Dangerous Dogs, Dangerous Owners and the Waste Management of an ‘Irredeemable Species’

Daniel McCarthy, Department of Sociology, University of Surrey, GU2 7XH

d.mccarthy@surrey.ac.uk

Sociology (2016)

Abstract:

Within sociology a burgeoning literature on class identities and politics has developed during the past twenty years. One area of analysis which has yet to be fully investigated concerns the ways class politics are imbued within debates about human-animal relations. Focusing on the case study of dangerous dog legislation in England and Wales, this article develops the literature on class to locate the ways political framings and legislative responses to the issue of dangerous dogs have been enacted. Analysing historical accounts of responses to rabies and hydrophobia in dogs and humans, through to contemporary debates about the biological dangerousness of certain dog breeds, the article discusses the sociological implications of these class constructions within the establishment of dangerous dog legislation and associated social control powers.

Key Words: Dangerousness, Human-Animal Relations, Social Class, Disgust

Introduction

In the United Kingdom, as well as in other nation states, there has been a series of sporadic, yet intense public debates about the issue of dangerous dogs which have attacked people in public and private spaces. The introduction of the Dangerous Dogs Act (DDA) (1991) has arguably been the focal point which has framed contemporary debates about dangerous breeds of dog, most notably the pit bull terrier which was banned by the legislation. The occurrence of dangerous dogs threatening public safety has more recently been re-established in the wake of high profile dog attacks, resulting in the deaths of a 14 year old boy, John Paul Massey, as well as pensioner Gloria Knowles, in 2012.

One important part of historical and contemporary political debates surrounding ‘dangerous dogs’ concerns the ways these responses have focused on concerns about the condition of the working class. Within sociology much is known about the ways that human forms of class distinction take place, including the ways that classifications of moral worth and value have been granted authority through the repeated and often ubiquitous labelling of the working class through discourses of lack, disgust and degeneracy (Skeggs, 2004, 2005, Lawler, 2005, Tyler, 2008). Developing these insights, this article points to one theme which has received scarce examination within the sociological literature on class – how social hierarchies and moral classifications are constructed through the inter-relations between humans and animals, most notably the ways that dogs convey cultural capital which in turn have implications for the class status of human owners and *vice versa* (e.g. Ritvo, 1986, Franklin, 1999). Building from these aforementioned class literatures discussed above, this article extends the content of this scholarship to understand the ways that state responses to the issue of dangerous dogs has been constructed historically and more recently through dangerous dog legislation – from nineteenth century concerns about *mad dogs* relating to discourses of disease associated with rabies and hydrophobia, through to contemporary issues connected more directly to matters of public safety and crime.

Emphasising the discursive framing of particular breeds of dog and their symbolic value, the article argues that the association between social status and dogs reflects a long and stable historical trajectory in terms of political response. Specifically, this has involved certain undesirable dog breeds being singled out as more problematic in terms of both carriers of disease and more likely perpetrators of violent attacks against other dogs and humans. Through these discursive framings within political and media discourse, the article draws parallel connections with ideas of dangerousness rooted in nineteenth century fears about the working classes. It is argued that by focusing on the historical continuities of debates about dangerous dogs and associated judgments about the condition of the working class we are able to identify some of the ways political beliefs regarding the social regulation and control of human-animal relations are sustained and granted moral authorization.

From Mad Dogs to Dog Dangerousness: A Brief History

While from the 1990s to the present there have been several episodes of media and political debate regarding the concerns posed by dangerous dogs, the history of complaints about dangerous dogs has a longer timeframe dating back to the early 1800s (Walton, 1979,

Pemberton and Worboys, 2007). Here a combination of concerns about dog attacks on humans and stray dogs in public spaces gained significant political profile in the wake of public health concerns associated with rabies and the human equivalent disease, hydrophobia – a disease which attacks the central nervous system resulting in death in some instances – a disease largely blamed on the conditions of working class communities. At the same time as accusations being spread about the alleged causes of rabies, the early nineteenth century witnessed the growing regulation of human-animal pastimes based on clear restrictions to working class leisure. Accounts such as Mayhew (2009) documenting the rookeries in London during the mid-1800s portray the ways that certain dog breeds were regarded as having high social status based on their fighting qualities and form in match-offs against other dogs during fights. Legislation including the *Cruelty to Animals Act* (1835) had been responsible for curtailing bloodsports such as bullbaiting and cockfighting, with other working class pastimes such as street boxing and football also heavily regulated due to concerns about large gatherings of people and the alleged violent tendencies of such groups (Vorspan, 2000). Compared to the legislative control of human-animal pastimes involving the working class, activities such as fox hunting, hunting with dogs, and horse racing associated more with the upper classes received no legal curtailment, highlighting the inherent selectivity in the control of human-animal leisure. The Royal Society of the Protection of Animals (RSPCA) – initially established in 1824 as a lobbyist group and welfare charity was amongst the main purveyors a ‘civilizing mission’ to correct the conduct of the working class and their relationships towards animals. Many of the early supporters of the RSPCA were comprised of upper class huntsman, with much of their focus of attention centered on the disciplining and socialisation of the young working classes involved in cock fighting and animal baiting (Collins, 2013:19). Very recent public debates about the ban on fox hunting in 2005 have re-ignited questions of class bias in the legal control of human-animal sports, ranging from supporters who claim fox hunting was a dated and cruel pastime reserved for the socially privileged, compared to critics of the ban who regard it as a loss of Englishness and rights in rural communities (May, 2013).

One important theme found within nineteenth century historical accounts concerns the ways that dogs are represented as symptomatic of the conditions of the working class. Walton (1979) writes that fears about rabies and hydrophobia contained an implication that the vast swathes of unregulated dogs roaming the streets was caused by the ‘unregenerate working man’ (p225). Due to changes in the urban demographic with large numbers of inner-city dwellers owning dogs, many of which roamed the streets without their owners control, there

was an increase in complaints working class dog owners through their alleged role in increasing the rate of rabies in society. As in Kete's (1988:100) analysis of rabies in nineteenth century France, rabies was judged as being caused by 'poor people's dogs that spread the disease, and the squalid habits of working-class life that caused it'. Complaints about rabies and its alleged causes located within working class communities were further associated with Victorian interests in the control of nature. One such example of public fears about nature and its control was the belief that dogs carrying rabies could be identified by their excessive rage – colloquially referred to as 'mad dogs'. This same concept found its way into scientific ideas of medicine during the mid-1800s, where working class persons contracting hydrophobia were regarded as 'easily emptied of morality and slipped into animalistic rage', compared to the 'civilised minds' of the rich who did not 'degrade themselves by lewd or verbal abuse *when contracting the disease*' (cf Pemberton and Worboys, 2007:16, *author emphasis*).

These class-based distinctions associated with the threat of rabies and hydrophobia also formed a broader focus on particular types of dog, where dogs without pure pedigree status such as cross-breeds and non-breeds were seen as more likely carriers of disease which justified their destruction – a view shared by police, as well as animal rights campaigners who claimed that dog neglect was a key cause of rabies. Amongst state responses, the Metropolitan Street Act (1867) followed by the Dogs Act (1871) granted the police powers to round up stray dogs, any dogs thought to have rabies, as well as dangerous dogs regarded as 'out of control' in public spaces – a large number of which were destroyed. Police officers were involved in deciding which dogs were likely carriers of rabies, with considerable deficits in their knowledge-base to perform such street-level diagnoses. The only aspect of the legislation which was regarded as having some impact was the use of compulsory muzzling employed in many communities which was designed to limit the spread of rabies. However as Pemberton and Worboys (2007) argue, the reduction in cases of rabies was also likely to be the result of more effective understandings of disease patterns, methods of regulation, as well as changing public attitudes to responsible dog ownership occurring towards the end of the nineteenth century.

A further class dimension from the Victorian and Edwardian periods was the role of dog breed classifications which were heavily influenced by early ideas of racial purity and eugenics. Ritvo (1986) has argued that pedigree breeding practices were closely tied to class status and growing Victorian interest in biological purity and eugenics, with dogs forming part of these understandings. Outside of attempts to control the blood-line quality of dogs

concerned debates about ways of managing dogs in public spaces and domestic settings. Greir's (2006) history of household pets documents the early civilizing discourses through the late nineteenth century used especially to persuade and align dog owners to take dog training seriously. According to Greir, following from ideas of human development and evolution of the Victorian period was the assumption 'that the very physiognomy of the dog was transformed for the better of civilization' (Greir, 2006: 76). With changes in the structure of social life, most notably the growing place of dogs in domestic locations as pets, there was a growing emphasis placed on house training dogs. This was due, in part, to changing mechanical processes of production, where the dog lost much of its use-value due to its replacement by machinery. As Franklin (1999) has argued this social transition towards viewing dogs as domestic rather than working animals resulted in more of a caring and sentimental appreciation, including a growing emphasis on animal rights through organisations like the RSPCA formed in 1824.

The Contemporary (Re) Emergence of Dangerous Dogs and Class Politics

Despite no major legislation passed to deal with the specific issue of dogs in public spaces since the 1871 *Dogs Act* (with the exception of dog attacks on livestock including *Dogs Act, 1906* and *Dogs Law Amendment Acts of 1928 and 1938*), the Dangerous Dogs Act (1991) (DDA) was introduced for different reasons to the Victorian legislation. The DDA – a law passed in just six weeks was regarded by many commentators as a prime example of a knee-jerk response to a small number of high profile incidents involving dogs attacking humans, many of them children, including one fatality. Unlike the Victorian focus on public health issues, the emphasis of the DDA was on so-called public 'dangerousness' displayed by particular dog breeds known for their aggressive fighting qualities. Notable in the list of attacks on humans was that the dogs involved varied from Rottweilers, German Shepherds, to Pit Bulls. Yet only the pit bull terrier was singled out as 'dangerous' within the legislation.

The term 'dangerous' used within the DDA can be traced back to Victorian constructions of 'animalism' and 'outside of nature' – ideologies often containing judgments about the state of the working classes, as well as featuring within early ideas of psychiatry and social classification. Foucault (1994) has situated the concept of 'dangerousness' within the context of penal psychiatry where the emphasis on 'dangerousness' concerned 'monstrous crimes' which signalled the meeting point between 'anti-naturalism' and 'irrationality' (Ibid:189). Here the judgement of insanity filled the void of legal rationalism to describe

crimes without obvious motive. For Foucault, the monster could be understood as a combination of human and animal, which while existing through the Middle Ages via its links with criminality, found its way into debates about the *causes* of criminality during the nineteenth century (Foucault, 1994b:81).

During the nineteenth century, frequent cultural references to the working class as an uncontrolled mob or herd could be seen – again drawing reference to such groups as ‘savage-like’, ‘irrational’, and ‘atavistic’ (e.g. Le Bon, 1896). Similarly the term ‘dangerous class’ was used during the 1800s to describe the working classes revolutionary capacities and need for social curtailment of their activities as a threat to social order to bourgeois control (Gatrell, 1990). In the context of the DDA (1991), there are connections with the understandings of ‘dangerousness’ outlined above, most notably in the ambiguous nature/culture position of dogs and humans – a theme addressed later in this article.

The outcome of the DDA (1991) was to introduce the banning of owning, selling and breeding illegal dogs (Pit Bull Terrier, Japanese Tosa, Doga Argentino and Fila Brasileiro) with penalties of six months in prison and/or a £1,000 fine. There were some amendments to this legislation, with extensions in 1997 under the DDA Amendment Act which introduced Dog Control Orders (DCO) that replaced local byelaws in establishing powers to order dog owners to control their dogs in designated spaces, pick up dog mess, and follow other prescriptions created by local authorities. The breach of DCOs remains at the level of a summary fine up to a maximum of £1,000. The DDA also removed the mandatory destruction order for dangerous dogs, allowing more discretion for judges to decide on alternative ways of dealing with identified ‘dangerous dogs’. Since the introduction of the DDA (1991) up until 1997, over 1,000 dogs were destroyed (Kaspersson, 2008). According to the police, the justification for exterminating particular breeds of dog is that they have been designed purely for the purpose of fighting (Home Affairs Committee, 2013 – ev 18). Despite this claim by the police, research from the veterinary sciences indicates limited evidence that banned dogs are more frequently involved in attacking humans and fellow dogs (Martinez et al, 2011). Data collected since 1998 on the number of defendants charged under the DDA (1991) shows 764 persons prosecuted in 1998 to a small year on year increase to 1,247 persons in 2008 (Ares and Coe, 2012). Prosecutions typically involve either owning a banned breed of dangerous dog, or having a dog which attacked another dog or human in public.

The DDA (1991) received debate in parliament during the New Labour reign, although no formal changes to the legislation took place. In 2007 there was a review of the DDA as a result of several high profile dog attacks (House of Commons, 2007). Following

this review, which consisted of consultation with all police Chief Constables in England and Wales, no suggestion of a change to the legislation was deemed necessary, with the breed-specific legislation subsequently continuing. An additional wider consultation, which included local authorities, police, dog charities, and dog rescue centers was released in 2010 (DEFRA, 2010). This found that there was widespread support for repeal of the DDA, including the removal of breed-specific bans, microchipping of all dogs, and more effective legislation to protect the public from dog attacks in private spaces, such as within people's homes. Despite none of these changes being implemented under the New Labour government, the justifications for changes to the legislation under the Coalition government illustrate starkly similar themes. Among these were the inadequacies of breed-specific legislation, an increased reporting of cruelty and neglect of dogs, costs to the NHS of £3 million due to dog injuries, as well as the perceived growth in status dogs used by criminal gangs for purposes of violence and intimidation (Harding, 2012).

The DDA (1991) establishes a clear punishment of dog owners who can have their dog removed and destroyed if it is included on the banned list of breeds. In the event of human death as a result of a dog attack, recently proposed legislation establishes a sentence of up to life for the owner (BBC, 2013). These judgements of dangerousness have been framed predominantly around the biological status of certain dog breeds regarded within the DDA as more likely to cause serious harm to humans and other dogs during an attack due to their breeding profile as attack dogs. In so doing, these constructions of dangerous dog have also filtered into the conduct of the owners, who as a consequence of owning a certain breed of banned dog can be subject to punishment by the state, regardless of the dogs' actual conduct. This rests upon a rather uneasy relation between dogs and humans, forming a sharp divide between nature/culture and animals/humans – an argument problematic in light of several studies illustrating the issues with such understandings (e.g. Sanders, 1993, Haraway, 2003, Fox, 2006). The problematisation of the dualities between 'human' and 'animal' have been understood by Haraway (2003) as an inter-subjective process – one which no longer can be attributed to a power-domination relationship. By this, the notion that dogs exist as reflections of 'nature' understate the connections they have with humans, destabilizing many of the inherent anthropomorphic assumptions rooted in biological difference between humans and animals. These changing human-canine relations have important consequences for the ways we conceptualise juridical ideas of responsibility and culpability surrounding 'dog dangerousness' – a theme which will be expanded on later in this article.

Classing the Dangerous Dog (and owner)

The symbolic struggle to grant moral value and usefulness to dogs has often taken place historically through either their legitimate status as household pets, or otherwise as working dogs involved in the support of particular industrial tasks (Franklin, 1999). The label of dangerous dog is without such use value, where its primary purpose of existence is framed around its ability to inflict violence and intimidate – where the dog takes on the role as a commodity rather than a loyal and loving companion, with the implication being that the owners of such dogs are without the skills or indeed the willingness to understand these dogs as pets in the traditional (middle class) sense of the term. As an expression of such framings, Ken Baker, the Home Secretary at the time when the DDA (1991) legislation was introduced, clearly highlighted his rationale for the curtailment and banishment of certain dangerous dog breeds around the idea that the owners of such dogs were less likely to have the legitimate capital to resist such legal intervention, precisely due to their appearance as ‘non-respectable’:

‘There was a danger of overreaction, with demands to have all dogs muzzled and to put Rottweilers, Dobermans and Alsatians in the same category as Pit Bulls. This would have infuriated the ‘green welly’ brigade. However, the ‘pit bull lobby’ came to my aid appearing in front of TV cameras with owners usually sporting tattoos and earrings while extolling the allegedly gentle nature of their dogs, whose names were invariably Tyson, Gripper, Killer or Sykes’ (Baker, 1993: 435).

The so-called ‘green welly brigade’ meaning persons typically associated with rural, politically conservative communities, and whose dogs may often be used in various hunting and gathering pursuits, was clearly seen by Baker as a group to avoid targeting through the DDA – especially as such a group would arguably constitute a key part of their voting pool. Kaspersson (2008) as well as other accounts such as Hallsworth (2011) also highlight a strong class emphasis in the ideological framing of the DDA legislation, which in Hallsworth’s words were conceived by the state as involving dog owners whose characteristics included ‘workshy, tattooed, dole scrounging products of the underclass’ (2011:393). One such association between the framing of the working class within the context of dangerous dogs relates to the concept of animalism where human-animal behaviour is alleged to have overlapping features (e.g. Hallsworth, 2011). Brendan O’Neill

(2007) writing for the left-leaning magazine *Spiked*, has encapsulated the core origins of concerns about dangerous dogs as synonymous with ‘underclass Britain’ – where their animalistic impulses are seen as sharing commonalities with the types of dogs they choose to own:

‘The ‘dangerous dogs’ issue has become a scare story for our times, expressing the political and media elites’ innate distrust, fear and loathing of working-class and poor communities. These teeth-bearing, broad-shouldered beasts are seen as being symbolic of sections of society that have no moral anchor or self-control, communities that are selfish, uncaring, beastly.’ (O’Neill, 2007)

For O’Neill, the idea of dangerousness as rooted in the DDA (1991) legislation and more widely applied in political and popular cultural discourse, forms close links with historical understandings of the ‘underclass’ – a group comprised of ‘feckless’, ‘animalistic’, ‘irrational’ behaviour, without sufficient reason and self-control. Historically authors such as Ritvo (1987) have drawn comparisons between dogs owned by the aristocracy as based on distinctions about elegance and prestige, but also of domination where the inferiority of the dog to owner serves to re-establish paternalistic values associated with control and upper class order. In contrast, with dogs more associated with working class ownership, the purpose of owning such dogs is commonly associated with, to use Harding’s (2012) phrase, ‘street capital’. Here masculinities and street-image are seen as important components behind the decision to own a dog like a pitbull, where media and popular cultural advertising have also played a part in the popularisation of such breeds for young working class men (Burley, 2009).

The cultural production of ‘uncivilised’ populations akin to groups associated with social residuum – ranging from the pit bull terrier to certain categories of non-respectable working class owner – can be further tied to broader modernization processes where the quest for safety and order grant justification for banishment and systemic exclusion. Bauman’s (2003) *Wasted Lives* thesis provides a demonstration of the wider social processes involved in rendering groups *waste* within the context of global restructuring of economic systems and the governing of superfluous populations, such as refugees and asylum seekers. Although Bauman’s thesis is far more complex than the description offered here, the essence of waste has applications which transcend the metaphoric properties of the term. In Bauman’s words:

'All waste is potentially poisonous – or at least, being defined as waste, it is deemed to be contaminating and disturbing to the proper order of things. If recycling is no longer profitable and its chances (at any rate in the present-day setting) are no longer realistic, the right way to deal with waste is to speed up its 'biogradation' and decomposition while isolating it as securely as possible from the ordinary human habit'. (Bauman 2003: 86-87)

Instead of resorting to training (or rehabilitating), finding a good home for dogs, or facilitating the conditions of care and love for dogs and other animals, dog destruction within the DDA legislation grants support for a pervasive inhumane strategy which applies a hierarchy of animals as 'waste' products. In Haraway's (2003) work, reference is also made to the process of 'making killable' certain animals such as cows and chickens under the guise of slaughter. Unlike in Haraway's work however, the process of exterminating certain 'dangerous' dogs takes place as a precondition of a juridical process – one which is not comparable with the *routine* killing within the confines of a slaughterhouse. However, in challenging this subject-object relation between 'dangerous' dog and the process of *making killable*, the legal burden of proof consists of holding the dog 'guilty' unless proven safe and under control by the owner – a practice which Ericson (2007) terms 'counter-law'. Here the burden of proof is reversed – where an owner must prove the dog to be safe for fellow users of public spaces, and more recently in private spaces as well. In practical terms this often means having to take initial precautions such as requiring the dog wear a muzzle in public, or to keep the dog on a leash. Recent attempts to change the DDA to enforce the traditional legal principles of due process which grant innocence until proven guilty have been rejected, most notably in the case of *Bates v United Kingdom* before the European Commission of Human Rights [1996]. The European Commission concluded that the DDA (1991) was acceptable in its adaptation of the alternative burden of proof on the grounds of the potential risks to public safety created by pit bulls and associated breeds.

The processes of classifying dogs as *waste* due to their excessive and pathological violent tendencies is further given moral authorization through the social status of owner frequently understood within political and mainstream media content as embodying forms of social disgust. Here the implication is that the owner's low intelligence and defective class habits constitute, quite literally, an undeserved social status:

'Why is it that every time one sees a Staffordshire Bull Terrier walking down the street, the chances are the man at the other end of the lead has an IQ at sub-moronic level and a swagger that suggests an undeserved level of personal confidence? I've nothing against the dogs, but many of their owners are a waste of oxygen'. (West, 2009)

In morally positioning the conduct of dog owners and their dogs through a pathological vision of their social class, there has been an appropriation of language well versed in underclass accounts. These visual representations – the swagger, the ‘undeserved’ personal confidence, an IQ at sub-moronic level – are not isolated to extreme versions of the right and left-leaning media as Michele Hanson’s article in the *Guardian* illustrates:

'All too many people don't know how to look after dogs properly. Round here, the fashion among boys is for hoodie or shaven head, hanging-down trousers and a Staffordshire bull terrier. A vet I know used to call such dogs a dick-on-a-string, and they are certainly butch dogs: compact, muscular, big enough to look macho, and their jaws tend to clamp shut on whatever they're biting, never to be prised open. You can often see the boys swinging their dog around in the air like a bolus, its jaws clamped to a stick or rope, as a sort of warning: "If my dog gets yours/you, it will never let go." (Hanson, 2006)

Through similar remarks as West’s earlier account, Hanson’s articulation of the appearance and metaphoric emphasis on the phallic properties of the canine-human relationship further centre on class value. Lawler’s (2005) analysis of disgust draws attention to the ways that the types of accounts described above depict the working classes as socially troublesome, lacking in value and illustrating a sense of decline in their moral condition. For Lawler, these strategies by which middle class commentators condemn and ridicule working class culture rest not simply on a form of social superiority, but through the dominance and unquestioned normalcy of middle class values as the *right ways* of living and conducting oneself. In other words, such representations inform more about the attributes by which the middle classes maintain an unquestioned dominance as purveyors of moral decency, than the essence and validity of their representations of working class culture.

As illustrated so far in this article, references to dangerous dogs have been directly connected with the condition of the non-respectable working class, whereby the toxic

pollution of communities (following Bauman, 2003) through the existence of dangerous dogs bears close resemblance to a wider neo-liberalist ethos of problem extermination or banishment. Within the framework of these cultural distinctions dangerousness is conceived in ways which share parallels with nineteenth century discourses concerning fears about the condition of the working class. By this, dangerousness connotes an implication of nature, the absence of control, the irrationality and violence of animals and humans, and that these can be traced to the oppositional cultures of working class life (e.g. Skeggs, 2004). More recently a much broader set of regulatory instruments to tackle dangerous dogs and various aspects of public nuisance and anti-social behaviour has been formulated (House of Commons, 2013). As the forthcoming section describes, these extensions of control both depart from and complement discourses of 'dangerousness' – establishing an array of criticisms of previous legal efforts to manage dangerous dogs, but also supplementing these with a myriad of preventive and punishment-based controls. One should consider these regulatory instruments as an extension of, not a departure from, earlier conceptions of dangerousness rooted in the DDA (1991).

New Modes of Controlling Canine-Human Relations

While the focus on social class and dog ownership continues, even within current legislative proposals (e.g. Defra, 2012, House of Commons, 2013), there has been a subtle shift away from the 'waste management' logic of regarding certain breeds as irredeemable, towards a growing recognition of the deficits of dog owners failing to control their dogs. The wider context of this shift can also be linked to the growing number of dog attacks occurring in the home as opposed to just public spaces. The Anti-Social Behaviour Crime and Policing Act (2014) recently created new penalties against owners of dogs which attack other humans in private spaces, including the maximum custodial sentence of life if the dog is used as an attack weapon. This wider emphasis on the control of dogs within public as well as private spaces has also corresponded with a raft of regulatory measures designed to continue the focus on banned breeds and acts of dog dangerousness, as well as on the conduct of dog owners more generally. Borthwick (2009) in assessing the changing state responses to dogs in Australia notes a similar transition from 'controlling dogs to governing dog owners' (p.186). The latter transition has been identified by Borthwick as occurring from the 1990s where pet owners more generally have been responsibilised to take care of their companion species through a range of civil and criminal law measures ranging from picking up dog mess to

preventing dogs from attacking humans and other animals. This policy transition from waste management of banned breeds to responsabilisation of owners does not mark a complete shift in emphasis, but rather illustrates the tensions in the legislative ideas and cultural framing of the dangerous dog issue – that dogs are responsible for violence attacks courtesy of their biology, compared to the owners as responsible for their dogs via training, socialisation etc.

These new methods of controlling canine-human relations include the setting up of dog training classes, population-wide policies such as microchipping dogs, as well as the recent call for greater use of contractual injunctions to punish ‘irresponsible’ dog owners (Home Office, 2013). These examples illustrate strong similarities to other areas of crime control and welfare policy, especially those focused on child and family intervention which emphasise strategies to reform ‘antisocial’ families through parenting orders designed to place responsibility on parents to control their children or face potential criminal sanctions (see Gillies, 2008, McCarthy, 2011). Within the context of recent legislation applied to the social control of dogs and owners, frequent references are made to the practice to dog training. Here the focus on dog training is constructed on two levels – on the one hand with reference to so-called dangerous dogs, training is framed as a form of *correction* with emphasis on public safety where the implication is that the owner should engage this in a dominant relation in order to prevent risks to the public. This is contrasted with more general dog training and agility outside of this formal legal arena which is understood as a reciprocal process between human and dog – an activity resting upon cooperation and communication, and not correction and dominance (Haraway, 2003). The more recent popularity of dog training and agility among the middle classes can be interpreted as an extension of the ‘house training’ of dogs, but developed even further through its associations with middle class culture. Haraway for example writes that participation in dog agility can easily cost in excess of \$2500 per year, and in the context of the US mostly involves middle class white women (Haraway, 2003: 60). The popularity with dog agility among the middle classes may well have positive benefits in terms of bonding between human and dog, but it is clear that such activities are exclusive and conditioned less on paternalistic control and more on values of companionship.

By contrast to the ideas of dog agility, the focus on *correcting* dogs found in more recent legal powers (e.g. Home Office, 2013) is fundamentally incompatible with the concept of companionship. Compared to Haraway’s vision of companionship which rests upon a certain de-centering’ of the categories of dog and owner to form a new kind of co-relationship or partnership of mutual trust and communication, the current legal context rests

upon the control of nature (relating to dog ‘dangerousness’) through emphasis on public safety. Within the confines of dangerous dog legislation, training practices are conceived in the infrastructure of juridical regimes – where dogs are judged as emblematic of human duties to train, nurture, love and care – where dangerousness becomes the epitome of the (in)actions of the owner to ensure these duties.

The issue of dangerousness through which the emphasis on banned dogs continues within these new legislative proposals, contains an implicit focus on *correction* – where human owners are subject to fulfilling self-responsibility through these contractual-based legal powers. In so doing, state reactions to dangerous dogs construct the problem of dogs (and owners) as one of biological dangerousness through the maintenance of banning certain breeds, as well as the implication that ‘out of control’ dogs in public are due to socialisation and training. The practical consequences are that so-called ‘irresponsible’ owners of dangerous dogs have formed a different kind of relation with their dog which despite being founded on some degree of companionship, is judged to be the *wrong* kind of companionship – where dangerousness, intimidation and even killing are framed as constructing the *use value* of the dog compared to values of love, affection, care and respect. Twining et al (2000) and Burley (2005) examining the experiences of pit bull terrier owners cast doubt on the claims made regarding the idea that the characteristics of owners render them incapable of training and bonding . In Burley’s words:

‘The idea of the dog purely as a sign of the young person's oppositional stance rests partly on a value judgement that this group is incapable of forming meaningful relationships with animals, and partly on the implication that the endeavour is a "phase", a reaction to circumstances, which might pass either when the circumstances change, or when the young person acquires more in the way of education, material success, or more of a "civilised" understanding’ (Burley, 2009).

To regard owners as having a relationship founded on understanding and intersubjectivity with their dogs involves a tension in shifting from a biological determinist assumption that dogs are predestined to ‘dangerousness’ courtesy of their natural aggression and instincts, to a form of political subjectivity in which the state enforces the owner as responsible for the outcomes of the dogs behaviour – framed as a legal duty to *control nature* and thus forming clear anthropomorphic divides. For many authors writing in the human-animal studies area (e.g. Sanders, 1993, Haraway, 2003, Fox, 2006), a common theme emanating from such work

is the claim that the meanings of what have been traditionally referred to as ‘pet ownership’ have been re-drawn. Human-animal relationships have been understood as sharing more commonalities, not in terms of the innate properties of these species, but in terms of the development of forms of companionship which are created through these relations. In Haraway’s terms (2003) this is realised through reciprocity and cooperation between humans and dogs, which when engaged in activities like dog agility provide opportunities to minimise human dominance – the ‘success’ of the agility thus measured by these performances of communication and mutual understanding. Sanders (1993) similarly notes the ways that human-canine relations are formed around the understanding of both species through what he terms ‘mindfulness’, where dogs do more than serve as props of human social identity but instead provide important foundations for building reciprocal social relations which transcend the domination of human over animal. Whereas the nature/culture divide may well be broken down and reformed through human-canine relationships, such relationships also carry within them the weight of social condemnation via markers of class which human and canine convey. In the context of ‘dog dangerousness’, the implicit understanding is that such human-canine relationships are bound together in ways which reinforce the nature-culture divide. In other words, these representations imply that human-canine relationships involving ‘dangerous breeds’ are not possible in the form of companionship described above, if the inherent assumption is that human and canine lack the sufficient conduct, behaviour and skills to perform such relationships.

Conclusion

This article has developed previous analyses of social issues concerning dangerous dogs (esp Kaspersson, 2008, Hallsworth, 2011, Harding, 2012) to investigate the discursive framing of both dangerous dogs and owners in both a historical and contemporary framework. In so doing, the aim has been to shed light on how the issue of dangerous dogs allows us to assess broader ways through which state responses have shored up concerns about the condition of the working class and introduced subsequent social controls to target such groups. By situating current debates about dangerous dogs in a historical timeframe, it has been argued that we can learn much about the ways that political responses to human-animal relations are regulated by the state. More specifically this connects with a long history of intense regulation of largely working-class human-animal leisure pursuits (e.g. Vorspan, 2000, Collins, 2013), where control of human-canine relations have existed as just one such

example. Stemming from the class analysis of authors such as Skeggs, 2004, 2005, Lawler, 2005, Tyler, 2008), the article has understood the ways through which forms of class stigma and lack are constructed via the co-relations between dogs and humans. Through the emphasis on forms of cultural lack, low value and via the socio-cultural reference to *disease* during the nineteenth century to *dangerousness* in the contemporary era, the article has further demonstrated that these framing between dog and human have a long historical time-frame. Within the context of philosophic debates about nature and culture as dichotomous or interlinked entities (see Descola and Pálsson, 1996), this article finds evidence for the latter, although in rather different form to such writers. Representations of animality conjure up images of savagery, pathology, and degeneracy which have been commonly used to justify the subjugation of working class¹ groups within political discourse (Peterson, 2012, Lundblad, 2013). The idea of the human and canine as sharing manifestly similar socio-biological attributes should be seen as a further example of the historical durability of such methods of social classification.

This article also has implications for research conducted in the area of human-animal studies (Sanders, 1993, Haraway, 2003, Fox, 2006). According to these authors the human-animal divide has been altered as a result of changing social habits and relations with animals – transitioning from the more traditional idea of ‘pets’ to companion species (to use Haraway’s, 2003 phrase). Instead of viewing these relationships between human and animal as a reflection positive social outcomes (e.g. in terms of health, habit, social interactions etc), at the same time these relationships enhance the possibilities of stigma being targeted through the co-relationship between dog and human (‘owner’). Via the constructions demonstrated in this article between the legal and social commentaries on dogs and human behaviours, the implication is that the very same modes of class judgment framed within ideas of cultural lack, inferiority and low value are enabled precisely because of these canine-human relationships, where both groups are subject to the weight of cultural criticism and stigmatization.

To date, scholarly research on class has tended to focus on humans and not the interrelationships of humans and pets as markers of social distinction. The idea of dogs providing social status for humans is far from a new phenomenon (Ritvo, 1986, Kalof and Resl, 2011), yet the social hierarchies formed through state regulation of dogs have important implications for the ways we conceive of canine-human relations in terms of social class and status. Few studies exist which examine how state attempts to ‘make up’ dog dangerousness through legal measures may stigmatise *some* owners (and in some case grant social status –

see Harding, 2012) and impact on their social interactions with their pets. This has several implications for research in animal-human studies. One is that notions of companionship may be re-drawn as the state attempts to control human-canine relations, including the legal sanctions introduced. As highlighted in this article, pure companionship becomes more challenging when involving dogs which are classified as 'dangerous' by restricting the types of canine-dog relationship which may be formed – where the preservation of public safety through prevention of attacks against fellow dogs and humans becomes one of the core modes of responsibility for the human 'owner' to deliver. Further investigations into the ways that the legal infrastructure of dog 'ownership' impact on human-dog relations would be fertile areas for further sociological investigation.

Notes

¹ Similar applications may also be seen through categories of sexuality, race and gender. See Peterson (2012).

References

- Baker K (1993) *The Turbulent Years: My Life in Politics*. Faber and Faber: London
- Bates v United Kingdom before the European Commission of Human Rights (1996) Available at: <http://www.endangerreddogs.com/EDDROtisCaseOutcome.htm> (accessed 20 September 2013).
- Bauman Z (2003) *Wasted Lives: Modernity and its Outcasts*. Cambridge: Polity Press.
- Borthwick F (2009) Governing Pets and their Humans: Dogs and Companion Animals in New South Wales 1966-98. *Griffith Law Review* 18(1): 185-201.
- British Broadcasting Corporation (BBC) (2013) Killer dogs' owners in England and Wales could face life in prison. 6 August 2013. Available at: <http://www.bbc.co.uk/news/uk-23578561> (accessed 11 September 2013).

Burley S (2009) My dog's the champ: an analysis of young people in urban settings and fighting dog breeds. *Anthropology Matters* 10: Nov 2009.

Collins T (2013) *Sport in a Capitalist Society*. London: Routledge.

Descola P and Pálsson G (1996) (eds) *Nature and Society: Anthropological Perspectives*. New York: Routledge.

DEFRA (2010) *Public Consultation on Dangerous Dogs*. London: DEFRA.

DEFRA (2012) *Tackling Irresponsible Dog Ownership*. London: DEFRA.

Eres E and Coe S (2012) Dangerous Dogs Note SN/SC/4348. London: House of Commons Library.

Ericson R (2007) *Crime in an Insecure World*. Oxford: Oxford University Press.

Foucault, M (1994b) *Abnormal: Lectures at the College de France 1974-75*. New York: Picador.

Fox R (2006) Animal behaviours, post-human lives: Everyday negotiations of the animal–human divide in pet-keeping. *Social & Cultural Geography* 7(4): 525-537.

Franklin A (1999) *Animals and Modern Cultures: A Sociology of Human-Animal Relations in Modernity*. London: Sage.

Gatrell V (1990) Crime, Authority and the Policeman State. In: Thompson EP (ed) *Cambridge Social History of Britain 1750-1950*. Cambridge: Cambridge University Press, 243-310.

Gillies V (2008) Childrearing, Class, and the New Politics of Parenting. *Sociology Compass* 2 (3): 1079- 1095.

Grier K (2006) *Pets in America*. Chapel Hill: University of North Carolina Press.

Hallsworth S (2011) Then they came for the dogs!. *Crime, Law and Social Change* 55(5): 391-403.

Hanson M (2006) Beware of the Dog. *The Guardian*. 28 September. Available at: <http://www.theguardian.com/uk/2006/sep/28/animalwelfare.familyandrelationships> (accessed 10 September 2013).

Haraway D J (2003). The companion species manifesto: Dogs, people, and significant otherness. Chicago: Prickly Paradigm Press.

Harding S (2012) *Unleashed: the phenomena of status dogs and weapon dogs*. Bristol: Policy Press.

Home Office (2013) Anti-Social Behaviour, Crime and Policing Bill Fact Sheet. Available at: <https://www.gov.uk/government/publications/anti-social-behaviour-crime-and-policing-bill-crime> (accessed 10 September 2013).

House of Commons (2007) *Dangerous Dogs Legislation: Consultation with Police Forces*. London: House of Commons Library.

House of Commons/Home Affairs Committee (2013) *Dog Control and Welfare*. London: House of Commons Library.

House of Commons (2013b) *Dog Control and Welfare: Government Response to the Committee's Seventh Report of Session 2012–13*. London: House of Commons Library.

Kalof L and Resl B (2011) (eds) *A Cultural History of Animals: Volumes 1-6*. Oxford: Berg Publishers.

Kaspersson M (2008) On treating the symptoms and not the cause: reflections on the Dangerous Dogs Act. *British Society of Criminology Conference Proceedings 2008*, Vol.8.

Kete K (1988) La Rage and the Bourgeoisie: The Cultural Context of Rabies in the French Nineteenth Century. *Representations*. 22: 89-107.

Lawler S (2005) Disgusted subjects: The making of middle-class identities. *The Sociological Review* 53(3): 429-446.

Le Bon G (1896) *The Crowd*, New York: Viking Publishers

Lundblad M (2013) *The Birth of the Jungle: Animality in Progressive-Era US Culture*. New York: Oxford University Press

Maher J and Pierpoint H (2011) Friends, status symbols and weapons: the use of dogs by youth groups and youth gangs. *Crime, Law and Social Change* 55(5): 405-420.

Martínez ÁG, Santamarina Pernas G, Diéguez Casalta FJ, Suárez Rey ML, De la Cruz Palomino LF (2011) Risk factors associated with behavioral problems in dogs. *Journal of Veterinary Behavior: Clinical Applications and Research* 6(4): 225-231.

May A (2013) *The Fox Hunting Controversy, 1781-2004*. Aldershot: Ashgate

Mayhew H (2009 [1851]) *London Labour and the London Poor*. Oxford: Oxford University Press.

McCarthy DJ (2011) Classing Early Intervention: Social Class, Occupational Moralities and Criminalization, *Critical Social Policy*. 31 (4): 495-516.

O'Neill B (2007) Dangerous Dogs: Code for Underclass Britain. *Spiked Magazine Online*, 7 January.

Pemberton N and Worboys M (2007) *Mad Dogs and Englishmen: Rabies in England, 1830-2000*. Basingstoke: Palgrave.

Peterson C (2012) *Bestial Traces: Race, Sexuality, Animality*. New York: Fordam University Press.

Sanders CR (1993) Understanding Dogs: Caretakers' Attributions of Mindedness in Canine-Human Relationships. *Journal of Contemporary Ethnography*, 22(2): 205-226.

Skeggs B (2004) *Class, Self and Culture*. London: Routledge.

Skeggs B (2005) The Making of Class and Gender through Visualizing Moral Subject Formation. *Sociology* 39 (5): 965-982.

Tyler I (2008). "Chav mum chav scum" Class disgust in contemporary Britain. *Feminist Media Studies* 8(1): 17-34.

Twining H, Arluke A, Patronek G (2000) Managing the stigma of outlaw breeds: A case study of pit bull owners. *Society and Animals*, 8(1): 25-52.

Walton JK (1979) Mad Dogs and Englishmen: the conflict over rabies in late Victorian England, *Journal of Social History* 13: 219-39.

West E (2009) Staffordshire Bull Terriers: Why the underclass is bad for the environment. Available at: <http://blogs.telegraph.co.uk/news/edwest/100006300/staffordshire-bull-terriers-why-the-underclass-is-bad-for-the-environment/> (accessed 21 September 2013).

Acknowledgements

This article was improved by the thoughtful and provocative comments of the journal reviewers. An earlier version of this paper was presented at the European Society of Criminology conference in Budapest, September 2013 where I further thank participants for their encouraging and helpful insights.

Biography

Daniel McCarthy is Lecturer in Criminology at the University of Surrey. He has research interests in the sociology of deviance, punishment and youth delinquency. His recent work

includes a book published with Palgrave (2014) entitled '*Soft*' Policing: *The Collaborative Control of Anti-Social Behaviour*, as well as a number of articles published in areas of sociology, social policy and criminology.