

An Undergraduate Criminology Dissertation

Written by

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**The Oppression of Factory-Farmed Animals: A Critical Discourse Analysis of English  
and Welsh Animal Welfare Legislation.**

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**Abstract**

It is well established that factory farms subject the non-human animals confined to significant abuse. But what does a close analysis of the legislation in place for their 'protection' reveal about their plight? Utilising critical discourse analysis and informed by a non-speciesist and species justice perspective, this dissertation highlights the oppression of factory-farmed animals as prevalent in the language use of English and Welsh animal welfare legislation.

The findings reveal that they are oppressed through the use of speciesist language, representing them as inferior; their suffering is disguised through the use of cleverly chosen language; and existing as welfare law gives the public the impression that these beings are protected from harm, but in reality, contributes to the legitimisation of abuse. This research contributes to the sub-discipline of green criminology by greater incorporating the harms of factory farming into its field. Overall, this project keeps the justice, rights, and victimhood of factory-farmed animals at its very centre, hoping that it acts as a first step toward discourse that promotes harmonious relations with non-human animals.

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**Table of Abbreviations**

API.....	Animal Protection Index
BOIJ.....	Bureau of Investigative Journalism
CDA.....	Critical Discourse Analysis
CIWF.....	Compassion in World Farming
DEFRA.....	Department for Environment, Food, and Rural Affairs
HSA.....	Humane Slaughter Association
GC.....	Green Criminology
NHA.....	Non-human Animals
NGOs.....	Non-Governmental Organisations
ToP.....	Treadmill of Production
WAP.....	World Animal Protection

## **Chapter 1 – Introduction**

*“Those who need solidarity most undoubtedly include the billions of animals suffering in intensive farming industries, who lack a voice to protest about their treatment” (Stibbe, 2012, p.14).*

### **Introducing the subject:**

The following dissertation highlights the oppression of factory-farmed animals as prevalent within the language use of English and Welsh animal welfare legislation. Each year, the UK's meat industry claims the lives of approximately 2.6 million cows, 10 million pigs, 14.5 million sheep and lambs, and 950 million birds (HSA, n.d.); all of which have one thing in common, they are destined for human consumption. While the very act of murdering such an unimaginable amount of nonhuman animals (NHA)<sup>1</sup> has important philosophical and criminological implications (see Singer, 1975; Wyatt, 2014), these sentient beings do not die without suffering (Schally, 2014). The agricultural industry is another product of the global capitalist economy, prioritising profitability, and efficiency above all else (White, 2014). This shift has created detrimental consequences for the beings caught within. Confined in buildings referred to as 'factory farms', NHA are treated as a mere commodity and are crammed into spaces that prevent their ability to carry out natural behaviours (Stretesky *et al.*, 2014). While the UK prides itself as a nation of “animal lovers” with “high” animal welfare standards (WAP, 2020), there were approximately 1674 UK factory farms in 2017 (Davies and Walsey, 2017)<sup>2</sup>. In line with this hypocrisy, these institutions are cleverly placed in remote geographical locations, hiding the true reality behind the ‘meat’ people eat (Beirne, 2018). Whilst largely within the legal sphere, factory farms contribute to “the most widespread form of animal abuse in the world” (Stretesky *et al.*, 2014, p.127). The harms caused are systemic, and not only affect NHA, but also have environmental and humanitarian ramifications (Wyatt, 2014). Factory farming’s systemic and legal nature have inspired this

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<sup>1</sup> I use the term non-human animals throughout this dissertation. Whilst this term is not without critique (Beirne, 1999), referring to these beings as ‘animals’ forgets that humans are also animals, and contributes to our disassociation (Agnew, 1998).

<sup>2</sup> There will likely be a larger amount of factory farms today, but current figures are unavailable.

project, which intends to shed light on this socially accepted but equally barbaric phenomenon.

**What was found:**

Drawing on green criminological literature, and utilising critical discourse analysis, this dissertation illuminates the oppression of factory-farmed animals that is apparent within the language use of the 'Animal Welfare Act 2006' and 'The Welfare of Farmed Animals Regulations (England) 2007'. I ask what a critical discourse analysis reveals about the plight of factory-farmed animals; with the findings revealing that their plight is undermined, disguised, and justified – all of which contribute to their continued oppression. More specifically, oppression is apparent in how they are constructed and represented, language manipulation that disguises their abuse, and the fact the discourse operates through a welfare paradigm, helping legitimise abuse. By critiquing this dominant legislative discourse, I am scrutinising the UK Government, and identify how their reproduction of discourse contributes to the oppression of factory-farmed animals and ultimately, contributes to their continued oppression. At the very heart of this research, I represent factory-farmed animals and provide them with a voice. As indicated in Stibbe's (2012) quotation above, they need solidarity.

**Key Concepts:**

With this project largely premised on the concept of oppression and its relation to non-human victims, I will briefly define what is meant when discussing oppression and its importance in this project. By oppression, I am referring to human domination and power over other species (Stibbe, 2001). Rather than illustrating how oppression is explicit, this project identifies the implicit embedment of oppression within dominant discourse. Standing as a green criminology project and theoretically informed by a species justice perspective, I highlight how NHA can also be victims, despite criminology traditionally regarding humans as the only victims of harm (Sollund, 2008).

In scrutinising the UK Government I am referring to: the political party in power at the time these discourses were published (the Labour Party led by Tony Blair up until 2007 and led by Gordon Brown from 2007), the Department for Environment, Food and Rural Affairs (DEFRA) who are responsible for producing and enforcing animal welfare legislation, legislators,



politicians and their staff who contributed to the legislation's passing, and lastly, the political party in power today (the Conservative Party led by Boris Johnson) who have the ability to alter this discourse. Thus, when referring to the UK Government, these are the powerful actors being scrutinised.

**Outline of the dissertation:**

The second chapter provides the reader with a literature review: which includes a case study of factory-farming in the UK, the theoretical framework, and a review of existing green criminological research concerned with factory farming. Chapter 3 outlines the research design and methodology. This is where the research questions, the chosen materials, the justifications for this choice, the particular procedures used in conducting analysis, the theoretical foundations of critical discourse analysis and its suitability to my research design are detailed. Before moving on to the following chapter, reflexivity and the ethical considerations of the project are noted. The projects findings are reported in chapter 4. This is where the research questions are answered, with the identification of three themes. Chapter 5 contains the concluding remarks. An overview of the findings, the importance of the topic, and suggestions for future research feature in this final chapter.

## **Chapter 2 – Literature Review**

This chapter reviews existing criminological literature regarding factory-farmed animals, forming the basis of my research. The reader is firstly provided with the contextual background of factory-farming in the UK, then its relation to the sub-discipline green criminology (GC) is discussed. This encapsulates the theoretical framework of this project. As factory-farming has emerged in recent decades (VIVA, n.d.), research regarding this phenomenon is scarce within GC. This may also be due to GC's slow incorporation of animal rights into its field (White, 2014). Nevertheless, the literature that does exist is reviewed, allowing it to be built upon in this project.

### **Factory farming in the UK:**

#### ***Introducing factory farms***

With little to no research on factory-farming in criminology, I have gone outside the discipline and rely on 'grey literature' to provide background information in this section. The following section, however, relates factory-farming to criminology, by outlining theoretical literature on GC.

Factory farms, otherwise referred to as "concentrated animal feeding operations" or "intensive farms", are "a modern system of farming animals which uses highly intensive methods, and prioritises profit above everything else" (VIVA, n.d.). NHA used for farming purposes are confined in these buildings for the duration of their lives, abused for their milk, eggs, and flesh (VIVA, n.d.). British agricultural farming has transformed in recent decades, where previously most farm animals were raised by small town farmers, 85% are now confined and owned by large corporations in factory farms (VIVA, n.d.). Statistics from 2017 estimated the operation of 1674 factory farms with licenses from the Environmental Agency (CIWF, 2017).

Investigations conducted by the Bureau of Investigative Journalism (BOIJ), of a typical 'poultry' farm in Herefordshire discovered the confinement of around 800,000 chickens, each living in a space equivalent to an A4 sheet (Davies and Walsey, 2017). The biggest factory farms confine an estimated 20,000 pigs or 2,000 cows at any one time, where they are crammed in crates or pens that prevent their ability to move (Soflaten, 2020). Despite these harms, UK factory farming increased by 26% between 2011 and 2017 (CIWF, n.d.). The US version of the practice, known as the "mega-farm", has influenced this increase and will

continue to shape UK factory farms (Davies and Walsey, 2017). This transition will continue, if not more so, to put the welfare of those confined in jeopardy - justifying greater abuse for economic means.

### ***Specific abuses***

Strategically placed, and hidden away in buildings, exposing the abuse that occurs inside these institutions relies on undercover investigations carried out by animal rights groups and NGOs (White, 2014). Most commonly factory-farmed in the UK are chickens, cows, and pigs, but I wish not to disregard the other NHA that suffer (VIVA, n.d.). This includes: fish, shellfish, sheep, rabbits, ducks, and turkeys (VIVA, n.d.). Here, the abuse the three most common land NHA experience is detailed.

Despite the very means of being confined in a factory farm constituting as abuse, legal abusive practices are justified as a means of boosting productivity. An investigation conducted by the charity 'VIVA' revealed some of these abusive practices. Commonly used is mutilation: piglets have their teeth clipped or pulled out and tails cut off; chickens have their beaks removed with a laser; cows have their growing horns burnt off with a chemical or a hot iron pressed against their skulls - all conducted with no pain relief (Sorflaten, 2020).

Demanding fast growing NHA, so those raised for meat can quickly be transformed into a product, the use of selective breeding and concentrated feed is commonplace (Walters, 2006). This puts them at risk of physiological problems and is commonly used on 'broiler' chickens, who take around six weeks to reach 'processing weight', and often suffer from lameness as a result (CIWF, n.d.). Other harmful practices include the shredding or gassing of male chicks, who are deemed unprofitable as they do not produce eggs or gain enough weight to become 'meat' (Sorflaten, 2020). Female cows are repeatedly raped, or preferably called 'artificially inseminated', so her milk can be consumed by humans (Beirne, 2018). Consequently, her child is taken away within twenty-four hours of birth, and this process repeats itself until she can no longer become pregnant (Beirne, 2018). The harm inflicted on these beings is continual and pervasive, but remains perfectly legal (Wyatt, 2014), meaning it will continue to have a detrimental effect on the beings that we should live in unity with. Therefore, it requires the undivided attention of academics, and wider society.

**Introducing Green Criminology:**

Concerns about the rights and abuse of NHA falls under the sub-discipline of green criminology (GC). Unlike other disciplines, such as biology and philosophy, criminology was particularly slow in incorporating animal rights issues into its discipline due to its anthropocentric focus (Sollund, 2008). This disregard ended when a chapter titled 'The Greening of Criminology' (Lynch, 1990) was published, at a time when people became increasingly concerned about large-scale environmental disasters resulting from deviant or criminal behaviour. From its inception in the 1990s, GC has evolved from a branch of criminology, concerned with environmental matters, to a distinctive interdisciplinary area of study, confronting an array of issues (Overmars, 2016). Three decades later, GC can best be understood as "the study of environmental crimes and harms affecting human and non-human life, eco-systems and the biosphere" (Brisman and South, 2018, p.1).

Regarding research, green criminologists explore and analyse "the causes, consequences and prevalence of environmental crime and harm", and "responses to and the prevention of environmental crime and harm by the legal system" (Brisman and South, 2018, p.1). Unlike conventional criminology, GC moves beyond anthropocentric understandings of crime and criminality, to 'biocentric' and 'econcentric' notions (White and Heckenberg, 2014). The former is significant to this project, with biocentrism viewing "humans as 'another species' to be attributed the same moral worth" as other species (White and Heckenberg, 2014, p.65).

**Green Harm:**

Whilst GC focuses on illegal green crimes concerning NHA, like the illegal wildlife trade (Wyatt, 2013), particular importance is placed on examining non-criminal acts that cause serious harm (Agnew, 1998). GC premises on the need to take environmental and animal harm seriously, regardless of legality (White, 2014). It reveals harm inherent within structures, often viewed as lawful and perceived as legitimate, bringing attention to harmful acts facilitated by powerful actors (White, 2014). Thus, many green criminologists argue that legalised harms need close attention as they tend to be widespread and have more victims than crimes that occur on 'the streets' (Jarrell *et al.*, 2013). Ultimately, GC examines crimes and harms that are overlooked or excluded from criminology's traditional concerns and is

important in illustrating how significant and widespread these are (Brisman and South, 2017).

**Animal rights and species justice perspective:**

Whilst much criminological scholarship regarding NHA has been interested in conventional crimes, demonstrated in works on the trade of endangered species, which was concerned more so with biodiversity, there has been an emerging body of research dealing with animal abuse directly (White, 2014). This has seen concerns with systemic and socially acceptable uses of NHA (Beirne, 2004).

Concerns for the rights, welfare, and abuse of NHA falls under the framework of 'species justice' (White, 2008). Premising from a species justice perspective, one recognises that NHA "have rights based on utilitarian notions (maximising pleasure and minimising pain), inherent value (right to respectful treatment) and an ethic of responsible caring" (White, 2008, p.249). Researching from this perspective, one may address the discriminatory treatments of NHA as other, and identify the speciesism enshrined within practices, texts, or institutions (Beirne, 1999). When dealing with issues of animal abuse and suffering, one is researching from an animal rights perspective (White, 2008). This strand of GC (as opposed to an environmental or eco-justice perspective (White and Heckenberg, 2014)) is represented by those wishing to include considerations of animal rights within the broad perspective (Benton, 1998).

**Works on animal abuse:**

The expansion of animal abuse within GC was made particularly relevant by Beirne (1995, 1999, 2009), Agnew (1998), and Cazaux (1998, 1999). Beirne (1999) argues that animal abuse is a legitimate field of study for criminology because of the extensive harm that victimises vast numbers of NHA. This was echoed by Agnew (1998), stating that NHA are worthy of moral consideration in their own right, with compelling arguments made to this effect by moral philosophers and feminist theorists.

Particularly prominent in this expanding area, was Beirne's and Cazaux's (2001) call for a 'nonspeciesist criminology'. Their work draws on the concept of 'speciesism', first coined by Richard Ryder in 1975, and defined as "a prejudice or biased attitude favouring the interests of the members of one's own species against those of members of other species" (Cazaux and Beirne, 2006, p.11). Like other 'isms', such as sexism and racism, the main tool of

discrimination rests on domination, power, and the subordination of others, therefore speciesism is often embedded within social arrangements, institutions, practices, and relations (Sollund, 2008). Informed by research in animal philosophy and animal ethics, nonspeciesist criminology scrutinises speciesist activities entailing animal abuse, like a NHA suffering pain, premature death, psychological, physical, and emotional distress (Cazaux and Beirne, 2006). White and Heckenberg (2014) recognise nonspeciesist criminology as a distinguished perspective within GC, designating its focus on "speciesism as a main target for criminological research and critique of anthropocentrism " (p.18). A recent development within nonspeciesist criminology is Beirne's (2018) revolutionary text, the first in any discipline, that argues if killing a NHA by a human is as harmful to them as homicide, then this death should be referred to as 'theriocide'. Overall, non-speciesist criminology has become a significant and distinguished area of GC.

The concepts identified above are valuable to GC but lack a unified theoretical framework for understanding and explaining animal abuse. This was changed by Stretesky *et al* (2014) who, by drawing on the work of Schnaiberg (1980), demonstrate how the treadmill of production (ToP) theory has implications for exploring NHA exploitation and violence. This provides an explanation of animal abuse that is situated within a political-economic perspective, and accounts for factory farms being a by-product of capitalism (Best, 2006). Seen as commodities, factory-farmed animals are a direct vessel for value, raised for food and profit, and tied to the capitalist economy of the modern world (Mosel, 2001). The direct consequence of this profit orientation means they are housed in deplorable conditions, in order to maximise efficiency, which in turn contributes to abuse (Stretesky *et al.*, 2014). Furthermore, this institutionalised form of abuse, housing millions of NHA per year, demonstrates that factory farming is "the most widespread form of animal abuse in the world", and linking it to its political-economic origins provides a theoretical explanation for such abuse (Stretesky *et al.*, 2014, p.127). Stretesky *et al* (2014) effectively provide a unified theoretical explanation for animal abuse, which has not been provided for by previous studies.

Relating to this political-economic perspective, Schally's (2014) research demonstrates how the American agribusiness 'Tyson Foods' culturally legitimises their practices which harm NHA. Through conducting a critical discourse analysis on web pages and images produced

by the company, Schally (2014) discovered that Tyson Foods discursively constructs an identity of “good corporate citizen while simultaneously disguising their harmful actions” (p.98). Significantly, the absence of language also serves to legitimise harm, with a lack of information on animal welfare standards demonstrating silence, which translates to consent; something long argued by activists (Schally, 2014). Therefore, Schally (2014) demonstrates how Tyson Foods, tied within the profit-orientation of capitalism, simultaneously legitimises animal abuse, whilst giving off the persona of ‘good corporate citizen’. Schally’s (2014) work is one of few concerned with the power of language and discourse, and its significance to the exploitation of NHA.

#### **Failures of animal ‘protection’ legislation:**

Agreed by a range of green criminologists, is that the majority of animal law, supposed to protect certain species, contributes to legitimising abusive human actions towards NHA (Beirne, 1999). Despite a vast range of scientific research discovering the sentience of NHA and their ability to feel pain, anti-cruelty and welfare laws do not establish any rights for NHA, but instead serve as a means to human ends (Francione, 1995). A common feature of animal welfare legislation refers to NHA suffering being justified so long as it is not 'unnecessary' (Francione, 1995). The vagueness and lack of definition was drawn upon by Beirne (1999), asking "what constitutes as cruel mistreatment?" (p.128). Drawing on the works of Stretesky *et al* (2014) and the ToP, NHA legislation is oppressive, reflecting the interests of the powerful and used as a weapon to facilitate interests that expand production. Rather than responding to large-scale destruction fuelled by capitalism, NHA law focuses on unlawful behaviour of individual procedures (Stretesky *et al.*, 2014). Ultimately, numerous green criminologists agree that animal law tends to define NHA in ways that describe their existence through reference to human conceptions and uses, and when greater protection is in place it is for small-scale individual abuses (Sankoff and White, 2009). Whilst there is mutual agreement, there is scarce literature providing a close analysis of such discourse, failing to recognise the power of language. This has gathered close attention in other disciplines, such as sociology (Stibbe, 2001) and feminist studies (Adams, 2002), but its reach has not extended to GC.

Focused within the American context, Fiber-Ostrow & Lovell's (2016) and Wrock's (2016)

research critiques the American meat industry and their implementation of Ag-Gag legislation. They explore the state's capacity to silence and criminalise those who expose inhumane treatment of NHA (Fiber-Ostrow & Lovell, 2016; Wrock, 2016). With factory farms often located in remote geographic landscapes, exposing the abuse endured by factory-farmed animals has often been conducted through undercover investigations, or through activist efforts (Fiber-Ostrow & Lovell, 2016). The implementation of Ag-Gag legislation serves to hide the cruelty of factory farms from the public, by prosecuting those who film or photograph farm activity without the owner's permission (Wrock, 2016). Both pieces of research are pinnacle in incorporating factory farming into GC, displaying the efforts of the state to conceal abuse on US factory farms (Wrock, 2016). This research is limited in its scope as its only relevant to the US context, as Ag-Gag legislation does not exist in the UK, but nevertheless it adds to the scarce amount of GC literature concerned with factory-farmed animals.

### **Summary:**

Animal abuse has become a distinguished area of GC, with many green criminologists focusing on legalised and widespread harms affecting NHA (Nurse, 2013). Despite this, GC has been particularly slow in incorporating the rights of factory-farmed animals into its discipline – despite the pervasive harm these beings are subjected to. This undoubtedly reflects a weakness of the field. However, of the scarce literature that does exist, there is a stable gap regarding the role of discourse in perpetuating harm. This has gained substantial attention in other disciplines but remains understudied within criminology. While numerous green criminologists agree about the vagueness of language in anti-cruelty and NHA welfare legislation, it has yet to be studied with a close analysis of language use and its relation to power. Therefore, building upon this literature I will conduct a critical discourse analysis on English and Welsh animal welfare legislation in order to fill this significant gap. In doing so, I hope to shed light on the importance of discourse and the choice of specific linguistic techniques in the construction of human-animal relations and the legitimisation of harm. The specifics of my research design and methodology are discussed in the following chapter.



### **Chapter 3: Methodology**

This chapter provides the reader with the specifics of my research design and methodology. Established through the literature above, there is a growing body of green criminological research concerned with factory-farmed animals (Schally, 2014; Wyatt, 2014; Fiber-Ostrow and Lovell, 2016; Overmars, 2016; Wrock, 2016). Yet, as a growing area of concern, many aspects still remain ripe for investigation. Whilst research has detailed the abuse endured by factory-farmed animals (Wyatt, 2014; Overmars, 2016), and identified the ineffectiveness and vagueness of animal welfare and anti-cruelty legislation (Beirne, 2004; Wyatt, 2014), little efforts have been made in providing a close analysis of this discourse. As a whole, the importance of language in the construction of NHA and the legitimisation of harm has been lax within GC (Schally, 2014). To bridge this gap, my research will critique the two main pieces of NHA legislation in England and Wales, which are designed to protect the welfare of factory-farmed animals. This is done so by conducting a critical discourse analysis (CDA). With CDA concerned primarily with social change (Fairclough, 1992), the oppression of factory-farmed animals is kept central to this analysis and is illuminated within this dominant discourse. Overall, this research is informed by theoretical frameworks identified in the previous chapter: non-speciesist criminology (Cazaux and Beirne, 2001) and a species justice perspective (White, 2014).

#### **Research Questions:**

Based on the gaps identified in the Literature Review, and informed by the theoretical framework– I ask one main question and three specific sub-questions:

- 1) What does a critical discourse analysis of English and Welsh animal welfare legislation reveal about the plight of factory-farmed animals?
  - 1a) How are factory-farmed animals represented in legislation?
  - 1b) What does the choice of language reveal?
  - 1c) What role does the welfare paradigm play in this legislation?

### **Justifications for Chosen Materials:**

Whilst research has identified historical trends within British legislation, recognising NHA property status and the vagueness of language (Beirne, 2004), little research has been concerned with current animal welfare legislation. This is with the exception of Wyatt (2014) who briefly analysed current legislation in England and Wales, but in specific reference to pigs and the legislation's practical problems. Although the first legislation prohibiting cruelty against NHA was passed in English Parliament in 1822 (Vapnek and Chapman, 2010), far more NHA are subject to more intense exploitation than ever before in history (Svard, 2008). It is therefore vital that this legislation is approached critically.

This CDA focuses on English and Welsh laws, not only because it is of particular interest to myself as an English researcher, but because every county in England and Wales has at least one factory farm (CIWF, n.d.). Mentioned in the Literature Review, the biggest factory farms are situated in England and Wales (Davies and Walsey, 2017). This is not to say Scotland and Northern Ireland do not have factory farms (see: CIWF, n.d.), but they are guided by different animal welfare legislation. Generally, the Scottish Government has been more progressive in their approach to animal welfare, shown in the implementation of 'Animal Health and Welfare in the Livestock Industry: Strategy 2016-2021'. Northern Irish legislation remains similar to England and Wales', and my findings would likely be relevant to the Northern Irish Government's approach to animal welfare. Rather than conducting a comparative study, the legislative texts analysed are applicable to England and Wales only, but the findings may extend to Scotland and Northern Ireland. This is because DEFRA are responsible for the enforcement of animal welfare laws across the UK, and the 'five freedoms'<sup>3</sup> of NHA act as the main framework for the majority of animal welfare legislation (Vapnek and Chapman, 2010).

Although factory farming has been occurring for many years in England and Wales, there has been a vast increase in the past ten years in the scale in which this occurs (Davies and Wasley, 2017). Ironically though, it has been historically claimed that the UK has one of the highest standards of animal welfare worldwide (CIWF, 2017). Arguing that this is still the case

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<sup>3</sup> Developed by Britain's Farm Animal Welfare Council in 1965, the 'Five Freedoms' state that NHA should have "freedom from hunger and thirst, from discomfort, from pain, injury, and disease, to express normal behaviour, from fear and distress" (FAWC, 2009, pp.1-2) and are utilised internationally as accepted standards of care.

today, World Animal Protection (2020) suggest this high standard is based on the Animal Protection Index (API). This measures each countries effort to protect NHA with legislation, improve their welfare and recognise their emotional and cognitive abilities (WAP, 2014). API is measured from grade A to G (A being highest), of which the UK obtained a B grade overall (WAP, 2020). This can be rather misleading, as when looking at NHA regarding their categorisations the protection of farm animals was graded as D, but companion animals were ranked A (WAP, 2020). I aim to debunk these 'high' standards.

Legislation has been chosen as the basis of this analysis, not least because law is entangled with power and reflective of cultural views (Weiss *et al.*, 2017), but because it is often left unquestioned and can result in a continuation of current practices and norms (Stibbe, 2012). While in cooperation with and additionally regulated by other governing bodies, the law is the ultimate governor and legitimiser of the practices that occur on factory farms today. The law sets out the standards of what is deemed acceptable and legal and those that are not (Mayr, 2008). Ultimately, NHA welfare laws are supposedly in place for the protection of NHA, and their very existence can give the public the impression that these beings are protected from harm (Svard, 2012). By conducting a CDA on such texts enables a close focus on language use and will enable me to undermine this general assumption, which would not be achievable from a general analysis (Van Dijk, 1993).

This research project focuses on factory-farmed animals as a group, rather than focusing on a particular species that is factory-farmed. This could be identified as a limitation of this project, but I believe it would be more effective to criticise a particular embodiment of power (the UK Government) in how it oppresses factory-farmed animals collectively, through the use of language.

### **Research materials:**

Acting as the main regulatory for the protection of all NHA within England and Wales (Wyatt, 2014) it is vital the 'Animal Welfare Act 2006' is analysed. This act stipulates that no NHA should "be subject to unnecessary pain or suffering" (Wyatt, 2014, p.18). It centres around the notion of animal welfare, offering advice on the promotion of welfare, guidelines on the prevention of harm, and details convictable offences. The welfare of factory-farmed animals, alongside farm animals on smaller holdings, is additionally protected under 'The Welfare of

Farmed Animals Regulations 2007', which were made under the Animal Welfare Act (DEFRA, 2013). This act is the main instrument for the protection of farm animal welfare; setting "minimum welfare standards for farm animals generally whist kept and reared on a farm" (DEFRA, 2013). These regulations are applicable to NHA kept for the production of "food, wool or skin or other farming purposes" (DEFRA, 2013). Schedules, which are generally used to detail more specifically how the provisions of an act work in practice (UK Parliament, 2021), are provided for 'laying hens', 'calves', 'cattle', pigs, and rabbits. Experiencing 'significant' change in 2000 with the passing of, what seemed to be, an incredibly altered 'Welfare of Farmed Animals Regulations', and further adapted in 2007 (Wyatt, 2014), it is important that a close analysis of the language use is provided in order to establish how progressive this act was in protecting the NHA concerned. Ultimately, these discourses are critically analysed to establish what they reveal about the plight of factory-farmed animals.

### **Practicalities of CDA:**

As Van Dijk (1993) notes, there is no singular way of conducting CDA, and is dependent on the researcher and their chosen materials. So here, I detail the practicalities of the way in which this analysis was conducted.

I firstly found the legislative texts on the following websites:

<https://www.legislation.gov.uk/ukpga/2006/45/contents>,

<https://www.legislation.gov.uk/uksi/2007/2078/contents/made>. Once these main legislative instruments that 'protect' factory-farmed animals were found, and the purpose of the materials was clear, I situated the sources in their social context<sup>4</sup> – a vital part of CDA (Van Dijk, 1993). Next, the sections suitable for analysis were chosen. As the chosen materials are rather long, I decided to analyse the parts that were most likely to be accessed by the public, and thus most impressionable – this mainly included the 'introductory texts', and some schedules in the 'Welfare of Farmed Animals Regulations 2007' were analysed to support the themes.

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<sup>4</sup> For a discussion of the social context, see Chapter 4.

In order to fully understand the texts and establish themes within, both discourses required several reviews. Influenced by Stibbe's (2001) and Schally's (2014) research, similar CDA tools were used to aid the identification of themes relating to oppression. Such tools ranged from: pronoun and lexical use, to (in)transitivity, nominalisation and metonymy. Pronoun use allows the analyst to identify the way NHA are referred to. Lexical use helps distance us from animal suffering, such as the use of the term 'slaughtered' and not 'murdered' (Stibbe, 2001). These may seem like small details, but as Machin and Mayr (2012) noted, often the smallest linguistic details are where power relations and ideology can be found. (In)transitivity allows the analyst to detect where agency or responsibility for action get disappeared, and thus becomes a tool for what is not being said (Machin and Mayr, 2012). Nominalisation accounts for responsibility of an action being obscured by expressing verb processes as nouns, and obscures those affected (Schally, 2014). Metonymy describes an instance where something is not referred to by its name and is instead referred to as something closely associated with it (Schally, 2014). The themes identified by utilising these techniques are discussed in the following chapter.

### **What is CDA?:**

With the specifics of the research design outlined, the theoretical foundations of CDA and its suitability to my design are provided. CDA is an interdisciplinary and qualitative research approach, consisting of various ways of thinking about and examining discourse, that views language as a form of social practice (Hall, 1992). Significant here is the work of Foucault (1977), with the notion of discourse at the centre of his theoretical arguments and methodology. Discourse itself has a specific meaning, referring to groups of statements which structure the way something is thought and the way in which we act based off this thinking (Foucault, 1977). Foucault's (1977) understandings of discourse leads to concepts of power, accounting for discourse's ability to discipline subjects into certain ways of thinking and acting (Rose, 2011). Thus, one should understand that "all discourse is saturated with power" (Rose, 2011, p.138).

With discourse encompassing a wide range of linguistic and non-linguistic sources, CDA allows for the widest possible selection of research material (Jaworski and Coupland, 2006). The particular concern of CDA lies within the relationships between power and language (Fairclough, 1992). Jaworski and Coupland (2006) affirm CDA is the study of language use

relative to “social, political and cultural formations” and reflects social order, but also language “shaping social order and shaping individuals’ interactions within society” (p.3). This was echoed by Berger and Luckmann (1967), who suggested that society is both an objective and subjective reality. On the one hand, people create the society in which they live, but are simultaneously shaped by society (Berger and Luckmann, 1967). Over time, this allows the “objectivity of the institutionalised world to ‘thicken’ and ‘harden” meaning its thought as normal, and even natural (Berger and Luckmann, 1967, p.59).

The motivation for conducting a CDA often lies in concerns about social inequality and the perpetration of power relations, thus allowing critical discourse analysts to scrutinise the reproduction of dominance and inequality (Van Dijk, 1993). Yet, with its Marxist roots, power as observed through CDA is talked about as if it is relevant between people only (Stibbe, 2001). However, Stibbe’s (2001) research clearly identified the relevance of language to the oppression of NHA. Therefore, in the context of this project, CDA is most fitting to the research design, allowing for a close analysis of the legislation’s language use, and its relation to the oppression of factory-farmed animals and the reproduction of power relations.

### **Reflexivity and Ethical Considerations:**

Before immersing oneself into the findings section, a note on reflexivity and ethical considerations is necessary. In any research project, researchers should be transparent about why they are investigating a particular topic (Schally, 2014). This enables the researcher to be conscious about their potential biases. It is worth disclosing that I have followed a vegan lifestyle for over two years. My choice to stop eating and wearing NHA was because I was exposed to the truth about what happens to the ‘meat’ we eat. I really wanted to make a change, and I figured veganism was the best way to do so. This is the best way, I believe, that one can oppose the abuse, suffering, and death inflicted on NHA in the agricultural industry. My personal concern for the rights and freedoms of NHA is what inspired this project. We know such barbaric activities occur, but how and why are they able to continue? In attempting to understand this, I believe it is best to scrutinise those that allow, coerce, and cover the actions which cause such devastating abuse for an uncountable amount of NHA.

With the concern of CDA lying in the need to create social change, one will inevitably have a negative view of what is being analysed (Hewkin, 2015). If this view were positive change would not be needed. I am aware of the suffering factory-farmed animals experience and consequently view the discourse produced by the Government, a key contributor to their suffering, negatively. I recognise my biased position, as farmers, for example, may also have great reason to assess existing legislation in depth, but their motives and findings would likely be different to mine. Yet, as I am working from a non-speciesist and species justice perspective, the rights and justice of NHA are at the heart of this project, and the chosen materials are analysed accordingly.

Originally, this project intended to use visual sources as means of analysis. However, this raised serious ethical issues for the reader, as well as myself as researcher, as it would likely be distressing for both parties. Whilst visual sources are effective in showing the abuse these beings are subjected to, this is something the reader should choose to view themselves if they feel able to, and not imposed on them. This is why the research material changed, and whilst still an upsetting subject, I do not show, and rarely detail, the abuse these beings experience, instead those that contribute to their oppression are scrutinised.

With the research design and methodology outlined, the chapter to follow includes the findings of the project.

## **Chapter 4: Findings**

This chapter consists of the project's findings. It begins by noting the significance of the accessibility of the discourse, the author, and those affected. Following on from the contextual background in the Literature Review, the social context of factory farming in England and Wales is presented. Lastly, through answering the research questions and conducting CDA, three themes were discovered, and are provided for in great detail in this chapter. The themes are as follows: speciesism, vagueness, absence, and disguise, and welfarism.

### **Accessibility, Author and Those Affected:**

When analysing legal documents, it is worth considering their accessibility. A simple google search provided me with the full pieces of legislation, with each provision easily downloadable. Available in the public domain, and considered 'mainstream' discourse (Stibbe, 2001), one can infer that these discourses are aimed at a large audience, and will likely influence public attitudes towards NHA, or may have already been shaped by societal views (Fairclough, 1995).

Another factor to consider is who authored the source, and those affected by the discourse (Jupp and Norris, 1993). Legislation is used to describe laws enacted by a governing body, such as Parliament, and creates Acts of Parliament, constituting the primary source of legal authority for central and local Government (Robertson, 2015). Significantly, legislation arising from the process of Parliament is the highest form of law (Robertson, 2015). As DEFRA are the primary governmental department in introducing animal welfare legislation and regulations (Schaffner, 2011), they were certainly key producers of this discourse. Whilst no singular individual is accountable for the writing of such legislation, legislators, their staff, and politicians all have a say or are involved in the writing process and are in a powerful position to control our reality of the world (Mayr, 2008). Such discourses are therefore (re)produced by powerful actors (Mayr, 2008).

Regarding those affected by the discourse, it is most certainly every NHA that is factory-farmed in England and Wales. Given the large-scale systemic abuse these beings are subjected to, it is evident that this legislation is not in place for their protection but rather exacerbates their inferiority within our anthropocentric society (Sollund, 2008). This point will



become evermore apparent throughout my analysis, as I identify themes which support this viewpoint. As Stibbe (2001) rightfully says "given the sheer number of sentient beings suffering the impact of intensive farming from birth to slaughter" (p.158) their oppression cannot be excluded, thus the institutions and power actors condoning such treatment, through the (re)production of discourse, must be scrutinised.

### **Social Context:**

*"Our world as we know it is structured around a dependence on the death of other animals"* (Adams, 2002, p.76).

When approaching discourse from a critical standpoint, one must recognise that discourse is a social construction (Berger and Luckmann, 1967). A key process in conducting CDA is reading widely around the social context in which the documents were constructed (Van Dijk, 1993). Thus, the social context of factory farming in England and Wales will be provided here, before delving into the themes.

Like other Western societies, English and Welsh society can be understood as anthropocentric and thus predominantly human-focused (Sollund, 2008). To be an animal in this society means being an object (in the case of factory farmed animals that is a product), or a possession (such as a pet) (Riise, 2012). The meat and dairy industries are a huge part of English and Welsh culture, providing jobs and income for many (Wyatt, 2014), business for supermarkets and restaurants, and 'food' for consumers. Whilst there is no lack of knowledge or evidence concerning the suffering NHA are subjected to (Svard, 2012), around 3% of the UK population are vegetarian or vegan (The Vegan Society, 2018), meaning Britain's population consists of approximately 97% meat-eaters. The use and consumption of NHA by humans has thus acquired a cultural legitimacy (Sollund, 2008). Like Adams' (2002) and Spender's (1998) work recognising how mainstream discourse, evolving in a male-oriented society, reflects and reproduces bias against women, discourse evolving in a meat-eating culture undoubtedly reflects negative views upon NHA (Stibbe, 2001).

### **Theme One - Speciesism:**

An overarching theme from the analysis was the speciesist language embedded. As mentioned in the Literature Review, speciesism is a crucial term in studies of animal rights

and species justice, and the role speciesism plays is most significant in language (Beirne, 2004). Therefore, the definition of speciesism must also include dimensions of ideology and discourse (Sollund, 2008).

The pronoun “it”/ “its” was consistently used when describing NHA. Referring to NHA as “its” has been thoroughly recognised by scholars for decades and become a normalised way to describe NHA in mainstream discourse. The use of “its” objectifies NHA, failing to identify that they are individuals with individual desires and needs (Sollund, 2012). Thus, the linguistic use of this pronoun strips he or she of their dignity, erasing their living, breathing nature, and perpetuates the view that they are objects, inferior, or property (Adams, 2002). The repetitiveness and almost thoughtless use of this pronoun has ingrained the personal property status of NHA into one's social consciousness by the powerful discourse that is law (Johnson, 2012). Furthermore, “its” attributes deadness to what is alive (Donovan and Adams, 2007). The aims of these regulations should lie in the welfare and protection of NHA, protecting them before they are even transformed into a product. Particularly as most factory-farmed animals will spend a reasonable amount of time confined in factory farms before their death, or as in the case of female cow's, she will be confined until she can no longer become pregnant (Beirne, 2018). Therefore, the use of the term “its” shows that focus is more so on the product in which they will become, rather on their welfare and safety whilst confined. This creates a reality of NHA as 'others', forgetting that human beings are also animals (Adams, 2002), and overall reveals the speciesist ideology reproduced within this discourse.

Other speciesist language apparent was the interchangeable use of “control”, “charge” and “owns” when discussing 'persons responsible' for factory-farmed animals. Such terminology aids the construction of the human-animal relationship, enforcing the Biblical concept of human dominion over other animals. Rather than using phrases such as “looking after” or “caring for” these words construct a reality of the power of human beings over other animals and encourages and approves of animals' property status, rather than recognising their rights and needs as sentient beings (Johnson, 2012). The use of such terminology can help create detachment from factory-farmed animals, instead viewing them as property which takes away their individuality and encourages one not to recognise them as living and feeling beings, but instead some sort of machine and commodity (Adams, 2002). This can therefore be understood as morally and emotionally detached language, distancing us from NHA and the

suffering they are subjected to (White, 2014). Similarly, suggesting “dead hens must be removed everyday” implies that these beings are nameless and replaceable, and removing their bodies is just a normal part of the factory farm workers day. This corresponds with Stibbe's (2001) work, where they recognise that attention is often taken away from animals' individuality and consequently contributes to what Reagan (1996) refers to as "the system that allows us to view animals as resources" (p.36).

English and Welsh legislation, aimed at protecting the 'welfare' of factory-farmed animals, has reproduced a speciesist ideology where NHA are inferior and continually objectified, highlighting Dunayer's (2004) argument that linguistic habits are rooted in speciesism. Whilst such discourses could be seen as somewhat practically progressive from their previous version, such as the banning of sow stalls (Wyatt, 2014), the language use remains innately speciesist. Unlike sexist or racist language, which is mostly proscribed by Government agencies and members of society, speciesism remains socially acceptable as highlighted within these discourses (Dunayer, 2001). Yet, speciesism is a lie, it is a social construct, and in the words of Adams (2002) "it requires a language of lies to survive" (p.72).

### **Theme Two - Vagueness, Absence and Disguise:**

A second theme identified was the vagueness of language and the consequent inability to define key concepts. Particularly vague was the use of the term "unnecessary suffering" when considering whether pain should be inflicted on NHA. This vague term is certainly not a new concept within animal welfare legislation and has become a pinnacle point of critique for numerous scholars (see Larsen, 2003; Linzey, 2009; Wyatt, 2014; Nurse, 2016). Whilst a historical term within animal welfare legislation, there remains much uncertainty about its actual meaning (Radford, 2001). By measuring cruelty based on whether it is necessary or unnecessary is open to a range of interpretations and will likely largely depend on the standards of the legislatively sanctioned practice that has been adopted (Radford, 2001). For example, the suffering inflicted on factory-farmed animals may be deemed necessary to fulfil certain practices or economic means (Wyatt, 2014), but the same suffering would not be deemed necessary when inflicted on companion animals and be met with societal distaste. Therefore, the concept of "unnecessary suffering" is more so a question of human interests, and what is deemed as socially acceptable, having little to do with the suffering of NHA (Larsen, 2003). The vagueness and inability to define such a crucial term serves as a means

to justify animal cruelty so long as it is deemed necessary, and as Wyatt's (2014) research shows, quicker, less hygienic, and painful practices are adopted under economic justifications labelled 'necessary'.

Similarly, as recognised by Schally (2014), scrutinising what is not said is especially important in analysing harm to NHA. It is our dissociation and silence which drives the oppression of NHA (Presser and Schally, 2013). The failure to define “unnecessary suffering” and the choice to remain silent can contribute and justify NHA abuse. The discourse avoids the usage of the terms “factory farm” and “factory-farmed animals”, despite 85% of agricultural animals confined in UK factory farms (VIVA, n.d.). Whilst this legislation includes NHA on smaller holdings, there is a lack of recognition and distinction between those that are factory-farmed and those that are not. The absence of the word “factory” helps aid our reality and justify the consumption of animals by creating more of a positive image in one’s head, such as those shown in meat advertisements (Coats, 1989), or the small farms seen on a countryside walk (Svard, 2012). The use of the word “farm” connotes that of an open pasture, allowing NHA to roam around freely and under their own free will. This in turn serves as a means to conceal such activities, and an attempt to distance intensive farming from the image of a factory, allowing people to remain “wilfully ignorant of the suffering endured by the animals they will eat” (Schally, 2014, p.99).

An attempt to disguise the reality of factory farming is done so through the use of carefully chosen language (Overmars, 2016). Whilst the term factory-farmed is absent from the discourses, NHA are instead referred to as being “housed”, staying in “housing” and provided “bedding”. The use of such language creates the illusion that this is habitable for factory-farmed animals and aids the justification of the societal consumption of meat, by portraying that they have a comfortable life. The euphemism “housing” was similarly recognised by Stibbe (2001) in meat industry discourses, noting how it is often used by real estate agents to describe a desirable residence. The fact that the law similarly uses this euphemism, which legislatively sanctions the meat industry, gives the impression that factory-farmed animals live in a comfortable environment and so eating their flesh is justifiable. Thus, the use of such language creates a positive impression about the treatment of NHA and serves to hide the true reality of factory-farming from society.

Another impression from these discourses was that the confinement of factory-farmed animals is made to seem necessary. For example, “all automated or mechanical equipment essential for the health and well-being of animals” implies that the suffering of NHA is vital for their health and therefore cannot be avoided. Claiming equipment is “essential” for their well-being rather exacerbates their property status, as if they are some sort of product that will be altered by machinery. Similarly, the use of “claw shortening devices” on chickens is justified as a means to protect their safety, but such language and justifications disguise the grim reality of these devices (Stibbe, 2001). Whilst the animal rights movement makes efforts to expose and describe the reality behind such practices, referring to this process as “claw shortening” creates the impression that this is “little more than a manicure” (Marcus, 1998, p.103). This was also identified by Marcus (1998) regarding the procedure of “beak trimming” on chickens. Again, this justifies the suffering of NHA by labelling their confinement as necessary, despite the environment they are confined in being utterly unnatural for their individual needs (White, 2014).

### **Theme Three - Welfarism:**

*"We have had animal welfare, both as a prevailing moral theory and as part of law, for more than 200 years now, and we are using more nonhuman animals in more horrific ways than at any time in human history" (Francione and Garner, 2010, p.49).*

The discourses analysed are represented as animal welfare legislation, thus premising from a welfarist approach. Existing as welfare and anti-cruelty legislation would lead many to believe that NHA are adequately protected from harm (Johnson, 2012), especially as the discourses include words such as “welfare”, “protection”, and “well-being”. However, by understanding the meaning of welfarism, it becomes apparent that such things are not the aim, revealing the paradoxical ‘truth’ emanating from the discourse of law (Johnson, 2012).

The welfare paradigm holds a strong position in English and Welsh society, as well as globally, and constitutes an important framework for policymaking in the area of 'animal protection', but this concept ties in with the first theme identified in this chapter- it is inherently speciesist (Svard, 2012). Whilst the welfarist approach focuses on the ‘humane’ treatment of animals (Ibrahim, 2006), it does not prohibit animal exploitation and permits the use of NHA for human purposes, so long as it is not carried out 'unnecessarily' (White, 2014). The impact

of the reproduction of welfarist discourse has not had a positive impact on NHA, despite its implications, and is highlighted in the Francione and Garner (2010) quotation above. The 'ideological fantasy' (Svard, 2012) of this concept, as reproduced in legislative and political discourses, must continue to be scrutinised to unveil the truth behind such a paradoxical and harmful paradigm.

It is important to identify the issues with welfarism in regard to these discourses, as existing as 'welfare' law does not correspond with a 'rights' law, and therefore aids the continued oppression of factory-farmed animals (Ellefsen *et al.*, 2012). Whilst premised on a model which focuses on improvements to the treatment of NHA, the discourses do not challenge the exploitation of animals embedded that is a direct consequence of their social or legal status (Ibrahim, 2006). While it can be argued that welfarism does not translate into welfare, with the very existence of factory farms infringing massively on the welfare needs of NHA, even more cynically, it does not translate into rights. As was highlighted in the first theme, speciesism devalues species other than humans, and exacerbates factory-farmed animals' property status. Welfarism works hand in hand with speciesism, glossing over the speciesism embedded in Western society (Svard, 2012). By existing through a welfare paradigm, these discourses fail to give NHA protection from pain, correlating into no rights, just by its very existence (Sollund, 2012). By referring to these beings as "farm animals", they are grouped together according to the way in which humans exploit them. This is also evident in the language used when referring to their more specific 'uses', such as: "laying hens", "dairy cows", "beef cattle". These beings are referred to in accordance with the uses they will have for humans, for eggs, dairy and meat, and not as unique individuals deserving of rights (Dunayer, 2001).

Alternatively, the term 'pet' or 'companion' animal would have a very different meaning, translating into a being who has a recognisable personality and often viewed as a family member (Beirne, 2018). Companion animals receive the most benefits from the welfare paradigm (Hallsworth, 2008), reflecting their social status within English society. They are seen more so as having victim status than factory-farmed animals, despite the 'Animal Welfare Act 2006' providing a "duty of care" for all animals on common land. The recognition of victim status in companion animals is evident in the vast amount of legislation, with new legislation constantly emerging, that protects them (Halsworth, 2008). The recently passed

'Animal Sentencing Bill 2019-2021' reflects the recognition of their rights, increasing the maximum sentence for harming an animal to five years (DEFRA, 2020). Whilst this seems to apply to factory-farmed animals too, they have been excluded from the campaign focal point, but instead companion animals have taken the lime-light, with the increase in sentence being strongly welcomed by Battersea Dogs and Cats Home and members of the public glad their pets will be better protected (Battersea, 2021). This reflects companion animals' social status in society, with people placing more victim status on them over factory-farmed animals, meaning they benefit more so from animal welfare legislation (Hallsworth, 2008).

Overall, English, and Welsh animal welfare law affects species differently, meaning the NHA we give social status will seek greater protection from legislation. But the very existence of these laws in regard to factory-farmed animals helps create an illusion, or in Svard's (2012) words an 'ideological fantasy', allowing the Government to say they are being protected from cruelty, while simultaneously sanctioning cruelty against them; it is "the laws humans design to protect certain species that put them most at jeopardy" (White, 2014, p.16).

### **Summary:**

By conducting a CDA on English and Welsh animal welfare legislation I have identified the oppression of factory-farmed animals as apparent through language use. This has been done so through the identification of three themes within these discourses. Oppression is apparent in the way factory-farmed animals are represented in legislation, their inferiority compared to companion animals who have more coverage, and their very lack of protection. This analysis has built upon existing green criminological work, sociological work, and critical animal rights studies, through a precise focus on language use. Influenced by sociologist Stibbe's (2001) work on meat industry discourse, I have similarly shown the relevance of language to the oppression of NHA and its reproduction in powerful discourse. Overall, these discourses can be understood as what Stibbe (2012) describes as "destructive discourses" (p.3), representing NHA in a way that promotes inhumane treatment, and justifying their oppression. As mainstream and powerful discourse, legislation is rarely questioned, resulting in a continuation of current practices and norms (Riise, 2012), but by scrutinising this dominant discourse the power and corruption embedded have been revealed. Ultimately, this analysis adds to a relatively small body of work scrutinising the discourse centred around factory-farming in the UK. While it may only analyse a small portion of this topic, this work is

intended to promote the possibility of future discourses that may encourage more harmonious relations with NHA (Stibbe, 2012). After all, the role of other species in the ecosystem is vital for its preservation (Sollund, 2012).



## **Chapter 5 – Conclusion:**

### **Findings Summarised:**

This dissertation has critically analysed English and Welsh animal welfare legislation which is designed to 'protect' the welfare of factory-farmed animals. One main research question was asked: what does a critical discourse analysis of English and Welsh animal welfare legislation reveal about the plight of factory-farmed animals? This question was answered through the establishment of three specific sub-questions:

1a) How are factory-farmed animals represented in legislation?

1b) What does the choice of language reveal?

1c) What role does the welfare paradigm play in this legislation?

In answering these questions three themes were identified: speciesism, vagueness, absence, and disguise, and welfarism. The findings revealed that, their plight is undermined by how they are represented using speciesist language - which objectifies the NHA, enforces their property status and perpetuates their inferiority to human beings.

In answering the second question, the findings revealed that the abuse of factory-farmed animals is legitimised through vague language. The absence of particular language helps aid a reality about the confinement of factory-farmed animals, overall helping distance intensive farming from the image of a factory. Carefully chosen language disguises their plight, constructing a reality that factory farms are habitable places to live. Similarly, confinement is made to seem necessary, as if it is beneficial for those concerned.

The final theme revealed how welfarism gives the impression that these beings are adequately protected from harm, but instead legitimises their abuse and suppresses their rights through its very existence as welfare law. Instead, law premising from a welfarist approach protects those granted higher social status, such as companion animals. Overall, these findings reveal how dominant legislative discourse contributes to the oppression of factory-farmed animals. They are represented differently, and their suffering is disguised, consequently helping justify the human consumption of meat and their continued abuse.

Ultimately, factory-farmed animals are oppressed by the very discourse that is meant to protect them.

### **Why Does it Matter:**

This dissertation makes several meaningful contributions to GC. Firstly, it contributes to the greater incorporation of factory-farmed animals into the field and keeps their justice and victimhood at the centre. Secondly, it illuminates the importance of language in dominant discourse and its contribution to the oppression of NHA, which has yet to be sufficiently done within GC (Schally, 2014). Lastly, this research demonstrates how NHA abuse is censored by a powerful state agency, something which Beirne (1999) noted was one of the many contribution's criminologists can make to GC.

More broadly, this research builds upon green criminological literature on green harm and sheds light on institutionalised and legalised abuse in UK factory farms, and those victimised. It brings attention to such pervasive harm that is cleverly hidden, and which is often consented to by consumers without them even knowing so (Stibbe, 2001). I demonstrate how powerful actors are at the heart of green harm, and how this is woven within discourse.

Ultimately, this project is meaningful as it considers NHA as victims. They have historically lacked the right of victimhood within criminology and within our anthropocentric society (Sollund, 2008). I hope this will gain significance in future work, as we should respect and co-exist with those that we share this planet with (Stibbe, 2001).

### **Directions for Future Research:**

This dissertation builds upon existing criminological and sociological literature that scrutinises powerful actors for their treatment of NHA through CDA. This specifically includes Schally's (2014) work on discourse produced by the agribusiness 'Tyson Foods', and sociologist Stibbe's (2001) CDA of meat industry discourse. Focused on critiquing dominant discourse that contributes to the oppression and exploitation of NHA, attention on discourses that help oppose and resist their reproduction has been lax (Fairclough, 1992). Thus, I would like to see future research analyse discourses that resist the exploitation of NHA. This may include analysing the websites of animal welfare groups, which may not be as progressive as one may think.

Most importantly, I would like to see more green criminological literature on factory farming and the rights of the NHA confined. This greater incorporation is extremely important, as criminologists can help shape definitions of harm, which could lead to the establishment of more progressive regulations or criminal statutes (Wyatt, 2014). More specifically, as my research only focuses on legislation applicable to England and Wales, future research could analyse legislation in Scotland and Northern Ireland and make comparisons to mine. I would also like to see analysis of the enforcement of this legislation to understand whether they are being effectively enforced.

**Concluding Remarks:**

With the underlying activity of CDA being hope for change, which in this case is hope that consumers and governmental agencies will no longer condone harm imposed on factory-farmed animals, the analysis of these destructive discourses has contributed to exposing and critiquing the models of the world they are based on. Therefore, this dissertation acts as a first step in opening up alternative discourses that “encourage more harmonious relations with nonhuman animals” (Stibbe, 2012, p.3).

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