often repeated that animals who enjoyed better conditions were also more productive—or, in other words, profitable. The National Board of Agriculture, for example, emphasized in a review comment that agricultural development had led to a vast increase in animal productivity, something that had only become possible due to an “exceedingly attentive care of the domestic animals.” To the Board, the “economic interest of the animal owners in combination with their general attitude to animal care” was likely to be a better and more effective guarantee of animal welfare than any legal statute (proposition 1944: 43, p. 20). This welfare-equals-productivity argument had been touched upon earlier, but it was more foregrounded during this period. (Indeed, it is still common today.) No doubt, the argument arose as an attempt to counter the intuition that there must be a conflict between profit-making and good animal care. When productivity was articulated as a *result* of well-being, however, this intuition was turned on its head. This representation allowed animals to be situated as better off when reduced to units of production, since their welfare could be assumed to be the first priority of the self-interested farmer.

The Dangers and Promises of Animal Protectionism

As I have shown in previous chapters, the efforts of the animal protectionists were typically met with two kinds of reactions. On the one hand, the animal protectionists were praised for their progressive and humanitarian spirit. On the other hand, there was a fear that if animal protection was taken too far it would lead to absurd priorities and put human interests at risk.

Similar ideas were sometimes expressed regarding the 1944 law proposal. The opponents of reform tended to frame the initiative as idealistic, unrealistic, and impractical. For example, the Rural People’s Organization argued that Bouveng’s 1938 report contained proposals that emanated “from an extremely theoretic animal protection interest and therefore do not always resonate properly with practical life” (proposition 1944: 43, p. 21). In con-

tradistinction, continued animal exploitation was framed as necessary, realistic, pragmatic, and down-to-earth. To know something about human use of other animals was above all to know that it was natural, necessary, and largely uncontroversial (except for some contingent excesses, which were as rare as they were universally condemned). Several complaints against the law proposal also came from the agricultural societies⁸⁴ throughout the country. Against the law proposal, these groups claimed that the problem of animal maltreatment in Sweden should not be overstated, and that continued education and enlightenment would be a better corrective to the remaining problems than legislation (proposition 1944:43, p. 21). There was also the old concern that there were some animal protectionists that might be tempted to take their principles too far. The agricultural society of Stockholm, for example, feared that the new law would entail “obstacles to and infringements on animal husbandry and the slaughter business, as well as give rise to a general condition of insecurity” (proposition 1944:43, p. 21). Similarly, the county administrative board of Stockholm was concerned that the law would cause a “certain feeling of insecurity among animal owners and also cause unwarranted interventions by over-zealous guardians” (proposition 1944: 43, p. 21). These problem representations all focused on what some over-committed friends of animals, including the occasional official animal protection inspector, might do if they were left unchecked.

Nonetheless, when it came to the general orientation of the proposed law, most review comments were in favor of it. Some commentators even argued that the new law was just a ratification of practices that were already standard in Swedish agriculture (proposition 1944: 43, pp. 17–20). While the image of the excessive animal protectionist lived on, the lack of debate in the Riksdag over the final proposal indicates that no significant actor saw any serious threat to business-as-usual in the 1944 law proposal.

Nationalism

We have already seen several examples of how animal protection concerns could be articulated with nationalist themes. Bouveng’s 1938 report and the 1944 proposition were no exceptions in this regard. Bouveng set the tone

⁸⁴ These groups were originally founded in order to encourage increased and rationalized agricultural production, but their activities had expanded to building railroads and founding rural banks.

immediately in his motivation for the introduction of an animal protection law:

One cannot draw conclusions about a human's moral and cultural standpoint only from the way in which she behaves toward the animals. Too many circumstances, like the worldview of different ages, racial characteristics, etc. have such a strong influence in this particular regard that one cannot be justified in generalizing too much from this or the other phenomenon. According to the contemporary opinion among our people in general, insofar as our own situation is concerned, it is probably correct to say that bad or cruel treatment of animals indicate traits of character, that we do not think should be found in a well-rounded human and citizen. (SOU 1938: 36, p. 69)

Here again, animal cruelty was framed as anathema to a cultured nation like Sweden. Moreover, such cruelty was still partly framed as an undesired personality trait. But some new elements were also added to the representation of the problem. This was, for example, the first time that "racial characteristics" were explicitly mentioned as a determinant of a people's moral and cultural position. (Apparently, this could be stated in an official document as late as 1938. When the government's proposition for a law was presented in 1944, however, this section was never quoted.)

Sweden's advanced position in terms of its economic development was also emphasized as a factor behind the growing kindness toward animals:

By and large one ought to be justified in making the judgment that the Swedes distinguish themselves for their animal friendliness, and a majority of the Swedish animal owners also seek to treat their animals well. The development in this area has over later years advanced significantly. Animal treatment has improved due to the fact that the growing wealth of the country has come to benefit the animals in terms of better stables and feed, as well as on the basis that the development of the spiritual [*andliga*] culture an ever growing number of people have come to realize that bad treatment of animals, be they domesticated or wild, is incompatible with true humanitarianism. (SOU 1938: 36, p. 69, also quoted in proposition 1944: 43, p. 12)

This was the first time that socio-economic development was cited as a direct benefit for the animals. Previously, the main focus in the discourse on progressive Sweden had been on the country's spiritual, cultural, and moral

achievements. It had also been argued before that individual farmers had economic incentives to treat their animals well. But now something like a “trickle-down” theory of animal welfare was implied; the growth of the country’s wealth meant that the animals would also get a larger share.⁸⁵

III. THE RISE OF ANIMAL WELFARISM

The legal reforms of 1944 were represented in the government proposal as a response and a solution to a long series of problems pertaining to the treatment of animals. None of these problems, however, were entirely new. Many issues had been subject to complaints from the animal advocates for years, decades, or even half a century. Nor were the issues new at the national political level. Dozens of motions highlighting the different issues—animal transports, vivisection, castration, tail docking, ear cropping, stabling, slaughterhouse conditions, punishment, and so on—had been issued from the 1880s and onward. And even if the gravity of animal maltreatment had often been toned down in the debates that followed, the concerns in themselves were no doubt recognized as legitimate—they had for a long time been “in the true” of Swedish political discourse. The significant change between

⁸⁵ It is tempting here, of course, to draw parallels to the social democratic project of modernization and redistribution that also relied on economic growth in its ambition to achieve equality. Perhaps we can speak of a parallel between human and animal welfarisms in this regard, and not only in the semi-Malthusian sense that the end of scarcity would facilitate growing kindness toward animals. An interesting possibility would be to read this development as homologous to the historical development of the capital relation out of an older mode of production. Marx himself observed that “Descartes with his definition of animals as mere machines saw with the eyes of the manufacturing period, while in the eyes of the Middle Ages, animals were man’s assistants ...” (Marx, 1867/1983, p. 411) Although this train of thought is not followed through in *Capital*, there might be something to this cognitive mapping. The move from a traditional discourse—in which animals and humans occupied wholly different tiers in the Great Chain of Being, and where cruelty to animals first and foremost represented a degradation of the human spirit—to a modern discourse where human-animal relations took on proto-contractual qualities, bears an uncanny resemblance to the historical shift from direct personal power relations under feudal conditions to the “equitable” market exchange between formally free subjects under capitalism. Could we perhaps decode this transition—in terms of the predominant “intuitions of justice” in each age, so to speak—as one where the animals, in effect, went from being positioned as natural serfs to being—wage laborers?

the previous law from 1921 and the new one from 1944, therefore, did not lie in the emergence of any particular new issue on the political agenda. As late as the mid-1930s, the political imagination of most would-be reform politicians in Sweden stretched only to demanding tougher punishment of “apparent” animal cruelty.

What can be stressed, however, is that the shift consisted in rearranging the symbolic coordinates of animal politics. Previous debates and legislation had been organized around the perpetrator’s personality, but now a new structure was constructed around a multiplicity of problems dispersed over a broad range of habits and practices in animal agriculture.

This shift in the problem representation corresponded to a set of new solutions. The main inspiration for legal change was found abroad, in the animal protection laws of the other Nordic countries. To meet the challenge of a rephrased problem complex, the old anti-cruelty legislation had to be replaced by an animal protection law—meaning a comprehensive framework of regulations intended to set standards for animal husbandry and prevent animal mistreatment in a broader sense. The interpretation I suggest is that these new problem representations, and their concomitant solutions, were needed precisely because the animal cruelty paradigm had exhausted itself and speciesist relations had to seek its legitimacy in a new kind of narrative. Seen from this perspective, the debates in the 1930s and 1940s represented not so much the next stage of moral evolution as an emergency response to a growing legitimacy crisis for the contemporary species relations. For a century, the use of animals had changed and developed within the anti-cruelty regime—a framework that on the whole met with little resistance as long as the law held out the promise that exceptionally cruel animal abusers would be punished. With the help of this fantasy scenario, the old law could sustain the desire for harmonious human–animal relations to come. But moving up to the 1930s, it had become increasingly difficult to argue that animal suffering was an incidental phenomenon caused only by deviant individuals. The development of large-scale breeding and farming, more and longer animal transports, growing numbers of animal experiments, and so on, was bound to raise new questions about the *systemic* character of animal abuse. This dislocation was the real problem that had to be handled.

This becomes clearer when we consider the discursive struggle over the notion of apparent cruelty. It was often repeated in the later debates that the interpretation of this concept had changed. In court praxis, for example, animal cruelty verdicts were no longer passed simply on the basis of the per-

petrator's cruel motives; the law was now interpreted in a broader sense to include, to at least some extent, what was experienced as cruel from the animals' own perspective, etc. All this was in line with the evolved public sense of justice and congruent with an "objective" reading of the old law; "cruelty" now more often denoted the *effect* of an action than its *cause*.

Ironically, this shift seemed to occur partly because the old law worked precisely as intended. In the nineteenth century, the notion of "apparent cruelty" had often been defended with the argument that this vague concept would allow changing social attitudes to be reflected in the legal system. As the population progressed along the "path of persuasion and enlightenment" and developed more sophisticated sensibilities, the understanding of animal cruelty would be correspondingly updated. But it was precisely the success in this regard that led to the old regime's undoing. For what made the anti-cruelty framework unworkable was not that it was no longer applicable in principle. The problem was rather that the law had become *too* applicable to *too many* established practices. When the new understanding of "apparent cruelty" collided with the contemporary intensification of animal exploitation it threatened to come into direct conflict with speciesist relations as such. And that could not be allowed. After all, it was never seriously intended that all "cruel" treatment of animals would lead to punishment. The main social function of the old law had been to regulate the *excessive* use of animals and, in the process, police the borders of the "normal" system of animal exploitation.

Reaffirming speciesist relations

Another way to put this is that the notion of apparent cruelty had become incapable of suturing the dislocated discourse of the human–animal relationship. It could no longer do the job of displacing the excesses of the system itself to the "outside." Seen from this perspective, the institution of the slaughter law in 1937 (see Chapter 7) and the founding of the animal protection act in 1944 did not represent progressive advances for the animals so much as the installment of legitimizing safety valves for continued animal use. The cardinal example of this was the portal paragraph of the new animal protection law, which stated that animals should "insofar as possible be protected from suffering" (proposition 1944: 43, p. 2, LC). The operative wording here, of course, was "insofar as possible," a phrase that left the new law as permissive as the older anti-cruelty statute, if not more—all while posing as the opposite, as a reinforcement of animal protection.

Thus, in my view, the most significant contribution of the 1944 reform was not that it expanded the legal protection of non-human animals. As many reviewers remarked even at the time, the new law merely ratified existing standards in agriculture and laboratory science. More important is that the law brought closure and political manageability to an increasingly dislocated discursive regime. Thanks to this “welfarist turn,” the legal system could relinquish the troubling notion of criminal cruelty and make the authorities work manageable by restricting it, in most normal cases, to issuing reprimands and demanding future correction. The hope was no doubt, as the 1935 Law Committee put it, that the public opinion would be “strongly influenced without the sanction of punishment” (1LU 1935:13, p. 8). This can be interpreted as a sigh of relief: the (impossible) ambition to punish all cruelty that was implied by the old law could finally be abandoned. From this point onward, it would only be necessary to activate the animal cruelty statute in the most flagrant cases of animal mistreatment. This arrangement, in fact, ensured that sentences for animal cruelty would remain mere anomalies.

The change of the requisite “apparent cruelty” in favor of “inappropriate suffering” in the animal cruelty statute was another part of this articulatory process. The old wording had become difficult to handle for the simple reason that too much cruelty was already all too “apparent.” Even if there were differing interpretations of where the line should be drawn, the old wording implied an *absolute* limit: something was either “apparently cruel” or it was not. Talking about “inappropriate suffering,” on the other hand, got rid of this absoluteness and made room for negotiation and weighing of different interests against each other. What made suffering “inappropriate” was much more dependent on the context and facilitated the privileging of human interests over non-human ones whenever they “collided.” In this sense, the 1944 reforms accomplished what the defenders of the status quo had often struggled to achieve in the past: a fully context-dependent problematization that would not be immediately troubled by the contradictory norms of the human–animal relationship.

Finally, a third wording was used when it came to animal experiments. Here, it had been openly stated in the preparatory documents that it could “not be refuted that many of the experiments ... often inflict serious suffering on the experimental animals which, *seen objectively, must be regarded as animal cruelty*” (SOU 1938:36, p. 103, emphasis added). Clearly then, the old notion of “apparent cruelty” had to be avoided as the threshold for criminal

liability when it came to animal experiments. The same was true for “inappropriate suffering,” since that wording suggested that an experiment would be illegitimate if its objectives were deemed “inappropriate” for some reason. The solution was to state that animals were not to be subject to more suffering than was “indispensable” (*oundgängligt*)—that is to say, indispensable for the purpose of the experiment or from the point of view of the experimental scientist (proposition 1944: 43, p. 4).

When we consider this careful shaping of the legislation to facilitate continued animal use, I believe we have good reasons to revise the perception that the history of animal protection has been all about an “expanding circle” of compassion and morality. As we have seen in this chapter, it could just as easily be said that the new animal protection reform was *enabling* and *restorative* vis-à-vis speciesist relations.

As Katarina Alexius Borgström (2009) has argued, it is true that the 1944 law imposed a certain responsibility on animal owners to protect animals from suffering. But this responsibility was in no way “cost indifferent.” Rather, she characterizes the new law as built on a “trade-off between animal protection on the one hand, and people’s economic and life quality interests” (pp. 77–78). How this trade-off was to be calculated was never explained in the law, except from the occasional vague statement that the “public sense of justice” should guide its implementation. Alexius Borgström writes that while the new law represented a movement “toward a normative structure advocating animal protection” it was also so open to interpretation that it “remains unclear if the law changed the legal position other than concerning a few specific issues” (p. 84). Real change, she argues, was only achieved when it came to castration and tail-docking of horses, and tail-docking and ear-cropping of dogs. I would add that these reforms, too, were significantly watered down from the original proposals in Bouveng’s 1938 report. It is thus difficult to claim that the 1944 law did much more than ratify a number of changes already implemented by the animal industries—and where the industries did not wish to change, the lawmakers readily made concessions.

This is not to say that the new animal protection law was superfluous in the grand scheme of things. In fact, it was probably necessary. Something needed be done to address the dislocation of the speciesist order, to cover over the antagonistic fissure that manifested itself in the ever-repeated complaints over different forms of animal cruelty throughout the early twentieth century. The turn to animal welfarism, I believe, was precisely the kind of solution that speciesism needed to overcome this dislocatory crisis.

9. Conclusions

THIS BOOK STARTED OUT ASKING how the political problem of animal cruelty emerged and changed historically, and to what extent the new orientation in animal policymaking in the 1930s and 1940s represented a straightforward evolution of the anti-cruelty values that were inherited from the nineteenth century. To answer these questions I have turned to the Riksdag debates and government documents dealing with these issues from 1844 through 1944, in an effort to produce a critical genealogy of the concepts of animal cruelty and animal protection in the political debates of the time. In six empirical chapters dealing with the most important legal revisions in the period, as well as the long parallel debates about animal experiments and slaughter, I have tracked discursive changes and continuities in this policy area. I have done this mainly by asking what discursive conditions and affective investments underpinned the different political problem representations, and what consequences these articulations had for the status of non-human animals. Moreover, I have highlighted the contested nature of these “problems” and the struggles that took place over what should count as problematic at every given time.

In this concluding chapter, I want to summarize the most important results of the study and discuss their further implications. The chapter starts with a summary of the main problem representations in the period. Then I move on to discuss the meaning of the “welfarist turn” that I have identified in this book. Here I take particular note of the long-standing discursive crisis of the old anti-cruelty regime, the stabilizing work performed by ideological fantasies, and the final triumph of the logic of difference as it was institutionalized in the 1944 animal protection act. After this, I discuss some of the implications of this book for possible future research. The chapter concludes with a reflection over the meaning of the findings for animal advocacy today.

I. CHANGING PROBLEM REPRESENTATIONS

There were many different ways of representing the problem of animal mistreatment in the period, and these representations clearly changed over time. In Chapter 3, I argued that the early political debates about animal cruelty in the 1840s and 1850s were preoccupied with the issue of animal abuse among the lower classes and animated by the fear that animal cruelty would lead to human brutalization and social disorder. The picture of the “ideal” animal abuser produced in this period was that of an uneducated worker or rural farmer who mistreated his animals for reasons of greed or a lack of self-control. I have argued that this focus tied into a broader project of enforcing social discipline, and that the rising middle classes adopted kindness to animals in an effort to distinguish themselves from the common people (a development that has also been highlighted in research on other European countries in the same period). Most of the debates in this period had to do with the mistreatment of publicly visible and symbolically valued animals like horses and other draft animals, and the complaints mainly concerned direct physical mistreatment like beating or overworking the animals. While the idea that humans had a right to use other animals was generally accepted—motivated either by sheer necessity or by the ancient idea of a divinely ordained cosmic order (a “Great Chain of Being” or a *scala naturae*)—there was also a concern for animals as worthy of protection for their own sake. This tension led to difficulties in drawing the line between lawful use of force and excessive animal mistreatment. The rationale for regulating animal treatment oscillated between a will to discipline the savage mindset of the underclass animal abuser and a will to reduce animal suffering. The accompanying solutions, in turn, alternated between calls for punishment and the hope that moral evolution would eliminate animal cruelty in due course. The outcome of these early debates was a law that came into force in 1858 and read: “If anyone, in the treatment of one’s own or the animals of another, exhibits apparent cruelty; to be punished by fines from five up to and including one hundred Riksdaler Riksmünt.” (SFS 1857:61) The most important wording here was “apparent cruelty,” the meaning of which was notoriously difficult to capture. This definition of the animal cruelty would be repeatedly disputed throughout the period.

Chapter 4 dealt with the debates over animal experiments in the 1880s. Here, I argued that the problem of vivisection emerged as a flashpoint of conflict in a much broader struggle for hegemony between different elite

ideologies. Ultimately, what was at stake was the role and place of science itself in a time of rapid modernization and social dislocation. In this period, traditional idealism and Christian values clashed with scientific materialism, producing an intense controversy around the use of animals in research. According to the opponents of vivisection, the practice was a growing trend that not only harmed animals but also threatened to undermine social morality in general. Those who sought reform often appealed to the 1858 law that prohibited the exhibition of “apparent cruelty” and claimed that many experiments on animals had to be considered as criminal according to this definition. In the figure of the vivisector, they saw a horrendous apparition of science running amok and trampling all established values underfoot. The defenders of the practice, for their part, emphasized the potential utility of using animals in experiments and demonstrations, and argued that regulation would spell the death of scientific freedom. Against the accusation of “apparent cruelty” the defenders of vivisection responded with a charge of hypocrisy against the “friends of animals” for their own involvement in many painful uses of animals like hunting, fishing, and castration. At the same time, they inscribed their own embrace of vivisection in a framework of what I have called “tragic naturalism”; vivisection, from this point of view, was not so much a choice but a necessity, a burden forced upon humanity in a morally fallen world. Again then, the problem representations reflected an uneasy compromise between the recognition of animal suffering and the institutionalized stakes people had in their use. Although the vivisection debates in the 1880s did not lead to any regulation of the practice, they contributed to destabilizing the notion of “apparent cruelty” further.

In Chapter 5, I followed the debates leading up to the revision of the anti-cruelty statute in 1907 that extended the law to cover also animals in the wild. This chapter highlighted the continued line-drawing problems that followed as the anti-cruelty discourse faced a double challenge. First, there were a number of new issues that entered the political agenda, like long animal transports, slaughter without stunning, and vivisection. These issues came from the “outside,” so to speak, and imposed themselves on the anti-cruelty discourse as concerns that could not immediately find an unambiguous meaning within the existing regime. Second, there was disagreement about the proper understanding of “apparent cruelty.” The meaning of this concept seemed to broaden over time and could no longer be restricted to the image of the “ideal” animal abuser. This challenge was more of an internal crisis, threatening to reveal the contingent character of the anti-cruelty

discourse. While a number of alternative wordings for the law were proposed to overcome these problems, none was satisfying to the Riksdag. The outcome was again a compromise. The prohibition against “apparent cruelty” was extended to encompass free-living animals, but at the same time, the notion of animal cruelty itself was reworked in a way that toned down its absoluteness. “Apparent cruelty,” the preparatory documents for the 1907 law emphasized, should henceforth be understood only as such treatment of animals that went beyond the established practices in any given industry of community.

This re-articulation of the problem or cruelty, however, did not succeed in overcoming the discursive crisis, as shown in Chapter 6 on the continued debates in the 1910s. In this period too, the animal issues on the political agenda proliferated and a number of reform demands were voiced. Among the reformers, the key problem was now the perceived discrepancy between the letter of the law and the general, public understanding of what constituted animal cruelty. It was regularly complained that the old law was too pre-occupied with the mindset or intentions of the perpetrator to be able to handle cruelties toward animals resulting from new practices and technologies. This process culminated in the debates over the government’s 1921 proposition for a revision of the law that would be better designed to deal with the “collision” of human and animal interests. The government also suggested that “apparent cruelty” should be replaced by “indefensible mistreatment or overworking of animals or the infliction of suffering on animals by mismanagement,” but this change did not win the Riksdag’s acceptance. The concept of “apparent cruelty” was retained, although it was somewhat qualified in accordance with the government’s proposal.

In Chapter 7, I took a step back to trace the debates about the slaughter issue from the late 1880s until the first slaughter law was founded in 1937. This chapter focused on the problem representations surrounding four main types of slaughter: traditional home slaughter in the countryside, Jewish *shechita*, Sami reindeer slaughter, and the Danish–American pig slaughter method. These slaughter methods had two things in common: they were all carried out without stunning, and they were associated with “other” groups. Consequently, the problem representations oscillated between sincere concerns for animal suffering and more sinister attempts to mark these outgroups as deviant or culturally underdeveloped. (“Normal” stunning slaughter carried out for the Swedish population was hardly problematized at all in the period. The use of modern stunning equipment like bolt guns and

slaughter masks were generally assumed to eliminate all risks for animal cruelty in this regard.) Again, the crucial challenge was whether the realities of slaughter were compatible with the animal cruelty law or not: Under what circumstances, if any, could the killing of animals for food be regarded as “apparent cruelty”? The solution that found most support was to sidestep this problematic question and institute a separate slaughter law to regulate the killing of animals. Several attempts were made to formulate such a law in the 1920s, but they stumbled on the issue of the Jews’ religious freedom and the risk for economic loss in the pork industry. The law was not passed until 1937, at which time the fear of an English boycott of Swedish pork had subsided, and electric stunning offered itself as a way to bypass the Jewish slaughter rules.

In Chapter 8, finally, I turned to the rise of the animal welfare regime in the 1930s and 1940s. In this period, there was a rather sudden shift in the problem representations regarding animal cruelty. Previously, it had often been argued the animal cruelty law was an important instrument for changing social norms, but now this educational aspect was largely denied. The old law was suddenly represented as full of loopholes and as inconsistently implemented by the courts. The 1938 government report that prefigured the animal protection act as well as the 1944 law proposition itself both held that the old anti-cruelty statute was insufficient and incomplete, especially in comparison with some of the more comprehensive animal protection laws found abroad. By this time, the notion of animal vulnerability had also expanded beyond physical mistreatment and more interest was directed to issues like stabling and transport conditions. At the same time, the idea of a hierarchy of species persisted, although the separation of “higher” from “lower” species was now phrased in scientific rather than religious terms. Alongside a number of old concerns, a host of new issues had also crept onto the agenda in the 1930s and 1940s. The new dominant dilemma, it was implied, was that the old law could not keep up with the expansion and intensification of animal use at the time—especially if the premise was maintained that every “apparent cruelty” could be subject to punishment. The suggested solution to this problem was to institute a new kind of framework law to establish guidelines for animal husbandry and set minimal standards for the treatment of animals. At the same time, the old anti-cruelty statute was problematized and reworked to focus on the effects rather than the intentions of the act. The notion of “apparent cruelty” was now finally replaced and a new

principle of “inappropriate mistreatment” was instituted as the legal benchmark for animal cruelty.

These problem representations and their concomitant solutions were characterized by some significant changes, but also by clear continuities, especially concerning what was *not* problematized. Among the changes, we may note how the class character the early law gradually subsided, as well as how the understanding of animal vulnerability was re-articulated to include not only physical mistreatment but also other adverse conditions for the animals. We can also see how the meaning of “cruelty” gradually grew wider and allowed for the problematization of a whole range of previously uncontroversial practices. Among the continuities on the other hand, we should note that the definitions of animal cruelty that were offered nearly always stopped short of impinging upon the speciesist social order as such. A lot of ideological work went into fashioning the problem of animal cruelty so that it would be contained to the marginal, accidental, and deviant, thereby leaving the everyday use of animals undisturbed. For a long time, this containment effect could be realized under the old anti-cruelty regime, but as this discourse grew more and more strained, a paradigm shift was prompted.

II. THE MEANING OF THE WELFARIST TURN

The most important conclusion of this book is that it is possible to speak of an important break or shift in the political discourse about animal treatment by the end of the period. In my view, the “welfarist turn” that I have identified as taking place from the mid-1930s onward represented a qualitative change with serious normative implications. As I argued in Chapter 1, other researchers who have dealt with the same period have not recognized the specificity of this new regime of practices. The accounts they offer rather imply a gradual progression of benevolent attitudes toward animals, variously expressed as a movement from a utilitarian outlook to identification with the animal (Dirke, 2000); a shift in emphasis from productivity requirements to a greater appreciation of the intrinsic value of animals (Cserhalmi, 2004); or a gravitation from a rationality-based pole to an “animal protection-promoting” pole in the underlying normative structure of the law (Alexius Borgström, 2009).

These accounts are no doubt correct insofar as they refer to the explicit content of the political and cultural discourse of the time. The feeling of a growing kindness toward animals was certainly part of the *Zeitgeist*. Yet, the foregrounding of these dualisms inadvertently promotes a view of the histor-

ical development as expressing one “pole’s” gradual overtaking of the other. This reading, in turn, easily renders the modern animal welfare regime as the logical continuation of previous anti-cruelty sensibilities, their self-evident “next step” so to speak.

Cruelty from Crisis to Collapse

In this book, I have advanced a different genealogy of the animal welfare regime. In my view, the transition to this new order was not mainly the result of a humanitarian idea slowly overcoming resistance until it consolidated itself in a higher, more mature form. Rather, I have framed the transition as a tortuous breakdown resulting from a discursive crisis immanent to the old anti-cruelty regime itself.

This old regime, I have suggested, was founded not only to protect animals from suffering but, more importantly, to establish a boundary between “normal” and excessive animal use. We can put this point even more radically by saying that the realm of “normal” animal use *never really existed* until it was produced by the expulsion of its “constitutive outside” or its “other.” In concrete terms, this other found its earliest incarnation in the figure of the uneducated underclass animal abuser that became the main target of state and police action. However, the same move that founded this distinction and produced the meaning of animal cruelty as a crime also introduced a problematic antagonism that would trouble the political debate for nearly a century.

The main point that I have been trying to make in this regard is that the same conditions that made it *possible* to separate acceptable animal use from unacceptable animal abuse also constituted the conditions of *impossibility* for this very distinction. Like all discursive identities, the meaning of normal animal use was founded by the exclusion of its other, animal cruelty. Unavoidably, however, the excluded, repressed elements that were relegated to the “outside” in the founding of the former identity persisted and always threatened to return and to reveal the “inside’s” contingency and lack of self-identity.

This constitutive impossibility of the anti-cruelty regime, in fact, was precisely what the reform politicians exploited (without, of course, putting it in these theoretical terms). One of their core strategies was to foreground the similarities between already criminalized practices and other forms of animal abuse that they wanted to see regulated or banned. If beating or overworking a horse in the streets was criminal, the argument went, then why was it ac-

ceptable to slaughter animals without stunning or to perform painful experiments on them? Were these practices not, in an abstract sense, identical? This reformist logic of equivalence typically clashed with a political logic of difference employed by the opponents of reform to tear apart the new identity chains that were being produced by the reform demands. Committed to policing the traditional boundaries between “normal” and “excessive” animal use, these politicians emphasized the dissimilarities between different uses of animals and attempted to absorb the disputed elements into the existing discursive regime.

The defenders of *status quo* could also turn the table on their reformist colleagues and ask if the latter really wanted to pursue their train of thought all the way to the end. Did they really want to protect *all* animals from cruelty in a broad sense? Would that not lead to absurdities like the end of hunting and fishing—or even meat eating—in general? What would happen to the freedom and progress of science? Moreover, did the “friends of animals” really practice what they preached or were they themselves involved in animal cruelty in various ways? This counter-strategy was powerful as it imposed a kind of self-censorship on the reform politicians who did not want to come off as unrealistic or hypocritical. As a rule, the reformers tempered their demands to fit the available normative language. At the same time, the opponents to reform could never reject the animal protection efforts in principle without slipping into the position of endorsing wanton cruelty. Both sides in the debates, in other words, had to balance their approach to maintain the standards of political decorum and conform to speciesist normality. The problem of animal cruelty could not be allowed grow too big, but neither could it be diminished too much.

The political debates over animal use, I have argued, may be seen as ongoing struggles over what elements would be linked into, or delinked from, the signifying chains that made up the “problem” of animal cruelty. In my view, the movement between different “poles” of attitudes toward animals that is presupposed in previous studies of the same period can be more meaningfully captured in terms of this play between competing political logics of equivalence and difference, with one logic pushing for the expansion of the meaning of animal cruelty and the other one striving to delimit and contain it. In both cases, however, the political stances were taken in an undecidable terrain and without any ultimate foundation to rely on. The chain of fixed discursive moments that was rolled out in one direction could just as soon be rolled back in the other. While certain norms can certainly be regarded as

hegemonic throughout the period, this was always a precarious hegemony haunted by the antagonistic forces that been excluded and repressed in its founding.

This inherent instability of the discourse compounded thanks to dislocatory pressures from the outside. As I have argued, this was a period of rapid modernization and great social upheavals, and these transformations posed “extra-discursive” challenges by producing phenomena that were not directly assimilable into the existing anti-cruelty regime. The early anti-cruelty legislation had a hard time dealing with the new practices of animal use and husbandry that continually emerged. While it was easy to see, for example, that infrastructural changes like long train and boat transports caused animal suffering, the problem was that these new features of the social world did not fit neatly into a discourse where the “ideal” animal abuser was conceived as an uneducated underclass brute. From the standpoint of the old legal regime, dealing with new phenomena like this was like cramming square pegs into round holes; these new practices *seemed* to belong among the other “cruelties,” but at the same time their inclusion disturbed the discursive matrix that had been set up to produce “normal,” recognizable, and—most importantly—politically manageable animal cruelty. These dislocations or “encounters with the Real” prompted repeated attempts to rearticulate the meaning of animal cruelty and domesticate these external intrusions as fixed moments in a coherent symbolic system.

The troubled nature of the anti-cruelty regime manifested itself primarily in the recurring debates over the main requisite for criminal liability in the criminal code, namely the exhibition of “apparent cruelty” in the treatment of animals. The meaning of this concept was at once self-evident and strangely elusive. On the one hand, there were some ways of treating animals that were clearly “over the line.” On the other hand, however, *this line itself* was impossible to locate. Wherever it was drawn, it seemed to bring the politicians more trouble than they had started out with. Moreover, despite all the creative attempts to define it, the meaning of “apparent cruelty” refused to stay in place and lent itself to multiple interpretations. Unintentionally elevated to a discursive nodal point, the signifier “cruelty” had begun capture other signifiers and overflow them with its own metaphorical value, leading to the formation of an open-ended signifying chain that could always expand by incorporating new links. Pushing this logic to the extreme, *any* practice of animal use could be seen as potential “cruelty” just waiting in line to be latched onto this chain of equivalence.

I have interpreted this dilemma as partly resulting from the inconsistent social norms that applied to the treatment of animals; no matter how a given practice was defined, as acceptable or as cruel, it was easy to find a similar practice that was defined the other way around. Bringing closure to this system via an elegant legal definition, therefore, was virtually impossible. Whatever path the politicians choose, it would either lead to an absurd disregard for animal suffering *or* come into serious conflict with speciesist normality, making the crisis an unavoidable fact.

The Role of Ideological Fantasy

I have described the old anti-cruelty regime as founded by an impossible political gesture and therefore continually troubled by constitutive antagonism and dislocation. This highlighting of discursive crisis, however, says little more than the theoretical assumptions that we started out with (that meaning is relationally and negatively created, etc.). What needs to be explained is rather how stability could be maintained for so long *in spite* of this immanent impossibility. To account for this “force” or “stickiness” effect of the period’s hegemonic discourses I have turned to recent attempts to combine discourse theory with Lacanian psychoanalysis. These approaches have emphasized how hegemonic discourses maintain their “hold” of human subjects by manipulating their lack, enjoyment (*jouissance*), and desire. From this perspective, the inevitable failure of discursive realities are routinely offset by the intervention of ideological fantasies. Such fantasies re-stage the gaps in the sense-making structures people that identify with as mere contingent blockages, not seldom in the shape of an external enemy or intruder who threatens social harmony. Serving as the “symptom” of the discourse’s immanent antagonism, this blocking force or enemy is typically turned into a condensation point for a whole series of anxieties ultimately stemming from the failure of the social field to suture itself. Throughout my analysis, I have tried to draw special attention to representations that seem to betray this kind of fantasmatic logic at work.

The first prominent representation that fits this description, I have argued, can be found in the figure of the lower class animal abuser in the 1840s and 1850s (see Chapter 3). This “ideal” perpetrator of animal cruelty came to embody a host of disagreeable traits denounced by the respectable classes: the animal abuser was represented as greedy, savage, prone to drink, and lacking in education, compassion, and self-restraint. Seemingly driven by a lust for violent excess, this figure posed a threat not only to animals, but also

to the social order as such. In my interpretation, this animal abuser came to serve as a surface of projection for a much broader general social crisis of the nineteenth century. To subdue the wild urges of this bogeyman was at the same time to control the passions of the “dangerous classes.”

Another fantasmatic “symptom” can be identified in the figure of the vivisector in the 1880s (see Chapter 4). This time, the target belonged to the well-educated and respectable social strata, but this did not stop the opponents to vivisection from making the experimental scientist the lead character in their own Frankensteinian fantasy scenario. Here, the vivisector came to stand in for the dislocating threat that the modern scientific worldview posed to traditional values and hierarchies. Just like in the case of the lower class animal abuser, the vivisector was attributed with an alien mode of enjoyment, only this time in the form of an excessive passion for “truth.” Again, controlling this excessiveness was represented as necessary to safeguard social order and restore the moral certainties that modernity seemed to demolish at an alarming speed.

In the debates about slaughter, similar fantasies were invoked about the mindsets and motivations among certain “others”—in particular the rural farmers, the Jews, and the Sami—that animated them to slaughter animals without stunning (see Chapter 7). Here, the critique of certain slaughter methods often blended with a distaste for these out-groups’ otherness as such, leading to the reproduction of stigmatizing stereotypes. The Jews, for example, could be represented as culturally underdeveloped, stubbornly resisting assimilation to Swedish moral values, barbaric in their treatment of animals, and dishonest in their claims for religious freedom. The Sami, for their part, were represented as conservative, unwilling to change, ungrateful for their given privileges, and near impossible to educate in humane slaughter practices. The main ideological work carried out by these representations, in my view, was that they displaced the responsibility for slaughter cruelty from “us” to “them” by tapping into a set of obscene fantasies about the other. This in turn made “regular” stunning slaughter look relatively uncontroversial and suppressed critical questions about how well the in-group itself lived up to its ideals about kindness toward animals.

These antipathies toward the others were related to another type of fantasy scenario having to do with the nation and nationalism. A recurring theme in this regard was the representation of Sweden as a particularly animal-friendly country. Whenever the animal cruelty debates veered of track and doubts were raised about the fundamentally harmonious relationship be-

tween humans and animals among “us,” the typical restorative maneuver was to displace the problem of animal cruelty and locate it outside of the country’s borders. In these cases, animal cruelty was typically represented as an essential component of some other cultures, but only as an accidental feature in Sweden.

Not all fantasies, however, were premised on an impending threat. Sometimes the re-staging of antagonism took on a more “beatific” character (Glynos and Howarth, 2007, p. 147), envisioning a distant future characterized by wholly different relations between humans and animals. I have discussed these fantasy visions in terms of an imaginary human–animal harmony or vegetarianism “to come.” However, it should be noted that these eschatological visions were mostly invoked to underscore the impossibility of achieving this blissful state right now. This kind of representation then, expressed a commitment to far-reaching, utopian change while typically blaming the inertia of the people for its unattainability in the present. Nonetheless, these hints toward a very different future betrayed something of the unease at the heart of the reigning hegemonic order.

In the end, what all these fantasmatic operations of displacement and condensation had in common was that they produced different symptoms to “explain away” the crisis in the contemporary discursive regime. By identifying a blocking force that stood in the way for the harmonious resolution of human–animal relations, these fantasies maintained the impression that such a harmony was a real possibility. This in turn allowed desire to be sustained and facilitated identification with the existing order even as its animal-friendly merits were regularly exposed as fraudulent. Thanks to the fantasy-obstacle, the subjects of this discourse never had to seriously deal with the realization that their own society was never that animal friendly to begin with. Moreover, the subjects did not have to confront the idiosyncratic nature of their private relation to lack and enjoyment, their own obscene “deviancy” so to speak. Fantasy foreclosed these traumatic encounters in advance by “filling out” the constitutive gaps in the discourse and dangling the animal abusing other as bait for the subjects’ political passions.

Speciesist Backlash and the Triumph of Difference

In my account for the transition from the old anti-cruelty regime to the modern animal welfare regime, I have put discursive crisis and fantasmatic displacement rather than smooth continuity at the center. Against the assumption that the animal protection act represented another breakthrough

for animal friendly attitudes (however limited and biased), I have suggested that we may read this process as a reaffirmation of speciesist normality, by which I mean the re-naturalization of the norm that animals may be used for human purposes. (Or what amounts to the same thing, the de-contestation and de-problematization of society's institutionalized "animal rites.") The first anti-cruelty law from 1858 had already staked out a space for such uncontroversial animal exploitation, by then understood as a realm of "humane" animal treatment that defined itself in contrast to the excesses of the animal abusing other. The big dilemma for this version of speciesist normality was that the meaning of cruelty always threatened to expand and challenge the boundary between acceptable use and immoral abuse. This expansion had to be contained, and this too was a matter of countering the logic of equivalence with the logic of difference.

I have argued that it is possible to track this "speciesist backlash" further back than the animal protection act from 1944. In the debates around the law revision of 1907, for example, a selective reading of the old anti-cruelty principle allowed it to be reinvented as applicable only to those types of treatment that did not enjoy local acceptance (see Chapter 5). "Apparent cruelty" was no longer to be read as *one* "objective" concept. Instead, it would take on different meanings depending on the context in which it was applied. Thus, while the 1907 law certainly did extend legal protection to some animals in the wild, domestic as well as free-living, it also fragmented and relativized the notion of animal cruelty in an effort to block its further expansion.

The debates over slaughter that recurred from 1887 until 1937 offer another example of this logic of difference at work. Here, the initial question was whether the 1858 law applied to the treatment of animals during slaughter or if it did not. If it did, numerous complications were sensed, including the risk that the killing itself could come to be interpreted as an act of cruelty. Rather than go down this path and invite further boundary trouble, the preferred solution became to regulate slaughter conditions in a new law separate from the anti-cruelty paragraph in the criminal code. By this step, taken in 1937, slaughter was effectively dissociated from the realm of animal cruelty "proper," leaving the slaughterhouses immunized from the anti-cruelty paragraph as long as they conformed to minimal legal standards. This intervention, in other words, "saved" slaughter from being entangled in the expanding sequence of cruelties.

The strategy of imposing difference to arrest and neutralize the expanding chain of cruelties found its most prominent expression in the 1944 animal protection act itself. When this law instituted a new framework consisting of preventative guidelines and minimal standards for animal keeping, it actually generalized the basic principle behind the 1937 slaughter law across the whole spectrum of animal husbandry practices. The most important feature of the new act in this regard was that it furnished all the recently controversial animal issues with tailor-made regulations; one set of rules were put in place for vivisection, another for transports, a third for tail docking, a fourth for castration, and so on. This framework, in other words, did for all controversial usages of captive animals what the slaughter law had already done for slaughterhouses—namely, shield them from the widened interpretations of what might count as animal cruelty. In the same process, the much more pliable notion of “inappropriate suffering” replaced the problematic concept of “apparent cruelty” in the criminal code. This move further undermined the possibility to read the legal prohibition of animal cruelty in an “objective” way (i.e., as representing a fixed threshold of mistreatment). It is true that the new animal protection act stated that animals “shall be treated well and insofar as possible be protected from suffering,” but this wording had none of the objective “absoluteness” that could be read into the previous formulation about “apparent cruelty.” The key phrase was rather “insofar as possible,” which left the judgment of what was “possible” largely up to the animal industries themselves to decide.

To put it in radical terms, we could say that the 1944 animal protection act represented the *full institutionalization of the political logic of difference*. Henceforth, when a new controversial animal issue emerged, the law could quickly incorporate it into its own system of differences and supply it with a unique set of regulations. In short, instead of having to fit square pegs in round holes, the holes would be adjusted to accommodate for the pegs. In its capacity as a framework law, then, the act was absorptive and recuperating by design.

In my view, the real historical significance of the 1944 animal protection act lies precisely in this institutionalization of the logic of difference. This is why it marks an important break in the history of animal treatment. According to my interpretation, the act was not mainly an expression of the animal protection idea moving forward, overcoming numerous obstacles, until it finally reached a new stage. Rather, I see in it a successful effort to overcome the crisis that had been stirring within the previous anti-cruelty regime for

the better part of a century. Somewhat akin to the structure of a Kuhnian “scientific revolution,” the anomalies that had troubled the previous paradigm reached a critical juncture at which a new mode of thinking was needed to bring order to a mass of otherwise unintelligible observations (Kuhn, 1962/1996). But the shift also played a functional role in maintaining species relations. The truly innovative ideological move of the 1944 reform was that it allowed animal friendly sentiments to be further validated without seriously affecting the edifice of the speciesist social order. In practical terms, the act changed very little. If anything, it can be argued that it opened up broad new avenues for animal exploitation by eliminating the old principle of “apparent cruelty” precisely at a time when cruel treatment began to be institutionalized in large scale. At the symbolic level, however, it was easy to frame the new animal protection act as a significant, even historic, achievement to the animals’ benefit.

III. IMPLICATIONS FOR FUTURE RESEARCH

While the results of this study are not immediately transferable to other periods and places, it does offer an opportunity for analytic generalization and theoretical elaboration (Flyvbjerg, 2006; Yin, 2014). The main hypothesis derived from this book in this regard is that the emergence of the modern animal welfare regimes may not be straightforwardly attributable to a growing concern for animals in the Western world. If more attention is paid to the breaks, discontinuities, strategic power struggles, and affective dimensions in the historical debates over animal policy, another picture may emerge in which animal welfarism takes a place subordinate to, and functional in, the reproduction of speciesist power relations. Whether Sweden really is a “paradigmatic” case of animal welfarism and if my chosen approach is meaningful in other contexts remains to be seen, of course. Nonetheless, I think that this book has established the *prima facie* conceivability of such a project. The natural extension of this research agenda would be to take a similar approach to the development of the same policy area in other countries and in other periods.

In methodological terms, this study has argued for the added value of complementing discourse theory with a psychoanalytical theory of the subject. Discourse analyses may offer “thick descriptions” and deep insight into the symbolic coordinates that guide human behavior, but they do not by themselves explain why socially constructed realities change or stay the same. Nor do they explain why some discourses turn out to be more promis-

ing candidate for hegemony than others. Traditional modes of discourse analysis have had a hard time dealing with these problems without making metaphysical appeals to some external determinant or reverting to essentialist assumptions about human nature. In contrast, this study has drawn on a negative, post-Marxist ontology and a Lacanian view of the subject as a subject of lack in an effort not to abandon materialism, but to defend it in a more radical form—to affirm, as Laclau and Mouffe (1987/1990) have put it, the “irreducibility of the real to the concept” (p. 107). By highlighting the immanent antagonism of every meaningful structure along with its overdetermined nature and ultimate openness to dislocation by unexpected and unassimilable events, this approach retains a space for explaining change without making undue metaphysical assumptions about final causes. Moreover, by connecting this ontology to a corresponding theory of the subject as fundamentally incomplete, a “motor” behind identification is conceived that allows us to account for discursive sedimentation and institutionalization without reverting to essentialism.

Bringing these modifications to the already powerful “what’s the problem represented to be?” framework developed by Carol Bacchi, I have sought to provide the latter with a more consistent social ontology and extend its explanatory potential. I hope that the analysis of the historical problem representations in this book have indicated the relevance of probing not only the semiotic dimension of discursive formations but also the affective investments and fantasies that keep them in place and endow their transformations with distinct trajectories. At the same time, it must be admitted that this endeavor remains a speculative one. One of the most important methodological challenges for this mode of analysis concerns how to adequately operationalize and make researchable the fantasmatic logics it posits as a theoretical precondition for social sense-making. Nonetheless, the approach shows promise, not only for future inquiry but also for revisiting and re-articulating past research in the light of these dimensions.

IV. IMPLICATIONS FOR ANIMAL ADVOCACY TODAY

The triumph of the logic of difference that I have identified behind the 1944 animal protection act did not represent the end of history. Even though the reform elicited very little debate, it did not achieve permanent discursive closure. Naturally, it was still possible to problematize the treatment of animals and take reform initiatives against animal cruelty also after 1944 (indeed, the first motions complaining about the animal protection act’s

inefficiency started to appear only a year after the law came into force). In some important ways, however, the institutionalization of this logic still weighs heavily on the debates over animal treatment today. We can see this whenever an animal cruelty “scandal” is revealed in, say, contemporary agribusiness or in the pharmaceutical industry. When something like this happens, the response is invariably to frame the event as a contingent and accidental deviation. If something goes wrong, it is typically framed as a minor, local wrong that can be rectified by moderate tweaking of the particular rule or routine that happened to fail. The problem is never located in the system of animal welfare itself (that made all this legal to begin with and arranged all the springs needed for the scandal to occur), but displaced and concentrated to some inessential part of the whole, or to some factor or group on the “outside” (see also Svård, 2012)

This way of representing and managing the problem of animal cruelty relies on the hegemonic assumption that the contemporary animal welfare regime is exhaustive of human obligations to animals. In other words, there is little need to question the system as such; the only thing we need to do is to perform regular maintenance on it and update it as needed. From this perspective, contemporary animal welfarism keeps repeating the ideological operation that the 1944 reform inaugurated; it takes the morally controversial outcomes stemming from the routine, systemic devaluation of non-human animals in this society and re-stages them as accidental “deviations” that are never more difficult to deal with than the modification of a subparagraph or the clarification of some operational procedure.

What is more, this “splitting” of the speciesist social order into a number of fragmented and disconnected practices finds a peculiar mirror image in the contemporary animal advocacy movement, with its focus on single-issue campaigns and legal reform initiatives in one area at the time. The idea behind this strategy, of course, is that it will advance the animal cause on every front, pragmatically improving conditions for the animals step by step, while, at least in the case of the more radical groups, simultaneously placing a bid for full animal liberation sometime in the future. However, as I mentioned in the Introduction, this approach has been strongly criticized by the abolitionist wing of the movement for leading to co-option and de-radicalization. Although this book does not primarily address this contemporary conflict, the political genealogy of human–animal relations that I have presented here does place this debate in a partly new light. Given the results of this study, the “neo-welfarist” animal rights organizations of today

would seem to have good reason to question what they count as “progress,” and ask to what extent their fragmented and fragmenting strategies contribute to the further obfuscation of the systematicity of non-human exploitation. If not, the risk is that they will act as unwitting participants in the disassembling of their own emancipatory project through the logic of difference.

The contemporary “abolitionists,” for their part, resist participation in the welfarist game altogether. To them, respecting non-human rights means a steadfast refusal to take part not only in the direct exploitation of animals, but also in any reformist or system-preserving activity that might lend legitimacy to the speciesist social order. In this way, they maintain a strict commitment to the political logic of equivalence. What this book may offer them is the realization that animal liberation is not just a matter of making a principled stance and escaping state co-optation. Nor is it enough merely to expose the deceitfulness of the animal welfare regime. The problem with animal welfarism today is not necessarily that people believe in it, but rather that they believe that others believe in it, which in turn licenses them to fall back into the folds of the social bond and keep acting like they always did.

What the history of animal protection ultimately suggests—along with so many other emancipatory struggles—is that mere unmasking is impotent when it comes to effecting deep social change (Stavrakakis, 2007; Žižek, 2010). Knowledge, in other words, does not straightforwardly translate into action. To oppose animal cruelty is one thing—to *desire* and *begin to realize* animal liberation is another thing completely. Merely revealing the shortcomings of the contemporary animal welfare regime will do little to unbind the investments people have in society’s institutionalized “animal rites.” Just like in the late nineteenth and early twentieth century, the defenders of *status quo* can count on most people to acquiesce and quietly revert to their old ways shortly after any animal cruelty “scandal” or information campaign. This does not mean that people cannot see that things could be different, only that they are likely to “cling to their symptom” and repeat the ritualized behaviors that come with their constitution and positioning as subjects. What fails them, in other words, is not their *knowledge* but their *desire*.

What is needed for real change, therefore, is a withdrawal of psychic energies from the discourses people are invested in, and the subsequent re-investment of these energies in another symbolic framework—the formation of an alternative “social bond,” as it were—one that makes attunement with and respect for non-human beings an integral part of “our way of life.” If and

CONCLUSIONS

how this might be done, I do not know. I do believe, however, that such a process must entail the animal rights movement harnessing the dialectic of lack, enjoyment, and desire for its own ends. For those of us who hope for a radical re-evaluation of the status of non-human animals, this is a challenge that remains to be met.

Sammanfattning

INTRESSET FÖR DJUR-MÄNNISKA-RELATIONEN har växt dramatiskt under de senaste fyrtio åren, både inom och utanför akademien. Under dessa årtionden har vi kunnat bevittna både framväxten av en ny kritisk djurrättsfilosofi och uppkomsten av en social rörelse för djurens frigörelse. Under samma tid har den kognitiva etologin har medfört ett paradigmskifte i synen på ickemänskliga djurs medvetanden, samtidigt som människors förhållningssätt till miljö, natur och djur har genomgått stora förändringar. Parallellt med dessa utvecklingsspår har ett nytt forskningsfält av människa-djurstudier uppstått. Denna utveckling startade inom moralfilosofin i början av 1970-talet, men spreds snabbt till andra discipliner som historia, sociologi, antropologi, litteraturvetenskap, genusvetenskap, kulturstudier och juridik (se Flynn, 2008; Nocella, Sorenson, Socha, & Matsuoka, 2014; Taylor & Twine, 2014).

Bland statsvetare och politiska filosofer har emellertid intresset för ”djurfrågan” – *the animal issue* – varit relativt litet. Det är först nyligen som politiska teoretiker på allvar börjat intressera sig för relationerna mellan människor och andra djur (se till exempel Garner, 1993, 1996, 1998, 2013; Nussbaum 2004, 2006; Donaldson & Kymlicka, 2011; Pachirat, 2011; O’Sullivan, 2007, 2011; Cochrane 2010, 2012; Smith, 2012; Wadiwel, 2015). Som David Schlosberg och Marcel Wissenburg (2014) konstaterar i en nyutkommen antologi om djur och politik finns det i dag ”en hel akademisk industri som sysslar med djurrätt, djurskydd och djuretik, samtidigt som väldigt lite har gjorts på det politiska området” (s. 1). När djurfrågan undantagsvis har uppmärksammats inom politikvetenskapen har intresset vanligtvis följt spår som trampats upp inom andra discipliner. Antingen har man följt den moralfilosofiska linjen och ställt normativa frågor om djurens moraliska ställning och rättigheter, eller så har man antagit ett ekologiskt eller miljöfilosofiskt perspektiv där djur uppfattas som delar av ekosystemen snarare än som individer. Betydligt mindre energi har ägnats åt empiriska stu-

dier av djurpolitiken som sådan, det vill säga åt de processer och ideologier som formar och reglerar den faktiska behandlingen av andra djur.

Samtidigt kan man hävda att några av de viktigaste och mest akuta frågorna rörande djur-människa-relationen är just *politiska* i detta avseende. Risken med att närma sig dessa frågor enbart ur djuretiskt eller ekologiskt perspektiv är att de *strukturella* dimensionerna av djurbehandlingen hamnar i skymundan. Frågan gäller nämligen inte bara hur vi bör behandla andra varelser – vi måste också analysera under vilka historiska och institutionella omständigheter vårt samröre med andra djur äger rum till att börja med. När djur-människa-relationen angrips från detta håll situeras den plötsligt bland den politiska teorins kärnfrågor: Vad är ett rättvist samhälle? Finns det några plausibla organisatoriska principer för ett sådant samhälle som är förenliga med att miljarder kännande varelser reduceras till objekt och görs till föremål för systematiskt utnyttjande? Om inte, vad är det som står i vägen för förändring? Och hur kan dessa hinder övervinnas? Här stöps problematiken om: frågor om personlig moral ersätts av ett kritisk-teoretiskt fokus på frågor om samhällelig *rättvisa* och asymmetriska *maktrelationer*. Genom denna ”politiska vändning”, menar jag, förflyttas också ”djurfrågan” från statsvetenskapens marginaler till där den hör hemma – i den kritiska politiska analysens centrum (se Wyckoff, 2014b; Jenkins, 2012; Pedersen & Stănescu, 2012).

DJURSKYDDSIDEOLOGINS UPPKOMST

Uppgiften att empiriskt studera djurutnyttjandets realpolitik har hittills huvudsakligen fallit på andra discipliner än statsvetenskapen. Många kritiska sociologer, antropologer och filosofer har till exempel undersökt relationerna mellan djurutnyttjande, moraliska utslutningsmekanismer och förtryck av människor (Nibert, 2002, 2013; Noske, 1997; Patterson, 2002; Sanbonmatsu, 2011; Spiegel, 1989; Torres, 2007). Ett flertal feministiska djurrättsförespråkare har också utforskat det intersektionella samspelet mellan sexism och speciesism (Adams, 1990; Adams and Donovan, 1995, 2007; Birke, 1994; Gålmark, 2005; Luke, 2007; MacKinnon, 2004; Oliver, 2008; Wyckoff, 2014a). Flera historiker och historiskt orienterade forskare har vidare bidragit till vår förståelse av djur-människa-relationens förändringar över tid (se, till exempel, Ritvo, 1987, 1997; Kean, 1998; Kete, 2002, 2007; Franklin, 1999; Thomas, 1984; Tester, 1991; Malamud, 2011; samt, för Sveriges del, Alexius Borgström, 2009; Bromander, 1971, 1987; Dirke, 2000; Cserhalmi, 2002, 2004; Falkengren, 2005; Gålmark, 1997a).

Även om dessa undersökningar med nödvändighet har behandlat många politiska teman – och aktivt bidragit till en politisering av många naturaliserade föreställningar om djur–människa-relationen – så har mycket lite forskning riktats mot hur förhållandet mellan arterna har artikulerats inom statens formella politiska arenor. Inte heller har mycket intresse visats för uppkomsten av det sedan länge dominerande paradigmet inom djurpolitiken, nämligen *djurskyddsideologin* eller, med det uttryck jag använder i denna bok, *djurskyddsregimen*.

Denna bok intresserar sig för den historiska övergången mellan två diskursiva regimer som kan identifieras i den svenska djurpolitiken under perioden 1844–1944. Jag har kallat dessa två regimer för ”antidjurplågeriregimen” respektive ”djurskyddsregimen” (se Tabell 1 i inledningskapitlet) och gjort det till min uppgift att teoretisera den process genom vilken den senare regimen ersatte den förra som det huvudsakliga ramverket för reglering och legitimering av samhällets djuranvändning.

Med ”antidjurplågeriregimen” avser jag här den sortens policyer och bestämmelser mot djurmisshandel som inrättades i många europeiska länder vid mitten av 1800-talet. Dessa lagar stiftades ofta i ”sedlighetens” namn och inriktades mot att stoppa öppet våld mot djur genom att hota enskilda individer med böter eller fängelse.

Efter en tid kan man dock urskilja ett skifte i politikens inriktning. Istället för att fokusera på enskilda djurplågare och fördöma deras moraliska tillkortakommanden så började djurpolitiken glida över till handla om positiva regleringar, differentierade bestämmelser för olika typer av djuranvändning, krav på minimistandarder i djurhållningen och systematiska inspektionsrutiner. Under 1900-talet kom denna typ av djurskyddsregim att framträda som en hegemonisk modell för både lagstiftningen och den allmänna debatten kring behandlingen av djur, en position som den behåller än i dag.

Detta är kanske särskilt sant för Sveriges del, ett land där djurskyddsmentaliteten utövar ett starkt grepp över den offentliga debatten. Sveriges första lag mot djurplågeri trädde i kraft år 1858 (SFS 1857:61), och efter ett antal revisioner av denna lagparagraf fick landet sin första mer omfattande djurskyddslag år 1944 (SFS 1944:220). Det är ingen överdrift att säga att de idéer som underbyggde denna första djurskyddslag har haft ett genomgripande inflytande i landet. När behandlingen av djur diskuteras i Sverige så återkommer ständigt föreställningen om en särskild svensk djurvänlighet, tillsammans med en stark tro på historiska framsteg (Diesen & Mille, 2009). I motiveringen till Sveriges nu gällande djurskyddslag från 1988 (SFS

1988:534) kan man till exempel läsa att ”I vårt land har djurskyddet en bred och djup förankring i människors medvetande. Som en viktig del av vårt kulturarv ingår att djur skall garanteras skydd.” (Proposition 1987/88:93, s. 14)

Samtidigt förblir det oklart vad denna ”breda och djupa förankring” och detta ”kulturarv” egentligen innebär. Trots djurskyddsregimens genomgripande inflytande i vår egen tid är det långt ifrån klart *hur den uppstod* och *hur den kom att ersätta* den tidigare dominerande regimen som den universella politiska ”lösningen” på alla problem som har att göra med behandlingen av djur.

Det vanligaste antagandet i detta hänseende verkar vara att den moderna djurskyddsregimen helt enkelt växte fram ur den tidigare, mer begränsade antidjurplågeriregimen, som dess naturliga och logiska förlängning. Detta antagande, som också tycks ligga implicit i en del tidigare forskning kring synen på djur under samma period (se kapitel 2) ger en bild av kontinuerlig progression i ”djurvänlighetens” utveckling. Ur detta perspektiv framstår den moderna djurskyddsideo­login lätt som något som med självklarhet utvecklades när avsmaken för djurplågeri växte och samhällets attityder till djur mognade.

Samtidigt kan denna bild av djurskyddsideo­login som den samhälleliga djurvänlighetens högsta och (hittills) mest utvecklade stadium problematiseras. Under de senaste årtionden har en debatt om det statliga djurskyddandets meriter och tillkortakommanden blossat upp inom den internationella djurrättsrörelsen. Här har allvarliga frågor börjat ställas om djurskyddets historiska utvecklingsbana: Har djuren verkligen fått det bättre över tid eller har förhållandena förvärrats? Står det moderna djurskyddet verkligen för ett otvetydigt historiskt framsteg, eller har dess roll främst varit att skyla över djurförtryckets ständiga expansion? Framstår det inte som en oroande paradox att utnyttjandet av djur har intensifierats som aldrig förr just under den regimen som gör anspråk på att skydda dem?

Inom djurrättsrörelsen kan man i dag urskilja en ganska långtgående splittring när det gäller hur djurskyddsregimen ska förstås. Å ena sidan finns det en reformsinnad majoritet som i huvudsak ser den moderna djurskyddslagstiftningen som en historisk framgång och fortsatta reformer som nödvändiga steg på vägen mot djurens fullständiga frigörelse (se exempelvis Phelps, odat., 2007, 2015; Friedrich, 2011; Garner i Francione & Garner, 2010). Å andra sidan står den ”abolitionistiska” falangen av djurrättsrörelsen som menar att djurskyddets vinster för djuren i stort sett har varit illuso-

riska. Ur detta perspektiv har djurskyddets historiska roll främst varit att skyla över det speciesistiska (djurförtryckande) samhällets motbudande verklighet och döva konsumenternas samveten, samtidigt som våldet mot djur konstant har ökat. Här framstår tanken på att djurens frigörelse skulle stå att finna längs den politiska reformvägen som rent kontraproduktiv. Istället för att bedriva kostsamma politiska kampanjer borde djurrättsrörelsen ägna sig åt medvetandehöjande arbete och propaganda för veganism (se Francione, 1996, 2000, 2008; Francione i Francione & Garner, 2010; Dunayer, 2004; Hall, 2006, 2010).

Denna bok syftar inte till att avgöra denna samtida konflikt. Däremot tar den sin utgångspunkt i ett kritiskt djurrättsperspektiv och i den paradox som uppmärksammats av de abolitionistiska kritikerna – nämligen hur det kommer sig att djurskyddsregimen så lätt låtit sig förenas med en kraftig expansion av det samhällsliga djurutnyttjandet. Det som intresserar mig mer konkret är hur den svenska djurskyddsregimen uppnådde sin hegemoniska ställning, och huruvida vi gör rätt i att föreställa oss dess framträdande som det självklara ”nästa steget” i den samhällsliga djurvänlighetens utveckling efter den gamla antidjurplågeriregimen. Det främsta motivet med undersökningen är med andra ord att hjälpa oss förstå och möjliggöra en kritisk granskning av vår egen tids attityder till djur.

Lagstiftning om djurplågeri och djurskydd 1736–1945

Före år 1858 fanns det inte någon särskild lag mot djurplågeri i Sverige. Den enda tidigare bestämmelse som reglerade hur icke-mänskliga djur fick behandlas fanns i Byggningsbalken från 1736. Där stadgades att den som sårade eller dödade ”annans få eller hund” kunde dömas till böter samt till att kompensera djurets ägare (Byggningsbalken, kapitel 22). Denna lag var dock att betrakta som ett rent egendomsskydd. Det var inte djurets egna intressen som stod i centrum, utan ägarens ekonomiska förlust.

Sveriges första lag mot djurplågeri i modernare mening stiftades av riksdagen år 1857 och trädde i kraft år 1858. Denna lag fick följande lydelse: ”Visar någon i behandling af egna eller andras kreatur uppenbar grymhet; straffes med böter från fem till och med etthundra Riksdaler Riksmünt (SFS 1857:61).

När landet fick en ny strafflag år 1864 flyttades djurplågeriparagrafen oförändrad över till detta lagrum, där den hamnade under kategorin ”sedlighetsbrott”. År 1890 höjdes maxböterna för brottet till 500 kronor, och år

1900 infördes även fängelse i högst sex månader i straffskalan (om omständigheterna var ”synnerligen försvårande”).

År 1907 ändrades djurplågeriparagrafen så att den även kom att omfatta djur i det vilda. Dess nya lydelse blev: ”Visar någon i behandling av djur uppenbar grymhet; straffes med böter. Äro omständigheterna synnerligen försvårande; må till fängelse i högst sex månader dömas.” (SFS 1907:44)

År 1921 ändrades paragrafens lydelse igen till: ”Visar någon i behandling av djur uppenbar grymhet, genom misshandel, överansträngning, vanvård eller annorledes, straffes för djurplågeri med böter. Är djurplågeriet av svår beskaffenhet eller äro omständigheterna synnerligen försvårande; må till fängelse i högst sex månader dömas.” (SFS 1921:187)

År 1937 instiftades Sveriges första slaktlag. Den första paragrafen i lagen fastslog att ”Vid slakt av husdjur skall omedelbart före blodets avtappande djuret bedövas. Utan föregående bedövning må dock fjäderfå och kaniner avlivas därigenom att huvudet hastigt skiljes från kroppen.” (Proposition 1937:188, s. 2)

År 1944, slutligen infördes landets första preventiva djurskyddslag med en portalparagraf som lød: ”Djur skall behandlas väl och såvitt möjligt skyddas mot lidande.” (2 §) Därtill stadgades att vid djurförsök ”må ej större lidande tillfogas djuret än som är oundgängligt” (13 §). (Proposition 1944:43, s. 2, 4)

1944 års djurskyddslag ersatte emellertid inte den gamla djurplågeriparagrafen helt utan kompletterade den endast med ett förebyggande regelverk. Samtidigt ändrades paragrafen i strafflagen till ”Den som, genom misshandel, överansträngning, vanvård eller annorledes utsätter djur för otillbörligt lidande dömes för djurplågeri till böter eller fängelse.” (SFS 1944:220)

Den nya djurskyddslagen och den reviderade djurplågeriparagrafen trädde i kraft den 1 januari 1945.

SYFTE OCH FRÅGESTÄLLNINGAR, TEORI OCH METOD

Med den här boken vill jag göra ett bidrag till djur-människa-relationens politiska historia på två sätt. För det första redogör jag på ett relativt heltäckande sätt för den historiska utvecklingen inom ett policyområde som inte tidigare uppmärksammats särskilt mycket av den statsvetenskapliga forskningen. För det andra erbjuder jag en kritisk omtolkning av den tidiga svenska djurpolitiken och framväxten av den svenska djurskyddsideologin. Bokens främsta syfte är härvidlag att utveckla en kritisk, dekonstruktiv gene-

alogi för begreppen djurplågeri och djurskydd såsom de brukades i den svenska djurpolitiken från mitten av 1800-talet till mitten av 1900-talet. Två frågeställningar har stått i centrum för detta projekt:

- Hur uppstod och förändrades det politiska problemet med djurplågeri under det sekel som undersökningen omfattar?
- Är det rimligt att tolka den nya orienteringen inom djurpolitiken under 1930- och 1940-talen som resultatet av en obruten utveckling av humanitära värderingar, eller har vi skäl att ifrågasätta denna progressionsberättelse?

För att besvara dessa frågor vänder jag mig i denna bok till de tidiga debatterna om djurplågeri och djurskydd som ägde rum i den svenska riksdagen, från den första motionen i frågan från år 1844 till och med stiftandet av Sveriges första preventiva djurskyddslag år 1944. Det som främst intresserar mig är hur djurplågeri och djurmishandel kom att artikuleras som politiska ”problem” i behov av reglering, liksom hur dessa problem (med åtföljande lösningsförslag) förändrades över tid.

Teoretiskt och metodologiskt utgår studien från ett postmarxistiskt och psykoanalytiskt perspektiv på samhälleliga diskurser och ideologier (Laclau & Mouffe, 1985/2001; Stavrakakis, 2007). Kortfattat innebär detta att jag uppfattar de ”problem” som formulerades av riksdagen och regeringen som historiskt kontingenta konstruktioner – *problemframställningar* eller *problemartikulationer* – som ytterst måste tolkas som produkter av den särskilda maktsituation inom vilka de uttalades. Ett grundläggande antagande här är att politiska problem inte uppträder som oberoende, yttre ”verkligheter” som politiker och andra aktörer endast har att reagera på. Istället betonas att samhälleliga aktörer är delaktiga i att producera problemen *som* problem. Att framställa något som ett politiskt problem involverar alltid att åkalla vissa världsbilder eller samhälleliga ontologier inom vilka problemet i fråga framstår som givet eller självklart. Politiska problem är med andra ord alltid delaktiga i skapandet av den sociala verkligheten (Bacchi, 1999, 2009, 2012; Boréus, 2010).

Av detta synsätt följer några viktiga sociala, politiska och vetenskapliga konsekvenser. För det första, att människor lever stora delar av sina liv genom de problematiseringar av verkligheten som har förskansats i hegemoniska diskurser. För det andra, att politisk kamp till stor del är en kamp om makten över problemframställningarna eftersom dessa sätter ramarna för

vad som kan tänkas, sägas och göras inom varje givet diskursivt system. För det tredje, att en samhällsanalys med kritiska ambitioner måste intressera sig för vilka problemframställningar som dominerar politiken, liksom hur dessa konstrueras.

Förutom denna ingång till studiet av politiska problem bygger denna undersökning på vissa element hämtade från den lacanska psykoanalysen (se Žižek 1989/2008; Stavrakakis, 1999, 2007; McGowan, 2013; Edelman, 2004). Här betonas inte bara att den sociala verkligheten är en diskursiv konstruktion. Stor vikt läggs också vid de affektiva, känslomässiga krafter som binder människor i lojalitet mot vissa dominerande världsåskådningar.

Enkelt uttryckt kan man säga att det lacanska perspektivet står för en filosofisk antropologi där det mänskliga subjektet präglas av en kronisk ”brist”. Denna brist uppstår samtidigt som subjektet självt, i samma ögonblick som barnet träder in i språkets värld och börjar göra en distinktion mellan sig själv och andra. Från denna stund är barnet tvunget att formulera sin egen identitet utifrån de språkliga element som samhällets förhärskande diskurser gör tillgängliga. Det stora problemet är emellertid att språkets abstraktioner aldrig fullt ut kan fånga den konkreta mänskliga existensen. Här uppstår ett skavande glapp mellan vår levda erfarenhet och de identifikationer som finns tillgängliga, vilket medför att det mänskliga tillståndet alltid framstår som ett tillstånd av ofullständighet. Psykoanalytikern Jacques Lacan formulerade detta som att inträdet i språket sker till priset av en ”kastration” genom vilken subjektet berövas en ursprunglig känsla av helhet eller njutning (*jouissance*). Detta berövande väcker i sin tur subjektets begär efter att återvinna det som gått förlorat, vilket ger upphov till en outtröttlig jakt på nya identifikationer (vilka i sin tur är dömda att misslyckas, och så vidare).

Denna psykologiska disposition får politiska konsekvenser på så sätt att människor lämnas sårbara för den sortens diskurser som lyckas manipulera deras brist eller locka dem med löftet om att återställa deras förlorade njutning. En viktig instans i denna process är vad filosofen Slavoj Žižek (1989/2008) har kallat den ”ideologiska fantasin”. Här åsyftas en psykologisk funktion som stimulerar det mänskliga begäret genom att täcka över bristerna i de diskurser vi identifierar oss med. Den ideologiska fantasin verkar i huvudsak genom att ”bortförklara” de dominerande diskursernas inkonsekvenser och skavanker. Istället för att framstå som de tillfälliga och historiskt konstruerade system de faktiskt är, upplevs de hegemoniska meningssystemen genom fantasins skärm som i grunden stabila storheter. Det typiska mönstret är att de sociala problem som samhällsorganisationen själv ger

upphov till förskjuts till ett yttre hinder eller en ”fiende” som beskylls för att sabotera samhällets harmoni. Tack vare denna förskjutning behöver det ideologiskt interPELLerade eller ”gripna” subjektet aldrig konfrontera det traumatiska faktum att diskursen aldrig kommer att kunna bota dess egen brist (Glynos & Howarth, 2007; Stavrakakis, 1999, 2007; Svärd, 2011b, 2011c, 2012; Svärd och Tinnerholm Ljungberg, 2013).

I denna bok intresserar jag mig främst för hur denna fantasmatiske dialektik kom till uttryck i de historiska debatterna om djurplågeri och djurhållning. Särskilt fokus läggs på hur ”djurplågaren” konstruerades som en avvikande och hotande ”andre”, och hur denna position fungerade som en konstitutiv utsida som fick det vardagliga utnyttjandet av djur – till mat, kläder, experiment, underhållning, och så vidare – att framstå som normalt och okontroversiellt. För att fånga de historiska problemframställningarna har följande analytiska frågor genererats ur de just nämnda teoretiska ståndpunkterna:

- Hur framställdes problemet med behandlingen av djur i de politiska debatterna under perioden?
- Vilka lösningar lyftes fram?
- Vilka typer av djurutnyttjande/djurbehandling förblev oproblematiserade?
- Vilka var de diskursiva villkoren för att just dessa problemframställningar skulle framträda (både i termer av deras underliggande antaganden och i termer av diskursiva antagonismer och dislokationer)?
- Vilka produktiva effekter hade dessa problemframställningar (i termer av de sociala kategorier och identiteter de gav upphov till)?
- Vilka affektiva investeringar och ideologiska fantasier underbyggde dessa problemformuleringar?

FRÅN DJURPLÅGERIFÖRBUD TILL DJURSKYDD

Den konkreta utvecklingen inom djurpolitiken spåras i denna bok i sex empiriska kapitel som bygger på samtliga riksdags- och regeringsdokument (debatter, motioner, propositioner, interpellationer och statliga utredningar) i djurplågeri- och djurskyddsfrågor under perioden.

I kapitel 3 visar jag hur de tidigaste debatterna om djurplågeri på 1840- och 1850-talet främst kretsade kring problemet med djurplågeri bland de

lägre samhällsklasserna. I linje med en bredare europeisk utveckling vid samma tid var de utbildade högre klasserna i Sverige benägna att manifesteras sin egen moraliska finess genom att göra djurvänligheten till en måttstock för samhällets civilisationsgrad (se kapitel 2 och Cserhalmi, 2004). Inom djurpolitiken etablerades vid denna tid en klassideologiskt färgad ”idealbild” av djurplågeriet, där den utpekade djurplågaren som regel var en utbildad arbetare eller bonde som påstods misshandla eller vansköta sina djur på grund av girighet, råhet eller brist på självkontroll. De flesta debatter under denna period handlade om misshandel av offentligt synliga eller symboliskt högt värderade djur som hästar och andra dragdjur. Klagomålen om djurplågeri kretsade i sin tur främst kring att djur utsattes för fysiskt våld, utsattes för hårt väder eller överansträngdes i arbetet. Psykiskt lidande hos djur eller deras övriga levnadsomständigheter diskuterades däremot inte som möjliga problem i behov av reglering under denna period.

Vidare fanns en stark konsensus kring föreställningen om att djur fanns till för människor att använda. Denna tanke förankrades ofta i en gammal (grekisk–katolsk) tankefigur om att alla livsformer utgjorde en *scala naturae* eller en kosmisk hierarki med Gud och människan i toppen och djur och växter i botten. Denna hierarkiska kosmologi återkom i olika skepnader under hela perioden, som regel för att ge näring åt argumentet att de högre stående varelserna hade en naturlig rätt att utnyttja de lägre stående. Men samtidigt som människans härskarroll naturaliserades på detta sätt fanns det också en uppfattning om att djuren i någon mån var skyddsvärda för sin egen skull och att människan från sin upphöjda position hade ett särskilt ansvar för den lägre skapelsen.

I tidens politiska debatter växlade argumenten för att reglera behandlingen av djur mellan en ressentimentfylld vilja att disciplinera djurplågarens råa sinne och en uppriktig ambition att minska djurens lidande. Lösningförslagen växlade i sin tur mellan krav på avskräckande straff och förhoppningen att samhällsmoralens utveckling snart skulle leda till att det mesta av djurplågeriet upphörde av sig självt.

Utfallet av 1840- och 1850-talets debatter blev en lag som trädde i kraft 1858. Där fastslogs att den som uppvisade ”uppenbar grymhet” i behandlingen av ”egna eller andras kreatur” kunde dömas till böter (SFS 1857:61). Det centrala begreppet här – ”uppenbar grymhet” – visade sig dock vara synnerligen svårtolkat. Framför allt visade det sig vara svårt att dra en tydlig gräns mellan acceptabel djuranvändning och oacceptabelt djurplågeri. Så snart en viss praktik stämplades som ”uppenbart grym” visade det sig att

samma kritik lika gärna kunde riktas mot en hel rad andra former av djuranvändning som åtnjöt full samhällelig acceptans. Dessa tolkningssvårigheter, menar jag, vittnar om att det redan från början fanns en grundläggande antagonism inom djurplågeridiskursen. Denna spänning ledde till återkommande debatter kring innebörden av begreppet ”uppenbar grymhet”, men den antagonistiska revan kunde aldrig riktigt övervinnas inom ramarna för den diskursiva regim som dominerade 1800-talets politiska tal och tänkande kring behandlingen av djur.

I kapitel 4 studerar jag 1880-talets intensiva debatter om djurförsöken, eller ”vivisektionen” som verksamheten vanligen kallades. Här argumenterar jag för att problemframställningarna kring vivisektionen starkt påverkades av att verksamheten blev något av ett slagfält i en mycket mer omfattande kamp mellan olika elitideologier. Det som ytterst stod på spel i denna tid av snabb modernisering och stora sociala omvälvningar var vilken roll vetenskapen och dess världsbild skulle ha. Kristen idealism och traditionella värderingar bröts mot naturvetenskapens materialistiska och utilitaristiska böjelser, och i denna kamp framträdde de redan kontroversiella djurförsöken som ett särskilt intensivt oroscentrum. Enligt vivisektionens kritiker, både i och utanför riksdagen, representerade djurförsöken det allra värsta hos den skenande vetenskapliga moderniseringen. Vivisektionen framställdes som en växande internationell trend som inte bara orsakade ett ohyggligt lidande utan också hotade att undergräva samhällsmoralen i stort. I vivisektionen såg kritikerna en fasansfull vision av hur vetenskapen och det instrumentella förnuftet löpte amok och söndertrampade alla etablerade värden.

De politiker som ville reglera djurförsöken lutade sig ofta på lagen från 1858 som förbjöd uppvisande av ”uppenbar grymhet” i behandlingen av djur: Hur kunde det komma sig att de grymheter som ägde rum bakom laboratoriernas slutna dörrar inte räknades som kriminella överträdelser i relation till denna lag? Till svar framhävde djurförsökens försvarare att vivisektionen i Sverige var av ringa omfattning och att den medförde en avsevärd samhällsnytta. En lagstiftning som inskränkte vivisektionen, varnade de, riskerade att avskaffa den vetenskapliga friheten och ödelägga utsikterna för ytterligare framsteg. Mot anklagelserna om djurplågeri kontrade de med en anklagelse om hyckleri bland kritikerna: Var de inte själva på olika sätt inblandade i plågsamt utnyttjande av djur? Stod inte aktiviteter som jakt, fiske och kastrering av lantbruksdjur för oändligt större plågor än vivisektionen? Försvaret av djurförsöken skrevs också in i ett ramverk av vad jag har valt att kalla för ”tragisk naturalism”. Här framställdes vivisektionen inte

som ett val utan som en beklaglig nödvändighet, en börda som tvingats på mänskligheten i en moraliskt fördärvad värld

Mot dessa argument hade vivisektionens kritiker svårt att bjuda annat motstånd än ett resolut fasthållande vid ideal som medlidande och måttfullhet. Trots återkommande heta debatter under hela 1880-talet infördes ingen reglering av verksamheten. Vad som däremot åstadkoms genom konflikten kring djurförsöken var en destabilisering av den gamla antidjurplågeriregimen. När djurförsöken plötsligt politiserades utmanades bilden av det ”ideala” djurplågeriet som ett strikt underklassfenomen. Begreppet ”uppenbar grymhet” började förskjutas och utvidgas, och det blev allt mer oklart var gränserna skulle dras mellan kriminellt djurplågeri och annan djuranvändning.

I kapitel 5 följer jag de fortsatta debatter som ledde fram till den första större revisionen av strafflagens paragraf om djurplågeri år 1907. Detta år utvidgades paragrafens skydd till att också gälla djur i det vilda och inte bara djur som ägdes av en människa (”egna eller andras kreatur”). Kapitlet framhäver de ihållande gränsdragningsproblem som politikerna tvingades brottas med när den gamla antidjurplågeriregimen utsattes för ökande påfrestningar från två skilda håll. För det första hade ett antal nya frågor dykt upp på den djurpolitiska agendan. Bland dem fanns vivisektionen, långa djurtransporter och slakt utan bedövning. Dessa frågor dök så att säga upp ”utifrån” och tvingade sig på djurplågeridiskursen. Samtidigt var frågorna svåra att hantera inom ramarna för den befintliga regimen eftersom den tillgängliga diskursiva grammatiken inte kunde ge dem en entydig mening. Långa djurtransporter, till exempel, framstod på många sätt som ”uppenbart grymma.” Men samtidigt var djurens lidande i järnvägsvagnar och lastrum inte ett självklart uttryck för någon enskild grym personlighet eller någon aktiv intention att åsamka lidande. För det andra levde oenigheten kvar kring hur rekvisitet ”uppenbar grymhet” egentligen skulle tolkas. Betydelsen hos detta begrepp tycktes expandera med tiden och motsvarade allt mindre de etablerade föreställningarna om vad djurplågeri var och hur den typiska djurplågaren såg ut. Denna utmaning utgjorde vad vi kan kalla en intern eller immanent kris, eftersom den hotade att blottlägga antidjurplågeriregimens karaktär som konstruerad kring en godtycklig gräns mellan djurplågeri och ”normal” djurutnyttjande.

För att lösa dessa problem presenterades flera alternativa skrivningar av djurplågeriparagrafens huvudrekvisit, men ingen av dessa godtogs av riksdagen. Utfallet blev återigen en kompromiss. Förbudet mot att uppvisa uppen-

bar grymhet i behandlingen av djur utsträcktes till att omfatta fritt levande djur, men samtidigt omarbetades djurplågeribegreppet så att möjligheterna att göra en bokstavlig tolkning av detsamma undergrävdes. I förarbetena till 1907 års lag framgick det att ”uppenbar grymhet” framgent skulle tolkas som sådan behandling som överträdde de lokalt etablerade normerna för hur djur borde behandlas. I praktiken innebar det att möjligheten att läsa ”uppenbar grymhet” som en sorts absolut tröskelvärde för djurplågeri upplöstes. Istället för en enda definition av djurplågeri infördes lika många definitioner som antalet etablerade former av djurutnyttjande.

Denna omartikulering av problemet räckte emellertid inte för att övervinna den diskursiva krisen. Som jag visar i kapitel 6 om 1910-talets debatter var det fortsatt svårt att definiera vad djurplågeri egentligen var. Situationen förvärrades ytterligare av att ett växande antal frågor och reformförslag fördes upp på den nationella politiska dagordningen. Bland djurskyddsvännerna i riksdagen var huvudproblemet vid denna tid den upplevda diskrepansen mellan lagens till synes restriktiva bokstav och allmänhetens breddade förståelse av vad djurplågeri betydde. Det klagades ofta på att den gamla lagen fäste sig alltför mycket vid förövarens intentioner och sinnestillstånd, och att den därför förbisåg de många former av opersonlig grymhet som införandet av nya praktiker och teknologier gav upphov till.

I ett försök att komma till rätta med de problematiska kollisionerna mellan människors och djurs intressen presenterade regeringen ett reformförslag år 1921. I propositionen föreslogs att det subjektiva rekvisitet ”uppenbar grymhet” skulle tas bort och den nya lagen skulle lyda: ”Den, som gör sig skyldig till oförvarlig misshandel eller överansträngning av djur eller genom vanvård tillfogar djur lidande, straffes för djurplågeri med böter. Är djurplågeriet av svår beskaffenhet eller äro omständigheterna synnerligen försvårande; må till fängelse i högst sex månader dömas.” (Proposition 1921:6, s. 2) Men inte heller denna förändring vann riksdagens gillande. Skrivningen om ”uppenbar grymhet” behölls i 1921 års lagrevision, även om den kvalificerades något med tillförandet av konkreta exempel på djurplågeri i enlighet med regeringens förslag.

I kapitel 7 tar jag ett tidsmässigt steg tillbaka för att spåra debatterna kring slaktfrågan från det sena 1880-talet till införandet av Sveriges första lag om bedövning vid slakt från 1937. Kapitlet fokuserar på de problemframställningar som fördes fram kring fyra former av slakt: traditionell hemslakt på landsbygden, skäktning enligt judisk tradition, renslakt bland samerna och den ”dansk-amerikanska” metoden för grisslakt.

Dessa kontroversiella slaktmetoder hade två saker gemensamt: de utövades alla utan att djuren bedövades innan de tappades på blod, och de associerades alla i större eller mindre mån med ”andra” grupper. Problemframställningarna kring dessa slaktmetoder oscillerade därför mellan uppriktiga försök att komma till rätta med djurens lidande och mindre klädsamma försök att stämpla ”de andra” som avvikande eller kulturellt och moraliskt underutvecklade. (Den ”normala” slakt som utfördes å den svenska majoritetsbefolkningens vägnar problematiserades knappt alls under perioden. Användningen av moderna bedövningsteknologier som skjutapparater och slaktmasker ansågs helt och fullt eliminera riskerna för att djur skulle utsättas för lidande i dessa sammanhang.)

Återigen var den centrala frågan huruvida slaktens realiteter stred mot djurplågerilagen eller ej. Under vilka omständigheter, om några alls, kunde dödandet av djur för mat betraktas som ”uppenbar grymhet”? Den lösning som till sist vann mest stöd var att helt och hållet kringgå lagen om djurplågeri och införa en separat slaktlag för att reglera dödandet av djur. Under 1920-talet gjordes ett antal försök att formulera en lag om obligatorisk bedövning vid slakt, men samtliga stupade på frågorna om den judiska befolkningens rätt till fri religionsutövning och de ekonomiska riskerna för de svenska baconexportörerna (det fanns här en rädsla för att den engelska marknaden skulle rata bedövningsslaktad fläsk). En lag om bedövning kunde inte införas förrän 1937, vid vilken tidpunkt rädslan för en engelsk bojkott av svenskt bacon hade försvunnit och utvecklingen av elektrisk bedövningsteknik tycktes erbjuda ett sätt att förena judisk skäktning med bedövning.

I kapitel 8, slutligen, ägnar jag mig åt den moderna djurskyddsdeologins genomslag under 1930- och 1940-talet. Under denna period inträffade ett påfallande snabbt skifte i de grundläggande problemframställningarna inom djurpolitiken. Tidigare hade det ofta understrukits att lagen mot djurplågeri spelade en mycket viktig pedagogisk roll när det gällde att förändra sociala normer. Nu förnekades plötsligt alla sådana effekter. Den gamla lagen sågs nu som full av kryphål och som inkonsekvent implementerad av domstolarna. Både djurskyddsutredningen från 1938 och regeringens proposition från 1944 stämplade den gamla djurplågeriparagrafen som otillräcklig och utdaterad – särskilt i jämförelse med de mer omfattande djurskyddslagar som vid det här laget hade instiftats i flera andra länder.

Vid det här laget hade också föreställningarna om djurs sårbarhet förändrats. Djur ansågs nu inte bara lida skada av fysisk misshandel, utan även av sådana omständigheter som deras stallförhållanden och villkoren under

transporter. Samtidigt bestod tanken om en hierarki av livsformer, även om den nu uttrycktes i vetenskapliga snarare än i religiösa termer. Vid sidan av de gamla vanliga frågorna hade också en rad nya djurskyddsfrågor gjort sig påmind under 1930- och 1940-talen. Det nya huvuddilemmat, antydde det, var att den gamla lagen inte längre kunde hålla jämna steg med djuranvändningens utvidgning. Tanken att alla former av ”uppenbar grymhet” skulle kunna bestraffas tedde sig allt mer ohållbar. Den lösning som förespråkades på detta problem var att inrätta en ny sorts ramverkslag med riktlinjer och standarder för hur djur skulle behandlas. Parallellt med detta problematiserades och omarbetades den gamla djurplågeriparagrafen så att den började fokusera mer på handlingens effekter snarare än dess intentioner. Rekvizitet ”uppenbar grymhet” ersattes nu med en skrivning om att det var straffbart att utsätta djur för ”otillbörligt lidande”.

Dessa problemformuleringar och deras åtföljande lösningarna medförde viktiga förändringar men kännetecknades också av tydlig kontinuitet, särskilt vad gäller det som *inte* problematiserades. Bland förändringarna kan vi notera hur djurplågerilagens klasskaraktär gradvis tonade bort, liksom hur synen på djurs sårbarhet omartikulerades för att inrymma inte bara fysiskt lidande utan även andra ogynnsamma förhållanden och vissa former av psykiskt lidande. Vi kan också observera hur betydelsen hos begreppet ”grymhet” gradvis utvidgades och ledde till en (ofta oönskad) problematisering av en rad praktiker som tidigare uppfattats som okontroversiella. Bland det som *inte* förändrades bör vi notera att de definitioner av djurplågeri som framkastades alltid gjorde halt innan de riskerade att hota den speciesistiska samhällsordningen som sådan. Stora ansträngningar gjordes för att forma problemet med djurplågeri på ett sådant sätt att det bara blev tillämpligt på det marginella, tillfälliga och avvikande, allt medan det vardagliga djurutnyttjandet lämnades orört. Under en lång period var det möjligt att bedriva en sådan diskursiv ”containmentpolitik” inom ramen för antidjurplågeriregimen, men med tiden blev denna diskurs allt mer ansträngd och ett paradigmskifte blev av nöden påkallat.

DEN DJURSKYDDSLIGA VÄNDNINGEN OCH DESS BETYDELSE

Den viktigaste slutsatsen i denna bok är att det är möjligt att tala om ett väsentligt brott eller skifte i den politiska diskursen om djurbehandling mot slutet av den studerade perioden. Den ”djurskyddsliga vändning” som jag har identifierat från mitten av 1930-talet och framåt representerade en kvali-

tativ förändring med betydande normativa implikationer. Som jag visar i kapitel 1 har andra forskare som studerat samma period inte noterat det specifika med den nya djurskyddsregim som uppstod vid denna tid. Deras redogörelser tycks ofta inrymma ett outtalat antagande om att djurvänliga attityder mot djur växt fram gradvis och progressivt. Detta kan till exempel uttryckas som en rörelse från en nyttoorienterad ståndpunkt till större identifikation med djuret (Dirke, 2000); som en förskjutning från rena produktivitetshänsyn till större uppskattning av djurens egenvärde (Cserhalmi, 2004); eller som en glidning från en rationalitetsbaserad pol till en djurskyddsförespråkande pol i lagstiftningens underliggande normstruktur (Alexius Borgström, 2009).

Dessa redogörelser är utan tvivel riktiga i den mån de refererar till det explicita innehållet i tidens politiska och kulturella diskurs. Känslan av en växande djurvänlighet hörde till modernitetens allmänna *Zeitgeist*. Ändå leder framhävandet av dessa dualismer lätt till en bild av den historiska utvecklingen som att en av de två ”polerna” långsamt övervann den andra. Denna läsning, i sin tur, tenderar att få den moderna djurskyddsregimen att framstå som en (teleo)logisk fortsättning på den tidigare antidjurplågeriregimen. Djurskyddsideologin och djurskyddslagen artikuleras så att säga som antidjurplågeridiskursens självklara ”nästa stadium”.

Grymhetens kris och kollaps

I denna bok erbjuder jag en alternativ genealogi för den moderna djurskyddsregimen. Som jag ser det var övergången till denna ordning inte främst resultatet av att en humanitär idé långsamt övervann sin tids hinder för att till slut konsolidera sig själv i en högre och mer fulländad form. Istället framställer jag denna övergång som resultatet av en lång immanent kris inom den föregående hegemoniska regimen

Den tidigare antidjurplågeriregimen, menar jag, etablerades inte bara för att skydda djur från lidande, utan också för att dra upp en gräns mellan ”normalt” och excessivt djurutnyttjande. Vi kan uttrycka denna poäng ännu mer radikalt genom att säga att det ”normala” djurutnyttjandet *aldrig riktigt existerade* förrän det producerades som sådant genom uteslutandet av dess konstitutiva utsida eller ”andra” i form av det avvikande ”djurplågeriet”. Detta uteslutna ”andra” fann sin första konkreta inkarnation i den obildade underklassdjurplågaren som blev det huvudsakliga objektet för statlig och polisiär disciplinering. Det viktiga här är dock att samma diskursiva gest som grundlade distinktionen mellan reguljär djuranvändning och djurplågeri

också introducerade den problematiska antagonism som skulle hemsöka antidjurplågeridiskursen under ett helt sekel.

Min huvudpoäng är att samma villkor som gjorde det möjligt att separera det acceptabla djuranvändandet från det oacceptabla djurplågeriet också utgjorde villkoren för denna distinktions omöjlighet. Som alla diskursiva identiteter grundlades betydelsen hos det ”normala” djuranvändandet genom relegeringen av dess ”andra”, djurplågeriet, till diskursens utsida. Men det som trängdes bort försvann aldrig. Det lurade alltid i bakgrunden och hotade att återkomma och avslöja ”insidans” kontingens och avsaknad av självidentitet.

Faktum är att det var just denna konstitutiva omöjlighet hos antidjurplågeriregimen som reformpolitikerna försökte exploatera. En av deras främsta strategier var att lyfta fram de många likheterna mellan de former av djurutnyttjande som redan förbjudits och de praktiker som de önskade reglera. Om det var kriminellt djurplågeri att slå eller överanstränga en häst på gatan, hur kunde det då vara tillåtet att slakta djur utan bedövning eller använda dem i plågsamma experiment? Var inte dessa praktiker, i en abstrakt mening, identiska eller ekvivalenta? Denna reformistiska ”ekvivalenslogik” krockade vanligen med den ”skillnadslogik” som reformmotståndarna satte i bruk för att slita isär de identitetskedjor som byggdes upp av reformkraven (jfr Laclau & Mouffe, 1985/2001). I ett försök att bibehålla den givna gränstragningen mellan ”normal” och ”excessiv” djuranvändning betonade de sistnämnda politikerna skillnaderna mellan olika praktiker och försökte absorbera de omstridda elementen inom den befintliga diskursiva regimen. I detta sammanhang kunde försvararna av *status quo* ofta vinna ett övertag genom att beslå reformpolitikerna med inkonsekvens och vacklande hållning. Vilde de verkligen skydda *alla* djur från lidande? Skulle detta inte i så fall leda till ett slut för jakt och fiske – ja till och med köttätandet – i stort? Vad skulle hända med den vetenskapliga friheten? Och hur var det med ”djurskyddsvännerna” själva – levde de som de lärde eller var de också involverade i djurplågeri på olika sätt? Denna motstrategi var framgångsrik på så sätt att reformpolitikerna tvingades till en sorts självcensur. För att inte framstå som extrema eller orealistiska var de tvungna att uttrycka sig med moderation och anpassa sig till det tillgängliga normativa språkbruket. Samtidigt kunde reformmotståndarna för sin del inte helt förkasta djurskyddsprinciperna utan att hamna i en position där de försvarade godtycklig grymhet. Båda sidorna i debatten var med andra ord tvungna att förhålla sig till normerna för politisk respektabilitet liksom de hårda ramar som sattes av

den speciesistiska normaliteten. Problemet med djurplågeri fick inte lov att växa sig alltför stort, men det fick inte heller förminska alltför mycket.

Jag menar att de politiska debatterna om användningen av djur bör ses som en pågående kamp om vilka element som skulle länkas in i, eller kopplas bort från, den betydelsekedja som byggde upp själva "problemet" med djurplågeriet. Den rörelse mellan olika "polar" av attityder mot djur som registrerats i tidigare studier kan, som jag ser det, bäst fångas i termer av ett spel mellan ekvivalens och skillnad, där den ena logiken hela tiden pressade på för en utvidgning av grymhetsbegreppet medan den andra försökte begränsa detsamma.

I båda fallen gjordes dock de politiska ställningstagandena i en obestämbar terräng utan självklar grund. Den kedja av sammanlänkade diskursiva moment som rullades ut i en riktning kunde lika snabbt rullas tillbaka åt det andra hållet. Även om vissa normer kan betraktas som hegemoniska under hela perioden så var det alltid fråga om en i grunden prekär hegemoni som ständigt hemsöktes av de antagonistiska krafter som hade uteslutits när diskursen konstituerade sig. Denna immanenta instabilitet förvärrades av de dislokerande påfrestningar som drabbade diskursen utifrån. Jag återkommer genom hela boken till att debatterna om djurplågeri och djurskydd utspelade sig under en period av snabb modernisering och djupgående sociala omvälvningar. Dessa förändringar gav upphov till "extradiskursiva" utmaningar genom att producera fenomen som inte på ett enkelt sätt kunde passas in i den befintliga politiska diskursen om djurplågeri. De nya djurfrågor som dök upp på riksdagens dagordning lät sig inte utan problem assimileras inom den existerande regimen. Samtidigt som det var lätt att se hur infrastrukturrella förändringar som utbyggnaden av järnvägsnätet och ångbåtstrafiken påverkade längden på djurtransporterna och orsakade lidande så var det svårt att jämföra samman dessa nya fenomen med "idealbilden" av djurplågeri. Att passa in dessa nya frågor i ett koherent meningssystem var som att försöka pressa in fyrkantiga klossar i runda hål. Å ena sidan såg många av dessa nya frågor ut som djurplågeri, men samtidigt kunde de inte räknas som "riktigt" djurplågeri utan att leda till en upplösning av den generativa matris som oupphörligen arbetade med att återskapa djurutnyttjandet som något normalt och, kanske ännu viktigare, som något *politiskt hanterbart*. Det var dessa dislokationer (eller konfrontationer med det Reala i lacansk mening), som drev fram ständigt nya försök att "tämja" djurplågerifrågan och absorbera den inom den rådande ordningen.

Antidjurplågeriregimens påfrestade natur manifesterade sig främst i de återkommande debatterna om brottets huvudrekvisit: ”uppenbar grymhet”. Innebörden av detta begrepp var på en och samma gång självklar och mystiskt undanglidande. Å ena sidan fanns det vissa former av djurbehandling som klart och tydligt ”gick över gränsen”. Å andra sidan var denna gräns *i sig* omöjlig att fixera. Varhelst den drogs upp tycktes den skapa mer problem för politikerna än de hade haft från början. Trots alla kreativa försök att omdefiniera begreppet ”uppenbar grymhet” så vägrade det att bli kvar på plats. Tvärtom förvandlades begreppet oavsiktligt till en sorts nodpunkt som i kraft av sin position i diskursen kunde låta sin egen mening spilla över på andra begrepp och praktiker (jfr Laclau & Mouffe, 1985/2001; Torfing, 2005). Detta ledde till formerandet av en öppen betydelsekedja som alltid kunde expandera ytterligare genom inlemmandet av nya länkar. Om denna logik drogs till sin spets skulle nästan vilken typ av djuranvändning som helst ha kunnat förvandlas till en potentiell ”grymhet”.

Grunden till djurplågeridebattens dilemman, menar jag, låg alltså delvis i de motstridiga normer som präglade djur–människa–relationen. Oavsett om man definierade en viss given praktik som grym eller som acceptabel så var det lätt att finna en liknande praktik som definierades på det motsatta sättet. Att uppnå en diskursiv tillslutning hos detta system genom att hitta den ”rätta” juridiska formuleringen var i princip omöjligt. Vilken väg politikerna än valde riskerade de antingen att hamna i ett absurt förnekande av vissa former av djurlidande, eller att komma på kollisionskurs med den speciesistiska normaliteten. Omöjligheten att (i den givna strategiska maktsituationen) kringgå detta val gjorde den diskursiva krisen till ett faktum.

Den ideologiska fantasins roll

I denna bok beskriver jag den gamla antidjurplågeriregimen som grundad genom en omöjlig politisk gest och hemsökt av både en konstitutiv antagonism och yttre dislokationer. Men detta framhävande av regimens kris kräver en förklaring av hur det kom sig att den ändå kunde bibehålla sin stabilitet under så lång tid. För att förklara denna ”fästkraft” hos periodens hegemoniska diskurser har jag vänt mig till den lacanska psykoanalytiska teorin som betonar hur dominerande meningssystem etablerar sitt ”grepp” om människor genom att manipulera deras brist, begär och njutning. Ur detta perspektiv kan diskurser överleva sina inre kriser tack vare interventionen av ideologiska fantasier som omvandlar diskursens immanenta blockering till någon sorts externt hinder eller hot – inte sällan i form av en yttre fiendefi-

gur eller inkräktare som hotar den samhälleliga harmonin. Denna blockerande kraft eller fiende kommer att fungera som den immanenta antagonismens ”symptom” och förvandlas ofta till en kondensationspunkt för alla de former av ängslan som föds ur diskursens grundläggande osäkerhet. Genom hela analysen har jag försökt dra särskild uppmärksamhet till de representationer som tycks indikera närvaron av en sådan fantasmatisk logik.

Den första framträdande representation som motsvarar denna beskrivning var, som redan nämnts, den djurplågande underklassfigur som utsöndrades i debatterna på 1840- och 1850-talen. Denna ”ideala” djurplågare fick förkroppsliga en lång rad obehagliga drag som de bildade klasserna frånsvar sig: djurplågaren framställdes som girig, rå, benägen till fylleri, samt bristande i bildning, medkänsla och självkontroll. Djurplågaren tycktes drivas av en okontrollerbar lust till våldsamma excesser och utgjorde på det sättet ett hot inte bara mot djuren utan mot samhällets ordning i allmänhet. I min tolkning framstår denna djurplågare som en projektyta för 1800-talets mer genomgripande sociala kris(er), och försöken att kontrollera denna vålnad var på många sätt ett försök att kontrollera de sjudande passionerna bland samhällets ”farliga klasser”.

Ett annat fantasmatiskt ”symptom” kan identifieras i bilden av vivisektören på 1880-talet. Denna gång var måltavlan för kritiken en medlem av de respekterade samhällsskikten, men detta hindrade inte djurförsökens motståndare att göra honom till huvudperson i sitt eget Frankensteinska drama. Här fick vivisektören agera stand-in för det dislokerande hot som den vetenskapliga världsbilden ställde upp mot traditionella värden och hierarkier. Precis som i fallet med djurplågaren från underklassen tillskrevs vivisektören en främmande, perverterad njutning, denna gång i form av en omätlig passion för ”sanningen”. Även här framställdes det som nödvändigt att kontrollera den andres excessiva njutning för att säkra samhällets ordning och återställa de moraliska värden som moderniteten var i färd med att mala sönder.

I debatterna om slaktfrågan åkallades liknande fantasier om de motiv ”de andra” – särskilt den traditionella bondebefolkningen, judarna och samerna – hade för att hålla fast vid sina utdaterade och primitiva slaktmetoder. Här blandades kritiken av plågsamma slaktsätt med en avsmak för de ”andras” annorlundahet, vilket inte sällan ledde till ett förstärkande av stigmatiserande stereotyper. Judarna, till exempel, kunde framställas som kulturellt underutvecklade, ovilliga att anpassa sig till svenska moraliska värden, barbariska i sin behandling av djur, och ohederliga i sina anspråk på religions-

frihet. Samerna kunde i sin tur framställas som konservativa, ovilliga till förändring, otacksamma för de privilegier som utsträckts till dem, och närmast omöjliga att utbilda i humana slaktmetoder. Det viktigaste ideologiska arbetet som utfördes av dessa representationer, menar jag, var att de försköt ansvaret för djurplågeriet från ”oss” själva till ”de andra” genom att åkalla en serie obscena fantasier om deras avvikande begär och njutning. Detta gjorde i sin tur att den ”vanliga” bedövningslakten kom att framstå som relativt neutral och okontroversiell. På så sätt undveks kritiska frågor om i vilken grad ”vi” själva levde upp till idealen om djurvänlighet.

Dessa antipatier mot de andra var också kopplade till en annan sorts fantasiscenario som kretsade kring nationen. Ett återkommande tema var att Sverige framställdes som ett särskilt djurvänligt land. Närhelst tvivel väcktes kring föreställningen om ett i grunden harmoniskt förhållande mellan människor och djur bland ”oss” var den typiska reaktionen att förskjuta problemen utanför Sveriges gränser. Djurplågeri i Sverige, lät man förstå, förekom endast som en tillfällig avvikelse, medan det i andra länder kunde ingå som en essentiell del av kulturen.

Det var dock inte alla fantasier som byggde på föreställningen om ett nära förestående hot. Ibland omgestaltades diskursens inneboende antagonism som en betydligt ljusare vision av en avlägsen framtid där djur och människor skulle leva tillsammans under helt andra omständigheter. Jag har diskuterat dessa fantasiscenarier i termer av en djur-människa-harmoni eller vegetarism som ”komma skall”. Det bör dock noteras att dessa visioner oftast aktiverades för att understryka omöjligheten i omedelbar förändring. Dessa representationer kunde med andra ord bekänna sig till en långtgående, utopisk förändring, *samtidigt* som förändringens omöjlighet i nuet kunde skylas på den moraliska trögheten hos befolkningen i stort. Även detta laborerande med eskatologiska visioner pekar, menar jag, på den underliggande ängsligheten i hjärtat av den hegemoniska ordningen, liksom på närvaron av en ideologisk fantasi som försökte neutralisera antagonismen.

I slutändan hade alla dessa fantasmatiske operationer det gemensamt att de producerade olika symptom som ”förklarade bort” krisen inom den rådande diskursiva regimen. Genom att identifiera olika blockerande krafter som stod i vägen för (åter)upprättandet av en harmoni mellan människor och djur kunde föreställningen bibehållas om att en sådan frälsande försoning var en faktisk möjlighet. På så sätt kunde begäret efter identifikation med den samtida djurvänligheten upprätthållas, trots att samhällets kärlek till djuren regelbundet ifrågasattes av fakta. Tack vare fantasifienden behöv-

de de subjekt som befann sig i hegemonins grepp aldrig ställas inför den traumatiska insikten att deras eget samhälle – eller de själva – aldrig var särskilt djurvänliga till att börja med. Den ideologiska fantasin förebyggde denna konfrontation genom att fylla i luckorna i diskursen och genom att dingla med den djurplågande ”andre” som ett bete för subjektens egna politiska passioner.

Speciesistisk backlash och skillnadslogikens triumf

I min redogörelse för övergången mellan de två diskursiva regimerna har jag satt frågorna om diskursiv kris och fantasmatisk förskjutning, snarare än progression och teleologisk kontinuitet, i centrum. Mot antagandet att den nya djurskyddslagen stod för ytterligare ett genombrott för djurvänligheten (om än ett begränsat sådant) har jag ställt tolkningen att denna övergång bör läsas som ett försök att återställa den speciesistiska normaliteten (det vill säga att åternaturalisera tanken om att djur finns till för människor att använda och därmed avproblematisera de samhälleliga, djurutnyttjande ritualer som allt mer kommit att ifrågasättas). Jag har försökt visa att denna ”speciesistiska backlash” kan spåras längre tillbaka än 1944 års djurskyddslag. Redan i debatterna kring revisionen av djurplågeriparagrafen år 1907 fastställdes det, genom en selektiv läsning av den gamla lagen, att djurplågeri inte handlade om en ”objektiv” princip med en absolut definition av vad som skulle räknas som ”uppenbar grymhet”. Istället sattes en skillnadslogik i bruk för att koppla djurplågeriet till lokala standarder för djurbehandling och omartikulera själva begreppet till något helt kontextberoende. På så sätt relativiserades och fragmentariserades djurplågeribegreppet i ett försök att förebygga vidare spridning av dess absolutistiska konnotationer.

Debatterna om slakt som återkom i riksdagen från 1887 till 1937 gav ytterligare prov på hur denna skillnadslogik verkade. Här var huvudfrågan från början huruvida den gamla djurplågeriparagrafen var tillämbbar eller ej i slaktsammanhang. Om den var det så väcktes genast en rad farhågor, inklusive risken att själva dödandet av djur för mat skulle kunna komma att betraktas som ”uppenbart grymt”. Hellre än att följa denna väg och bjuda in ytterligare gränsdragningsproblem valde riksdagen att reglera förhållandena vid slakt genom en lag som var fristående från djurplågeriparagrafen i strafflagen. Med detta steg, som togs 1937, frikopplades slaktfrågan från andra frågor om djurplågeri. Slakthusen flyttades på detta sätt utanför djurplågeriparagrafens räckvidd, i alla fall så länge de följde slaktlagen och höll sig till de förskrivna riktlinjerna. Genom denna intervention ”räddades”

slakten från att sugas in i den allt längre sekvens av ”uppenbara grymheter” som börjat erkännas i den vardagliga diskursen.

Denna strategi av att betona skillnader i syfte att neutralisera den expanderande kedjan av grymheter fick sitt mest betydelsefulla uttryck i 1944 års djurskyddslag. När denna lag upprättade ett nytt juridiskt-etiskt ramverk bestående av preventiva åtgärder och minimistandarder för djurhållning så motsvarade detta i själva verket en generalisering av principerna bakom 1937 års slaktlag till att gälla över hela spektrumet av djurutnyttjande. Det viktigaste med den nya lagen i detta avseende var att den försåg samtliga av tidens kontroversiella djurfrågor med skraddarsydda bestämmelser: en uppsättning regler skulle gälla för djurförsök, en annan för djurtransporter, en tredje för svanskupering, en fjärde för kastrering – och så vidare i ett i princip oändligt utbyggbart system. Det nya ramverket gjorde med andra ord för alla former av institutionaliserat djurutnyttjande vad slaktlagen redan hade gjort för slaktverksamheten, nämligen skyddade dem från utvidgningen av djurplågeribegreppet.

Men detta var inte allt. I samma reformprocess avskaffades strafflagens gamla skrivning om ”uppenbar grymhet” och ersattes med en skrivning om att djur inte fick utsättas för ”otillbörligt lidande”. Detta steg gjorde det i slutändan ännu svårare att läsa djurplågeribegreppet som något absolut – vilket lidande som var ”otillbörligt” var om möjligt ännu mer kontextberoende än vad den ”uppenbara grymheten” hade varit. Det är förvisso sant att den nya djurskyddslagen stadgade att djur skulle ”behandlas väl och såvitt möjligt skyddas mot lidande”, men denna skrivning lämnade ingen ledtråd till vad ”såvitt möjligt” betydde. Denna bedömning lämnades i stort sett till djurindustrierna själva.

Radikalt uttryckt skulle vi kunna säga att 1944 års djurskyddslag stod för en långtgående institutionalisering av den politiska skillnadslogik som länge brukats för att neutralisera allvarigare kritik inom det djurpolitiska fältet. Varje gång en ny kontroversiell fråga uppträdde kunde djurskyddslagen hädanefter inkorporera fenomenet i sitt eget system av skillnader och förse den med en unik uppsättning bestämmelser. Enkelt uttryckt: istället för att försöka passa in fyrkantiga klossar i runda hål så kunde hålen börja anpassas efter klossarna. I egenskap av ramlag var den nya djurskyddslagen mer eller mindre designad för att absorbera och kooptera radikal kritik.

I mina ögon ligger den verkligt historiska betydelsen av 1944 års djurskyddslag just i denna institutionalisering av skillnadslogiken. Det är också därför lagen markerar en viktig vattendelare i den svenska djurpolitikens

historia. Som jag tolkar den stod lagen inte för det ”nästa logiska steget” i djurvänlighetens utveckling så mycket som den representerade ett försök att övervinna den diskursiva kris som länge plågat den äldre antidjurplågeriregimen. Den nya lagens verkliga innovativa grepp var att den bekräftade den samhällseliga djurvänligheten utan att för den skulle rubba något i den speciesistiska grundordningen. Rent praktiskt förändrade djurskyddslagen väldigt lite. Tvärtom skulle man kunna hävda att den öppnade helt nya områden för djurexploatering genom att avskaffa det gamla förbudet mot att uppvisa ”uppenbar grymhet” precis i en tid då uppenbar grymhet mot djur började institutionaliseras i stor skala. Samtidigt kunde lagen, på symbolpolitikens nivå, lätt framställas som ett betydande, till och med historiskt, framsteg för djuren.

IMPLIKATIONER FÖR FRAMTIDA FORSKNING

Även om resultaten från denna studie inte direkt kan överföras till andra perioder eller platser har jag försökt visa att den erbjuder möjligheter till analytisk generalisering och teoriutveckling (Flyvbjerg, 2006; Yin, 2014). Den huvudsakliga hypotes som utvecklas i denna bok är att den moderna djurskyddsregimens framträdande inte självklart kan ses som en återspeglning av växande hänsyn till djur i västvärlden. Om mer uppmärksamhet riktas mot brytningarna, diskontinuiteterna, de strategiska maktkamperna och affektiva dimensionerna i den historiska djurpolitiken kan det hända att en annan bild framträder. I denna bild intar djurskyddsideo­login en helt annan roll som ett underordnat och funktionellt moment i reproduktionen av de speciesistiska maktförhållandena. Huruvida Sverige verkligen utgör ett ”paradigmatiskt” fall i detta avseende återstår förstås att se. Icke desto mindre tror jag att denna bok visar på möjligheten till ett sådant projekt. Den naturliga fortsättningen på denna forskningsansats skulle därför vara att ta en liknande approach till motsvarande utveckling i andra länder och under andra perioder.

I metodologiska termer har denna studie argumenterat för att det finns ett mervärde i att kombinera diskursteori med en psykoanalytisk teori om subjektet. Diskursanalyser kan på egen hand producera ”thick descriptions” och djupa insikter i de symboliska koordinater som människor använder för att navigera i sin sociala verklighet, men de kan inte på egen hand förklara hur det kommer sig att socialt konstruerade meningssystem förändras eller förblir desamma. Inte heller förklarar diskursanalysen varför vissa meningssystem visar sig vara starkare kandidater till hegemoni än andra. Den

kombination av postmarxistisk och lacansk teori som tillämpats i denna studie har, menar jag, god potential att undvika dessa problem. För det första innebär dess konceptualisering av samhällsstrukturer som öppna, överdeterminerade system att förändring kan förklaras utan återgång till förenklade antaganden om vad som bestämmer samhälleliga skeenden i sista instans. För det andra tillhandahåller perspektivet en filosofisk antropologi eller en föreställning om det mänskliga subjektet som gör det möjligt att redogöra för diskursernas ”fästkraft” utan att bjuda in essentialistiska förklaringar. Genom att föra samman dessa teoretiska antaganden med ett fokus på politikens problemframställningar har jag försökt visa på relevansen i att undersöka både de formella, semiotiska aspekterna och de affektiva, fantasmatiske dimensionerna av det politiska livet. En av de större utmaningarna för denna analysinriktning ligger förstås i att finna sätt att operationalisera och närmare undersöka de fantasmatiske logiker som här postuleras som ett villkor för både diskursiv stabilitet och förändring. Icke desto mindre tror jag att ansatsen är lovande, både för fortsatta studier och för att omtolka tidigare forskning i ljuset av dessa nya aspekter.

IMPLIKATIONER FÖR DAGENS DJURRÄTTSAKTIVISM

Den ”triumf” för skillnadslogiken som denna bok identifierat bakom 1944 års djurskyddslag utgjorde förstås inte på något sätt historiens slut. Debatten om djurens behandling har stadigt fortgått sedan dess. Samtidigt är det ingen överdrift att säga att det ideologiska ramverk som institutionaliserades med denna lag väger tungt över diskussionen om djurens ställning ännu i vår tid. Vi kan bevittna detta varje gång en ny ”djurskyddsskandal” uppmärksammas inom jordbruket eller i något djurförsökslaboratorium. När sådana saker händer är den omedelbara responsen att framställa problemet som något tillfälligt, kontingent eller avvikande. Om något går fel så är felet alltid något som enkelt kan avhjälpas genom små modifikationer av det existerande regelsystemet. Problemet lokaliseras däremot ytterst sällan i själva djurskyddsregimen som sådan, trots att det var denna ordning som gjorde det aktuella djurutnyttjandet tillåtet till att börja med. Istället är det vanliga mönstret att problemet förskjuts till någon icke-essentiell del av helheten, eller att ansvaret lämpas över på någon grupp på ”utsidan”.

Detta sätt att representera och hantera problemet med djurplågeri vilar ytterst på det hegemoniska antagandet att den samtida djurskyddsregimen är uttömmande för människors moraliska skyldigheter gentemot andra djur. Det finns liksom inget skäl att ifrågasätta systemet som sådant. Det enda vi

behöver göra är att underhålla den rådande ordningen och uppdatera dess detaljer när så behövs. Ur denna synvinkel upprepar den moderna djurskyddsregimen ständigt samma ideologiska operation som institutionaliserades år 1944; djurskyddsregimen tar kontroversiella händelser, som ytterst beror på samhällets systematiska nedvärdering av andra djur, och stöper om dem till tillfälliga ”avvikelser” som aldrig är svårare att hantera än en revision av en paragraf eller en översyn av de aktuella skötselrutinerna.

Det är i detta sammanhang intressant att observera hur denna ”splittring” av den speciesistiska samhällsordningen i en mångfald av fragmenterade normer och praktiker finner sin spegelbild i den samtida djurrättsrörelsens upptagenhet med enfrågekampanjer och reforminitiativ på ett område i taget. Tanken med denna strategi är förstas att djurens intressen ska föras framåt på varje front och att förhållandena ska förbättras steg för steg. Bland flera av de mer radikala grupperna finns också förhoppningen att denna pragmatiska strategi så småningom kommer att leda till djurens fullständiga frigörelse. Men som jag redan har diskuterat finns det skäl att ifrågasätta dessa antaganden om ständig progression. Särskilt ur abolitionistisk synvinkel framstår djurskyddsideologin snarast som en billig fernissa över ett förtryckssystem som med åren expanderat och intensifierats till en nivå som 1800-talsreformisterna inte kunde föreställa sig.

Nu är inte avsikten med denna bok att säga sista ordet i denna samtida debatt inom djurrättsrörelsen. Däremot tror jag att de resultat som presenteras här kastar delar av denna debatt i ett delvis nytt ljus. För de djurrättsorganisationer som lutar sig på fortsatta djurskyddsreformer som sin huvudsakliga strategi bär denna studie på en varning. Dessa grupper har goda skäl att börja ifrågasätta vad de sett, och ser, som ”framsteg” för djuren. De borde också ha goda skäl att tänka över vilken roll deras egna fragmenterade och fragmenterande kampanjarbete spelar i att skyla över den systematiska exploateringen av djur. Om de inte tar dessa varningar på allvar riskerar de att ovetandes bidra till nedmonteringen av sitt eget emancipatoriska projekt genom att bjuda in den koopterande skillnadslogiken.

De samtida abolitionisterna å sin sida vägrar delta i det djurskyddsliga spelet över huvud taget. För dem innebär respekt för djurs rättigheter ett totalt avståndstagande från alla reformistiska aktiviteter som kan skänka legitimitet åt speciesismen. På detta sätt förblir de lojala mot en ekvivalenslogik som i alla övergrepp mot ickemänskliga djur ser samma grundläggande moraliska fel. Vad denna bok har att erbjuda denna grupp är insikten att djurens frigörelse inte enbart handlar om att stå fast vid sina principer och

undvika att koopteras av staten. Inte heller räcker det att demaskera djurskyddsregimen. Problemet med djurskyddsideologin är nämligen inte först och främst att människor tror på den, utan snarare att de tror att andra människor tror på den, vilket gör att de mer eller mindre friktionsfritt kan glida tillbaka in i sina gamla vanor och sociala ritualer efter varje ”skandal” som avslöjats. Vad djurskyddets historia ytterst visar – tillsammans med så många andra frigörelsekampers historia – är att avslöjanden i sig är maktlösa när det gäller att åstadkomma förändring. Kunskap kan inte direktöversättas till handling. Att vara emot djurplågeri är en sak – att *begära* och *börja förverkliga* djurens frigörelse är en helt annan. Att bara avslöja djurskyddsregimens förljugenhet kommer därför inte att göra mycket för att lösa upp de personliga investeringar människor har i samhällets rituella djurutnyttjande. Detta betyder inte att människor inte kan se att världen skulle kunna vara annorlunda, bara att det är sannolikt att de flesta kommer att klamra sig fast vid sina ”symptom” och upprepa de ritualiserade beteenden som följer med deras socialisering och subjektspositionering. Vad som fattas dem är med andra ord inte *kunskap* om möjliga alternativ utan *begäret* efter något annat.

För att verklig förändring ska bli möjlig krävs, ur denna synvinkel, att de psykiska energier som i dag investerats i samhällets djurexploaterande ritualer först disinvesteras och sedan återinvesteras i ett annat meningssystem där känslighet och respekt för andra varelser görs till en integrerad del av ”vårt sätt att leva”. Om detta är möjligt, och hur det i så fall ska gå till, vet jag inte. Däremot tror jag att en del av en sådan process måste vara att djurrättsrörelsen mobiliserar bristens, njutningens och begärets dialektik för sina egna syften. För oss som hoppas på en snar och radikal omvärdering av de icke-mänskliga djurens status är detta en utmaning som kvarstår.

References

Abbreviations

I	<i>Riksdagens första kammare</i> (The Riksdag's first chamber)
II	<i>Riksdagens andra kammare</i> (The Riksdag's second chamber)
JO	<i>Justitieombudsmannen</i> (The Parliamentary Ombudsman)
LU, 1LU	<i>Lagutskottet, Första lagutskottet</i> (The Riksdag's Law Committee, First Law Committee).
SFS	<i>Svensk författningssamling</i> (Swedish Code of Statutes)
SOU	<i>Statens offentliga utredningar</i> (Swedish Government Official Reports)
TfU, 1TfU, etc.	<i>Tillfälligt utskott i Riksdagen</i> (Temporary Committee)

Riksdag and Government Documents

Laws

SFS 1736:0123 1
SFS 1857:61
SFS 1864:11
SFS 1890:33
SFS 1900:49
SFS 1907:44
SFS 1916:596
SFS 1921:187
SFS 1937:313
SFS 1944:220

SFS 1988:534

SFS 2014:112

Official Government Reports/Statens offentliga utredningar

SOU 1938:36 Betänkande med förslag rörande djurskyddslagstiftning.

SOU 2003:6 Djurtransportutredningen. Kännande varelser eller okänsliga varor?

Government Propositions/Regeringens Propositioner

Proposition 1921:6 förslag till lag om ändrad lydelse av 18 kap 16 § strafflagen m. m.

Proposition 1927:85 förslag till lag angående slakt av husdjur.

Proposition 1937:188 förslag till lag angående slakt av husdjur.

Proposition 1944:43 förslag till lag om djurskydd m. m.

Proposition 1987/88:93 om djurskyddslag m. m.

*Law Committee and First Law Committee Memorials/
Lagutskottets och första lagutskottets utlåtanden*

LU 1844:2 i anledning af väckt motion, angående bestämmande af ansvar för så kallade husdjurs misshandling.

LU 1947/48:58 om strafflag.

LU 1857:37 i anledning af väckta motioner, angående stiftande af en lag emot misshandling af djur.

LU 1888:35 i anledning af väckt motion om antagande af en lag angående pinsamma experiment på djur i vetenskapligt syfte.

LU 1894:55 i anledning af väckt motion om meddelande af lagbestämmelser i syfte att vid slagt af husdjur minsta möjliga lidande måtte tillfogas djuren.

LU 1899:26 i anledning af väckt motion om skrifvelse till Kongl. Maj:t angående fullständigare lagstiftning till skydd mot misshandel af djur.

LU 1902:17 i anledning af väckt motion om ändrad lydelse af 18 kap. 16 § strafflagen.

LU 1903:53 i anledning af väckt motion om ändring af 18 kap. 16 § strafflagen.

LU 1906:10 i anledning af väckt motion om ändrad lydelse af 18 kap. 16 § strafflagen.

LU 1907:4 i anledning af väckt motion om ändring af 18 kap. 16 § strafflagen.

- LU 1912:18 i anledning af väckta motioner om ändrad lydelse af 18 kap. 16 § strafflagen.
- LU 1913:2 i anledning af väckt motion om ändrad lydelse av 18 kap. 16 § strafflagen.
- LU 1917:42 i anledning av väckt motion om skrivelse till Kungl. Maj:t angående införande av sådan bestämmelse i strafflagen, att kupering av hästar betraktas som straffbart djurplågeri.
- LU 1918:59 i anledning av väckta motioner angående skrivelse till Konungen med begäran om framläggande av förslag till lag, innefattande visa villkor för rättighet att utföra vetenskapliga experiment på levande djur vid icke statsunderstödda läro- eller forskningsinstitutioner.
- LU 1920:4 i anledning av väckt motion om ändrad lydelse av 18 kap. 16 § strafflagen.
- LU 1921:6 i anledning av Kungl. Maj:ts proposition med förslag till lag om ändrad lydelse av 18 kap. 16 § strafflagen m. m.
- 1LU 1921:11 i anledning av Kungl. Maj:ts proposition med förslag till lag om ändrad lydelse av 18 kap. 16 § strafflagen.
- 1LU 1922:7 i anledning av väckt motion om förbud mot s. k. "schächtning".
- 1LU 1925:6 i anledning av väckta motioner med förslag till lag angående förfarande vid slakt.
- 1LU 1931:6 i anledning av väckt motion med förslag till lag angående slakt av husdjur.
- 1LU 1934:34 i anledning av väckta motioner om ändring I 18 kap. 16 § strafflagen m. m.
- 1LU 1935:13 i anledning av väckta motioner angående djurplågeri.
- 1LU 1942:49 i anledning av väckt motion angående genomförande av en djurskyddslagstiftning.
- 1LU 1944:28 i anledning av dels Kungl. Maj:ts proposition med förslag till lag om djurskydd, m. m., dels ock i ämnet väckta motioner.

Temporary Committee Memorials

- I 2TfU 1895:19 i anledning af motion, angående meddelande af föreskrifter i syfte att vid slag af husdjur minsta möjliga lidande mått tillfogas djuren.
- II 3TfU 1896:10 i anledning af väckt motion angående meddelande af föreskrifter i syfte att vid slag af husjur minsta möjliga lidande måtte tillfogas djuren.
- I 2TfU 1902:6 med anledning af en af herr E.O.V. Wavrinsky väckt motion angående åtgärder till skydd mot djurplågeri under transporter.

- I 1 TfU 1896:1 i anledning af väckt motion angående meddelande af föreskrifter i syfte att vid slagt af husdjur minsta möjliga lidande måtte tillfogas djuren.
- II 2 TfU 1902:16 i anledning af väckt motion om skrivelse till Kongl. Maj:t angående åtgärder till skydd mot djurplågeri under transporter.
- I 1 TfU 1909:17 i anledning af väckt motion om skrivelse till Kungl. Maj:t i fråga om meddelande af bestämmelse mot onödigt plågande af husdjur vid slakt.

Motions in the Riksdag of the Estates (-1866)

Motion NE (Noble Estate), August 17, 1844.

Motion NE (Noble Estate), December 22, 1847.

Motions in the bicameral Riksdag's first chamber (1866-)

Motion I 1884:10 om ändring af 18 kap. 16 § strafflagen samt om antagande af en lag rörande ansvar för misshandling af djur.

Motion I 1894:16 om meddelande af lagbestämmelser i syfte att vid slagt af husdjur minsta möjliga lidande tillfogas djuren.

Motion I 1895:51 angående meddelande af föreskrifter i syfte att vid slagt af husdjur minsta möjliga lidande måtte tillfogas djuren.

Motion 1896:30 om meddelande af föreskrifter i syfte att vid slagt af husdjur minsta möjliga lidande måtte tillfogas djuren.

Motion I 1907:43 angående skrivelse till Konungen i fråga om förbättrade anordningar vid cirkus- och varietéföreställningar, djurföreläsningar m. m.

Motion I 1909:50 angående skrivelse till Konungen i fråga om meddelande af bestämmelser mot onödigt plågande af husdjur vid slakt.

Motion I 1912:47 med förslag till ändrad lydelse af 18 kap. 16 § strafflagen.

Motion I 1918:55 om åstadkommande av offentlighet vid vetenskapliga experiment på levande djur å visa läro- eller forskningsanstalter.

Motion I 1918:57 angående skrivelse till Konungen med begäran om framläggande av förslag till lag om vivisektion.

Motion I 1925:26 med förslag till lag angående förfarande vid slakt.

Motion I 1927:203 i anledning av Kungl. Maj:ts förslag till lag angående slakt av husdjur.

Motion I 1934:12 om djurskyddet.

Motion I 1944:270 i anledning av Kungl. Maj:ts proposition med förslag till lag om djurskydd, m. m.

Motions in the bicameral Riksdag's second chamber (1866-)

- Motion II 1881:100 om utfärdande af en lag till vivisektionens inskränkning.
- Motion II 1884:72 om utarbetande af en lag i fråga om plågsamma försöks anställande på lefvande djur i och för vetenskapliga ändamål.
- Motion II 1887:80 om aflåtande av skrifvelse till Kongl. Maj:t med begäran om framläggande af förslag till ändrad lydelse af 18 kap. 16 § strafflagen m. m.
- Motion II 1888:88 om antagandet af en lag till inskränkande af s. k. vivisektioner.
- Motion II 1896:133 om skrifvelse till Kongl. Maj:t angående skärpta straffbestämmelser emot djurplågeri m. m.
- Motion II 1898:108 om skrifvelse till Kongl. Maj:t angående fullständigare lagstiftning till skydd mot misshandel af djur.
- Motion II 1899:82 om skrifvelse till Kongl. Maj:t angående ändring af 18 kap. 16 § strafflagen.
- Motion II 1900:143 om lag angående vivisection af djur m. m.
- Motion II 1902:23 om skrifvelse till Kongl. Maj:t angående åtgärder till skydd mot djurplågeri under transporter.
- Motion II 1902:87 om ändring af 18 kap. 16 § strafflagen.
- Motion II 1909:194 om skrifvelse till Kungl. Maj:t angående meddelande af stadganden mot onödigt plågande af husdjur vid slakt.
- Motion II 1912:118 om ändrad lydelse af 18 kap. 16 § strafflagen.
- Motion II 1913:8 om ändrad lydelse av 18 kap. 16 § strafflagen.
- Motion II 1917:246 om skrivelse till Kungl. Maj:t angående införande av sådan bestämmelse i strafflagen, att kupering av hästar betraktas såsom straffbart djurplågeri.
- Motion II 1918:113 om skrivelse till Kungl. Maj:t angående meddelande av föreskrift om full offentlighet genom noggran protokollsföring vid vetenskapliga experiment på levande djur vid läro- eller forskningsanstalt, som åtnjuter statsunderstöd.
- Motion II 1918:114 om skrivelse till Kungl. Maj:t angående lagstiftning, innefattande visa villkor för rättighet att utföra vetenskapliga experiment på levande djur vid icke statsunderstödda läro- och forskningsanstalter.
- Motion II 1920:2 om ändrad lydelse av 18 kap. 16 § strafflagen.
- Motion II 1922:139 om förbud mot s. k. schäkting.
- Motion II 1925:35 med förslag till lag angående förfarandet vid slakt.
- Motion II 1931:44 med förslag till lag angående slakt av husdjur.

- Motion II 1934:1 om ändring i 18 kap. 16 § strafflagen.
 Motion II 1935:130 om skärpning av straffet för djurplågeri.
 Motion II 1935: 340 angående straffskärpning för djurplågeri.
 Motion II 1942:23 angående genomförande av en djurskyddslagstiftning.
 Motion II 1944:433 i anledning av Kungl. Maj:ts proposition, nr 43, med förslag till lag om djurskydd, m. m.
 Motion 1944:435 i anledning av Kungl. Maj:ts proposition, nr 43, med förslag till lag om djurskydd m. m.
 Motion 1944:437 i anledning av Kungl. Maj:ts proposition, nr 43, med förslag till lag om djurskydd.
 Motion II 1944:438 i anledning av Kungl. Maj:ts proposition, nr 43, med förslag till lag om djurskydd.

Protocols from the Riksdag of the Estates/Ståndsriksdagens protokoll

- Burgher Estate, BE, September 23, 1844
 Clergy Estate, CE, September 25, 1844
 Clergy Estate, CE, December 3, 1856
 Noble Estate, NE, August 17, 1844
 Noble Estate, NE, December 22, 1847
 Peasant Estate, PE, November 19, 1856
 Peasant Estate, PE, November 29, 1856
 Peasant Estate, PE, December 3, 1856

Appendices to the Riksdag of the Estates' Protocols/

Bihang till ståndsriksdagens protokoll

- Appendix to RotE protocols 1847–1848, vol. 7, section 1, book 22.
 Appendix to RotE protocols 1847–1848, vol. 7, section 1, book 21

Protocols from the Riksdag's first chamber/Första kammarens protokoll

- I 1881:28
 I 1884:34
 I 1888:18
 I 1898:16
 I 1894:37
 I 1900:29
 I 1902:14
 I 1906:15
 I 1907:9

I 1909:41
I 1927:26
I 1928:13
I 1935:11

Protocols from the Riksdag's second chamber/Andra kammarens protokoll

II 1881:35
II 1884:41
II 1884:42
II 1888:26
II 1895:46
II 1896:20
II 1898:19
II 1899:9
II 1900:41
II 1902:17
II 1903:40
II 1909:56
II 1921:17
II 1922:16
II 1927:28
II 1930:34
II 1934:20
II 1937:14
II 1937:24
II 1942:7

Reports by the Parliamentary Ombudsman/Justitieombudsmannen

JO 1923:12 framställning angående lag om slakt.

Works Cited

- Aaltola, E. (2015). Politico-moral apathy and omnivore's *akrasia*: Views from the rationalist tradition. *Politics and Animals*, 1(1).
- Abneresson, V. (2004). *Djurrättsveganism: Social rörelse, identitet, livsstil*. Licentiate thesis. Umeå University, Umeå, Sweden.
- Adams, C. J. (1990). *The sexual politics of meat: A feminist-vegetarian critical theory*. Cambridge, MA: Polity Press.
- Adams, C. J., & Donovan, J. (1995). *Animals and women: Feminist theoretical explorations*. Durham, NC: Duke University Press.
- Adams, C. J., & Donovan, J. (1996). *Beyond animal rights: A feminist caring ethic for the treatment of animals*. New York, NY: Continuum.
- Adams, C. J., & Donovan, J. (Eds.). (2007). *The feminist care tradition in animal ethics: A reader*. New York, NY: Columbia University Press.
- Agamben, G. (2004). *The open: Man and animal*. Stanford, CA: Stanford University Press.
- Alexius Borgström, K. (2009). *Djuren, läkarna och lagen – en rättslig studie om djurförsöksetik*. Uppsala, Sweden: Iustus förlag.
- Althusser, L. (2008). Ideology and ideological state apparatuses (Notes towards an investigation). In *On ideology* (pp. 1–60). London, England: Verso Books. Original work published in 1970.
- Alvesson, M., & Sköldberg, K. (2008). *Tolkning och reflektion: Vetenskapsfilosofi och kvalitativ metod*. Lund, Sweden: Studentlitteratur.
- Anderson, B. (2006). *Imagined communities: Reflections on the origin and spread of nationalism* (Revised ed.). London, England: Verso Books. Original work published in 1983.
- Andersson Cederholm, E., Björck, A., Lönngrén, A.-S., & Jennbert, K. (Eds.). (2014). *Exploring the animal turn. Human–animal relations in science, society and culture*. Lund, Sweden: The Pufendorf Institute.
- Aquinas, T. (1990). Animals are not rational creatures. In P. A. B. Clarke & A. Linzey (Eds.), *Political theory and animal rights*. London, England: Pluto Press.
- Aristotle (1990). *Animals are not political*. In P. A. B. Clarke & A. Linzey (Eds.), *Political theory and animal rights*. London, England: Pluto Press.
- Aristotle (1993). *Politiken/Politika*. Partille, Sweden: Åström.
- Armstrong, S. J., & Botzler, R. G. (Eds.). (2008). *The animal ethics reader* (2nd ed). London, England: Routledge.

- Atterton, P. & Calarco, P. (Eds.). (2004). *Animal philosophy: Ethics and identity. Essential readings in continental thought*. London, England: Continuum.
- Bacchi, C. (1999). *Women, policy and politics: The construction of policy problems*. London, England: Sage.
- Bacchi, C. (2009). *Analysing policy: What's the problem represented to be?* Frenchs Forest, NSW: Pearson.
- Bacchi, C. (2012). Introducing the “what’s the problem represented to be?” approach. In A. Bletsas & C. Beasley (Eds.), *Engaging with Carol Bacchi: Strategic interventions and exchanges*. Adelaide, SA: University of Adelaide Press.
- Bailly, L. (2009). *Lacan: A beginner's guide*. Oxford, England: Oneworld.
- Balibar, E. (1994). Racism as universalism. In *Masses, classes, ideas: Studies on politics and philosophy before and after Marx* (pp. 192–204). London, England: Routledge.
- Barrett, M. (1991). *The politics of truth: From Marx to Foucault*. Cambridge, MA: Polity Press.
- Bentham, J. (1823). *An introduction to the principles of morals and legislation* (Vol. 2). London, England: W. Pickering, Lincoln's Inn Fields and E. Wilson, Royal Exchange. Retrieved from <https://books.google.se/books> Original work published in 1789.
- Benton, T. (1993). *Natural relations: Ecology, animal rights, and social justice*. London, England: Verso Books.
- Beronius, M. (1991). *Genealogi och sociologi: Nietzsche, Foucault och den sociala analysen*. Stockholm, Sweden: Brutus Östlings Bokförlag Symposion.
- Berg, C., & Hammarström, M. (2006). The process of building a new governmental authority based on public demands for improved animal welfare. *Livestock Science*, 103(3), 297–302. <http://doi.org/10.1016/j.livsci.2006.05.017>
- Billig, M. (1995). *Banal nationalism*. London, England: Sage.
- Birke, L. (1994). *Feminism, animals, and science: The naming of the shrew*. Buckingham, England: Open University Press.
- Blaikie, N. W. H. (2000). *Designing social research: The logic of anticipation*. Cambridge, MA: Polity Press.
- Bletsas, A., & Beasley, C. (Eds.). (2012). *Engaging with Carol Bacchi: Strategic interventions and exchanges*. Adelaide, SA: University of Adelaide Press.

- Boas, M. (1962). *The Scientific Renaissance 1450–1630*. London, England: Collins.
- Boréus, K. (2010). Diskursanalys. In G. Ahrne & P. Svensson (Eds.), *Handbok i kvalitativa metoder*. Malmö, Sweden: Liber.
- Bracher, M. (1996). Editor's introduction. *Journal for the Psychoanalysis of Culture and Society*, 1(1), 1–13.
- Brown, W. (2002). Suffering the paradoxes of rights. In W. Brown & J. Halley (Eds.), *Left legalism/left critique* (pp. 420–434). Durham, NC: Duke University Press.
- Burt, J. (2006). Conflicts around slaughter in modernity. In The Animal Studies Group (Ed.), *Killing animals* (pp. 120–144). Urbana, IL: University of Illinois Press.
- Bromander, L. (1971). Vivisektionsdebatten i Sverige under 1880-talet. In *Lychnos. Årsbok för idé- och lärdomshistoria* (vol. 1969–1970, pp. 249–291). Uppsala, Sweden: Lärdomshistoriska samfundet.
- Bromander, L. (1987). The vivisection debate in Sweden in the 1880s. In N. A. Rupke (Ed.), *Vivisection in historical perspective*. London, England: Routledge.
- Burch, R., & Russell, W. (1959). *The principles of humane experimental technique*. London, England: Methuen.
- Börtz, E., & Börtz, J. (1982). *Nordiska samfundet mot plågsamma djurförsök 1882–1982: En hundraårig kamp för djurens rätt och människans värdighet*. Stockholm, Sweden: Nordiska samfundet mot plågsamma djurförsök.
- Calarco, M. (2008). *Zoographies: The question of the animal from Heidegger to Derrida*. New York, NY: Columbia University Press.
- Carlsson, B. (2007). *Djurens Rätt 125 år. En framgångsrik agitator för djuren*. Stockholm, Sweden: Djurens Rätt.
- Castle, D. (1998). Hearts, minds and radical democracy. Retrieved March 14, 2015, from <http://www.redpepper.org.uk/hearts-minds-and-radical-democracy/>
- Cavaleri, P. (2009). *The death of the animal: A dialogue*. New York, NY: Columbia University Press.
- Cochrane, A. (2010). *An introduction to animals and political theory*. New York, NY: Palgrave Macmillan.
- Cochrane, A. (2012). *Animal rights without liberation: Applied ethics and human obligations*. New York, NY: Columbia University Press.

- Copjec, J. (1994). *Read my desire: Lacan against the historicists*. Cambridge, MA: MIT Press.
- Cox, R. W. (1981). Social forces, states and world orders: Beyond international relations theory. *Millenium: Journal of International Studies*, 10(2), 126–155.
- Cserhalmi, N. (2004). *Djuromsorg och djurmisshandel 1860-1925: Synen på lantbrukets djur och djurplågeri i övergången mellan bonde- och industrisamhälle*. Hedemora, Sweden: Gidlunds förlag.
- Cserhalmi, N. (2002). *De oskälige kreaturen! Något om synen på lantbrukets djur de senaste 200 åren*. Stockholm, Sweden: Kungl. Skogs- och lantbruksakademien.
- Dahlén, B. (2007). Djurskyddsarbete igår, idag och i morgon. *Djurskyddet. Tidningen För Djurskyddet Sverige*, (No. 1/2007), 31.
- Dahlström, H. (1915). *Några dagar i Lule lappmark: Studier rörande renslaktfrågan*. Stockholm, Sweden.
- Dahlström, H. (1923). *Renslaktens humanisering: Reseberättelse av professor Hj. Dahlström med anledning av en studieresa vintern 1922*. Stockholm, Sweden: Svenska allmänna djurskyddsföreningen.
- Daly, G. (1999). Ideology and its paradoxes: Dimensions of fantasy and enjoyment. *Journal of Political Ideologies*, 4(2), 219–238.
- Davis, K. (2010). Procrustean solutions to animal identity and welfare problems. In J. Sanbonmatsu (Ed.), *Critical theory and animal liberation* (pp. 35–54). Lanham, MD: Rowman & Littlefield.
- DeGrazia, D. (2002). *Animal rights: A very short introduction*. Oxford, England: Oxford University Press.
- Deleuze, G., & Guattari, F. (2009). *Anti-Oedipus: Capitalism and schizophrenia*. New York, NY: Penguin. Original work published in 1972.
- Derrida, J. (1991). “Eating well” or the calculation of the subject. In E. Cadava, P. Connor, & J.-L. Nancy (Eds.), *Who comes after the subject?* New York, NY: Routledge.
- Derrida, J. (2001). *Writing and difference*. London, England: Routledge.
- Derrida, J. (2002). *Negotiations: interventions and interviews, 1971–2001*. Stanford, CA: Stanford University Press.
- Derrida, J. (2008). *The animal that therefore I am*. New York, NY: Fordham University Press.
- De Saussure, F. (2015). *Kurs i allmän lingvistik*. Lund, Sweden: Arkiv förlag. Original work published in 1916.

- Diesen, E. F. & Mille, C. (2009). *Världens bästa djurskydd: Myten om Sverige granskas*. Stockholm, Sweden: Djurens rätt.
- Dirke, K. (2000). *De värnlösa vänner: Den svenska djurskydds rörelsen 1875–1920*. Stockholm, Sweden: Stockholm University.
- Dombrowski, D. A. (1997). *Babies and beasts: The argument from marginal cases*. Urbana, IL: University of Illinois Press.
- Dombrowski, D. A. (2013). The moral claims of animals. In *The global guide to animal protection*. Urbana, IL: University of Illinois Press.
- Donaldson, S., & Kymlicka, W. (2011). *Zoopolis: A political theory of animal rights*. Oxford: Oxford University Press.
- Dunayer, J. (2001). *Animal equality: Language and liberation*. Derwood, MD: Ryce.
- Dunayer, J. (2004). *Speciesism*. Derwood, MD: Ryce.
- Edelman, L. (2004). *No future: Queer theory and the death drive*. Durham, NC: Duke University Press.
- Elder, G., Emel, J., & Wolch, J. R. (1998). *La pratique sauvage: Race, place, and the human–animal divide*. In J. Emel & J. R. Wolch (Eds.), *Animal geographies: Place, politics, and identity in the nature–culture borderlands* (pp. 72–90). London, England: Verso Books.
- Elias, N. (1982). *The civilizing process*. Oxford, England: Basil Blackwell.
- Elias, N. & Dunning, E. (1986). *Quest for excitement: Sport and leisure in the civilizing process*. Oxford, England: Blackwell.
- Elston, M. A. (1987). Women and anti-vivisection in Victorian England. In N. A. Rupke (Ed.), *Vivisection in historical perspective* (pp. 259–294). London, England; New York, NY: Routledge.
- Engels, F. (2008). *Familjens, privategendomens och statens ursprung: i anslutning till Lewis H. Morgans forskning*. Lund, Sweden: Murbruk. Original work published in 1884.
- Falkengren, J. (2005). *Djurens skepnader: Närhet och distans i diskurs och livsvärld*. Doctoral dissertation. Lund University, Lund, Sweden.
- Farians, E. (2013). The feminist ethic of care. In *The global guide to animal protection*. Urbana, IL: University of Illinois Press.
- Fink, B. (1995). *The Lacanian subject: Between language and jouissance*. Princeton, NJ: Princeton University Press.
- Flynn, C. P. (Ed.). (2008). *Social creatures: A human and animal studies reader*. New York, NY: Lantern Books.
- Flyvbjerg, B. (2006). Five misunderstandings about case-study research. *Qualitative Inquiry*, 12(2), 219–245. doi: 10.1177/1077800405284363

- Foucault, M. (1984). Nietzsche, genealogy, history. In P. Rabinow (Ed.), *The Foucault Reader* (pp. 76–100). New York, NY: Pantheon Books. Original work published in 1971.
- Foucault, M. (1997). *The politics of truth*. New York, NY: Semiotext(e).
- Forsman, B. (1992). *Djurförsök: Forskningsetik, politik, epistemologi: En vetenskapsteoretisk kontextualisering*. Stockholm, Sweden: Almqvist & Wiksell International.
- Francione, G. L. (1996). *Rain without thunder: The ideology of the animal rights movement*. Philadelphia, PA: Temple University Press.
- Francione, G. L. (2000). *Introduction to animal rights : your child or the dog?* Philadelphia, PA: Temple University Press.
- Francione, G. L. (2008). *Animals as persons: Essays on the abolition of animal exploitation*. New York, NY: Columbia University Press.
- Francione, G. L., & Garner, R. (2010). *The animal rights debate: Abolition or regulation?* New York: Columbia University Press.
- Franklin, A. (1999). *Animals and modern cultures: A sociology of human–animal relations in modernity*. London, England: Sage.
- Franklin, J. H. (2005). *Animal rights and moral philosophy*. New York, NY: Columbia University Press.
- French, R. D. (1975). *Antivivisection and medical science in Victorian society*. Princeton, NJ: Princeton University Press.
- Freud, S. (2008a). Bortom lustprincipen. In C. Crafoord, L. Sjögren, & B. Warren (Eds.), *Samlade skrifter av Sigmund Freud, IX, Metapsykologi* (2nd ed., pp. 253–306). Stockholm, Sweden: Natur och kultur. Original work published in 1920.
- Freud, S. (2008b). Jaget och detet. In C. Crafoord, L. Sjögren, & B. Warren (Eds.), *Samlade skrifter av Sigmund Freud, IX, Metapsykologi* (2nd ed., pp. 307–354). Stockholm, Sweden: Natur och kultur. Original work published in 1923.
- Friedrich, B. (2011). Getting from A to Z: Why animal activists should support incremental reforms to help animals. Retrieved March 10, 2015, from http://www.huffingtonpost.com/bruce-friedrich/getting-from-a-to-z-why-p_b_825612.html
- Garner, R. (1993). *Animals, politics, and morality*. Manchester, England: Manchester University Press
- Garner, R. (1996). *Animal rights: The changing debate*. New York, NY: New York University Press.

- Garner, R. (1998). *Political animals: Animal protection politics in Britain and the United States*. New York, NY: St. Martin's Press.
- Garner, R. (2013). *A theory of justice for animals: Animal rights in a nonideal world*. Oxford, England: Oxford University Press.
- Giddens, A. (1991). *Modernity and self-identity: Self and society in the late modern age*. Stanford, CA: Stanford University Press.
- Glynos, J., & Howarth, D. (2007). *Logics of critical explanation in social and political theory*. London, England: Routledge.
- Glynos, J., Howarth, D., Norval, A. J., & Speed, E. (2009). Discourse Analysis: Varieties and Methods. *ESRC National Centre for Research Methods Review Paper, NCRM/14*.
- Gross, A., & Valley, A. (Eds.). (2012). *Animals and the human imagination: A companion to animal studies*. New York, NY: Columbia University Press.
- Guerrini, A. (2003). *Experimenting with humans and animals: From Galen to animal rights*. Baltimore, MD: The Johns Hopkins University Press.
- Gålmark, L. (1997a). *Shambles of science: Lizzy Lind af Hageby & Leisa Schartau, anti-vivisektionister 1900–1913/14*. Älvsjö, Sweden: Nordiska samfundet mot plågsamma djurförsök.
- Gålmark, L. (Ed.). (1997b). *Djur och människor: En antologi i djuretik*. Nora, Sweden: Nya Doxa.
- Gålmark, L. (2005). Skönheter och odjur: En feministisk kritik av djur-människa-relationen. Göteborg, Sweden: Makadam.
- Gålmark, L. (2008). Aristotle revisited: Anthro-androcentrism and meat normativity. In *Global harms: Ecological crime and speciesism* (pp. 87–107). New York, NY: Nova Science Publishers.
- Hall, L. (2006). *Capers in the churchyard. Animal rights advocacy in the age of terror*. Darien, CT: Nectar Bat Press.
- Hall, L. (2010). *On their own terms: Bringing animal-rights philosophy down to earth*. Darien, CT: Nectar Bat Press.
- Haraway, D. J. (1991). *Simians, cyborgs, and women: The reinvention of nature*. New York, NY: Routledge.
- Haraway, D. J. (2008). *When species meet*. Minneapolis, MN: University of Minnesota Press.
- Harrison, B. H. (1982). *Peaceable kingdom: Stability and change in modern Britain*. Oxford, England: Clarendon Press.
- Hawkes, T. (1977). *Structuralism & semiotics*. London, England: Methuen.

- Hobbes, T. (1996). *Leviathan*. Cambridge, England: Cambridge University Press. Original work published in 1651.
- Holmberg, C. (2003). *Med husbondens röst: Om våld mot djur i misshandelsrelationer*. Ösmo, Sweden: Author.
- Howarth, D. (2000). *Discourse*. Buckingham, England: Open University Press.
- Howarth, D. (2013). *Poststructuralism and after: Structure, subjectivity, and power*. Basingstoke, England: Palgrave Macmillan.
- Howarth, D., Norval, A. J., & Stavrakakis, Y. (Eds.). (2000). *Discourse theory and political analysis: identities, hegemonies and social change*. Manchester, England: Manchester University Press.
- Howarth, D., & Stavrakakis, Y. (2000). Introducing discourse theory and political analysis. In D. Howarth, A. J. Norval, & Y. Stavrakakis (Eds.), *Discourse theory and political analysis. Identities, hegemonies and social change* (Vol. 1, pp. 1–23). Manchester, England: Manchester University Press.
- Howarth, D., & Torfing, J. (2005). *Discourse theory in European politics: Identity, policy and governance*. Basingstoke, England: Palgrave Macmillan.
- Hyrén, J. (2015). Lacan: subjektsteori & etik. *Statsvetenskaplig Tidskrift*, 117(1), 53–86.
- Jacobsson, K. (2014). Elementary forms of religious life in animal rights activism. *Culture Unbound*, 6, 305–326.
- Jacobsson, K., & Lindblom, J. (2012). Moral reflexivity and dramaturgical action in social movement activism: The case of the Plowshares and Animal Rights Sweden. *Social Movement Studies*, 11(1), 41–60.
<http://doi.org/10.1080/14742837.2012.640529>
- Jameson, F. (2002). *The political unconscious: Narrative as a socially symbolic act*. London, England: Routledge. Original work published in 1981.
- Jenkins, S. (2012). Returning the ethical and political to animal studies. *Hypatia*, 27(3), 504–510.
- Jones, S. D. (2003). *Valuing animals: Veterinarians and their patients in modern America*. Baltimore, MD: Johns Hopkins University Press.
- Joy, M. (2014). *Varför vi älskar hundar, äter grisar och klär oss i kor. En introduktion till karnismen: trossystemet som gör att vi kan äta vissa djur men inte andra*. Bromma, Sweden: Karneval förlag.

- Kant, I. (1990). Duties to animals are indirect. In P. A. B. Clarke & A. Linzey (Eds.), *Political theory and animal rights* (pp. 126–129). London, England; Winchester, MA: Pluto Press. Original work from 1780–1781.
- Kean, H. (1998). *Animal rights: Political and social change in Britain since 1800*. London, England: Reaktion Books.
- Kennedy, D. (2002). The critique of rights in critical legal studies. In W. Brown & J. Halley (Eds.), *Left legalism/left critique* (pp. 178–228). Durham, NC: Duke University Press.
- Kete, K. (1994). *The beast in the boudoir: Petkeeping in nineteenth-century Paris*. Berkeley, CA: University of California Press.
- Kete, K. (2002). Animals and ideology: The politics of animal protection in Europe. In N. Rothfels (Ed.), *Representing animals* (pp. 19–34). Bloomington, IL: University of Illinois Press.
- Kete, K. (2007). Introduction: Animals and human empire. In *A cultural history of animals in the age of empire* (pp. 1–24). Oxford, England; New York, NY: Berg.
- Korsgaard, C. M. (2012). A Kantian case for animal rights. In M. Michel, D. Kühne, & J. Hänni (Eds.), *Animal law: Developments and perspectives in the 21st century*. Zürich, Switzerland: Dike.
- Korsgaard, C. M. (2013). Kantian ethics, animals, and the law. *Oxford Journal of Legal Studies*, 33(4), 629–648.
- Kristeva, J. (1982). *Powers of horror: An essay on abjection*. New York, NY: Columbia University Press.
- Kuhn, T. S. (1996). *The structure of scientific revolutions* (3rd ed.). Chicago, IL: University of Chicago Press.
- Lacan, J. (1997). *The seminar of Jacques Lacan, book III: The psychoses, 1955–1956*. New York, NY: Norton.
- Lacan, J. (1999). *The seminar of Jacques Lacan, book XX: On feminine sexuality, the limits of love and knowledge, Encore 1972–1973*. New York, NY: Norton.
- Lacan, J. (2006). *Ecrits: The first complete edition in English*. (B. Fink, Trans.). New York, NY: Norton. Original work published in 1966.
- Lacan, J. (2008). *My teaching*. London, England: Verso Books.
- Laclau, E. (1989). Politics and the limits of modernity. *Social Text*, (21), 63–82.
- Laclau, E. (1990). *New reflections on the revolution of our time*. London, England: Verso Books.

- Laclau, E. (1994). *The making of political identities*. London, England: Verso Books.
- Laclau, E. (1996). *Emancipation(s)*. London, England: Verso Books.
- Laclau, E. (2005). *On populist reason*. London, England: Verso Books.
- Laclau, E. (2014). *The rhetorical foundations of society*. London, England: Verso Books.
- Laclau, E., & Mouffe, C. (1990). Post-marxism without apologies. In E. Laclau (Ed.), *New reflections on the revolution of our time* (pp. 97–132). London, England; New York, NY: Verso Books. Original work published in 1987.
- Laclau, E., & Mouffe, C. (2001). *Hegemony and socialist strategy: Towards a radical democratic politics* (2nd ed.). London, England: Verso Books. Original work published in 1985.
- LaFollette, H., & Shanks, N. (1996). *Brute science: Dilemmas of animal experimentation*. London, England: Routledge.
- Lapsley, R. (2006). Psychoanalytic criticism. In S. Malpas & P. Wake (Eds.), *The Routledge companion to critical theory* (pp. 66–80). New York, NY: Routledge.
- Linzey, A. (2009a). *Why animal suffering matters: philosophy, theology, and practical ethics*. Oxford, England: Oxford University Press.
- Linzey, A. (Ed.). (2009b). *The link between animal abuse and human violence*. Brighton, England: Sussex Academic Press.
- Locke, J. (1990). Cruelty is not natural. In P. A. B. Clarke & A. Linzey (Eds.), *Political theory and animal rights* (pp. 119–121). London, England: Pluto Press. Original work published in 1689.
- Luke, B. (2007). *Brutal: Manhood and the exploitation of animals*. Urbana, IL: University of Illinois Press.
- Lundmark, F. (2000). *Människan i centrum: En studie av antropocentrisk värdegemenskap*. Stehag, Sweden: Gondolin.
- MacKinnon, C. A. (2004). Of mice and men: A feminist fragment on animal rights. In M. C. Nussbaum & C. R. Sunstein (Eds.), *Animal rights. Current debates and new directions*. Oxford, England: Oxford University Press.
- Maehle, A. H., & Tröhler, U. (1987). Animal experimentation from Antiquity to the end of the eighteenth century. In N. A. Rupke (Ed.), *Vivisection in historical perspective* (pp. 14–47). London, England; New York, NY: Routledge.

- Malamud, R. (Ed.). (2011). *A cultural history of animals in the modern age*. Oxford, England: Berg.
- March, J. G., & Olsen, J. P. (2006). The Logic of Appropriateness. In *The Oxford Handbook of Public Policy* (pp. 289–308). Oxford, England: Oxford University Press.
- Marx, K. (1983). *Das Kapital. Kritik der politischen Ökonomie*. Berlin, Germany: Dietz Verlag. Original work published in 1867.
- Matheny, G. (2006). Utilitarianism and animals. In P. Singer (Ed.), *In defence of animals: The second wave* (pp. 13–25). Malden, MA: Blackwell.
- McGowan, K. (2006). Structuralism and semiotics. In S. Malpas & P. Wake (Eds.), *The Routledge companion to critical theory* (pp. 3–13). London, England: Routledge.
- McGowan, T. (2004). *The end of dissatisfaction? Jacques Lacan and the emerging society of enjoyment*. Albany, NY: State University of New York Press.
- McGowan, T. (2013). *Enjoying what we don't have: The political project of psychoanalysis*. Lincoln, NE: University of Nebraska Press.
- McNally, D. (2012). *Monsters of the market: Zombies, vampires and global capitalism*. Chicago, IL: Haymarket Books.
- Merchant, C. (1980). *The death of nature: Women, ecology and the scientific revolution*. San Francisco, CA: Harper.
- Miller, J.-A. (2008). Extimity. *The Symptom*, (9). Retrieved from <http://www.lacan.com/symptom/?p=36>
- More, T. (2003). *Utopia*. London, England: Penguin Books. Original work published in 1516.
- Mouffe, C. (1993). *The return of the political*. London, England: Verso Books.
- Mouffe, C. (2000). *The democratic paradox*. London, England; New York, NY: Verso Books.
- Mouffe, C. (2005). *On the political*. London, England: Routledge.
- Mörkenstam, U. (1999). *Om "Lapparnes privilegier": Föreställningar om samiskhet i svensk samepolitik 1883–1997*. Doctoral dissertation. Stockholm University, Stockholm, Sweden.
- Nibert, D. A. (2002). *Animal rights/human rights: Entanglements of oppression and liberation*. Lanham, MD: Rowman & Littlefield.
- Nibert, D. A. (2013). *Animal oppression and human violence: Domesecration, capitalism, and global conflict*. New York, NY: Columbia University Press.

- Nocella, A.J., II., Sorenson, J., Socha, K. & Matsuoka, A. (2014). Introduction: The Emergence of Critical Animal Studies. The Rise of Intersectional Animal Liberation. In A.J. Nocella II, J. Sorenson, K. Socha & A. Matsuoka (Eds.), *Defining Critical Animal Studies* (pp. xix–xxxvi). New York: Peter Lang.
- Noske, B. (1997). *Beyond boundaries: Humans and other animals*. Buffalo, NY: Black Rose Books.
- Nussbaum, M. C. (2004). Beyond “compassion for humanity”: Justice for nonhuman animals. In *Animal rights. Current debates and new directions* (Vol. 1, pp. 299–320). Oxford, England: Oxford University Press.
- Nussbaum, M. C. (2006). *Frontiers of justice: Disability, nationality, species membership*. Cambridge, MA: The Belknap Press/Harvard University Press.
- Nya lagförslaget en djurskyddsseger. (1944, January 5). *Dagens Nyheter*.
- Oliver, K. (2008). What is wrong with (animal) rights? *Journal of Speculative Philosophy*, 22(3), 214–224.
- O’Sullivan, S. (2007). *Animal visibility and equality in liberal democratic states: A study into animal ethics and the nature of bias in animal protection*. Doctoral dissertation, University of Sydney, Sydney, Australia.
- O’Sullivan, S. (2011). *Animals, equality and democracy*. Basingstoke, England: Palgrave Macmillan.
- Pachirat, T. (2011). *Every twelve seconds: Industrialized slaughter and the politics of sight*. New Haven, CT: Yale University Press.
- Paget, S. (1907). *Experiments on animals*. New York, NY: William Wood and Company. Retrieved from <http://www.gutenberg.org/files/42660/42660-h/42660-h.htm>
- Passmore, J. (1975). The treatment of animals. *Journal of the History of Ideas*, 36(2), 195–218.
- Patterson, C. (2002). *Eternal Treblinka: Our treatment of animals and the Holocaust*. New York, NY: Lantern Books.
- Pedersen, H. (2007). *The school and the animal other: An ethnography of human–animal relations in education*. Doctoral thesis, University of Gothenburg, Gothenburg, Sweden.
- Pedersen, H. (2010). *Animals in schools: Processes and strategies in human–animal education*. West Lafayette, IN: Purdue University Press.

- Pedersen, H., & Stănescu, V. (2012). Series editors' introduction: What is "critical" about animal studies? From the "animal question" to the "animal condition." In K. Socha, *Women, destruction, and the avant-garde: A paradigm for animal liberation* (pp. ix–xi). Amsterdam, Netherlands: Rodopi.
- Phelps, N. (n.d.). One-Track Activism: Animals Pay the Price. Retrieved September 21, 2015, from <http://www.veganoutreach.org/articles/normphelps.html>
- Phelps, N. (2007). *The longest struggle: Animal advocacy from Pythagoras to PETA*. New York, NY: Lantern Books.
- Phelps, N. (2015). *Changing the game: Animal liberation in the twenty-first century* (Revised ed.). New York, NY: Lantern Books.
- Piazza, J., Ruby, M. B., Loughnan, S., Luong, M., Kulik, J., Watkins, H. M., & Seigerman, M. (2015). Rationalizing meat consumption. The 4Ns. *Appetite*, 91, 114–128. <http://doi.org/10.1016/j.appet.2015.04.011>
- Preece, R. (2002). *Awe for the tiger, love for the lamb: A chronicle of sensibility to animals*. Vancouver, BC: UBC Press.
- Preece, R. (2008). *Sins of the flesh: A history of ethical vegetarian thought*. Vancouver, BC: UBC Press.
- Rachels, J. (1999). *Created from animals: The moral implications of Darwinism*. Oxford, England: Oxford University Press.
- Reeder, J. (1994). *Begär och etik: om kön och kärlek i den fallocentriska ordningen*. Stockholm, Sweden: Brutus Östlings bokförlag Symposion.
- Regan, T. (1983). *The case for animal rights*. London, England: Routledge & Kegan Paul.
- Regan, T. (2004). *Empty cages: Facing the challenge of animal rights*. Lanham, MD: Rowman & Littlefield.
- Ritvo, H. (1987). *The animal estate: The English and other creatures in the Victorian Age*. Cambridge, MA: Harvard University Press.
- Ritvo, H. (1997). *The platypus and the mermaid, and other figments of the classifying imagination*. Cambridge, MA: Harvard University Press.
- Rothenberg, M. A. (2010). *The excessive subject: A new theory of social change*. Cambridge, MA: Polity Press.
- Rowan, A. N. (1993). Formulation of ethical standards for use of animals in medical research. *Toxicology Letters*, 68, 63–71.
- Rowlands, M. (2002). *Animals like us*. London, England: Verso Books.
- Rupke, N. A. (1990). *Vivisection in historical perspective*. London, England: Routledge.

- Russell, C. A. (1991). Science on the fringe of Europe: Nineteenth-century Sweden. In D. C. Goodman & C. A. Russell (Eds.), *The Rise of scientific Europe, 1500–1800*. London, England: Hodder & Stoughton.
- Ryder, R. D. (2000). *Animal revolution: Changing attitudes toward speciesism* (2nd ed.). Oxford, England: Berg.
- Ryder, R. D. (2005, August 6). All beings that feel pain deserve human rights. *The Guardian*.
- Rydström, J. (2003). *Sinners and citizens: Bestiality and homosexuality in Sweden, 1880–1950*. Chicago, IL: The University of Chicago Press.
- Salecl, R. (1994). *The spoils of freedom: Psychoanalysis and feminism after the fall of socialism*. London, England: Routledge.
- Sanbonmatsu, J. (2004). *The postmodern prince: Critical theory, left strategy, and the making of a new political subject*. New York, NY: Monthly Review Press.
- Sanbonmatsu, J. (Ed.). (2011). *Critical theory and animal liberation*. Lanham, MD: Rowman & Littlefield.
- Sayer, D. (1979). *Marx's method: Ideology, science, and critique in Capital*. Atlantic Highlands, NJ: Harvester Press.
- Sayyid, B., & Zac, L. (1998). Political analysis in a world without foundations. In E. Scarbrough & E. Tanenbaum (Eds.), *Research strategies in the social sciences* (pp. 250–268). Oxford, England: Oxford University Press.
- Schlosberg, D. & Wissenburg, M. L. J. (Eds.). (2014). *Animal politics and political animals*. Basingstoke, England: Palgrave Macmillan.
- Scully, M. (2002). *Dominion: The power of man, the suffering of animals, and the call to mercy*. New York, NY: St. Martin's Press.
- Segerdahl, P. (2009). *Djuren i kulturen: Hur naturligt kan våra husdjur leva?* Göteborg, Sweden: Daidalos.
- Sharpe, M., & Boucher, G. (2010). *Žižek and politics: A critical introduction*. Edinburgh, Scotland: Edinburgh University Press.
- Singer, P. (2002). *Animal liberation*. New York, NY: Ecco, Harper Collins. Original work published in 1975.
- Singer, P. (2004). Preface. In M. Calarco & P. Atterton (Eds.), *Animal philosophy: Ethics and identity. Essential readings in continental philosophy*. London, England: Continuum.
- Singer, P. (2006). *In defense of animals: The second wave*. Malden, MA: Blackwell. Original work published in 1975.

- Singer, P. (2011). *The expanding circle: Ethics, evolution, and moral progress*. Princeton, NJ: Princeton University Press. Original work published in 1981.
- Smith, A. M. (1998). *Laclau and Mouffe: The radical democratic imaginary*. London, England: Routledge.
- Smith, K. K. (2012). *Governing animals: Animal welfare and the liberal state*. New York, NY: Oxford University Press.
- Spiegel, M. (1989). *The dreaded comparison: Human and animal slavery*. New York, NY: Mirror Books.
- Statistics Sweden (SCB), Agricultural Statistics Unit. (2014). *Yearbook of agricultural statistics 2014*. Örebro, Sweden: Author.
- Stavrakakis, Y. (1999). *Lacan and the political*. London, England: Routledge.
- Stavrakakis, Y. (2007). *The Lacanian left: Psychoanalysis, theory, politics*. Edinburgh, Scotland: Edinburgh University Press.
- Steiner, G. (2005). *Anthropocentrism and its discontents: The moral status of animals in the history of Western philosophy*. Pittsburgh, PA: University of Pittsburgh Press.
- Striwing, H. (1987). *Djurplågeri: en studie i lagstiftning och rättsfall*. Stockholm, Sweden: Norstedt.
- Striwing, H. (1998). *Djur som brottsoffer*. Nora, Sweden: Nya Doxa.
- Stuart, T. (2006). *The bloodless revolution: Radical vegetarians and the discovery of India*. London, England: HarperPress.
- Sturrock, J. (Ed.). (1979). *Structuralism and since: From Lévi Strauss to Derrida*. Oxford, England: Oxford University Press.
- Svärd, P.-A. (2008). Protecting the animals? An abolitionist critique of animal welfarism and green speciesism. In *Global harms: Ecological crime and speciesism*. (pp. 167–186). New York, NY: Nova publishers.
- Svärd, P.-A. (2010). “I do not want to speak here of the educated classes...” The construction of animal cruelty in Swedish politics 1844–1858 (pp. 49–64). Presented at the Scandinavian Research Council for Criminology Research Seminar in Hønefoss, Norway. Research Report No. 52. Reykjavík, Iceland: Scandinavian Research Council for Criminology. Retrieved from http://nsfk.org/Portals/0/Research_Seminar_Report_52.pdf
- Svärd, P.-A. (2011a). Beyond welfarist morality: An abolitionist reply to Fetissenko. *Journal of Animal Ethics*, 1(2), 176–186.

- Svärd, P.-A. (2011b). Det är ingen jävel som frågar "varför då?" Om ideologikritikens psykologi och psykoanalysens ideologikritik. *Fronesis*, 36-37, 230-236.
- Svärd, P.-A. (2011c). Fienden i fantasin: Psykoanalytiska bidrag till ideologikritiken. *Fronesis*, 36-37, 258-271.
- Svärd, P.-A. (2012). The ideological fantasy of animal welfare: A Lacanian perspective on the reproduction of speciesism (pp. 115-132). In R. Ellefsen, G. Larsen, & R. Sollund (Eds.), *Eco-global crimes: Contemporary problems and future challenges*. Farnham, England: Ashgate.
- Svärd, P.-A. (2013a). Animal National Liberation? *Journal of Animal Ethics*, 3(2), 188-200.
- Svärd, P.-A. (2013b). När den Andre dödar: Slakt, speciesism och djurskyddsnationalism i svenska riksdagsdebatter 1887-1937. *Sociologi i dag*, 43(2), 61-84.
- Svärd, P.-A. (2014a, September 24). Köttssamhällets egen ideologi. *Arbetaren*. Retrieved August 11, 2015, from <http://arbetaren.se/artiklar/kottssamhallets-egen-ideologi/>
- Svärd, P.-A. (2014b). Slaughter and animal welfarism in Sweden 1900-1944. In M. L. J. Wissenburg & D. Schlosberg (Eds.), *Political Animals and Animal Politics* (pp. 135-149). Basingstoke, England: Palgrave Macmillan.
- Svärd, P.-A. & Tinnerholm Ljungberg, H. (2013). Njutning och dödsdrift. Introduktion till Stavrakakis och Edelman. *Fronesis*, (44-45), 166-174.
- Swedish Board of Agriculture (2009). Användningen av försöksdjur i Sverige under 2008, registration number 31-502/09.
- Swedish Board of Agriculture (2013a). Användningen av försöksdjur i Sverige under 2009, 2010 och 2011, registration number 31-834/12.
- Swedish Board of Agriculture (2013b). Användningen av försöksdjur i Sverige under 2012, registration number 31-3698/13.
- Taylor, N., & Twine, R. (Eds.). (2014). *The rise of critical animal studies: From the margins to the centre*. London, England: Routledge.
- Tester, K. (1991). *Animals and society: The humanity of animal rights*. London, England: Routledge.
- Thomas, K. (1984). *Man and the natural world: Changing attitudes in England 1500-1800*. Harmondsworth, England: Penguin.
- Thorsell, L. (1990). Bryggarkamp, spårvagnshäst och andra arbetshästar. In B. Holmbäck (Ed.), *Huvudstadens hästar*. Stockholm, Sweden: Höjering.

- Torfinn, J. (1999). *New theories of discourse: Laclau, Mouffe, and Žižek*. Oxford, England: Blackwell.
- Torfinn, J. (2005). Discourse theory: Achievements, Arguments, and Challenges. In *Discourse theory in European politics*. Basingstoke, England: Palgrave Macmillan.
- Tormey, S., & Townshend, J. (2006). *Key thinkers from critical theory to post-Marxism*. London, England: Sage.
- Torres, B. (2007). *Making a killing: The political economy of animal rights*. Oakland, CA: AK Press.
- Turner, J. (1980). *Reckoning with the beast. Animals, pain, and humanity in the Victorian mind*. Baltimore, MD: Johns Hopkins University Press.
- Tännsjö, T. (2010). *Animal ethics: A crash course*. Stockholm, Sweden: Thales.
- Vialles, N. (1994). *Animal to edible*. Cambridge, England: Cambridge University Press.
- Wadiwel, D. J. (2015). *The war against animals*. Boston, MA: Brill.
- Weber, M. (1993). *The sociology of religion*. Boston, MA: Beacon Press. Original work published in 1920.
- Weisberg, Z. (2015). Biotechnology as end game: Ontological and ethical collapse in the “Biotech Century.” *NanoEthics*, March 2015. <http://doi.org/10.1007/s11569-014-0219-5>
- Weil, K. (2010). A Report on the Animal Turn. *Differences*, 21(2), 1–23. <http://doi.org/10.1215/10407391-2010-001>
- Wetherell, M., & Potter, J. (1992). *Mapping the language of racism: Discourse and the legitimation of exploitation*. New York, NY: Columbia University Press.
- Wesslén, S. (1948, October 6). Djurskydd och djurplågeri. *Expressen*.
- Willett, C. (2014). *Interspecies ethics*. New York, NY: Columbia University Press.
- Wittgenstein, L. (2012). *Filosofiska undersökningar*. Stockholm, Sweden: Thales. Original work published in 1953.
- Wolfe, C. (2003a). Animal rites: American culture, the discourse of species, and posthumanist theory. Chicago, IL: University of Chicago Press.
- Wolfe, C. (2003b). *Zoontologies: The question of the animal*. Minneapolis, MN: University of Minnesota Press.
- Wyckoff, J. (2014a). Linking sexism and speciesism. *Hypatia*, 29(2), 721–737.
- Wyckoff, J. (2014b). Toward justice for animals. *Journal of Social Philosophy*, 45(4), 539–553.

- Yin, R. K. (2014). *Case study research: Design and methods* (5th ed.). Los Angeles, CA: Sage.
- Zizek, S. (1987). Why Lacan is not a post-structuralist. *Newsletter of the Freudian Field*, 1(2), 31–39.
- Žižek, S. (1993). Tarrying with the negative: Kant, Hegel, and the critique of ideology. Durham, MD: Duke University Press.
- Žižek, S. (1994). Introduction: The spectre of ideology. In S. Žižek (Ed.), *Mapping ideology*. London, England; New York, NY: Verso Books.
- Zizek, S. (1997). The abyss of freedom. In Schelling, F. W. J. & S. Zizek, *The abyss of freedom/Ages of the world*. Ann Arbor, MI: University of Michigan Press.
- Zizek, S. (2008). *The sublime object of ideology*. London, England: Verso Books. Original work published in 1989.
- Zizek, S. (2010). *Living in the End Times*. London, England: Verso Books.

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