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"HIS HEART EXPOSED TO PRYING EYES, TO PITY HAS NO CLAIM": REFLECTIONS ON HOGARTH AND THE NATURE OF CRUELTY



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In his famous discussion of the source of our duties concerning animals, the German philosopher Immanuel Kant approvingly mentions a series of engravings ("The Four Stages of Cruelty") by the English artist William Hogarth as exemplifying one of his central contentions.[2] The approach to our duties regarding animals advocated by Kant holds that avoiding cruelty is the most fundamental duty we can have to nonhuman animals. For convenience, I shall refer to this view as the "No-Cruelty" position. It is not surprising that Kant cites Hogarth while explaining his own views; Hogarth's engravings provide a rich visual statement about the nature of cruelty and the moral status of its victims.

That there is a duty to avoid cruelty is not very controversial; condemning cruelty is somewhat analogous to condemning child abuse. The existence of such a duty is sufficiently obvious that arguing for its existence would be unnecessary in most contexts. This is so even with respect to the duty as applied strictly in the case of nonhuman animals. Moreover, thinking about our duties with respect to animals in terms of avoiding cruelty is a common way of approaching the subject. Legislation "protecting" animals, for example, is often presented under the rubric of "prohibiting cruelty," and many of the traditional organizations that have worked for improved treatment of animals have shared this view, describing their task either as "the prevention of cruelty" or as "the promotion of humaneness." [3] These are but two examples of the ways in which the notion of cruelty is deeply embedded in our way of thinking about the evils done to animals. As a result, the appeal to avoiding cruelty as the central claim on behalf of animals has the advantage that it appeals to

items of common moral currency and is thus less controversial than some claims on behalf of animals might be.

Nevertheless, with the rise of various critiques of traditional assumptions regarding the moral status of animals, the appeal to avoiding cruelty as a foundation for our duties concerning animals has been abandoned by many today. Understanding why this has occurred is partly a matter of understanding why traditional assumptions about the moral status of animals are so unsatisfactory. Despite differences among those critical of these assumptions, I take it that a common feature of many is rejection of speciesism. The No-Cruelty view appears to many to be a relic of an era in which those who would assist animals shared the speciesistic outlook of those against whom animals needed protection. Implicitly, the No-Cruelty view is seen as failing to give proper place to the value of the animals themselves.

I believe that these criticisms are appropriate. The arguments for re-thinking our fundamental ideas about human-animal relations are well known and need not be repeated here.[4] Nevertheless, in my experience, it is still common for people, even those who would identify themselves with the animal rights movement, to focus primarily upon cruelty in thinking about treatment of animals they consider unethical. This raises the question of what role this concept should play in a more enlightened ethic. Central to this task is understanding both why the concept of cruelty is so appealing as a tool on behalf of animals and why it ultimately



PHILOSOPHY

proves inadequate if relied upon too heavily. That is the limited task I shall approach here, and for this purpose, Hogarth's engravings provide an excellent pictorial starting place.

Hogarth's engravings[5] trace the developing cruelty of one Tom Nero, focusing on the growth of his cruelty from childhood to ironic reward in his own death and mutilation. Each of the four scenes depicts a moment displaying the inflicting or consequences of cruelty. But none of them would have the meaning it presently has outside the context of the series; we are asked to take the claim that each is a stage quite seriously. Though each scene appears to capture an isolatable moment, they are clearly part of an unfolding process. In fact, Hogarth conveys this important idea in the very title of

can be seen thrusting an arrow into the anus of a dog. A second boy holds the powerful dog's legs, while a third controls the creature with a rope around his neck. A fourth dog seeks to intervene by offering Tom a bribe to withdraw. Yet a fifth boy is seen to the side witnessing the event. He draws a primitive picture of someone hanging from the gallows, under which appears the name "Tom Nero."

It is worth noting that despite all the evident brutalization of these animals, this dog is the only creature in the scene whose agony is unmistakably manifested. While one might maintain that the rest of the characters in this scene are depicted more abstractly in order to draw our attention to the central action, this does not hold up under scrutiny. The other characters are depicted with varying degrees of detail, but even when they are drawn as concretely as Nero and this dog, the victims do not show the effects of their suffering very clearly, if at all. Hogarth's interest here and throughout these engravings is clearly more focused on the victimizer than on the victim. We see quite clearly the expressions of the children in this first stage; they are generally wearing pleasant smiles. In the case of the boy blinding the bird, the expression seems particularly fiendish. The children seem to enjoy their "play." The omission of the agony of these victims is remarkable when one first notices it. Hogarth almost seems to regard the suffering of these victims as a distraction from his real subject matter.

The next scene, "The Second Stage of Cruelty" (fig. 2), again reveals an abundance of cruelty. In the upper portion of this scene, we find an overburdened donkey being spurred forward with a pitchfork. In the center, a beer cart driven by a fellow apparently in a drunken stupor runs over a child. In the foreground, a shepherd clubs one of his flock into oblivion.[6]

The first and second stages share the theme of brutalizing animals, but the second stage no longer involves the brutal play of children. The single exception to this involves a bull-baiting to be seen in the background of this scene. The cruelty manifested in the second stage represents more "adult" forms of behavior, brutalities associated mostly with work. Interestingly, the anomalous bull-baiting is depicted as somewhat distant from the central action of this

FIRST STAGE OF CRUELTY.



Figure 1

the series, "The Four Stages of Cruelty." The cruelty Hogarth is interested in depicting cannot be understood in terms of momentary or isolatable acts but is, rather, something larger, consisting of stages.

In "The First Stage of Cruelty" (fig. 1), Tom Nero is the central figure in a scene which is nothing less than an orgy of cruelty, perpetrated almost entirely by children upon various animals. Amid such brutalities as a cockfight, suspending two cats together by the tail, and burning a bird's eye, Tom

scene, suggesting a bridge between the first and second stages. The "playful" cruelty associated with childhood forms the background of the kinds of cruelty to be found in the lives of adults. Indeed, this is the central message of "The Four Stages of Cruelty," and so the inclusion of the bull-baiting is not really surprising. It fits into the second stage quite well, when we consider both its placement in the second and the over-all context of the series.

As before, Tom Nero is the central figure of the second stage. Hogarth seems to suggest in this scene that Tom's flaws are growing to include not only the brutality of the first stage but also neglect and ingratitude, as he now beats the horse that provides his very living as a hackney coach drive. The carriage is overloaded with men who are both well-dressed and well-fed, apparently penurious barristers.[7] This stage places Nero's senseless brutality in the context of similar abuses of beasts of burden or livestock, thus representing it not so much as an aberration but as business as usual. In case the variety of accepted forms of cruelty were not great enough in this scene, Hogarth includes advertisements on the wall to the left for a boxing match (between one James Field and George Taylor) as well as for cockfighting. Again, Hogarth includes the lone figure recording Tom's ugly deeds.

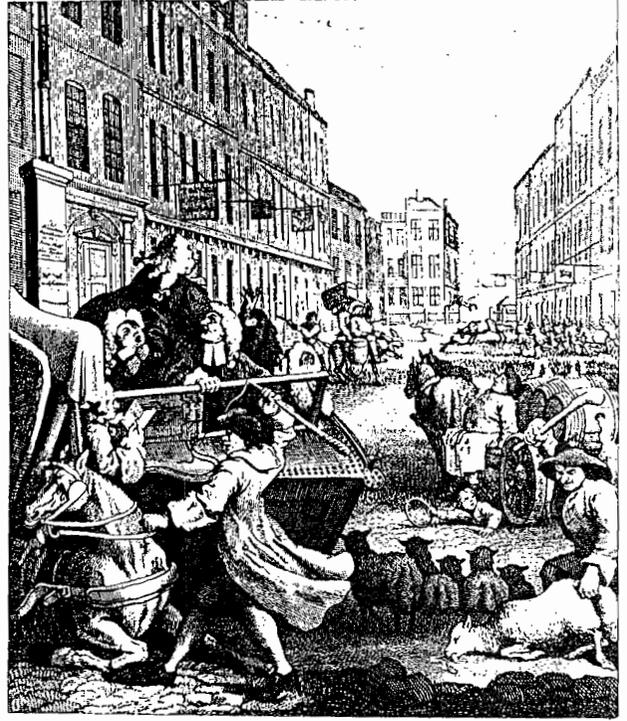


Figure 2

Hallie points out that Hogarth's perspective in "The Four Stages of Cruelty" is primarily focused on the victimizer rather than on the victims of cruelty. Hallie, recognizing that this focus is common in discussions of cruelty, tries to counter-balance it by emphasizing the experience of the victim in his consideration of the nature of cruelty. For this reason alone, Hallie's work is unusual and bears study. But it is no accident that we focus on the victimizer in our ordinary thinking about cruelty, and Hogarth's engravings exemplify the reason for this quite well. In the first three stages, Hogarth has depicted something other than individual acts. Cruelty is a character trait, and it is the development of this trait in Tom that we witness in these first three stages. The sense in which "The Four Stages of Cruelty" represents stages at all has only to do with the victimizer, the victims are constantly changing. In fact, it is through the device of changing the victims that Hogarth shows the development from one stage to the next. Tom's cruelty grows as his victims change: first animals, then humans. Finally, Tom becomes his own victim.

The third stage, "Cruelty in Perfection" (fig. 3), depicts the final growth of Tom's cruel character. Having impregnated his mistress, Ann Gill, he then hacked her to death to avoid following through on his commitment to run off with her. The letter in the foreground tells the story of her betraying her employer--at Tom's urging--in preparation to run off with Nero. Scattered from the sack she was carrying is the silver she stole for them. Nero's cruelty has now led both to the corruption and brutal murder (note the tremendous gashes in her throat and wrist) of another human. His cruelty has now grown to such proportions that it is now inflicted upon the humans closest to him. His own expression appears to be one of revulsion at his own action. The lone witness of Tom's deeds of the first two stages has now been replaced by a mob. But unlike the witness of the first two stages, the mob does not passively observe the deeds; it now enters the action to arrest Nero.

In The Paradox of Cruelty,[8] Phillip

The fourth stage, "The Reward of Cruelty" (fig. 4), depicts this ruination. Tom, having been executed for Ann's murder, is being used for an anatomy lesson.[9] Even after his own death, Tom still pays for his crimes through, appropriately enough, the

violation of his own bodily dignity.

Despite the seriousness of the crime and subsequent punishment, the occasion could be taken for a light-hearted affair. In fact, Hogarth seems to be commenting as much here on the medical profession as he is depicting Tom's "reward." The anatomy lesson is presided over by a rather disinterested figure who sits beneath the emblem of the Royal College of Physicians (which depicts the taking of a pulse). At the upper left of the scene, a man with a woeful expression directs our attention to the skeleton of James Field (the boxer whose match was advertised in the second stage), suggesting that Nero is to follow him on public display. The room is crowded with physicians engaged in chatter, joking, reading, or otherwise distracted from the main event. The focal point of the scene is Tom's head; many lines draw attention to it. It has been attached to a pulley by a rather large screw placed in his skull, while the hangman's noose remains around his neck. In an obvious throwback to the first stage, his eyeball is being extracted. Despite being dead, Nero's expression is that of someone enduring tremendous suffering. In the foreground, a dog eats Tom's heart, completing the "reward" with an ironic twist.

Hogarth thus presents us with a dramatic depiction of the danger of cruelty: as it develops and grows to its "perfection," i.e., its complete form, cruelty becomes dangerous not only to its original victims--animals--but also undermines human community. This contention, that cruelty to animals is linked to failure to live decently in human society, is the point that Kant approvingly mentions in citing Hogarth's engravings. Kant's view provides the logical extension of what "The Four Stages of Cruelty" depicts. If the real problem with cruelty to animals is that it may lead us to brutalize humans, then our abhorrence of cruelty to animals need not be explained by attributing any moral status to the animals themselves. The likelihood that violations of humans ensue from cruelty to animals is sufficient on Kant's view to explain the wrongness of cruelty to animals. In considering this view, a rather fundamental concern should be whether the implicit empirical claim that cruelty in the one case leads to cruelty in the other is correct. There may well be some connection between the two, but the ability of humans to distinguish animals from humans in the myriad ways we do (in both thought and deed) should

give us pause in thinking that those who are cruel to animals cannot draw the line. If this claim turns out to be false after all, none of our alleged duties to animals would, on the Kantian view, turn out to be duties at all. Then we would be forced to the absurd position that there simply is nothing that one could do to an animal that is objectionable.

The No-Cruelty view is not identical with the Kantian view. It need not be committed to the proposition that duties to animals depend solely on their connection to duties owed to humans. But in identifying cruelty as the major ill in our dealings with animals, it shares other faults with such a position. One such problem is clearly shown in Hogarth's engravings. Each act in the first three scenes is a stage in the development of a character trait, until we find it in its "perfection." Tom Nero's youthful acts are, for Hogarth, clearly cruel in light of the later stages. As mentioned before, Hogarth's emphasis on victimizer rather than on victim is no accident; the concept of cruelty places a person's character at the heart of the matter. It is not the victim's character that is in question, and this is why it is so easy to speak of or depict cruelty as if it has no victim.

For some purposes, focusing on the character of the perpetrator is just what is called for. But the language of cruelty is in other contexts counter-productive. Focusing on cruelty, because it directs us to an individual's character, can displace the discussion in two related ways. First, it has a tendency to produce defenses of the good character of the individuals in question. This defensiveness can be a hindrance to genuine dialogue about what we owe to animals in our treatment of them. Thus, the usefulness of charging cruelty depends on who one wants to have the dialogue with; it seems generally more useful when speaking to a third party than in direct dialogue with the accused. Second, since focusing on cruelty draws attention to the character of individuals, this language suggests that the problem is one of personal aberration, an individual who has stepped outside the limits of acceptable behavior. To suggest this is to fall into the hands of those who wish to defend such behavior as complying with currently acceptable standards, i.e., the status quo.

A particularly pointed example of both



Figure 3

of these points occurred recently when the Animal Liberation Front (ALF) raided some University of California at Riverside (UCR) laboratories. The newspapers covering this event reported that a spokesperson for the ALF charged that the experiments being conducted in these labs were cruel. The immediate response from the University was to come to the defense of the researchers, maintaining that there had been no abuses of animals by these individuals. Here, of course, "abuse" means "nothing out of the ordinary, as far as research procedures go." As evidence of this, the University produced recent inspection reports from a laboratory "accrediting" agency (AAALAC).[10] Here both elements are represented: the charge of cruelty eliciting a personal defense of the researchers and that defense consisting of placing the researchers' behavior within accepted institutional standards.

Clearly, the major point of the ALF's act was lost in this exchange. Their challenge is of a more fundamental nature than the language of cruelty permits. It is a challenge to the very standards that institutions such as AAALAC and UCR appeal to in justifying their programs of exploiting animals in the name of human benefit. Further, the speciesistic assumptions underlying such justifications are what must be called into question. Given the common understanding of the personal nature of cruelty, this concept

seems particularly unfit for this purpose.

The undesirability of this distraction from victim to victimizer is not the only reason the language of cruelty proves inadequate for the work of objecting to the mass exploitation of animals our society engages in. The concept of cruelty serves best when the act or practice in question is uncontroversially objectionable. Few who view "The First Stage of Cruelty" would pause to ask whether these acts are really cruel. But when we turn to standardly accepted uses of animals in agriculture and science, for example, it is less obvious that the language of cruelty is most useful. People are not as ready to see scientists and farmers as cruel.

The No-Cruelty view suffers a theoretical difficulty that may help us understand why the language of cruelty is unsuited to moving people to see that the status quo is objectionable. Of course, part of the reason for the hesitation in seeing current practices as cruel is simply ignorance; many are not aware of what is really happening behind the closed doors of the labs and the fences of the farms. But where there is not such ignorance, the concept of cruelty simply does not serve well as the most fundamental ethical category. It fails to provide us with a measure or criterion of what should be avoided.

What is cruelty? Cruelty is either the taking of pleasure in or indifference to someone's suffering, depending on whether we are speaking of sadistic or non-sadistic cruelty.[11] In either case, cruelty is a failure to give sufficient account to suffering imposed. Now, an animal's suffering will have been given sufficient account when we have weighed it appropriately with respect to its place among the other values involved in the situation. But how much is this? What place does an animal's suffering or harm have in a scheme of values? Implicit in any judgment of cruelty is the judgment that someone's suffering is too much, but a general prohibition of cruelty cannot by itself tell us how much is too much. The decision, then, that something is cruel does not provide a useful criterion for decisions about controversial cases; rather, it presupposes an independent means of making this kind of judgment.

The deflection of attention from victim to victimizer in our common concept of cruel-

ty[12] is thus tied up with a range of problems. It can make us focus on the perpetrator without providing enough insight into the true locus of value, the victim, and it is precisely this deeper insight into the value of the victim of such institutions as factory farming and scientific research that our society needs. As Hogarth so brilliantly depicts, the language of cruelty has an im-



Figure 4

portant place in the assessment of human virtues and vices. But, as Hogarth also unwittingly reveals, our common notion of cruelty cannot bear the weight that we sometimes try to put on it. If we are to reflect the realization that animals constitute a locus of value independent of the meaning of our actions for ourselves, it is clear that we must employ other concepts, such as respecting the interests and rights of animals. Only when we see this more clearly will we understand the important but limited role that the concept of cruelty can play in advocating serious change in our society's relations with animals.

Notes

1. The first half of my title is taken from the caption that accompanies the fourth of Hogarth's engravings, "The Reward of Cruelty." The captions were written by Reverend James Townley.

2. Immanuel Kant, "Duties to Animals and Spirits," in his Lectures on Ethics, trans Louis Infield (New York: Harper & Row, 1963), p. 240.

3. Typical state legislation protecting animals goes under the rubric of "anti-cruelty" legislation. See E. S. Leavitt, Animals and Their Legal Rights (Washington, D.C.: Animal Welfare Institute, 1978). As to pro-animal organizations, the names of many of them reveal this point; the Society for the Prevention of Cruelty to Animals is an obvious example. Insofar as humaneness is opposed to cruelty, such organizations as the Humane Society of the United States and the American Humane Association promote the same message in their names.

4. The list of significant contributions to the philosophical debate on the moral status of animals is quite long. A few important examples would have to include Peter Singer, Animal Liberation (New York: Avon Books, 1975), Bernard Rollin, Animal Rights and Human Morality (Buffalo: Prometheus Books, 1981), Tom Regan, The Case for Animal Rights (Berkeley: The University of California Press, 1983), and Steve Sapontzis, "Moral Community and Animal Rights," American Philosophical Quarterly XXII (1985).

5. The illustrations here are reprinted from J. Trusler, The Works of William Hogarth, Volume II (London: E. T. Brain & Co., n.d.).

6. Sean Shesgreen, Engravings by Hogarth (New York: Dover, 1973), p. 78.

7. Ibid.

8. Phillip Hallie, The Paradox of Cruelty (Middletown, Connecticut: Wesleyan University Press, 1969).

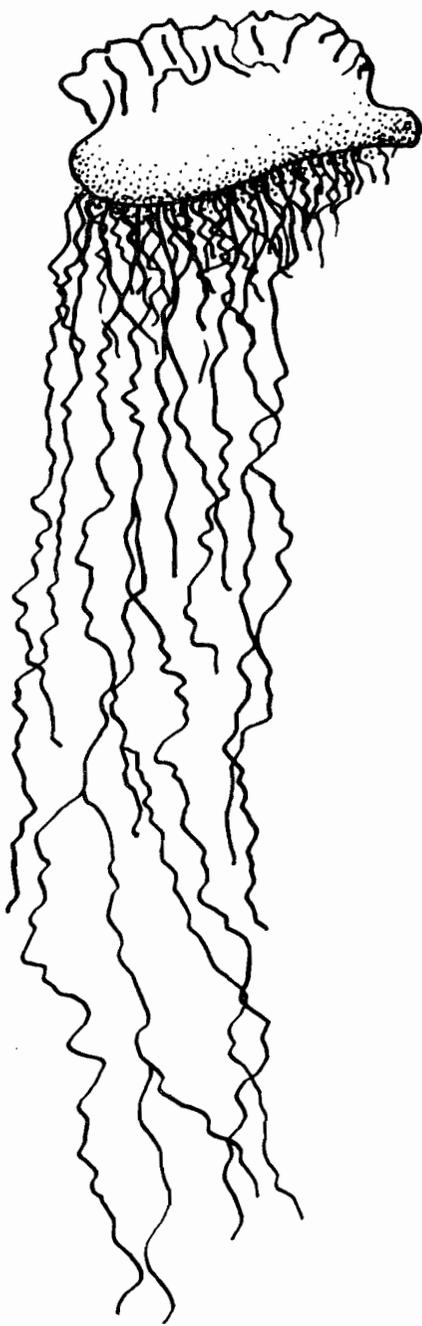
9. Shesgreen, op. cit., p. 80.

10. See, for example, "Animals Taken in 'Rescue' at Research Lab," Los Angeles Times, April 24, 1985.

11. I am indebted to Tom Regan for first stimulating me to think about the relation between cruelty and animal rights. The distinction made here can be found in his "Animal Experimentation: First Thoughts," in All that Dwell Therein (Berkeley; University of

California Press, 1982) and in The Case for Animal Rights, op. cit., p. 195-200.

12. My arguments are aimed at what I take to be the ordinary concept of cruelty. Unfortunately, a study of Hallie's unusual and insightful understanding of cruelty in terms of domination exceeds the scope of the present paper. I believe, however, that much of my argument could be adapted to accommodate his insights. For example, my claim that a judgment of cruelty presupposes an independent means of determining that someone's suffering is unacceptable applies also to his account but must be raised in terms of the basis for deciding that unequal power is objectionable.



"WE ARE ALL NOAH"

A FILM

BY

TOM REGAN

PRODUCED BY KAY REIBOLD

(Available, Spring 1986)

"WE ARE ALL NOAH" explores the ethical teachings of Judaism and Christianity as they apply to various forms of human interaction with nonhuman animals. Among the forms considered are

in science: the use of nonhuman animals in cosmetic and other toxicity testing

in agriculture: intensive-rearing or close-confinement systems in factory farms

in hunting: the traditions of sport and recreational hunting

in trapping: the methods used to secure pelts for fur coats and related products

in companion-animal relations: the numbers of unwanted companion animals killed in pounds and shelters, and sold to research facilities.

Representative thinkers from the Jewish and Christian religious communities respond to each form of interaction. The central questions discussed are

What should an informed, sensitive Jew or Christian think about how these animals are treated?

What should a responsible, compassionate Jew or Christian do in the face of this treatment?

"WE ARE ALL NOAH" does not offer simple answers to complex questions. Rather, it offers members of the Judeo-Christian religious communities an opportunity to understand what these questions are and why men and women of sincere convictions cannot avoid asking them, whatever their answer.

Like Noah of old, contemporary Jews and Christians must take responsibility for
(Continued on page 49)