Zoos and Animal Rights

The ethics of keeping animals

Stephen St C. Bostock

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ZOOS AND ANIMAL RIGHTS

Zoos and animal rights seem opposed to each other, but Stephen Bostock argues that this need not and should not be so. Examining the diverse ethical and technical issues involved, including human cruelty, human domination over animals, well-being of wild animals outside their natural habitat, and the nature of wild and domestic animals, Bostock clearly analyses areas in which misconceptions abound.

A controversial and timely book, it explores the long history of zoos, as well as current philosophical debates, to argue for a conservational view of their role in the modern world. Anyone concerned with humanity's relationship with other animals and the natural world will find this a thought-provoking and rewarding book.

Stephen Bostock is the Education Officer for Glasgow Zoo. He read English at Queens' College, Cambridge, philosophy and zoology at Hull University, and has a doctorate in philosophy from Glasgow University.

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The ethics of keeping animals

Stephen St C.Bostock

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To the memory of my mother and of my
sister Ruth

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PREFACE

Zoos and philosophy probably seem the oddest combination, but this book is an attempt to examine some of the ethical issues raised by the never-ending debate over zoos. Having some acquaintance with both philosophy and zoology, and some experience of zoos, I am hoping that my contribution to that debate will be found useful by quite a range of people: those interested in the ethical aspects of zoos as students of philosophy or public affairs or veterinary medicine, or as professionals in those fields; those involved or interested in zoos as such, or animal keeping in any of its infinite varieties; and finally those genuinely concerned, whether as 'pros' or 'antis', with the arguments over zoos and animal rights–even if they think there's little to argue about, and that we should just get on as quickly as possible with sending all the animals back where they came from.

I have had enormous help and support from many who are, of course, in no way responsible for any of the views or information here presented: Professor Stephen Clark, who was a most stimulating supervisor of the Glasgow University thesis which has now been fully metamorphosed, I hope, into a book of wider appeal; my examiners, Mary Midgley and Elizabeth Telfer; and many other past and present members of the Philosophy Department at Glasgow. Without Janet Sisson's help, I'd never even have got my word processor to number the pages! Among other philosophers, I thank also the reader for Routledge for some critical but constructive comments.

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I must thank also the Librarian of the Zoological Society of London, and his staff; Dr Angus Dunn of the Glasgow University Veterinary School; and Dr C.B.F.Walker of the British Museum for assisting my enquiries about ancient Assyrian correspondence on animals. There are many others, especially in zoo education, I am very grateful to. I appreciate the interest of Frank Pignatelli, Director of Education for Strathclyde. I thank particularly Mary and Lionel Jackson, my sister and brother-in-law, and also John Myhill, for reading and commenting on portions of the book. Finally I owe a special debt to my wife Una for her support and patience with two pieces of work which sometimes seemed to grow, like Marvell's vegetable love, vaster than empires and more slow.

1
INTRODUCTION

These days zoos receive a lot of criticism, and some people think they would be best closed down. This is not a particularly new idea. Indeed, had you been around in Versailles two hundred years ago, you might have seen–and heard–a determined band of citizens, a group of local Jacobin sympathisers, marching across their park, drum beating, tricolour at their head, intent on liberating the animals from the former royal menagerie (Loisel 1912: II, 159–60). The Revolution was three years old, France had been declared a republic, and the menagerie, which had been founded by Louis XIV, was now the republic's property. Met by the menagerie's director, the group's leader addressed him in stirring words. They had come in the name of the people and of Nature, to demand the liberty of beings intended by their Creator for freedom but detained by the pride and pomp of tyrants. The director couldn't refuse, but just in case certain liberated beasts proceeded to devour their liberators, he declined to free the dangerous animals himself, instead offering the Jacobins the keys. Revolutionary fervour was tempered by reflection, and a decision made to leave the fierce beasts provisionally where they were. Sadly, most of the harmless animals ended up at the knacker's (understandably, as many people were starving). But some animals were liberated, including several pairs of Java rats, whose descendants were to wreak havoc with the structure of the château. Others, including deer and birds, acclimatised in neighbouring woods, according to an interesting report of fifty years later (Loisel 1912: II, 158–61).

One of the interesting things about this account is how close the animal liberators come to speaking of the animals' rights. This of course was the age of rights, with a vengeance. The American Declaration of Independence of 1776 had held 'these truths to be

self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness' (Kamenka 1978:2). Thomas Paine had written the first part of his *Rights of Man* in 1791, in reply to Edmund Burke's *Reflections on the Revolution in France* of 1790, which had spelt out the dangers of the wholesale social reconstruction going on in France. While the French liberators don't actually mention animal rights, their appeal to nature and to the intentions of the animals' Creator recalls the language of the American Declaration, and that of the French Declaration of the Rights of Man and of Citizens of 1789 (Kamenka 1978:2–4).

The sentiments of those animal liberators of 1792 are very similar to those of many today in 1992. When London Zoo was facing serious financial problems and probable closure in 1991, some people were almost delighted, including philosophers (Cooper 1991), politicians (Hattersley 1991) and (surprisingly) at least one zoo director (Hancocks 1991a; 1991b; 1991c).

Of course there are particularly pressing practical problems with closing a zoo, whether it is the danger posed to human liberators by large carnivores—if the liberation is a literal one—or the sad fate of any zoo animals who cannot be found new homes. Some seem to think the latter problem of lasting importance, but of course, as David Cooper (1991) wrote in a letter to the *Guardian,* it is not. The major question is whether the zoo, or any zoos, should be keeping animals at all, and if they should not be, we won't need to keep the zoos in existence indefinitely because of our responsibilities to their immediate animal residents, important though the interests of those particular individual animals are. (Their deaths might even 'be the price for saving tens of thousands of creatures from a life behind bars in the future' (Cooper 1991).)

My aim in this book is to examine the rights and wrongs of zoos—whether they can be morally justified. I shall try to make out a good case for them, and, having some involvement in them myself, obviously am not wholly disinterested. But I sympathise with those would-be French liberators. No doubt the animals in many menageries and zoos down the ages have been unhappy prisoners. And why should we not recognise them as having a right to freedom like humans? At any rate, I shall take seriously and discuss these kinds of objection to zoos. At the same time,

many zoos have changed and are changing enormously, and these facts make it a good deal easier to argue the case for today's zoos than for many of the past.

However, it is important to realise that zoos–using that word in a rather wide sense–have a very long history (about 4500 years) and have occurred all over the world (China and ancient Egypt and pre-Columbian America for example as well as Europe), so they are by no means a minor or merely recent aspect of human activity. I shall start, therefore, with a quite extensive account of this human/animal history. Those in a hurry to get on to the main argument are of course welcome to skip the next chapter, but I hope most readers won't, or if they do, will come back to it later. For it not only recounts a fascinating–sometimes even entertaining–aspect of human history, but also provides very useful background for assessing the ethics of zoos, and underlines the extent to which modern zookeeping has changed.

Now, history apart, where to start? A good place is something agreed by people of every nationality and political persuasion, simply the conviction that keeping innocent humans captive is wrong.

Why is keeping innocent non-humans captive not wrong also? The American philosopher Dale Jamieson (1985:109) has commented that there is a moral presumption against keeping wild animals in captivity. There are three main ways of defending animal captivity:

1. We can deny that animals are comparable enough to humans to make the moral comparison appropriate.
2. We can explain that the animals we are keeping captive are actually in a state of well-being, perhaps better off than they would be in the wild.
3. We can spell out the advantages to humans–and in some degree to non-humans too–that follow from keeping animals: notably assistance towards conservation, science and education, plus recreation or entertainment.

Significantly, we object to human captivity (except as a legal punishment or of enemies in wartime) for one reason only, that humans have a right to freedom, or just ought to be free. Whether the conditions of captivity are good, or whether the captors gain important advantages from keeping their prisoners, is, interestingly, beside the point. Why shouldn't this be the case with

non-humans too? The similarities of at least some non-human animals to humans is much more obvious to us now than to our ancestors in the days, long before Darwin, when zoos (including London Zoo) started. This thorny problem of animal rights, including the obvious challenge to zoos posed by their animals' possible right to freedom, I shall examine in Chapter 3.

Having endeavoured to surmount the rights hurdle, I will go on in Chapter 4 to consider the confusing concept of 'wildness' itself, and then the possibly surprising question of whether zoos actually keep wild animals. In the same chapter I will face the direct charge against zoos of cruelty. Of course animals can be kept cruelly, and millions are today–most outrageously in factory farms (Serpell 1986:5–11; Johnson 1991). Is zoo-keeping also cruel? Certainly it is important to be aware of a cruel streak in human nature. I will also look in Chapter 4 at something else zoos are often accused of: demonstrating domination or being institutions of power.

In the next three chapters, I will consider whether zoos do or can provide the right conditions for their animals. I will compare wild living with zoo living in Chapter 5, in regard to length of life, health, the quality of life, and animals' adaptations to their environment. Then, in Chapter 6, I will face up to the objection that we cannot tell what conditions are good for animals, or whether they are in a state of well-being, because they cannot tell us. I consider that they can in effect tell us, most importantly by how much of their natural behaviour they show, but in several other ways also. And then in Chapter 7, I shall show how there are in fact several different approaches, all of which may be acceptable, to keeping animals, and say more about ways in which natural behaviour can be encouraged. Then I will consider the aesthetics and purpose of displaying animals, and will also take a look at the very concept of captivity–as the term is used both of humans and of animals–and show how good animal captivity has very little in common with human captivity.

Then, from Chapter 8, I will examine three important functions which zoos are normally seen as serving–those of assisting conservation, science and education.

Chapter 8 will examine the moral nature of conservation, and how it involves a respect for animals as fine 'objects' which ought to be conserved. This is a respect both for the species and for the individuals who corporately make up the species, and parallels the respect we should have for a sentient animal in its own right (and

which is well expressed by regarding it as a bearer of various rights).

Whether zoos really can help and are helping conservation will be the subject of Chapter 9. Zoos' conservational work has become far more sophisticated in recent years; which is just as well, for it is also becoming ever more important as a supplement to the conservation of animals in their natural habitats. It is also much more diverse than is often supposed. It is a striking fact, for example, that zoos are visited annually by millions of people who (even if they could afford it) could never, in comparable numbers, visit 'the wild' without damaging it irreparably.

Zoos' scientific and educational roles, both of which are to a great extent related to zoos' conservational role, are examined in Chapters 10 and 11. There is still a great deal that can most conveniently, and sometimes only, be learnt from animals studied at close quarters as in a zoo, as emphasised by Jane Goodall (1986:13–14). The science possible is not limited to behaviour studies, or even to behaviour, anatomy and pathology as Jamieson (1985:112–14) has suggested.

Zoo education may be important as education of attitudes and of the spirit as much as the acquisition of information or even understanding. In Chapter 11 I will reply to the comments of some critics of zoo education, and try to indicate both the range of approaches now taken in zoo education, and also its growing importance on a world scale.

In Chapter 12 I will examine what is perhaps zoos' most important recreational role, that of being a place for meeting real animals, and argue that this is far from being outdated, that zoos are not attempts to 'package' the wild for public consumption in a way absurdly out of tune with our 1990s environmental consciousness.

The weakest point of zoos is perhaps how the animals get there. Much capture in the wild, and much trade in and transport of animals, can be extremely cruel. Even where the collecting and transport are professional and humane, the capture of wild animals seems a particularly blatant trespassing upon their rights. I look at this problem in Chapter 13, almost at the end of the book, just because of its seriousness. We can hardly hope to justify taking animals from the wild unless we have thoroughly digested the richness of the gains to humans from doing so, and, still more important, the extent to which it is possible to keep animals–once

they are in zoos–satisfactorily. When animals have to be taken from the wild today, government agencies or zoos or their authorised and qualified agents should be doing the collecting and the transporting. Trading and dealing in wild caught animals should be outlawed–though this is an over-simplification and, for a variety of reasons, a great deal more easily said than done.

There may be no final, knock-down argument for zoos, though the very diversity of arguments against zoos rather suggests that, while the critics have many good points, they haven't a knockdown argument either. Anyway, I shall try to show that the various zoo justifications, taken together, make an impressive case. But first let us get our historical bearings, the subject of the next chapter.

2

4,500 YEARS OF ZOOS AND ANIMAL KEEPING

EGYPT

Animals were probably more thoroughly involved in the culture of ancient Egypt than in any other. Egyptian civilisation dates from about 3000 BC.

Lining the tomb of a wealthy nobleman called Ti in Saqqara (5th Dynasty, 2495–2345 BC) are probably the earliest known illustrations of animal keeping (Lauer 1976:50–3). Similar wall sculptures in a neighbouring tomb, that of Mereruka, son-in-law of Pharaoh Teti of the 6th Dynasty (2345–2181 BC) are the earliest known illustrations of a kind of zoo. Antelopes (oryx, addax, and gazelle) are shown tethered next to their mangers, and some are being fed by their attendants, others led by men holding their horns. Some unfortunate geese and a hyena are being force-fed (Lauer 1976:57–61). The representations are stylised yet extremely detailed (the antelopes, for example, can be identified by their horns), probably because they had a religious or magical role, as scenes for a returning *ka*–or spiritual double of somebody whose body had been mummified–to gaze upon (Lauer 1976:13–15). The hyena may have been bred in captivity and was probably being fattened for eating (Zeuner 1963:422). The antelopes too were clearly in some degree domesticated.

The earliest wild animal keeping may have occurred for religious reasons (Loisel 1912: I, 9–17; Mullanand Marvin 1987:89–91). An extraordinary range of animals was regarded as sacred at different places in Egypt and often kept in or near temples. Bulls and snakes were pre-eminent, symbolising respectively the sun and the primordial creative force (Loisel 1912: I, 12–13; Smith 1969:308, 310). Hippopotamuses, owls,

crocodiles and scarab beetles are other examples of sacred animals (Loisel 1912: I, 13-14), the killing of which in some cases carried the death penalty (Herodotus 1954:127–8).

The actual animals kept were divine representatives and had the best of food–sometimes live prey in the case of a lion in the temple of Ammon Ra at Heliopolis. Sacred crocodiles wore collars and were called to be fed. Hawks would seize their meat in flight (Loisel 1912:1, 14–15; Herodotus 1954:129). The poor physical condition (bone deformities, overgrown hoofs and so on) of animals actually kept in temples has been shown by study of excavated animal mummies. But it seems most sacred animals were kept outside in 'semi-liberty' (Loisel 1912: I, 16–17). All kinds of animals-bulls, antelopes, cats, shrew-mice, ibises, crocodiles, fish–were embalmed (Loisel 1912:1, 17–20).

Hunting was also a long-standing Egyptian concern, at least of the rich and the royal. Leopards, cheetahs and lions were trained for hunting; small cats retrieved birds killed in the marshes with boomerangs.

Tame lions were often kept by pharaohs. Many monuments show a king's favourite lion at the side of his throne. Rameses II's lion, Antam-nekt, was normally chained in front of the king's tent, but when Rameses rode in his chariot, Antam-nekt walked a little in front beside the horses. He fought alongside his master, repelling any who approached with a blow of his paw. Anyone rich enough could own lions, at least in the Roman period, and a Roman visitor describes one which was led by a simple cord, followed his master into the inside of temples and houses, and appeared very sweet-tempered, caressing whoever approached (Loisel 1912: I, 22).

The emphasis on attempting to domesticate indigenous wild species was later replaced by a taste for animals from abroad. Queen Hatshepsut, of the 18th Dynasty, sent five vessels to Somalia to collect ebony, ivory and gold, and also animals (Gary and Warmington 1963:75–6). They returned with monkeys, leopards, a giraffe, cattle and numerous birds, as well as whole trees transported with their roots surrounded by soil (Loisel 1912: I, 26; Mullan and Marvin: 91). The animals were kept (about 1400 BC) in what Loisel regards as the first acclimatisation garden–that is, a place where animals brought from abroad could adjust, prior to their being domesticated or released as additions to the local fauna. This one was called the Garden of Ammon. The

trees were planted in long terraces outside a temple at Thebes, today know as Deir el-Bahri (Loisel 1912: I, 25–6). Hatshepsut's successor, Thutmes III, brought birds and mammals from Syria, depicted in the great temple at Karnak. In his reign the first elephants came to Egypt (Loisel 1912:26–7).

New animals came into Egypt with the Ptolemies–trained African elephants, pheasants and parrots–together with a renewed religious involvement with animals through the cults of Osiris (which required sacred bulls) and of his spouse Isis (whose cult required bears, monkeys and especially owls, which were kept at liberty in gardens around temples) (Loisel 1912:I, 29). The cult of Dionysus (or Bacchus) involved religious processions with hosts of animals: for example elephants, buffalos, leopards, lynxes, a great white bear and an Ethiopian rhinoceros (Loisel 1912:1, 30–4). But about the supposedly most famous ancient zoo, at Alexandria, very little information seems to be available, except that it was founded by Ptolemy Philadelphus (Scullard 1974:133). It may have been attached to the museum, and have been an acclimatisation garden (Loisel 1912:30–1).

MESOPOTAMIA

The earliest zoo with large carnivores such as lions was probably in Sumer (Whitehouse 1975:70–1), and was King Shulgi's (2094–2047 BC) of the 3rd Dynasty of Ur. The workings of Shulgi's bureaucratic system are recorded upon tens of thousands of 'book-keeping' clay tablets found in several Sumerian cities (Oates 1979:44). Also recorded are the receipt and distribution of livestock–in one year alone, over 28,000 cattle and some 350,000 sheep were 'accounted', some coming from foreign vassals (Oates 1979:44). There were also lions in cages and pits (Oppenheim 1977:46).

Many of the later Babylonian and Assyrian kings received wild animals as tribute or gifts, probably sometimes ordering them. Burnaburiash of Babylonia, writing to Amenophis IV of Egypt, praises Egyptian craftsmen, and asks for a model of either a land or an aquatic animal (he doesn't mind which) (Moran 1987:83). The letter is number EA 10 of another vast collection of tablets, the Tel el-Amarna tablets (Moran 1987). Letters from an Assyrian king, Assur-Uballit I (1365–1330 BC), mention horses he is sending to the Egyptian king as presents, in one case (letter EA 16)

two white horses with a beautiful royally equipped chariot (Moran 1987:106). A later Assyrian king, Tiglath-Pileser I (1115–1077 BC) states that the king of Egypt sent him a crocodile 'which he exhibited to his people' (Olmstead 1927:65). Tiglath-Pileser was also sent a Bactrian (two-humped) camel by merchants from abroad (Saggs 1984:63).

Animal tribute or presents may have been so welcome because indigenous large animals were becoming scarce through over-hunting or collecting (Loisel 1912: I, 44). By Tiglath-Pileser's time there were also problems of deforestation (Saggs 1984:62). Ashurnasirpal II, King of Assyria 883–859 BC, records animal collecting operations in stone inscriptions: apes, lions, tigers, wild bulls, elephants, ostriches, wild asses, deer, bears and leopards were brought in large numbers to his city of Kalach, and 'displayed to all the people of my land' (Grayson 1976:148–9).

Bulls, wild goats, deer, and gazelles were kept in great parks near the kings' summer palaces, and were hunted with the assistance of Indian dogs, lions, leopards and trained elephants (Loisel 1912: I, 45; Ceram 1952:255).

The Assyrians also hunted lions released from travelling cages for the purpose—or rather fought them, perhaps more like bullfighters. The strong wooden cages the lions were transported in can be seen in Assyrian low reliefs in the British Museum (Loisel 1912: I, 45). The Assyrian king Assur-bani-pal is shown on his chariot or his horse firing arrows at lions or fighting them on foot with lance and javelin (Loisel 1912: I, 46), the lions prevented from escaping by soldiers with a wall of shields. Obviously the kings liked to show their strength and courage by fighting the lions—a demonstration of dominance with a vengeance! It is striking how the Assyrian sculptures of (say) lions and deer are magnificently lifelike, yet so often of wounded, suffering animals (Olmstead 1927:409–500; Loisel 1912: I, 46–7).

However, according to Loisel, some of the lions were treated differently. It was lions kept in the large parks which were hunted or fought with. Other lions were kept in enclosures near palaces and became tame—like the tame lions in Egypt (Loisel 1912: I, 45–6). The Assyrians were keen on taming other wild animals too—they tried, but failed, to train wild asses to pull chariots (Rogers 1915:424).

Apart from all this royal animal keeping, there were also sacred menageries in Mesopotamia, as in Egypt (Loisel 1912: I, 43).

GREECE

There were sacred menageries also in Greece, but the Greeks' most striking animal involvement was a widespread enthusiasm for bird keeping, songbirds especially. Some birds were sacred to Aphrodite, and were given as presents with love letters carried beneath their wings, or bathed in scented water, so that they spread perfume as they fluttered about. Swans, ducks, and owls are often depicted enjoying liberty in gardens, and being fed by hand. Guineafowl were bred by the priests of Athena's temple on the island of Leos, and peacocks by Hera's priests on Samos. Peacocks were expensive and much sought after, and the Athenians seem to have done a brisk trade in them (Loisel 1912: I, 53–8).

Other animals were kept too. Hares could become as tame as dogs, and were hand-fed and caressed on people's laps (Loisel 1912: I, 54–5). Monkeys were often kept in rich houses, and are shown walking around freely with domestic birds (Loisel 1912:1, 57).

Some temples had sacred woods nearby, which were in effect game reserves. Lions and leopards were kept in the temples of Cybele, eagles in those of Zeus, and snakes in those of Aesculepius, god of medicine. To judge from a play of Aristophanes *(Plutus),* snakes played some part in the religious healing process in the temple of Aesculepius (though I hope not as suggested by Loisel, with snakes creeping in to the beds of sleeping supplicants, their cold touch giving them in their sleep the illusion of a divine visitation!) (Loisel 1912: I, 59–60).

It is usually assumed that Aristotle's remarkable biological writings were assisted by observations in a Greek zoo stocked by animals sent back by his famous pupil Alexander the Great from his military expeditions. The main evidence is a comment of Pliny's, written 350 years later. It is probable that animals were actually available for observation in Greece following Alexander's military exploits. For example, a group of his elephants came to the Macedonian court; about this same time the Athenians received a tiger which Seleucus, King of Syria, had given to Alexander (Loisel 1912: I, 62).

In later centuries, in the Roman period, Greece became a staging post for animals such as lions on their way to the Colosseum; Loisel notes, in connection with this, the appearance