

Beastly Pleasures

Blood Sports in England, c.1776-1876

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And let those misguided zealots who are so continually preaching against the healthful and manly recreations of the sportsmen of the field, cease from their ill-timed vituperations. Let them not, by their very questionable interference, disturb the peaceable and contented inhabitants of this blessed island, while they exhibit a far more enviable and healthy character to the rest of mankind, excelling, as they do in their accomplished and enthusiastic pursuit of field sports, the effeminate and listless inhabitants of the continent. Let these destroyers of the true national character attend more to alleviating the numerous and crying evils which are a disgrace to the very name of our poor-laws and their abominable administration; and may they not, by annihilating the true spirit of nationality, convert the bold peasantry of this country into a set of artificial monsters, partaking more of the vices than the manliness of every nation under the sun; and let them remember that it is not alone by their denunciations against what they may term cruelty, that they can hope to better the condition of either the higher or lower orders of society.

Actæon, 'On the Charge of Cruelty Against Sportsmen',

Sporting Review, 10 (1843) pp. 376-7.

Possibly, as is so often the case with English institutions, the fact that sport is beginning to be seriously discussed is the signal for its fall. Possibly in a few score years it may have become a problem for moral archaeologists, and "tally-ho" may only live in the pages of some historian of old enthusiasms.

MacMillan's Magazine, 21 (1870) p. 342.

Abstract

This thesis explores the history of 'blood sports', specifically those involving animals, from 1776-1876. Its aims are to account for the nineteenth-century legal innovation that made certain sports unlawful; to explain the increasing prevalence of a notion of 'cruelty' to animals; and to contribute to the history of masculinities.

Drawing on recent work which has synthesised multi-disciplinary approaches to moral reform, I examine blood sports and cruelty to animals as a microcosm of this theme, suggesting some new possibilities for interpreting the nature and implementation of these moral reform initiatives. I assert that manly virtue was a more prominent issue than animal welfare for those concerned with reforming the morals of a society perceived to be ridden with animal cruelty. Sociological and anthropological research has stressed the importance of plural masculinities in gender analysis and the power dynamics involved in contests for hegemony. Blood sports provided a setting for such a contest. The anti-cruelty movement, especially the Royal Society for the Prevention of Cruelty to Animals, essentially was the purveyor of a manly ideal type. Its reforming efforts, while superficially about animal protection, were more deeply concerned with civilising men. Manliness, in its various forms, was central in defining notions of national and local identities, constructions of propriety and fair play and competing ideas of 'civilised' behaviour. In contesting the meaning of manliness, these related issues also came under scrutiny.

Ever since Keith Thomas's *Man and the Natural World* historians have understood the importance of animals to human history. This study suggests that the relationship between man and animals had to be renegotiated in order to realise

a 'civilising process' in the morals of men. Ways of 'seeing' animals had to change if men were to be persuaded to behave according to new ideals of manliness and national character.

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1

Introduction

Men, Animals and Sport

1. Scope

Since 1997 the Labour government has had a frequent and uncomfortable battle over hunting with dogs. The subject continues to evoke passionate responses from the partisan representatives of either side of the debate, but it also affects the disinterested majority who cannot avoid the campaign signs on the roads and the coverage on prime-time news. It is, in short, a subject upon which everyone has an opinion. Yet there is a striking absence of historical understanding to the contemporary debate. 'Tradition' and 'anachronism' are frequently counter-posed and the argument goes on continuously. This thesis has been motivated in part by a desire to rectify the misinformation and misunderstanding, and to provide a broad historical approach to what is perceived to be a recent 'problem'.

But this is not a thesis purely about hunting with dogs. It has been impossible to avoid, in exploring the nineteenth-century context of that sport, a whole range of other sports involving animals, what I will refer to as 'blood sports', that seemed to be caught up in the debate. And while none of these sports holds an analogous position in the media spotlight to that of modern hunting, it is important to recognise that many of these recreations still exist, albeit illegally. In the UK there are still cockfights,¹ dog fights and badger baits.² In the United States cockfighting

¹ Barry F Peachey, *The Cockfighters* (Alton, 1993).

still has a wide following in some southern states and is still legal in certain areas.³

The people who stage these events on both sides of the Atlantic are painted as criminals and as barbarians, but there are some significant misunderstandings about these sports too. When a Cornwall man was jailed for three months for dog fighting in 2002, the judge is reported to have said, 'If I went out onto the streets of Truro and started talking to people about dog fighting I would imagine 90% of the population would think it was a practice that died out in the Middle Ages, along with cock-fighting and bear-baiting'.⁴ While his assertion about the common assumption of the populace on this issue is almost certainly correct, bear baiting still existed into the nineteenth century, and cockfighting was still a national sport up to the 1830s and still has a large following. Interestingly, the convicted man's solicitor claimed he had been, 'seduced by the subterranean glamour of this world... and was pretending to be what in truth he is not – a bad man'. The glamour of the underworld, the desire to demonstrate masculinity of some kind, is a subject that will detain us here at length. Given contemporary interest it is surprising that this subject has not attracted much detailed scholarly attention.

² BBC News, 7 October, 2003, <http://news.bbc.co.uk/1/hi/scotland/3170406.stm> (accessed 11 December, 2004). This report noted the inauguration of a phone line sponsored jointly by the Scottish Society for the Prevention of Cruelty to Animals and Crimestoppers to enable witnesses to dog fighting and badger baiting to make anonymous tip-offs. The report also noted the continued existence of cockfighting and highlighted the apparent connection between badger baiters and 'drug dealing and other criminal activities'; BBC News, 2 December, 2003, <http://news.bbc.co.uk/1/hi/england/3257590.stm> (accessed 11 December, 2004) details a national investigation into dog fighting in England. 73 dogs were seized and premises searched as far and wide as Oxford, Barnsley, Birmingham, Chesterfield, Gainsborough, Huddersfield, Leicester, Liverpool, London and Scunthorpe.

³ See, for example, <http://ragingrooster.com> (accessed 11 December, 2004) which offers political comment on the sport, as well as the prospect of live streaming of 'legal' cockfights; <http://www.gamerooster.com> (accessed 11 December, 2004) for a complete cockfighting service, from images to merchandise, to online chat with cockfighters. There are dozens of other sites.

⁴ BBC News, 13 June, 2002, <http://news.bbc.co.uk/1/hi/england/2042692.stm> (accessed 11 December, 2004).

The specific context of this study is the period from circa 1776 to 1876. The most famous and lengthy monograph about cruelty to animals, identified as a precursor to the modern animal rights movement, was first published in 1776, and was followed by a swathe of similar publications. Yet this early literature had no immediate wide-scale impact. The issues only impacted everyday existence when appropriated by Parliament. Blood sports received Parliamentary attention for the first time in 1800. The appearance of the debate (on bull baiting) was perhaps predicated on a much longer history of protest at the continued existence of such activities,⁵ conflicting with notions of these sports as bulwarks of Englishness. This debate at Westminster began a series of events that would eventually witness the wholesale prohibition of popular blood sports. By 1835 cockfighting, dog fighting, bull baiting and badger baiting had been made illegal. Further legislation in 1849 reinforced the principle that animal cruelty was both immoral and a concern of the State. After 1835 a lengthy conflict took place, between the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and the protagonists of the now illegal pursuits. By 1876 there seemed to be a widespread feeling that this was all over. The RSPCA, founded in 1824, had a tendency to push single issues to the fore in its early history. At the beginning it had been dog carts, Smithfield market, bull baiting, dog fighting and cockfighting. But in 1876 a law was passed, assisted greatly by the activities of the Society, which regulated vivisection.⁶ This shift in emphasis towards scientific animal cruelty was combined with an increasingly prevalent opinion that cruel blood sports in England had been successfully removed. All that remained were a few scraps of defiance that could be dealt with under the law. As the politics of cruelty and the RSPCA turned away from blood sports in this period, I end my

⁵ See Emma Griffin, 'Popular Sports and Celebrations in England, 1660-1850' (unpublished D.Phil thesis, Cambridge, 2000).

⁶ See Coral Lansbury, *The Old Brown Dog: Women, Workers, and Vivisection in Edwardian England* (Wisconsin, 1985).

study here. This was not the end of the story, as evidenced by today's continuing debate. The Act of 1876 does mark a shift in direction however, which I will discuss at much greater length. In short, compassion for animals up until that point had been largely to do with the effect that deliberate cruelty to 'domestic' animals had had on the hearts and minds of men.⁷ After that point, compassion for animals was increasingly to do with compassion for animals in their own right. There was still great concern about the morality of scientific research using animals, from the point-of-view of the sake of humanity, but it seems reasonable to state that by 1876 a broad change had occurred in animal protection discourse.

This period is widely held to have been 'An Age of Reform', and this subject colours and complicates an already vast historiography.⁸ The animal cruelty laws seem to knit together political, social and moral reform, whilst adding something distinctive of their own. The RSPCA's similarities to other moral reform agencies, such as the Sabbatarian and temperance movements, are quite clear.⁹ Similarly, its place within the social reform movement (for example, factory hours reform, poor relief) is beyond question. In part the Society acted in the interests of fostering industrial efficiency and domestic prosperity by closing down a potential outlet for absenteeism and frivolous spending.¹⁰ Certainly, the 'civilising' of men is related to the movement to identify them more readily with the domestic sphere, as family

⁷ For a discussion on 'domesticity' with reference to animals, see chapter two.

⁸ The most recent and compelling revision of this period's history is Arthur Burns and Joanna Innes (eds), *Rethinking the Age of Reform: Britain, 1780-1850* (Cambridge, 2003).

⁹ Brian Harrison, 'Religion and Recreation in Nineteenth-century England', *Past and Present*, 38 (1967) 98-125; Brian Harrison, 'State Intervention and Moral Reform in Nineteenth-century England', in Patricia Hollis (ed), *Pressure from Without in Early Victorian England* (London, 1974).

¹⁰ See for example, Peter Mandler, 'Tories and Paupers: Christian Political Economy and the Making of the New Poor Law', *Historical Journal*, 33 (1990) 81-103; Peter Mandler, 'Cain and Abel: Two Aristocrats and the Early Victorian Factory Acts', *Historical Journal*, 27 (1984) 83-109; Geoffrey B A M Finlayson, *Shaftesbury*, in Hollis (ed), *Pressure from Without*.

men rather than absentee fathers.¹¹ Moreover, the law of 1835 (see chapter 2) could be seen as a part of constitutional and Parliamentary reform, with the power of Westminster stretching its authority into the cultural sphere of the populace, acting as an enforcer of public order and private morals.

These associations are not simplistic. In testing its credentials as a moral reform movement, one finds a larger emphasis on public order. The RSPCA's concern for men's moral well-being certainly loomed large in the society's rhetoric, but its eagerness to prosecute and convict, sometimes at the expense of education, places a question mark over its motives. The reluctance to engage with the idea that if cruelty engendered brutality in the poor it might also brutalise the more privileged (by which I refer to the society's history of side-stepping hunting and other field sports) suggests that it was not just cruelty that was being targeted, but wider 'social' problems. This is broadly in line with Joanna Innes's assertion that attempts to reform manners, broadly defined, 'grew most immediately out of efforts made to combat *social* problems'. But, like the case of the RSPCA, 'the spirit of these efforts is best grasped when they are set within a broader context of patriotic, improving, [I would add manly] moralizing activity'.¹² The rhetoric both in Parliament and from the RSPCA was so determinedly 'moral' in nature that it always coloured its social actions.

First impressions suggest that statutory protection of animals marked a significant departure from Parliament's traditional legislative interests, but on second glance it is possible to interpret specific clauses as primarily concerned with

¹¹ Anna Clark, 'The Rhetoric of Chartist Domesticity: Gender, Language, and Class in the 1830s and 1840s', *Journal of British Studies*, 31 (1992) 62-88; John Tosh, *A Man's Place: Masculinity and the Middle-Class Home in Victorian England* (Yale, 1999); Kathryn Gleadle, 'The age of physiological reformers': rethinking gender and domesticity in the age of reform', in Burns and Innes (eds), *Rethinking the Age of Reform*.

¹² Joanna Innes, 'Politics and Morals: the Reformation of Manners Movement in Late Eighteenth-century England', in Eckhart Hellmuth (ed), *The Transformation of Political Culture: England and Germany in the Late Eighteenth Century* (London, 1990) p. 66.

a notion of property and notions of public order – not radical departures at all. This allows the historian to form a different impression of the animal cruelty movement. It appears to have been a vehicle to allow for the suppression of violent mobs, for preventing associations, for stamping out drunkenness and for ensuring the continual flow of business. But this would represent a ‘thin’ reading of the movement’s intentions.

An alternative way of understanding the movement is within the debates about manly behaviour, stretching back into the eighteenth century.¹³ Certainly, the refinement of public spaces and the preoccupation with striking the exact balance with manliness and effeminacy does seem to form a significant element within the exchanges about blood sports. The widespread ambiguity about what ‘manly’ meant spilled over into the world of sport and animal relations. With the increasing domination of one category of ‘manliness’ came laws to regulate these factors. The animal protection statutes are, in essence, legal affirmations of gendered cultural trends. Reinforcing this argument entails an examination of the very categories that were under scrutiny. I start with the world of sport and the place of animals within it.

2. Sport and Animals

This thesis makes a contribution to the large historiography of sport in this period.

Typically, the history of sport is presented as a progressive narrative, stressing the

¹³ Michèle Cohen, *Fashioning Masculinity: National Identity and Language in the Eighteenth Century* (London, 1996) pp. 41-53, 98-110; Michèle Cohen, ‘Manliness, effeminacy and the French: gender and the construction of national character in eighteenth-century England’, in Tim Hitchcock and Michèle Cohen (eds), *English Masculinities 1660-1800* (Harlow, 1999); Philip Carter, *Men and the Emergence of Polite Society, Britain 1660-1800* (Harlow, 2001) pp. 53-116; G J Barker-Benfield, *The Culture of Sensibility: Sex and Society in Eighteenth-Century Britain* (Chicago, 1992) pp. 37-103, 247-258.

rise in organised, regulated and national sport through a combination of more pervasive public education, the regulation of the working week and greater industrial discipline, and the refinement in tastes that eliminated older forms of ad hoc and cruel diversions.¹⁴ Animal sports, with the exception of fox hunting, have not been given much scholarly attention, other than cursorily to incorporate them into this thesis.

The most overt statement to that effect was by Norbert Elias, who applied his previous work on *The Civilizing Process*¹⁵ to the world of sport.¹⁶ 'Sport' according to Elias, was defined as an organised contest involving physical exertion and a structure which limited the allowable degree of 'physical force'.¹⁷ For him, sport was linked inherently to industrialisation and modernisation, as well as the industrial economy and the increasing regulation by the clock of people's lives.¹⁸ The most essential part was the limitation of violence. Elias explained the apparent anomaly of fox hunting by a 'civilising spurt':

¹⁴ This literature is vast, but the following are perhaps the best known: Neil Tranter, *Sport, economy and Society in Britain, 1750-1914* (Cambridge, 1998); Robert Malcolmson, *Popular Recreations in English Society, 1700-1850* (Cambridge, 1973); Hugh Cunningham, *Leisure in the Industrial Revolution c. 1780-1880* (London, 1980); Peter Bailey, *Leisure and Class in Victorian England: Rational Recreation and the Contest for Control, 1830-1885* (London, 1987); Richard Holt, *Sport and the British: A Modern History* (Oxford, 1989); James Walvin, 'Symbols of Moral Superiority: Slavery, Sport and the Changing World Order, 1800-1950', in J A Mangan and James Walvin (eds), *Manliness and Morality: Middle-class Masculinity in Britain and America, 1800-1940* (Manchester, 1987) pp. 249-251, 255-257.

¹⁵ Norbert Elias, *The Civilizing Process: Sociogenetic and Psychogenetic Investigations* (1939, new edition, translated by Edmund Jephcott, Oxford, 2000).

¹⁶ Norbert Elias and Eric Dunning, *Quest for Excitement: Sport and Leisure in the Civilizing Process* (Oxford, 1986). He made similar conclusions in his 'On Transformations of Aggressiveness', *Theory and Society*, 5 (1978) 229-242.

¹⁷ Norbert Elias, 'An Essay on Sport and Violence' in Elias and Dunning, *Quest for Excitement*, p. 156.

¹⁸ See also E P Thompson, 'Time, Work-Discipline and Industrial Capitalism', *Past and Present*, 38 (1967) 56-97.

In earlier days the pleasurable excitement of the hunt had been a kind of forepleasure in anticipation of the real pleasures, the pleasures of killing and eating. The pleasure of killing animals was enhanced by its utility.¹⁹

This functionalist past was replaced by ritual and sporting ethics:

With the delegation by the humans to the hounds of the major part of the pursuit and also the killing function, and with the submission of hunting gentlemen to an elaborate, self-imposed code of restraints, part of the enjoyment of hunting had become a visual enjoyment; the pleasure of seeing it done.²⁰

Elias's analysis is endorsed by reference to others who have stressed the transference from man, the functional hunter to man, the ritual hunter.²¹ But this interpretation has a number of shortcomings. Matt Cartmill has highlighted many of them in his denial that human evolution and the origin of 'culture' rested mainly on the fact of man's ability to hunt.²² The 'hunter hypothesis', that hunting is an inherent part of mankind's (as opposed to womankind's) makeup and survives because it is human nature, has been discredited by more recent archaeological evidence suggestive of a more gradual evolution that did not depend on hunting. Elias's assertion that foxhunting is a ritual development from a functionalist past ignores the specific history of foxhunting which originated because a faster, more dynamic hunt was desired, one that never had anything to do with hunting for

¹⁹ Elias, 'Essay on Sport and Violence', p. 161.

²⁰ Elias, 'Essay on Sport and Violence', p. 163.

²¹ Richard B Lee and Irvan Devore (eds), *Man the Hunter* (Chicago, 1968); Konrad Lorenz, *On Aggression* (translated by Marjorie Latzke, London, 1966) pp. 203-236.

²² Matt Cartmill, *A View to a Death in the Morning: Hunting and Nature through History* (Harvard, 1993) pp. 1-27.

sustenance (the fox had always been considered inedible – even before the 1750s when foxes were simply knocked on the head as a nuisance they were not considered as a viable source of food).²³ The ‘restraints’ of modern hunting were not so much a refined removal from the act of violence as an interest in the training and performing of hounds, and a desire to ride horses at full gallop. This enabled male exemplars to act like exemplary men. Many objections were raised, particularly toward the end of the nineteenth century, that fox hunting was still a violent sport, and that rituals of violence – the act of denial – made it worse (see chapter 6). Thorstein Veblen identified hunting as a form of conspicuous leisure, outside the realms of functionalism, as long ago as 1899.²⁴

When one tries to apply this sporting ‘civilising process’ to a wider spectrum of blood sports, more problems arise with the thesis. One can easily place other ‘cruel’ sports into Elias’s model that ought to have been removed due to their very lack of ‘civilisation’. Cockfighting, for example, had written rules, was national in scope, removed the act of violence to a proxy, and had ritual elements (see chapter 4). It was also known to be associated with certain ‘holiday’ times of year which did not necessarily succumb to the industrial process of regulated time. For cockfighting, this was Shrovetide, or the race weeks. For bull baiting, its timing coincided often with wakes and fairs, themselves predicated on saints’ days and traditional holidays. If fox hunting underwent a ‘civilising spurt’ then it seems reasonable to identify a similar process among more long-standing blood sports. Yet this clearly was not the common view in nineteenth-century discourse on civility.

²³ Raymond Carr, *English Fox Hunting: A History* (revised edition, London, 1986) p. 1, p. 21.

²⁴ Thorstein Veblen, *The Theory of the Leisure Class* (first published 1899. New York, 1994) esp. pp. 1-42. That fox hunting and many other of the sports examined here were rituals of some kind is without question. I deal with these in turn but refer here to the two principal guides I have used: John D Kelly and Martha Kaplan, ‘History, Structure, and Ritual’, *Annual Review of Anthropology*, 19 (1990) 119-150; Clifford Geertz, ‘Ritual and Social Change: a Javanese Example’, in his *The Interpretation of Cultures* (New York, 1973).

The language of civility, refinement and sensibility will play a large part in this history, in a way that more adequately accounts for the apparent anomaly of hunting's legality and popularity while other animal sports struggled. In part this involves exploring the history of man's relations to the animal world and the way in which perceptions of animals have changed.

Interestingly, the rise in sensibility towards animals has also been couched in terms of a 'civilising process', and runs parallel to the historiography of modern sport.²⁵ A line of progression can be traced which starts with a general state of brutality towards beasts, in business, leisure and as a part of every child's experience, and ends with regulated markets, cricket and football, and the rise of education and refinement. A revised history of cruelty to animals places this uniform development in serious doubt.

Research on animals and animal cruelty has been undertaken in many academic disciplines, but often without an interdisciplinary approach.²⁶ The fragmentation is the result of the extremely partisan nature of works specifically on animal rights and the history of animal rights.²⁷ Even serious academic attention on the subject has failed to embrace the ideas of other disciplines and fully explore the history of 'cruelty' as a category.²⁸ Emma Griffin complained of 'an ongoing failure to scrutinise the term "cruelty"'. She also noted that 'It [the historiography] has taken nineteenth-century conceptions of cruelty at face value, rather than investigate

²⁵ James Turner, *Reckoning with the Beast: Animals, Pain and Humanity in the Victorian Mind* (Baltimore, 1980) p. 14; E S Turner, *All Heaven in a Rage* (new edition, Fontwell, 1992); Keith Thomas, *Man and the Natural World: Changing Attitudes in England, 1500-1800* (London, 1983) pp. 143-191.

²⁶ See the bewildering bibliography in Adrian Franklin, *Animals and Modern Cultures: A Sociology of Human-Animal Relations in Modernity* (London, 1999) pp. 200-208.

²⁷ For example, Peter Singer, *Animal Liberation: Towards an End to Man's Inhumanity to Animals* (first published 1976. Wellingborough, 1986); Richard D Ryder, *Animal Revolution: Changing Attitudes Towards Speciesism* (Oxford, 2000). The field is over-flowing with similar contributions.

²⁸ For example, John Passmore, 'The Treatment of Animals', *Journal of the History of Ideas*, 36 (1975) 195-218.

why certain activities were described (so powerfully and effectively) by reformers as “cruel”, while others were not.²⁹ Such serious attempts to trace the historicity of the concept have so far been largely ignored by the animal rights movement. In attempting to engage with this extremely diverse literature an attempt will be made to achieve a critical balance. The thesis will show that ‘cruelty’ was not a concept that passively diffused itself into the nineteenth-century psyche, but one that was defined and imposed via a variety of discourses as a direct means of reinforcing codes of manly conduct. The practitioners of blood sports did not simply give up, but were forced to alter their habits.

There are numerous works that explore the history of man’s relationship with animals, striving to discover the changes in meaning that have occurred in the history of humankind due to direct involvement with the natural world. They have also tried to account for the human condition that has wantonly destroyed animals, symbolised them, loved them, craved their company and been indifferent to them.³⁰ The question is largely one of emphasis: was man deemed to exist in the animal world, or did animals exist in the world of men? The thesis marks the journey from the latter to the former, though this was not a smooth transition.³¹ For blood sports participants, animals remained largely in the world of men. Dominion could be exercised, and animals were treated objectively. Animals, as Keith Thomas suggests,

²⁹ Griffin, ‘Popular Sports’ p. 18.

³⁰ James Serpell, *In the Company of Animals: A Study of Human-Animal Relationships* (second edition, Cambridge, 1996); Thomas, *Man and the Natural World*; Passmore, ‘The Treatment of Animals’; Beryl Rowland, *Animals with Human Faces: A Guide to Animal Symbolism* (Knoxville, 1973); Hans Zissner, *Rats, Lice and History* (London, 1935).

³¹ Mary Midgley, *Beast and Man: the Roots of Human Nature* (Revised edition, London, 1995) p. 3, notes that ‘the continuity of human with animal life is a piece of information which is constantly relegated to oblivion by all the social criteria which allow humans to use a discontinuity between nature and culture for judging good behaviour. The history of behavioural sciences has been to reclaim bit by bit and make significant to us our common animal nature’.

were 'outside the terms of moral reference'.³² But an increasing minority, which was to achieve hegemony by the mid-nineteenth century, came to see humans as being part of the animal world, and that the treatment of animals should be representative of their right to exist. The use of the word 'right' here is a controversial one, and one that still occupies much of the literature on the animal's place in a world dominated by man. This change in cosmology could not simply trickle down to the masses. It had to be enacted and then enforced; the masses had to be educated, and very often the first step was to convict them for cruelty to animals. This method did not eradicate the traditional objectification of animals, but it forced it into a significantly minority position by the 1870s.

'Cruelty' itself was not enough to achieve this transformation. The shift in emphasis that thrust man into the animal kingdom, though at the top of an animal hierarchy, and the imposition of a new kind of sensibility relied on an enforced ideology of propriety and manliness. Cruelty, in this instance, was an epiphenomenon of a much larger movement which stressed manly codes and ethics and appropriate representations of national character. It is this larger phenomenon that drives the intellectual approach to the thesis.

3. Manliness and National Character

Studies of nineteenth-century masculinities have abounded in recent years, supported by a vast intellectual methodology largely borrowed from sociologists and cultural theorists.³³ The literature began by identifying the existence and importance of 'manliness' as a key to unlocking the structure of English masculinities in this

³² Keith Thomas, *Man and the Natural World*, p. 148.

³³ See for example, R W Connell, *Masculinities* (Cambridge, 1995); Harry Brod (ed), *The Making of Masculinities: The New Men's Studies* (Boston, 1987); John Beynon, *Masculinities and Culture* (Buckingham, 2002); Arthur Brittan, *Masculinity and Power* (New York, 1989).

period. This category had many readily identifiable forms, broadly distinguishable as Godliness and good learning, 'muscular Christianity' and the cult of athleticism, games and sporting ideals.³⁴ Much of this movement is attributed to the influence of the public schools and other youth movements and the gradual dissemination of the manly *esprit de corps* to the rest of society.³⁵

However, the 'manliness' category has recently come under serious attack from the leaders in the field for not getting to the heart of *masculinity*, instead dwelling in codes of character rather than the more important categories of body and gender relations as a whole.³⁶ 'Manliness', it is asserted, prefigures a class bias, since it only really applied to elites, and does not stress the relational qualities to women. 'Manliness' was a self-referential, though important, part of the cognitive style of only a small sector of society. It tells us a great deal about elite male aspirations, but not much about gender.³⁷

I think that these notions should be challenged, and the importance of 'manliness' as a category, as opposed to 'masculinity', should be reinstated.

³⁴ The literature here is vast, but the following sample would make an adequate survey: J A Mangan, 'Noble Specimens of Manhood: Schoolboy Literature and the Creation of a Colonial Chivalric Code' in Jeffery Richards (ed), *Imperialism and Juvenile Literature* (Manchester, 1989); David Newsome, *Godliness and Good Learning: Four Studies on a Victorian Ideal* (London, 1961); Norman Vance, *The Sinews of the Spirit: the Ideal of Christian Manliness in Victorian Literature and Religious Thought* (Cambridge, 1985); J A Mangan, *The Games Ethic and Imperialism: Aspects of the Diffusion of an Ideal* (Harmondsworth, 1985); Mark Girouard, *The Return to Camelot: Chivalry and the English Gentleman* (New Haven, 1981).

³⁵ Thomas Hughes, *Tom Brown's School Days* (1857); Allen Warren, 'Popular Manliness: Baden-Powell, Scouting and the Development of Manly Character', in J A Mangan and James Walvin, *Manliness and Morality: Middle-class Masculinity in Britain and America, 1800-1940* (Manchester, 1987); J R de S Honey, *Tom Brown's Universe: the Development of the Victorian Public School* (London, 1977); J A Mangan, *Athleticism in the Victorian and Edwardian Public School: The Emergence and Consolidation of an Educational Ideology* (Cambridge, 1987).

³⁶ John Tosh, 'What Should Historians Do With Masculinity? Reflections on Nineteenth-century Britain', *History Workshop Journal*, 38 (1994) 179-202, esp. pp. 180-183; Martin Francis, 'The Domestication of the Male? Recent Research on Nineteenth- and Twentieth-century British Masculinity', *Historical Journal*, 45 (2002) 637-652, esp. pp. 638-9.

³⁷ Tosh goes so far as to say that with 'manliness' there is 'no scope for exploring the meanings given to sexual identity and sexual desire which are fundamental to masculinity' ('What Should Historians Do...', p. 181). The complex interchanges and innuendos of a nineteenth-century cockpit questions this notion somewhat (see chapter 4).

Choosing to leave it behind obscures more than it reveals. 'Manliness' does not lose its analytic quality because it does not refer to the body, or because it does not illuminate the 'relational quality' of masculinity to femininity (and it may be strongly argued that it does, in fact, do these things anyway). By stressing 'masculinities' there is a danger of anachronism since it was not a term of reference available to the culture in question. Surely it is much better to consider the gender relations of past cultures in their own terms in the first instance, rather than employing contemporary labels that may obscure meaning. Certain studies have tried to explain the attempts to 'encourage working-class commitment' to elite codes of manliness,³⁸ but this does not exclude the possibility that notions of manliness already existed among the lower orders. Certainly they did, and in some cases they coincided significantly with the ideals of middle- and upper-class men.

'Manliness' is extremely useful for understanding the activities and agendas of players of blood sports and their opponents in the late eighteenth and early nineteenth centuries. For the protagonists of blood sports their masculinity was expressed by a breed of 'manliness' that pre-dated the Christian appropriation of the term and the public school code. It was a breed of secular and non-class specific 'manliness' that was exhibited in the realms of the cockpits and bull baitings.³⁹ It was a 'manliness' that had a relational quality not just to other men, but also to

³⁸ J A Mangan and James Walvin, 'Introduction' in their edited collection, *Manliness and Morality*, p. 5; See also John Springhall, 'Building Character in the British Boy: the Attempt to Extend Christian Manliness to Working-class Adolescents, 1880-1914' in the same volume.

³⁹ See J Richards, *Happiest Days: The Public Schools in English Fiction* (Manchester, 1988) p. 9, who hints at this interpretation. See also Mrinalini Sinha, 'Giving Masculinity a History: Some Contributions from the Historiography of Colonial India', *Gender and History*, 11 (1999) 445-460 who asserts (quoting Rosalind O'Hanlon) that animal fights 'provided a space that brought men together in recognition of commonalities of gender that often transcended other forms of cultural difference' (p. 453).

'effeminacy'.⁴⁰ The homosocial arenas of animal sports, utilizing the language of 'manliness', presented an interesting gender model of relations among men, and women, whose tacit absence from such arenas were a manifest illustration of one way in which this 'manliness' functioned.⁴¹ They were 'social spaces', to borrow Michèle Cohen's phrase, but without the presence of women.⁴² Their diversity relied on the range of men present. To analyse these scenes without the language of 'manliness' would obscure the ways in which men before 1850, as well as after, related to each other and their world.

What did this type of manliness rely on? Principally, the main ingredients were similar to later elite models, though its expression was different. The factors of fair play, courage, honour and above all, patriotism were crucial. Compare this to the manly code of late-Victorian public school boys and one may wonder if their tradition did not have its roots in this secular manliness that had a much longer history. It came under attack from a 'refined manliness' that while agreeing with the notions of fair play, courage, honour and patriotism, stressed manners, deportment, reserve – elements absent from the cockpit and similar arenas. If the cockpit or bull ring were no longer 'social spaces' where the rough manners of English men could be played out in a demonstration of exemplary manliness, then respectable men had to be removed from these spaces. This meant the definition of 'cruelty' had to be advanced in order to justify the unmanliness of those arenas. In other words, as the definition of manliness shifted, the nature of the relationship between men and

⁴⁰ For a wide-ranging discussion on the problems of defining effeminacy see Cohen, 'Manliness, effeminacy and the French', pp. 51-5; Carter, *Men and the Emergence of Polite Society*, pp. 124-156; Barker-Benfield, *Culture of Sensibility*, pp. 104-153.

⁴¹ One of Tosh's principal reasons for undermining the utility of 'manliness' is its tendency to be stuck in the world of all male environments. The very existence of homosocial spaces is extremely telling of gender relations as a whole. For a modern sociological approach to homosocial environments, and one which restates the importance of their study, see Sharon R Bird, 'Welcome to the Men's Club: Homosociality and the Maintenance of Hegemonic Masculinity', *Gender and Society*, 10 (1996) 120-132.

⁴² Cohen, 'Manliness, effeminacy and the French', pp. 46-7.

animals had to be redrawn. For those opposed to blood sports, such activities were unmanly, unpatriotic, and unfair. 'Cruelty' was no more constitutive of those categories than they were of 'cruelty' itself. Opponents stressed a repulsion towards unrestrained displays of violence that reflected badly on character.

Some historians, most notably Peter Spierenberg, have stressed the connections of violence to the body, and the inherent need to incorporate the language of gender – masculinity – to decode violence in historical context.⁴³ In this case however, violence was done by proxy. Animals were the protagonists in what was only a symbolic contest between men. The body is not that useful an analytical category in this case, and instead we need to refer to ritual, to abstract male contests, and to the restrained interrelationship of men below the level of physical violence. What we have, ultimately, is a contest between varieties of 'manliness', expressing masculinities, predicated on the relationship to animals. Moreover, these *manlinesses* correlated to different typologies of national identity.

National identity has been the subject of many serious academic works. What it means and what it has meant to be British, or English, and how that was defined has been a contentious subject.⁴⁴ The individual, group and local identities of the populace help to constitute notions of general trends of national identity, but this national idea also informs and constructs personal, group and local identities.⁴⁵ They are inseparable categories. In this thesis, the debates about manliness are linked intimately to competing ideas of Englishness. The term 'Englishman' has to

⁴³ Pieter Spierenberg (ed), *Men and Violence: Gender, Honor, and Rituals in Modern Europe and America* (Ohio, 1998) p. 4.

⁴⁴ In another vast field I suggest the following as good points of entry: Linda Colley, *Britons: Forging the Nation, 1707-1837* (New Haven, 1992); Philip Lynch, *The Politics of Nationhood: Sovereignty, Britishness and Conservative Politics* (Basingstoke, 1999); Paul Langford, *Englishness Identified: Manners and Character, 1650-1850* (Oxford, 2000); Keith Robbins, *Great Britain: Identities, Institutions and the Idea of Britishness* (New York, 1997).

⁴⁵ For the classic work on how communities are 'imagined' see Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (revised edition, London, 1991). See also Anthony D Smith, *National Identity* (Reno, 1991).

be read according to its constituent parts: *Englishman*. It is a term that denotes something characteristically English in a male way, as well as something characteristically male in an English way. The terms of this arrangement were severely contested through the practice and opposition to blood sports.

There are several obvious points of contradiction. The English, according to Harriet Ritvo, became equated with kindness to animals in the first few decades of the nineteenth century. When the RSPCA was formed, and when cruelty to animals entered the Parliamentary arena, this point of view began to receive a wide acceptance. The very Englishness of the relationship put 'humane issues in the mainstream of reformist concerns'.⁴⁶ This is undoubtedly true, but it is also true that the practitioners of blood sports liked also to claim the essential Englishness of their activities. Bull baiters made regular allusions to their affiliation with John Bull (see chapter 3), and cockfighters related the symbolic glory of the pit to the glory of the nation and empire (see chapter 4). Even the 'roughs' who pursued dog fighting and ratting tended to see themselves as relics of a forgotten John Bull, and their sporting heroes were national heroes too (see chapter 5). Clearly, there was a contest for control over the most appropriate public qualities associated with English national character. Many of the legal and physical conflicts narrated in this thesis are conducted in the language of 'foreign' imposition in traditionally local and English affairs. Such 'foreigners' were trying, in part, to fashion and impose a new vision of England that shared many of the qualities of the elite code of manliness.

The most defining case is that of hunting men (chapter 6). Not only did they largely represent a certain breed of elite manliness, they alluded to strong connections with military (from an officer's point of view) glory, to popular rural

⁴⁶ Harriet Ritvo, *The Animal Estate: The English and Other Creatures in the Victorian Era* (Harvard, 1987) p. 129.

English traditions, and to national character. But the practice still involved, from a modern-day vantage point, at least the possibility of significant cruelty. The solution to this riddle is that they could deny any charges of cruelty *because* the sport was manly and patriotic.⁴⁷ And since there were no significant opponents, this conclusion persisted. This is not to say that there were no objections, and ones which stressed the *un*manly and *un*patriotic nature of such pursuits, but these more traditional allusions to 'Christian manliness' made little headway in the face of a united front of opposition. The interplay of these different takes on manliness and national identity are key themes of the thesis.

4. Hegemony and Crisis

Studies that focus on masculinity are considered somewhat incomplete if they do not incorporate a discussion on 'hegemony' and on 'crisis'. The two are inherently linked and indeed, play a large part in this study. Hegemonic masculinity, an idea first expounded by R W Connell in his seminal work *Masculinities*, has become a leitmotif for gender historians working specifically on men. It emphasises the plurality of masculinities, and the ascendancy of one dominant type, established through a combination of cultural ideals and institutional power.⁴⁸ It is a concept that, agreeing with John Tosh, 'is most often cited by historians without elaboration'.⁴⁹ It is too simplistic to simply agree with the likes of George Mosse

⁴⁷ I do not want in any way to suggest that women did not hunt, though before the 1870s this was not common. However, discursively hunting was a sport for men, and it is rare to find a source that describes hunting as in any way involving women. I am not so much preoccupied with the actual sexual composition of the sporting field as its representation.

⁴⁸ Connell, *Masculinities*, p. 77.

⁴⁹ John Tosh, 'Hegemonic Masculinity and the History of Gender', in Stefan Dudink, Karen Hagemann and John Tosh (eds), *Masculinities in Politics and War: Gendering Modern History* (Manchester, 2004) p. 42.

that a stereotypical manly ideal type has endured since the late eighteenth century.⁵⁰ Similarly, historians of men are quick to identify crises of masculinity, in which groups of men feel cut off from the hegemonic ideal, or where hegemony itself has collapsed. Both notions should be dealt with cautiously.

Those in favour of reforming sporting cultures clearly had an idea of the kind of men they wanted to fashion. The success of the RSPCA and the imposition of new legislation (chapter 2) would suggest that this type of reformed and humane men had attained an hegemonic position, but it is not as straightforward as that. Chapter 4 on cockfighting details the deeply contested nature of masculinity and manliness in this period, suggesting that, for much of it, no overall ascendancy was attained by any group. This notion is further confirmed by chapter 6 on hunting, when both the opponents and the supporters of the sport conducted their arguments in the language of manliness. Moreover, this debate was conducted without the input of the RSPCA or Parliament, driven instead by representatives of elites on both sides. The contest for hegemony was a battle fought on many fronts.

This is not to say that a representative of each type of man would have been limited to only one way of thinking and constructing his brand of manliness. On the contrary, many hunters were members of the RSPCA, and many sponsors of opposition to animal cruelty in Parliament were keen sportsmen. The concept of hegemonic masculinity appears to eliminate the individual ability to transcend boundaries. Nevertheless, the ability to cross boundaries was, and is, much easier from within the dominant group, since an overwhelming sense of collective continuity would compensate for individual transgression. The case of Grantley Berkeley (see chapter 3), the fox hunting, cockfighting MP serves as an illustration.

⁵⁰ George L Mosse, *The Image of Man: The Creation of Modern Masculinity* (Oxford, 1996) pp. 1-16.

Singular aberrations in a person's biography did not affect their manly status more broadly. On the other hand, men outside of the perceived hegemony were compelled to conform, and transgressions could increasingly be punished by both moral and social ostracism, and by the legal system.

These men might be classed as in a state of 'crisis', since they no longer had moral or legal recourse to the actions that had always defined them as men, be that bull baiting, cockfighting or any other activity newly frowned upon by those in a position of power. I discuss crises with reference to a particular case in chapter 5, and suggest some new criteria for identifying them. For the most part however, crises of masculinity are not appropriately labelled. If the concept of multiple masculinities is to be endorsed (and it seems generally to be so), then it stands to reason that in certain arenas they will compete, and a hierarchy or hierarchies will be formed. For those in subordinate positions, positions that do not allow a particular form of masculinity to be adequately expressed, a crisis might be identified. But there are *always* multiple masculinities, and therefore by extension there are *always* crises.⁵¹ If crisis is a transhistorical phenomenon then what use does it have as an analytical tool without being much more specific as to the exact nature of that crisis?

Other gender-oriented research has suggested that crises of masculinity occur because of 'changing definitions of femininity'. According to Michael Kimmel, 'larger structural changes [enfranchisement, sexual liberation, career empowerment] set in motion... microsocial processes that [lead]... women to redefine their roles, the critical events that provoke the historical "crises" of

⁵¹ Cf. Michael Roper and John Tosh (eds) *Manful Assertions: Masculinities in Britain since 1800* (London, 1991) introduction, pp. 16-19; Connell, *Masculinities*, pp. 84-6.

masculinity'.⁵² This reading of crisis is also flawed, for it relies on a 'thin' reading of 'woman'. The implication is that 'female roles' are uniform, and that sometimes they are unchanging and stable, leading to a confidence in masculinity. At other times they develop and change and throw men, as a whole, out of kilter. If we are to acknowledge multiple masculinities, then it stands to reason to also encourage the idea of multiple femininities. Relations between the sexes are already known to be too complex simply to oppose gendered man with gendered woman. Instead a richer and more complex set of relations between male subordinate and female subordinate, male subordinate and female superior, male superior and female subordinate, and between superiors and subordinates of the same sex have to be interwoven. Reducing this to a bipolar system misses the point somewhat. In this thesis the contest for hegemony, the ascendancy of one group that fostered crises in others, can be seen to hinge only upon relations between men and other men. Gender relations ought no longer to be defined by and reduced to sex. They are contingent on social, cultural and political factors, and in this case are conducted between groups of the same sex.

5. Sources

One of the most troubling problems with undertaking this study has been the lack of a major single repository of sources. As such the research explores a diverse range of primary material. The library at the RSPCA headquarters in Horsham offered an introduction into many of the areas and events of interest in this period. Unfortunately, many of the RSPCA's records have been lost or destroyed, leaving a

⁵² Michael S Kimmel, 'The Contemporary "Crisis" of Masculinity in Historical Perspective', in Brod, *Making of Masculinities*, pp. 123-4.

frustratingly partial picture of an important institution.⁵³ Nevertheless, what remains is still an important resource. The Annual Reports published by the Society are detailed and lengthy, covering a wide range of topics including transcripts from the annual meetings, accounts of cruelty convictions, and financial statements and other reports. They tend to highlight the Society's *causes célèbres* of the year in question, but this can be balanced by referring to the complete set of committee meeting minutes in manuscript. Fortunately, these books contain facsimiles of much of the society's correspondence, as well as transcripts of debates among the committee members. From these pages one can follow the Society's work on the ground and in Parliament, and to some extent the impact it had in each realm. The minute books also often refer to sources elsewhere – newspaper references and books – and as such, proved an excellent starting point.

Newspapers, both local and national, form a large body of evidence for this study. The range of material in these sources – reported news, editorials, correspondences, legal, parliamentary and personal columns – can all be categorised under one broad head: stories. They have been selected, structured and written in almost all cases according to the personal persuasion of the author, the political affiliation or leaning of the publication and the general cultural, social and economic traits of the intended readership. Moreover, the reader brings to each type of story his or her own agendas, preconceptions, and other *a priori* personal and environmental influences. While it may be contested that this reveals little of what 'actually happened', the value of these sources cannot be underestimated.

Natalie Zemon Davis, for instance, has demonstrated that stories, whether empirically true or not, whether revealing of the 'actual' state of affairs or not, are in

⁵³ There are several biographies, detailed throughout the thesis. The most thorough is probably still A W Moss, *Valiant Crusade* (London, 1961).

fact historically useful.⁵⁴ Stories reveal a great deal about the cultural imagination of the past, offering a snapshot of its 'cognitive style'.⁵⁵ Since in much of this work I shall be talking about individual and institutional constructions of gender and nationality, as well as abstract notions such as 'cruelty', it is necessary to find a way of illuminating such perceptions. An analysis of the ways in which stories are constructed and transmitted, in the context of other sources that corroborate, augment, complement or contradict them, is an effective way of achieving this.

The principal 'story' source in this thesis is the *Sporting Magazine*. It was founded in 1793 and soon found a wide readership. Always intended as a publication for the elite, it began with an eclectic range of sports coverage, including fishing, hunting, shooting, cockfighting, bull baiting and cricket. Over time it increasingly became a fox hunting journal, and by the 1850s this was almost entirely the case. Certainly it would not be appropriate to suggest that because it carried the same name it was the same journal throughout the period. The character of the journal often depended on its chief writers, who included Nimrod (Charles James Apperley) and Robert Surtees, perhaps the most well known commentators on English foxhunting.⁵⁶ After July 1846 the magazine became identical with the *New Sporting Magazine*, the *Sportsman* and the *Sporting Review*, and the sporting press in general seemed to narrow its focus. More populist journals such as Pierce Egan's *Book of Sports and Mirror of Life* were short-lived by comparison and lacked an

⁵⁴ Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-century France* (Cambridge, 1987).

⁵⁵ To borrow a phrase from Michael Baxandall, *Painting and Experience in Fifteenth-century Italy: A Primer in the Social History of Pictorial Style* (Oxford, 1972) p. 102.

⁵⁶ For Surtees and Nimrod see Norman Gash, *Robert Surtees and Early Victorian Society* (Oxford, 1993); Edward W Bovill, *The England of Nimrod and Surtees, 1815-1854* (Oxford, 1959); Norman Gash, 'Apperley, Charles James [Nimrod] (1778-1843)', *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/594>, accessed 24 Aug 2005]; Norman Gash, 'Surtees, Robert Smith (1805-1864)', *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/26791>, accessed 24 Aug 2005].

affluent readership. I am aware that this imbalance privileges the elite sports towards the end of the period, but it is at this time that elite sports came under fire, so the imbalance is, in many ways, welcome.

The other main sources are Parliamentary publications, such as records of debates, committee reports, passages of bills and Statutes at Large. For early debates, *The Times* and Cobbett's Parliamentary History do tend to differ in their transcriptions of speeches, but rarely to the point where meaning is changed. The combination of these four disparate sources (pressure group, general interest newspapers, specialist publications and high politics) especially in conjunction with the range of other sources (tracts and sermons, contemporary monographs on individual sports, material on animal welfare and animal suffering, and a range of other pamphlets, letters and journals) make for an eclectic mix.

6. Structure

The thesis is arranged thematically, dealing first with the politics of cruelty, the formation of the RSPCA and the passing of the first cruelty laws. This establishes the political context of the cultural struggle that happened concurrently and subsequently. The sports are arranged in the order that they received most attention from the reforming agents. Each sport, with the exception of fox hunting, had a particular peak of interest for the RSPCA, and this often caused a corresponding period of political and cultural strife for that sport. Bull baiting came under attack at the start of the century; cockfighting most intensely from the 1840s, while dog fighting and ratting were forced underground but maintained some level of continuous popular support throughout our period and beyond. Fox hunting did come under attack at some stages in the nineteenth century, but the main threat was

not until 1869, and so it is dealt with here last. Moreover, since hunting did not incur any interference from either the RSPCA or Parliament, its analysis entails a different approach. Rather than accounting for its demise, it is necessary to account for its growth in popularity. This arrangement allows for an effective mapping of the changes to manly codes in this period and the rise of the conflicting and coalescing ideals of the humane man and the manly hunter.

Inventing 'Sensibility'

The Politics of Cruelty and the RSPCA, c.1776-1849

1. Imperative of political analysis

Britain was a world pioneer in legislating for the protection of animals. This chapter analyses the origins of, and ideology behind, that innovative legislation. It will provide an interpretation of the political discourse of cruelty to animals, crucial for understanding the cultural conflict that took place as both a cause and consequence of that discourse. That conflict took place at the intersection of political rhetoric and the cultural imagination of identities. To attempt to analyse it whilst neglecting either of these would be to write a partial story.

The purpose here is not to repeat the political narrative concerning cruelty to animals, but rather to deconstruct that narrative. Whilst personalities, parties, pressure groups and legislation are still the basic agencies in this account, I want to get to the heart of the complex dialogue between them. There are several main foci: how the politics of cruelty was gendered; how 'animal', as a category, was constructed, and concomitantly, how 'cruelty' to animals was defined; how activities were arranged hierarchically – why certain animal sports were exempted from legislation, while others were prohibited.

This entails not only an examination of the political debates in Westminster, and a textual analysis of the legislation passed, but also a close observation of the world's first animal protection society. The (Royal, after 1840) Society for the Prevention of Cruelty to Animals (hereafter RSPCA) was founded in 1824 and was

the major pressure group devoted to political and cultural attention to the cause of cruelty to animals. Its practices and personalities are centrally important for the understanding of this peculiarly nineteenth-century 'sensibility'.

The traditional historiography that accounts for a general rise in sentimentality for animals in a manner after Norbert Elias,¹ does not work if animals are considered in isolation from the reformation of manners. If, as Keith Thomas states, 'the beasts were outside the terms of moral reference'² for most people in the early nineteenth century, then where did the principle come from which saw animals protected by law? John Passmore traced a long history of the sentiment for animals, but with the conclusion that 'these were observations in passing, straws in the wind, or perhaps not even so much, the personal reactions of men of unusual sensibility'.³ Indeed, until the nineteenth century, efforts to protect animals had very little general impact. The change which saw the first anti-cruelty legislation by 1822,⁴ and the first general legislation by 1835,⁵ must have been the result of some innovative spark – a departure in sensibility that thrust animal welfare into the mainstream, and which has burned slowly ever since. It should be noted that the first animal protection society pre-dated the National Society for the Prevention of Cruelty to Children by some sixty years. This apparently bizarre discrepancy has its origins in the movement to reform manners in the late eighteenth century, and is crucial to the understanding of the political discourse that followed. It is to this prologue that we turn first.

¹ Norbert Elias, *The Civilizing Process: Sociogenetic and Psychogenetic Investigations* (revised edn., Oxford, 2000).

² Keith Thomas, *Man and the Natural World: Changing Attitudes in England, 1500-1800* (London, 1983) p. 181, p. 148.

³ John Passmore, 'The Treatment of Animals', *Journal of the History of Ideas*, 36 (1975) 195-218 at p. 209. Richard Ryder provides some eighteenth-century examples of such 'unusual' men in his *Animal Revolution: Changing Attitudes Towards Speciesism* (Oxford, 2000) pp. 60-76.

⁴ 3 George IV, c. 71 to prevent the cruel and improper treatment of cattle.

⁵ 5 & 6 William IV, c. 59 for the prevention of cruelty to animals.

2. 'Men of unusual sensibility'

James Walvin has suggested that by 1850 there had occurred a 'refinement of manners' that was a 'striking feature of British life'.⁶ If this was the case then this raises some important questions. Not the least of these concerns the treatment of animals. By what criteria was cruelty to animals defined, and how did 'humanity' to animals become established as a feature of refined manners? The answers are not to be found in any organic changes in the way animals were perceived, but rather through changes in the way men were desired to behave.

The first major distinctly 'modern' defence of animals has been identified as Humphrey Primatt's treatise, *The Duty of Mercy and the Sin of Cruelty to Brute Animals*, first published in 1776.⁷ Richard Ryder, perhaps still the most widely known scholar to give animal rights 'serious' academic attention, noted in his introduction to the 1992 reissue of Primatt's work his own tremendous excitement in making 'this bridge with the past... rediscover[ing] this almost forgotten pioneer'.⁸ Despite acknowledging Primatt's 'almost forgotten' status, Ryder draws a line directly from the current status of the animal rights movement all the way back to 1776. For Ryder, Primatt was a prophet, speaking 'Very modernly... [arguing] against Speciesism by drawing the parallel with racism'.⁹ But Primatt has been misread, or misunderstood, as a result of projecting the late twentieth-century's version of

⁶ James Walvin, 'Symbols of Moral Superiority: Slavery, Sport and the Changing World Order, 1800-1950', in J A Mangan and James Walvin (eds), *Manliness and Morality: Middle-class Masculinity in Britain and America, 1800-1940* (Manchester, 1987) p. 245.

⁷ Richard Ryder (ed), Humphrey Primatt, *The Duty of Mercy and the Sin of Cruelty to Brute Animals* (first pub. 1776. New edition, Fontwell, 1992).

⁸ Ryder in Primatt, *Duty of Mercy*, p. 11.

⁹ Ryder in Primatt, *Duty of Mercy*, p. 12.

cruelty back to the late eighteenth century. This anachronism¹⁰ is blind to the ideology behind Primatt's argument, for his chief concern was the spiritual and moral well-being of men, over and above the happiness of animals. It is this concern for men that informed and coloured the ensuing nineteenth-century debates about cruelty, helping to shape the legislation that encoded a type of sensibility. The maxim is expounded eloquently by Primatt in a passage that defines his ideology:

If I know a man is cruel to his beast, I ask no more questions about him. He may be a noble man, or a rich man, or an orthodox man, or a church man, or a puritan, or anything else, it matters not; this I know, on the sacred word of a wise king, that being *cruel* to his beast, he is a *wicked* man.¹¹

Primatt is now the best known first 'campaigner' in the field, but he was far from being alone in his sentiments.¹² Other sources are more revealing of the status of this kind of ideology at the time. James Granger, an Oxfordshire vicar in the 1770s preached a sermon four years before Primatt's essay that forecast many of its main ideas. The principle of reforming male behaviour, and using the treatment of animals as a tool to measure it with, was a central feature. 'If a man is merciful,' he

¹⁰ Ryder has noted elsewhere that 'Perhaps it was partly because Britain had been the cruellest nation in Europe that it led the humane reaction over the next two centuries' (*Animal Revolution*, p. 60). His account of eighteenth-century discourses is punctuated by photographs of modern 'cruelties' in the 1970s and 1980s

¹¹ Primatt, *Duty of Mercy*, p. 87.

¹² As early as 1737, a correspondent to the *Gentleman's Magazine* complained: 'The greatest Misfortune arising from these Brutal Sports is, That they inspire the Minds of Children and young People with a savage Disposition and Ferity of Temper highly pleased with Acts of Barbarity and Cruelty. Good nature, Compassion and Tenderness, will with great Difficulty afterwards gain Possession, if the Mind be first tinctured with Inhumanity and Blood'. (*Gentleman's Magazine*, 7 (1737) p.8). The notion was kept alive at least until 1830, when the Religious Tract Society published a tract, *On Cruelty* (London, 1830) that claimed 'an irreligious man is naturally a cruel man' (p. 1).

said, 'we may venture to pronounce him just, generous, and charitable. If cruel, we have as great reason to believe him unjust, sordid, selfish, and treacherous'.¹³ He went on to note that 'no prudent man would trust his common concerns, much less his life or fortune, in the hands of a wretch who makes cruelty for his sport, and who enjoys the torture and agonies of dumb and helpless innocence'.¹⁴ And Granger makes it clear exactly who he is talking about, when he bemoans England's identification with 'barbarism':

this character of cruelty, which is hardly to be equalled among Savages, and with which the nation hath been branded, is only applicable to the most stupid, ignorant, and uncivilized part of our countrymen. Those of higher rank and knowledge are far more humane and benevolent than those that endeavour to fix so ignominious a reproach upon the whole body of the people.¹⁵

The idea of a duality in the national character, between humane and cruel, will be a recurring theme. The crucial thing here though is that cruelty was, from the first, associated with a brand of men considered beneath contempt. Those men who had already undergone the enlightenment of a refinement of manners in their public and private worlds were beyond reproach. The *fact* that the treatment of animals complained of existed across the class divides was not important compared to the task of finding a way to distinguish between enlightened men of polite society and the uncivilized rabble. Enlightened men who hunted foxes or partook of

¹³ James Granger, *An Apology for the Brute Creation, or Abuse of Animals censured; In a Sermon on Proverbs xii.10. Preached in the Parish Church of Shiplake, in Oxfordshire, October 18, 1772* (1772), p. 9.

¹⁴ Granger, *Apology for the Brute Creation*, p. 9.

¹⁵ Granger, *Apology for the Brute Creation*, p. 12.

cockfighting were overlooked because they still had more in common with the 'humane' elite than the with the rest of society. Yet there is a crucial postscript to this sermon, one that the author felt compelled to include: "The foregoing discourse gave almost universal disgust to two considerable congregations. The mention of dogs and horses, was censured as a prostitution of the dignity of the pulpit, and considered as a proof of the Author's growing insanity".¹⁶ This surprising admission should make us think twice about placing the origin of *widespread* concern for animals in the eighteenth century. Granger's comments did not fit well with a growing idea that only men of a lower order indulged in cruelty.

The *idea* of concern for animals was well formulated by this time however, but it was expressed only by a tangential argument. The association of manners with manliness and humanity to animals was made very clear in a 1769 publication entitled *An Exhortation in Christian Love*. The dangers of the homosocial environment¹⁷ were heightened by the carrying on of animal sports, which encouraged 'Wagers concerning them; speaking indecent Expressions; taking the Name of God in vain; uttering Oaths and Imprecations...; envying one another's Success in Gaming; Quarelling and Fighting'.¹⁸ Moreover, it expressed shock that 'Men of Understanding in a civilized Country, should sink in Action below the ignorant Savage'.¹⁹ The roughness of Englishmen could not be smoothed as long as such environments persisted.

A similar discourse existed outside the scope of religion. William Hogarth's 'Four Stages of Cruelty' (1750) had in some ways anticipated Primatt's concerns for the effects of cruelty on men (See figs. 2.1 – 2.4). The sequence implies the

¹⁶ Granger, *Apology for the Brute Creation*, p. 23.

¹⁷ Cohen, 'Manliness, Effeminacy and the French...', p. 50.

¹⁸ Anon., *An Exhortation in Christian Love, To all who frequent Horse-Racing, Cock-Fighting, Throwing at Cocks, Gaming, Plays, Dancing, Musical Entertainments, or any other Vain Diversions* (Shrewsbury, 1769) p. 12.

¹⁹ Anon., *Exhortation in Christian Love*, pp. 29-30.



Fig 2.1. William Hogarth, *The First Stage of Cruelty*, 1751.



Fig. 2.2. William Hogarth, *The Second Stage of Cruelty*, 1751.



Fig. 2.3. William Hogarth, *Cruelty in Perfection*, 1751. The protagonists early cruelties to animals now manifest themselves in cruelty to humanity.



Fig. 2.4. William Hogarth, *The Reward of Cruelty*, 1751.

engendering of cruel tendencies in the young, their consolidation in maturity, and the ultimately fatal consequences for man. Hogarth, it must be granted, was an animal lover, but nevertheless his narrative was one of a lethal concatenation which led to the hardening of the hearts of men and the ultimate fall of society. Hogarth was not trying to cultivate sympathy for animals, but to stress the human consequences of mistreating them. When he referred to the 'diabolical spirit of barbarity' of the age, he did so not out of ultimate concern for animals, but for men.²¹ For Jenny Uglow the prints were more about the juxtaposition of 'crime, disorder and impulse' with 'punishment and law': 'together they tear at the collective body of the nation, leaving it in a nightmarish, dismembered state'.²¹ For contemporaries, one wonders how the prints were perceived. One commentator, while sympathising with the abhorrence of cruelty that Hogarth depicted, made pains to stress that 'cruelty is not the national Character of *Britons*', drawing attention to 'their general Behaviour and Actions on all occasions', and particularly in the light of the barbarous French.²² 'There is not a nation in the World where Acts of Generosity, Charity, Benevolence, Compassion and Mercy, and all the Social Virtues, have been so universally practised as in this Kingdom. But when I say this, I must at the same time condemn the Barbarities exercised by our Youth on brute Animals'.²³ Cruelty, if anything, was a sign of immaturity, and not a great concern. At best Hogarth's prints were a 'Severe Satire upon the Morals of the common People', and cruelty to animals in itself was not a subject taken particularly

²¹ Quoted in Ryder, *Animal Revolution*, p. 64.

²¹ Jenny Uglow, *Hogarth: A Life and A World* (London, 1977) p. 506.

²² Anon., *A Dissertation on Mr. Hogarth's Six Prints Lately Publish'd, viz. Gin-Lane, Beer-Street, and the Four Stages of Cruelty* (London, 1751) pp. 33-4. For this common view, see also Anon., *A letter to Dr. Moore, on his Defence of British Humanity, against the Calumny of a Member of the French Convention* (London, 1794). Throwing at cocks was actually praised for its patriotism, as the cock was identified as a *Gallic* symbol: 'Gallicide, or *Cock-Throwing*, was first introduced by way of contempt to the *French*, and to exasperate the Minds of the People against that Nation' (*Gentleman's Magazine*, 7 (1737) pp. 6-7).

²³ Anon., *Dissertation on Mr. Hogarth*, p. 84.

seriously.²⁴ Others focussed on the depiction of throwing at cocks in the 'First Stage of Cruelty', complaining that it was a 'barbarous and unmanly custom'²⁵ and that this 'most UNMANLY and CRUEL Diversion, [was] a SHAME and a REPROACH to our Country'.²⁶ When interest in animal welfare was shown, opinion was divided. Yet cruelty to animals was still hardly a major issue.

Primatt and Hogarth are usually examined alongside the other 'founding father' of the animal rights movement, Jeremy Bentham.²⁷ His *An Introduction to the Principles of Morals and Legislation* contains perhaps one of the most lauded footnotes in history. Bentham's statement (now a cliché in animal rights circles) about animals went thus: 'The question is not, can they reason? Nor, can they talk? But *can they suffer?*'²⁸ This apparent alignment with modern philosophy is taken as proof positive that 'by the 1780s pain had clearly emerged as the main matter for concern in humankind's treatment of the other animals'²⁹, when actually this was merely another of Passmore's 'straws in the wind'. Bentham's unusual sensibility did not figure in the history of the RSPCA, the legislation on animal protection, nor in the popular attitudes either for or against cruel sports. His opinion that cockfighting, bull baiting, foxhunting and fishing were all equally 'inhuman' and should be banned was tempered by the acknowledgment that this was mainly due to the fact that 'A people accustomed to despise human life in their games could not be expected to respect it amid the fury of their passions'.³⁰ Ultimately he believed in the same

²⁴ Anon., *Dissertation on Mr. Hogarth*, p. 84.

²⁵ *Gentleman's Magazine*, 21 (1751) p. 8.

²⁶ Anon., *An Earnest and Affectionate Address to the Common People of England Concerning their Useful Recreations on Shrove Tuesday* (London, 1780?) p. 4.

²⁷ See Ryder, *Animal Revolution*, pp. 63-4; pp. 71-2; Peter Singer, *Animal Liberation: Towards an End to Man's Inhumanity to Animals* (Wellingborough, 1976) p. 222; Tom Regan, 'The Moral Basis of Vegetarianism', *Canadian Journal of Philosophy*, 5 (1975) 181-214, at p. 186.

²⁸ Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* (first published 1789, London, 1970) pp. 282-3n.

²⁹ Ryder, *Animal Revolution*, p. 71.

³⁰ Jeremy Bentham, *Works* (London, 1843) i, p. 562.

contagion which caused cruelty to animals to lead to cruelty to men. There is an ambiguous sense to his statement that these cruel sports 'produce the most acute sufferings in sensible beings, and the most painful and lingering death of which we can form any idea'.³¹ He might have been referring to humans as much as animals. As late as 1825, Bentham was still publicly espousing the link between pointless cruelty to animals and a growing amusement of cruelty towards men.³² His status as one of the founders of 'modern' sensibility, of an aversion to cruelty to animals for the animals' own sake, and as a father-figure in the animal rights movement, is therefore overstated.

Throughout the 1790s the literature in favour of humanity³³ to animals proliferated, all carrying similar themes of male virtue and national character. Still firmly couched in the terms of Christianity, John Turner wondered in 1796: 'Can he boast of sensibility, who can be present at the worrying of a bull by dogs; at the baiting of a badger; at the throwing at a cock; or arming two such birds with deadly weapons to mangle and destroy each other?'³⁴ He placed the problem firmly in the realm of the refinement of manners:

the more they [men] have immerged from a state of barbarism, the more they have felt the dependence of their own situation, the more docile they became, and the readier to be friendly and serviceable to each other.

³¹ Bentham, *Works*, i, p. 562.

³² Letter to the *Morning Chronicle*, in Bentham, *Works*, x, p. 550.

³³ The use of the word 'humanity' is in accordance with late eighteenth- and nineteenth-century discourse. It suggests that not being cruel to animals was a reflexive exercise – one which stressed the benevolence of man, over and above the rights of an animal. Similarly, kindness to animals is often described as 'clemency', emphasising gentleness in the exercise of power – again a reflexive statement about the superior status of humans.

³⁴ John Turner, *On Cruelty to Animals* (London, 1796) p. 5.

Urbanity and softness of manners are the consequences, and the ties of mutual love are thus fast bound and rivetted [sic].³⁵

Such 'softness of manners' was a crucial element in eighteenth-century manliness,³⁶ playing an important function in social spaces that incorporated both sexes. Cruelty, as a marker of uncivilised men, was gaining ground, but with little likelihood of general or legislative reform. In poetic verse, one author complained in 1796:

But, in this delicate, refined age,
When notions of the dignity and worth
Of man, inspire more, to cultivate,
The nice susceptibility of taste,
And sentiment, than cherishing the sense,
The self-approving conscience of our deeds,
(Which is no more than even brutes may do)
Whom shall the Muse address, with any hope,
To stem this raging tide of cruelty.³⁷

What the proponents of humanity to animals lacked was power. It was clear that a link had been made between the behaviour of men to each other and to animals, and that the reform of one entailed the reform of the other, but this opinion gained no ground as long as it was limited to the pulpit and to little read

³⁵ John Turner, *On Cruelty*, p. 7.

³⁶ See Michèle Cohen, 'Manliness, Effeminacy and the French: Gender and the Construction of National Character in Eighteenth-Century England', in Tim Hitchcock and Michèle Cohen (eds), *English Masculinities, 1660-1800* (Harlow, 1999) p. 52.

³⁷ Anon., *Some Reflections on Cruelty towards the Brute Creation. To which are added Animadversions of Several Authors on the Subject* (London, 1796) p. 53.

pamphlets and sermons, often published by the author. The significant moment came when the issue was finally brought up in Parliament, and gave the cause an audience hugely in excess of anything that had gone previously. It is to the political arena that I turn now, and with the following question: In what ways did this political intervention in popular culture, concerning sports involving animals, serve to build upon and reinforce a desired alteration in ideals of manliness that had its origins in the late eighteenth century? In answering this I hope to test R W Connell's notion that 'the production of a particular exemplary masculinity required political struggle, and it meant the defeat of historical alternatives'.³⁸ It will also build upon Mrinalini Sinha's conviction that questions of power are central to any history of masculinity.³⁹

3. The beginning of political debate

Cruelty to animals entered the parliamentary arena in 1800 with a debate over bull baiting (a long standing tradition in which a bull was tethered and then attacked by trained dogs. See chapter 3).⁴⁰ As a private member's bill it perhaps received more journalistic attention than was generally the case, primarily due to the vociferous attack it received at the hands of a prominent minister in Pitt's government, William Windham.⁴¹

³⁸ R W Connell, *Masculinities* (Berkeley and Los Angeles, 1995) p. 30.

³⁹ Mrinalini Sinha, 'Giving Masculinity a History: Some Contributions from the Historiography of Colonial India', *Gender and History*, 11 (1999) 445-460, at p. 448.

⁴⁰ There are at least two full accounts of the debate, one in *The Times*, 19 April, 1800, and the other in Cobbett's *Parl. Hist.*, 35, cols. 202-214 (2 April, 1800). They differ slightly, and in all likelihood do not record the debate verbatim. The meaning and general thrust is consistent in each however. I use them here interchangeably.

⁴¹ David Wilkinson, 'Windham, William (1750-1810)', *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/29725>, accessed 13 Aug 2005]; R G Thorne, *History of Parliament: The House of Commons, 1790-1820* (5 vols. London, 1986) offers a thorough biography of Windham's career (v. pp. 609-635), that expresses at length

The bill had been inspired by William Wilberforce and his circle, and easily could be placed in that general movement for evangelical moral improvement that Wilberforce and the Clapham Sect headed.⁴² Wilberforce handed the responsibility of introducing the bill to Sir William Pulteney, since he viewed himself as ‘a common hack in such services’, but later regretted it. He complained to Hannah More that Pulteney, ‘argued it like a parish officer, and never once mentioned the cruelty. No summonses for attendance were sent about as is usual. In consequence not one Thornton, nor many others, were present, any more than myself.’⁴³ In fact Pulteney had mentioned the cruelty, but he had stressed the *disorder* that bull baiting caused. It was this argument, as well as the vigorous opposition of Windham, that made the bill more than an evangelical tool.

Windham was not prepared to tolerate any kind of moral legislation. He also refused to embrace any measure sponsoring cultural change. He had:

never wavered from the hatred of innovation that had gripped him in the aftermath of the French Revolution. Consequently, though so forward-looking in his army schemes, he opposed parliamentary reform, the prohibition of bull-baiting, and legislation on cruelty to animals, out of obstinate desire to preserve the texture of society just as it was.⁴⁴

his determination to keep England as he perceived it always had been. Windham’s diaries, which barely mention his historic role in the development of human/animal relations, were published in 1866: Mrs. Henry Baring (ed), William Windham, *The Diary of the Right Hon. William Windham, 1784 to 1810* (London, 1866). The contemporary importance of the issue is further reflected in the scant attention the issue received in the collection of Windham’s speeches: William Windham, *Speeches in Parliament* (3 vols. London, 1812).

⁴² See, for example, David Spring, ‘The Clapham Sect: Some Social and Political Aspects’, *Victorian Studies*, 5 (1961) 263-280; David Turley, *The Culture of English Antislavery, 1780-1860* (London, 1991) 108-118.

⁴³ Robin Furneaux, *William Wilberforce* (London, 1974) p. 200.

⁴⁴ A D Harvey, ‘The Ministry of All the Talents: The Whigs in Office, February 1806 to March 1807’, *Historical Journal*, 15 (1972) 619-648 at p. 629.

He thought that bull baiting was 'a subject unworthy of Legislative interference, which ought never to be exercised on trifling matters'.⁴⁵ Moreover, 'this petty, meddling, legislative spirit, cannot be productive of good: it serves only to multiply the laws, which are already too numerous, and to furnish mankind with vexing and harassing one another'.⁴⁶ He claimed that blood sports had a positive effect and went 'a great way to form[ing] the national character'.⁴⁷ Most importantly, Windham saw no distinction between the lower-class tradition of bull baiting and the members of the elite chasing after a fox. He was acutely aware that men proved themselves as men according to their respective social contexts, and he effectively dismantled the definition of cruelty to show that it had been constructed according to the precepts of appropriate behaviour endorsed by the elite. He later talked of the dangers of allowing 'systems in which men are to become virtuous at others' expense, and be armed with powers to enforce upon others those sympathies and feelings which may be wanting in themselves'.⁴⁸ Windham was aware that the codification of sensibility would have to justify the exclusion of the activities of the fox hunters and game shooters that surrounded him in the House of Commons. Ironically, the attention Windham generated for the debate actually increased the prominence of the sport the bill had sought to prohibit. Moreover, Windham had come to be seen as a champion of all popular sports in the face of interfering opposition. Wilberforce complained that, 'A Surrey magistrate told a friend of mine... that some people met for a boxing match, and the magistrates proceeding to separate

⁴⁵ *The Times*, 19 April, 1800.

⁴⁶ Cobbett's Parl. Hist., 35, c. 204.

⁴⁷ *The Times*, 19 April, 1800.

⁴⁸ Speech in response to Lord Erskine's Bill of 1809 against cruelty to animals (see p. 51). William Windham, *Speeches in Parliament*, iii, p. 307.

them, they threw their hats into the air, and called out “Windham and Liberty”. A strange and novel association by the way!⁴⁹

Sir Richard Hill⁵⁰, missing the point of Windham’s argument, published a public letter of outrage at Windham’s treatment of the bill, and defending the honour of the practitioners of field sports that Windham had ironically attacked. It had certainly never been Windham’s intention to ban foxhunting or the like, but on the contrary to undermine anti-cruelty legislation on the basis that the sports of the elite and the poor were much alike. He wrote in a private letter, ‘I defy a person to attack bull-baiting and to defend hunting’.⁵¹ Nevertheless, Hill made a comparison of fair play between the different arenas:

Can you tie a hare to a stake, and then bait it like a bull? Has it not an opportunity of escaping; and if taken, is it not dead in a moment? Can the benefit of salubrious air and exercise be urged equally in favour of bull-baiting, as of hare-hunting, or the encouragement of a fine breed of horses?...⁵²

These references to fairness, and to fresh air and exercise, help us to locate the whole issue.⁵³ Certainly, in some quarters there had been concern for the bull. But

⁴⁹ Furneaux, *William Wilberforce*, p. 200.

⁵⁰ Sir Richard Hill, 1732-1808, a notable Methodist and evangelical MP (*The Methodist Archives Biographical Index*, source: <http://rylibweb.man.ac.uk/data1/dg/methodist/bio/bioh.html>, accessed, 2 July, 2004). Hill’s methods seemed to have been considered as counter-productive: ‘Despite his best efforts to bring religion into political debates his method of larding his speeches with scriptural quotation alienated rather than convinced his fellow MPs’ (W. C. Sydney, ‘Hill, Sir Richard, second baronet (1733-1808)’, rev. S. J. Skedd, *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/13290>, accessed 13 Aug 2005]).

⁵¹ Windham, *Diary*, p. 437.

⁵² An Old Member of Parliament [Sir Richard Hill], *A Letter to the Right Honourable William Windham, on his late opposition to the bill to prevent bull-baiting* (London, 1800) pp. 14-15.

⁵³ For fair play see chapter 3, p. 80 and *n*; chapter 4, pp. 115-129.

on both sides of the argument it is apparent that the status of men was paramount. Hill objected strongly to being associated with Windham's roughs, whereas Windham cherished 'the national character'. Fair fighting referred to a manly code that deplored cowardice. 'Salubrious air', apparently, made all the difference between acceptable and 'barbarous'⁵⁴ sports.

Unsurprisingly, Hill re-launched the bill in 1802, couched in similar terms to its first incarnation. He expressed dismay that 'this was a system so grating to the ears of some gentlemen, that they could not bear to hear of a definitive treaty between a dog and a bull'.⁵⁵ The bill was again defeated, but the proliferation of discourse grew, thanks largely to Windham's inflammatory insistence that 'Jacobins and Methodists [were]... uniting for the destruction of old English character by abolishing rural sports in order to entice the poor to themselves'.⁵⁶ From the very beginning the political debate contained this element of contesting the meaning of 'Englishman'.

4. Extension of debate and the formation of the RSPCA

There was a brief parliamentary extension to the debate in 1809 and 1810, when Thomas Erskine⁵⁷ declared a new 'æra in legislation', 'attending to the feeling of the

⁵⁴ Old Member of Parliament, *A Letter*, p. 15.

⁵⁵ Cobbett's Parl. Hist., 36, c. 830 (24 May, 1802).

⁵⁶ Thorne, *History of Parliament*, v. p. 622. The debate had been better attended and the bill lost by a majority of seven, 64 votes to 51.

⁵⁷ David Lemmings, 'Erskine, Thomas, first Baron Erskine (1750-1823)', *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/8873>, accessed 23 May 2005]. Erskine had been Lord Chancellor and had defended Paine over part ii of *Rights of Man*. He was in favour of Parliamentary reform and was known for his elevated ego. He dedicated his later years to the cause of animal welfare, even keeping two leeches as pets, claiming that they saved his life.

animal itself, and preventing cruelty from a consideration of its suffering',⁵⁸ but this was again a false start. His proposals passed the Lords, but came unstuck at the hands of Windham in the Commons. Erskine had specifically aimed his Bill at the 'lower orders' who were cruel from 'want of thought and reflection', rather than 'malignant principle'.⁵⁹ He made rather thin philosophical gestures to the assembled hunters and shooters who comprised his audience, claiming that without hunting, 'animals living in a state of nature would soon over-run the earth, and eat up and consume all of the sustenance of man'.⁶⁰ By way of further justification he noted how 'it is remarkable that other animals have been formed by nature, with most manifest instincts to assist us in this necessary exercise of dominion', by which he referred to the packs of fox-hounds genetically engineered by man in the period after 1750.⁶¹ Windham, opposing the Bill in the Commons, noted the 'scandalous defect... [of] the gross partiality and inequality of its enactments. It fell foul', he said, 'of one class of offences only, while it left untouched an infinitely larger class, and in which the very members of the legislature themselves were implicated, such as hunting, fouling, horse-racing, &c'.⁶² The Bill was thrown out of a sparsely attended Commons. While the debate certainly did not go away after the dumping of Erskine's 'æra', it did go off the boil in Parliament. Behind the scenes, however, those in favour of pursuing the issue were busy constructing what would become the non-human's most powerful ambassador.⁶³ For the time being, Parliament clung to the principle that 'a Government cannot interfere too little with the people',⁶⁴ but

⁵⁸ The Lords debates can be found in Parl. Debs. (series 1) vol. 14, col. 553ff (15 May, 1809), and Parl. Debs. (series 1) vol. 16, cols. 881-883 (8 May, 1810).

⁵⁹ Parl. Debs. (series 1) vol. 14, col. 556 (15 May, 1809).

⁶⁰ Parl. Debs. (series 1) vol. 14, col. 558 (15 May, 1809).

⁶¹ Parl. Debs. (series 1) vol. 14, col. 558 (15 May, 1809).

⁶² Parl. Debs. (series 1) vol. 14, col. 990 (12 June, 1809).

⁶³ A series of correspondences published by the *Monthly Magazine* in 1818 lay the foundations for a group of like-minded men to form a society for the protection of animals.

⁶⁴ *The Times*, 25 April, 1800; A W Moss, *Valiant Crusade* (London, 1961), p. 14.

the meddling spirit of the pressure group was gaining in vogue, enshrining a popular version of humanity and morality, and reinforcing ideas of separate spheres and 'proper behaviour'.⁶⁵ Herein lay the origins of the RSPCA.

The pressure group was an instrument of 'reform', a buzz word not only in Parliament, but in the coffee houses, pubs and churches, in the press, and on the radical platform, across the nation. It did not apply only to the constitution, but had institutional and moral implications for popular culture that received mixed responses.⁶⁶ Harriet Ritvo has argued that 'The identification of animal protection with solid English virtue could... function as an instrument of marginalization. Those who violated the canons of what was often called "humanity" by its most eloquent advocates were not only sinful but also, in at least a rhetorical sense, excluded from the national community'.⁶⁷ Pressure groups and voluntary organizations sprang up to coerce and compel citizens, men, to conform to an ideal type, or be excluded. This represents an assertion of power over the control of fundamental aspects of identity.

At stake here was the very definition of English manhood. 'Man' in the early part of the nineteenth century was certainly befitting of Joan Scott's paradox of

⁶⁵ For 'proper behaviour' see Catherine Hall, 'The Butcher, the Baker and the Candlestick-maker: the Shop and the Family in the Industrial Revolution', in her *White, Male and Middle-Class, Explorations in Feminism and History* (Cambridge, 1992) p. 112. For a general overview of voluntary societies see R J Morris, 'Voluntary Societies and British Urban Elites, 1780-1850', *Historical Journal*, 26 (1983) 95-118. His assertion that the 'major societies of this period were designed to achieve their aims without reference to government aid or authority' (p. 96) does not ring true for the RSPCA. See also Patricia Hollis, 'Pressure from Without: an introduction', in her edited collection, *Pressure from Without in Early Victorian England* (London, 1974), which also includes Brian Harrison's synthesis, 'State Intervention and Moral Reform in nineteenth-century England', 289-322; also his 'Religion and Recreation in Nineteenth-Century England', *Past and Present*, 38 (1967) 98-125 for an analysis of the histories of the RSPCA, the Sabbatarian and Temperance movements.

⁶⁶ For a general overview of the cultural 'age of reform', see Joanna Innes and Arthur Burns (eds), *Rethinking the Age of Reform, Britain 1780-1850* (Cambridge, 2003) esp. the editors' introduction. For an etymological study of 'reform' see Joanna Innes, 'Reform' in English public life: the fortunes of a word', in Innes and Burns (eds), *Rethinking the Age of Reform*, 71-97.

⁶⁷ Harriet Ritvo, *The Animal Estate: The English and Other Creatures in the Victorian Age* (Cambridge, MA, 1987) p. 130.

being an empty category, yet at the same time overflowing.⁶⁸ In defining manly men we have no recourse to any universals. Instead, we can take 'man' as a lens through which to better view those categories of class and religion as they were perceived by men who defined themselves in different ways.

Analysing sources by what they fail to include, as Scott's theory of practice goes, might be liable to the accusation of over-creative imagination. I want to justify here the case for viewing the RSPCA, an organisation whose ostensible purpose was to prevent cruelty to animals, through a gender filter. Broadly speaking, the swathe of nineteenth-century reform pressure groups, of which the RSPCA was a part, had men (their moral, spiritual and social well-being) as one of their principal aims, regardless of their explicit agendas. The ambition was to gradually incorporate society at all levels according to moral and personal development. As R J Morris has stated, the 'full range of the societies may be seen as a progression designed to create the sort of person who would be the ideal of a stable, thriving, industrial community... Thus the working man, the problem of the age, was saved from disease and starvation, sobered up, educated, and finally given the means to acquire property and capital'.⁶⁹ Morris's preferred *modus operandi* was class, but the category of 'men' seems explicit here and offers a more searching approach to the kinds of questions he was trying to answer. The language used at the RSPCA's meetings was extraordinarily reminiscent of the language of the 'men of unusual sensibility' in the late eighteenth century. The Earl of Carnarvon proclaimed to the 1838 AGM that, 'Cruelty to man and cruelty to the animal race is the same (*Cheers*). And if cruelty to animals be not restrained by some power, in time all feeling of pity towards our

⁶⁸ Joan Scott, 'Gender: A Useful Category of Historical Analysis', in her *Gender and the Politics of History*, (revised edn., New York, 1999), p. 49.

⁶⁹ Morris, 'Voluntary Societies...', p. 115; See also M J D Roberts, *Making English Morals: Voluntary Association and Moral Reform in England, 1787-1886* (Cambridge, 2004) p. 111; Cf. Thomas, *Man and the Natural World*, p. 186.

brother man will be extinguished'.⁷⁰ This was a fairly consistent message, recapitulated up until the 1870s when the newly created Ladies Committee had a significant influence on the Society's character. The Earl of Harrowby, chairing the Annual Meeting in 1864, made a statement that underlined the movement's aim:

He sometimes thought that they put their own claims too low when they simply spoke of their Society for the Prevention of Cruelty to Animals: in fact, when they regarded it as one for protecting animals without considering in how great a measure it also protected man from the commission of acts of cruelty; for it often happened that the evil inflicted by the perpetration of cruelty to animals was in itself far more mischievous to the man himself than to the animal, while nothing contributed more to dignify the character of man than kindness to the brute creation.⁷¹

The Society aimed to incorporate wayward men into the 'march of intellect' through humanitarianism and religious observance, two vital constitutive elements of its vision of the manly Englishman.

5. Character of the RSPCA

The forgoing argument entails an explanation about the society's religious basis, and the reasons for not over-stressing its evangelical leanings. It is not my intention in this thesis to write an institutional history of the RSPCA. This task has been undertaken by various scholars with mixed success. Solid research in the early 1970s

⁷⁰ RSPCA Twelfth Annual Report (1838) p. 21.

⁷¹ RSPCA Fortieth Annual Report (1864) p. 36.

asked questions of the RSPCA that were appropriate for the time, but which leave the contemporary scholar unsatisfied.⁷² Other approaches to the Society have been apologetic or romantic,⁷³ or devised to fit arguments about the nature and extent of evangelicalism.⁷⁴ Where the institution has been treated with more recent scholarly rigour, it has not been the principal object of concern.⁷⁵ This thesis perhaps also fits into this last category, but since the RSPCA's actions are so integral to much of this history I feel it is necessary to include a few words about the character of this institution throughout the period. The records of the Society, kept just outside Horsham, are somewhat incomplete. Minute books and Annual Reports for the period largely survive, other official documentation has been lost. There are only scant records for the early years.⁷⁶

The Society began in 1824, founded by the Rev. Arthur Broome, an Anglican about whom sadly little is known, and included an eclectic mix of clerics, politicians and a few notables. It has been strongly argued that the society was constituted largely of 'evangelical humanitarians'⁷⁷ and certainly there were some prominent evangelical figures on its early committees – for example Wilberforce and Thomas Fowell Buxton. But it is surely an overstatement that 'At the turn of the century, a crusade for the prevention of cruelty to animals began in England'.⁷⁸ 'Crusade' is an inadequate and incorrect description of its activities. The RSPCA was broadly Christian in principles, though non-denominational. It published its

⁷² Brian Harrison, 'Animals and the State in nineteenth-century England', *English Historical Review*, 88 (1973) 786-820.

⁷³ A W Moss, *Valiant Crusade* (London, 1961); E G Fairholme and W Pain, *A Century of Work for Animals* (2nd edn., London, 1934).

⁷⁴ Chien-hui Li, 'A Union of Christianity, Humanity, and Philanthropy: The Christian Tradition and the Prevention of Cruelty to Animals in Nineteenth-century England', *Society & Animals*, 8 (2000) online edition.

⁷⁵ Ritvo, *The Animal Estate*, ch. 3

⁷⁶ The first Annual Report only appears in 1832, eight years after the Society's formation.

⁷⁷ Harrison, 'Animals and the State', p. 788.

⁷⁸ Li, 'A Union of Christianity', no page.

objectives in 1829, emphasising its religious and educative position.⁷⁹ Yet it also stressed its interest in legislation, informants, arrests and convictions. While these aspects of the Society's mission appeared last on its list of objectives, there can be little doubt that from its inception the RSPCA, in dealing with politics, politicians and the law, relied on secular machinery, concerned more with the law's influence on morality than with Christianity's. Evangelical emphasis on 'personal salvation, reliance on scriptural authority, and by a fervent zeal to spread the gospel and to do good work'⁸⁰ is somewhat lacking from the RSPCA's highly detailed minute books. Rather, it stressed public order, the authority of the state, and a fervent zeal to enforce its own moral codes.⁸¹ M J D Roberts makes a sensible distinction, noting that 'one of the reasons why moral reform and religious evangelisation remained distinguishable (if sometimes overlapping) activities... was that moral reform had the potential to avoid sectarian disputes about the type or extent of belief in a particular form of Christianity'.⁸² If one was to compare the most active members of the early committees, Lewis Gompertz, Richard Martin, and W A Mackinnon, for example, one would have a hard job to characterise the society upon religious lines.

Gompertz, the society's first honorary secretary and significant source of financial stability, was Jewish, and significantly influenced the character and public

⁷⁹ *Objects and Addresses of the Society for the Prevention of Cruelty to Animals* (London, 1829). The objectives were listed as follows. Numbers 5 and 6 seemed to take precedence over numbers 1-4 in the Society's early years.

1st. The circulation of suitable tracts gratuitously, or by cheap sale, particularly among persons entrusted with cattle, such as drovers, coachmen, carters, &c.

2nd. The introduction into schools, of books calculated to humanize the mind of youth.

3rd. Frequent appeals to the public through the press, by every mode tending to awaken more general attention to this important and interesting subject.

4th. Delivery of periodical discourses from the pulpit.

5th. The employment of inspectors in the markets and streets.

6th. The prosecution of persons guilty of any flagrant cruelty, and giving publicity to the same.

⁸⁰ Li, 'A Union of Christianity', no page.

⁸¹ The Society's petitioning of Parliament, its policing and its prosecutions are all ample evidence of this, the specific cases of which are littered throughout chapters 2, 3, 4 and 5.

⁸² Roberts, *Making English Morals*, p. 2.

profile of the society's early years. Over claims that Pythagorean doctrine had permeated the society, he resigned in a storm in 1832, after the committee had chosen to publicly state that it conducted itself upon 'Christian' principles. Gompertz clearly felt betrayed by this, and wondered whether the Society considered him 'friend or foe'. The committee's ultimate decision to decline to respond to Gompertz's correspondence probably helped him decide.⁸³

Richard Martin was born the first Protestant in an historically Catholic family, specifically to aid him legislate for Catholic emancipation in his preordained career as an MP.⁸⁴ His 'humanity' was second only to his legislative persistence as MP for Galway, suffering continual laughter for his novel ideas of protecting animals. Yet Martin was ever-ready to fight a duel⁸⁵ and was renowned for the sport his vast Irish estate offered. A trained lawyer, though not a practicing one, he is reputed to have trailed a beaten donkey into a courtroom in order to convince the jury of its ill-treatment.⁸⁶ Martin was obsessed and eccentric. He was not an Evangelical (Martin will be discussed more fully below).

W A Mackinnon was a Tory politician whose strong views on the Parliamentary responsibility of enforcing middle-class opinion and morality across all of society were made plain in his *On the Rise, Progress, and Present State of Public Opinion in Great Britain and Other Parts of the World*.⁸⁷ His assertion that public opinion was 'that sentiment on any given subject which is entertained by the best informed, most intelligent, and most moral persons in the community, which is gradually

⁸³ RSPCA Minute Book 1, CM/21, pp. 177-8, 189-193, 235, 238-9 (between 3rd November 1834 and 15th June 1835).

⁸⁴ Shevawn Lynam, *Humanity Dick, a biography of Richard Martin MP, 1754-1834* (London, 1975) p.5.

⁸⁵ Richard D. Ryder, 'Martin, Richard (1754-1834)', *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/18207>, accessed 13 Aug 2005].

⁸⁶ Moss, *Valiant Crusade*, pp. 66-7.

⁸⁷ W A Mackinnon, *On the Rise, Progress, and Present State of Public Opinion in Great Britain and Other Parts of the World* (London, 1828).

spread and adopted by nearly all persons of any education or proper feeling in a civilised state'⁸⁸ is a perfect characterisation of the RSPCA's self-positioning above the masses – what Mackinnon called the 'popular clamour'. It was easy for the Society to dismiss the traditions of the populace on the basis of this. Mackinnon defined the 'popular clamour' as, 'that sort of feeling, arising from the passions of a multitude acting without consideration; or an excitement created amongst the uneducated, or amongst those who do not reflect, or do not exercise their judgment on the point in question'.⁸⁹ It was to be ignored at all costs.

One must look for different motifs and patterns if the Society is to be correctly understood as more than a mere body of evangelicals. James Turner has also observed that 'concern for animals cut across all the usual divisions of political party, social outlook, age, and attitude',⁹⁰ so what unified this disparate group? Natan Sznajder has argued that until the Society's influence became felt, 'Christian theology condemned cruel behaviour to animals on the grounds that it brutalized human behaviour... Cruelty to animals in itself was not at issue'.⁹¹ Actually, the Society only served to reinforce this idea of the effect of cruelty on man. The Society regularly failed to be indiscriminate in its approach, pandering to the ranks of hunters and shooters who patronised it. Its moral mission, from the point of view of cruelty, was tempered, perhaps even compromised, by its social composition. The RSPCA's history is one of an ongoing tension between kindness to animals and civilising men. Those deemed to be already 'civilised', the elite band that included hunters and shooters, sat outside the moral scope of the organisation

⁸⁸ Mackinnon, *Rise, Progress*, p. 15.

⁸⁹ Mackinnon, *Rise, Progress*, pp. 17-18.

⁹⁰ James Turner, *Reckoning with the Beast: Animals, Pain and Humanity in the Victorian Mind* (Baltimore, 1980) p. 40. It might also be noted that the enormous group who did not show any concern for animals also cut across party, class and ideological lines.

⁹¹ Natan Sznajder, *The Compassionate Temperament, Care and Cruelty in Modern Society* (Lanham, 2001) p. 32.

(and on its committee), often regardless of their personal maltreatment of animals.⁹²

The Society relied on a combination of Parliamentary influence and active prosecution to further its cause, following legislation in 1835. Between 1830 and 1839 it prosecuted 1357 cases. Between 1890 and 1899 this had risen to 71,657.⁹³ The escalation of convictions created a profound cultural change in the relationship between man and animals, a relationship now regulated by an independent agency. The RSPCA executed this regulation through increasingly surreptitious means.⁹⁴ The use of secret informers and plain clothes constables to gain convictions became the norm.⁹⁵

The Society's nature, however, was not monolithic. In order to maintain its position as a major charity, it had to modify its *raison d'être* as times changed. As it felt it had achieved success over bull baiting, dog carts and cattle markets, its attention shifted to cockfighting, vivisection and individual acts of cruelty. The creation of the Ladies Humane Education Committee in 1870, under the leadership of Baroness Burdett-Coutts put the first four points of the Society's objectives into the foreground (see note 79). In the prospectus of the committee it was noted that 'The Society, though actively engaged for many years in the prosecution of offenders has not hitherto sufficiently devoted its energies and funds to the

⁹² Certainly, the elite composition of RSPCA committees and patrons accounts for both its legislative successes and its limited ambitions. Of the early committee men, many, most notably Richard Martin himself, were fox hunters. On the link between elite connections and legislative success, see, David Eastwood, 'Men, Morals and the Machinery of Social Legislation, 1790-1840', *Parliamentary History*, 13 (1994) 190-205, especially at p. 204.

⁹³ Harrison, 'Religion and Recreation', p. 102.

⁹⁴ In general terms, the secret policing of popular pastimes by the RSPCA would have been characterised as un-English, utilising French methods to limit the liberty of citizens. The RSPCA's ad hoc experiments with policing deserve a place in the historiography of policing in England, especially considering the committee's close ties to Lord John Russell, whose interest in police reform has been well documented. For a recent overview see David Philips, 'A 'Weak' State? The English State, the Magistracy and the Reform of Policing in the 1830s', *English Historical Review*, 119 (2004) 873-891, un-Englishness, at pp. 875-877. (See also chapters 3, 4 and 5).

⁹⁵ Ritvo, *The Animal Estate*, p. 145, notes that 'the society enforced the law through hired proxies. It employed only a few constables at first, but the corps had grown to 8 by 1855, to 48 by 1878 and to 120 by 1897'.

promotion of humane education'.⁹⁶ The committee's work centred on distributing the new educative journal the *Animal World*, launched in 1869. 310,00 copies were printed in its first year. Yet the Ladies Committee seems to have worked largely independently of the main committee. The emphasis in the Annual Reports continued to be more devoted to prosecution than education.

The RSPCA's history bleeds into the cultural history of popular animal sports. As an institution, its history is characterised by ambiguity: of motive, of practice, and of morality. The Society pulled the strings at Westminster as well as in society at large, bridging the gap between political abstraction and societal praxis. While its most notable subscribers, patrons and committee members were aristocratic, it was effectively driven by middle-class values. The most important role throughout this period was that of the Society's secretary. Often a lawyer, with a significant personal commitment to the cause, the secretary travelled across the country prosecuting cases. He conducted the committee meetings in London, liaised with the provincial organisations affiliated to the RSPCA and answered correspondence. The Society relied on the personal interference of local businessmen, clerics and magistrates to inform it of unlawful activities to which the secretary, accompanied by a couple of RSPCA constables, could attend. The legislation which the Society campaigned for was inconsequential without this grass-roots activism. It is to the legislation that allowed for this cultural interference that we now turn.

6. Creating and enforcing legislation

⁹⁶ RSPCA Ladies Committee Minute Book, CM/89, 1870-1905, p. 20

The early Parliamentary attempts to legislate on animal cruelty had failed either because they were too narrowly conceived, or because they were defined upon rather too obvious class lines. These lessons resulted in a less controversial approach that could claim property and business as the chief motivating factors for reform.⁹⁷ June 1822 witnessed the first anti-cruelty Act of Parliament.⁹⁸ Its remit was limited, but nevertheless broke significantly with the State's previous complete lack of intervention. Richard Martin (nicknamed Humanity Dick by George IV),⁹⁹ a co-founder of the RSPCA and its leading light in Parliamentary affairs, had introduced the measure¹⁰⁰ on two counts: to stop the beating of horses and as a back-door means of outlawing bull baiting, knowing Parliament's previous attitude to that issue. Certainly, the Act had broad importance, being designed to 'prevent the cruel and improper treatment of cattle.' John Lawrence, a philosopher and farmer who first published in 1796 a *Philosophical Treatise on Horses and on the Moral Duties of Man towards the Brute Creation*,¹⁰¹ helped Martin formulate the bill.¹⁰² It is compelling evidence of Martin moving in circles sympathetic to the same cause outside of Parliament.¹⁰³ The Act's impact was felt most acutely in markets, later areas of particular interest for the RSPCA. It punished anyone who would 'cruelly beat, abuse or ill treat any Horse, Mare, Gelding, Mule, Ass, Ox, Cow, Heifer, Steer, Sheep or other Cattle'.

⁹⁷ Cf. Roberts, *Making English Morals*, whose assertion that the Act arose out of 'post-war concern about the effectiveness of urban policing' fails to take account of the Act's lack of any clause providing means to enforce it. Roberts significantly underplays the importance and persistence of Richard Martin (p. 113).

⁹⁸ 3 George IV, c. 71 to prevent the cruel and improper treatment of cattle.

⁹⁹ Lynam, *Humanity Dick*, p. 171.

¹⁰⁰ Erskine introduced it in the Lords.

¹⁰¹ John Lawrence, *Philosophical Treatise on Horses and on the Moral Duties of Man towards the Brute Creation* (2 vols. 3rd edition, with large additions, London, 1810).

¹⁰² Lynam, *Humanity Dick*, pp. 194-6.

¹⁰³ Lynam, *Humanity Dick*, p. 195. Lawrence was involved in correspondence in 1818 in the *Monthly Magazine* about forming a society in the name of animal protection.

Significantly, this did not include the bull, despite Martin's protestations to the contrary. This began a trend in cruelty legislation that used a narrow definition of 'animal' or 'cattle' in order to include or exclude certain beasts. It is quite clear that the 1822 Act was designed to protect only those animals of an economic value. What purpose could there be in beating a mule, since this was ultimately counter-productive and against the economic interest of its owner. The phrase 'other Cattle' would logically include the bull in a purely naturalistic definition, but the bulls used in bull baiting fell outside of the category of property or economic interest, and instead into the realm of leisure. Should a bull be cruelly beaten in order to drive it to market, a case could have been made for punishment under the Act; to tie the animal to a stake and set dogs on it was outside of its scope.¹⁰⁴ The bull baiters revelled in their exemption:

That *manly amusement* of bull-baiting, so eloquently advocated by the late Mr. Wyndham [sic], forms so attractive a diversion in the High Peak of Derbyshire, as to be carried on under municipal patronage; and it is well worthy of record that during last week, the Vicar, Churchwardens, and Constable, of one of the most extensive and populous parishes in that district, attended an auction for the express purpose of purchasing a bull of superior blood and acknowledged courage, to be baited for the gratification of the inhabitants at the approaching feasts.¹⁰⁵

¹⁰⁴ See Mary Douglas, *Purity and Danger: an Analysis of Concept of Pollution and Taboo* (new edn., London, 2002) esp. ch. 3, 'The abominations of Leviticus'. Douglas states that 'the only way in which pollution ideas make sense is in reference to a total structure of thought whose keystone, boundaries, margins and internal lines are held in relation by rituals of separation' (p. 51). The terms of this Act of Parliament manifests such a ritual, which became more explicit in 1835, see below.

¹⁰⁵ *Sheffield Independent*, quoted in *The Times*, 18 September, 1822.

What had long been simple tradition had become politicised. 'If trivial acts of individual defiance threatened the social order projected by human rhetoric, organized animal combats where crowds gathered to enjoy the mayhem and to gamble on the outcome could be powerful, premeditated challenges'.¹⁰⁶ The 'social order' was not stable as long as different approaches to expressions of Englishness, manliness and tradition coexisted.

The limits of the Act were tested by the reformers, however. In Aylesbury in September the same year, several men were brought before the magistrates for the 'offence' of bull baiting, but the case was ultimately dismissed upon the grounds, according to Sir George Nugent,¹⁰⁷ that 'though in certain cases the practice is indictable as as [sic] a nuisance, yet as the law now stands bull-baiting in itself is certainly legal'. He added that while old laws allowed bull baiting, 'the new act against cruelty would severely touch such as became conspicuous by wanton barbarity'. In conclusion, 'hopes [were] held out that Mr. Martin next session, will so clog and muzzle the bipeds, that the *English name and character* shall thenceforward no longer be legally disgraced by bull baiting' [emphasis mine].¹⁰⁸ Martin himself gave early signs of acknowledgment about the limitations of his Act, attempting to bring in bills specifically to prevent bull and bear baiting in 1823 and 1824, which were duly laughed out of the house.¹⁰⁹

¹⁰⁶ Ritvo, *The Animal Estate*, p. 150.

¹⁰⁷ Peter B. Boyden, 'Nugent, Sir George, first baronet (1757-1849)', *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/20390>, accessed 23 May 2005]. Nugent had a long and distinguished military career in America, Ireland and India, being commander-in-chief there from 1811-1813. MP for Buckingham (1790-1802) and Aylesbury (1806-1812).

¹⁰⁸ *The Times*, 8 Oct, 1822. For more on 'the English name and character' with reference to bull baiting, see chapter 3.

¹⁰⁹ *The Times*, 22 May, 1823; Lynam, *Humanity Dick*, pp. 228-30; Martin had continually to endure being laughed at, both inside and outside of Parliament. He is reported to have taken great issue with the manner in which his speeches were reported in the press, square-bracketed laughter being inserted where none in reality occurred. He took the *Morning Chronicle* to court for libel in 1825, claiming that an article incited 'the ruffians of Smithfield

Martin was encouraged by the conviction of five men for baiting a bull in Wolverhampton, specifically under the auspices of his Act,¹¹⁰ and the following summer, Martin announced in Parliament that he had obtained written confirmation from the Attorney-General that bull baiting was already illegal under the present Act.¹¹¹ He took the principle directly to the Bow Street police in order to press for the convictions of some Hounslow bull baiters who succeeded in evading police summonses. Alongside Martin, unsurprisingly, were Broome (the RSPCA's founder), and Wheeler (the RSPCA's first constable).¹¹² This direct intervention illustrated just how close the high politics of Westminster could be to the man on the street. This episode signifies the first real example of the RSPCA playing intermediary between culture and politics and acting as the enforcer of the new legal code. Martin, for his own part, was instrumental as pressure group, legislator and enforcer all at once, presenting in microcosm the real connections among these three areas. It is compelling evidence that the RSPCA did not simply enforce an agenda passed down from Parliament, but created the agenda in the first place. For this reason, its role in political and cultural innovation cannot be underestimated.¹¹³ Martin's biographer emphasised the point:

“to murder him!”. *The Times*, objecting to the attack on the press in general, suggested that ‘it would be a thousand times better that some ungrateful ox from Smithfield should toss Mr. MARTIN into the air, and make an end of him’ than for his libel case to set a legal precedent which would have restricted the press (*The Times*, 28 September, 1825). His affection for asses very often saw him caricatured as one, often complaining about the press (see figs. 2.5, 2.6). The whole affair is summarised comically in Lynam, *Humanity Dick*, pp. 251-257.

¹¹⁰ *The Times*, 5 November, 1824.

¹¹¹ *The Times*, 24 June, 1825. The Attorney-General later said in Parliament that a lion bait in Warwick was a ‘riotous and illegal assembly and as such might have been dispersed by the magistrates’. By extension, the RSPCA would have argued, this should apply to bull baits. Note however that cruelty is not central to the issue (see E S Turner, *All Heaven in a Rage*, pp. 134-136, p. 136n).

¹¹² *The Times*, 7 July, 1825. For a fuller transaction of the difficulties Martin had in prosecuting the case, see E S Turner, *All Heaven in a Rage*, pp. 132-4.

¹¹³ Cf. Griffin, ‘Popular Sports’, who states that ‘the disappearance of bull-baiting was almost entirely unrelated to reforming activity lead by social elites’, p. 129.

He now concentrated all his energies on picking out culprits in the streets of London. He must be the only man to have got a bill through parliament and then to have seen personally that its provisions were carried into effect.

Whether on foot, in his carriage or in his gig, he gradually became a menace to all who had dealings with animals. There was not a coachman or carter or knacker or dog-owner who was safe from his inquisition. Due to its proximity to both the House of Parliament and Manchester Building where he lived, he virtually patrolled the area around Whitehall and Charing Cross, and unsuspecting individuals who had never heard of Martin's Act were apt to find themselves unaccountably confronted by Humanity Dick and his indignation.¹¹⁴

In general, however, the Society made no headway against bull baiting except in these isolated instances. E S Turner noted of a case at the Court of King's Bench that the bull, 'of no age qualified' for the description of 'cattle'. 'Apparently it was too noble an animal'.¹¹⁵ Increasingly exasperated, the RSPCA petitioned Parliament in 1826, expressing:

Deepest concern since the latter opinion given by two judges that the bull was not included in the statute to prevent ill-treatment of cattle, that Bull-baiting, which had in consequence of that Act been nearly abolished [an exaggeration], has been resumed to an unprecedented extent and with unexampled barbarity...¹¹⁶

¹¹⁴ Lynam, *Humanity Dick*, p. 219.

¹¹⁵ E S Turner, *All Heaven in a Rage*, p. 131.

¹¹⁶ Moss, *Valiant Crusade*, pp. 18-19.

New bills and amendments were launched by Martin in 1823, 1824, 1825, 1826, with another following in 1829 to try to extend the 1822 Act, again failing in the face of stiff, and discrediting opposition.¹¹⁷ In 1832, Martin attempted to eliminate bull baiting by ‘explaining’, rather than amending, the 1822 Act. Martin was keen to stress in private that the practice should be illegal under the former law. In a letter to Gompertz he said:

My Act is not *half* as extensive as I desired it to be yet this is very generally allowed that *no alteration at the time* could have *accomplished more*. To put down Bull-baiting I wish you to perceive it is not necessary to *amend the Act*. The very idea of amending admits that the *Bull* was not *included*. . . If then we admit the bull *not within* the provisions of the Act, which amending confesses, our amendment will be defeated and *we never* shall be able to put down that most atrocious of all cruelties. Our application must be to *explain* avoiding the word amend. . .¹¹⁸

This kind of political and legal playing with the classification of animals was a sign of things to come for the politics of cruelty. The debates were allowing for the build up of a construction of animal classifications that would suit all parties in the debate, fit with the type of national and masculine identity required by the reformers, and not breach the usual limits of Parliamentary involvement in moral questions.

The RSPCA’s biggest step was in establishing a principle for the prohibition of blood sports. An important Parliamentary committee concerned with (another)

¹¹⁷ The best single source for this passage is Lynam, *Humanity Dick*, p. 218ff.

¹¹⁸ RSPCA Minute Book, CM/19, p. 161 (facsimile of a letter dated 16 April, 1832).

bill to prevent cruelty to animals, and most specifically dog fighting, was staged in 1832 (for a fuller account see chapter 5).¹¹⁹ Martin had been campaigning for such a committee since 1824.¹²⁰ Whilst cruelty was a large factor in the testimonies,¹²¹ the character of the men involved was also put on trial. One witness, John Easterbrook, speaking for the RSPCA, commented that the dog pits were an 'assemblage of bad characters, generally speaking, no respectable persons go there',¹²² though he had to make the admission that 'there are several men, calling themselves respectable in the world, who come to see them fight'.¹²³ Another witness, William Youatt, agreed that there was no doubt that the dog pits were filled with 'improper and bad characters', and that 'the continuance of those pits is injurious to the morals of the community'.¹²⁴ The framing of the questioning that led to these generalised assassinations of character on a cultural level was most certainly deliberate.¹²⁵ It was as if cruelty could only be proved if the men perpetrating it were of a lower class. Given the preoccupation of 'civilised' society with the demoralising effects of cruelty on men, a philosophy inherited from Primatt, it would not have been consistent to have a scene of cruelty without a scene of barbaric, and therefore lower-class men. Preventing cruelty was always therefore about civilising men (it should be noted that most of the witnesses were related in some way to the

¹¹⁹ Parl. Sessions, 1831-2, v, pp. 73-110. RSPCA sixth Annual Report, 1832, pp. 39-53.

¹²⁰ Lynam, *Humanity Dick*, p. 229.

¹²¹ Most of the witnesses were related or affiliated to the SPCA in some way. John Easterbrook and William Butler (policemen) were often used by the Society, James Yewen was a Society constable, William Youatt was a vet who wrote in the Society's interests.

¹²² RSPCA sixth Annual Report, 1832, p. 39.

¹²³ RSPCA sixth Annual Report, 1832, p. 39.

¹²⁴ RSPCA sixth Annual Report, 1832, p. 45.

¹²⁵ RSPCA sixth Annual Report, 1832, p. 39, p. 45.

Society).¹²⁶ In 1833 a law was passed that was the first embodiment of this ideology and which paved the way for more broad sweeping legislation.¹²⁷

Simply put, the relevant sections of the 1833 Act prohibited cockfighting and other baiting sports in central London. It should be noted that this was not a law specifically constructed for these purposes. Its remit also included prize-fighting, fairs and the general interruption of business. Its premise was that 'idle and disorderly Persons commonly assemble, to the Interruption of Good Order' in places where animal sports took place, and its object was the elimination of 'Riot, Disorder, Debauchery and Crime'. The Act was supposed to allow magistrates to more effectively prosecute breaches of the peace, nuisances and public order offences. No mention of cruelty was made in the Act, but the managers of places where cruelty occurred were now liable for conviction. The RSPCA wasted no time in deploying the Act to its own ends. It had soon printed 500 copies of the law as a handbill and distributed them in the 'neighbourhood of the dog pits', as well as calling on the magistrates to enforce it.¹²⁸ The legislation aimed at fashioning a sanitised and civilised metropolis; a metropolis in which men behaved. The effect it had on cruelty was a subconscious by-product – an accidental legal code of sensibility. This was subsequently foregrounded in the Acts of 1835 and 1849.

7. Animal classifications

¹²⁶ For a fuller account see chapter 5.

¹²⁷ 3 & 4 William IV, c.19. 'An Act for the more effectual Administration of a Justice of the Peace in several Police Offices established in the Metropolis, and for the more effectual Prevention of depredations on the River Thames and its Vicinity, for Three Years'.

¹²⁸ RSPCA Minute Book 1, CM/20, pp. 93-4.

'Animal' (much like 'cruelty', or 'man') is a category, not a signifier of a universal type, or inherently representative of the thing to which it refers. As such it has a history, or histories.¹²⁹ For our purposes, the discourse manifested in the laws of 1835 and 1849 illustrate the development of the category. By the 1830s Parliament found it easy to legislate on the issue, since the attention in the press and the continual hounding of the pressure group had achieved a kind of consensus, combined with an agreeable set of terms by which activities and animals could be distinguished as cruel and worthy of protection, respectively. These terms are described below.¹³⁰ The 1835 Act¹³¹ was to incorporate the previous legislation from 1822 and 1833, and extend it finally to stamp out bull baiting and cockfighting and the raft of other 'popular' fighting sports, as well as making provision for animal

¹²⁹ It would seem no longer appropriate to even use the term 'animal' according to some accounts, preferring 'non-human' instead. Animal rights campaigners have deemed 'animal' 'speciesist', denoting not just other but inferior other. Humans are also animals and therefore why make a false distinction? (Richard D Ryder first coined the phrase 'speciesism' in his *Victims of Science: the Use of Animals in Research* (London, 1975), pp. 11-19. He has updated and reinforced his beliefs in *Animal Revolution*, esp. pp. 1-12.) For a particularly modern version of the 'animal' category, see Peter Singer, *Animal Liberation* (first published 1976, Wellingborough, 1986). He states: 'In the popular mind the term "animal" lumps together beings as different as oysters and chimpanzees, while placing a gulf between chimpanzees and humans, although our relationship to those apes is much closer than the oyster's. Since there exists no other short term for nonhuman animals, I have, in the title of this book and elsewhere in these pages, had to use "animal" as if it did not include the human animal. This is a regrettable lapse from the standards of revolutionary purity but it seems necessary for effective communication' (pp. xiii-xiv). The categorisation of animals goes back much further of course, and has a place in the discipline of philosophy encompassing Aristotle, Kant and Descartes. See Mary Midgley, *Beast and Man* (revised edn., London, 2002) ch. 2 and Passmore, 'The Treatment of Animals'. For the purposes of this chapter it would seem that Jeremy Bentham's criteria of 'does it suffer?' (*An Introduction to the Principles of Morals and Legislation* (First published 1789, London, 1970) pp. 282-3n) is balanced alongside the political question of 'what is its place in human culture and economy?'.

¹³⁰ There is very little debate recorded for the 1835 legislation, passing a sparsely attended Commons with a majority of 14, and without a division in the Lords. It seems reasonable to assume that the length of the debate, stretching back to 1800 in Parliament, had enabled the authors of the bill to formulate an unobjectionable system. The 1849 Act was introduced into the Lords and was, if anything, even less controversial.

¹³¹ 5 & 6 William IV, c. 59.

welfare in general. The 1849 Act¹³² was simply a modification of its predecessor. Together they heralded the invention of a system of sensibility that would ensure the continuance of the beastly pleasures of its own members.

The Acts worked in two ways: by classifying animals as either domestic (property) or wild, and by ensuring public order through the control of space. For the act to work, these two factors had to complement each other. I have chosen to read these Statutes as Mary Douglas read the 'Abominations of Leviticus'.¹³³ Douglas tried to schematise the animals in Leviticus, ordered by edibility and cleanliness, by referring to a sense of coherence between animal and its environment. Those animals who appeared out of environmental context (e.g., shrimp live in water but are not fish) were unclean. In so doing, she makes system out of apparent arbitrariness. By schematising the animals for these Acts in such a way, a similar system of taboo should become clear. This represents the apogee of enterprise on behalf of the Act's authors, for they had to invent a system of animal classification that would establish a duty of care towards certain animals, while exempting others. For a selection of animals were offered no protection under the law, and for this to be justified there had to be a system. The motive was to allow unhindered the continuation of fox hunting and other field sports. Any Act against cruelty could not contradict either the Game Laws or the freeborn rights of gentlemen and men of property. These two Acts represent an excellent framework for understanding nineteenth-century attitudes to animals, the ordering of nature and its place in human culture.

I have systematically arranged the animals in the Acts in figs.2.7 and 2.8 The first column lists those animals that were offered protection from involvement in

¹³² 12 & 13 Vic, c. 92.

¹³³ Douglas, *Purity and Danger*, pp. 51-71.

Fig. 2.7. Animal distinctions in the Act of 1835

<i>Animals included in the cruel sports category</i>	<i>Animals covered by the Act but not in the category of sport</i>	<i>Animals not included in the Act</i>
<p>Bull Bear Badger Dog 'Other Animal (whether of domestic or wild nature) Cock?</p>	<p><i>Cattle:</i> Horse Mare Gelding Bull Ox Cow Heifer Steer Calf Mule Ass Sheep Lamb Dog 'Any other cattle or domestic animal'</p>	<p>Fox* Otter* Deer* Hare* Grouse, Partridge and other 'game' birds* Rook* Rabbit* Fish*</p>

Fig 2.8. Animal distinctions in the Act of 1849.

<i>Animals included in the cruel sports category</i>	<i>Animals covered by the Act but not in the category of sport</i>	<i>Animals not included in the Act</i>
<p>Bull Bear Badger Dog Cock 'other Kind of Animal whether of domestic or wild Nature'</p>	<p>Horse Mare Gelding Bull Ox Cow Heifer Steer Calf Mule Ass Sheep Lamb Hog Pig Sow Goat Dog Cat 'any other domestic Animal'</p>	<p>Fox* Otter* Deer* Hare* Grouse, Partridge and other 'game' birds* Rook* Rabbit* Fish* Rat?*</p>

blood sports. These animals were covered by the Act's control of space. The Act emphasised the 'Nuisances and Annoyances to the Neighbourhood in which they [the pits] are situate, [and the] demoraliz[ation of] those who frequent such places'. It was enacted therefore that any person who kept or used 'any House, Room, Pit, Ground, or other Place for the Purpose of running, baiting, or fighting any Bull, Bear, Badger, Dog, or other Animal (whether of domestic or wild Nature or Kind), or for Cock-fighting' was liable to penalty under the law. The emphasis was placed on the owner, manager, or receiver of admission money as the culpable party. This had a two fold effect. The sports were effectively made illegal, even though technically not on the grounds of cruelty. Secondly, field sports were naturally exempted because they took place on open ground and took 'natural' courses. Even though the clause made provision for 'wild' animals, it only applied in specific arenas. Since cock fighting did not require any such venue, it was still lawful if the place could be shown to be randomly chosen and if no money was charged for entry.

In the second column are listed animals afforded protection due to their status as 'Cattle', or domestic animals. These, broadly speaking, were animals of an economic interest, and offered protection under the laws of property. Damaging such an animal was to damage its value and therefore Parliament could offer legislative interference according to its traditional mandate of safeguarding property. Note however the inclusion of the cat by 1849, perhaps the first concession to genuine sentiment.

The third column is of animals not included in the Acts. They fall into neither the category of controlled space, nor the category of property. These animals were wild, game, or vermin. They could not be afforded protection without stretching Parliament's role beyond ensuring order and property. The only major

change between 1835 and 1849 was that the 1849 Act explicitly stated that 'animal' could only mean 'domestic animal' or 'cattle', and could not, therefore, extend to wild animals or beasts of venery.

Foxes have proved particularly noteworthy for the 'special' place they hold in English culture. Edmund Leach, in researching categories of animals and their relationship to verbal abuse, suggested that the larger the perceived distance from being human – the less domesticated the animal – the more taboos tend to surround it. This is an incredibly useful observation, itself drawing from the work of Mary Douglas. It accounts for the exemption of the fox on the grounds that it is inedible, wild and, through 'linguistic inversions', sacred. For example, its head was a 'mask', its tail a 'brush' and so on. The ritual element also applies to otters, stags and hares according to Leach, which all have either eating restrictions, connotations of sexual depravity, and/or a high ritual value. Leach argues that taboos such as these serve to separate the 'SELF' from the world. If we apply this, we can see that animals that were central to field sports were perceptually too distant to be legislated for, and ritually too valuable to be protected by statute. The system of ritual and taboo served as a cultural law, impenetrable by a statutory one. Killing foxes and other hunted animals, could not, because of their status, affect a man's character. This also accounts for the ambiguous place of the rat under the law (see chapter 5). It could be argued that rats were wild, heavily laden with symbolic value and perceptually distant from humanity. However, through metaphor, association, physical proximity, and capture for rat sports, rats were actually closer to humans than might have been thought. Ultimately, the lack of a specific mention for the rat

in the legislation meant that rat sports were more often than not deemed to be legal.¹³⁴

It cannot be a coincidence that the animals included and excluded fell exactly along the lines of the sports that were morally respectively condemned and condoned. Whilst evidence from the debates would suggest otherwise, there can be little doubt that the law was ultimately designed to curb the unseemly exuberance of men of poorer backgrounds. Joseph Pease (Quaker and committee member of the RSPCA),¹³⁵ the MP who introduced the 1835 Bill, claimed that he 'would be the last man in the world to support the measure, if it tended to abridge the amusements of the poorer classes', but this does not match up to the 'nuisances', 'annoyances' and 'demoralization' that the Act sought to remedy. At the same time, the activities of the gentry were beyond reproach. Field sports could not be cruel because they were manly. It was inconceivable that the noble pursuit of a fox could be morally wrong. Rational and logical arguments that pointed out the connectedness of these exempted sports and those that were prohibited were shouted down by a cacophony of aristocratic bluster, and were negated in 1849 by the fact that the bill had been introduced into the Lords by one of the principal foxhunters of the land, the Duke of Beaufort, and into the Commons by his son, the Marquess of Worcester. The Acts, for all that they achieved for the welfare of animals, effectively only served to regulate the behaviour of men according to the elite's constructed

¹³⁴ Edmund Leach, 'Anthropological Aspects of Language: Animal Categories and Verbal Abuse', in Eric H Lenneberg (ed), *New Directions in the Study of Language* (Cambridge, Ma, 1964) pp. 51-53.

¹³⁵ Joseph Pease, 1799-1872, first Quaker to sit in the House of Commons, and refused to take the usual oath. He was a railway company promoter and industrialist and was pro-reform in his politics. By his death his business concerns employed nearly 10,000 men. His links to humanitarianism are most obviously illustrated by his translation of Jonathan Dymond into Spanish in 1870. Incidentally, Dymond was opposed to field sports, and made the following observation: 'The infliction of pain is not that which gives pleasure to the sportsman, (this were ferocious depravity,) but he voluntarily inflicts pain in order to please himself'. See his, *Essays on the Principles of Morality, and on the Private and Political Rights and Obligations of Mankind* (fourth edn., London, 1842) p. 91.

principles of how English men *ought* to behave. If foxhunting was 'another expression of the new patriotic, patrician machismo', 'an aid to manly readiness and pluck' and 'Britishness, virility and rank in action', as so aptly described by Linda Colley (see chapter 6), then it could not coexist with patriotic forms of 'machismo' that appeared to subvert rank, promote public disorder, and thrust John Bull into the limelight.¹³⁶ This was the unseemly side of British masculinity's split personality. The apparently irrational exemption of certain animals from the legal code begins to make sense when we see that the men who composed the law were themselves hunters. As Harriet Ritvo has observed, 'cruelty to animals was supposed to characterize the most dangerous members of society, not those on whose responsible shoulders the social structure rested. Sometimes the cognitive dissonance led to simple denials that an individual could simultaneously be respectable and violate the animal protection laws'.¹³⁷ It is not an absurd reduction to conclude that the statutes preferred the civilising of men over the protection of animals, and that the dissemination of hegemonic masculinity¹³⁸ and an appropriate form of national identity from Parliament took precedence over the spread of sensibility for animals based on an abstract notion of 'rights'. Such a philosophy was only brought to bear in the twentieth century.

Should any doubt remain that this was more a victory for a vision of manliness than for the welfare of animals, I draw attention to RSPCA's reaction to the new law in their 1836 Annual Report. It labelled the practitioners of cruel sports as:

¹³⁶ Linda Colley, *Britons: Forging the Nation, 1707-1837* (Second edition, London, 2003) p. 172.

¹³⁷ Ritvo, *Animal Estate*, p. 156.

¹³⁸ R J Connell, *Masculinities*, pp. 76-81; Harry Brod, *The Making of Masculinities* (Boston, 1987) p. 97.

*the very lowest and most debased of mankind; the law is opposed to them all; all the better part of society hate and abhor them; the wretches who exhibit them skulk to holes and corners, and darkness to hide them; and if there be some few supporters of such pursuits who are of a higher station in life, and call themselves gentlemen, if the term not be a misnomer, they also must infallibly sink into the mire of public and private contempt [emphasis mine].*¹³⁹

8. Synthesis

Should the animal rights movement go looking for its origins it would struggle to draw a direct line from these nineteenth-century beginnings to its present-day form. This type of sensibility was invented to deal with perceived problems in men, rather than to create a utopia of men and animals, thereby fitting Connell's insistence that 'the making and remaking [of masculinities] is a political process affecting the balance of interests in society and the direction of social change'.¹⁴⁰ Certainly, the impulse to protect animals for their own sake continued to bubble under as it had done for centuries in various quarters. Yet these continued to be just 'straws in the wind' and the 'personal reactions of men of unusual sensibility'. However, the laws enacted during this period gave such unusual men scope to build their moral dreams, even if the foundations had only been a thinly disguised political attempt to craft the image of men. It will be the contention of this thesis that history 'actually happened' in the space between political abstraction (discourse) and conflicting perceptions of identity. It is through the interaction of these two strands that this

¹³⁹ SPCA Tenth Annual Report, 1836, p. 33.

¹⁴⁰ Connell, *Masculinities*, p. 44.

history emerges. The political analysis presented here provides an abstract that helps to make sense of the cultural study that follows. Without this political analysis, much of the conflict that took place over the issue of blood sports would lack agency. And so we return to the beginning of our period, and re-pose our questions of reform, masculinity, nation, and animal symbols and the conflict that arises between them.

Civilising John Bull

Bull Baiting and Bull Running

1. An ancient custom

As noted in chapter one, the first animal sport to receive serious parliamentary attention was bull baiting. If the cultural impact of that political discourse is to be correctly understood, it needs to be seen in the light of the practice of bull baiting and in terms of what it meant to its participators before it became contested territory. There is very little in the way of historiography on the sport, though a recent Cambridge thesis by Emma Griffin has opened up the subject.¹ Useful for its detailing of the local politics surrounding the practice, Griffin's thesis is largely plausible, but I will challenge one statement here at length. She notes:

What seems clear from all the texts... is that by the early nineteenth century the change of opinion concerning popular animal sports that had occurred was *total*. Throwing at cocks and bull-baiting had been utterly discredited, and cockfighting was rapidly joining these sports as a disgraceful and intolerable diversion. The criticism was ubiquitous... with such a simple, well-rehearsed and widely held argument against them, their decline was almost certainly inevitable.²

¹ Emma Griffin, 'Popular Sports and Celebrations in England, 1660-1850' (unpublished D.Phil thesis, Cambridge, 2000).

² Griffin, 'Popular Sports and Celebrations', p. 78.

The chronology of this analysis rather neglects the power and frequency of pro-bull baiting arguments well into the nineteenth century. Far from being inevitable, I will demonstrate that the real struggle for the survival of the sport did not occur until after 1835.

Others have explained the decline of the sport in terms of refining the animality of man, civilising and adapting in an industrialising culture.³ James Turner saw the defence of bull baiting as based entirely on the preservation of old ways of life. He exoticised the event of bull baiting, noting ‘the skill of the attackers, the tenacity of the bull, his bellows of anguish, dogs hurling through the air with their bellies ripped open, gallons of beer, and the clink of silver all blended in a fever-heat of uproar and excitement. No wonder mill hands and rural labourers welcomed this spectacular break in their daily routine’.⁴ But given the excitement of the spectacle, it is difficult to account for the sport’s decline. That it was, according to Turner, an ‘anachronism in the world’ of changing work ethics⁵ fails to assess the dynamics of power at work in removing the custom. Douglas Reid has made a similar point:

Clearly, it is an oversimplification to assert that gradual, voluntary, cultural change was mainly responsible for the decline of the sport. The distribution

³ Others have pointed out a ‘domestic agenda’ that sought to control ‘the innate violence of the English’, but such vague statements rather eliminate the complexity of the process, and also neglect the fact that the authors of such agendas were, in fact, also English. See Paul Langford, *Englishness Identified: Manners and Character 1650-1850* (Oxford, 2000) p. 148.

⁴ James Turner, *Reckoning with the Beast: Animals, Pain and Humanity in the Victorian Mind* (Baltimore, 1980) pp. 20-21. The sport was not open to all rural dwellers, J R Mortimer noting that ‘The luxury of bull-baiting enjoyed by the larger villages was too expensive a pastime in the sports of a small village... and was never witnessed by me’. See J D Hicks (ed), ‘A Victorian Boyhood on the Wolds: The Recollections of J R Mortimer’, *East Yorkshire Local History Series*, 34 (1978) p. 13.

⁵ Turner, *Reckoning with the Beast*, p. 25.

of political and legal authority formed a crucial context to cultural change, for it informed the perceptions of those who gave up bull-baiting.⁶

I think Reid's argument can be extended. This chapter will demonstrate that the distribution of political and legal activity did not merely inform perceptions, but had the means to enforce change – either by prosecution, coercion, or violence.

Before all of this though, a description of the sport is required. First a thin description. Bull baiting was a relatively simple sport. It involved tethering a bull to a stake set in the ground, allowing it a certain amount of freedom. Trained dogs would then be set upon the bull, their aim being to attach themselves to the bull's nose, or other tender parts, and bring the bull to its knees. The bull, for its part, was supposed to do its best to evade this by tossing the dogs into the air with its horns. The object, as well as forming a central spectacle during traditional wakes and fares, was gambling. The dog owners bet on the relative merits of the animals, as did the gathered spectators. Bull running, on the other hand, saw the bull released through the streets of a town, the streets usually having been blocked to guide the direction of the bull's travel, as it was chased by the local population. It is somewhat unclear what was done if an individual actually caught the bull, but the entertainment seemed to be derived from not getting killed or injured. The angrier the bull, the greater the entertainment (see figs. 3.1 and 3.2). The two sports often occurred in conjunction with each other. In Stamford, to be examined in detail later, the bull was chased onto fields where it was then tethered and baited.

These sports had had a long history in England,⁷ having been established by at least the early thirteenth century. Many localities believed it to be sanctioned by

⁶ Douglas Reid, 'Beasts and Brutes: Popular Blood Sports c.1780-1860', in Richard Holt (ed), *Sport and the Working Class in Britain* (Manchester, 1990) p. 17.

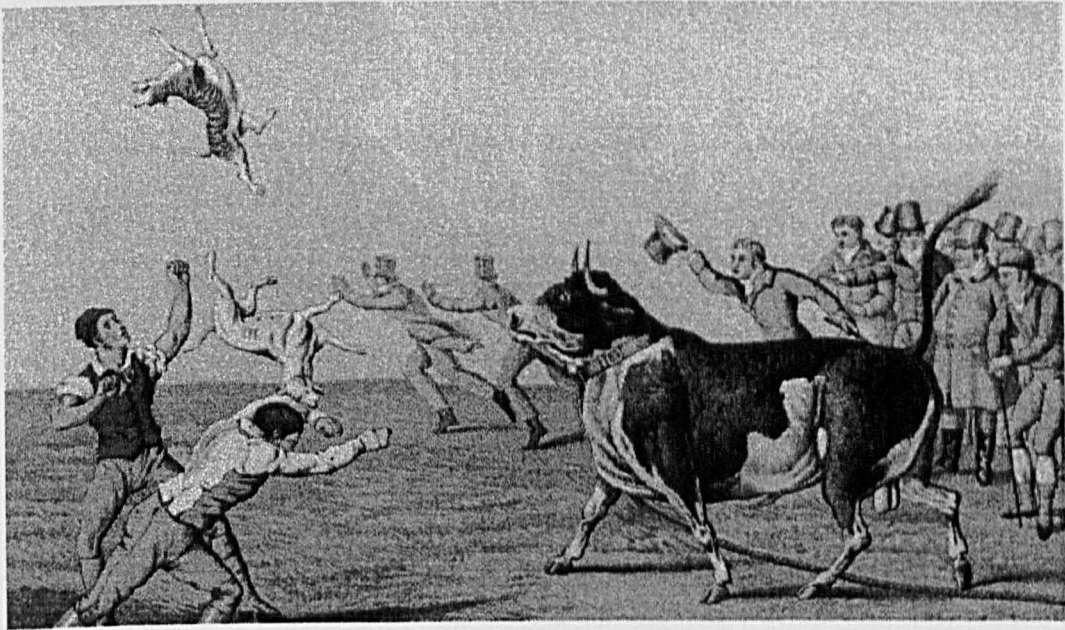


Fig. 3.1. An engraving by I Clarke after Henry Alken, *Bull Baiting*, c.1810. Source: Hulton Getty.

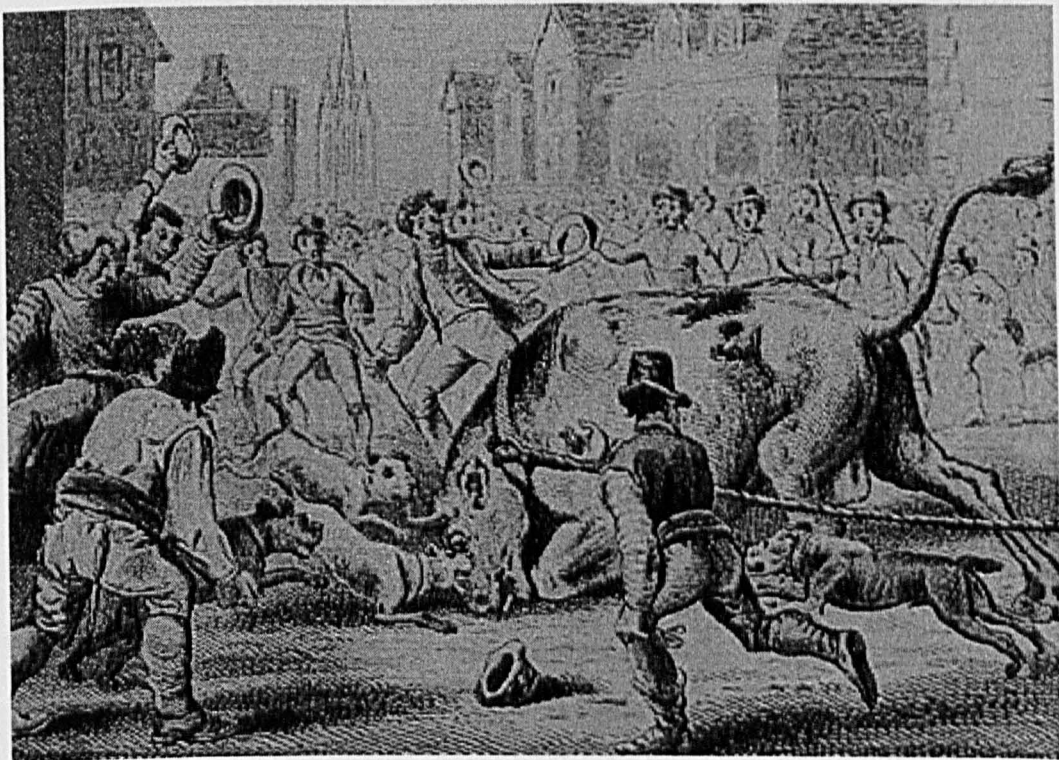


Fig. 3.2. Joseph Strutt, *Bulldog Baiting Bull*, 1816. Source: Hulton Getty.

ancient charter, specifying the necessity of tenderising bull meat by baiting the animal with dogs before distributing the meat amongst the people. Apart from the functional importance of such a custom, one commentator thought that these 'laws' arose 'solely from a desire to prevent the decay of English Courage, and to preserve a manly sport'.⁸ The custom was invoked until the nineteenth century. Samuel Pegge, the notable eighteenth-century antiquarian, saw no singularity in bull running, placing it in a more general scheme of '*rustic sport*'. Pegge compared it to other practices which were carried out throughout the country:

On occasions of rendezvous and public meetings of merriment in a village, the landlord of the alehouse will give a tup (so they call a ram) or a pig, well soaped, with the tail, and the horns, and the ears, respectively cut off. He that catches the tup is to have him; but if he is not taken, he returns to the landlord, just as the bull does here at Tutubury... to the Duke.⁹

This picture of disorder in one way manifested the hierarchical arrangement of society, and one of the ways in which it cohered. The animal, of no inconsiderable expense, needed to be donated, or subscribed, and the local lord was often the chief benefactor. Pegge noted that bull running was a 'sport of a higher kind, and is made the matter of tenure'.¹⁰ However, it was also 'a ludicrous diversion for a company of fiddlers and pipers on foot' compared to the Spanish bullfight, which was a 'martial exercise for noblemen and gentlemen on horseback [where]...

⁷ The earliest, and perhaps still the most thorough antiquarian history is Samuel Pegge's, 'The Bull-running, at Tutbury, in Staffordshire, considered', in *The Society of antiquaries of London, Archaeologia: or Miscellaneous Tracts relating to Antiquity* (1773) ii, pp. 86-91; see also Griffin, 'Popular Sports and Celebrations'.

⁸ *Notes & Queries*, 5th Series, 1 (1874) p. 274.

⁹ Pegge, 'Bull-running at Tutbury', pp. 90-1.

¹⁰ Pegge, 'Bull-running at Tutbury', p. 91. It is unclear exactly what Pegge meant by this, but possibly he referred to the ownership of the animal passing to its captor.

the bull, and many of the species, is to be *killed* with the utmost dexterity of a single combatant; but at Tutbury [a traditional stronghold of bull running] he is only to be *won* by a number of persons, part for their entertainment, and part for their benefit and advantage'.¹¹

The Spanish comparison allows us to develop the analysis into a thicker description. Other travellers reported back on the similarities, both in the combat and in the spirit, between the Spanish and English sports. The Earl of Strathmore, travelling through Spain and Portugal in 1760, noted that part of the day's events at a 'Bull Feast' was to bait the animal with dogs 'which showed as much courage and obstinate perseverance as any of that breed in England'. He further cautioned against 'speculating too nicely' about the barbarous nature of the sport, 'lest we should lose the hardiness of manhood in the softer sentiments of philosophy. There is a certain degree of ferocity requisite in our nature, and... we must not refine too much upon it, for fear of sinking into effeminacy'.¹² He went on:

This custom is far from having cruelty as its object. Bravery and intrepidity, joined with agility and skill, are what obtain the loudest acclamations from the people. It has all the good effects of chivalry... of distinguishing our bravery to the prejudice of our own species. It teaches us to despise danger, and that the surest way to overcome it is to look it calmly and stedfastly [sic] in the face; to afford a faithful and generous assistance to those engaged within enterprises of difficulty...¹³

¹¹ Pegge, 'Bull-running at Tutbury', p. 89.

¹² *Gentleman's Magazine*, 94, ii, (1824), p. 28.

¹³ *Gentleman's Magazine*, 94, ii, (1824), p. 28.

These were to become the main threads of the defence of bull baiting and bull running in the face of political attack and outside interference. The description of the dogs as having 'obstinate perseverance' and courage could easily have been a description of the John Bull of the 1760s – John Bull was often depicted as a bull dog, or a bull.¹⁴ The *Sporting Magazine* noted in 1793 that the *English* bull dog was 'the fiercest of all the dog kind, and is perhaps the most courageous creature in the world'. It went on to lament its declining numbers.¹⁵ The discourse that linked the sport to Britishness was a common one. As well as this national connotation, the (apparently) natural and cultural elements of manly display were emphasised. Bull baiting and bull running were, for its protagonists, inherently about national (and in some cases local) identity, and masculine virtue.

But there are other elements to the thick description that can be realised through further accounts of the sport itself. The bull did not always comply with the wishes of the crowd and show sufficient 'sport', in which case the crowd aggravated it. Common tactics involved blowing pepper up its nose and in its ears, and whipping it. If this still failed to arouse the attention of the bull, more serious measures were taken. Take for example the following report from Berwick in 1828:

The bull when attacked by dogs lay down and refused to defend itself, upon which boiling water was poured into his ears. The bull then ran into the river, but was driven back again. A fire was lighted under him, and he was burned to death, having suffered the most excruciating torture... The tongue of the bull was cut out previous to its death, and some of the men

¹⁴ Tamara Hunt, *Defining John Bull: Political Caricature and National Identity in Late Georgian England* (Aldershot, 2003) p. 144.

¹⁵ *Sporting Magazine*, 3 (1793-4), p. 77.

engaged in the horrible sport were actually feasting on it in a public-house while the animal was yet alive.¹⁶

This statement from W A MacKinnon of the RSPCA was no doubt given due dramatic disgust when relayed at the annual meeting of 1828. However there are sufficient examples from other sources that authenticate the description. Take the following from *The Times* in 1801, reporting on a bull baiting in Bury:

The poor animal (which was perfectly gentle) had been privately baited in the morning, and goaded with sharp instruments, in order to render him furious enough for public exhibition, when he was brought to the stake, baited by dogs, and more brutal men, till in his agony and rage he burst his tether, to the terror of his tormentors, and the great danger of the peaceable inhabitants of the place, some of whom were obliged to shut up their shops. He was again entangled in ropes, and, monstrous to relate, *his hoofs were cut off*, and in this state he was again baited, feebly supporting himself on his mangled stumps!¹⁷

The cruelty involved appears self-evident and did form a significant part of the campaign against the sport. But it is important to remember that the cruelty was not evident to its practitioners. And it was not necessarily the most significant factor for its detractors. Another detail, easily overlooked, had far more to do with the ultimate success of the campaign to remove bull baiting: the shutting up of shops. I shall deal with these themes of Englishness and manliness, and of order, in turn.

¹⁶ *The Times*, 4 July, 1828.

¹⁷ *The Times*, 24 November, 1801.

2. A debatable icon

In invoking John Bull I am aware that I am entering into a hotly contested field.¹⁸ I shall summarise the state of the historiography here, and why John Bull is relevant to this study, but ultimately I would prefer to distance myself from the debate about the pictorial representation of the character. Instead I think John Bull can be used as a figurative device for understanding the motivations of the defenders of bull baiting in this period. I do not so much want to dwell on how John Bull was drawn, but rather, with how he was identified. Both Peter Mandler and Linda Colley have identified the presence of a popular sense of national identity that existed despite the elite's lack of interest in cultivating such an identity.¹⁹ Here I do not argue so much that the elite imposed their version of national identity, but merely that they tried to remove one they found to be anathema. I want to test in what ways, as Jeannine Surel has suggested, 'John Bull was a mirror, a distorting one of course, of the public he addressed, customers to whom it was important to offer a merchandise that would reflect their preoccupations and which summarised through

¹⁸ The following works represent the latest in a well ploughed field. The tension largely lies on the issue of whether John Bull was a talisman of national consciousness, or an indicator of public opinion on political and economic affairs in an heterogeneous and complex manner. Hunt, *Defining John Bull*; Ben Rogers, *Beef and Liberty: Roast Beef, John Bull and the English Nation* (London, 2003), esp. ch. 10; Miles Taylor, 'John Bull and the Iconography of Public Opinion in England c. 1712-1929', *Past and Present*, 134 (1992) 93-128; Dror Wahrman, 'Public Opinion, Violence and the Limits of Constitutional Politics', in Vernon (ed), *Re-reading the Constitution*.

¹⁹ Linda Colley, 'Whose Nation? Class and National Consciousness in Britain, 1750-1830', *Past and Present*, 113 (1986) 97-117; Peter Mandler, 'Against "Englishness": English Culture and the Limits to Rural Nostalgia, 1850-1940', *Transactions of the Royal Historical Society*, Series 6 (1997) 155-175. Mandler's analysis is more complex, strongly protesting against modern historical allusions to 'Englishness' which have at their root a deep attachment to the idea of a rural English idyll. In the first few decades of the nineteenth century this attachment seems more likely. 'Merrie England' could still be witnessed first hand.

example, in terse and forceful language, the reasons for their discontent'.²⁰ John Bull, as the archetypal Englishman went through numerous character changes from the seventeenth to the twentieth century, and in some ways this story reflects that change in what was expected of 'real' English men. It has often been neglected that John Bull existed in discourse outside of the realm of cartoon and caricature. After all, it has been noted that 'John Bull seemed a flesh and blood character who might walk off the pages of a novel or out of a vulgar cartoon into everyday life'.²¹ Bull baiting was just such a discourse, and just such a part of everyday life.

In this section I shall deal with the cultural struggle over bull baiting, both spinning off from, and informing parliamentary debate. This struggle took two forms: textual, in the pages of the sporting press and the newspapers, as well as certain books and pamphlets; and actual, in the towns and fields where bull baiting really happened, and where 'outsiders', sometimes internal, sometimes external, intervened.²² In so doing, the categories of 'man' and 'nation' will start to take shape. As we move through this section, and through the thesis as a whole, it will become clear that 'man' and 'nation' travelled from being hotly contested notions to an increasingly homogenised ideal, or hegemony of one version over others.

Windham's defence of bull baiting had an immediate cultural effect. By 24th April 1800, a bear and a badger were baited in the London suburbs near 'Black Boy Alley', activities deemed to be 'similar practices to the *lawful* game of bull-baiting'.

The activity continued for longer than usual because the participants 'had got leaf

²⁰ Jeannine Surel, 'John Bull', in Raphael Samuel (ed), *Patriotism: The Making and Unmaking of British National Identity*, iii, *National Fictions* (London, 1989) p. 21.

²¹ Langford, *Englishness Identified*, p. 11.

²² It will be frequently noted throughout this thesis that 'outsiders' could be found living in the same place as those they were deemed external to, based purely on their ideological point-of-view/class/how they were perceived. External outsiders were those bringing a different ideology from a far-flung geographical location, in the case of the legal principles and the RSPCA this was usually London.

from all them gemmen in Parlement'. The bear and badger were appropriately attired, the former wearing a sign noting 'Licensed by virtue of Windham'.²³ After the 1802 debate a bull was advertised for in Grantham and a feast organised, while church bells were set ringing in Stamford in celebration. After this initial response bull baiting continued to be reported in the sporting press rather matter-of-factly for some time. A baiting at Windsor was noted in the *Sporting Magazine* in 1806,²⁴ and similarly at Wokingham in 1808. In the latter case, the editor made a point of noting that the annual custom was attended by 'a number of amateurs, and a numerous multitude... but a body of constables being in attendance, the highest order was preserved'.²⁵ This seemed to be the central point in the early debates about bull baiting. As long as civil order was maintained, there was no problem with the sport.

Complaints about the sport did proliferate however, though it is not the case that cruelty became the driving force of the protests. One protestor simply thought bull baiting was not fair, the bull being tethered and having its movements restricted. He noted that if the bull were let off the leash and 'the scene of the action be strongly inclosed [sic] by pales, and only one dog at a time be permitted to assail the generous brute, and Taurus will, like his namesake, John Bull, eventually triumph over all his opponents'.²⁶ The positive aspects of the sport were only brought into question by the un-Englishness of an unfair fight.²⁷ The allusion to national identity demonstrates a natural, though contested, link between the animal,

²³ *Sporting Magazine*, 16 (1800) p. 80.

²⁴ *Sporting Magazine*, 29 (1807) p. 43.

²⁵ *Sporting Magazine*, 33 (1809) p. 120.

²⁶ *Sporting Magazine*, 35 (1810) p. 127.

²⁷ Langford, *Englishness Identified*, has identified 'fair play' as an essential part of the construction of Englishness (pp. 148-157). 'Making "sportsmanship" a national rather than an aristocratic asset did much to define a distinctive English civility' (p. 149). Fair-play has been most often associated with muscular Christianity and the cult of athleticism of the later nineteenth century. Clearly, the discourse is older and more widespread, and was a key part of certain blood sports, most notably cockfighting (see chapter 4, pp. 116-130). Cf. Peter McIntosh, *Fair Play: Ethics in Sport and Education* (London, 1979) pp. 27-36.

the sport, and the English man. A later protestor acknowledged the difficulty of removing the sport since 'he who attempts to contract the circle of their spurious pleasures, is regarded as an innovator, an enemy to the spirit of the English character'.²⁸ He continued:

What man of liberal mind can witness a bull-bait, with its attendants, cruelty and riot, without saying it militates against his feelings; and yet this infamous sport is regarded by the thoughtless part of the community, as exclusively their rights; which, with the absurd bequests of its infatuated admirers [it was not uncommon for wealthy men to bequeath an annual bull for ever to the local populace], have in great measure, served to rivet this regard.²⁹

The perception of cruelty in the sport was outweighed by the realisation that the sport was identified with the English character, and 'rights', by which he presumably referred to ancient charters and the principle of being 'freeborn'. Tamara Hunt has identified this trend in political caricature of the late eighteenth and early nineteenth century, particularly with reference to John Bull. Not only did artists 'not consider appropriate any kind of link whatsoever between John Bull and those who advocated fundamental political change', but also that 'images of John Bull show that the public... increasingly viewed political oppression as a threat to the basic rights Britons claimed for themselves and had fought to preserve in the struggle against France'.³⁰ Bull baiting was lent patriotic kudos by its connection to contemporary semiotic trends which depicted the bull as the general public.

²⁸ *Sporting Magazine*, 45 (1815) p. 32. For a concise overview of late eighteenth- and early nineteenth-century 'national character' and conservative ideology see Philip Lynch, *The Politics of Nationhood: Sovereignty, Britishness and Conservative Politics* (Houndmills, 1999) pp. 4-8.

²⁹ *Sporting Magazine*, 45 (1815) p. 63.

³⁰ Hunt, *Defining John Bull*, pp. 162-3.

Attacking it was seen as an attack by foreigners.³¹ Hunt states that, ‘the caricature audience recognized that the voiceless bulk of British subjects were the backbone of the nation, even though they most often depicted the public as being literally a dumb animal’.³² But by the turn of the century the imagery was more directly embraced, and there was a:

growing belief that ordinary Britons formed an important part of the polity, and that they not only shared the same civil rights as the elite, but that they had a right to have their opinions and concerns heard by those in power. In consequence, John Bull was not only shown as being increasingly restive about government oppression, he was also more likely to protest it as a violation of his rights as an Englishman.³³

This view of the rise of national identity among the nation’s populace was not uncontested. For the opponents of bull baiting, rights were not the issue. Bull baiting and such sports were the epitome of bad form, ‘contrary to the light of reason, and the dictates of humanity, the foul disgrace of common sense, and never ought to be tolerated for a moment, in a government which claims to be instituted for the protection of rights, and the advancement of morality’.³⁴ These words from the animal reformer John Lawrence admittedly made some constitutional leaps for the mandate of government, but his statement is qualified by something more telling on the nature of other, more ‘civilised’ sports:

³¹ Jeannine Surel in her chapter ‘John Bull’ (p. 14) noted an image of John Bull as a bull, ‘snorting from his nostrils the fateful, and inseparable words “Liberty and no excise” (*John Bull baited by the dogs of excise*, 9 April 1790)’. The literal analogy of national identity and bull baiting was clearly no accident.

³² Hunt, *Defining John Bull*, p. 144.

³³ Hunt, *Defining John Bull*, p. 169.

³⁴ John Lawrence, *A Philosophical and Practical Treatise on Horses, and on the Moral Duties of Man Towards the Brute Creation* (2 vols. 3rd edn., London, 1810) i, p. 186.

The manly and athletic sports [which he lists as wrestling, sparring, football, cricket] invigorate and harden the constitution... above all, they conduce materially to the procreation of a vigorous and healthy offspring; they are an excellent preparation for the military exercises, and render men fit to become defenders of their country.³⁵

It is clear that the terms of national, and masculine belonging were contested. From both sides the discourse sounded similar, but each regarded the other with contempt. Even though Lawrence was firmly committed to his side of the affair, he could not help acknowledge the other: 'The man who sees his... dog pin a bull to the ground, even with bleeding entrails, feels a stimulus to bravery from the act of his... hairy champions, and will keep up that otherwise unfounded, though political idea, now so necessary, that one Englishman can beat three Frenchmen!'³⁶ He empirically rubbished this notion by reference to the fact that centuries of Spanish bull fighting had not helped twenty thousand Spaniards beat ten thousand French who 'never enjoyed the immense advantage of torturing animals in their military education'.³⁷ Nevertheless, the point was conceded that the identification of baiting bulls with nationality, and male prowess, existed.

And the toing and froing of debate continued. The *Sporting Magazine* regularly failed to send a consistent message on bull baiting.³⁸ Its 1818 edition reported a case against some bull baiters who were indicted for nuisance, the bull having taken 'a minute or so to cross a public highway'. The bull baiters were

³⁵ Lawrence, *A Philosophical Treatise*, i, pp. 184-5.

³⁶ Lawrence, *A Philosophical Treatise*, ii, p. 517.

³⁷ Lawrence, *A Philosophical Treatise*, ii, p. 541.

³⁸ The earlier years of the journal were rather devoid of editorial comment and policy, making it a far more eclectic organ than in later years.

released, though not without the steward 'reprobating the idea of such a custom conferring bravery or manliness of character on Englishmen'.³⁹ Yet in the following volume, the magazine published a poetic panegyric of bull baiting that contained the following verse:

It is the bull-dog, matchless, brave,
Like Britons on the swelling wave,
Amidst the battle's flood.
It is the bull-dog, dauntless hound,
That pins the mourner to the ground,
His nostrils dripping blood.⁴⁰

Once again in 1820, the *Sporting Magazine* came out strongly opposed to bull baiting, after nine people died at an event in Rochdale where a wall collapsed.⁴¹ Even though the wall collapsing was not a direct consequence of the sport, the outrage in the press, and the embarrassment that this was in some way idiosyncratically *English*, was palpable:

A bull-bait in the nineteenth century in England – that vaunted seat of true religion and superior morality! A bull-baiting on legislative authority! a practice even strongly recommended, but a few years since, with senatorial eloquence, on the ground of national interest! [Windham] After this, a convenient murder might well deserve the sanctuary. Such an outrage, such an insult on common sense and common feeling, as the *baiting* of an animal,

³⁹ *Sporting Magazine*, 52 (1818) p. 210.

⁴⁰ *Sporting Magazine*, 53 (1819) pp. 197-8.

⁴¹ The event also made news in *The Times*, 13 November, 1820; 16 November, 1820.

under the insane pretence of diversion and pleasure, ought to arouse universally, the indignation of the just and merciful; and their exertions for the suppression of such ignominious wickedness, ought to be dauntless and ceaseless – out, ‘out damned spot’ from our national character.⁴²

Nevertheless, a couple of years later, the same publication allowed a lengthy account of a bull bait in Bristol to go to press, without any adverse comment. The only apparent moral of the tale was that appearances could be deceiving – not to bet on the finest looking dog, because the worst might win.⁴³ It was only with the passing of Martin’s Act in 1822 that any kind of consistency was achieved. Up until that point, the bull baiters had had an equal say as to the patriotic nature of the sport, as well as its manly virtues. *Bell’s Life* reported the authorities’ interference with the Dulwich bull bait in 1822 as a nuisance, but noted the ‘unmolested’ ‘swell bait’ for the bankers on Wimbledon Common.⁴⁴ However, by September that year it reproduced an article from the *Chester Courant* that described the three-day bull bait there as ‘inhuman’ and undertaken by ‘savages’.⁴⁵ Bull baiting, in the first quarter of the century, had essentially been contested along the lines of what it meant to be English or British, and of what it meant to be a man. The bull baiters would maintain their position, but the attackers were to shift theirs. The public disapproval of bull baiting was lent credence by referring to order, and to the importance of allowing business to continue uninterrupted.

⁴² *Sporting Magazine*, 57 (1821) p. 56.

⁴³ *Sporting Magazine*, 59 (1822) pp. 271-5.

⁴⁴ *Bell’s Life*, 24 March, 1822.

⁴⁵ *Bell’s Life*, 8 September, 1822.

3. Order and business

Immediately on passing the 1822 Act, bull baiting became more newsworthy. Between 1822 and 1826 *The Times* reported incidents as far afield as north Derbyshire, Aylesbury, Wednesbury, Wolverhampton, Oxford and Westminster. Martin's public profile had reached new heights, and bull baiting was becoming something of a *cause célèbre*, most notably for the fledgling RSPCA. As noted in chapter two, the 1822 Act did not prevent bull baiting, except in isolated cases. Instead, magistrates came to rely increasingly on the common laws of nuisance and civil disobedience. In fact, the ultimate removal of the sport from the country was significantly aided by recourse to such pre-existing legal codes.⁴⁶ I have already hinted on page 82, with the example from Bury, that the disruption of business was a chief concern for the opponents of the sport. The same again is seen in the example from Wokingham on page 85. The *Sporting Magazine* finally settled on an editorial policy, noting the 'necessity of deciding and explaining where *lawful sporting* ends, and where *barbarity* and *crime* begin'. On bull baiting, it said 'surely our lawful sports and amusements are sufficiently numerous, and hence we can have no apology for a continuance or recourse to barbarism and cruelty, which really do not benefit modern light and civilization'.⁴⁷ To demonstrate the point, the magazine publicly came to Martin's defence and noted the imprisonment of two bull baiters in Chester. They were committed under the Vagrancy Act however, not Martin's Act.⁴⁸ Magistrates, where possible, continued to refer to laws about order and nuisance. An attempted bull bait in Haverhill, at which several hundred people attended, was

⁴⁶ The historical minefield of common law and its place alongside statutory law is detailed in Michael Lobban, *The Common Law and English Jurisprudence 1760-1850* (Oxford, 1991).

⁴⁷ *Sporting Magazine*, 60 (1822) p. 40.

⁴⁸ *Sporting Magazine*, 60 (1822) p. 313. A regular correspondent to the magazine noted later that Martin had 'earned his immortal honour' (*Sporting Magazine*, 61 (1823) p. 28).

broken up by the local Reverend, threatening the ringleaders with prosecution under Martin's Act.⁴⁹ But despite the continued attempts of Martin and his cohorts in Parliament and in the RSPCA, little ground was made upon the bull baiters until the passage of the 1835 Act. It is safe to assume that bull baiting still formed a central part of feast days and fairs across the country in more than a mere handful of places.

After 1835 the RSPCA went after bull baiting in a concerted way. It was their number one target in the world of sport, and they were involved in the interruption of bull baiting all over the country. The sport's relative infrequency did not perhaps merit the publicity the Society gave it, but as a *cause célèbre* it dramatically improved public awareness of the Society. Shortly before the passing of the 1835 Act, Joseph Pease announced at the RSPCA annual meeting, regarding bull baiting, that he 'did not know that such deeds of darkness were so prevalent and so encouraged'.⁵⁰ In promising to 'crush the dens *entirely*',⁵¹ the RSPCA focussed on a few notable annual bull baitings. Others had not had much success to this point. The locally formed Association for the Prevention of Bull Baiting had tried to prosecute eighteen bull baiters from West Bromwich, but the magistrates were wanting of a precedent and had to delay any conviction while the new Act was interpreted.⁵² More fruitful results were had in Wheatley, in Oxfordshire, a prominent annual bull baiting that became a battle ground for the RSPCA.

In 1836 the society prosecuted six men at Oxford town hall for unlawfully aiding and assisting in the baiting of a bull. One of the men was charged with 'using a certain ground or place for the purpose of baiting a certain bull'. The specific

⁴⁹ *Bell's Life*, 2 November, 1823.

⁵⁰ RSPCA Ninth Annual Report, 1835, p. 35.

⁵¹ RSPCA Ninth Annual Report, 1835, p. 36.

⁵² *The Times*, 18 November, 1835. The RSPCA had corresponded with this society and influenced its policy on pressing for a change in the law. See *The Times*, 13 May, 1829 and RSPCA Minute Book, CM/19, p. 59 (7th April, 1828).

terms of the legal case did not include cruelty. The case rested on witness accounts of the men perpetrating the following crimes: opening the gate to the field and tethering the bull; keeping back the crowd to allow the dogs 'fair play'; collecting money from the spectators. Only two of the six were seen to set dogs on the bull. The men were convicted. The ringleader, Munt, was clearly openly defying the law, since his brother had been imprisoned only two weeks previously for baiting the same bull. The prosecution mentioned the injuries incurred by the animals involved, but this case was really about the disturbance of the public peace, carried out under the terms of a law to prevent cruelty to animals.⁵³

The following year the bull baiting was again attempted at Wheatley, but was prevented by the attendance of some much abused constables and the RSPCA secretary. This was the probable cause of the rioting that followed, as well as 'six or seven pugilistic encounters'.⁵⁴ The RSPCA unwittingly made the point that this was an issue of social control by highlighting the fact that 'publicans and beer shop keepers... SUBSCRIBE to and assist the labouring men to purchase a bull', and threatening them with the loss of their licences should they continue.⁵⁵ And to drive home the point that there were more civilised, less disruptive activities that would be preferred, Lady Pusey offered a sum of money to provide for a series of cricket matches.⁵⁶ This was flatly refused, and it is not difficult to see why. The replacement of one sport for another did not go far enough to compensate the infractions against identity, inherently tied to the sport of bull baiting. The following year the RSPCA again ensured that no attempt was made to carry out the bull baiting. It publicly lauded its own success, both here, and at Stone in Staffordshire.⁵⁷ A few

⁵³ RSPCA Eleventh Annual Report, 1837, pp. 86-7.

⁵⁴ RSPCA Twelfth Annual Report, 1838, pp. 81-2.

⁵⁵ RSPCA Twelfth Annual Report, 1838, p. 82.

⁵⁶ RSPCA Twelfth Annual Report, 1838, p. 82.

⁵⁷ RSPCA Thirteenth Annual Report, 1839, p. 11

years later, the experience was repeated at Lavenham in Suffolk, where ‘persons of very respectable appearance [were] actively engaged in the baiting’. The public shame brought about by the RSPCA’s prosecutions ensured that no repeat of the baiting was attempted.⁵⁸ The Innkeeper and eleven others were convicted, but once again the principal complaint was one of social unrest: ‘About 200 persons were assembled, and during the baiting the greatest uproar prevailed, and language of the most filthy and disgusting description was indulged in’.⁵⁹ The RSPCA secretary thought that ‘some of them had been put forward by other parties, considered more respectable, who were anxious to keep up the cruel practice, and at the same time to screen themselves from the penalty of the law’.⁶⁰ This was no less than an accusation of cowardice. The upper hand had been wrested from the bull baiters. For all their allusions to John Bull, to English manliness, the opposite point of view was now dominant and ‘order’ had become the principal point for the sport’s detractors. This might be seen as one the foundations for a shift in national ideology, as depictions of John Bull became more middle class. ‘This elevation in the social hierarchy’, according to Surel, ‘indicates that a different class in its turn claimed the national myth as the representative of its own values, the mouthpiece of its ideology’.⁶¹

There is one case which is particularly noteworthy for the extent of the battle to remove the sport. These themes of identity, manliness, and order are all borne out *par excellence* in the case of the bull running at Stamford. I give it much space here as an exemplar of the multitude of forces and agendas at work in preventing animal sports.

⁵⁸ RSPCA Minute Book 5, CM/24, p. 24 (7th November, 1842), pp. 32-3 (5th December, 1842), p. 167 (4th December, 1843).

⁵⁹ RSPCA Seventeenth Annual Report, 1843, p. 80.

⁶⁰ RSPCA Seventeenth Annual Report, 1843, p. 80.

⁶¹ Surel, ‘John Bull’, p. 21.

4. Stamford, 1835-1840 ⁶²

Stamford is located in Lincolnshire in the east of England, about 90 miles north of London. Its population in 1831 was approaching 6000,⁶³ as compared with nearby Leicester which had over 40,000.⁶⁴ Politically, the town was a Tory stronghold for most of the nineteenth century, under the influence of the Marquess of Exeter (the Cecil family at Burghley House). There was an ‘undercurrent of Liberal opposition’ though no serious challenge to the Exeter interest occurred until the 1870s.⁶⁵ This Tory control characterised the town. The municipal Corporation Commissioners found in 1833 that ‘the influence of... [Lord Exeter] in whose political interest the council is elected, the magistracy appointed and every office filled.. is exercised to check the natural progress of improvement’.⁶⁶ The local radical paper (of which much more later) reported the Tithe Commissioner as saying that Lord Exeter’s control was ‘a state of barbarous intervention and blindness, which resembles more an African domination than an English and wholesome interference’.⁶⁷ In the 1831 elections Exeter’s populist demagoguery was most apparent: ‘His lordship had hired a gang of prize-fighters to defend his candidates who proceeded with their canvasses under a large flag which bore an obscene picture of a bull – a symbol which was

⁶² There is another account of the Stamford bull running to which I am indebted for its detailed referencing. The account does not critically address some of the prescient questions of current trends in cultural history and therefore needs revision and augmentation, though it dealt with the subject in an exemplary scholarly manner. See Robert W Malcolmson, *Popular Recreations in English Society 1700-1850* (Cambridge, 1973) pp. 129-33.

⁶³ R J Olney, *Lincolnshire Politics, 1832-1885* (Oxford, 1973) p. 8.

⁶⁴ 1831 Census database, accessed through

http://www.staffs.ac.uk/schools/humanities_and_soc_sciences/census/vichome.htm (17 October, 2004).

⁶⁵ Olney, *Lincolnshire*, p. 8.

⁶⁶ Alan Rogers, *The Making of Stamford* (Leicester, 1965) p. 94.

⁶⁷ Rogers, *Making of Stamford*, p. 94.

supposed to appeal to the bull-running populace'.⁶⁸ This was a vestige of 'Merrie England' *par excellence*.

Stamford was also the historic home of bull running in England, and had been since the thirteenth century.⁶⁹ The annual date for the event was the 13th November. A bull was released into the town and chased by the mob, the bull's choice of direction being limited by the streets having been barricaded. It would be chased up into nearby fields, tethered, and set upon by bull dogs. The bull was usually then led back into the town for another running before the multitude retired to the numerous pubs to celebrate. By the 1830s the meaning of the bull-running had become severely contested. On the one hand it was the continuance of a local tradition – an event which constituted a good part of local identity, and a display of manly courage. On the other, it was an annual display of riot and cruelty, unbefitting a civilised nation and manifesting cowardice and unmanliness. The principal actors in these flashpoint years were Richard Newcombe, the editor of the *Stamford Mercury*, local magistrate, and derided radical; the RSPCA, political pressure group, its *agents provocateurs*, and spies; Lord John Russell, Home Secretary;⁷⁰ the populace and

⁶⁸ Rogers, *Making of Stamford*, p. 95. Jon Lawrence noted that Conservative politics and bull baiting were also conflated in Wolverhampton, but in a negative way. The accusation was that these were unimproved and unintellectual pastimes advocated by unimproved and unintellectual politicians. See Jon Lawrence, *Speaking for the People: Party, Language, and Popular Politics in England, 1867-1914* (Cambridge, 1998) p. 107n; *Wolverhampton Chronicle*, 26 July, 1837. There is further evidence for blood sports being closely linked to a Tory mentality. Patrick Joyce noted that 'The Tory voice often spoke of things the chapels knew not, in the accents of indiscipline and unrespectability. It spoke of the poor man's right to his glass of beer and his idle pastime. It spoke to the Blackburn of 1867: "... it is a thoroughgoing Tory community. Strong drink is the secret of its own and Britain's greatness; after that its heart has been given for long years to the Church and cockfighting.'" Patrick Joyce, *Work, Society and Politics: The Culture of the Factory in Later Victorian England* (London, 1980) p. 187. See also Neville Kirk, *Labour and Society in Britain and the USA* (2 vols., Aldershot, 1994) ii., *Challenge and Accommodation, 1850-1939*, p. 195.

⁶⁹ *The Times*, 17 November, 1838; V B Crowther-Beynon, 'Stamford', in E Mansel Sympton (ed), *Memorials of Old Lincolnshire* (London, 1911) p. 173; Martin Walsh, 'November Bull-running in Stamford, Lincolnshire', *Journal of Popular Culture*, 30 (1996) 233-247, at pp. 5-7.

⁷⁰ John Prest, 'Russell, John [formerly Lord John Russell], first Earl Russell (1792-1878)', *Oxford Dictionary of National Biography* (Oxford, 2004)

[<http://www.oxforddnb.com/view/article/24325>, accessed 24 May 2005]

Magistracy of Stamford; two troops of Dragoons and the Metropolitan police force. Lord Exeter himself appears to have had no role in the events of these years, his name being absent, after 1830, from all correspondence, newspaper reports, meeting minutes and RSPCA published and unpublished opinion on the subject. Nevertheless, the apparent identity of the bull with his particular brand of politics is of no little concern, representing that suspicion of reform and innovation which had coloured the bull baiters' defence since 1800. First I will offer a simple narrative of the events of 1835-1840, and afterwards some analysis. The story itself however, is enough to begin to comprehend the complexity of the political and cultural nexus.

The first bull-running after 1835 was attended by the RSPCA, covertly, in order to assess the extent of the cruelty occurring in the streets of Stamford – cruelty which it now had the authority of law to prosecute.⁷¹ Mr Thomas, the secretary, accompanied by one of the Society's constables, George Oakley, a former metropolitan police officer, were met secretly by a local chemist, Mr. Woodroffe, who offered them shelter. It was not a commitment he made lightly. Woodroffe was consumed by fear and apprehension. He made it plain that if 'it were known that you were in my house, in less than two hours a mob of 500 persons would be assembled who would not be content until they had demolished my house and got you out'.⁷² Woodroffe had already been denounced at a public meeting for being in touch with the Society. His cultural heresy could have been subject to summary mob justice.

⁷¹ The RSPCA had been sending agents to Stamford from as early as 1830. See RSPCA Minute Book, CM/19, pp. 128-9 (22 October, 1830). Letters were also written to the Stamford magistrates at this time, begging them to prevent the annual event. The Society also corresponded with Lord Exeter, begging an answer, though none seems to have been forthcoming.

⁷² RSPCA Minute Book 2, CM/21, p. 20 (23rd November, 1835).

Canvassing the town, Oakley found that the place was buzzing with talk of the running, generally in favour, and hopeful of a better day's sport than for some time previously. The foregoing tension had built up the atmosphere, which was all the better in the act of defiance of external authority.

On Saturday, the day of the running, Thomas and Oakley went to St. Leonard's Street, where the event was due to start. The barricades had been thrown up. Carts and wagons blocked the avenues leading to the streets⁷³ and eager spectators perched on top. Persons of a respectable appearance mingled freely with the 'lowest grade', and between 200 and 250 of them involved themselves with the bull. It was chased and beaten with sticks, taunted with red rags, had its tail twisted, all the more so because it 'showed no sport'. Several unfortunate participants were knocked over, but apparently this just added to the fun. When the bull made for an escape into a packed adjacent pub, the crowd was delighted.

The bull subsequently was locked away and the excitement continued to build. When it was let out again, one of the barricades was removed and the bull was chased out to the fields on the borders of Rutlandshire. Here it was baited with dogs in the traditional fashion. The unfortunate beast had its testicles almost ripped off by a particularly well trained dog, and its ordeal lasted nearly an hour. The mob, perhaps now numbering over 500 then took the bull back to town. The patrons of the sport, those who had stumped up the cash for the animal, were 'huzzared' by the mob, who stopped in front of each contributor's house.

Despite the apparent jubilation of the crowd, the bull, it would seem, had not offered them such good entertainment. This was not the spirited encounter that was desired. The bull could never win, of course, but the showing of sport and spirit

⁷³ The closeness of Stamford's streets, and the ease with which they could have been blocked, as well as the numerous vantage points to be had from local buildings, can be seen clearly on the map of Stamford from 1833 – see fig. 3.3.



Fig. 3.3. James Knipe's map of the Borough of Stamford, 1833. Bulls were run through the main streets before being chased out to the fields in the east. Source: Stamford Museum.

was expected. So it was locked away, and a steer (young male ox) was purchased for £2. It was run about in the street in a similar fashion and then was set upon by dogs. Again, there was no contest from the brute, and after a short time it was allowed to escape.

By this time completely discontented, the drunken crowd, incited by local printer Mr. Johnson, stormed the gates behind which the first, now rather shabby, bull was kept. In a nearby field fresh dogs were set upon it until dusk. By this time the bull was completely exhausted and dragged back to its place of residence. This was not the end however. In the evening the bull was again brought out, this time to be paraded: a trophy of defiance. At every house where opposition to the tradition had been voiced, the mob, displaying the bull, yelled and screamed their insults. The day was finally concluded in drinking and fighting, which had been a central theme in the whole affair. Thomas and Oakley had dared not intervene. They had quite understandably feared for their lives.⁷⁴

The following year the magistrates of Stamford explicitly refused to comply with the RSPCA's desire to put an end to the practice.⁷⁵ That year the running had taken place as normal and the RSPCA indicted eight protagonists at the County Assizes. The Society's own sense of the burden of responsibility had overtaken their concerns about the cost of litigation. Previously, it had not been considered worth the considerable cost of prosecuting in Stamford, but the case had gradually become one of the Society's principal *raisons d'être*. The Hon. Mr. Justice Park found the

⁷⁴ The above account is compiled from eyewitness accounts of Thomas and Oakley as transcribed in RSPCA Minute Book 2, CM/21, pp. 20-25 (23 November, 1835) and the RSPCA Tenth Annual Report, 1836, pp. 63-66.

⁷⁵ Facsimile of a letter dated 31 October, 1836. RSPCA Minute Book 2, CM/21, p. 89 (7 November, 1836).

chief offenders guilty in July 1837,⁷⁶ and based on this verdict the Court of Queen's Bench was able to declare the sport to be 'decidedly illegal' in January, 1838.⁷⁷

It was in 1837 that things became more complex. Richard Newcombe (1785-1851), was the proprietor of the *Stamford Mercury*, a prominent local newspaper,⁷⁸ with circulation figures of over 5,000 weekly by 1833 and over 8,000 by 1839 – a substantial number given the town's population.⁷⁹ The paper under Newcombe's leadership was staunchly radical, and openly disparaged local Toryism in what ever form it took. The *Lincolnshire Chronicle* agreed with the sentiments of the *Boston Herald* when it quoted that organ in saying that the *Mercury's* columns

have teemed with the grossest misrepresentations and most abominable attacks upon its former friends; indeed, the conductor of that paper [Newcombe] gives publicity, without the slightest hesitation, to any falsehood which appears likely to annoy, either in their public or private capacities, those gentlemen to whom he was known, and by whom he was befriended, when he was a respectable man. No matter how improbable the lie, nor how infamous the slander, so long as it serves the purpose of the moment, it finds a welcome in the *Mercury*, the once Tory journal, the now Radical sink of iniquity.⁸⁰

⁷⁶ RSPCA Eleventh Annual Report, 1837, p. 12; *Lincoln, Rutland and Stamford Mercury* [hereafter, *Stamford Mercury*], 21 July, 1837.

⁷⁷ RSPCA Twelfth Annual Report, 1838, p. 10; RSPCA Minute Book 2, CM/21, pp. 248-9 (5 February, 1838); *Stamford Mercury*, 2 Feb, 1838.

⁷⁸ David Newton and Martin Smith, *Stamford Mercury: Three Centuries of Newspaper Publishing* (Stamford, 1999).

⁷⁹ Newton and Smith, *Stamford Mercury*, p. 277. Average weekly circulation for 1833: 5,240; 1839: 8,346.

⁸⁰ *Lincolnshire Chronicle and General Advertiser* [hereafter, *Lincolnshire Chronicle*], 11 November, 1836.

Indeed, Newcombe sued the *Chronicle* for libel in 1838 for claiming that, amongst other things, he 'kicked his wife and children out of doors;... procured himself to be appointed postmaster, and imputed to him highly improper conduct, and that no magistrate would act with him'. Newcombe interestingly lost on as many counts as he won.⁸¹ Francis Hill claimed that 'dependence for local news on the *Lincoln Rutland and Stamford Mercury* was widely felt to be unsatisfactory'.⁸² A Stamford reformer, writing to Charles Tennyson, stated of Newcombe that, 'He is Milton's Devil who would rather "reign in Hell than serve in Heaven"... My friend Richard is a most accomplished good hater when he takes to it'.⁸³ The local press therefore was not, despite the extensive coverage of the bull running at Stamford, a reliable source for reconstructing what happened.⁸⁴ That is not to say that the local press is not extraordinarily useful for understanding the breadth of contemporary opinion. In conjunction with the range of other sources, a reasonable approximation of what happened can be made.

Newcombe acted as chief local spy for the RSPCA from 1837. His first letter, received the week before the 1837 running, is extraordinary:

I regret to state I am the *only one* [of the magistrates] not *favourable* to the continuance of the *Bull Running*... The correspondence [with Lord John Russell] has produced a collision between my brother magistrates and myself; and the exhibition on their part of an odious system of delusion calculated to get over the coming anniversary without direct interposition on

⁸¹ *The Times*, 4 July, 1838.

⁸² Francis Hill, *Georgian Lincoln* (Cambridge, 1966) p. 291.

⁸³ Hill, *Georgian Lincoln*, p. 291.

⁸⁴ Cf. Robert Malcolmson, *Popular Recreations in English Society 1700-1850* (Cambridge, 1973) pp. 129-135, who relies heavily on the *Stamford Mercury* and other local papers for his account. Hill (*Georgian Lincoln*, p. 294) states that only one in twenty people saw a newspaper by 1834, and often only once a week. Their accounts must therefore be read with a mind to their audience.

the part of the Government. This day a letter has been written in the names of the Mayor and Magistrates to Lord John Russell, calculated to produce the *false* impression that the magistrates as a body are unfavorable [sic] to the annual outrage of the peace; *the reverse is the fact*. Some of them (including the Mayor) will... *do all they can to promote* the continuance of the cruel custom, on the *expressed* persuasion by them that it is sanctioned by *Charter* and by *Law*. They urge upon Lord John Russell the bringing in of a Bill to make the *sport of Bull Running unlawful!!!* and then they think it might be stopped in Stamford but not otherwise.⁸⁵

He reproduced in his paper three days before the running a facsimile of Lord John Russell's correspondence, which only specifically mentioned that the 'stopping up of streets... is clearly illegal, and must not be allowed', and warned on behalf of the magistrates that any breach of the peace would be prosecuted.⁸⁶

For his own part, Lord John Russell was more interested in the policing of the town than any concerns over cruelty or petty squabbling among provincial magistrates. He desired to know 'the amount of the Police Force in the Borough of Stamford; and what arrangements you [the magistrates] propose to make for the enforcement of the law and maintenance of good order'.⁸⁷ Russell had set up a Royal Commission on a Constabulary Force for England and Wales 'to investigate and report on how to reform county policing' only the previous year.⁸⁸ He had warned the leading commissioner, Edwin Chadwick, of un-English approaches to public discipline: 'we must be aware not to lose the co-operation of the country –

⁸⁵ RSPCA Minute Book 2, CM/21, pp.200-201 (6 November, 1837).

⁸⁶ *Stamford Mercury*, 10 November, 1837.

⁸⁷ *Stamford Mercury*, 10 November, 1837.

⁸⁸ David Philips, 'A 'Weak' State? The English State, the Magistracy and the Reform of Policing in the 1830s', *English Historical Review*, 119 (2004) 873-891 at p. 876

they will not bear a Prussian Minister, to regulate their domestic affairs – so that some faults must be indulged for the sake of carrying improvement in the mass'.⁸⁹ These words of caution seem to have not been heeded when it came to Stamford. The reaction of the 'mass' vindicated his fears.

Ironically enough, given all the talk of order, it was the RSPCA's meddling that added to the strife of the 1837 running. Believing itself to be acting with the endorsement of at least one of the magistrates and Lord John Russell, Thomas (the RSPCA secretary) and two constables again went to the town. Note so far how the agents of 'reform' all had different motives. Newcombe was undoubtedly motivated by local politics and personal rivalries; Russell by his desire for order; and the RSPCA by, amongst other things, the cruelty. No one had actually considered the merits of the argument in favour of the continuation of the sport. This neglect resulted in violent confrontations on the 13th. The magistrates told Thomas that '*they could not depend on a single special constable they had sworn in*', even though they had sworn in 243 of them. The Society's constables, Rogerson and Smith, were jeered as they entered the town, and the crowd shouted 'Bull! Bull! Yahoo! Yahoo!'. Rogerson found himself confronted by a man armed with a sharpened stick who told him that 'death stared him in the face'.⁹⁰ Their cause was not helped by their own drunkenness (though the RSPCA reports unsurprisingly make no mention of their state of inebriation). A local councillor remarked a few days later that Rogerson and Smith were a 'disgraceful specimen of drunkenness' and that witnesses reported them as having drunk at least six pints of old ale and a pint of gin.⁹¹ Newcombe did not come out of the affair unscathed either. Having accused the local chief

⁸⁹ Philips, 'A Weak State', p. 876

⁹⁰ RSPCA Minute Book 2, CM/21, pp. 217-220 (4 December, 1837).

⁹¹ *Lincolnshire Chronicle*, 24 November, 1837.

constable,⁹² Reed, of complicity in the running, the town council put both Reed and Newcombe through a farcical ordeal of character assassination in a pseudo-trial situation. The local Tory press revelled in his humiliation.⁹³

Having made no headway, the RSPCA and Newcombe petitioned Lord John Russell for more drastic interventionist measures. Russell, now playing the Prussian minister he had maligned, ordered a troop of the 14th Light Dragoons (under Captain Harvey) and a dozen metropolitan police officers to the town.⁹⁴ Newcombe's emphasis had shifted, and his paper reported that the town would be rendered 'as safe as any other in England for the passage of her Majesty's subjects, and the quiet and uninterrupted transaction of business'.⁹⁵ However, he wrote to the RSPCA in jubilant mood, noting that 'A wonderful change has now taken place in the feelings of the *Magistrates* we are *unanimous* now in the opinion that *this is the time* for stopping the annual nuisance of Bull Running'.⁹⁶

The populace did not agree. While their original plans to procure a bull were thwarted,⁹⁷ the chance passing of a bull calf being transported to Essex offered them an opportunity to have their sport, which carried on for a short while before the crowd met with the military. According to the *Mercury*:

the police and the military were violently pelted with stones by the mob, and it was necessary to use considerable force in driving them off: a man named Nath. Pollard... was severely cut in the head and neck with a sword; and

⁹² Reed was appointed and paid by the Town Council, and this is the term by which they referred to him. He was also treasurer. *Lincolnshire Chronicle*, 17 November, 1837.

⁹³ *Lincolnshire Chronicle*, 17 November, 1837; *Lincolnshire Chronicle*, 24 November, 1837.

⁹⁴ RSPCA Thirteenth Annual Report, 1839, p. 10.

⁹⁵ *Stamford Mercury*, 9 November, 1838.

⁹⁶ Facsimile of a letter dated 2 November, 1838. RSPCA Minute Book 3, CM/22, p. 34 (19 November, 1838).

⁹⁷ *The Times*, 17 November, 1838; *Stamford Mercury*, 16 November, 1838; *Boston, Lincoln, Louth, & Spalding Herald, and Lincolnshire Advertiser* [hereafter, *Boston Advertiser*], 20 November, 1838.

John Kisbee, a turner, was captured there; as well as William Pollard, a youth of about 15 years of age, son of Jeremiah Pollard, butcher, of St. Paul's street, who was seized in the act of throwing stones at the soldiers, and is now in gaol... the Executive Government, having interfered, will not be baffled in making the law of the land observed at Stamford as it is observed in the rest of the kingdom, and in rendering the streets of a town situated on the Great North Road safe for the passage of persons and property...⁹⁸

In contrast, the Tory *Lincolnshire Chronicle* bemoaned the military intervention:

The only serious accident which happened, was during the period in which the military... paraded the town, which caused so much excitement among the crowd assembled, that many of the respectable inhabitants openly expressed their regret that such an useless extremity should have been gone to... an elderly person received a wound to the head whilst trying to escape. This result of military interference, is, we believe, the only outrage of the day... if no military force had been introduced into the town, there would have been little or no excitement sufficient to raise a crowd.⁹⁹

Once again, in contrast, the *Lincoln Gazette* noted:

a serious attack was made on the military, with stones and brickbats, principally from women and children; and an industrious harmless man, of

⁹⁸ *Stamford Mercury*, 16 November, 1838.

⁹⁹ Reproduced in *Boston Advertiser*, 20 November, 1838.

the name of Nathaniel Pollard, was wounded on the head... The forbearance on the part of the military... was very great; and the people were easily dispersed, and the town was restored to a state of quietude in the evening.¹⁰⁰

It is quite clear from these contrasting accounts that the interpretation of the day was dependent on the political leanings of the papers in question. Certainly the news was worthy enough of national coverage, and reports were carried in *The Times*, praising the 'determination of the Government, and the coolness but firm and active behaviour of the police'.¹⁰¹ Newcombe wrote to the RSPCA and bitterly remarked that 'Our local special police were *worse than useless*. We owe all our success to the metropolitan police and the military'.¹⁰² The *Morning Herald* prematurely announced that 'this barbarous, riotous, and illegal practice... *is at last put an end to*'.¹⁰³

Newcombe's exasperation was clear in 1839. He had taken the RSPCA's legislation of 1835 as a personal battle to stamp his authority on his home town. The issue of the *Mercury* immediately before the running that year carried a stern warning in the top left paragraph of page one of the paper – a highly unusual place for local affairs.¹⁰⁴ Again the Dragoons were sent, twenty metropolitan police along with them and ninety specials were sworn in. The mob attacked the police on the evening of the 12th, and managed to get a bull into the streets for an hour or so on the 13th. A mob of around 4000, according to the *Mercury*, was in attendance, and

¹⁰⁰ *Lincoln, Boston, Gainsborough, and Newark Gazette, Rasen, Isle of Axholme, Louth and Lindsey Advertiser and Lincolnshire Farmer's Advocate*, 20 November, 1838.

¹⁰¹ *The Times*, 17 November, 1838.

¹⁰² Facsimile of a letter dated 13 November, 1838. RSPCA Minute Book 3, CM/22, p. 40 (19 November, 1838).

¹⁰³ *Morning Herald*, 16 November, 1838.

¹⁰⁴ *Stamford Mercury*, 8 November, 1839.

the military again had to intercede to maintain order.¹⁰⁵ The RSPCA again blamed the ‘culpable supineness of the Borough magistrates’,¹⁰⁶ while *The Times*, perhaps not privy to the internal wranglings of the local authorities, praised the ‘prompt and effective measures of the magistracy... [who] disappointed all the efforts at this brutal sport’.¹⁰⁷

The running was finally halted for good in 1840. Two people received two months hard labour for attempting to steal a bull from a local farmer’s stable.¹⁰⁸ Moreover, the magistrates, who had seemed immune to the imposition of an outside military force, received a new and more personal threat. The under secretary to the Home Secretary, Mr. Phillips, had the idea in February 1840 in a meeting with the RSPCA secretary that the magistrates themselves should be threatened with indictment should they not take appropriate action against the bull-running that year.¹⁰⁹ And so it was that Lord Normanby, who had replaced Russell from late in 1839, wrote to the magistrates ‘calling upon them to take the proper steps for its prevention, and distinctly informing them “that they would be personally responsible for the peace of the town”’.¹¹⁰ Added to this was the crippling expense of the military involvement, which had cost the local rate payers 150/ in 1838 and nearly double that in 1839.¹¹¹ Local Tories saw this as ‘Whig revenge on the

¹⁰⁵ *Stamford Mercury*, 15 November, 1839. This is a likely misprint, or deliberate exaggeration. 400 would be far more likely.

¹⁰⁶ RSPCA Fourteenth Annual Report, 1840, p. 14.

¹⁰⁷ *The Times*, 16 November, 1839.

¹⁰⁸ RSPCA Minute Book 4, CM/23, p. 60 (7 December, 1840).

¹⁰⁹ RSPCA Minute Book 3, CM/22, p. 235 (2 March, 1840).

¹¹⁰ RSPCA Fifteenth Annual Report, 1841, p. 14.

¹¹¹ *Stamford Mercury*, 6 November, 1840. Richard Holt attributes this to be the principal reason why the practice ceased, though given the multi-layered pressures described here, this seems to be something of a reduction. See Richard Holt, *Sport and the British: A Modern History* (Oxford, 1989) p. 35.

borough for returning two Conservative members', rather than anything to do with the bull running.¹¹² Newcombe rejoiced in a letter to the RSPCA:

It would appear that the fear of expense and discredit caused by the introduction of a 'foreign force' of police and military caused the magistrates to sort things out, with a widely signed declaration supporting no running.¹¹³

And so it was that the bull-running in Stamford came to a conclusion – through governmental pressure and rising costs, combined with a significant fear of humiliation, the magistrates finally put an end to the practice.

Susan Pedersen recently made an alarming call for radical change in political history, particularly for British historians working with nineteenth- and twentieth-century material. She bemoans both the old and new political paradigms which sat either side of the linguistic turn as not fostering the study of 'the structure, reach and practices of the state'.¹¹⁴ I think cases such as Stamford offer an opportunity to refute this somewhat, without recourse to her imperial comparatives. Furthermore, James Vernon's wish to see how politics imagined 'the real' through political narrative can also be rendered in more concrete form.¹¹⁵ In this case, the political narrative constructed a reality of a profligate and barbarous population; a population of unmanly and unpatriotic men, uncivilised behaviour, and underdeveloped morality. This politically 'imagined community' is thrown into relief when projected

¹¹² Malcolmson, *Popular Recreations*, p. 133.

¹¹³ RSPCA Minute Book 4, CM/23, p. 54 (9 November, 1840).

¹¹⁴ Susan Pedersen, 'What is Political History Now?', in David Cannadine (ed), *What is History Now?* (Basingstoke, 2002) 36-56, at pp. 46-7. See also Rohan McWilliam, *Popular Politics in Nineteenth-century England* (London, 1998) pp. 16-29 for an overview of approaches to British political history.

¹¹⁵ James Vernon (ed), *Re-reading the Constitution: new narratives in the political history of England's long nineteenth century* (Cambridge, 1996) p. 14 of his introduction.

onto the 'reality' of the other - those the law intended to restrict.¹¹⁶ When we view the playing out of this narrative in the 'real' world, we find that it results in violence – a genuine expression of the 'reach and practices of the state'. I employ the terminology of Benedict Anderson most deliberately. The constructors of anti-cruelty legislation and the reforming body of the RSPCA had to see 'The Other' *en masse* as being unknown to one another, yet alike and connected – an imagined homogenous mass 'conceived as a deep, horizontal comradeship'. The bull baiters were implicitly styled as a group, a sector of society to be targeted and eliminated. On the other hand, those affected by the impositions of new legislation and the machinery of the RSPCA may well have seen 'The Other' as an organised group of innovators brandishing foreign morals and practices. Neither is *actually* the case, but the clash of such historical perceptions explains the very real confrontations that did occur.

It is also important to remember that this was not a political narrative with only one plot. On the contrary, the negotiations and wranglings of the local magistrates, the RSPCA and the Home Office represent a classic example of the products of Westminster being employed for private agendas. All sides wanted a resolution, but each invoked different languages to try to affect that change. In the end, one has to conclude that it was Lord John Russell's insistence on the continual flow of business that sealed the day, and that however much the RSPCA claimed to have won a great victory, they had not affected any great change to popular attitudes to cruelty.¹¹⁷ They had, however, placed themselves in the limelight, and tried to manage the national public reception to the issue. Even Richard Newcombe was more interested in trouncing the local Tories than in humanity to brutes, and his

¹¹⁶ See Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (revised edition, London, 1991) esp. pp. 5-7.

¹¹⁷ RSPCA Fifteenth Annual Report, 1841, p. 15.

personal vainglory was his prime directive. And in all this, after such a collision and collusion of political agendas, the greatest question remains unasked. What of the supporters of the bull-running? – how did the politics of cruelty change their culture?

To the inhabitants of Stamford, much like the bull baiters mentioned earlier, bull running was about their identity. Not only did it associate them with local tradition, this being its most popular expression, it also identified them as freeborn Englishmen, as patriots, and as virtuously manly (I don't want to say that women in no sense were involved in the sport – in fact the contrary is manifestly the case, but in terms of its representation this was certainly a man's game). I will briefly talk about how these categories were contested and challenged by political texts.

In a recent and compelling article, K D M Snell has argued for the prevalence of localised xenophobia in nineteenth-century England, directed both at external strangers and what might be deemed 'internal outsiders' of the aspiring middle classes who preferred to distance themselves from the popular culture of the entrenched and unthinking masses.¹¹⁸ It is summed up by the *Punch* cartoon to which Snell refers, where two local men observe someone unfamiliar. 'Who's he Bill?', the conversation begins. 'A stranger', comes the reply to which the response is, 'Eave half a brick at 'im'.¹¹⁹ The invasion of 'foreign' forces into Stamford, offended not only the bull-runners, but also those conservative elements that did not recognise the jurisdiction of such an un-English approach to provincial political and cultural strife. One of the town councillors had complained in 1837 that 'we are subjected to a sad system of *espionage*: it is disgraceful to the town. We are

¹¹⁸ K D M Snell, 'The culture of local xenophobia', *Social History*, 28 (2003) 1-30.

¹¹⁹ Reproduced on the front cover of *Social History*, 28 (2003).

completely infested by foreign and domestic spies'.¹²⁰ For the masses this intervention did not strike any particular class chords (especially as most of the magistrates were involved on their side), but instead hit on a finely tuned sense of belonging to place, the ethos of which was projected out to form an image of the whole of England. Ironically, the detestation of outsiders can account for both the continuance of the bull-running, as an act of defiance, and its ultimate cessation, as a way of halting the invasion.

Moreover, these threads of locality and Englishness found their expression in modes of masculinity. Manliness was certainly a contested category throughout the nineteenth century, and this battle in Stamford is one expression of the diversity and incommensurability of different manly ideal types. This is an acute version of the pattern illustrated earlier in this chapter with regard to bull baiters across the country. To be English, to the majority of the bull-runners, was to identify with the kind of 'bluff frankness' and 'solidity' of certain types of John Bull,¹²¹ who were freeborn, free speaking and free acting. This kind of man stood for no nonsense, no foppery or other Francophile influence, and no intrusion into his traditions. At Newcombe's character assassination, the town council leaped to the defence of the chief constable accused of colluding in the bull-running by stating, "The council will always have the *manliness*, however humble be the rank of their officer", to hear patiently, and judge fairly'.¹²² By this they impugned Newcombe's own masculine status. On the other hand, the RSPCA were projecting a view that considered cruelty as cowardly, and the height of manliness to be represented in the shunning

¹²⁰ *Lincolnshire Chronicle*, 24 November, 1837. The criticism was not unique to the RSPCA. One of its forerunners, the Society for the Suppression of Vice, also endured severe criticism for its use of agents provocateurs. See M J D Roberts, 'The Society for the Suppression of Vice and Its Early Critics, 1802-1812', *Historical Journal*, 26 (1983) 159-176, at pp. 169-170.

¹²¹ *Encyclopaedia Britannica* (24 vols. London, 1959). Entry under 'John Bull'.

¹²² *Lincolnshire Chronicle*, 24 November, 1839.

of such pursuits.¹²³ Only a civilised man could claim to be properly English, since England was at the fore of the civilised world. What was worse for the runners was that the 1835 law against cruelty to animals seemed to embody this construction of English manliness to the detriment of the other. After all, it was only the ‘popular’ sports, such as bull baiting, cockfighting and dog fighting, that were prohibited.¹²⁴ The animal sports of the elite went unchecked. The codification, however implicit, of a manly ideal, served as a significant bolster to that type’s hegemony.¹²⁵ The RSPCA, in campaigning for and achieving their legislation, and then putting those words into deeds, helped to create and enforce an ideal type of English manliness. The RSPCA liked to publicise *their* ‘victories’, as victories for the ‘march of intellect’, for English men, and for national identity,¹²⁶ even if the victories had actually been achieved by other agents.

¹²³ See RSPCA Tenth Annual Report, 1836, p. 33, which labels the practitioners of cruel sports as ‘*the very lowest and debased of mankind*’, the law is opposed to them all; *all the better part of society hate and abhor them*... they... must infallibly sink into the mire of public and private contempt’ [emphasis mine].

¹²⁴ John MacKenzie’s remarks on hunting may be taken as typical of the prevalent attitude to the relative manliness of that pursuit. It was ‘a mark of fitness of the dominant race, a route to health, strength, wealth, an emblem of imperial rule, and an allegory of human affairs... the refinements of knowledge, training, and character formation could be secured from the killing of animals’. ‘Hunting and the Natural World in Juvenile Literature’, in Jeffrey Richards (ed), *Imperialism and Juvenile Literature* (Manchester, 1989) p. 170.

¹²⁵ For ‘hegemonic masculinity’ see Robert Connell, *Masculinities* (Berkeley and Los Angeles, 1995) pp. 76-81.

¹²⁶ The RSPCA claimed that the bull-running had ‘disgraced the present age’ (Fifteenth Annual Report, 1841, p. 15); with reference to a different case of popular animal sport in 1846, the RSPCA endorsed the view that ‘no gentleman would sanction, by their presence, such disgraceful and brutal exhibitions’ (Twentieth Annual Report, 1846, p. 78); in a meeting of 1840, Viscount Mahon defended attacks against hunting and other field sports along the lines that ‘objections to our national sports may be carried too far’ (Fourteenth Annual Report, 1840, p. 41). These languages of civility, manliness, and nation implicitly lace the RSPCA’s published materials.

5. Continuing symbolic importance

In the late 1870s, and up until the 1890s, local inhabitants in and around Birmingham continued to pose questions about the history of bull baiting. What were bull baits like? When was the last one held? Old men wrote in, telling of their childhood memories of the events, which had all come to an end, or so it would seem, by about 1840.¹²⁷ Bull baiting, as a sport, had long since gone, but it lived in popular memory, and close enough to the surface to occasionally rear its head once again. It has been noted that there is 'imprecision of concept' when dealing with collective memories, specifically in historical context.¹²⁸ However, the maxim expounded by Maurice Halbwachs that Climo and Cattell invoke still seems like a workable model: Collective memory is 'not a metaphor but a social reality, transmitted and sustained through the constant efforts and institutions of groups'.¹²⁹ In the case of bull sports the contest for memory centres around whether bull sports were fun, harmless and constructive activities, or cruel, unmanly and outmoded barbarities. The examples that follow rather suggest that the 'masters of memory', to use Climo and Cattell's phrase,¹³⁰ were the authorities rather than the people.

In Llandillo, according to the *Welshman*, a bull scheduled for slaughter found itself the centre of sporting attention in 1846. The bull had proven too difficult to slaughter in the usual way, so local shooters were called for to take shots at it. After 18 shots and the dropping of a 40lb stone on the animal's head, in the course of

¹²⁷ There are also numerous accounts of the decline of bull baiting in the Birmingham area, through, amongst other things, the intervention of 'Peelers', or the 'Loyal Association of Volunteers'. See *Birmingham Weekly Post, Local Notes and Queries*, vol. B, p. 213, p. 275, p. 221; C, p. 201; D, pp. 235-6, p. 244; R, p. 79.

¹²⁸ Jacob J Climo and Maria G Cattell (eds), *Social Memory and History: Anthropological Perspectives* (Walnut Creek, 2002) p. 5.

¹²⁹ Climo and Cattell, *Social Memory*, pp. 4-5.

¹³⁰ Climo and Cattell, *Social Memory*, pp. 1-2, p. 30.

three hours, an assembled crowd (who had occasionally been caught in the path of the animal) witnessed the bull's death. The manner of reporting (which bordered on farce) drew attention to the sporting nature of the affair. Bull baiting was illegal for sure, but when such random opportunities presented themselves, the law was far from the minds of the shooters.¹³¹

Further opportunities often presented themselves as bulls were driven along public highways. On one occasion in Swindon in 1862, two 'strange' bulls attacked another and gored it. The injured bull was maddened by the attack and 'broke away, and rushed about the town in all directions to the imminent danger of the public for some four or five hours, being followed by a mob of some hundreds of men and boys, hooting, shouting, and stoning it'. This impromptu bull running resulted in the exhausted animal coming to rest at the bottom of a hill. Here, for a couple of hours, it was tortured by beating, having boiling water thrown on it, and fire thrust up its nose. Its skull was fractured, ribs broken, tail broken in four places and its tongue pierced. After four or five days someone put it out of its misery.¹³² This was typical of early nineteenth-century bull running, occurring spontaneously long after such events were supposed to have disappeared.

There were also more organised attempts at sporting events with bulls. The RSPCA had been turning down applications from Spaniards to establish bull fighting in England from as early as 1848,¹³³ but in 1870 bull fighting after the Spanish fashion was introduced into England. The Agricultural Hall in Islington was the venue for the event, staged by a touring group of Spaniards. The RSPCA

¹³¹ Reproduced in *The Times*, 31 October, 1846.

¹³² Reproduced in RSPCA Thirty-sixth Annual Report, 1862, pp. 203-4, from the *Swindon Advertiser*, 5 May, 1862.

¹³³ The Society told one Antonio Nudal that 'the Committee would feel it to be their duty to discourage by all means in their power such an exhibition as one proposed by him' – RSPCA Minute Book 6, CM/25, p. 316 (2 May, 1848). Two more Spaniards disclosed their intentions to the Society in 1849, only to be told they would be prosecuted – RSPCA Minute Book 7, CM/26, pp. 107-8 (10 December, 1849).

secretary, John Colam, had seen advertisements and attended. The first set of events passed peacefully enough and without any apparent cruelty, but later on the bulls were deemed fit enough from their travels for some more serious sport. Besides which, the Spaniards were trying to raise money to get home and needed to draw a crowd. The sport was carried out in the Spanish tradition, but was labelled as 'bull baiting' by the RSPCA.¹³⁴ Colam hurdled over barriers at the side of the arena with local police to stop the event, amidst the shouts of 'hundreds of roughs'.¹³⁵ A question was raised in Parliament on the 1st April, asking the government what it could do about it, to which the firm answer was given that matters were already in hand. In the end, nothing really came of it. The RSPCA, happy that cruelty was admitted to, withdrew their prosecution and the Spaniards were bailed, and presumably made haste back to Spain. Clearly, after years of inactivity dealing with sporting bulls, all concerned were still ever-ready to act. The crowd was whipped up in a frenzy of support; the RSPCA directly intervened; and Parliament was immediately involved in some capacity. The speed with which the issue was resolved, and the isolated nature of these cases suggests that the authorities had a firm grip on popular expressions of the memory of bull sports in England. Of all the entries in the *Birmingham Weekly Post* it is interesting that none of the correspondents wished for a return to such times. Bull baiting was firmly alive in the popular memory throughout the second half of the nineteenth century, all the more so because it had long since been remembered as a symbol of an age that (unfortunately, for many) no longer existed. This is testament to the work of the campaigners and legislators who rubbed the sport from the English map. In the case of bull baiting, it was the disaster of progress which left the 'deepest impression

¹³⁴ *The Times*, 30 March, 1870; 27 April, 1870.

¹³⁵ *The Times*, 29 March, 1870.

on the public mind'.¹³⁶ For others, like Joseph Strutt, all that would be remembered was the disorder. Bull baiting was 'a barbarous diversion, which was frequently productive of much mischief by drawing together a large concourse of idle and dissipated persons, and affording them an opportunity of committing many gross disorders with impunity. Indeed a public bull-baiting rarely ended without some riot and confusion'.¹³⁷ Ultimately, it is a tangible example of the way in which 'social memory is marked by a dialectic between stability or historical continuity and innovations and changes'.¹³⁸

6. New agenda

Apart from these exceptional incidences of bull sports after mid-century, it was commonly accepted that bull baiting and bull running had ceased after the victory in Stamford in 1840. Certainly the RSPCA shifted its attention. It is clear that the early years of the century saw the working out of bull baiting's place in the discourse on cruelty, on order, and on national identity and manliness. Once a dominant idea had been established, the sport's days were numbered. However, the history of the prohibition of blood sports is incremental. Bull baiting was set apart as the worst example on an extensive scale of barbarity. Certainly, from the first Parliamentary debate, foxhunting, dog fighting and cockfighting, even fishing, had been lumped together as variations on a theme. Yet each sport endured the scrutiny of reform individually. Each sport had its own history of becoming incorporated into the

¹³⁶ Cf. Raphael Samuel, *Theatres of Memory*, i, *Past and Present in Contemporary Culture* (London, 1994) p. 16.

¹³⁷ Joseph Strutt, *The Sports and Pastimes of the People of England: including the Rural and Domestic Recreations, Maygames, Mummeries, Shows, Processions, & Pompous Spectacles, from the Earliest Period to the Present Time* (London, 1855) p. 277.

¹³⁸ Climo and Cattell, *Social Memory*, p. 15. See also pp. 34-6 for their views on the uses of memory for establishing, maintaining and contesting identity.

discourses of cruelty and disorder, and of unpatriotic and unmanly behaviour. The Annual Report of the RSPCA for 1841, buoyed by a new confidence, announced:

Having thus succeeded in extinguishing in that town [Stamford] one of the most demoralizing practices that disgraced the present age, your Committee have turned their attention to another equally inhuman, which they are sorry to say is but too prevalent throughout the country parts of this kingdom.¹³⁹

They referred of course to cockfighting. But this sport had its own long and prestigious history and if anything, its status was far more hotly contested than that of bull baiting.

¹³⁹ RSPCA Fifteenth Annual Report, 1841, p. 15.

Modes of Manliness

Cockfighting

1. A royal and national sport

To understand the complexity, the enormity, of the criminalisation of cockfighting in England, one has to first comprehend the historical importance of the sport, its high profile, its elite patronage and its ubiquity across the land. Cockfighting was a truly national sport, played by commoners and kings, the written rules of which were known and printed everywhere.¹ When Samuel Pepys visited the Shoe Lane cockpit in 1663 he noted the ‘strange variety of people, from Parliamentman... to the poorest prentices, bakers, brewers, butchers, draymen, and what not; and all this fellows one with another in swearing, cursing and betting’.² Such a scene remained commonplace into the nineteenth century, but by 1835 cockfighting was illegal. How could such a dramatic change have occurred?

This chapter scrutinises the development of the argument against cockfighting and, much like we have seen with bull baiting, asks important questions about the centrality of ideologies of manliness and nation to the issue. It will further track the development of the definition of ‘cruelty’ to animals, and the

¹ The history of cockfighting in England is at least as old as Roman times, and was possibly introduced by Phoenician traders to Cornwall. (Herbert Atkinson, *The Life and Letters of John Harris, The Cornish Cocker* (1910) in Herbert Atkinson, *Cock-Fighting and Game Fowl, from the notebooks of Herbert Atkinson of Ewelme* (Hindhead, 1977) p. 194; George Ryley Scott, *History of Cockfighting* (London, 1957) p. 90). Furthermore it still exists in England today, though it is a highly secretive practice. (Barry F Peachey, *The Cockfighters* (Alton, 1993)). It had previously been banned by Edward III and Oliver Cromwell, but it was reinstated with renewed vigour (Atkinson, *Cock-Fighting and Game Fowl*, p. 154). More on the rules below.

² Robert Latham and William Matthews (eds), *The Diary of Samuel Pepys*, iv, 1663 (London, 1971) pp. 427-8.

cultural consequences of the invention of 'sensibility' outlined in chapter two. In exploring these issues further, this analysis of nineteenth-century 'cockers', as they were called, will ask what cockfighting meant to those involved, both before and after prohibition. It will show how differently the cultural conflict between pros and antis played out in comparison to the flash points over bull baiting and bull running, as well as making some reflections on the class composition of the sport, both real and imagined.

2. Cockfighting to 1835: distribution, form and rules

Cockfighting³ was spread liberally across the country, though there were some locations where it was particularly popular. A review of the *Sporting Magazine*, which printed the results of cockfights up until about 1838 shows that the North West (particularly Chester, Preston, and Newton), the East (Norwich and Newmarket), and the Metropolis (especially the Royal Pit at Westminster), were particularly fond of the sport. There are also frequent reports from York, Huntingdon, Leeds, Wolverhampton, Manchester, Buxton, Gloucester, Stamford, Bridgenorth, Bishops Waltham, Burton-on-Trent, Newcastle, and Knutsford, demonstrating that this was truly a national sport. The doyens of the practice travelled between the key venues to contest the matches with the biggest purses, often coincident with important horse racing meetings. The sports of turf and sod (as racing and cockfighting were colloquially known) very often went hand-in-hand, with notable cockfights at Newmarket and Aintree, amongst others, during principal race weeks. I will spend

³ For some general accounts of cockfighting in England see, Keith Thomas, *Man and the Natural World: Changing Attitudes in England 1500-1800* (London, 1983) pp. 144-5; R W Malcolmson, *Popular Recreations in English Society 1700-1850* (Cambridge, 1973) pp. 49-50, p. 56; Atkinson, *Cock-fighting and Game Fowl*; Scott, *History of Cockfighting*; L Fitz-Barnard, *Fighting Sports* (new edition, Liss, 1975) pp. 3-13.

some time here describing the sport of cockfighting as it was circa 1800, its ancients and popular supporters, its form and its intricacies, and its rules and regulations. The significance of this narrative will be demonstrated thereafter.

A cockpit was usually a circular stage with small barriers around the perimeter and tiered seating around that. These were usually housed in buildings expressly for the purpose of cockfighting, though temporary venues could easily be established. There were, for example, permanent erections in London, York, Sunderland, Newcastle and Liverpool, to name but a few. One Edward Herbert described the most famous of pits, the Westminster pit, in 1822. His description seems fairly standard of cockpits around the country, and is corroborated in the pictures by William Hogarth and John Kay (see figs. 4.1 and 4.2) depicting the same scene in the 1750s:

The cockpit is a large, lofty and circular building, with seats rising, as in an amphitheatre. In the middle of it is a round matted stage, of about eighteen or twenty feet diameter... and rimmed with an edge eight or ten inches in height, to keep the cocks from falling over in their combats. There is a chalk ring in the centre of the matted stage, of, perhaps, a yard diameter, and another chalk mark within it much smaller, which is intended for the setting-to [the presenting of the birds face to face by their human aides], when the shattered birds are so enfeebled as to have no power of making hostile advances towards each other. The inner mark admits of their being placed beak to beak. A large and rude branched candlestick is suspended low down, immediately over the mat, which is used at the night battles.⁴

⁴ *London Magazine*, 35 (1822) p. 398. Quoted in Scott, *History of Cockfighting*, p.58.



Fig. 4.1. William Hogarth, *Pit Ticket*, 1759.

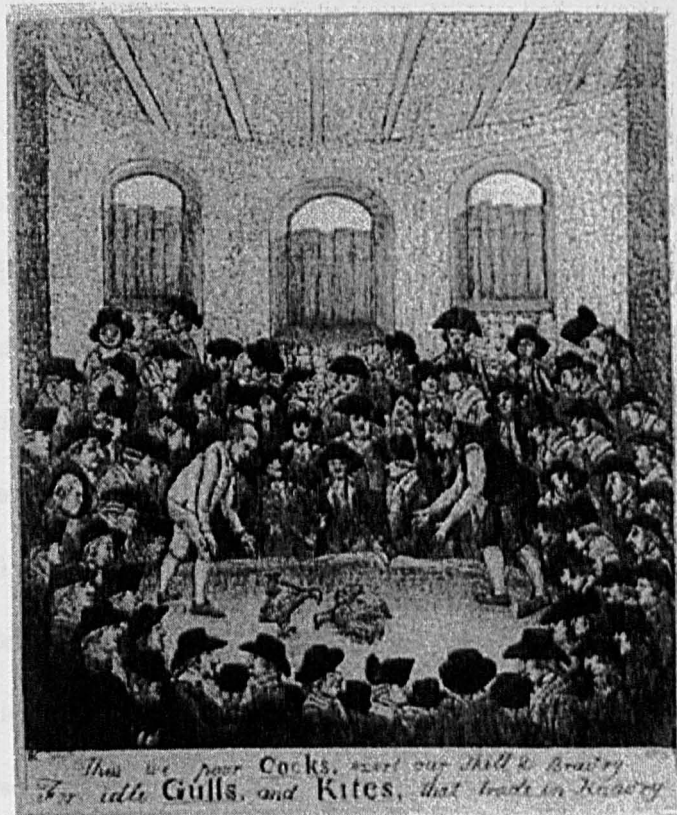


Fig. 4.2. John Kay, *Cockfighting*, 1785. A cockfight in Edinburgh. Caption reads, 'Thus we poor Cocks exert our Skill & Brav'ry For idle Gulls, and Kites, that trade in Knave'ry'. Source: Mary Evans Picture Library.

The sport was based on the principle that two cocks would fight each other when put in each other's presence. It relied on a natural proclivity of cocks to fight to the death without provocation. Their weapons were the spurs grown on each leg of the bird, though these were usually removed ('dubbed') and replaced with steel or silver spurs ('gaffs'). The artificial spurs made cockfighting a more clinical sport, the death of the losing cock being achieved in a more expedient manner – a point to which I shall return later. The fight ('main') could take various forms. The most frequent form of match would see various individual battles between cocks belonging to two teams. Each battle would be between two evenly matched cocks (by weight) and came with a pre-agreed monetary stake. There would also be a large purse for the winner of the most battles ('the odd'). Apart from this the audience participated in side-betting with each other for stakes of their own choosing according to odds that they negotiated amongst themselves. More on gambling below.

There were other forms of combat. A 'Welsh Main' consisted of sixteen cocks paired into eight matches. The eight winners would then be drawn against each other until there were four, then two, and ultimately one winner. A 'Battle Royal' involved 'pitting' a large number of birds at the same time, and letting them fight it out until there was only one left standing.

It will already be clear that cockfighting involved considerable organisation and a universal awareness of the usual procedure. This was ensured (in theory) by a strict set of rules and ordinances. Contrary to the belief that codification and national organisation of sport only occurred with the regulated sporting 'revolution' from the 1860s onwards, cockfighting had an extensively codified system of play, that applied nationally. It was enforced, and reinforced, by the itinerant nature of the principal players, whose nationwide exploits in the pit required consistency in

the rules. Moreover, it has been noted that the proliferation in regional, national, and international sporting matches did not occur until after the creation of governing bodies.⁵ Cockfighting presents a significant challenge to such a thesis. The rules were printed regularly in various readily accessible forms. One such was the *Racing Calendar*, where the rules appeared in full in 1743 – results of cockfights also appeared in the racing calendar, reinforcing the connection of the two sports. The rules were also reproduced in the *Sporting Magazine* from its very inception and in various books on cockfighting in particular, or sport in general.⁶ They offer an invaluable insight into the world of late eighteenth- and early nineteenth-century cockfighting. George Ryley Scott has attested to the importance of the rules:

It was, of course, necessary and advisable that every effort should be made to ensure that no cock had an unfair advantage over his antagonist, and to this end the birds were matched for weight, etc. Then it was essential that combatants should be clearly stated; that there should be precise stipulations respecting the duties of the person appointed to act as teller of the law or

⁵ See, for example, Neil Tranter, *Sport, Economy and Society in Britain 1750-1914* (Cambridge, 1998) pp. 24-31. Tranter supplies in micro-form the arguments of the key scholars on the history of sport for the Victorian period, and as such, I forego reproducing it here. Adrian Harvey's recent book, *The Beginnings of a Commercial Sporting Culture in Britain, 1793-1850* (Aldershot, 2004) stresses this longer history of codified sports that antedated the 'sporting revolution'. 'Long before 1793', he noted, 'sporting events were being conducted according to mutually agreed rules. While these were not adhered to nationally, there was sufficient continuity, often via a process of negotiation, to provide a basis for understanding' (p. 117).

⁶ C M Prior, *The History of the Racing Calendar and Stud-Book* (London, 1926) pp. 119-121; *Sporting Magazine*, 1 (1793) p. 36, pp. 95-8; 2 (1793) pp. 30-2, pp. 76-8, pp. 143-5; 3 (1794) pp. 31-3, pp. 136-8; Delabere P Blaine, *An Encyclopædia of Rural Sports* (new edn., London, 1852) pp. 1213-4; Edmund Hoyle, *Games* (new edition, London, 1808) pp. 382-412 (and a further new edition, 1826) pp. 437-468 – both editions are the same, testifying to the synchronicity of the rules; W Sketchley, *The Cocker: humbly inscribed to those Gentlemen who are Amateurs of the Game Cock, that Prodigy of British Valour* (Newark, 1793, republished Burton-on-Trent, 1814).

umpire, and that the mode of deciding the outcome of the battles where there was room for dispute should be rigidly defined.⁷

According to another, the rules endowed the sport with a romantic quality: 'Under the wise regulations of our ancestors, the cock-pit was not less a school for valour than for truth, and modesty, and morality, and every other manly and high-spirited virtue',⁸ a point to which I shall return later. I present a full copy of the rules as printed in the *Racing Calendar* in appendix 4, but want to dwell here on a few of the more important regulations, which as well as serving the functional importance flagged by Scott, also reinforced the social, cultural and customary aspects of the sport.

Firstly there is the importance of the 'master' of the match, who was responsible throughout the rules for fair play, order, decision making, overseeing gambling, and practically anything else that might have arisen. The position was usually given to some ancient of the sport who had to be completely reliable:

The Master of Ceremonies at Court had scarcely a more responsible post than the Master of the Pit, who was required to be well versed in all the niceties of the game, as well as in questions of precedence, as "those of the better sort" were entitled, according to their rank and importance, to be in the Lower or Second Ring, and room had to be made for them as required, so it was necessary for him to be invested with autocratic powers.⁹

⁷ Scott, *History of Cockfighting*, p. 61. Scott's history is of the antiquarian kind, tinged with a quixotic affection for the sport and the birds. Nevertheless, it is a rich source of cockfighting anecdotes.

⁸ Gallus Gallinaceus, 'A Modest Commendation of Cock-Fighting', *Blackwood's Edinburgh Magazine*, 22 (1827) p. 589.

⁹ Prior, *Racing Calendar*, p. 118.

This requirement, a tangible representation of the social hierarchy that put the higher classes at the front (though ironically below the rest of the spectators) had to be balanced with cockfighting's own customs of status which placed the *sachems* of the sport in as much esteem as the, often noble, owners of the cocks. The sport perpetuated a link between the elite and commoners. Notorious owners of cocks, of which more below, employed 'feeders', working-class men who were responsible for the rearing, training and feeding of cocks as well as the physical handling of the cocks during battle. This position of feeder was the most esteemed position in the sport, within cockfighting circles. It should also be noted at this point that the very essence of cockfighting relied on this class mix of elite passion and patronage and lower-class skill.¹⁰

The nobility were heavily involved in cockfighting, especially before 1835. Richard Seymour noted in 1739 that 'since the *Fighting-Cock* hath gain'd so great an Estimation among the Gentry, in respect to this noble recreation, I shall here propose it before all other games'.¹¹ A closer examination of one such noble individual demonstrates the extent to which cockfighting was a huge part of everyday life. The twelfth Earl of Derby, Edward Stanley, is now most famous for founding the horse-racing *Derby* and the *Oaks*, though he was probably more devoted to his cocks than his horses. Herbert Atkinson, himself a famous cocker of the late nineteenth century, claimed that Derby's own strain of white-legged Reds were 'almost invincible in the North, and in the Chester and Lancaster and Liverpool pits, where he fought main after main against the nobility and the gentry

¹⁰ The 12th Earl of Derby's feeder, Potter, seems to have passed his role to his son. On the death of the 12th Earl it is alleged that all his birds, spurs, etc became the property of the younger Potter. Stanley family records, Knowsley Hall, Liverpool (hereafter Stanley): from a letter to the 15th Earl regarding the sale of some spurs which formerly belonged to the 12th Earl (8 September, 1916). The letter is kept in a box with the spurs; *Sporting Magazine*, 85 (1835) p. 155.

¹¹ Richard Seymour, *The Compleat Gamester* (London, 1739) p. 301.

of the surrounding counties'.¹² His resources were incredible, and making use of the land he owned around the country he could put out 'to walk' 2-3000 chickens per annum, his tenants doing the duty in accordance with the landlord's wishes.¹³ Nimrod¹⁴ found space in his report on hunting with Derby to refer to his status as cockfighter, proclaiming him to stand 'conspicuous, as the oldest and most spirited cocker of modern times'.¹⁵ Unfortunately, little of the twelfth Earl's records survive and there is no adequate biography.¹⁶ It is therefore difficult to reconstruct absolutely his interest in the sport beyond anecdotal evidence, though accounts of the 'mains' in which he participated, usually in Preston or Liverpool, regularly appeared in the pages of the *Sporting Magazine*. The only real clues are some financial records which have surprisingly survived the later purges of the Stanley family. These are mainly for the year 1793, but with some indicators as to other years in the 1790s. They show the amount Derby spent on the sport in all its intricacies: tenants had to be paid for keeping, walking, or bringing cocks to tournaments (sometimes in ale or liquor).¹⁷ Corn and other food stuffs were a significant outlay. Cocking bags, spurs and his 'cock carriage' all had to be maintained and replaced.¹⁸ This amounted to no small sum for the time. His spending increased by large increments in these, his early cocking years, and one can only assume that these amounts grew vastly through the early nineteenth century. In 1790 he spent £55-5-3; 1791 saw this

¹² Atkinson, *Cockfighting and Game Fowl*, p. 110.

¹³ Atkinson, *Cockfighting and Game Fowl*, p. 111.

¹⁴ Norman Gash, 'Apperley, Charles James [Nimrod] (1778-1843)', *Oxford Dictionary of National Biography* (Oxford, 2004), [<http://www.oxforddnb.com/view/article/594>, accessed 25 July 2005].

¹⁵ *Sporting Magazine*, 64 (1824) p. 69.

¹⁶ Millard Cox, *Derby: The Life & Times of the 12th Earl of Derby* (London, 1974). The chapter on cockfighting has only Scott's *History of Cockfighting* as a source.

¹⁷ Stanley, 12/7/2 (27 Feb, 1794); 12/7/8 (11 July, 1793); 12/7/12 (11 July, 1793); 12/7/19 (25 July, 1793); 12/7/22 (31 December, 1793); 12/7/23 (31 December, 1793); 12/7/24 (31 December, 1793): 'Accounts relating to farming and agriculture under the 12th Earl'.

¹⁸ Stanley, 12/7/11 (11 July, 1793); 12/7/21 (31 December, 1793); 12/7/28 (13 July, 1793): 'Accounts relating to farming and agriculture under the 12th Earl'.

rise to £89-2-5; in 1792 it had become £115-10-5.¹⁹ To give an indication of his future expenditure it is worth noting that in 1793 he spent £6-14-5 on a year's corn for 89 fowls looked after by John Owen.²⁰ If the later figure of 2-3000 birds is accurate, his corn bill alone would have been vast. He also had to pay the salary of his 'feeder', and come up with money for his wagers. Aside from his regular mains, he is reputed to have had annual matches against General Yates for 1,000 Guineas a side.²¹ Cockfighting, at its highest level, was not a poor man's sport, a point that was to become increasingly important for its defence in the face of anti-cruelty campaigners.²² Derby's death in 1834 brought forth many a eulogy from the sporting community, one taking care to note without a hint of irony that Derby had been 'feelingly alive to the sufferings of his fellow-creatures'.²³

Returning, once more to the rules of play, one of the 'master's' responsibilities was to oversee betting, which could be of some significance as the accounts of Lord Derby attest. Gambling was of crucial importance to cockfighting.²⁴ To bet was to stake one's honour and there were significant constructions in the rules to ensure that 'welchers' were punished. In one version of the rules from 1808 it is stated that 'All disputes about bets, or the battle being won

¹⁹ Stanley, 12/7/30 (n.d.): 'Accounts relating to farming and agriculture under the 12th Earl: Bills and Expenses relating to cocks'.

²⁰ Stanley, 12/7/21 (31 December, 1793): 'Accounts relating to farming and agriculture under the 12th Earl: Corn for Fowls'.

²¹ Peter Willett, 'Edward Smith Stanley, 12th Earl of Derby, Founder of the Derby and the Oaks', *The British Racehorse*, 13 (1961) p. 380.

²² Cf. Chien-hui Li, 'A Union of Christianity, Humanity, and Philanthropy: The Christian Tradition and the Prevention of Cruelty to Animals in Nineteenth-Century England', *Society & Animals*, 8 (online edition, 2000) no page, who mistakenly conflates bull baiting, cockfighting and dog fighting as all breeds of 'working-class recreation'.

²³ *Bell's Life*, 2 November, 1834. The announcement of his death in that paper noted also that 'So strong was the Earl's *penchant* for his favourite sport, that cocks, by his desire, have been introduced into his drawing-room, even during the latter days of his life' (*Bell's Life*, 26 October, 1834).

²⁴ For a comprehensive history of gambling and its cultural and legal status see David Miers, *Regulating Commercial Gambling: Past, Present and Future* (Oxford, 2004).

or lost, ought to be decided by the spectators'.²⁵ Such anarchy would have been subject to the authority of the 'master'. The more common method for dealing with default on bets was to suspend the offender in a basket above the cockpit and leave them there, publicly humiliated, before banishing them until the bet was satisfied.²⁶ In Hogarth's representation, the shadow of some such 'welcher' suspended in a basket can be seen on the floor of the cockpit. Undeterred he appears to be proffering his watch from on high.

The amount of money changing hands at cockfights was considerable. In eight 'mains' of cocks reviewed in the *Racing Calendar* for 1821 between the 'gentlemen' of various counties, up to 500 Guineas would be staked on the main, and from five Guineas per individual match, not taking into account any side betting. In a three-day contest between 35 and 43 cocks were entered, making the final outlay not inconsiderable, even for the rich.²⁷ A match in Newcastle in 1822 was fought for over £600.²⁸ There is little reason to think that Pepys observation in 1663 that 'it is strange to see, how people of this poor rank, that look as if they had not bread to put in their mouths, shall bet 3 or 4/ at one bet and lose it, and yet bet as much the next battell... so that one of them will lose 10 or 20/ at a meeting',²⁹ had changed much by the 1830s.

Gambling, according to the rules, could decide when a match was over. One rule stated that the battle was over when no person was prepared to back an injured cock at seriously long odds.³⁰ The battle was therefore not necessarily to the death, but only so far as there was utility in betting. 'Pounding', as it was known, was seen

²⁵ Hoyle, *Games* (1826) p. 452. It is also later stated that the masters of the match should determine disputes as well as two other gentlemen, p. 453.

²⁶ See appendix 4, item XIII; *Sporting Magazine*, 3rd series, 17 (1851) p. 451.

²⁷ R Johnson, *Annual Racing Calendar for the year 1821* (York, 1822) pp. 199-201.

²⁸ *Sporting Magazine*, 60 (1822) p. 48.

²⁹ Latham and Matthews, *Diary of Samuel Pepys*, p. 428.

³⁰ See appendix 4, item VII

to be morally suspect in some quarters, *Blackwood's* calling it a 'ceremony' which signified

the laying, or taking, heavy odds upon any improbable event. When the losing bird is beaten, according to the laws of the game, ten to one may still be betted that he cannot possibly win; and, after that, we go on *ad internecionem*, until one fowl or the other is entirely destroyed.³¹

Even for cocks that refused to fight there were rules for making betting worthwhile. If two cocks refused to fight ten times (the 'long law'), fresh cocks would be brought to decide the contest by (not necessarily literal) 'sudden death'.³²

Inevitably there were disputes among cockfighters and the spectators, and the rules made provision for such disputes to pass as peacefully as possible. Fighting and the use of weapons was punishable by fine, imposed by the 'master', whose authority was total.³³ In sum, the rules offer a complete system of play, authority, gambling, and social organisation for the sport. The following section offers some analysis of this narrative of the form of cockfighting. Its symbolic range, hinted at here in various locations, was profound.

3. Semiotics

I would like now to 'colour in' the forgoing account of cockfighting. It was a sport deeply immersed in ritual and performance, and was closely linked to perceptions of

³¹ *Blackwood's Edinburgh Magazine*, 17 (1825) p. 602.

³² See appendix 4, item V.

³³ See appendix 4, item XVII.

masculinity, nationhood and status. These themes were played out through the physical combat of the birds, through gambling, and through association.

It is difficult to talk about masculinity and cockfighting without referring to Clifford Geertz, whose case study of Balinese cockfighting is widely known, lauded and criticised.³⁴ I think Geertz's approach is useful and the Balinese case has some striking similarities to examples from nineteenth-century England. Geertz's most profound statement was that it was not cocks that were fighting, but men – that somehow the exploits of the birds were the embodiment of an unrealised contest between their owners.³⁵ The same has been said of modern-day cockfighters in North and Central America, that cockfighting has 'a mythos centred on the purported behavior [sic] and character of the gamecock itself. Cocks are seen as emblems of bravery and resistance in the face of insurmountable odds. This is not

³⁴ Clifford Geertz, "Deep Play": Notes on the Balinese Cockfight', in his *Interpretation of Cultures* (New York, 1973) pp. 412-453. There are some important criticisms of this case study in particular. The main lines of attack are that Geertz disregarded power as an important factor in a practice which was illegal; he eliminates women, or gender relations holistically; his description is synchronic and makes no allusion to change (see William Roseberry, 'Balinese Cockfights and the Seduction of Anthropology', *Social Research*, 49 (1982) 1013-28, esp. at pp. 1020-22 and Emma Griffin, 'Popular Culture in Industrializing England', *Historical Journal*, 45 (2002) pp. 625-6). The explicit incorporation here of the political and legal authorities ought to eliminate the first problem; I am aware that women are still distinctly lacking from this narrative, but this is based on not finding any women in my extensive research. The cockpit does seem to have been a male arena *par excellence*. The problem of synchronicity has been dealt with by other critics of Geertz, most notably William H Sewell Jr, 'Geertz, Cultural Systems, and History: From Synchrony to Transformation', *Representations*, 59 (1997), pp. 35-55. He argued strongly for a dialectic relationship between the 'synchronic moment' and the 'diachronic moment' (p. 37) in cultural analysis. His conviction that it is 'more important for a historian to know how to suspend time than to know how to recount its passage' is in clear support of the Geertzian method (p. 41). His explanation may serve well as a rule of thumb for this account of English cockfighting: 'A proper appreciation of synchrony is the secret ingredient of effective diachronic history.... Unless we can represent to ourselves and our readers the *form* of life in one historical moment or era, unless we can describe systematically the interlocking meanings and practices that give it a particular character, how are we to explain its transformation[?]... No account of change will be judged deep, satisfying, rich, or persuasive unless it is based on a prior analysis of synchronic relations' (p. 42). Marc Bloch put it more simply: 'a historical phenomenon can never be understood apart from its moment in time' (*The Historian's Craft*, (New York, 1953) p. 35). This history should demonstrate the way in which continuity threads through change, and the way in which change reflects continuity.

³⁵ Geertz, 'Deep Play', p. 417.

devalued as vainglorious but is seen as a trait to be emulated.³⁶ This we have come across also with bull baiting. John Lawrence noted that man 'feels a stimulus to bravery' via the actions of his dog, and Lawrence also extended the analysis to cocks.³⁷ There is also little, if any, evidence of women being present in cocking arenas.³⁸

In Geertz's study, men contest their status through gambling, to the point of excess. 'Deep play', a concept associated with Geertz, but actually one that had regular currency in eighteenth- and nineteenth-century Britain,³⁹ involved two parties betting beyond their capacity to pay. This over the top form of betting allowed men to exert their status through conspicuous display. It is this to which Pepys referred when expressing his surprise at the poor losing so much money at a cockfight. One had to continue to bet to maintain one's status. Losing was not so drastic as not participating. The amounts committed to the sport by such luminaries as the Earl of Derby have been noted above, and also the conventions of betting for the gathered multitude. Certainly, being publicly humiliated by being suspended in a basket for defaulting on a bet would have been a slur on one's manly status.

Gambling also stirred the opponents of the sport, one commentator noting that 'the spirit of cruelty, in which they begin, is aggravated a hundred fold, nay, often a height scarcely credible, by the lust of gambling, and the spirit of pecuniary gain'.⁴⁰ Gambling was one of the initial issues of departure for the detractors of the

³⁶ Fred Hawley, 'The Moral and Conceptual Universe of Cockfighters: Symbolism and Rationalization', *Society & Animals*, 1 (1993) online edition, no page.

³⁷ John Lawrence, *A Philosophical and Practical Treatise*, ii, p. 517.

³⁸ This has been borne out by studies across the globe and in different periods of history. See Geertz, 'Deep Play'; Tim Pridgen, *Courage: The Story of Modern Cockfighting* [in America] (Boston, 1938); Janet Moore Lindman, 'Acting the Manly Christian: White Evangelical Masculinity in Revolutionary Virginia', *William and Mary Quarterly*, 3rd Series, 57 (2000) p. 395.

³⁹ As acknowledged by Geertz ('Deep Play', p. 432-3), it was Jeremy Bentham who coined the phrase.

⁴⁰ *Blackwood's Edinburgh Magazine*, XVII (1825) p. 602.

sport. Gambling was inherently unmanly from a certain point of view, and here the clash of modes of masculinity began (see section 4 of this chapter).

The manner of a fighting cock was often thought to be exemplary of the kind of courage that befitted Englishmen and patriots. They fought to the death, continuing to fight even when on the point of expiration and were perceived as symbols of pluck, character and courage, as opposed to deplorable foppishness: 'The display of the courage of the noble, the gallant cock, must surely tend to keep alive the ancient John Bull spirit, which I lament to see is sinking fast into dandyism and insignificance'.⁴¹ Another defender of the sport proclaimed that 'a game cock is the exact emblem of a hero'.⁴² This rubbed off on the human attendees, as in the case of the 'great main' at the Cock-Pit Royal in Westminster in 1796 where the *Sporting Magazine* felt compelled to confess that

the energetic fervour of each party could not be exceeded; nor could the HONESTY of FEEDERS be ever brought to a more decisive criterion. Employed by gentlemen of the most unsullied honour, the cause became enthusiastically sympathetic, and it is universally admitted, a better fought main has never been seen in the kingdom⁴³

This exemplary male arena utilised the language of cockfighting to reinforce its manliness. 'Cock' had obvious connotations of a sexual nature, a verb meaning 'to set erect, to hold bolt upright', like a cock held its head. It is not surprising that cock could be taken to mean leader, superior, or conqueror; a reference to one who

⁴¹ *Sporting Magazine*, 61 (1822-3) p. 298.

⁴² *Sporting Magazine*, 37 (1811) p. 40.

⁴³ *Sporting Magazine*, 8 (1796) p. 167.

fought with pluck; or to strut and look 'menacing, or pert'.⁴⁴ The sport also left us with such phrases as 'not cut out for the job' (referring to the pre-battle trimming of feathers); 'have a set-to' and 'keep your pecker up', all of which refer in one way or another to readiness for fighting.

Cockfighters also liked to refer to the antiquity of the sport and its associations with great warriors; the cock served 'as a living symbolic link to a vibrant though mythic and heroic past'.⁴⁵ The following examples were used to demonstrate the masculine virtues of the sport, and its historical importance: Marcus Antonius was said to be a cockfighter; the Syrians and ancient Greeks had game cocks as deities;⁴⁶ Themistocles used the example of fighting cocks to inspire soldiers, and the Athenian victory over the Persians led to the annual display of cockfighting as an exemplar of courage.⁴⁷ The Roman Empire, according to some, did 'not begin to decline until cocking had fallen into disrepute among the Governors'.⁴⁸ It was only a logical extension to note that 'The valour of the animal, so animating to the blood of an Englishman, is tried to the utmost, and his natural propensities gratified'.⁴⁹ The 'peasants and manufacturers', who some saw as constituting the essence of the sport, were deemed to be

the bulwarks of Britain – these the warriors of nature; who, although outnumbered, will, face to face and hand to hand, conquer or die, at the sound of the bugle, the bagpipe, or the drum... [all] for their blessed little

⁴⁴ Samuel Johnson, *A Dictionary of the English Language* (3 vols., second edn., London, 1827); *The New Shorter Oxford English Dictionary* (Oxford, 1993).

⁴⁵ Hawley, 'Moral and Conceptual Universe of Cockfighters', no page. Hawley's reference to modern participants works just as well for these historical agents.

⁴⁶ *Sporting Magazine*, 72 (1828) p. 177.

⁴⁷ Pierce Egan, *Book of Sports and Mirror of Life: Embracing the Turf, the Chase, the Ring, and the Stage, Interspersed with Original Memoirs of Sporting Men, etc.* (London, 1832) p. 53.

⁴⁸ *Sporting Magazine*, 72 (1828) p. 177.

⁴⁹ *Sporting Magazine*, 61 (1823) p. 299.

island – for that speck on the ocean – for that land of liberty, freedom, glory.... But to change the scene. First take away the amusements of the people, the rest will be shortly and easily done.⁵⁰

Indeed, for some the equation was that simple. Remove cockfighting – remove that activity that reinforced the manly, warrior-like, courageousness of the English – and the country would fall.

But such allusions to grandeur were juxtaposed to more mundane, but nevertheless romantic, descriptions of the sport. Pierce Egan, the great popular voice of the sporting world (though operating outside of the respectable establishment of the sporting press who were under the umbrella of the *Sporting Magazine*) saw the cockpit as an egalitarian affair, where ‘the noble lord, and the *needy* commoner, are both at home’. He asserted that ‘persons who enter the pit to sport a *crown*, bet a *sovereign*, or to put down their pounds, are too much interested upon the *Main*, to consider who they may chance to ‘*rub against*’ for the time being’ and that ‘persons of the first rank in society are to be met with in a cockpit’.⁵¹ The image of a scene where all classes of male body were so crammed together that close physical contact was unavoidable rather eliminated any chance of feminine participation, and shows that men were defining themselves against each other, rather than against the opposite sex.⁵² It also demonstrates that the physicality of men was not the benchmark for masculine status. The conspicuous display of the cocks as a proxy for the

⁵⁰ *Sporting Magazine*, 66 (1825) p. 201.

⁵¹ Egan, *Book of Sports*, p. 146. For a contemporary study of ‘homosexuality’ and hegemonic masculinity, see Sharon R Bird, ‘Welcome to the Men’s Club: Homosexuality and the Maintenance of Hegemonic Masculinity’, *Gender and Society*, 10 (1996) 120-132.

⁵² For more on this view see Mrinalini Sinha, ‘Giving Masculinity a History: Some Contributions from the Historiography of Colonial India’, *Gender and History*, 11 (1999) 445-460, at p. 446; Cf. John Tosh, ‘What Should Historians Do with Masculinity? Reflections on Nineteenth-century Britain’, *History Workshop Journal*, 38 (1994) 179-202 at p. 183.

body, and the honour code of betting made this kind of manliness a cognitive and symbolic one.

Egan's 'persons of first rank' is, at first glance, a nod to the nobles and gentlemen of the arena,⁵³ but there is also the impression that in the cockpit the 'needy commoner' could also be of first rank if he was an ancient of the sport. This demonstrates the contextual nature of expressions of manliness in this period, as opposed to manliness being entirely determined by class.⁵⁴ Greg Dart's idea of the 'fantastical element in class thinking', the 'social mobility' provided in certain cultural settings that allowed participants to be 'free to cultivate their own highly idiosyncratic... version of their position within the social hierarchy',⁵⁵ works just as well for concepts of masculinity as it does for class. Within the cockfighting world, men could define themselves as manly without reference to the usual criteria of the outside world. 'Respectable' meant something else too, not based upon dress, manners, or deportment, but on performance, knowledge and esteem among other cockfighters. It is this 'fantastic' element that was to become increasingly challenged as cockfighting became enveloped into the cruelty discourse.

⁵³ Egan had earlier noted that 'The admirers of COCKING are not destitute of arguments to back their favourite sport; indeed, at the present moment, in several of the cock-pits, both in town and country, are to be seen noblemen of the highest rank in the peerage, and some of the oldest members of the House of Lords, giving it their support and sanction' (*Book of Sports*, p. 53).

⁵⁴ See Martin Francis, 'The Domestication of the Male? Recent Research on Nineteenth- and Twentieth-century British Masculinity', *Historical Journal*, 45 (2002) 637-652 at p. 649 for the operation of manliness outside of class relations. Anna Clark claimed it was 'working-class men' who were perceived to base their honour on 'pugilistic skill', but one wonders if cockfighting did not offer a similar outlet for expressions of manhood across the classes, only without the physicality of pugilism. See her, 'The Rhetoric of Chartist Domesticity: Gender, Language, and Class in the 1830s and 1840s', *Journal of British Studies*, 31 (1992) 62-88, at p. 71.

⁵⁵ Gregory Dart, "'Flash Style': Pierce Egan and Literary London, 1820-28", *History Workshop Journal*, 51 (2001) 180-205, at p. 184

4. Making cockfighting cruel

Cockfighting, as the foregoing suggests, was not widely considered to be a 'cruel' sport at the beginning of the nineteenth century. Even among campaigners for animal protection, cockfighting was only on the fringes of their concerns. John Lawrence, who we have come across before, made the following comment on cockfighting:

The crowing and feathered combatants, armed with deadly steel, attract very little of my pity, knowing, as I do, that their acts of hostility are, and always must be, purely voluntary.... I only wish ardently, that all our sports in the view of humanity, were equally innocent, and as little objectionable as that of cock-fighting.⁵⁶

Considering this view from the animal cruelty lobby, it is not surprising to find the protagonists of cockfighting making claims in praise of the sport, and even damning bull baiting by comparison. A correspondent to the *Sporting Magazine* in 1821 made

no objection to the cock-pit, when no cruel or unfair practices are used. Fighting is the nature, and act and deed of the animal itself, and cannot be compelled. Hence the plain difference between cock-fighting and the loathsome, *unnatural*, and back-door practice of BAITING animals, that every *man* ought to set his reason, his face, and his hand against.⁵⁷

⁵⁶ John Lawrence, *A Philosophical and Practical Treatise*, i, pp. 187-8.

⁵⁷ *Sporting Magazine*, 59 (1822) p. 175.

The *Sporting Magazine* itself, ambivalent about cruelty issues as has been demonstrated over bull baiting, did come firmly out in favour of cockfighting, since any injuries were the 'result of their own will and pleasure, and the steel wherewith they are armed is no instrument of cruelty, since it accelerates their release from suffering, performing the office of the knife, to which otherwise they are destined'.⁵⁸ This was a point of some debate, with some evangelicals making the exact opposite claim that spurs increased the barbarity of the sport.⁵⁹ Nevertheless, the general view seems to have been that spurs made cockfighting a more clinical activity.⁶⁰

There is a consensus here, an allusion to nature that set cockfighting apart from bull baiting, which relied on the contrivances of man. The notion of fair play was central to the sport. The 'voluntary' fighting of the birds allowed men to identify with their displays of 'courage' without any sense of being party to an act of cruelty. But there were changes occurring, in accordance with the development of the political debate on animal cruelty, that brought cockfighting into the discussion. It is doubtful that the sponsors of the original bill to prevent bull baiting had any intention to implicate cockfighting. The broader bills introduced by Erskine in 1809 and 1810 had made this a possibility however, and positive statements in support of cockfighting became increasingly defensive, while the 'antis' became more forthright in attack. One defence, a 'Modest Commendation of Cock-Fighting' was published in *Blackwood's* in 1827:

The nation has of late years become so refined in its taste, so fastidious in its morals, and so tender-hearted in its amusements, that there are very few of the enjoyments of its ancestors, which it does not proscribe as either vulgar,

⁵⁸ *Sporting Magazine*, 60 (1822) p. 40

⁵⁹ The Religious Tract Society, *On Cruelty* (London, 1830) p. 5.

⁶⁰ See also, *Sporting Magazine*, 61 (1822-3) p. 298.

indelicate, or inhumane.... But I am not quite satisfied, that cudgel playing is a more savage amusement than boxing, or that cock-fighting is more productive of animal suffering than the multitudinous massacre of a grand *battu-day*.⁶¹

This Windham-esque conflation of the 'popular' and 'elite' sports was one of the more polite ways of encouraging the legislators to leave cockfighting alone. Others were not so courteous. 'Be careful, ye British Pillars of State!' warned the *Sporting Magazine*, who by 1828 had firmly gone against bull baiting, 'Let not mistaken zeal usurp the place of ancient example and dear-bought experience'.⁶² The author of the *Blackwood's* article, going by the name of *Gallus Gallinaceus* beseeched the Lords and Commons of England in 1827 to halt the growing animal protection movement:

Let them not, I humbly implore them, be led away by the canting philosophy, the pretending and pretended humanity, of the day. Let them recollect that cock-fighting has been part of the system under which the country has become the terror, the envy, and admiration of the world; and let them reflect long and deeply, before they venture to lay sacrilegious hands on this royal pastime. One rash enactment may destroy, in a few years, that manly spirit which it often requires centuries to generate in a nation.⁶³

This polemic explicitly couched any attack on cockfighting as an attack on manliness, a crumbling into effeminacy of English society. The *Sporting Magazine*

⁶¹ Gallinaceus, 'Modest Commendation of Cockfighting', p. 587.

⁶² *Sporting Magazine*, 72 (1828) p. 177.

⁶³ Gallinaceus, 'Modest Commendation of Cockfighting', p. 592.

weighed in with a similar defence, noting that cockfighting was 'one of those pursuits most vital to our constitutional character for courage' and imploring Richard Martin not to stretch to such 'lengths of humanity'.⁶⁴ Nevertheless, cockfighting was included in the legislation of 1835 (though importantly only with reference to the specific premises where cockfighting took place, rather than the sport itself. See chapter 2). This suggests an 'official' shift in the perception of nature and man's relationship to animals. The law as it was framed acknowledged that the provision of a manmade space for the exhibition of animal fights *contrived* a setting for the 'natural' behaviour of the birds. It was not that cockfighting was cruel *per se*, but that the human intervention in confronting cocks with one another was. By extension, it could be viewed as unmanly and unpatriotic in the same sense that bull baiting was.

Nevertheless, this construction of the law did not sit well with the cockfighters, who continued to perceive the sport in natural terms. Moreover, a common defence was that Parliament was attacking the sports of the poor whilst ignoring the sports of the rich. We have already seen that cockfighting relied heavily on the patronage of the elite, so such a claim seems erroneous at first. But cockfighting was an inclusive sport, and the poor had access to it on an equal basis to the rich. For this reason cockfighting became associated increasingly with the masses. Its defence after prohibition, in invoking the masses, also more explicitly invoked a discourse of manliness and patriotism. It is to this defence, and to the continuance of cockfighting after the law of 1835 to which we next turn.

⁶⁴ *Sporting Magazine*, 72 (1828) p. 176.

5. New forms of 'deep play': contesting modes of masculinity

After prohibition, the risk, that element which defines 'deep play' was no longer merely financial; if reputations and honour had been at risk before, this became more acute, with the chance of being disgraced by a criminal conviction and a spell in jail. The penalty for cockfighting no doubt dissuaded some from persisting in the sport. For others it just added to the thrill. All participants knew that their meeting could, at any minute, be disrupted by the police, and yet men of considerable wealth continued the sport in spite of, or as a direct affront to authority.

The story of Grantley Berkeley MP is a particularly noteworthy case in point. Berkeley was MP for Gloucestershire in the Liberal interest. He was famed for his sporting endeavours, both as a Master of Fox Hounds and Stag Hounds, as well as having been taught pugilism by Gentleman Jackson, the man who taught Byron. Moreover, he was infamous for his disdain of injustice and ungentlemanly behaviour. Following an unfavourable review in *Fraser's Magazine* of his first novel, he not only beat the proprietor of the magazine with his hunting whip, he also fought the reviewer in a duel.⁶⁵ Berkeley was also a great fan of cockfighting. He noted in his memoirs that:

Cock-fighting has been proscribed by a law, which absolutely appears to make it penal for any man in the street to stop and watch two cock-sparrows fighting in the gutter, if by his voice he aided, encouraged, or abetted either of the antagonists. A good many of us, however, still like to

⁶⁵ Charles Kent, 'Berkeley, (George Charles) Grantley Fitzhardinge (1800-1881)', rev. Julian Lock, *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/2212>, accessed 13 Aug 2005]. For an excellent insight into the blurring of class distinctions through pugilism, and Gentleman Jackson's career see Peter Radford, *The Celebrated Captain Barclay: Sport, Gambling and Adventure in Regency Times* (London, 2001).

see all fair combats when a free option to surrender is accorded, and among them the fairest of all is the battle between game cocks; the most spirited and the most varying in the opportunities it affords for betting.⁶⁶

This combination of politics, hunting, boxing and cockfighting put Berkeley out of step with the refining tastes of his time for men of his standing. But Berkeley was by no means unusual in the eclecticism of his interests, representing an older tradition of gentlemen members of the fancy.⁶⁷ He *was* unusual in finding himself at the centre of a crude sting operation involving the RSPCA.

Having offered Berkeley a venue to stage a cockfight, the owner of the premises immediately wrote to the RSPCA and informed them of the event.⁶⁸ The police and the Society's constables were able to watch the proceedings through strategically cut holes in the wall and various members of the party, including Berkeley, were arrested.⁶⁹ The tension was palpable. The shame brought upon those involved was most evident. Whilst the manliness of the sport within its own boundaries was unquestioned, it crumbled when faced with an expression of the new hegemonic ideal, implicit in the law. Berkeley later recounted his feelings:

I shall never forget the terror this occasioned to some of the members of the House of Commons, to my brother the member for Bristol among them, and all apprehension at the prospect of being myself shown up was for the time banished from my mind by the grotesque shifts and hiding

⁶⁶ Grantley F Berkeley, *My Life and Recollections* (2 vols., London, 1865) i, pp. 282-3.

⁶⁷ Such men are colourfully represented in Radford, *Celebrated Captain Barclay*.

⁶⁸ RSPCA Minute Book 3, CM/22, pp. 116-9 (15 May, 1839).

⁶⁹ Berkeley, *My Life and Recollections*, i, p. 285; *The Times*, 15 May, 1839, also lists the Right Hon. Thomas Morton Fitzhardinge Berkeley and Mr. George Henry Dashwood, MP for Chipping Wycombe as being arrested.

places the selected of the People adopted in trying to escape the books and looks of the constables.⁷⁰

Berkeley was fined at Uxbridge Magistrate's court, but his animadversions in the dock and in the press drew acute attention to the real agenda of the animal protection movement.⁷¹ He noted the 'un-English power over the liberty of the subject given to, or rather covertly grafted on, that act of Parliament'.⁷² Berkeley published letters to the RSPCA stating his disbelief that the Society would want to perpetrate 'any improper, underhand or covert proceedings'.⁷³ The *Sporting Magazine* joined him in his dismay, praying that the RSPCA would not 'join the pseudo-philanthropists of the day, and decry and interfere with all existing sports and recreations, palming upon the public all sorts of delusions and calumnies'. For this it would lose the support of 'all good men'.⁷⁴ Berkeley later commented that the 'Society for the Suppression of Cruelty to Animals [sic] prostitute their funds, [and] are part and parcel of an unwholesome disease, which it becomes every Englishman to reduce'.⁷⁵ It seems clear from both sides of the argument that the well being of poultry was never the real issue. Ultimately, Berkeley did not repent. He stated:

I had ever publicly declared that sports of the kind would always be upheld by me, as long as the battle was fair, and a surrender to either combatant allowed; the baiting of animals alone I detested, therefore, being thus

⁷⁰ Berkeley, *My Life*, i, p. 284.

⁷¹ *The Times*, 5 & 6 June, 1839; Berkeley, *My Life*, i, p. 286-7; see also RSPCA Minute Book 3, CM/22 (1839), p. 130-1.

⁷² *The Times*, 6 June, 1839.

⁷³ RSPCA Minute Book 3, CM/22, pp. 130-1 (facsimile of a letter dated 3 June, 1839); *The Times*, 6 June, 1839.

⁷⁴ *Sporting Magazine*, 94 (1839) p. 379.

⁷⁵ Grantley Berkeley, 'The Sports and Recreations of the People, and Their Moral Effects', *Sporting Review*, 6 (1841) 249-252, 329-334, 409-415, at p. 415.

“pulled up” for a matter from the support of which I never pretended to have shrunk, affected me but little.⁷⁶

The involved agencies had all played their hands and the different agendas were plain to see. The RSPCA had shown its willingness to partake in ‘covert’, ‘un-English’ operations; a notable cockfighter had expressed his disbelief that cockfighting could cause offence, and in so doing, had highlighted the fact that this was anything but a sport for the ‘poor’; the sporting press had derided the RSPCA for interfering in manly pursuits and misdirecting its efforts; and the law had been invoked and found the cockfighters guilty. In the final analysis, in this, the first headline case after prohibition, the law was made to work, but the reformers came away looking cowardly, unmanly and unpatriotic in the face of favourable review for the cockfighters. This was to change over time.

In April 1838, some RSPCA officers intervened in a cockfight between the gentlemen of Middlesex and the gentlemen of Surrey. Four of them were badly beaten. The men were again operating under cover, but one was recognised and the leading opponent promised to ‘split their skulls open’.⁷⁷ He received six months in prison for his actions, which were demonstrative of the height of the stakes involved here. The imposition of a clandestine, un-English, force was resented enough to drive some to attempted murder. But the injuries to the ‘innocent’ parties helped to turn the tide of public opinion. The *Sporting Magazine* ceased to publish cockfighting results in 1838, and the *Racing Calendar* did so by 1843. The sport seemed to simply go off the map for a long period, in the press, in Parliament, and

⁷⁶ Berkeley, *My Life*, i, p. 287.

⁷⁷ RSPCA Minute Book 2, CM/21, pp. 295-307, p. 326. One of the men did actually die five months after his beating, but this was due to consumption rather than his injuries (Minute Book 3, CM/22, pp. 8-9), contrary to the report in *The Times* (27 September, 1838) which presented him as a martyr for the cause of animals. Cf. Brian Harrison, ‘Animals and the State in Nineteenth-Century England’, *English Historical Review*, 88 (1973) 786-820, at p. 789.

most notably in the *Sporting Magazine* which had largely become a fox hunting journal by the 1840s.⁷⁸ A brief reappearance of cockfighting in the *Sporting Magazine* of 1851 carried the note: 'And to the honour of our country be it said, that the barbarous practice of cock-fighting is entirely discontinued. A Frenchman now visiting our island will find nobler sports... sports which tend to elevate, not to brutalize, the human mind'.⁷⁹ Previous editors of the journal would no doubt have been enraged at such a pandering to continental manners and opinions, but the point was driven home in another article in 1856:

cock-fighting (never mind its memories, its pleasant pits, its traditions, its royal favour, royal participation, *et cætera*) is a great crime, a hideous outrage, a most heinous offence against the refined spirit of the age; and consequently, as in duty bound, I deprecate now what the highest and the best even of our foremost men, statesmen, and orators, as well as sportsmen, only a few years back, were not ashamed to share and countenance.⁸⁰

The balance of power between modes of manliness and types of national identity had shifted completely, to the benefit of the *Sporting Magazine's* fox hunting readers, and the RSPCA's cause against 'cruelty'. The *Sporting Magazine* conceded the following in 1866:

⁷⁸ The editorial comment at the beginning of the 3rd Series of the *Sporting Magazine* in 1843 went thus: 'I see thou hast thrown off thine old cover, and donned a new one – something more characteristic of the times, and to the exclusion, I perceive, of one or two sports that have become antiquated'. 3rd Series, 1 (1843) p. 3.

⁷⁹ *Sporting Magazine*, 3rd Series, 17 (1851) p. 451.

⁸⁰ *Sporting Magazine*, 3rd Series, 28 (1856) p. 217.

In spite of all that has been written or said, many futile attempts have nevertheless from time to time been made by its admirers (influential people too, the remains of the old school, the dregs of the pit) to revive, or at least to keep alive, *sub rosa*, the renowned game of cocking; but it is always attended with so many difficulties that I question if its pleasures, even to those who can really appreciate and enjoy them, compensate for the risk of exposure, accompanying a discovery and capture...⁸¹

Yet it was still the case that cockfighting was 'deeply rooted in many counties, and can never be eradicated from the hearts of those who have once enjoyed its fascinating display of invincible pluck'.⁸² As such, cockfighting never disappeared from the pages of the RSPCA's Annual Reports, where the society lamented 'the secrecy with which, from fear of punishment and shame such fights are carried on',⁸³ and even claimed that the law was 'inoperative' and that cockfighting was 'greatly on the increase'.⁸⁴ The Society's concerns were such that it formed a committee of its MP members to advise on the proper course of action for amending the law to make cockfighting strictly illegal.⁸⁵ The argument that the cock was not a domestic animal carried some weight in legal cases. The Court of Queen's Bench ultimately declared the cock a 'domestic animal' during 1863.⁸⁶ Nevertheless, the weight of cockfighting's continued cultural importance caused it regularly to reappear in the media again in the 1870s.

⁸¹ *Sporting Magazine*, 3rd Series, 48 (1866) p. 38.

⁸² *Sporting Magazine*, 3rd Series, 48 (1866) p. 38.

⁸³ RSPCA Thirty-second Annual Report, 1858, p. 12.

⁸⁴ RSPCA Thirty-sixth Annual Report, 1862, p. 26.

⁸⁵ RSPCA Minute Book 9, CM/28, pp. 127-8 (25 March, 1862); p. 179 (10 February, 1863).

⁸⁶ RSPCA Minute Book 9, CM/28, p. 182 (17 March, 1863); RSPCA Thirty-ninth Annual Report, 1863, p. 162. The Annual Report recorded the first cockfighting case since the Court of Queen's Bench's decision. The Magistrate mitigated the sentence on the basis that 'there was a general opinion prevailing at the time that cock-fighting was not illegal'.

The RSPCA's powers of discovery had also increased by this time, and their adeptness at forcing convictions for cockfighting had seen the sport become a much more private, underground affair. When John Robinson, a magistrate for the borough of Oldham, was convicted of cockfighting in 1873, there was no outpouring of public support as in Grantley Berkeley's case. Instead, the Chancellor of the Duchy of Lancaster had him summarily dismissed from the commission of the peace.⁸⁷

In another case from 1875, the farcical nature of the sport became apparent. The police had now become a regular factor in cockfighting, and as such, the chase had become part of the sport. So when 100 people met at daybreak on a May morning in Barrow for a match between that town and Kirkby-Ireleth, the police were at hand to disperse the crowd:

Owing to the other party not being able to leave Barrow without being traced they were obliged to wait and leave Dalton by the morning mail train, arriving at Foxfield at 6 o' clock. This delayed the match. The police pressed on them until nearly 8. The assembly then separated into talking parties, and the constables were powerless. Gradually the people scattered, and by consent met at Bank End Rough Pasture, Broughton, having kept the police tracing until trace was lost. The 'sport' then continued for over an hour.... The police came upon the cockfighters a little before noon, and five cocks then lay dead. The people fled, carrying their birds with them.⁸⁸

⁸⁷ *The Times*, 3 September, 1873.

⁸⁸ *The Times*, 29 May, 1875.

Ten people were eventually convicted.⁸⁹ The police were an integral part of the entire process, and it is not clear whether the parentheses around 'sport' were designed to demonstrate the cruelty of cockfighting, or the comic dance of police and sportsmen. Certainly, at no point did awareness of the police diminish the intention to stage a fight, signifying this new direction in 'deep play' – the accepted risk of getting caught. Reporting on a cockfight at Aintree in the same year, the Liverpool journal, the *Porcupine*, noted that 'neither expense nor imminent risk of exposure deters the ardent votaries of the sport from pursuing it in secret'. It implied that there was some 'pleasurable excitement about running such a risk'.⁹⁰

The risks were worthwhile because for some, cockfighting was still a manly and patriotic activity. Its continued practice was a demonstration of this and an act of defiance in the face of more powerful forms masculinity and expressions of national identity. Such a view was publicly stated by an important member of the sporting world, also in 1875. Admiral Rous was known as the 'dictator of the turf' for his lofty position within the Jockey Club and his command of respect in the racing world.⁹¹ He endorsed cockfighting in a letter to *The Times* stating its 'first rate pluck and courage' and the way it 'creates alliances and augments friendly acquaintance [thereby adding]... strength to the Empire'.⁹² This argument, by no accident, echoed the panegyrics regularly put forward in favour of fox hunting (see chapter 6), but outside of groups of die-hard supporters Rous was by now a dissonant voice. The RSPCA were under no illusions that the sport was now a firmly working-class affair, taking place in 'public houses in the mining districts' among people who 'generally live in degraded homes, and are not likely to be

⁸⁹ *The Times*, 29 May, 1875.

⁹⁰ *Porcupine*, 17 (1876) p. 83.

⁹¹ F. C. Lawley, 'Rous, Henry John (1795-1877)', rev. Andrew Lambert, *Oxford Dictionary of National Biography* (Oxford, 2004) [<http://www.oxforddnb.com/view/article/24172>, accessed 25 July 2005].

⁹² *The Times*, 18 June, 1875.

influenced by the stigma placed on acts of cruelty by an improved public opinion'.⁹³ These were men beyond reach. *The Times*, in 1865, effectively encapsulated the changes to what it called a 'genuine institution of the country' that had become 'not only disreputable, but positively illegal' in the space of thirty years.

Besides giving something to bet upon, it was an exhibition of pugnacity and courage.... So popular, indeed, was it that it has left enduring traces in our language, and many expressions in our daily use are derived from the technical terms of the Cockpit....[Yet] the practice had been rightly proscribed, and... the spirit of the legislation which condemned it could not be impugned. We hope the example may now come in aid of the precept, and that we may hear no more of such a barbarous practice even behind the closed doors and drawn curtains of a sporting tavern.⁹⁴

The Times was a little premature in its announcement of the end of cockfighting. The last purpose built cockpit in England to be raided did not succumb until 1874,⁹⁵ and concern was raised in Parliament in 1875 that matches were too difficult to locate, and too difficult to prosecute under the law as it stood. Indeed, in Oldham in 1882 it was claimed that 'Cockfighting is becoming a frequent sport in the neighbourhood, but the men manage to elude the police'. Douglas Reid concluded that 'cock-fighting survived behind closed doors – usually, but not always, public-house doors', and it would be fascinating to see how far such an hypothesis could be tested. It does seem clear however, that while cockfighting was firmly incorporated into the definition of 'cruelty', as unmanly and unpatriotic, there was

⁹³ RSPCA Fifty-first Annual Report, 1875, p. 24.

⁹⁴ *The Times*, 24 April, 1865.

⁹⁵ Atkinson, *Cock-fighting and Game Fowl*, p. 207.

still a sizeable minority who thought differently. As late as the 1920s, Herbert Atkinson asked whether the 'crowds that fill the music-halls, picture palaces, and attend the football matches' were 'more virile, healthy, and better citizens than their grandfathers who attended the Cock-pit'. He pondered that 'if honesty, pluck, and endurance of hardship are exploded, we shall see whether the virtues of the day will stand the ordeal as well, or let us hope better, than the rough, honest, downright John Bull of a century or more ago'.⁹⁶

6. New sporting directions

Some of the themes dealt with here lead us into the next stage of this investigation. How far was the threat posed by the authorities incorporated into the ethos of blood sports? To what extent could blood sports survive 'underground'? If all of the traditional popular pastimes were being removed, what was taking their place? The traditional historiography has suggested the rise in regulated and national sports,⁹⁷ but I would suggest that there was a lively undercurrent of popular blood sports, of which cockfighting was only the most visible, that survived the entire period of our investigation. It is to these sports, and the 'unspeakable men' that practised them, that we now turn.

⁹⁶ Atkinson, *Cock-fighting and Game Fowl*, p. 152.

⁹⁷ Refer to section 2 of chapter 1.

Unspeakable Men

Underground Blood Sports: Dogs, Badgers and Rats

1. A crisis of masculinity?

The forgoing chapters have detailed the curtailment of forms of masculine expression and national character, though it is not yet clear how the affected parties found new ways to express themselves. What filled the vacuum left by the process of cultural change? It often seems like the actions of the RSPCA and the legislative rhetoric of the State merely served to define what masculinity and nation were *not*. This chapter goes some way to illuminating the direction that some men took to continue to fulfil their perceptions of identity. It is, however, a direction that the State and the RSPCA still found unspeakable.

Typically, new modes of masculine expression have been detailed in the body of work that comprises the historiography of organised sport.¹ The 'sporting revolution', a 'whiggish' thesis, stresses the rise in organised, regulated, codified and national/imperial sports through the combination of several factors: the

¹ This discipline has not yet been explicitly gendered, which is somewhat surprising given the overwhelming involvement of men in sport in this period. The historiography has been recently surveyed by Neil Tranter, *Sport, Economy and Society in Britain, 1750-1914* (Cambridge, 1998) and by Emma Griffin 'Popular Culture in Industrializing England', *Historical Journal*, 45 (2002) 619-635. For general expositions of the sporting revolution see Hugh Cunningham, *Leisure in the Industrial Revolution, c.1780-c.1880* (London, 1980); Richard Holt, *Sport and the British: A Modern History* (Oxford, 1989); James Walvin, 'Symbols of Moral Superiority: Slavery, Sport and the Changing World Order, 1800-1950', in J A Mangan and James Walvin (eds), *Manliness and Morality: Middle-class Masculinity in Britain and America, 1800-1940* (Manchester, 1987) pp. 249-251, 255-257; James Walvin, *Leisure and Society 1830-1950* (London, 1978), esp. ch. 7; Robert Malcolmson, *Popular Recreations in English Society, 1700-1850* (Cambridge, 1973); Peter Bailey, 'The Politics and Poetics of Modern British Leisure: a Late Twentieth-century Review', *Rethinking History* 37 (1999) 131-175.

dissemination of public school ideologies,² the regulation of the working week and industrial discipline,³ and through the refinement of taste that eliminated older forms of *ad hoc* and cruel diversions (the rise in sensibility).⁴ The narration of this 'civilizing process',⁵ the channelling of leisure into 'acceptable' forms, has become a paradigmatic approach that illuminates much in its explanation of the death of 'Saint Monday'⁶ and city-wide footballing sprawls,⁷ and their evolution into refined and delimited 'modern' sports. But the thesis, in explaining a good deal, has obscured much, for it implies a relatively smooth and holistic transformation that completely changed the face of Victorian leisure, and by implication, the culture of English manliness. This chapter addresses some of the *long durée* resistances to this 'revolution'. Its chief focus is the hidden obscure world of the dog and rat pits.

These stories of dog fighting and rat fighting, as well as badger baiting, run both parallel to, and intertwined with, the story of organised sport. It would be too unrealistic to suggest that one kind of man took the road of football and cricket,

² See, amongst others, J A Mangan, *Athleticism in the Victorian and Edwardian Public School: The Emergence and Consolidation of an Educational Ideology* (Cambridge, 1987); J A Mangan, *The Games Ethic and Imperialism: Aspects of the Diffusion of an Ideal* (Harmondsworth, 1985); David Newsome, *Godliness and Good Learning: Four Studies on a Victorian Ideal* (London, 1961); Jeffrey Richards, *Happiest Days: The Public Schools in English Fiction* (Manchester, 1998).

³ E P Thompson, 'Time, Work-Discipline and Industrial Capitalism', *Past and Present*, 38 (1967) 56-97; Hugh Cunningham, 'The Metropolitan Fairs', in A P Donajgrodzki (ed), *Social Control in Nineteenth Century Britain* (London, 1977); Eileen and Stephen Yeo, 'Ways of Seeing: Control and Leisure versus Class and Struggle' in their (eds), *Popular Culture and Class Conflict 1590-1914: Explorations in the History of Labour and Leisure* (Brighton, 1981) pp. 138-40.

⁴ Amongst others see J Barker-Benfield, *The Culture of Sensibility: Sex and Society in Eighteenth-Century Britain* (Chicago, 1992); Philip Carter, *Men and the Emergence of Polite Society, Britain 1660-1800* (Harlow, 2001).

⁵ Norbert Elias and Eric Dunning, *Quest for Excitement: Sport and Leisure in the Civilizing Process* (Oxford, 1986). Elias made similar conclusions in his 'On Transformations of Aggressiveness', *Theory and Society*, 5 (1978) 229-242.

⁶ Most notably, see Douglas Reid, 'The Decline of Saint Monday, 1766-1876', *Past and Present*, 71 (1976) 76-101; Douglas Reid, 'Weddings, Weekdays, Work and Leisure in Urban England 1791-1911: The Decline of Saint Monday Revisited', *Past and Present*, 153 (1996) 135-163.

⁷ See James Walvin, *The People's Game: History of Football Revisited* (2000); Malcolmson, *Popular Recreations*, pp. 82-6; Anthony Delves, 'Popular Recreation and Social Conflict in Derby, 1800-1850', in Yeo and Yeo (eds), *Popular Culture and Class Conflict*.

while another lurked in the upstairs rooms of inner-city and suburban slum pubs watching animals fight. Far more likely is that the two over-lapped. Men, and manliness, have to be seen to be able to transcend cultural barriers – to exist in different cultural spaces in different forms.⁸

So why talk of a 'crisis of masculinity'? It is a phrase too often deployed by historians and sociologists to describe broad blocs of men who feel emasculated – lost in a complex configuration of power and gender that does not recognise individual feelings and drives, and that prescribes unattainable normative characteristics.⁹ These 'crises' have been shown to say more about historians and sociologists than they have about the actual nature of gender perceptions. Masculinity is always *masculinities*, every temporal specificity throwing up distinct inter-relationships and dynamics of gender construction. To speak of a 'crisis' in these terms is to speak of a perpetual crisis. For every hegemony there are men outside it. For every subordinating power there has to be a subordinated group in 'crisis'. What then is the use of such a category of analysis?¹⁰

This period, and this particular topic, seem suggestive of a different kind of crisis however. Men were only being told how men *should not* be, and not necessarily how they should be. These groups of *unmen*¹¹ were alienated from their cultural

⁸ Martin Francis has made this suggestion for the late nineteenth and early twentieth century. There seems to be no reason why this is not always the case. See his 'The Domestication of the Male? Recent Research on Nineteenth- and Twentieth-Century Britain', *Historical Journal*, 45 (2002) 637-652.

⁹ Robert Bly, *Iron John* (London, 1990); Michael S Kimmel and Michael Kaufman, 'Weekend Warriors: the New Men's Movement', in Harry Brod and Michael Kaufman, *Theorizing Masculinities* (London, 1994); Michael Roper and John Tosh, *Manful Assertions: Masculinities in Britain since 1800* (London, 1991), esp. introduction.

¹⁰ See R W Connell, *Masculinities*, pp. 84-6; R W Connell, *Gender and Power: Society, the Person and Sexual Politics* (Cambridge, 1987) pp. 158-63; John Tosh 'Hegemonic Masculinity and the History of Gender', in Stefan Dudink, Karen Hagemann and John Tosh (eds), *Masculinities in Politics and War: Gendering Modern History* (Manchester, 2004).

¹¹ A phrase used and explored by L Bibbings, 'Images of manliness: the portrayal of soldiers and conscientious objectors in the Great War', *Social and Legal Studies*, 12 (2003), 335-358. This seems to be a useful category for men that do not comfortably fit any of the contesting constructions of masculinity.

traditions, and by extension from recourse to masculine expression.¹² What follows is a suggestion of some of the avenues men explored as replacements for their suppressed cultures. These were temporary routes, their 'deviant' nature implying their ultimate destruction. But for a while at least, the masculinity that we have seen expressed in the arenas of animal sports went underground.

2. Precursors and traditions

Dog fighting was not a product of the anti-cruelty legislation. In fact, it had been an early target for the RSPCA before it had any authority courtesy of the statute books. The love for the sport among certain English men perhaps had its roots in the symbolically important cultural place of the dog as human companion in English culture. The cultural significance of the bull dog has already been noted, both as a central element in popular sport, but also as an emblem of England, and a trusty companion to John Bull himself. Henry Mayhew noted the lengths to which the wealthy were prepared to go to buy expensive dogs. This in turn provided a steady trade for dog-nappers who duly ransomed the prestigious heels back to their well-moneyed owners.¹³ In chapter six I will detail the historical and cultural importance of the hound (an appellation that distinguished this kind of dog from its currish neighbours). In one way or another, the English have identified with dogs. But it is

¹² This is the obverse of what George L Mosse, *The Image of Man: The Creation of Modern Masculinity* (Oxford, 1996) described. He noted that 'The masculine stereotype was strengthened however, by the existence of a negative stereotype of men who not only failed to measure up to the ideal but who in body and soul were its foil, projecting the exact opposite of true masculinity' (p. 6). It seems to me very important to analyse this antithetical stereotype in its own right.

¹³ Henry Mayhew, *London Labour and the London Poor*, ii, pp. 56-60.

crucial that we do not reduce all of this to pet ownership. The relationship of men with their dogs in fighting circles is in no way illuminated by the history of pets.¹⁴

This posed problems for contemporary observers in the nineteenth century, who could not see the logic in poor men owning animals. A Liverpool investigative journalist noted that:

It is remarkable how strong the instinct of 'sport' is among the lower classes of society, who seem most completely cut off by circumstances from the possibility of gratifying such a taste. It would seem, upon a superficial observation, that when a man found considerable difficulty in keeping a body and soul together, that the bare necessity of getting something to eat for himself and his family would occupy all his attention and monopolise all his time. As a matter of fact, however, it is just men in this position who keep dogs, and spend a good deal of time over them which it might be thought could be more profitably enjoyed...¹⁵

The reasons for this seemingly irrational compulsion for dogs lay, I will argue, in the need for masculine expression in the cultural arena. As with the cockfighting pits disappearing across the English landscape, men exemplified their status – cultural not class – via an animal proxy. Men who fought dogs, according to the *Sporting Magazine*, felt 'no pleasure in seeing them tear one another; but it is a trial between the parties who has the honour of having the best dog... the honour of breeding the best'.¹⁶ This chapter will explore the following assertion by Mayhew, that 'every

¹⁴ For a thorough survey of the history of pet ownership, see James Serpell, *In the Company of Animals: A Study of Human-Animal Relationships* (second edition, Cambridge, 1996).

¹⁵ *Porcupine*, 19 (1878) p. 134.

¹⁶ *Sporting Magazine*, 66 (1825) p. 413.

man of this [sporting] class considers the glories of his... dog his own, a feeling very dear to selfishness'.¹⁷

As previously mentioned, the RSPCA targeted dog fighting early in its institutional life. In 1829 and 1830 it issued indictments on the proprietors of three dog pits in West Smithfield, Westminster and at Tottenham Court Road.¹⁸ It is not clear under what rubric the society pursued these cases, since they could have had no basis in animal-cruelty law. It also corresponded with Robert Peel in a bid to introduce legislation that would specifically target the dog pits.¹⁹ Its reasons for targeting the sport were made manifest in a Parliamentary Committee on a Bill for the Prevention of Cruelty to Animals, in 1831-2.²⁰ The assembled witnesses reporting to the committee were never likely to offer a ringing endorsement for the sports in question, the vast majority coming from outside of that particular cultural setting. Cockfighting and droving also received attention at the hands of the committee, but its main focus was the iniquity of the dog pits, particularly in London. The purpose, harking back to Richard Martin's wishes in the early 1820s, was to ascertain whether or not the manifest cruelties led to the demoralization of the people involved. Cruelty, where it was found, was seen to be merely a cause of human depravity, and not something to be deprecated in itself – an argument that will by now seem familiar. The committee had no trouble in reaching these conclusions. The testimony also provides a useful account of what might have occurred in a typical dog fight.

A typical dog fight took place in 'a room boarded all round, and made a pit of; all boarded up aslant, so that the dogs cannot come out'.²¹ According to William

¹⁷ Mayhew, *London Labour*, II, p. 64.

¹⁸ RSPCA Minute Book, CM/19, p. 110, p. 112.

¹⁹ RSPCA Minute Book, CM/19, p. 112.

²⁰ Parl. Sessions, 1831-2, v, pp. 73-110. RSPCA Sixth Annual Report, 1832, pp. 39-53.

²¹ RSPCA Sixth Annual Report, 1832, p. 42.

Butler, a London policeman, twelve such pits existed in the metropolis alone.²² It was clear that dog fights were conducted according to printed rules regarding 'fair play', that were widely circulated and universally known among fighting men.²³

James Yewen, given as an RSPCA 'inspector', provided the following matter-of-fact account of what took place at a dog fight:

I was attending the Westminster pit some time ago where I live in Duck Lane; three years ago I witnessed a great deal of cruelty. There used to be dogs fighting together till they were nearly dead; when they have fought so long as to be unable to rise, they were put into a tub of water, kept for the purpose, and then set to fight again. Badgers likewise I have seen very much tore; all sides and breast and head part where the dogs had bit them, was in a gore of blood, and some places had begun to putrefy.²⁴

Gambling was discussed by John Ludd Fenner, a member of the Royal College of Surgeons, who claimed that specific sums of either five, ten, or fifteen pounds were betted on individual battles. He noted that 'the sufferings of the dogs are minor considerations to the value of the money; for often the poor exhausted dog was dragged round the pit several times by his antagonist after he was fairly beaten, and before the parties would agree to suffer the battle to be decided'.²⁵ We can conclude, much the same as for cockfighting, and as Mayhew suggested, that the prestige of the dog owner was encapsulated in the performance of the dog. The

²² RSPCA Sixth Annual Report, 1832, p. 42.

²³ RSPCA Sixth Annual Report, 1832, p. 53.

²⁴ RSPCA Sixth Annual Report, 1832, pp. 42-3.

²⁵ RSPCA Sixth Annual Report, 1832, p. 49.

fight and the betting came with the high stakes of personal status attached.²⁶ Fenner was right to a point, but it is more likely that the sufferings of the dogs were completely irrelevant, as long as an individual's dog was victorious. A losing dog's wounds represented its owner's metaphorical injuries. A dead dog was symbolic of the emasculation of its owner.

The more complex nuances of the sport were described by William Youatt, a veterinarian with a keen interest in animal welfare. Amongst his several publications was a book originally entered for a prize essay competition run by the RSPCA and published in 1839²⁷ (the competition was won by John Styles, whose scriptural approach reminiscent of Primatt caused considerable consternation among certain quarters for its inclusion of fox hunting in the range of sports to be condemned – see chapter six). Youatt's testimony is all the more powerful for these affiliations. He described two distinct types of fight, falling into categories of 'public' and 'private'. It is to be assumed that this distinction continued within the sport after its prohibition, even though by then all fights were inherently 'private', or more appropriately, *secret*.

The 'private' fight was a kind of training exercise in which a young dog of no experience was forced to fight the best dog to hand, as a test. In Youatt's experience the novice was torn to pieces. He went on, 'A private meeting is for badger-baiting, and those fights which are not permitted to come before the public, for the purpose of trying young dogs as much as anything... if one-half of the barbarity that is practised in these meetings came before the public, they could not be suffered to exist'.²⁸ 'Private' fights were most definitely cruel. Yet there was also a

²⁶ This interpretation has been most successfully applied by Clifford Geertz, 'Deep Play: Notes on the Balinese Cockfight', in his *Interpretation of Cultures* (New York, 1973).

²⁷ William Youatt, *The Obligation and Extent of Humanity to Brutes, Principally Considered with Reference to the Domesticated Animals* (1839).

²⁸ RSPCA Sixth Annual Report, 1832, pp. 46-7.

'public' side to dog fighting, as a legal enterprise for the entertainment of the general public. To this Youatt stated that 'I could hardly call it a cruel fight; and there was a great deal of apparent fairness about it'. He went on, 'I went to one of those pits in Tottenham-court Road; there was some desparate [sic] fighting, but I put that pretty nearly on the same footing with the fighting of human beings; dogs *will* fight; there was no *unfair* fighting' [emphases mine].²⁹ This point of view is reminiscent of early nineteenth-century attitudes to cockfighting. How could there be cruelty where animals fought of their own volition, and if the fight were 'fair'? But the questions put to Youatt did not allow for this conclusion to be foregrounded. Instead, the committee asked him whether he believed that 'they were generally improper and bad characters who assemble in those pits' to which he replied in the affirmative.³⁰ And the logical next question was 'You consider, therefore, that the continuance of those pits is injurious to the morals of the community?', to which Youatt replied, 'I am sure of it; I have a thousand proofs of that'.³¹

The Parliamentary committee pursued a line of social disorder linked to moral iniquity in line with the anti-cruelty movement's *modus operandi* more fully detailed in chapter 2. It was crucial to the conceptual construction of cruelty that it was attached to these 'bad' characters and to immorality. The behaviour of men was at issue, and it was important for the committee to establish the particular kind of man being targeted. It asked John Easterbrook, a policeman in the city, if 'these dog pits... are places where felons resort' and it got the reply it desired. Easterbrook said 'Yes; it is an assemblage of bad characters, generally speaking, no respectable persons would go there'.³² Yet the policeman could not help adding the following caveat: 'there are several men, calling themselves respectable in the world, who

²⁹ RSPCA Sixth Annual Report, 1832, p. 46.

³⁰ RSPCA Sixth Annual Report, 1832, p. 45.

³¹ RSPCA Sixth Annual Report, 1832, p. 45.

³² RSPCA Sixth Annual Report, 1832, p. 39.

come to see them fight, and bet upon it; in prize battles, between two famous dogs, they often come'.³³

Despite Easterbrook's testimony, the association of dog fighting with men of low morals, and low social status, was accepted. It made the fighting pits a fair target. This was not the only testimony that placed the elite in the sphere of the low morals of the dog pit. Sir John de Beauvoir, at an annual meeting of the RSPCA, lamented the involvement of 'some of those who are ranked among the Nobles of the land, associating with the lowest classes of society, whose minds are greatly demoralized by the scenes of brutality and profligacy exhibited there'.³⁴ The more persuasive descriptions of such scenes did not include any elite presence however, and relied upon well received cultural stereotypes. John Rogerson, an RSPCA officer, described a dog fighting scene in which were present 'many gentlemen's servants and coachmen..., thieves, and blackguards of the lowest kind'.³⁵ The reality was largely irrelevant, but likely somewhere in between these different descriptions. Mayhew was unreserved in his analysis of the sport, and in his castigation of its rich patrons. He insisted that dog fighting was '*not supported by the poor or working classes [emphasis in original]*',³⁶ but instead relied upon the patronage of the rich. His singular conclusion stressed not that cruelty was a cause of demoralization, but that insensibility to cruelty was a marker of demoralization. And this disturbing fact applied not just to the poor:

The men who thus amuse themselves are then utterly insensible to any pang at the infliction of pain upon animals, witnessing the infliction of it merely for a passing excitement: and in this insensibility the whole race who cater to

³³ RSPCA Sixth Annual Report, 1832, p. 40, and see section 6, below.

³⁴ RSPCA Seventh Annual Report, 1833, p. 16.

³⁵ RSPCA Twelfth Annual Report, 1838, pp. 62-3.

³⁶ Mayhew, *London Labour*, ii, p. 64.

such recreations of the wealthy, including the wealthy themselves, participate.³⁷

Mayhew's was an unusual voice, and an unusual insight. He was both a seer of human spirit and a misanthrope. This tension, combined with extensive personal experience, allowed him to see past the narrative constructs of 'public opinion'. This 'real' description of dog fighting came far too late to influence the legislators however. By the 1860s dog fighting had gone wholly underground. Learned comments that this was not, despite received opinion, a pursuit of low and criminal types, went largely unheeded.

The Parliamentary committee's conclusion was that the demoralisation of the people was brought about by cruelty to animals.³⁸ Ironically, its line of questioning had taken the position that only the already demoralised were present at scenes of cruelty. It was a circular and self-fulfilling argument. The investigation paved the way for the certain clauses in the Act of 1833, itself a crucial foundation for the broad anti-cruelty legislation of 1835. The committee provided the ideological foundation for the suppression of this sport, which could not boast a wealth of elite patrons who were prepared to come out and speak in its favour, unlike cockfighting. Nor did dog fighting represent strong local identities that were tied to community expressions of a long past, as did bull baiting. However, this 'weak' tradition seemed to be emboldened by ensuing cultural change wrought by new laws, and sports of this kind were to become a dominant popular expression of 'popular' masculinity and identity, at odds with the law and 'appropriate' forms of manly behaviour.

³⁷ Mayhew, *London Labour*, ii, p. 64.

³⁸ Parl. Sessions, 1831-2, v, p. 75.

3. Implications of the new laws

The 1833 Act to 'prevent depredations' in the metropolis gave the RSPCA the impetus it needed to realise its ambitions against the dog pits of London. It immediately printed 500 copies of the Act as a handbill and distributed them in the neighbourhood of the dog pits, and also called upon local magistrates to enforce the new law.³⁹ The initial focus on the nation's capital is unsurprising, representing as it did the melting pot of moral and social iniquities that intersected and interacted more acutely there than elsewhere. Not for the first time, concerns about policing, civility, public health and civic improvement in the London sprawl motivated the minds of city based moralists and philanthropists and provided impetus for the spread of improvement to the country at large.⁴⁰ The urban *kulturkampf* – slums and decadent architecture, peer and pauper, high-life and low pursuits, all living cheek-by-jowl – provided an excellent atmosphere for both the RSPCA to operate, and for the law to act. London's problems were vital, public, and representative of English culture writ large.

This focus on the city had logical extensions and the 1835 Act took the metropolitan experiment to the nation at large. This had specific ramifications for English relationships with dogs – in part a codified recognition that the English were a nation of dog lovers (this was augmented in 1844 when dog ownership – pets as property – was formerly legislated).⁴¹ Dog fighters were convicted in scores for the pursuit of their traditional pastime. As 'public opinion' shifted in favour of

³⁹ RSPCA Minute Book 1, CM/20, pp. 93-4.

⁴⁰ For a précis of earlier moral reform movements see M J D Roberts, *Making English Morals: Voluntary Association and Moral Reform in England, 1787-1886* (Cambridge, 2004) pp. 19-24.

⁴¹ 8 & 9 Vic. c. 47.

normative 'civilised' relationships with animals, and particularly dogs, dog fighting men increasingly seemed out of step with moral trends. They did not see any cruelty inherent in the sport. Their convictions as criminals served to denigrate them to men of unspeakable character. The RSPCA inspector Rogerson's observation that dog fighters were 'thieves, and blackguards of the lowest kind' in 1837 was given a legal element of truth by the new law. In this sense the law against cruelty to animals, despite all its rhetoric of property protection and preserving order, actually fostered moral change: men were forced to improve or be emasculated in the public eye as criminals.

Fortunately for the dog fighters their sport was easily hidden in first floor rooms in pubs and in private dwellings. Arenas could be swiftly dismantled and crowds dispersed. In Brighton in 1857 there was 'significant evidence' of regular dog fighting, but the events were held when the town's inspectors were known to be absent (the inspectors were too well known to be allowed admission anyway).⁴² This was true also of dog fighting in Hampstead in 1858.⁴³ In Liverpool in the 1850s and 1860s there were several dog fights a week hosted by a network of sporting publicans. They undertook the risk in turns, using the entrance fees to cover any fines accrued for convictions. Convictions by this point were fairly rare as the organisers became more adept at avoiding the gaze of the authorities: 'You never hear them state the hour or house at which the fight will take place. This is learned in a quiet way. The tavern at which the fight is fixed to come off may be known [only] the night before the fight at most sporting houses'.⁴⁴ These qualities meant that the new law was less likely to foster the moral reform desired, instead pushing men to find more and more expedient ways to practice their traditions in secret.

⁴² RSPCA Minute Book 8, CM/27, p. 192.

⁴³ RSPCA Minute Book 8, CM/27, pp. 208-9.

⁴⁴ John K Walton and Alastair Wilcox, *Low Life and Moral Improvement in Mid-Victorian England: Liverpool through the Journalism of Hugh Shimmin* (Leicester, 1991) pp. 65-6.

4. Badger baiting

The place of badger baiting in the history of animal sports is an unusual one. The badger could be baited inside or outside, though the following description serves as a reasonable example:

they dig a place in the earth, about a yard wide and two yards long, sloping, so that one end of it is four feet deep; at this end a strong stake is driven down, then the badger's tail is split, a chain put through it, and fastened to the stake with such liberty that the badger can just come up to the other end of the place. After this, the place is covered up, except room for the badger to come out, or a dog to go in. The dogs are brought, and set upon the poor animal, who defends himself as long as he is able, and frequently hurts, and sometimes destroys several dogs before he is killed. In this manner the wretched victim is kept without food, and frequently baited, till he dies, which is four or five days, sometimes more, unless his tail mortifies sooner.⁴⁵

There was a brief celebration of badger baiting after the first debates in Parliament over bull baiting, with Windham being championed as the patron of all traditional pursuits. One badger was baited whilst carrying the label '*You may bait my HAM, till you deprive me of WIND*'.⁴⁶ There are, however, infrequent mentions of the sport before 1835 in the sporting press. When it did make an appearance, it was categorised along with bull baiting and dog fighting as a sport for men of low

⁴⁵ *Sporting Magazine*, 12 (1798) p. 196.

⁴⁶ *Sporting Magazine*, 16 (1800) p. 80.

character. As the *Sporting Magazine* testified, 'the courage with which, on all occasions, he [the badger] defends himself have caused him frequently to be *baited* by dogs, as a popular amusement; or, more properly speaking, an amusement for the rabble'.⁴⁷

Since the law only made provision for 'domestic' animals, the inclusion of the badger in 1835 seems somewhat anomalous. However, since the animal had been captured it could be classified as 'domesticated', especially as the institutional setting in which it was baited (often in or on the grounds of the pub) fitted the usual model of 'immoral' and unlawful premises. Certainly badger baiting was not as common a pursuit as standard dog fighting, though it had been practised for hundreds of years in England. There was some initial confusion after the passing of the 1835 Act as to whether convictions could be brought for badger baiting and seven men at St. Albans were acquitted of such an offence because of these doubts. The RSPCA were convinced that this must have been the wrong decision but had no recourse to a further trial.⁴⁸ Generally speaking however, the conspicuousness of a badger on the premises made the sport difficult to pursue, and convictions did follow. Two men were convicted for dog fighting at Seven Dials in 1846 (out of 92 originally arrested) though it is likely that a diverse range of sports were on display on this occasion, judging by the seizure of fifteen dogs, a badger and a bear.⁴⁹ The RSPCA also intervened in a badger baiting in Wheatley, Oxfordshire (apparently a place with a strong tradition for blood sports – see chapter three) after a tip off from the Earl of Carnarvon and the Bishop of Oxford in 1845.⁵⁰ Higher profile cases were rare, though the Society adopted a different policy to more prickly issues involving the sport. In 1849 the RSPCA received a complaint about badger baiting

⁴⁷ *Sporting Magazine*, 35 (1810) p. 77.

⁴⁸ RSPCA Minute Book 2, CM/21, pp. 153-4.

⁴⁹ RSPCA Minute Book 6, CM/25, p. 132.

⁵⁰ RSPCA Minute Book 6, CM/25, p. 82.

'and other brutal practices' at Winchester College. Its standard response to informants was to investigate and to try to bring prosecutions. In this case the Society sent a letter to the headmaster tactfully requesting some action on his part to curb the exuberance of the boys.⁵¹ The letter was sure to have found a receptive audience, since that headmaster later withdrew the school cricket team from the annual matches at Lord's with Eton and Harrow on the basis that the City would provide too much temptation to immorality.⁵² In general, badger baiting represented a tiny percentage of the convictions for cruelty to animals, and hovered low on the horizons of the RSPCA. The new cultural context created by the anti-cruelty laws in conjunction with the activities of the Society instead drove the dog fighters to find new ways to express their breed of masculinity, filling the void left by prohibition. Certainly, a good many turned to the flowing tide of new national sports, either to play or to spectate. But for a considerable number, *rattus norvegicus* provided the ideal alternative.

5. 'Every man has his Fancy'⁵³

Rats inhabit a special cultural place in which their spatial closeness to human beings is counter-posed to the revulsion they inspire. This endows them with a wealth of surprising and important qualities. Rats are symbols of fear, poverty, disease and danger.⁵⁴ They are also easily anecdotally anthropomorphised,⁵⁵ and, like the other

⁵¹ RSPCA Minute Book 7, CM/26, p. 46.

⁵² This is a subject which deserves attention in its own right. The debates in the press can be followed thus: *The Times*, 23 July, 1855; 10 June, 1857; 11 June, 1857; 20 July, 1857; 23 July, 1857; 30 July, 1857; 4 August, 1857; 7 August, 1857; 10 August, 1857; 13 August, 1857; 5 May, 1858; 10 May, 1858.

⁵³ Mayhew, *London Labour*, iii, p. 8.

⁵⁴ Here I return to the work of Mary Douglas, specifically her idea that 'some pollutions are used as analogies for expressing a general view of the social order', and here the gender

animals so far encountered, they 'articulate social relationships or political ideologies or even function as ways of imagining society'.⁵⁶ Hans Zinsser, in his unusual but now 'classic' *Rats, Lice and History* stated:

More than any other species of animal, the rat and mouse have become dependent on man, and in so doing they have developed characteristics which are amazingly human... The rat is individualistic until it needs help. That is, it fights bravely alone against weaker rivals, for food or for love; but it knows how to organize armies and fight in hordes when necessary... Neither rat nor man has achieved social, commercial, or economic stability... Man and the rat... are utterly destructive of other forms of life. All that nature offers is taken for their own purposes, plant or beast.⁵⁷

It should not come as a surprise therefore, that man has fought with rats. The environmental competition stressed by Zinsser found a direct expression in nineteenth-century rat fighting.

This particular brand of blood sport, due to the peculiar qualities of the rat itself, was loaded with symbolic and gendered meaning. As a symbol, the rat represented a feared and loathed creature in the Victorian mind. It was always

order. See Douglas, *Purity and Danger: an analysis of the concepts of pollution and taboo* (London, 1966) p. 3.

⁵⁵ The view that 'it would be a pity to rule out anecdote, critically assessed, as a potentially valuable source of information and interpretation of animal [and I would add, human] behaviour' is of central importance to what follows. See Bernard E Rollin, 'Anecdote, Anthropomorphism, and Animal Behaviour', in Robert W Mitchell, Nicholas S Thompson, H Lyn Miles (eds), *Anthropomorphism, Anecdotes, and Animals* (Albany, 1997) pp. 125-133.

⁵⁶ Mark Jenner, 'The Great Dog Massacre', in W G Naphy and P Roberts (eds), *Fear in Early Modern Society* (Manchester, 1997) p. 46.

⁵⁷ H Zinsser, *Rats, Lice and History* (London, 1935) pp. 195-208. See also Birgitta Edelman, 'Rats are People, Too! Rat-human relations re-rated', *Anthropology Today*, 18 (2002) 3-8.

newsworthy. In the cities especially, the presence of the rat was *tangible*, and the meanings it carried all the more acute.

The evidence for rat fighting is of a rather different nature to that for the other blood sports so far examined. Firstly, I have not found any substantial accounts from within the sporting circles that fought rats (with the exception of the notorious celebrity dog Billy, to whom I shall return below). Newspaper and other journalistic sources tended to see rat fighting as something exotic (at best) or abhorrent (at worst). Rattling loomed very low on the horizons of the RSPCA for most of the period examined here, and it does not seem to have received any mention in Parliamentary debate. Stories of rat fighting worked as tools to emphasise the otherness of the kind of men involved in the sport. We can still decode the type of masculinity being expressed by these men, but essentially the sources represent an expression of a fundamental split in masculine ideologies of this period. What they report are stories – largely unverifiable and dramatic, and the numbers participating in the sport are difficult to determine. But experienced reality is of secondary importance here to the *story* of reality, the way this was gendered, and the way in which such stories served to create and perpetuate normative gender constructions. In the masculinity gap left by the RSPCA's 'civilizing process', stories served to set up an ideal version of a man, and its antithesis. This, in reality, was a false binary distinction.⁵⁸ Yet any hegemonic masculinity relies not on tangible and 'real' power, but on the strength of its ideology. These stories of otherness tacitly served such an ideology.

⁵⁸ Mary Douglas asserted that 'Binary distinctions are an analytic procedure, but their usefulness does not guarantee that existence divides like that. We should look with suspicion on anyone who declared that there are two kinds of people, or two kinds of reality' (quoted in Jeff Weintraub, 'The theory and politics of the public/private distinction', in Krishnan Kumar and Jeff Weintraub (eds), *Public and Private in Thought and Practice: Perspectives on a Grand Dichotomy* (Chicago, 1997) p.1. However, this misses the fundamental point that often the idea of binary division is in tension with experienced reality. The real, in terms of politics, law, morality and culture, is often not so important as the *idea* of the real.

It is unclear when rat fighting began. I have not come across any eighteenth-century examples of the sport, adding weight to the argument that this was an alternative that men turned to as more traditional pursuits were put under pressure. There are examples from the 1820s on, though stories became more common after circa 1850, after which it was probably the most common form of blood sport aside from fox hunting. There is significant evidence of rat fighting being exported as part of mass immigration to the United States, with notorious rapping venues in New York City. There seemed to be a culture of rapping celebrity there too, in what appears to be a strikingly similar history to that of rapping in the UK.⁵⁹

The number of rats killed for sport is incalculably high. Official rat catchers in Bristol went on strike in 1867 on the grounds that so many had been killed for sport they were becoming scarce. The market price had risen and the rat economy had ground to a halt.⁶⁰ In Liverpool there existed a well known purveyor of rats who sold vermin from a cellar devoted otherwise to a fruit and vegetables business: 'A brisk trade in the vermin in question is carried on simultaneously [sic] with that in cabbages and potatoes... This singular branch of commerce is an established fact, and has been so for an indefinite period'.⁶¹ Jack Black, the 'rat-catcher to the Queen' immortalised by Henry Mayhew, made his living from catching rats to order for sporting men. It was only later in his life that he was specifically commissioned to catch rats for the purposes of removing vermin from the streets.⁶² The owner of the Blue Anchor Tavern in Bunhill, Finsbury, claimed at around mid-century to be able

⁵⁹ Robert Sullivan, *Rats: A Year with New York's Most Unwanted Inhabitants* (London, 2005) ch. 9.

⁶⁰ *Western Daily Press*, in *The Times*, 25 May, 1867.

⁶¹ *Porcupine*, 19 (1878) p. 134.

⁶² Mayhew, *London Labour*, iii, pp. 13-24.

to store up to 2,000 rats on the premises at any one time.⁶³ Rat fighting was, for a good many, a livelihood, a sport and a way of life.

Very little has been written about ratting sports, even though their place among discourses of nineteenth-century leisure seem important. Mayhew recorded at least 70 permanent pits in London in the 1860s, with other temporary venues besides. It was said that the sport had 'attained the popularity once vouchsafed to cock-fighting'.⁶⁴ One of his sources, a pub landlord familiar with ratting, said 'that they would soon have to start breeding rats for a sufficient supply'.⁶⁵ Certain key works in the historiography of sport and leisure pay scant attention to it however.⁶⁶ This oversight is significant because it allows for the overstatement of men's flight to new forms of organised sport, underplaying the role of continuing forms of violent pursuits and 'unruly' male assembly. If ratting really was as popular as suggested, then the 'civilising process' inherent in the 'sporting revolution' was certainly not complete in the nineteenth century.

Putting together various sources, we can, in some detail, reconstruct a rat pit and what happened there (see also figs. 5.1 and 5.2). Mayhew described the close atmosphere of the ratting pub:

The front of the long bar was crowded with men of every grade of society, all smoking, drinking, and talking about dogs. Many of them had brought with them their "fancy" animals, so that a kind of "canine exhibition" was going on; some carried under their arm small bull-dogs, whose flat pink noses rubbed against my arm as I passed; others had Skye terriers, curled up

⁶³ www.museum-london.org.uk/MOLsite/exhibits/changing_faces/enter/enter5.htm (accessed 11 June, 2003), see fig. 5.1.

⁶⁴ Mayhew, *London Labour*, ii, p. 64.

⁶⁵ Mayhew, *London Labour*, ii, p. 64.

⁶⁶ It receives a solitary mention in Holt, *Sport and the British*, p. 60; no mention at all in Malcolmson, *Popular Recreations*, nor in Cunningham, *Leisure in the Industrial Revolution*.

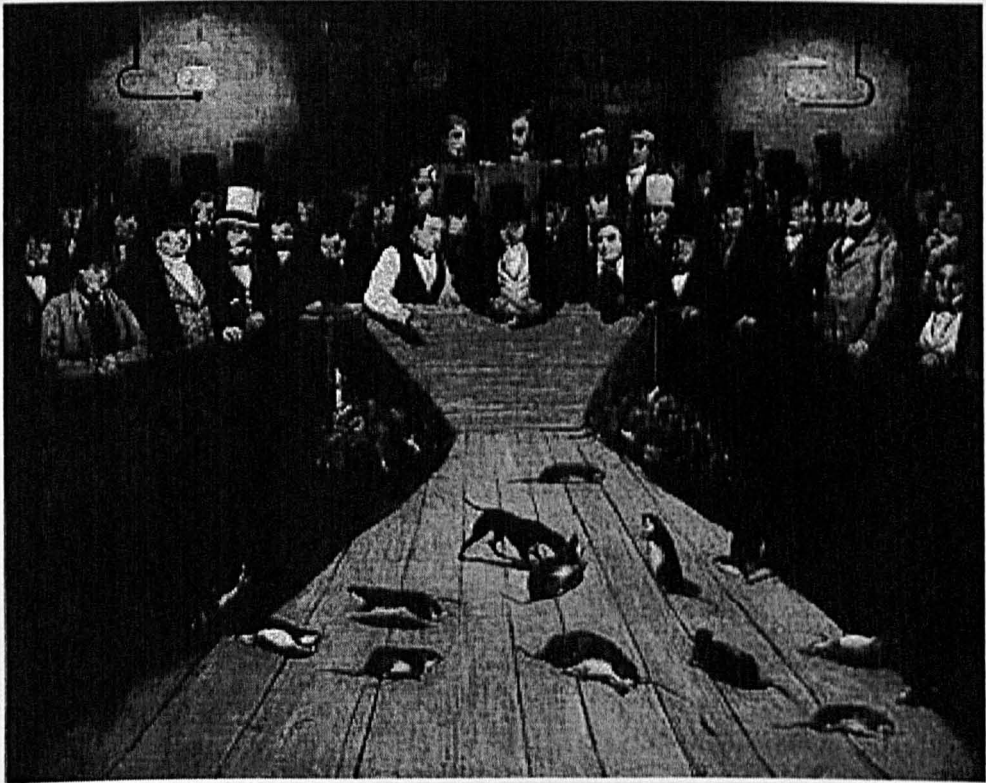


Fig. 5.1. *Rat-catching at the Blue Anchor Tavern, Bunhill, Finsbury*, British School, c.1850-2. Source: www.museum-london.org.uk (27/2/02).



Fig. 5.2. *Spectators at the Turnspit in Quaker's Alley watching a dog catching rats in a pit*, c.1875. Source: Hulton Getty

like balls of hair, and sleeping like children, as they were nursed by their owners. The only animals that seemed awake, and under continual excitement, were the little brown English terriers, who... struggled to get loose, as if they smelt rats in the room above, and were impatient to begin the fray.⁶⁷

The fight itself is aptly described in a story in *The Times*:

105 rats were thrown into the pit [seven or eight feet square], and in a short time afterwards a man appeared with a bridled bull terrier bitch, and made some remarks about wagers... The man entered the pit, and the dog was thrown among the rats and began to kill them. It was several times bitten, and could not shake the rats off. Some hung on its cheek, others on its lower jaw, and on its tongue. This lasted about five minutes. A basin and water were brought and placed in the pit. The dog was washed and fed. After a short period time was called by the referee. The dog was thrown down again among the rats which survived. It appeared to be getting very weak and blind from exhaustion, as it ran against the sides of the pit, leaving marks of blood. This lasted about four minutes. The dog was picked up again by its owner, and its head was washed and bathed. It was nursed for a short time and appeared very weak. Time was called by the referee. The dog was thrown down again into the pit. It being exhausted, the rats seized it, and with some difficulty it shook them off. This lasted 2 min. 42 sec., making the time consumed in killing the rats 11 min. 47 sec. All the rats were thought to be sufficiently killed for the purposes of the match [this was

⁶⁷ Mayhew, *London Labour*, iii, p. 7.

then repeated with a second dog, the faster of the two being declared the winner].⁶⁸

This requires significant analysis, but first the concept of 'sufficiently killed' ought to be explained. In so doing, in the following example from Liverpool in 1880, the highly nuanced and codified nature of the sport is revealed:

In the centre of the pit is a circle about the size of a soup-plate, into which any rat showing signs of life must be placed by the referee, then "jobbed" on the tail three times. If the rat crawls out of the ring it is considered to be "alive", and if more than four rats are "alive" the dog is disqualified. If the number is four or less, the dog must be brought up again and made to kill those that have crawled out of the ring. After placing upon one side those rats that are clearly dead, some dozen remain which show signs of life. One is put into the ring; the referee seizes a billet of wood, thicker than a clothes-prop and about a yard long, and, holding it some twelve or fifteen inches up, the brutal fellow brings it down with a sickening thud on the wretched dying creature's tail with sufficient violence to completely flatten it. At the first blow the rat gives utterance to a faint squeal, and, mustering what energy it can, turns to bite at the piece of wood, but falls back feebly, when a second and third blow is dealt it, and, as it has not strength left to crawl from the ring, it is adjudged "dead", and receives the *coup de grace* in the shape of a violent smash on the body, which makes a sound that causes even some of the hardened onlookers to turn away with abhorrence.⁶⁹

⁶⁸ *The Times*, 16 December, 1870.

⁶⁹ *Porcupine*, 21 (1880) p. 23.

However nauseating this may seem to modern eyes, the popularity of the sport is suggestive of a different standard of sensibility, and a higher tolerance threshold for acts of violence and blood. Such a statement goes some way to affirming the cruelty contagion thesis of the eighteenth and nineteenth centuries – that acts of barbarity served to harden the hearts of men. On the contrary, there is significant evidence within these sources alone to suggest otherwise. For example, in the intervals in the fighting the dog seemed to be well attended to, washed and fed. These actions, not unlike those of a boxer's corner team suggest affection, concern and a personal involvement with the animal. The reasons for the concern went beyond doting on a 'pet' however. The competitor represented his corner, was in fact a mascot for its owner's masculinity. This is doubly represented, in the skill and expediency in killing demonstrated by the dog – a marker of its training; and in gambling. The winning or losing of a bet, much like in cockfighting, had more riding on it than merely money. This masculinity by proxy, be it dog or bet, was manifested on many small occasions. Occasionally, however, it would reach extraordinary heights, and dogs could become celebrity figures. Their owners basked in their reflected glory (see section 6 below).

Ratting owed much of its popularity to the fact that it was a moveable feast. Rat pits could be made raid-proof. In the fruit and vegetables business operating out of a cellar in Liverpool the rat pit was 'so constructed with loose panels that it can be doubled up and stowed away in less time than it takes to write these words'.⁷⁰ This raised the excitement levels of the sport, since evasion of the authorities was integral to the sport's existence. According to one witness, this attracted children to

⁷⁰ *Porcupine*, 19 (1878) p. 134.

the spectacle, who found it ‘infinitely superior to the dull prose of simple addition or the repulsive monotony of spelling’. He went on:

One instant there is a wooden circle waist high, and about four feet across, with a dog busily engaged in killing “fifty rats in five minutes”, and the next the whole thing, pit, rats, and dog, has vanished like the “baseless fabric of a vision”. No wonder that the representatives of the juvenile interest in the neighbourhood, admitted to front places in consideration of their size, cling to the wooden framework with breathless rapture, and devour the spectacle with silent ecstasy. It is so brief, and yet so beautiful; a mere passing glimpse, as it were, of a region of enchantment more absorbing than even the transformation of a pantomime...⁷¹

Ratting then was theatre – a masculine arena *par excellence*. Yet it was also elusive, temporary and exotic to uninitiated witnesses. It is to their judgments and reports that I now turn. They point to the growing gulf in conceptions of masculinity: a lack of comprehension at incongruous cultural and gender constructions.

A rat fighter was brought to trial under the cruelty to animals law in 1846 – a relatively rare event due to the peculiar qualities of the rat itself – and pleaded innocence. He claimed he was *only* killing rats and that therefore there was no case to answer.⁷² Since ‘vermin’ was not a recognised legal category, the place of the rat in the legislation was dubious. After all, as will be shown in chapter six, the killing of foxes depended in large part on the accepted cultural category of ‘vermin’. If foxes

⁷¹ *Porcupine*, 19 (1878) p. 134.

⁷² RSPCA Twentieth Annual Report, 1846, p. 78.

could be pursued on these grounds then surely it could not be objected that rats should be treated 'humanely'. Parliament did not legislate on animals that *could* be killed or baited, only on those that *could not* be. Animals were not *de jure* animals at all unless explicitly named in the Act (see pp. 67-74). In this case the judge was not lenient and insisted that this was a sport for the most meagre examples of humanity. He 'regretted to hear that any respectable persons were present, although it did not follow that a well-dressed man was a gentleman. He should think that no gentleman would sanction, by their presence, such disgraceful and brutal exhibitions'.⁷³ It was more a conviction against an abhorrent culture than a conviction against cruelty.

The 1849 Act, which included the explicit definition of 'animal' as *domestic*, meant the rat was in effect formerly excluded from protection. However, it was always unclear at what point an animal *became* domesticated. For some judges, as soon as an animal became the object of sport, especially in a pub setting, the law had been breached. In 1849 the RSPCA secured a conviction against a rat-pit keeper in Brighton on the basis of the Society's argument that while 'some persons might contend that rats were vermin, and ought to be killed... they ought not to be kept for sport in order to induce gambling and drinking'.⁷⁴ But this argument, one that made no mention of cruelty but instead referred to the immorality of that type of homosocial environment, did not always work.

The RSPCA were well aware that ratting was legally ambiguous, and when they received a report of a conviction for ratting in Hull in 1868 they doubted the legality of it.⁷⁵ By 1870 the Committee had resolved to test the law with respect to ratting, and had succeeded in Coventry at an early stage.⁷⁶ Later in that year the

⁷³ RSPCA Twentieth Annual Report, 1846, p. 78.

⁷⁴ RSPCA Twenty-third Annual Report, 1849, pp. 76-8.

⁷⁵ RSPCA Minute Book 11, CM/30, p. 122 (8 December, 1868).

⁷⁶ RSPCA Minute Book 11, CM/30, p. 286 (24 January, 1870); p. 334 (11 April, 1870).

Society began proceedings against the notorious William 'Billy' Shaw, a London ratting landlord.⁷⁷ Shaw made the following statement in defence:

Rats were vermin, and in this case a dog was employed to kill them, because it was the most expeditious way of doing so. He was at a loss to conceive how this proceeding could be construed into an offence... A rat was *not an animal* [emphasis mine] within the meaning of the Act. It could not be considered either a wild or domestic animal, therefore it was lawful to kill it.⁷⁸

The prosecution argued that had he gone to a barn or a sewer with the dogs that would have been unobjectionable, but the problem lay in the fact that 'some went to the defendant's place to enjoy the sport, others to make money... the rats were put into the pit for the purpose of fighting or baiting'.⁷⁹ On this occasion the case collapsed. This ambiguity meant that ratting continued, always with one eye out for a raid, into the twentieth century.⁸⁰ The RSPCA resolved in 1872 not to suppress cruelty at rat pits without further particulars that might ensure a conviction.⁸¹

Historians have missed the point when looking at such sports as rat fighting. Neil Tranter said the following for participation in 'organised' sports: 'For

⁷⁷ RSPCA Minute Book 12, CM/31, p. 20 (15 December, 1870); p. 22 (10 January, 1871).

⁷⁸ *The Times*, 16 December, 1870.

⁷⁹ *The Times*, 16 December, 1870.

⁸⁰ E S Turner, *All Heaven in a Rage* (London, 1964) p. 156. Turner claimed that ratting did not go underground until 1912, after the strengthened animal protection Act of 1911 but there is enough evidence that the authorities were trying to disrupt ratting events long before that.

⁸¹ RSPCA Minute Book 12, CM/31, p. 152 (13 February, 1872). There was a later prosecution at Nottingham in 1874 (RSPCA Minute Book 13, CM/32, p. 18 (18 May, 1874)), though when a more respectable body was involved the Society approached it with caution. In 1875 it wrote a letter to Oxford University (the minutes are not precise here) on 'the tradition of rat killing by the undergraduates'. No legal case was brought (RSPCA Minute Book 13, CM/32, p. 110 (9 March, 1875)).

working-class men success in sport... provided an opportunity for social advance or, more realistically, for gaining or sharing in the status and respect accorded to the sporting champion and his associates'.⁸² This, it would seem, is absolutely applicable to the men engaged in sports such as ratting. Their *unmanliness* was only such from a certain point of view. Within ratting circles, ratting men were *manly* men. Their sporting champion was embodied by the legendary dog, Billy.

6. Billy the rat killer

The history of sport is littered with biographical treatments of sporting heroes. Part of the very essence of sport is idolatry. Without role models and champions to aspire to be, to emulate, and to dream of, sport would not have such a compelling vitality. The cult of the sporting hero is more readily recognised in the histories of 'modern' sports such as football and cricket – a crucial part of the sporting revolution.⁸³ Heroes from other types of sport have been offered less serious scholarly attention. We have already come across such legendary ancients of their sports as the 12th Earl of Derby and the hero worship bestowed on the characters of the sporting world through the penmanship of 'Nimrod' will be detailed in the next chapter. However there was perhaps no greater sporting legend, and certainly no more famous an animal in the nineteenth century, than Billy the rat killing dog.⁸⁴

Billy rose to fame in the early 1820s, his legendary feat was to have killed 100 rats in five minutes. Contemporary reports of this initial success have proven

⁸² Tranter, *Sport, Economy and Society*, p. 56.

⁸³ See for example Richard Holt, 'The Batsman as Gentleman: Inter-war Cricket and the English Hero', in G Cubitt and A Warren (eds), *Heroic Reputations and Exemplary Lives* (Manchester, 2000); Thomas Hughes, *Tom Brown's Schooldays* (1857) is littered with references to the virtues of the sporting hero.

⁸⁴ The only recent mention of Billy's fame is found in L Fitz-Barnard, *Fighting Sports* (Liss, 1975) p. 138.

impossible to find, though it was celebrated repeatedly through the nineteenth century. Billy's fame meant that his subsequent endeavours found good coverage in the press. The following report is from the *Sporting Magazine* of 1822:

At the Westminster Pit on Tuesday, Sept. 3, the celebrated dog Billy, for a bet of 20 sovereigns, was exhibited to a multitude of at least 2000, the chief part of whom were amateurs, well-known in the sporting circles. There were no less than twenty carriages in the street. The match was, that this dog would kill 100 rats in twelve minutes. The bet was made by Dew, the proprietor, but bets to the amount of several hundreds were pending. The floor of the pit was whitened, and all the rats at once let loose. Dew and Cheetham, the rat killers, were the only persons admitted into the pit; the company were arranged in the gallery, and had a perfect view of the whole. The space which the dog had to exhibit in was twelve feet square. The signal being given, he went to work, and in seven minutes his mouth was washed with brandy. The dog was decorated with fancy ribbands, and 50*l.* was offered for him upon the spot. His master declined the offer, but offered to back him for 50*l.* against any dog in England.⁸⁵

The dog achieved the same feat the following month. The language used to describe the event had an epic flavour: 'Some of the flying enemy, more valiant than the rest, endeavoured by seizing this *Quinlius Flestrum* of heroic dogs by the ears, to procure a respite, or to sell their life as dearly as possible; but his grand paw soon swept off the buzzers, and consigned them to their fate'.⁸⁶ Billy was said to be blind in one eye

⁸⁵ *Sporting Magazine*, 60 (1822) p. 312; *Bell's Life*, 8 September, 1822.

⁸⁶ *Sporting Magazine*, 61 (1823) p. 50.

from a rat bite. The crowd pushed to caress the victorious beast. The celebrated event was a men only affair. 'To the honour of England', noted *Bell's Life*, 'we did not observe the attendance of Ladies'.⁸⁷ Billy's feat was repeated again in 1822, and on at least three more occasions through 1823-4.⁸⁸

As his fame grew, so did the popularity of the sport. In December 1823 the *Sporting Magazine* noted that 'such, indeed, was the interest excited by the exhibition, that numbers of gentlemen of the highest respectability were present, among whom were several sporting characters of great note'.⁸⁹ *Bell's Life* reported the event under the heading: 'Refined Amusement', with the observation that many '*Gentlemen of the highest respectability*' were present. All the surrounding streets were crowded with vehicles 'from the Gentleman's carriage to the costermonger's cart'.⁹⁰ At the height of Billy's fame a single bet of 200 sovereigns was offered for one contest, and rumours abounded that the rats were dosed with a 'strong narcotic' before the battle. Nevertheless, 'it is now confessed that no dog in the kingdom can match Billy at rat-killing, though he has only two teeth in his head and only one eye!'⁹¹ For a time at least, rapping cut across class lines, and united men in their interests. This was not to last, but the importance of these early celebrations of rapping can not be overstated. Billy generated a ground swell of support for the pursuit which remained popular across the country after his death. Moreover, the initial connection of rapping with sporting heroes meant that men could identify the sport as worthy of their attention. Billy himself was ranked among the sporting heroes, but he provided men with an opportunity rarely provided by human idols. Most men could not hope

⁸⁷ *Bell's Life*, 27 October, 1822.

⁸⁸ *Sporting Magazine*, 61 (1823) p. 103; 63 (1824) p. 96, p. 165, p. 351; *Bell's Life*, 17 November, 1822; 28 December, 1823. After the November 1822 fight, *Bell's Life* reported that Billy's performance 'stands unequalled in the annals of the sporting world'.

⁸⁹ *Sporting Magazine*, 63 (1824) p. 165.

⁹⁰ *Bell's Life*, 28 December, 1823.

⁹¹ *Sporting Magazine*, 63 (1824) p. 351.

to emulate the athletic performances of the period's top sportsmen, but men could train dogs. A well bred and well trained dog would serve just as well in attaining the glory held by sporting greats. Before 1835 this was an essentially unproblematic aspiration.

This idea was aided by the most celebrated of Billy's owners – the legendary prize fighter Tom Cribb.⁹² Cribb's career had not been devoid of controversy, especially his fights against Molineaux, a black American fighter familiar with controversy himself. In beating this foreign interloper, Cribb was widely heralded as Britain's finest ever fighter – a working-class hero who mixed with 'the fancy' and whose status preceded him. The language of manliness was fully bestowed upon him. On Cribb's retirement he was presented with a plate, accompanied by the following speech:

You are requested to accept this cup, as a tribute of respect, for the uniform valour and integrity you have shown in your several combats, but most particularly for the additional proofs of native skill and manly intrepidity displayed by you in your last memorable battle, when the cause rested not merely upon individual fame, but for the pugilistic reputation of your native country, in contending with a formidable foreign antagonist. In that combat you gave proof that the innovating hand of a foreigner, when lifted against a son of Britannia, must not only be aided by the *strength* of a lion, but the heart also.

⁹² Pierce Egan, *Boxiana: or sketches of ancient and modern pugilism, from the days of the renowned Broughton and Slack to the Championship of Cribb* (Facsimile reprint of the edition published by George Virtue, London, 1829-1830. London, 2000) pp. 386-423 for a career biography of Cribb; Peter Radford, *The Celebrated Captain Barclay: Sport, Gambling and Adventure in Regency Times* (London, 2001) p. 137ff.

The fame you have so well earned has been by manly and upright conduct...⁹³

Cribb was perceived to be a true patriot, a manly Englishman and a scientific sportsman, even though his brand of sport was considered by some to be disreputable, unmanly and distinctly 'rough'. After his career ended Cribb took a public house, and apparently adopted Billy. They were the perfect encapsulation of popular sporting heroism, a real life John Bull and his trusty heel.

Billy's death in 1829 resonated across the sporting world. Pierce Egan, quixotic writer on sport and metropolitan life, actually penned an obituary:

This celebrated Hero of the canine race, to the great joy of the rats, lost his *wind* on Monday, February 23, 1829, in Panton-street, Haymarket. The body-snatchers and *dog-priggers* are outdone upon this suit, and the remains of Billy, instead of being obscured in *day*, are preserved in an elegant case and gilt frame. The Ex-Champion, Tom Cribb, who *liked* Billy when *alive*, still likes him although *told out*. Billy was the property of Charley Aistrop when he last *barked* out an adieu; although Cribb was his tender nurse up to the time when he gave up the ghost. The rats, it is said, are extremely glad to find that Billy has left no *successor* to give them a nip!⁹⁴

While Billy did not issue forth any progeny, his legacy and the impetus he gave the sport were immense. By the 1860s Billy was a legend – adorning the walls of public

⁹³ Egan, *Boxiana*, p. 419.

⁹⁴ Pierce Egan, *Book of Sports and Mirror of Life: Embracing the Turf, the Chase, the Ring, and the Stage, Interspersed with Original Memoirs of Sporting Men, etc* (London, 1832) p. 21. The obituary also came with a song in honour of Billy, reproduced in Appendix 5.

houses in popular prints,⁹⁵ and the dog himself was stuffed and displayed behind a bar in the Seven Bells pub.⁹⁶ Billy set the standard for all future rapping competitors. He ensured that men could find value in the sport – could find a way to be a hero, through the actions of a canine. Moreover, in the anti-cruelty climate after 1835, this sport seemed to offer safe haven, even though it represented an abhorrent shift to a worse form of masculinity than any of the reformers had envisaged. Sometimes this shift went further than one might have expected. *The Times* reported the case of a twelve year old boy, a ‘human rival to Billy’, who had killed seventeen rats in two-and-a-half minutes with his teeth.⁹⁷ Extraordinary though this seems, this peculiarity also has a distinct place in the history of blood sports and masculinity.

7. Unspeakable men

If rat fighting is difficult to access for the historian, then rat *worrying*,⁹⁸ the form of the sport that pitted man against rat, is even more so. The stories of this sport are invariably aghast in tone – disgusted at the depths to which humanity can sink. Fortunately, elements of the participants’ motives are to be found in the sources, and a gendered narrative can be tentatively constructed. An early example of a reported rat worrying came from the West Riding:

Last week a number of silk-dyers at Middleton persuaded a man named Joseph Holbinson, better known by the name of Poor Pooly, that a wager of

⁹⁵ Mayhew, *London Labour*, iii, p. 8; *Blackwood's Edinburgh Magazine*, 83 (1858) p. 163.

⁹⁶ Mayhew, *London Labour*, ii, p. 64.

⁹⁷ *The Times*, 19 February, 1824. *Bell's Life* had recorded the existence of this boy a few months earlier, noting that this ‘disgusting species of amusement, undeserving the name of sporting, is daily gaining ground and encouragement’ (*Bell's Life*, 12 October, 1823).

⁹⁸ ‘Worry *v. i.* Seize by the throat with the teeth and pull about or tear; kill or injure by biting and shaking’, *Shorter OED*, p. 3722.

10s. a side was made that he could not worry six rats in ten minutes, and Saturday last was the time appointed for him to perform his task. By way of encouragement, the fellow was promised as much ale or spirituous liquors as he could drink. The party met at Mr. James Wrigley's sign of the George Inn, Tong, near Middleton. Before he commenced operations, Pooly drank nearly a pint of rum. At half-past 9 o'clock, a rat, weighing nearly two pounds, was placed on the table, with string tied to its leg. Though Pooly had his hands tied on his back, he worried the first four rats in three minutes and ten seconds. He then began to be sick, on account of the blood he lost, through the bites he received from the rats; and eight minutes and forty-five seconds were occupied in worrying the two last. The rats were very large ones, one of them weighing two pounds and a quarter. After he had finished, the dyers gave him some rum, and a part of the money they had collected. About 60 persons were present.⁹⁹

All the classic elements of other blood sports were present here. The animal was tied down and had limited room to move. Since the man was also tied the fight was 'fair'. Betting formed the central purpose of the activity, and the event was precisely timed and the animals weighed. On this level there is nothing out of the ordinary about rat worrying, but the replacement of the animal combatant with a man is a striking difference. According to Norbert Elias, the 'civilizing process' in sport saw a steady distancing of men from acts of physical violence, replacing direct involvement with proxies. Hunting, by such a thesis, was civilised since the hounds

⁹⁹ *The Times*, 6 April, 1832. The first mention of the sport I have found is in *Bell's Life*, 12 October, 1823. Alongside the mention of the young-boy rat killer the paper noted that 'two monsters, in the shape of men, at Westminster, [will] enter the lists on Wednesday evening, to destroy the most [rats] in a quarter of an hour for 20 sovereigns'.

did the killing, not the humans who were 'passive' observers.¹⁰⁰ We can find examples of rat worrying throughout the nineteenth century, *despite* the pressure to conform to more 'civilised' activities. We can also reasonably accurately date this phenomenon as beginning in the nineteenth century. Not only does this cast doubt on the idea of a successful sporting revolution, but it also deepens our understanding of the types of masculinity existing cheek by jowl in the same period. If rat fighting represented a severe split in the expression of masculine performance, then rat worrying was at the furthest pole of that scale.

Christopher Herbert, in commenting on the rat worrying described by Henry Mayhew, noted that it was a 'particularly shocking obscenity'.¹⁰¹ This certainly would have been true for any well-to-do onlookers, but one doubts that any such witness would have been present. More likely this was a fairly common activity and one looked on favourably by men of a certain standing. It does seem to have been limited to the poorer elements of society. Mayhew's 'rat killer' admitted to killing rats with his teeth 'for a lark; we've bin all together daring one another, and trying to do something nobody else could'.¹⁰² This man performed the feat three times for money, competing against a dog for a sovereign. He claimed to have won each time. Another of Mayhew's characters, the 'Street Fire-King, or Salamander' made most of his money doing magic tricks and stunts with fire. In hard times he would agree to worry rats against a dog. On one occasion he fought in a pit, made smaller on account of a man's inferior speed compared to a dog. 'They *always* make an allowance for a man [emphasis mine]', he said, illustrating that this was by no means uncommon. He went on, 'I was at the time so hard up, I'd do anything for some

¹⁰⁰ Norbert Elias, 'An Essay on Sport and Violence', in Elias and Dunning, *Quest for Excitement*, pp. 161-3.

¹⁰¹ C Herbert, 'Rat Worship and Taboo in Mayhew's London', *Representations*, 23 (1988) 1-24 at p. 19.

¹⁰² Mayhew, *London Labour*, iii, p.5.

money; though, as far as that's concerned, I'd go into a pit now, if anybody would make it worth my while'.¹⁰³ While this was a desperate form of income for this individual, there can be little doubt that for his audience this was serious *entertainment*. He was not an object of ridicule, but a competitor. There was something admirable about the rat in this culture, with its appealing qualities of courage and tenacity. And so there was something admirable about the man who took on these rats.

The Times carried five accounts of rat worrying between 1820 and 1870, a significant number if one considers that this was hardly a topic for national news. It is impossible to state the true extent of the sport. However, an example from Liverpool in 1880 is illustrative of the motives for undertaking such an endeavour, and the reasons why it was so watchable. In this case however, the worrying took the form of a burlesque. A man dropped his cap into the pit (scheduled for a rat fight with dogs) and:

gave the company a taste of his relish for refined amusement by jumping into the arena and falling on his hands and knees, seized his dirty, greasy cap between his teeth, shook it, turning and growling all the time like a dog in the act of worrying a rat, which humorous bit of pantomime seemed to give the audience the most unfeigned delight, and was received with hearty laughter.¹⁰⁴

The witness to this event made no secret of his opinion that this was a disgusting affair. His description of the man as a dirty animal is rendered with powerful

¹⁰³ Mayhew, *London Labour*, iii, p. 127.

¹⁰⁴ *Porcupine*, 21 (1880) p. 23.

disdain, and the humour is clearly lost on the author. This was truly an unspeakable man. But for the man himself the identification with the dog, the act of courage in killing a worthy foe, and the adoration of an involved audience was clearly enough to make this a display of masculine virtue. The audience, in their rapture, clearly endorsed such an activity.

8. Uncivilised cruelty

This history, patchy though it is due to the nature of the sport and the dearth of traces it left behind, leads us to an important juncture in the history of English masculinity in this period. The exploits of the rat fighters, in whatever form those fights took, represented the unseemly extreme of activities that men could deem to be 'manly'. The cruelty they performed, due to the nature of the beasts involved, was not officially 'cruel' in the eyes of the law. They were certainly seen to be uncivilised however. As such these sports were either ignored or described as 'disgusting exhibitions' of the depths to which men of low morals could sink.¹⁰⁵ The otherness of the poor was made self-evident in these descriptions of exotic men. Yet these men had more in common with the other end of the social spectrum than perhaps anyone would have perceived at the time. For the only difference, from a certain point-of-view, between this 'legal' cruelty, and the other notable legal 'cruelty', foxhunting, was in the degree of 'civilisation' the men involved could claim for themselves. Hunting did not depend on, though it was not devoid of, gambling and drinking, and prided itself on the fact that the fox *might* escape, if indeed one was even found.

¹⁰⁵ *The Times* used just such a description on 26 April, 1843.

Certainly, ratting had its rituals, its symbolic meanings, and its fair share of blood shed. This it had in common with foxhunting. In most cases, rats were killed by a dog. This it also had in common with foxhunting. Rat fighting generated an economy geared entirely to ensuring the sport could carry on. Once again, this was true of fox hunting. Most importantly, both sports provided arenas for masculine display. The difference was that the men in each sport were poles apart in their perceived masculine type.

This gradation of manliness in relation to setting and behaviour left a state of crisis in between, alienating men who could find no outlet for masculine expression. The RSPCA having campaigned against, and having largely succeeded in eliminating, popular blood sports, were left in an awkward position. They could neither penetrate the world of the rat fighters, nor could they extend the law as far as foxhunting. They would not endorse attacks against hunting since many of their members and patrons were also members and patrons of the hunting community. It is ironic that the Society could not succeed against either the most unseemly cruelty, nor did it have the inclination to pursue the most popular cruelty, since neither could be legally proven. Their civilising mission illuminated the extremes. It is to the other of these extremes that I now turn. We have to account for the specific brand of masculinity expressed by hunters and the exponents of field sports in general. How was the manliness inherent in hunting expressed? How did hunting defend itself against charges of cruelty, and accusations of unmanliness? Moreover, did such charges make a significant impression on a world apparently outside of the discourses of cruelty, and the reformation of uncivilised men?

A Different Sort of Men

Hunting

1. Hunting hypotheses – gendering the chase

The reasons for hunting have long been a fertile ground for debate, across disciplinary boundaries, but especially in history, archaeology and anthropology. This chapter, considering a broad context of animal sports, aims to suggest a new aspect to the field. For even though the literature has tended tacitly to stress that hunting was traditionally a male activity, no one explicitly has examined hunting through a gendered lens. There has been a tendency to try and account for hunting as a trans-historical phenomenon, ignoring its temporal and cultural specificities. I wish to examine late eighteenth- and nineteenth-century hunting through distinctive motivating characteristics that developed in line with discourses of animal cruelty, manliness and national identity. It is not my intention to write here a history of hunting in the nineteenth century. Hunting's historical and global ubiquity, and the corresponding attention it has received from scholars, makes a detailed analysis of the sport itself superfluous here. Whereas bull baiting, cockfighting and rattling required a certain amount of narrative explication to compensate for their hitherto minor presence in various historiographies, the same cannot be said for hunting, which has been described by numerous scholars and enthusiasts alike.¹ A general history of field sports and shooting is also not included here. In keeping with the

¹ Raymond Carr, *English Fox Hunting: A History* (revised edn., London, 1986); David Itzkowitz, *Peculiar Privilege: A Social History of English Foxhunting, 1753-1885* (Hassocks, 1977); Jane Ridley, *Fox Hunting* (London, 1990).

overall structure of the thesis, shooting occupies a category outside of the scheme of animal sports as I have defined them. While shooting certainly featured in the cruelty to animals debate, particularly that form of shoot known as the *battue*, it did not involve animal combat and therefore would have to be interpreted in a different way. Man's relationship with animals was in this case mediated by only man-made technology, relying not on allusions to natural combat, but on human tenure over other beasts. Moreover, the complications thrown up by the Game Laws put shooting into a different field of political, legal, social and cultural analysis. While shooters feature *en passant* here, their place merits a separate study of their own. It is my aim however to try to examine the historical reasons for hunting's unparalleled rise in popularity and esteem in a century which saw the demise of other sports involving the killing of animals. Leaving narrative to one side, this chapter explores the ways hunting has been interpreted in historical contexts and the consequences of those interpretations for the popularity of the sport. Hunting's development into *the* manly sport depended on an historically specific way of seeing, that was different, but related, to the ways in which the other sports in this thesis were viewed.

The 'hunter hypothesis' has long since been debunked. This is the view that hunting was the key factor in the 'great leap forward' in human evolution.² Relatively recent literature has completely derided both the evidence for such an assertion, and its

² See for example, R B Lee and I Devore (eds), *Man the Hunter* (Chicago, 1968). Matt Cartmill provides an extensive list 'distinguished scholars and eminent anthropologists' who agreed that 'hunting was what had turned apes or man-apes into people, and man's need to become an ever more effective hunter had governed the whole course of human evolution until the invention of agriculture' in his, *A View to a Death in the Morning: Hunting and Nature through History* (Harvard and London, 1993) p. 9 and *n*.

presentation by archaeologists and anthropologists.³ Jared Diamond, in popularising the discipline for the discerning general public, made the following assertion:

The mystique of Man the Hunter is now so rooted in us that it is hard to abandon our belief in its long-standing importance. Today, shooting a big animal is regarded as an ultimate expression of macho masculinity. Trapped in this mystique, male anthropologists like to stress the key role of big-game hunting in human evolution. Supposedly, big-game hunting was what induced proto-human males to cooperate with each other, develop language and big brains, join into bands, and share food. Even women were supposedly moulded by men's big-game hunting: women suppressed the external signs of monthly ovulation that are so conspicuous in chimps, so as not to drive men into a frenzy of sexual competition and thereby spoil men's cooperation at hunting.⁴

This construction is reduced by Diamond to the 'pure fantasy' of a 'men's locker-room mentality', and he is surely correct to point out that man, in the course of his entire history, has not been that successful a hunter at all.⁵ The criticism of the 'hunter hypothesis' is now vast, and has been neatly summarised by Matt Cartmill, who particularly noted the objection of feminist anthropologists after 1970, who saw it as a ridiculous attempt to demonstrate that men had hunted while women had been domesticated since the very start of human evolution.⁶ So much for the 'hunter hypothesis' then. But in fact, in an historical sense, it does still hold an

³ Cartmill, *View to a Death*, esp. pp. 9-20; Jared Diamond, *The Rise and Fall of the Third Chimpanzee: How Our Animal Heritage Affects the Way We Live* (new edn., London, 2002) esp. pp. 32-4.

⁴ Diamond, *Third Chimpanzee*, p. 33.

⁵ Diamond, *Third Chimpanzee*, pp. 32-4.

⁶ Cartmill, *View to a Death*, p. 18.

important place – not so much in the history of evolution, but in the history of gender and gender construction. Moreover we should remain aware that a popular version of the hunter hypothesis is still prevalent outside of the realm of academia. Andrea Smalley recently warned that despite the debunking of ‘Man-the-Hunter’, there was still a “deep association” between men and hunting [that] remains a familiar component of historical analytical frameworks, especially those that investigate masculinity’.⁷ We need to re-pose popular ideas of the ‘hunter hypothesis’, and ask how influential they were in forming attitudes to both hunting and gender relations at specific historical junctures. The *idea* that hunting was the ‘natural’ occupation of men is far more important for understanding the ways in which past cultures have operated than whether or not the idea had any actual merit in archaeological fact. This has been significantly evidenced in the ‘men’s movement’ of the 1990s, which witnessed a swathe of (mainly American) men returning to the woods in order to find their deep rooted, and fundamental masculinity.⁸ Similarly, we shall see, time after time, that nineteenth-century attitudes to hunting relied upon the notion that it was *natural* for men to hunt. In the context of the other blood sports thus far examined, this gave hunting a distinct advantage, for it was intrinsically manly. Any claims that this was a display of unmanliness comparable to bull baiting or cockfighting could be met with the perfectly justifiable claim that men have *always* hunted, because it is what men do.⁹ While cockfighters

⁷ Andrea L Smalley, “‘I Just Like to Kill Things’”: Women, Men and the Gender of Sport Hunting in the United States, 1940-1973’, *Gender & History*, 17 (2005) 183-209 at p. 184.

⁸ The classic treatise for the men’s movement is Robert Bly, *Iron John: Men and Masculinity* (London, 1990), of which chapter six is entitled ‘To Bring the Interior Warriors Back to Life’; a more academic assessment that also stressed a common, deep rooted, human masculinity is David Gilmore, *Manhood in the Making: Cultural Concepts of Masculinity* (Yale, 1990).

⁹ Smalley thought similarly of twentieth-century hunting in the United States, claiming that ‘Gender provided a means by which different groups could naturalise their constructions of hunting, thereby masking the very real economic, environmental and political interests at stake’ (Smalley, “‘I Just Like to Kill Things’”, p. 185).

tried in vain to justify their sport by reference to the 'natural' proclivities of the birds, stressing the 'natural' proclivities of men was altogether more compelling.

There have been sociological, as well as archaeological/anthropological approaches to hunting too. The most notable of these was Thorstein Veblen's *Theory of the Leisure Class*, published in 1899.¹⁰ This account offered an explanation for the largely elite body of hunting men. Not only, according to Veblen, did hunting epitomise the roots of the sexual division of labour, but it also helped men of a high station distinguish themselves from lowlier men. This was encapsulated in the term 'conspicuous leisure'. Hunting was an activity that could not be called 'labour' per se, but instead was indicative of surplus leisure time and superior wealth. It was grouped with other conspicuous forms of leisure, namely sport and war.

Much like the 'hunter hypothesis', this theory of the leisure class is now of limited value for an understanding of the ancient history of hunting among primitive men. However, it does neatly illustrate the popular idea of hunting in the late nineteenth and early twentieth centuries. Victorian huntsmen readily associated hunting with both rank, sport and military training, categories of conspicuous leisure that made sense of the age Veblen wrote in, rather than distant pasts. Linda Colley sums up fox hunting in the period as follows:

It was fast, physically dangerous, splendid to watch, carried out in a dashing, close-to-the-body costume that quite obviously mimicked military uniform, and at this stage was confined almost exclusively to men. In short, the invention of fox-hunting can be seen, as it was seen at the time, as another

¹⁰ Thorstein Veblen, *The Theory of the Leisure Class: An Economic Study of Institutions* (first published 1899, New York, 1994).

expression of the new patriotic, patrician machismo: 'The same men who will ride straight across a country at a gallop... will be likely to do anything or everything which may be required of them in action...'. The only difference was that the Frenchman stood in for the fox.¹¹

This theme, of hunting as a training ground for military prowess, was extremely common throughout the late eighteenth and nineteenth centuries, and right up until the First World War. Hunting was thought to provide not only the requisite physical skills and horsemanship necessary for conducting warfare, but also the correct qualities of character thought to befit an officer for battle. Since war was an expression of manly heroism, hunting, by extension, imbued these qualities. The *Quarterly Review*, in commenting on hunting in 1849, claimed that:

Few will think it strange that military men, in these piping dog-days of peace, should take first and foremost rank in the nice conduct of perdricide [killing hares] and vulpicide [killing foxes] campaigns, or that those who mould their sabres into steel-pens, should feel themselves fully commissioned to teach the young the idea both how to shoot and be in at the death – the end in country life.¹²

Such associations, littering the pages of the sporting press, characterised hunting as both male, and undeniably a good thing. Its masculine virtues help explain why it was 'credited with producing every English victory, and even gallant defeat, from

¹¹ Linda Colley, *Britons: Forging the Nation, 1707-1837* (new edition, London, 2003) p. 172.

¹² *Quarterly Review*, 84 (1849) pp. 344-5.

Waterloo through the Crimea and the innumerable colonial wars.¹³ Veblen's implicit notion that hunting was not just a male activity, but a certain *type* of martial male activity, clearly arose from these nineteenth-century attitudes to the chase, where a breed of aristocratic manliness was a key motivating factor.

Cultural anthropology has added its own contribution to our understanding of what modern hunting means.¹⁴ Treating animals as cultural symbols, Garry Marvin's anthropological study of the 'cultural production' of the fox hound is potentially useful for our understanding of nineteenth-century fox hunting.¹⁵ Hounds, he argues, would not exist if it were not for humans. They are manufactured and moulded by the hand of man, and therefore 'they are there to fulfil human desires and are celebrated as a human achievement'.¹⁶ Fox hunting therefore was not about humans hunting foxes, but in seeing 'how creatures who are the product of human will, ingenuity, expertise, and imagination, hunt foxes'.¹⁷ Certainly, it was very common for nineteenth-century commentators to define their interest in the sport as the skill of the hounds, rather than killing foxes, riding or anything else. The argument can be taken further however, much as has been done for cockfighting and ratting. If this was a celebration of the man-made animal; if the hound was a representation of man's skill; then the hound's success in killing a fox was a success for the man. This cycle – man creates, the creation succeeds, man appropriates success – seems central to any understanding of ritualised hunting (as distinct from subsistence hunting).

¹³ Itzkowitz, *Peculiar Privilege*, p. 20.

¹⁴ As well as the works that follow, see the influence of Edmund Leach in the construction of the animal classification scheme in chapter 2, based on his, 'Anthropological Aspects of Language: Animal Categories and Verbal Abuse', in Eric H Lenneberg (ed), *New Directions in the Study of Language* (Cambridge Ma, 1964), esp. pp. 52-3.

¹⁵ Garry Marvin, 'Cultured Killers: Creating and Representing Foxhounds', *Society and Animals*, 9, no. 3 (2001) online edition, pp. 1-11.

¹⁶ Marvin, 'Cultured Killers', p. 3.

¹⁷ Marvin, 'Cultured Killers', p. 4.

It may even be convincing to go further, and stress, as has Heidi Dahles, that hunting is only 'truly pleasurable... if it allows at least a cognitive reversal of the asymmetrical power relations between humans and animals, attributing almost human characteristics to the game-species'.¹⁸ Anthropomorphism was, and is, extremely common in fox hunting in particular. Not only are hounds said to 'speak' with distinctive 'voices', but they were often deemed 'noble' or 'refined', with qualities of 'skill, hunting instincts, speed, endurance, and courage'.¹⁹ Moreover, the fox is frequently a 'thief', a 'villain', and is frequently called by a name: 'Reynard'. While this is clearly a direct lifting from the French for fox, *renard*, it is always capitalised, and usually in this variant spelling. The fox, anthropomorphised as predatory criminal, is deserving of its punishment, but is equally respected for its 'sagacity', its 'cunning'.²⁰ The fox, though evil, has the advantage of covert, and of intelligence. To hunt it, given this set of meanings, is more than a difficult obligation, it is a *duty*.²¹

¹⁸ Heidi Dahles, 'Game Killing and Killing Games: An Anthropologist Looking at Hunting in a Modern Society', *Society and Animals*, 1, no. 2 (1993) online edition, p. 9.

¹⁹ James Howe, 'Fox Hunting as Ritual', *American Ethnologist*, 8 (1981) 278-300, at p. 291.

²⁰ 'Sagacity' was often used to describe the intelligence displayed by both foxes and rats. Harriet Ritvo (*The animal estate: the English and other creatures in the Victorian age*, (Harvard, 1987)) has pointed out that 'sagacity' was often referred to as a quality in animals so as to distinguish animal intelligence from human intelligence. Should sagacity be 'attributed to human beings, it often had an ironic or less than flattering connotation' (p. 37). Ritvo goes too far in her assertion that the 'concept of sagacity actually reinforced human dominion. It could be defined so that the animals that exemplified obedient subordination had the largest measure' (p. 38). Clearly the rat exemplified many things but definitely *not* obedient subordination, despite the fact that their sagacity was so often mentioned. More likely they were seen as 'rebels who refused to accept the divinely ordained dominance of humankind' (p. 25). The same could also be said of the fox.

²¹ See for example Sydney Cowper, 'Reynard's Last Shift', *Sporting Review*, 1 (1839) pp. 203-4, which celebrates 'the ready wit – the quick sagacity – the wily craft – the simple, yet most perfect cunning, of our friend "Reynard, the Fox"'. The author proclaims: 'Reynard! thine is a devoted race – thine is, indeed, a sorry tale of sad injustice and unrelenting persecution... thy many talents can avail thee nought; they are exerted but to fail thee at thine utmost need'. The editor found it necessary to point out at the end of the piece that the 'philosophy of fox-hunting divides the enjoyment of that thrilling sport equally between the chaser and the chase' – the fox, it was popularly considered, *liked* to be hunted.

James Howe argued that the peculiar lexicon of the hunting world helped it maintain an exclusive status, its alleged democracy undermined by its subtle 'claims to elevated status'.²² This is certainly true, but the nature of that status must be more fully explored. Fox hunting was certainly elitist, but it was open to different 'ranks' in rural society, provided one had enough money to sustain a 'hunter' (specialized hunting horse), a 'hack' (cheaper horse for riding to and from meets) and to afford the subscription or make a contribution. Within this group, character was essential, and men of the 'wrong sort' were not tolerated. As Howe notes, 'While upper-class ideologies stress that social class is a matter of birth and thus unchanging, at the same time they wish to promote the idea that the accomplishments and behaviour of the upper classes justify their position'.²³ The chase, according to Howe, 'makes the statement that courage, risk taking, and other *sporting* and *manly virtues* are essential attributes of the English aristocracy and gentry'.²⁴ Fox hunting's ritual tendencies and exclusive lexicon served to reinforce the sport not just as a high status sport, but as a high status sport of largely masculine display.

Another popular hypothesis, though not so succinctly grouped, centres around the work done by social historians, which I label the 'hunting institution' theory. According to David Itzkowitz, hunting 'developed an idealized conception of itself that amounted almost to a mythology. Hunting and non-hunting men alike came to look on hunting as an institution in national and rural life, rather than as a mere sport'.²⁵ Hunting was supposed to be the lynch pin in a complex construction of rural communities. Just like the empirically doubtful hypotheses of Veblen and mid-twentieth-century anthropologists, this institutional theory of hunting had a discursive relevance in the nineteenth century, even if actually it had no such

²² Howe, 'Fox Hunting as Ritual', p. 286.

²³ Howe, 'Fox Hunting as Ritual', p. 290.

²⁴ Howe, 'Fox Hunting as Ritual', p. 290.

²⁵ Itzkowitz, *Peculiar Privilege*, p. 17.

existence in 'reality'. According to Nimrod, the legendary writer on the hunting world, 'those healthful recreations which, by binding the British gentry to the habits of country life, are, in truth, of more service to our agricultural labourers than a whole statute book of enactments, professedly drawn up with a view to their benefit, could supply the place of'.²⁶ Hunting was supposed to tie the aristocracy to its tenant farmers, ensure good relations, and flavour the whole of rural existence. As Raymond Carr noted:

Aristocrats have always exhibited a capacity to present their pleasures as a species of moral and social obligation... In the eighteenth century to hunt a country became a duty to one's fellow countrymen. It helped to keep the 'peace of the country'; the contacts it provided were useful at election times. It was a main channel by which values that supported the hegemony of the landed families gained acceptance.²⁷

The idea that rural communities were bound by institutions like fox hunting is romantically appealing and is discursively supportable. But it is not the complete picture and there is significant evidence to suggest that beneath this discursive construct, the fox hunting institution was as divisive as it was cohesive. In 1809 there was an incredible legal case in which the Earl of Essex brought his hated brother, the Rev. Capel to court for trespassing and destruction of property.²⁸ The case was the first legal test for fox hunting. The virtues of the sport were subjected to significant rhetorical scrutiny. Whilst the case had overtones of a personal dispute

²⁶ Nimrod [Charles James Apperley], 'Remarks on the Condition of Hunters, the Choice of Horses, and their Management; in a series of Familiar Letter', *Quarterly Review*, 47 (1832) 216-243, at p. 217.

²⁷ Carr, *English Fox Hunting*, pp. 50-51.

²⁸ Summarised in Carr, *English Fox Hunting*, pp. 216-7.

between disaffected siblings, its ramifications were profound. The complaint was that Capel had led a pack of foxhounds into the plaintiff's property, 'destroyed his herbage and broke down his fences'. The Reverend pleaded that 'he had started a destructive and noxious animal, called a fox, and that he was in pursuit of him, as the most effectual way to kill him'. In response Essex made the unprecedented claim, and one that would haunt fox hunters for the following two centuries, that 'the trespass was not committed with a view of killing the animal, but for the pleasure of the chace [sic]'.²⁹

Speaking for the plaintiff, Mr. Serjeant Shepherd went to great pains to explain that the case hung on the issue of whether or not the huntsmen were killing foxes in the most expedient and effective manner, or whether they were merely satisfying their own desires and sporting interests. Lord Ellenborough found in favour of the plaintiff on the basis that 'no man could for a moment suppose that the Defendants had anything but their own pleasures in view'.³⁰ This ruling, apart from shattering some of the traditional justifications for the sport, effectively empowered tenants to refuse right of entry to fox hunters to their rented land. The case was followed by several similar ones, showing that hunting could actually tear at the heart of rural relationships and alienate gentry from their farming tenants.³¹ Nowhere was this more true than during the Irish Land War in 1881-2, when 'mobs' of local farmers attacked hunts that entered their land, killing hounds and throwing stones. In these cases, hunting represented the exact opposite of rural cohesion, instead being a tangible demonstration of community tension. While no comparable political milieu existed in England, there can still be little doubt that 'few tenant farmers whose lands contained coverts full of foxes relished the sight of

²⁹ *The Times*, 26 July, 1809.

³⁰ *The Times*, 26 July, 1809.

³¹ For example, the case of *Ridge v Capel*, *The Times*, 4 December, 1809; the case of Sir William Manners and the Duke of Rutland, in Carr, *English Fox Hunting*, p. 217.

the local hunt charging across fields sprouting winter or spring crops, not to mention the damage often done to fences or gates'.³²

This opposite view of the 'hunting institution' can be taken further. Rather than the rural community mutually acquiescing in a long standing tradition, some of the rituals of foxhunting are more satisfactorily read as instruments of power and subordination. Compliance was not 'voluntary', but obligatory and compelled. Non-compliance could lead to severe social ostracism. Refusing entry was one way of alienating oneself from the community. Killing foxes was another.

Vulpicide, as it was known, was the killing of foxes by means other than hunting. It was highly taboo among fox hunters. There were several sources of tension, both between farmers and hunters, and between game shooters and hunters. Farmers often wanted to destroy foxes because they preyed upon livestock, and shooting them was far less problematic than hunting them. Shooters, on the other hand, wanted foxes shot to preserve the game. Foxhunters, for their own part, wanted to *preserve* the foxes. This notion may seem rather odd since the prime purpose of fox hunting was to kill foxes. However, fox hunting had become so popular by the mid-nineteenth century that without careful management the fox population would have become extinct. In order, therefore, to continue their sport, fox hunters made a point of keeping foxes alive at all times when not being hunted. Foxes 'owe[d] their... existence to the fondness of Englishmen for the chase'.³³ The social tensions in this rural triangle are fairly self-evident. A correspondent to the

³² L P Curtis Jr., 'Stopping the Hunt, 1881-1882: An Aspect of the Irish Land War', in C H E Philpin, *Nationalism and Popular Protest in Ireland* (Cambridge, 1987) 349-402, esp. p. 355. Regarding a dispute between Colonel G Wyndham and Major-General Henry Windham in 1839, the *Sporting Review* exclaimed that 'The social enjoyments of a community, in these day, must not – *shall* not – depend upon the will or the humour of any member of it'. However, hunting's customary laws have not, when tested, stood up to statutory ones (*Sporting Review*, 2 (1839) p. 83. The correspondence regarding the dispute is given in full, pp. 83-103).

³³ *Sporting Magazine*, 3rd Series, 19 (1852) pp. 407-8. See also 'Vulpicide', *Sporting Review*, 3 (1840) pp. 83-6.

Sporting Magazine in 1797 made the following remarks about farmers who tried to satisfy both parties: 'If the farmers, when they bargain for their farms, agreed to preserve the game, and not destroy the foxes, their breach of faith deserves the punishment of being turned out of their farms'.³⁴ Another correspondent thought it:

hard, extremely hard, that a rational recreation should be diminished by the wanton destruction of an animal, which affords so much amusement, and induces so many of our country gentlemen to reside on their estates – bearing also in mind, that the momentary caprice of destroying unfairly *one* fox frequently deprives a whole field of sportsmen of an enjoyment which is no where pursued with so much ardour and intrepidity as in Great Britain³⁵

The sporting field was a field of heroes. Farmers who took away the source of their heroism were worse than mere killjoys – they were unpatriotic and unworthy men. 'The killing of a fox by any other means than with hounds seems so repugnant to the feelings of a sportsman, that the selfish character which actuates any man to give the order does not render the disposition by any means enviable'.³⁶

Such derision was often also labelled at shooters, particularly *battue* shooters.³⁷ Aside from the dangers of being shot, the unmanly nature of the affair, and the dereliction of game numbers the *battue* was alleged to have caused, it also led to 'the destruction of foxes by unfair means. I deem all means unfair', wrote one commentator, 'where a fox dies without having two or three of the best fellows on

³⁴ *Sporting Magazine*, 10 (1797) p. 172.

³⁵ *Sporting Magazine*, 69 (1827) p. 178.

³⁶ *Sporting Magazine*, 95 (1840) p. 57.

³⁷ The *battue* involved the encirclement of a large area by many beaters, who gradually beat the game toward a central point where the shooters were positioned.

earth to witness his exit, and a few couple of hounds to pay due respect to his remains'.³⁸

These tensions and intersections of interests are hardly indicative of a sport that fostered social cohesion. Rather, they forced cohesion under the threat of alienation. But the subtext of these negotiations on vulpicide was the nature of manhood of the respected parties. Killing a fox with hounds was 'rational', 'intrepid' and, above all, manly. Killing them by other means was cowardly, 'selfish', unpatriotic and above all, unmanly.

The other significant factor in this 'institutional' theory is that fox hunting enabled the coalescence of different social classes in one setting. 'Rank and privilege are set aside, and the boldest rider takes precedence for the day'.³⁹ But aside from the obvious hindrances to unwealthy enthusiasts of the sport (the cost of a horse, or of subscription), fox hunting was always an exclusive affair, dependent on free time, ready money, and social connections, especially for a Master. According to Nimrod, the annual expenditure on horses in all hunting stables was at least 200 guineas in 1832.⁴⁰ The literary figure of Jorrocks, Surtees's notorious MFH grocer, was all the more note-worthy because he was so unusual.⁴¹ Some contemporary commentators were bold enough to tell it like it really was. The 'hunting field is not like the exclusive assemblies of the world of fashion, a scene whose chief attraction lies in the difficulty of admission, and the number who are excluded', but 'not all [classes meet] it is true; but in what, save the very coarse and sensual pleasures, can all

³⁸ *Sporting Magazine*, 71 (1828) p. 85.

³⁹ Ridley, *Fox Hunting*, p. 32.

⁴⁰ Nimrod, 'Remarks on the Condition of Hunters', p. 222.

⁴¹ For a biography with social and cultural context of Robert Surtees, see Norman Gash, *Robert Surtees and Early Victorian Society* (Oxford, 1993).

participate? The utopia of a Nimrod would scarcely allow all its citizens to join the chase'.⁴² According to Howe:

A commitment to hunting of this sort called for a large kennel, stables, a staff to manage them, accommodations for guests, and an annual expenditure which was very high, even for the upper classes... and the lord's munificence for which 'the country was beholden to him' resembles in an obvious way all the forms of chiefly sponsorship and gift giving with which anthropologists are familiar.⁴³

The foxhunting 'institution' was therefore more complex, and consisted of much more delicate relations of power and gender, than some have suggested. It too, as a model, just like other hunting hypotheses, is misleading. Given all this, how should hunting in this period be read? It has been implicitly clear that gender has a much larger part to play in the story, and moreover, foxhunting has to be seen in the light of the experiences of other blood sports of the time. I would not want to reduce hunting entirely to gender, since the hypotheses and theories scrutinised here all make contributions in their own right that can be further explored. However, I wish to proceed by following the advice of Matt Cartmill, who has stressed that hunting 'is intelligible only as a symbolic behaviour, like a game or a religious ceremony, and the emotions that the hunt arouses can be understood only in

⁴² Anon., *Essays on a Few Subjects of General Interest: to which are added, Scraps and Recollections* (London, 1836) pp. 8-9.

⁴³ Howe, 'Fox Hunting as Ritual', p. 287. The gift giving literature Howe refers to has, at its root, the notion that all gifts come with an obligation to reciprocate, and are therefore expressions of power relations. In this case, the gift of fox hunting comes with the price of deference. See Marcel Mauss, *The Gift: the Form and Reason for Exchange in Archaic Societies* (new edition, London and New York, 2002); Pierre Bourdieu, *Outline of a Theory of Practice* (Cambridge, 1977) pp. 159-197.

symbolic terms'.⁴⁴ I would add that hunting was largely a discursive affair, and that many of the meanings contained in hunting were expounded in text. Turning to hunting as ritual, as symbolic, but also as text, allows for a more fruitful exploration of its gender connotations.

The 1795 edition of Thomas Fairfax's *Complete Sportsman* began with a rigorous defence of 'hunting, fouling, fishing, &c'. Cruelty, it was asserted, was simply not an issue, since 'Providence has bountifully designed these creatures for the use of man', and 'sacred writings' supported this.⁴⁵ The use of scripture to endorse hunting ran contrary to the philosophy of the anti-cruelty campaign that had historically used scripture to prop up its own agenda. Fairfax went on to claim that while hunting originated in the need to support 'ourselves and families', there were several modern advantages to its continued practice.⁴⁶ It is these 'advantages' that detain us here, for they form a core of principles that greatly influenced the rise of fox hunting in particular. Hunting was:

absolutely necessary for youth, in order to wean it from sloth and effeminacy which, in a state of indolence, are too apt to enervate and incapacitate the body... There is nothing supports the dignity of a man more than a thorough acquaintance with the diversions of the field – while he is coursing the Fox – riding a hunting Match – of [sic] starting a Hare, he then appears the LORD OF THE CREATION!⁴⁷

⁴⁴ Cartmill, *View to a Death*, p. 29.

⁴⁵ Thomas Fairfax, *The Complete Sportsman; or Country Gentleman's Recreation* (London, 1795) p. i.

⁴⁶ Fairfax, *Complete Sportsman*, p. i.

⁴⁷ Fairfax, *Complete Sportsman*, p. ii.

Hunting, for Fairfax, was about being a man; it was about being the right kind of man. It can be demonstrated that a discourse of masculinity underlay most contemporary thinking on the subject. Moreover, this discourse was deliberately constructed to demonstrate difference from other, less civilised forms of masculinity. As we have seen, *un*manliness, or 'vulgar manliness', was instrumental in ensuring the decline of other 'popular' blood sports. Conversely, asserting the heroic manliness inherent in hunting was a central reason for its continued popularity and growth. Fox hunting was 'looked upon as the symbol of the uniquely British manliness that enabled the nation to maintain its world prestige in peace and war'.⁴⁸ Hunting, the physical act, and hunting discourse, were distinctly different and it was hunting discourse that disseminated the British manliness that hunting engendered. Proof of the manliness of hunting was not necessary. Merely to state it was enough. According to the Archbishop of York on the eve of the First World War, hunting was 'a form of sport which developed some of the finest qualities of human nature – courage, endurance, readiness to face risk, comradeship, and honourable courtesies'.⁴⁹ It is noteworthy that all of these fine 'human' qualities were particularly associated with masculine qualities. This view from 1913 neatly summarises the general tide of opinion in the nineteenth century, which remained remarkably consistent compared to the dramatic shift in attitudes towards the other sports examined in this thesis.

Hunting's maleness was historically rooted. The idea of the hunter hypothesis – hunting responsible for the rise of man – is a common theme in nineteenth-century literature on the subject. 'The love of the chase may be said to be screwed into the soul of man by the noble hand of nature', wrote R. Dorvill in

⁴⁸ Itzkowitz, *Peculiar Privilege*, p. 22. While hunting was in no way unique to Britain, the style, ritual and ethos of British hunting were generally thought to set it apart.

⁴⁹ Itzkowitz, *Peculiar Privilege*, p. 65.

1833.⁵⁰ Hunting did not rely so much on tradition as on a biologically determined programming which specified that men should hunt. The idea of a morally celebrated 'nature' was deeply embedded in the culture of nineteenth-century hunting. The fact that this was peculiarly British fostered naturalistic notions of imperialism and racial hierarchies. 'Hunting was at the same time a mark of the fitness of the dominant race, a route to health, strength, and wealth, an emblem of imperial rule, and an allegory of human affairs'.⁵¹ These separate strands concerning hunting are not moored very closely together. Underlying all of them was the idea of the English gentleman, but this loose discursive category remains somewhat elusive. It was only when faced with a challenge – either moral or legal – that hunting and hunters had to justify themselves, and only then the type of 'English gentleman' in question took firmer shape. Through analysis of legal and moral opposition to foxhunting in this period,⁵² we can start to define what set hunting men apart from the 'unmanly', or more crudely manly men of previous chapters, as well as from other 'manly' men, who nevertheless did not think highly of hunting.

2. Legality and protest

Fox hunting's legal status was not seriously challenged in this period, other than in the early nineteenth-century cases that began with the Essex/Capel case that empowered tenants to refuse entry to hunters. This is not to say that the issue of fox hunting's legality, and morality, did not surface. On the contrary, from the

⁵⁰ R Dorvill, 'A Treatise on the Care, Treatment, and Training of the English Race-horse', *Quarterly Review*, 49 (1833) 381-449, at pp. 382-3.

⁵¹ John M MacKenzie, 'Hunting and the Natural World in Juvenile Literature', in Jeffrey Richards (ed), *Imperialism and Juvenile Literature* (Manchester, 1989) p. 170.

⁵² A sketch of some of the opposition to fox hunting can be found in J T Williams, 'Bearers of Moral and Spiritual Values: The Social Roles of Clergymen and Women in British Society, c. 1790-c.1880, as Mirrored in Attitudes to them as Foxhunters' (Oxford University, unpublished D.Phil thesis, 1987) pp. 19-30.

earliest debates in Parliament on cruelty to animals, hunting's presence was conspicuous. Jeremy Bentham had condemned fox hunting and hare hunting alongside bull baiting and cockfighting in his 'Principles of Penal Law' as early as 1790, on the grounds that 'A people accustomed to despise... life in their games, could not be expected to respect it amid the fury of their passions'.⁵³ This section will examine how hunting retained its legal status, and how it responded to attempts to include it within cruelty to animals legislation. It will also analyse extra-Parliamentary criticism and protest at hunting, and the language in which this was couched.

In 1800, when William Windham was vigorously defending the traditional blood sports of England, he mocked the bill before him by making a direct comparison between bull baiting and hunting and shooting. How could the legislature seriously propose to ban one and not the other, when they were virtually the same in terms of their treatment of animals? Windham reduced each sport to its ultimate end – the death, sometimes brutal, of an animal. *The Times* summarised his argument as follows:

He would ask those Gentlemen if there was no cruelty in hunting? What would the poor, who were already deprived of the liberty of shooting, say to those Gentlemen of fortune who were endeavouring to cut them off from all kinds of amusements? Why that those latter were worse savages than they: that they were not content with having all nature before them, and monopolizing to themselves the right of killing game, but they took delight in tormenting poor timid animals that ran away to save their lives; that they pursued these animals until their horse could scarcely put one foot before

⁵³ Jeremy Bentham, 'Principles of Penal Law', in *Works*, i, (London, 1843) p. 562.

another. That that still was not sufficient to satisfy them; but they panted for the honour of being *in at the death*; or in other words, of gratifying their ferocious dispositions by seeing the entrails torn from the animal that had been so long a victim to their cruelty. He wished to caution the House not to afford the lower classes of people an opportunity of using such language as this.⁵⁴

It is unlikely he truly thought that in essence the sports were the same, but again and again he made the point that fox hunters would do well to leave the sports of the masses alone unless they were prepared to give up their own pastimes.⁵⁵ Windham's argument was extremely clever, for it took cruelty off the agenda by including that which could not be defined as cruel. In invoking foxhunting, in making the bull baiting bill seem like it was a class-based attempt at legislation, he successfully ridiculed its proponents. But Windham's argument was later used in all seriousness, once the precept of legislating for the sake of animals had been established.

In 1824, defending a cruelty to animals bill in the House of Commons, Richard Martin was placed in a very difficult position. The essence of this difficulty was encapsulated by Sir Robert Peel's rubbishing of Martin's bill:

If... all animals were under the protection of man, why did he [Martin] limit his claims? Why would he protect the rough bear and the strong bull, who had at least a chance with their adversaries, and leave the unfortunate hare, the partridge, and the snipe, who could not resist their enemies, open to

⁵⁴ *The Times*, 19 April, 1800.

⁵⁵ Mrs Henry Baring (ed), *The Diary of the Right Hon. William Windham* (London, 1866) p. 437.

persecution? Why did not his hon. Friend put down fox-hunting, which was just as cruel as badger-baiting?⁵⁶

This hypocrisy led Peel to the conclusion that he would rather endure 'shades of cruelty' than introduce 'into the country one rigid system of undeviating morality'.⁵⁷

Martin's positioning in the light of such contention involved the careful balancing of his principles and his station. Martin himself was a keen hunter, but also the public face of humanity to animals, so it was vital that this contradiction could be unpicked. Martin therefore reduced the issue to types of men. This speech is centrally important if we are to make sense of the approach to animal cruelty in the period, and may be seen as perhaps the movement's defining moment.

Attacking the gentlemen who partook in field sports was, he said, 'making them out to be as cruel and as monstrous as those wretches the bear baiters', whom he described as horse butchers, butcher's boys and coal porters – 'the lowest and most wretched description of people'. He continued, 'those who sported on their own manors, or fished in their own streams, were a *very different sort of men* [emphasis mine]. He had known men as humane as men could be who followed the sports of the field'.⁵⁸

Hunting, and other field sports, had therefore been exempted due to the type of men involved in them, saving them from the fears of some politicians that 'if they went on legislating in this way, where were they to stop?'⁵⁹ These men were 'different', for which we may read, 'better'. But since one could not explicitly legislate on the quality of men, other more legitimate reasons had to be found to eliminate the fox from the ground-breaking legislation of 1835. I have already

⁵⁶ Parl. Debs. (series 2) vol. 10, col. 492 (26 Feb, 1824).

⁵⁷ Parl. Debs. (series 2) vol. 10, col. 494 (26 Feb, 1824).

⁵⁸ Parl. Debs. (series 2) vol. 10, cols. 487-9 (26 Feb, 1824).

⁵⁹ *The Times*, 24 July, 1849.

examined closely the distinction between 'domestic' and 'wild' animals in chapter two, and it is this distinction that allowed for the exemption of the fox, and other game, from the cruelty Acts. But this quasi-legal category of wildness did not feature too prominently when hunters defended their sport, or when anti-hunters attacked it. Here I would recapitulate the argument that the scheme of animal types constructed in 1835 merely served to endorse or condemn different types of men or male behaviour. The extra-Parliamentary discourse on hunting serves to illustrate that point.

Peter Beckford's *Thoughts on Hunting* went through four editions.⁶⁰ After the first, in 1781, he had to respond to criticism in the *Monthly Magazine* that he was perpetuating cruelties. Beckford stated that 'sportsmen only are competent to decide' on the matter.⁶¹ For Beckford, whose interest in the sport was more scientific than romantic (even though his book was written in the form of letters to Cervantes), this was an unimpeachable pursuit:

I fear the occupations of few gentlemen will admit of nice scrutiny; occupations, therefore, that amuse, and are at the same time innocent; that promote exercise and conduce to health; though they may appear trifles in the eyes of others, certainly are not to those who enjoy them. Of this number I think I may reckon hunting.⁶²

Others had, in the past, made similar assertions for cockfighting at the expense of hunting. Robert Howlett had claimed that hunting 'spends a Mans Time, wastes [sic]

⁶⁰ Peter Beckford, *Thoughts on Hunting, in a series of letters to a friend* (London, 1781, 1782, 1798). A 1796 edition had the variant title, *Thoughts upon hare and fox hunting* (London, 1796).

⁶¹ Beckford, *Thoughts upon hare and fox hunting*, p. vi.

⁶² Beckford, *Thoughts upon hare and fox hunting*, pp. 9-10.

his Treasure, and profits him nothing; whereas Cocking fits a Man for Peace, or War, and creates Courage, and Constancy, with Good-nature, and ingenuity all glued together'.⁶³ The relative demise of cockfighting, in combination with the meteoric rise of fox hunting after the introduction of Hugo Meynell's 'system' in 1750s Leicestershire and the gravitational pull of Melton Mowbray, helped to reverse Howlett's opinion in the eye of public opinion by the early nineteenth century.⁶⁴ Generally, when faced with protest, hunters simply ignored it. Thomas Young, a fellow of Trinity College, Cambridge, summed up the difficulty of attacking the sport. He denounced hunting, shooting and fishing, but did so 'with a kind of dread', for he had to confront 'customs, fashion, and inclination; with Physicians, Moralists, Legislators, and Divines'.⁶⁵ His objection took the form of shame: 'I pity their taste, who, amidst the infinite variety of pleasures which the country and the fields supply, are obliged to have recourse to sports which communicate their gratification through the pain and destruction of inferior animals'.⁶⁶ Nevertheless, Young could not help also be an apologist for the sports, and was resigned to the notion that this was what men did. 'If cruel diversions *must* be retained', he said, 'it were to be wished that at least they may be reckoned fit only for the *men*'.⁶⁷ Young's objection seemed only to extend to the dangers these sports held for women. This was hardly a ringing endorsement for the manliness of

⁶³ Robert Howlett, *The Royal pastime of cock-fighting, Or the art of breeding, feeding, fighting and curing cocks of the game*, (London, 1709) preface, no page.

⁶⁴ Hugo Meynell is usually credited with revolutionising fox hunting, and making it into its modern form of fast galloping over open ditches. The Quorn, the name of the hunt in Leicestershire of which Meynell was the master, is perhaps the most celebrated of all the packs. The centre of the hunting world was Melton Mowbray. Leicestershire's particular configuration of lush turf and enclosed fields made it the most desirable hunting ground in the country. For more on this, Raymond Carr's *English Fox Hunting* is still the best, especially chapter 3.

⁶⁵ Thomas Young, *An Essay on Humanity to Animals* (2nd edn., abridged, London, 1809) p. 21.

⁶⁶ Young, *Humanity to Animals*, p. 24.

⁶⁷ Young, *Humanity to Animals*, p. 27n.

hunting, but it was a concession to the notion that it was widely perceived to be manly, in such a way that no amount of moral persuasion could penetrate.

Fox hunting came in for severe public scrutiny during the Essex/Capel trials and those subsequent to it. In another case brought by a Mr. Ridge against the Rev. Capel, the plaintiff had to sit through damning testimony on the nature of fox hunting in Hertfordshire. Capel had claimed once again that he had been chasing 'one of those destructive and hurtful vermin and beasts of prey called foxes', but it was later shown that he had purchased and reared foxes 'employing his servants to dig holes for them, turning out those which had been reared by his orders at the proper season; so as to leave no doubt of the Defendant being much given to the pleasures of the chace [sic]'.⁶⁸ This evidence, showing clearly that foxes could be neither vermin, nor wild, in these circumstances, conspicuously never re-surfaced during any cruelty to animals debates in Parliament. It was common knowledge in the sporting world that foxes were imported, preserved and even reared so that the sport could continue. Yet their status as wild, as 'noxious' was never doubted when it came to legislating. We should discard, at this point, any notions that fox hunting was, or is, about pest control. This is far too thin a reading.

This is nowhere better illustrated than in the acrimonious discussions aroused by an essay writing competition organised by the RSPCA in 1839. The Rev. John Styles won the competition and had his *The Animal Creation: Its Claims on Our Humanity Stated and Enforced* published.⁶⁹ Styles was vehement in his derogation of all blood sports, including fox hunting. He wrote, 'The sport that cannot be enjoyed without the protracted sufferings and terror of an innocent victim, is not negative; it does not spring from want of feeling; it is the presence of bad feeling. It is the

⁶⁸ *The Times*, 4 December, 1809.

⁶⁹ John Styles, *The Animal Creation: Its Claims on Our Humanity Stated and Enforced* (London, 1839).

sensibility, not of a man, but of a demon'.⁷⁰ To drive home the point that this was the pursuit of evil men, he quoted Dr. Stillingfleet, an Anglican bishop:

But it is *manly*, forsooth, to hunt; *manliness*, I should suppose, implies some mode of action *that becomes a man*. Hunting might formerly, for aught I know, have been a manly exercise, when the country was overrun with boars and wolves, and it was a public service to extirpate them. But to honour with the name of manliness the cruel practice of pursuing timid animals to put them to death merely for *amusement*, is, in my opinion, perverting the meaning of words.⁷¹

No one had ever expostulated such explicit anti-hunting rhetoric before, and to couch it in these terms merely added insult to injury. What is more, this had the tacit backing of the RSPCA which lent what otherwise would have found its way to the literary scrap-heap some real cultural weight. The outcry at such charges was abundant. Interestingly, another of the entrants to the Society's competition presented a much more acceptable line of argument. William Youatt did not censure hunting unless it caused harm to horses. Over-zealous riding he excused however, on 'account of that bold and manly character which is natural to the British sportsman'.⁷² On the fox he opined that it was 'legitimate prey. He is a felon by nature; and the preservation of our property demands that he should not be suffered to multiply too much among us'.⁷³ But Youatt did acknowledge the cruelty in 'bag foxes' (those reared or kept by hunters) and 'carted deer' (similarly, deer that

⁷⁰ Styles, *Animal Creation*, p. 39.

⁷¹ Styles, *Animal Creation*, pp. 34-5.

⁷² William Youatt, *The Obligation of Humanity to Brutes, Principally Considered with Reference to the Domesticated Animals* (London, 1839) p. 104.

⁷³ Youatt, *Obligation of Humanity*, p. 111.

would be hunted, captured and re-hunted). There was 'something unmanly in such sports, compared with the straightforward hunting of the fox'.⁷⁴

Youatt's work barely registered in the seismic tremors caused by Styles however. Here we meet Grantley Berkeley once more. 1839 was a difficult personal year for the Gloucestershire MP, whose dealings with the RSPCA over cockfighting have already been detailed. As a MFH, Berkeley was stirred to protest on this occasion as well. He published a pamphlet, dedicated to the derision of Rev. Styles, and supporting fox hunting in the most strongly gendered terms:

Unless muscular display and the rivalry of gallant spirits were encouraged, the limbs and hearts of the sons of England would fail when in front of the foreign foe, and the established religion itself be lost, and that from remote causes, originating in the sickly assertions of erroneous doctrines of men affecting to be the healthful physicians and saviours of the soul.⁷⁵

He went on to distance the institution of fox hunting from the occasionally cruel individual, noting that anyone who 'resorts to *any* species of oppression or cruelty cannot be held up as a criterion by which to judge of the generality of sportsmen, or even bear their manly appellation'.⁷⁶ Interestingly, Berkeley was keen to point out the relationship of hunting men with the hounds. A good hound could be fashioned by 'Example – manner – kindness, and attention to the development of the most generous portions of his nature'.⁷⁷ Indeed, Berkeley seemed to see hounds as manly

⁷⁴ Youatt, *Obligation of Humanity*, p. 112.

⁷⁵ Grantley Fitzhardinge Berkeley, MP, *A Pamphlet, dedicated to the Noblemen, Gentlemen and Sportsmen, of England, Ireland, and Scotland... in Reply to a Prize Essay by the Rev. John Styles, D.D. On the Claims of the Animal Creation to the Humanity of Men*, (London, 1839) pp. 12-13.

⁷⁶ Berkeley, *A Pamphlet*, p. 22.

⁷⁷ Berkeley, *A Pamphlet*, p. 22.

too; reflections and ambassadors of the manliness of the field.⁷⁸ To finish, and in a dramatic turning of the tables, Berkeley accused Styles of cruelty:

To hurt, to *calumnate*, or hate each other, for the sake of God, and in defence of any religious tenet, is in obvious contradiction to the designs of the Omnipotent law-giver, and is in fact to be wicked on behalf of righteousness, and cruel out of piety.⁷⁹

This extreme position was acquiesced in more soberly by the *Sporting Magazine*. In reviewing Berkeley's pamphlet, the journal advised the RSPCA not to 'join the pseudo-philanthropists of the day, and decry and interfere with all existing sports and recreations'.⁸⁰ This it described as 'the canting casuistry which would discountenance all sports, however healthful or manly'.⁸¹ 'If this Essay', the journal continued:

be the *best out of thirty-four*, the adjudicators must have been surfeited with so much trash as to have induced them to cry 'Hold, enough!' and select the Doctor's 'affecting details', *not for their truth*, but because they go the 'whole hog' in deteriorating the good old English sports of the field, and thus by

⁷⁸ In another article, Berkeley extended this notion to the actions of animals in other sports. The 'display of gallantry, whether of man or beast, has a tendency to gain respect for courage in the eyes of the bystanders, and that it has no demoralizing effect whatever'. He also lamented that the 'muscular and active villager has found himself left, in his idle hour, without any amusement at all'. Had Berkeley had recourse to the language of modern-day academics he would probably have labelled this a 'crisis of masculinity' (Grantley F Berkeley, 'The Sports and Recreations of the People, and Their Moral Effects', *Sporting Review*, 6 (1841) 249-252, 329-334, 409-415 at p. 249.

⁷⁹ Berkeley, *A Pamphlet*, pp. 38-9.

⁸⁰ *Sporting Magazine*, 94 (1839) p. 380.

⁸¹ *Sporting Magazine*, 94 (1839) p. 380.

their sanction joining the senseless cry against the recreations of the people.⁸²

Echoing and paraphrasing Berkeley, and in some ways forecasting the writings of Charles Kingsley and Thomas Hughes, the magazine went on to say that ‘without some excitement necessary to call... muscular power into action, man would dwindle away into an effeminate course of life, in which the noblest energies of his nature might sink beneath the vicious inclination of mind induced by an inert frame’.⁸³

This linking of mind and body, muscular prowess and mental ability was not new, but crucially important in the context of fox hunting. For only four years previously a whole swathe of popular blood sports had been added to the statute books as cruel and illegal, couched in the idiom of unmanliness. It was crucial that the manliness in hunting was recapitulated and reinforced in the light of fears that it was closer to illegal practices than comfort would permit. When Delabere Blaine published his incredible *Encyclopædia of Rural Sports* in 1840, he included a section on the ‘Philosophy of Field Sports’ that directly addressed these issues.⁸⁴ Pointedly rebuking (though not in name) the RSPCA and those Pythagorean ‘vegetarian *philosophers*’ (the outcast RSPCA secretary Lewis Gompertz),⁸⁵ Blaine could not have been more explicit in his linking of hunting with manly virtues – health, long-life, sound mind, sociability and physical and martial fitness.⁸⁶ Perhaps the most telling

⁸² *Sporting Magazine*, 94 (1839) p. 380.

⁸³ *Sporting Magazine*, 94 (1839) p. 381.

⁸⁴ Delabere P Blaine, *An Encyclopædia of Rural Sports* (London, 1840) pp. 149-156.

⁸⁵ Blaine, *Encyclopædia of Rural Sports*, p. 150.

⁸⁶ I list here the subsection headings from that part of his work as an illustration of the direct connections made between field sports and manliness: ‘Chap. I. *The Moral Character of Field Sports, and the Benefits Derived From Them*’; ‘Sect. I. *The Moral Character of Field Sports*’; ‘Subsect. 1. *Field Sports Not Necessarily Connected with Cruelty*’; ‘Chap. II. *The Benefits Derived from Field Sports*’; ‘Sect. I. *The Beneficial Effects of Field Sports on the Mind*’; ‘Subsect. 1. *Field*

part of Blaine's argument came under the heading of *The Martial Character of Man Originated in Field Sports, and is Greatly Sustained by Their Agency*. He stated:

*Field sports have always proved the best corrector of that effeminacy which refined luxury is apt to introduce; and we assert, without fear of contradiction, that when military ardour has been damped in any country by a long continued state of profound peace, it is only by the regular pursuit of hunting, and other athletic exercises, that we can hope to keep up that spirit of enterprise, that determination of purpose, and contempt of danger, which are the ground-work of a martial character.*⁸⁷

Blaine explicitly rendered a version of what we would call the 'hunter hypothesis', accounting for the superiority of men over beasts through the act of hunting, killing and eating them. Conversely, it is interesting to note that Blaine had no taste for other animal sports. He lamented that, '*The masculine and cruel turn with which the pastimes of more early days were marked... were continued to this period.*'⁸⁸ The distinction between 'masculine' and 'manly' is here crucial. British men, lacking sensibilities and refinement, were admonished in no uncertain terms. Manly men directed their physical prowess to noble and civilised ends. This important work, in the light of Styles's publication, could not have been more timely.

Sports Inimical to Idleness'; 'Subsect. 2. *The Social Character of Man Advanced by Field Sports*'; 'Subsect. 3. *The Martial Character of Man Originated in Field Sports, and is Greatly Sustained by Their Agency*'; 'Subsect. 4. *Field Sports both a Preventative and Curative of Melancholy*'; 'Sect. II. *The Beneficial Effects of Field Sports on the Body*'; 'Subsect. 1. *Health Usually Attends the Followers of Field Sports*'; 'Subsect. 2. *Field Sports Favourable to Longevity*'; 'Subsect. 3. *Field Sports Important in a Commercial Point of View*' (Blaine, *Encyclopædia of Rural Sports*, pp. 149-156).

⁸⁷ Blaine, *Encyclopædia of Rural Sports*, p. 154.

⁸⁸ Blaine, *Encyclopædia of Rural Sports*, p. 127.

The RSPCA's policy on hunting, while for the most part conspicuously unmentioned, caused them occasional embarrassment. The Styles affair brought this to a head. At the Annual Meeting in 1840, a gentleman took the floor and posed the following question to the assembled committee, to the cries of derision from the audience:

If a poor man was to be fined and punished for ill-using a donkey, why should not the Society go higher, and punish the rich man for killing his horse? He claimed the protection of the Society also for the poor deer that were hunted to death in Windsor Park; and for his own part he could see no other use for the Master of Buck Hounds than to perpetuate a system of barbarous cruelty. He would ask the noblemen and gentlemen on the platform, who declaimed upon the subject of cruelty to animals, how many hunters had they in their stables, and how many had been ridden to death for their amusement?⁸⁹

This undoubtedly caused a stir amongst the gathered dignitaries, and in their unpreparedness they answered with unusual candour. In legislating, and in debating in Parliament, the sponsors of animal cruelty bills had always denied any class bias, even though it was fairly self-evident. William Mackinnon MP, whose opinions on the masses have already been shown to be dismissive at best (see page 57), stood and replied that 'acts of cruelty to animals were of much more frequent occurrence among the lower than in the higher classes of society', to which he received a resounding 'Hear, hear'.⁹⁰ Then the Chair, Viscount Mahon addressed the question:

⁸⁹ RSPCA Fourteenth Annual Report, (London, 1840) p. 40.

⁹⁰ RSPCA Fourteenth Annual Report, (London, 1840) p. 41.

I believe, generally speaking, that in pursuing the sport of hunting, little or no cruelty is practised... I think that these objections to our national sports may be carried too far, and so long as unnecessary cruelty is avoided, I see no reason to cry them down on the score of inhumanity; and I believe it is generally admitted, that the sports of the field, if unavoidably attended with a certain degree of suffering on the one hand, produces, on the other hand, many advantages which might fairly be brought forward as a set-off against the cruelty of such practices.⁹¹

This apparently self-contradictory answer received another round of 'Hear, hear', and the subject was dropped. Between them, Mahon and Mackinnon had managed to justify hunting, on the grounds that even if it contained cruelties it could not be *de facto* cruel. This was the sport of gentlemen, that had other positive effects that outweighed the cruelty that happened, making cruelty irrelevant. The argument that the detrimental effects of cruelty were over-shadowed by the positive effects there produced had been used for bull baiting and cockfighting before 1835 by their respective protagonists to no avail. The argument in favour of hunting was much more authoritative when preached from the platform of the RSPCA's annual meeting.⁹²

⁹¹ RSPCA Fourteenth Annual Report, (London, 1840) p. 41.

⁹² It should be noted however that the exact opposite view was regularly put forward regarding steeple-chasing, which had its origins in fox hunting. The number of deaths to valuable hunters was intolerable to fox hunters who claimed rarely to have seen horses die in the chase. Steeple-chasing was seen to be unnatural by some, and therefore 'cruel' and unmanly, or unsporting. The most notable protestation came from the doyen of the sporting world, Nimrod, in his 'Steeple-Chasing: Its Cruel and Unsportsmanlike Character', *Sporting Review*, 3 (1840) 290-298. He was particularly concerned with the 'National' at Aintree – a firm fixture in today's sporting calendar, first run in 1837. Was this, he asked 'a sight proper for females to witness?' (p. 293).

Some members were no doubt stirred to disassociate themselves from the Society as it continued to tread a fine line between types of cruelty based on class. In 1844 the RSPCA received letters of complaint about the presence of the Queen and Prince Albert at an otter hunt and stag killing at Blair Athol.⁹³ On this occasion the Society replied that 'it was quite impossible for the Committee to take any proceedings in the matter', without being any more explicit as to why not.⁹⁴ But after receiving another letter the following year disapproving of the presence of the Queen at the slaughter of deer, and promising to unsubscribe should the Society continue with her patronage, the Society replied that:

the Committee exceedingly regret that such proceedings should have taken place in the presence of the Queen but they feel they cannot take the course of action suggested by him as they think that would be generally considered objectionable and might ultimately prove injurious to the cause advocated by the society.⁹⁵

This difficulty, the balancing of principle with patronage, is one the RSPCA utterly failed to resolve, and it is noteworthy that no such comment as that given to this correspondent ever appeared in public. The Society could not pursue hunting on moral grounds except in exceptional circumstances, since politically this would have destabilised it, and financially it would have crippled it.

Such exceptional circumstances arose in a very rare case in which the accused was charged with cruelty to a fox. The case concerned the Master of the Vine Hounds in Hampshire, Mr. Marsh. In late January 1859, according to the

⁹³ RSPCA Minute Book 5 (CM/24), p. 299 (4 November, 1844); p. 307 (2 December, 1844).

⁹⁴ RSPCA Minute Book 5 (CM/24), p. 317 (6 January, 1845).

⁹⁵ RSPCA Minute Book 6 (CM/25), p. 95 (6 October, 1845).

Superintendent of Police, Mr. Marsh had caught a fox, chained it up all night, and then in his presence and by his order, had one of its legs cut off. It was then placed into a bag and turned out some distance away for 25 couple of hounds to chase. The fox was soon killed.⁹⁶ The Society apparently did not hesitate in taking out a summons against Mr. Marsh for cruelty to a fox, even though it later admitted it 'might be difficult in obtaining a conviction under the present law'.⁹⁷ The case was heard at the end of February, and Marsh was acquitted, the Magistrates coming to the conclusion that:

an act of very gross cruelty had been perpetrated by him, and that they certainly had no desire to remit the smallest portion of penalty which the law allowed, as they saw no alleviating circumstances at all in the case, but that as the Act of Parliament did not recognize the fox as being a domestic animal the Magistrates simply upon the legal point, must dismiss the case.⁹⁸

Marsh had escaped by virtue of the Cruelty Act's definition of 'animal', as discussed in chapter two. The fox's wildness had put it outside the scope of the law. But this case was peculiar, for 'blooding' young hounds was certainly not unusual, even if the particular method employed on this occasion was excessive.⁹⁹ Moreover the RSPCA, having been so involved in the framing of the cruelty laws, knew full well that the fox was excluded, and that a conviction would have alarming ramifications for fox hunters across the country. So why did they bring the case?

⁹⁶ *The Times*, 26 February, 1859; RSPCA Minute Book 8 (CM/27), pp. 348-9 (8th February, 1859).

⁹⁷ RSPCA Thirty-third Annual Report, (London, 1859), pp. 13-14.

⁹⁸ *The Times*, 26 February, 1859.

⁹⁹ A debate as to whether foxes were commonly maimed to train hounds was staged in the *Sporting Magazine*, 44 (1814) pp. 5, 59-60, 78. The consensus was that it was fairly common.

The answer lies in the perceived character of Mr. Marsh. Fox hunting, it has been asserted, could not be 'cruel' because it was manly. Conversely, fox hunting could not be unmanly, because it was not 'cruel'. This circular argument had been reinforced by the legal status of the fox as 'wild', and therefore outside of the scope of Parliamentary authority. In this case however, the treatment of the fox appeared to be quite reprehensible, and Mr. Marsh was charged as much for being unmanly, for bringing the sport into disrepute, as for cruelty. Marsh, for his own part, apologised only for taking his hounds out on a Sunday. The court called this an 'outrage to public decency and morality', stressing the offence against refined taste as much as against animals.¹⁰⁰ The Society, though unsuccessful in their criminal prosecution, were successful in their public character assassination of Mr. Marsh. Marsh had written to *The Times* begging to assure them of his innocence,¹⁰¹ but this was replied to by Mr. Cave, the RSPCA's solicitor, who maintained that the 'evidence was confirmed... to the entire satisfaction of the magistrates'.¹⁰² This was followed by a public letter by the land owners in the district of Kingsclere, expressing their 'outrage on public decency of which you have been shown to be guilty'.¹⁰³ This was signed by numerous MPs and noblemen, the first among them the Earl of Carnarvon, whose associations with the RSPCA were very strong. These landowners, using the precedent set by Essex/Capel, forbade the hunt from entering their lands. The RSPCA were satisfied that this was as good as a conviction. It had highlighted Marsh as an unmanly exception to a manly rule, and maintained the legality of the sport. This appears to be a unique example of a public character assassination motivated by cruelty to a fox.

¹⁰⁰ *The Times*, 26 February, 1859.

¹⁰¹ *The Times*, 4 March, 1859.

¹⁰² *The Times*, 10 March, 1859.

¹⁰³ *The Times*, 14 March, 1859.

The only other similar case in the entire period ended with entirely different results. The RSPCA Annual Report for 1865 noted the prosecution of two men, a pub landlord and the son of a huntsman (and therefore probably working class), for hunting a maimed fox. The men had claimed in their defence that, 'If it had become domesticated, no sooner was it turned out than it became wild again, and might make a meal off some of the poultry belonging to some of the gentlemen sitting on the bench'. This argument failed however, and the men were convicted of a 'most brutal and wanton act of cruelty'.¹⁰⁴ This was perhaps the only case in the nineteenth century of a conviction for cruelty to a fox. The proximity in date to the case of Mr. Marsh and the Vine Hounds is jarring, for the legal precedent set in that case seems to have had no bearing on the later one. The RSPCA reported the case matter-of-factly, without fanfare or surprise. One must come to the conclusion that this was so readily accepted because the punished behaviour was no more than could be expected from the wrong kind of men. To damage the reputation of a member of the elite was a powerful punishment. For men of lower station, nothing less than a criminal conviction would suffice. After all, there were no pristine reputations here to destroy. These minor, though curious, incidents punctuated the calm existence of hunting. The peace was more forcefully disturbed in 1869 by a voice from academia.

3. E A Freeman and 'The Morality of Field Sports'

In 1869, the historian E A Freeman, later regius professor of modern history at Oxford, launched a scathing attack on hunting and field sports of all kinds, though fox hunting appeared to be his chief object of concern. His 'Morality of Field Sports' exploded the issue of cruelty in hunting, and called into question the

¹⁰⁴ RSPCA Forty-first Annual Report, 1865, pp.117-8.

manliness of hunters across the country.¹⁰⁵ This article, published in the *Fortnightly Review*, brings us full circle and summarises the politics of cruelty by the end of the period covered by this thesis.¹⁰⁶ Freeman's argument (while debunked from within the fox hunting world) is crucial to our understanding of the intersections of various debates, on cruelty, on animals more generally, on sport and most importantly on manliness. Freeman offered an explanation for the apparently irrational position of fox hunting outside of the scope of the anti-cruelty laws by drawing together these threads.

He began his attack by making a statement similar to one that the RSPCA Chair had made some 31 years previously (see pp. 52-3), that 'it is impossible to separate the question of humanity and cruelty to man from that of humanity and cruelty to the lower animals'.¹⁰⁷ On this occasion, the RSPCA's reasoning would be used to shatter illusions about the humanity of hunting, as opposed to sustaining that notion. Freeman also invoked the arguments of William Windham from 1800, but made them serve his own purposes:

In that noble and manly English sport [bull baiting], as its votaries then called it, Windham, a scholar, a statesman, a man of refined taste, and, on many points, of almost morbid conscientiousness, professed that he

¹⁰⁵ E A Freeman, 'The Morality of Field Sports', *Fortnightly Review*, new series 6 (1869) 353-385.

¹⁰⁶ This was not preconceived as a campaign, as has been suggested by Antony Taylor, "Pig-Sticking Princes": Royal Hunting, Moral Outrage, and the Republican Opposition to Animal Abuse in Nineteenth- and Early Twentieth-Century Britain', *History*, 89 (2004) 30-48 at p. 37. Nor was Freeman's 'main point' 'to expose the despotic tendencies behind the reasonable, constitutional face of monarchy and to remind the public of Victoria's familial links with ancestral tyranny and the absolutist 'kaiserism' of Germany' (p. 40), as the following analysis will demonstrate. Freeman himself later noted that 'I have found that there was an amount of opinion on my side for which I had not dared to look for a moment' (*Fortnightly Review*, n.s. 8 (1870) 674-691, at p. 674. Taylor's article is littered with factual errors which blight his interpretation.

¹⁰⁷ Freeman, 'Morality', p. 354.

“rejoiced”... He drew from it one practical inference; I draw from it another. From the admitted right to torture a fox Windham inferred the right to torture a bull. From the admitted sin of torturing the bull I infer the sin of torturing the fox.¹⁰⁸

The point was then expanded. Manliness, as defined in part by sensibility and civility, is an historical phenomenon. Freeman, it seems to me, was a visionary exponent of this belief. And he was explicit. ‘They call hunting and shooting noble and manly sports’, he said, ‘But Windham was also a high-minded and cultivated man, and Windham rejoiced in sports which he deemed noble and manly, but from which the modern fox-hunter turns away in disgust’.¹⁰⁹ Freeman drew a direct line between ‘the savage amusements of ancient heathens’ and the ‘manly and gallant sports of high-minded and refined English gentlemen’.¹¹⁰ The cruelty in each of the respective sports was on the same scale; it was merely a question of degree, subject to historical specificity. And manliness too was temporally dependent. Freeman did not ‘despair of a day coming when an English gentleman will look with the same disgust on the diversions of the present age with which he now looks on the diversions of the days of Windham’.¹¹¹

The criticism was however, not unmitigated. Freeman did not think fox hunting and bull baiting were *exactly* the same. On the contrary, since most fox hunters did not get to see the death of the fox, they were in part absolved of the cruelty therein. This rather predicts Norbert Elias’s argument that fox hunting

¹⁰⁸ Freeman, ‘Morality’, p. 353.

¹⁰⁹ Freeman, ‘Morality’, p. 367.

¹¹⁰ Freeman, ‘Morality’, p. 367.

¹¹¹ Freeman, ‘Morality’, p. 367.

represents the 'civilising process' in sport.¹¹² But Freeman's conclusion was not the same, for he argued that 'the principle of cruelty is alike in both, and I suspect that, as regards the beast itself, fox-hunting is the more cruel of the two', due to the endurance of the chase before being ripped apart (though he did not acknowledge that the fox might escape).¹¹³ 'It has always been a puzzle', Freeman noted, 'how a refined or educated man can find pleasure in taking on himself the functions of the butcher'.¹¹⁴ This condemnation went further, as the attack was extended to the wider purposes that fox hunters generally ascribed to their sport. Most of the benefits, fresh air, good company, skill in riding, etc., could be had by other means. The danger involved in the sport, and the pluck necessary to ride *to the death* was also criticised. 'The risk of these sports, and the supposed manliness of facing that risk, is generally put forth as one of their merits... but the manly sport of fox-hunting seems to me not to be manly at all, but to be at once cowardly and fool-hardy'.¹¹⁵

In order to respond to Freeman's argument, fox hunters had to address the issue of their manliness. Fox hunting was not entirely reduced to this issue, but it was the driving force of Freeman's argument, and is crucial to our understanding of the cultural and legal position of fox hunting at the time. For if fox hunting could be proven to be unmanly, then surely it could be proven that it was cruel, and that would spell the end.

The first respondent was none other than the illustrious author, Anthony Trollope, who had helped found the journal that Freeman had used to make his claims. Trollope's rejoinder appeared in the very next issue. He was keen to contradict Freeman's slur on the manhood of fox hunters by challenging the

¹¹² Norbert Elias, 'An Essay on Sport and Violence', in Norbert Elias and Eric Dunning, *Quest for Excitement: Sport and Leisure in the Civilizing Process* (Oxford, 1986) pp. 161-171.

¹¹³ Freeman, 'Morality', p. 372.

¹¹⁴ Freeman, 'Morality', p. 372.

¹¹⁵ Freeman, 'Morality', p. 376.

manhood of Freeman's 'type'. 'Non-sporting men –', he said, 'men who are decidedly opposed to sport, – do not know what sport is. They are like some old ladies... who, living down in the country, think that a London club means drunkenness, gambling and wickedness'.¹¹⁶ And having denounced Freeman's breed of masculinity he went on to romanticise his own, and that of foxhunters. For Trollope, manliness was art in conversation, harking back to a mid-eighteenth-century style of *politesse*. This is somewhat surprising, given the more accepted notions of stoicism and reticence that are usually identified with the manly gentleman at this time.¹¹⁷ Gallantry was certainly a part of Trollope's ideal fox hunting man, but essentially he should have been a delicate man of impeccable morals and tastes:

Men are thrown together who would not otherwise meet, and converse on all subjects common to men. Politics are discussed, and agriculture, social habits, the affairs of the country, the preservation of foxes, the enmity of this enmity to the sport, and the devoted friendship of that friend. Perhaps of all the delights of the hunting field conversation is the most general... City-men learn country lore, and country-men are told the ways of cities. All these are things "quæ possunt esse homini politico delectatio."¹¹⁸

These were men who had no interest in the death of a fox. That it happened was inconsequential. Throwing the philosophy of William Windham back from whence

¹¹⁶ Anthony Trollope, 'Mr. Freeman on the Morality of Hunting', *Fortnightly Review*, new series 6 (1869) 616-625, at p. 618.

¹¹⁷ For the transition from conversational *politesse* to stoicism in manly expression, see Michele Cohen, 'Manliness, effeminacy and the French: gender and the construction of national character in eighteenth-century England', in Michele Cohen and Tim Hitchcock (eds), *English Masculinities, 1660-1800* (London, 1999).

¹¹⁸ Trollope, 'Mr. Freeman', p. 618.

it was resurrected, Trollope denied that bull baiting and fox hunting were the same. Here he invoked another eighteenth-century idea, that cruelty to animals led to cruelty to men. Bull baiting relied on a visual cruelty – the assembled crowd were witnesses to the event. In fox hunting, most men were not present on the death of the fox: ‘The one scene came palpably before the senses in all its horrid details, and did harden the heart. The other offers no other ostensible evidence of the animal’s destruction than a bit of fur hanging to a hound’s mouth, or a bloody jaw’.¹¹⁹ The circle was completed. Fox hunting was not cruel because it was inherently manly; fox hunting was manly because it was not cruel. And even if cruelty was admitted to, it was not relevant because it did not take place under the eyes of man and therefore had no detrimental effect on his manliness.

Both Freeman and Trollope had deployed constructions of manliness that made sense in their respective cultural settings. Both arguments drew unwanted attention to the sport, and while highlighting the debate around cruelty, did so through a foregrounded preoccupation with the behaviour of men more generally. Trollope did not aid his cause by adding two further points. Firstly, that hounds hunting a fox was ‘natural’, and in ‘compliance with an instinct given by God’, in much the same way that a cat chases a mouse or a fox hunts a rabbit.¹²⁰ Secondly he offered the following bizarre analogy:

If all England could be indulged in an amusement that would be charming, intellectual, in every way satisfactory, – some all but divine spectacle, – at, we will say, the cost of one human life, would not that human life have been well spent? But the human life would have been excellently well spared if a

¹¹⁹ Trollope, ‘Mr. Freeman’, p. 620.

¹²⁰ Trollope, ‘Mr. Freeman’, p. 622.

tortured fox could have been made to stand in its stead. With such a result, who would regret the tortured fox?¹²¹

On neither of these points did Trollope find a sympathetic audience. To deny cruelty and then tacitly admit to torture rather undermined his argument. It was also plain for all to see that both fox hounds and foxes owed their existence, and the peculiar configuration of their joint existence, to the contrivances of man, rather than God. Hounds had been scientifically bred to be better at hunting foxes, and foxes had been preserved, imported, released from bags in front of the hounds, and stopped out of their earths. It is unlikely that the romantic 'natural' perception of fox hunting carried much weight among the majority of fox hunters at this time, since anyone involved in the sport knew the lengths that were gone to manufacture a workable sport.

From these dramatic arguments arose debate – the first serious debate about fox hunting. It looks, in retrospect, remarkably modern. Freeman responded to Trollope in the *Daily Telegraph*:

Mr. Trollope's morality, I must say, seems to me a little like the prudence of the ostrich. The cruelty is done with Mr. Trollope's knowledge and sanction, and for his gratification, for the fox is "done to death for the gratification of a hundred sportsmen," of whom I presume Mr. Trollope is one. But, so long as Mr. Trollope turns away his head and does not look at the cruelty, he holds that he has no share in it.¹²²

¹²¹ Trollope, 'Mr. Freeman', p. 624.

¹²² *Daily Telegraph*, 18 December, 1869.

He addressed all of Trollope's arguments, claiming that even though 'He [Trollope] may say we are all milksops and bookworms, incapable of knowing what manly sport is', the 'same cry of "manly sport" was raised' in Elizabethan times against bear baiting and in Windham's times against bull baiting. 'What Mr. Trollope really means', Freeman opined, 'is that many refined and educated men do hunt and shoot; therefore, hunting and shooting cannot be such very bad things. Of course this is really nothing to the purpose. If a thing can be shown to be wrong in itself, it makes no difference whatever who does it.'¹²³

The appearance of the controversy in a more widely-read publication opened Freeman to attack from the general public. A correspondent under the *nom de plume* of 'Reynard' wrote in the character of a fox to congratulate Freeman on his humanity, but with the an overtly pro-hunting stance: 'The oldest fox in the wood was asked his opinion first, and he said he always felt most grateful to the sport of fox-hunting, as he considered it the only guarantee for his preservation'.¹²⁴ Another correspondent had a strong message of 'live and let live', leaving nothing to the imagination as to what kind of man he thought Freeman was:

Let the ways of life of those who think thus be their own. However limp some may consider them, however flexible some may imagine their back-bones to be, their prejudices are to be respected, and their motives to be honoured. But let them not be intolerant to their brethren who think differently from them, and may be quite as virtuous and as little cruel and vicious.¹²⁵

¹²³ *Daily Telegraph*, 29 December, 1869.

¹²⁴ *Daily Telegraph*, 21 December, 1869.

¹²⁵ *Daily Telegraph*, 4 January, 1870.

Another writer doubted that 'the prospect of a medal from the Society for the Prevention of Cruelty to Animals could have actuated Mr. Freeman in this crusade against field sports', an ironic taunt at that society, and went on rhetorically to ask: 'Does fox-hunting bring out the "specialities" of a man's temper or disposition? I say it does, most emphatically'.¹²⁶

Yet the tide of opinion was not emphatically against Freeman. Helen Taylor weighed into the debate with a scathing attack on Trollope's reasoning.¹²⁷ Taylor, daughter of Harriet and step-daughter of John Stuart Mill, was a significant figure in the women's suffrage movement. Her contribution to this debate confirmed its gendered agenda, and can be seen as a scathing critique of the worthiness of supposedly civilised men.¹²⁸ She refuted the argument that, as she paraphrased it, 'Fox hunting cannot be unfit for "polite men", since English gentlemen do it', by stressing that 'all English gentlemen are not gentle, nor fox-hunters the gentlest among them'.¹²⁹ There was no *de facto* manliness by status in her eyes. As for the virtues of conversation, this could be had in any number of ways without the killing of a fox:

One of two things is clear: either that men might enjoy all the pleasures of fox-hunting without hunting foxes, or that the pleasure of fox-hunting is in the excitement of the chase... Either fox-hunting is immoral, because an unnecessarily cruel way of procuring enjoyments which men might contrive

¹²⁶ *Daily Telegraph*, 14 January, 1870.

¹²⁷ Helen Taylor, 'A Few Words on Mr. Trollope's Defence of Fox-Hunting', *Fortnightly Review*, new series 7 (1870) 63-68.

¹²⁸ Philippa Levine, 'Taylor, Helen (1831-1907)', *Oxford Dictionary of National Biography* Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/36431>, accessed 12 May 2005].

¹²⁹ Taylor, 'A Few Words on Mr. Trollope', p. 63.

to obtain in a more innocent form; or else it is in its essence cruel – that is to say, it is a pleasure derived from the fact that pain is inflicted.¹³⁰

She went on to reduce Trollope's argument about nature to rubble. Instead of leaving 'barking and biting to dogs', she opined:

Mr. Trollope reverses the moral, and tells us to take a lesson from the cat that hunts the mouse, the dog that hunts the fox; for well may man be envious of such pure sources of delight, and ill can he afford to drop them out of his list of God-given pleasures! A more ludicrous parody of special Providence was never suggested, than that his scent was given to the fox expressly to give men and dogs the pleasure of hunting him.¹³¹

In all this, it is always assumed that fox hunting was the exclusive domain of men, and that at stake, at least as much as the issue of cruelty, was the issue of manliness. For if the fox hunters were to prove the absence of cruelty in their sport, they had to prove its manliness. Conversely, if fox hunting's opponents were to convince that cruelty was inherent in the sport, then the *un*manliness of its protagonists had to be demonstrated.¹³² The *Pall Mall Gazette*, coming out firmly in support of Taylor (who had proven that the 'contrast sometimes drawn between woman's logic, all assertion

¹³⁰ Taylor, 'A Few Words', p. 67.

¹³¹ Taylor, 'A Few Words', p. 65.

¹³² While in reality there were growing numbers of women in the average hunting field they did not make any regular appearances in hunting discourse. In this debate one would be forgiven for thinking that women did not hunt at all. See Roger Longrigg, *The History of Foxhunting* (London, 1975) pp. 144-6. According to this account, 'a lady riding astride was unheard of before 1914' in most places, and riding side-saddle was disapproved of since it slowed down the pace and risked injury to the rider in long, weighted skirts. Raymond Carr suggests that the most symbolic change that afforded women acceptability in the field was in 1859, when the wife of Lord Yarborough's heir hunted with considerable accomplishment (See Carr, *English Fox Hunting*, p. 173).

and sentiment, and the more rigid and philosophical reasoning of the other sex' could be reversed), as well as endorsing the original argument put forward by Freeman, noted that:

It is the peculiarity of man, as far as we know, and one of our justifications in assuming authority over the lower animals, that he can derive a keen enjoyment from the æsthetic, the moral, and the intellectual portions of his nature. It is plainly degrading to men in the stage of civilization to which they have attained in our own age and country to seek their amusements in cultivating their crueller instincts... If its enjoyment consists in the excitement of the chase, then the enjoyment is in a cruel passion, however disguised and decorated by pleasant and innocent accessories.¹³³

In a further article, observing that 'few converts have been made, but some very shrewd blows have been given and taken', the *Pall Mall Gazette* tried to rationalise both sides of the argument. It concluded that 'A man whose pleasure in hunting would be poisoned by thinking of the price at which it is bought would be so far a better man than one who could remain perfectly callous; and therefore we should say that if humanity spreads, fox-hunting will become more offensive to sensitive minds'.¹³⁴ The foxhunters' assertion that hunting could not be cruel because it was manly was inverted. Foxhunting was, in the final analysis, cruel, and therefore it could *not* be manly.

It was Freeman who was to have the last word on the matter, however, though it was to prove to be rather hollow. He attacked the RSPCA for staying out

¹³³ *Pall Mall Gazette*, 3 January, 1870.

¹³⁴ *Pall Mall Gazette*, 7 January, 1870.

of the debate, drawing attention to the fact that many of its subscribers were 'sporting men'.¹³⁵ He allowed that 'hunting and war are essentially the same thing', but turned this usually positive analogy on its head, remarking that 'hunting is simply war waged against beasts instead of men'.¹³⁶ This was not military training – the playground of future heroes – but the dirty, and horrific scene of battle. If field sports 'produce all manner of good results... perhaps summed up under the one word "manliness"... It is surely open to me to hold that they possess those qualities, not because of their hunting, but in spite of it, and that they would be better and nobler still did they not hunt'.¹³⁷ One would presume that he would have conjectured the same opinion about war. This perhaps put Freeman out of step with the tide of opinion in his time. But he put the issue of contested masculinities, however implicitly, on the map. Moreover, he started a moral debate about fox hunting that found intellectual support. Though it reaped no immediate success, this debate continued to burn until foxhunting's final demise.

4. Hunting's apotheosis

'Mr. Freeman, in his amiable ardour to suppress... [fox hunting], has done the Noble Science some service. He has aroused the energies of vast numbers who do not participate in the national sport, but who are the more sensibly awakened to its importance'.¹³⁸ This according to the *Sporting Magazine* in 1870. Whether there is a deterministic link between Freeman and the apogee of the sport is doubtful, but that the sport was reaching the peak of its popularity is not. Ultimately, the period

¹³⁵ E A Freeman, 'The Controversy on Field Sports', *Fortnightly Review*, new series, 8 (1870) 674-691, at p. 687.

¹³⁶ Freeman, 'Controversy', p. 680.

¹³⁷ Freeman, 'Controversy', p. 678.

¹³⁸ *Sporting Magazine*, 3rd series, 55 (1870) p. 106.

which saw the demise of cock fighting and bull baiting, and the resort to the mass destruction of rats for sport was the period which projected fox hunting to the fore of the popular sporting imagination. While its critics tried to point to the same deficiencies of manhood that afflicted the 'sports of the poor', its apologists and fanatics stressed the reverse. Hunting was manly, patriotic, and justifiably on the rise. Tied intrinsically to a sense of national character, manliness set fox hunting apart in the general scheme of animal cruelty. Evidence for this can be seen throughout the period.

In 1844, the celebrated sports journalist known as Harry Hie'Over made a crucial observation that was noteworthy for its candour about the nature of fox hunting. 'It is always bad policy to pertinaciously defend a bad cause, or to attempt to contravert [sic] that which is in itself incontrovertible [sic]', he said. 'Let us allow therefore, like honest fellows, that there is some cruelty even in fox-hunting, but it is so born with those of the right sort, and is so fascinating in its pursuit, that death would almost be preferable to resigning it'.¹³⁹ The 'right sort' were not, by the hunters' own admission, those of a particular class, but those of a particular character. That character was defined by being male, and of a certain sort. 'We have approved of the *discrimination* in sporting... in the necessity of deciding and explaining, where *lawful sporting* ends, and where *barbarity* and *crime* begin', wrote the *Sporting Magazine* in 1822.¹⁴⁰ 'Thus, fair hunting or other pursuits of wild animals, if attended with some temporary, but unavoidable cruelty, is a legitimate sport, and even natural and necessary occupation of man'.¹⁴¹ This notion, invoking a kind of hunting hypothesis, relegated cruelty to an unimportant side issue in hunting. While there could be no justification for baiting a bull, since cruelty was perceived to be its

¹³⁹ *Sporting Magazine*, 3rd series, 3 (1844) p. 163.

¹⁴⁰ *Sporting Magazine*, 60 (1822) p. 40.

¹⁴¹ *Sporting Magazine*, 60 (1822) p. 40.

only object, in fox hunting cruelty was an unfortunate consequence of a *natural* pursuit. Tradition was not so important, as it had been for the bull baiters, as human – male – nature. In this sense fox hunting could remain outside of the cruelty debates and continue to attract popular support. As such, the RSPCA, frequently embarrassed by its ambivalent and ambiguous stand on hunting, did not make, nor attempt to make, even a small dent in the sport's success. John Lawrence, perhaps the first campaigner for animal *rights*, wrote of the RSPCA that, 'We have in the publications of this Society no flummery, no fanatical cant, nothing to which a good, fair, and hearty fox-hunter might not say – Amen!'.¹⁴² The fox, for Lawrence, was 'liable to none of those horrors either in his pursuit or capture, which must inevitably agonize the feelings of the timid', for the fox was 'fierce and pugnacious [sic]'.¹⁴³ If Lawrence, one of the most influential writers on the humane treatment of animals in the nineteenth century, wrote from this perspective, fox hunting's legality and morality were never likely to be challenged effectively. Throughout the period, challenges to hunting were met with a 'stupid face of wonder', for they could scarcely be believed. In the words of one, the followers of hunting were 'thoroughly blinded by custom'.¹⁴⁴ Cruelty certainly did not enter their heads, for hunting was about character, not killing per se. This attitude, combined with the functional advantages of the new railway network heralded what Raymond Carr called the 'Indian Summer' of foxhunting after 1870.¹⁴⁵ His periodisation is noteworthy, for fox hunting's apotheosis began just after it had been severely tested by Freeman. *MacMillan's Magazine* made a note of this:

¹⁴² John Lawrence, 'On the Animal Question, and the Late Motion in the House of Commons of Richard Martin, Esq.', *Sporting Magazine*, 66 (1825) 106-110, at p. 110.

¹⁴³ John Lawrence, *A Philosophical and Practical Treatise on Horses, and on the Moral Duties of Man Towards the Brute Creation* (2 vols. 3rd edn., London, 1810) i, p. 190.

¹⁴⁴ *Sporting Magazine*, 43 (1814) p. 254.

¹⁴⁵ Carr, *English Fox Hunting*, p. 147ff.

And all this time the daily and weekly papers had letter after letter, article after article, on the subject – the balance of argument, of eloquence, or repartee being (it must be owned) in favour of the assailants. Meanwhile a letter from Leicestershire says: ‘We turn out thirty “pinks” every morning. *Melton was never so full*.¹⁴⁶

Fox hunting provided the space for polite conversation, for acceptable homosociality and for manly exploits. Its exclusion from the legal code of cruelty to animals was, it has been shown, far from straightforward. But this constant referral to the character of fox hunters ensured its cachet of distinction and secured it a prosperous future.

¹⁴⁶ *MacMillan's Magazine*, 21 (1870) p. 341.

Conclusion

1. Overview

Man is the most noble, the most excellent, the most perfect of all terrestrial beings. But what then? He is still but a creature; and, with all his perfections and excellencies, he is a dependent and accountable creature; yea, accountable for these very perfections and excellencies, whether or no he has behaved in a manner becoming a creature so eminently distinguished and exalted.¹

Humphrey Primatt put forward this opinion of man the 'creature' in 1776, and within the sentiments of this statement are the origins of this thesis. It has set out to explore the culture of blood sports in nineteenth-century Britain, the political and social influences acting upon it and its gendered implications. The central question has been how the definition of manliness was changed, contested and enforced through particular human/animal relations. I will set out below the principal lines of investigation and their findings, before offering some concluding reflections.

It was first necessary to establish some significant gaps in historical knowledge in several fields. The historiographies of human/animal relations, sport, and masculinities are, as independent fields, quite extensive. In bringing the three together however, the missing links were self-evident. Still no one has written a

¹ Humphrey Primatt, *The Duty of Mercy and the Sin of Cruelty to Brute Animals* (first published 1776, new edn., Fontwell, 1992) p. 29.

comprehensive history of sport from a gendered perspective, and even though so much of the discourse on nature concerns the generic *man*, this too has been neglected as an area of research for gender historians. This study has aimed to bring the three fields together, in a limited fashion, to demonstrate that the nineteenth-century history of relations with animals was borne, at least partly, out of a preoccupation with notions of manliness. Manliness was also a major factor in the sporting revolution, of which this thesis only deals with the negative side – those sports that were cast aside in the process. I have tried to show that the desire to impose and disseminate a manly ideal fuelled the tide of protest and legislative innovation that would see the end of bull baiting and cockfighting. Furthermore, manliness, as a category, has been shown to remain a useful historical tool for analysing nineteenth-century men. The current trend to embrace the sociological lexicon of masculinities, while positive, had perhaps prematurely consigned manliness to the scrap-heap of outmoded historical appliances. The chief criticism was that manliness was utilised and understood only amongst men of a higher station, and did not illuminate the gendered lives of working-class men. Through studying the animal sports of working men, and discovering a rich class mix in certain settings, the thesis aimed to show that manliness was a concern that cut across class lines. Furthermore, manliness could be shown to be a fluid idea, meaning different things to different men, and groups of men, at any one time. Most importantly, the obsession with manliness could be shown to be a still vital element in understanding nineteenth-century masculinities in modern sociological and anthropological terms.

In 'Inventing Sensibility: the Politics of Cruelty and the RSPCA', I aimed to map out the beginnings of political debate in England over cruelty to animals, and to analyse the kind of terms in which that debate was expressed. Parliamentary

discourse about animals transpired to be at least as much about men, and male behaviour. The point of contention, from the beginning, was what separated the sports of hunting hares and foxes from those of baiting bulls and matching cocks. The answer, though its exact terms remained vague throughout the period, lay in the differences in the kinds of men that were perceived to be involved in the respective sports. This had its end in the various legislation of the first half of the nineteenth century, which made certain sports illegal on the basis, in principle, of domesticity. But domestic animals, so it transpired, correlated exactly to 'unmanly' animal sports, whereas 'wild' animals were linked to 'manly' ones. This legislation, in prohibiting certain sports, effectively codified certain forms of manly expression as taboo.

In 'Baiting John Bull' the cultural significance of the political debate was explored, with two particular implications. Firstly, that opposition to the sport had a detrimental effect on the kind of Englishness being championed by the sport's protagonists. An idea of John Bull was being deconstructed and replaced by something more refined. This new refinement was seen as inherently 'foreign' by the bull baiters. Secondly, that national identities seemed to be tied very closely to a sense of local identity. The example of Stamford in the late 1830s demonstrated, in an extreme way, the depth of support for local tradition in the face of outside invasion. These strands of local and national identity and character were intertwined with ideas about what it meant to be a man. As the political rhetoric became more resolute, and with the RSPCA becoming ever more forceful in realising it, the position of the bull baiters and bull runners became hopeless.

Cockfighting had, at first, remained outside of the scope of the anti-cruelty movement, and cockfighting men had been held as champions of manliness and Englishness. Perceptions of the sport as a pastime for the masses and therefore a cause of disorder brought cockfighting into the narrowing definition of cruelty by

the 1830s. Cockfighters, some from noble backgrounds, vehemently proclaimed their manliness, and the epic history of the sport, but to no avail in the face of the nationally pervasive RSPCA and new legislation prohibiting it. Cockfighting men retained their manly status for the duration of the century, but only within cockfighting circles. Exterior to these, cockfighting had become disreputable and unmanly and was eliminated from the respectable sporting press.

For those men who still found it necessary to express their masculine virtues in animal sports, the arenas of the dog pit and the rat pit lay open to them for most of the rest of the century. These activities, highly criticised by the RSPCA and others for displaying the worst kinds of men imaginable, provided a suitable outlet for sporting men away from the growing wave of 'civilised' sports that constituted the sporting revolution. The rat, a 'wild' animal, was in an ambiguous position with regard to the anti-cruelty laws, and many men fought rats as a 'legal' alternative to banned sports. The true extent of the popularity of the pits is difficult to gauge, but it does seem reasonable to assert that the sports were well known. They had a discursive presence that perhaps outweighed their actual importance, but which nevertheless served to stress otherness in certain kinds of men.

At the other end of the spectrum another 'wild' animal was being hunted, but with hardly any of the protest or interference that troubled other sports. The fox was afforded special ritualistic and symbolic status that ensured that its hunters would retain their manly status. And to demonstrate that the reason for hunting's exemption from the cruelty to animals movement was about manliness, fox hunters and their opponents debated along gendered lines. The meaning of manliness, throughout this period, had narrowed in definition. But for each attempt at an hegemonic ideal, a new challenge arose. Attention and criticism received by these

sports, laid out broadly in chronological order, can therefore be seen as a map of the changing ideals of manly virtue.

2. Speculations.

I have tried at all times to avoid over speculation or fanciful interpretations.

Nevertheless, the sources used did have limitations. It has been difficult to gain a sense of the prevalence of sports such as bull baiting, cockfighting and ratting both before and after legislation. Measuring the effects of that legislation has therefore been problematic. It is possible, however, to make some general comments on broad changes and continuities across the period.

Emma Griffin, whose recent work will do much to reawaken historical interest in popular sports, has nevertheless overstated her case for the demise of bull baiting and cockfighting (see page 76). By 1800, reformers had barely formed an agenda, let alone completed their task. We must acknowledge that reports in the press of bull baits and cockfights, as well as the significant flashpoints in the history of the RSPCA do not make up the whole picture. These stories only represent those events that were detected. We must presume that many bull baits, and many more cockfights (since they could take place on private property and behind closed doors) continued without the knowledge of the authorities. Even so, those activities that were discovered and placed in the historical record suffice for us to substantially revise extant notions about popular nineteenth-century sport. Linear histories of progression, refinement and civilisation have to more accurately account for the presence of this contrary evidence.

A further speculative finding is that this history was peculiar to the English experience. The RSPCA was certainly the first national organisation devoted to

eradicating cruelty to animals. Indeed, the RSPCA provided the model and inspiration for other nations to follow its lead. Early in its history the Society was corresponding with a group in Paris that wanted to establish a similar organisation there, advising it on the most appropriate courses of action.² Similarly, the American SPCA, begun in 1867, was directly influenced by the English example.³ These organisations had different social and political contexts within which to work, and peculiar problems to tackle. Likewise, animal protection groups in Canada and in Australia and New Zealand had entirely different conservational concerns, as well as distinctive hunting practices.⁴ Hunting and conservation in Africa and India comprise huge subjects in their own right. While British hunters took the principles of the hunt to the colonies, big game hunting developed a pathos of its own, influenced by conservation issues and the intricate cultural-political relationships of coloniser and colonised to make an experience far removed from that of the metropole.⁵ In England, the complex intersection of long-standing and newly invented traditions took place within an era of social, political and moral reform.

² The RSPCA's correspondence with the French society is spread throughout its minute books. Evidence of the tangible results of the British influence on the French movement can be found in Henri Miot, *De la repression des mauvais traitements exercés envers les animaux domestiques* (Paris, 1870).

³ The first Annual Report of the American SPCA alludes to the strong influence of the British example. *American Society for the Prevention of Cruelty to Animals, First Annual Report* (New York, 1867).

⁴ For an insight into the cases of Australia/New Zealand and Canada I acknowledge two papers at the British World Conference in Auckland in 2005. Claire Brennan, 'The Game: Sports and Species in the British Empire' and Darcy Ingram, 'Salmon and Civil Society: Fish and Game Conservation in British North America'.

⁵ See John MacKenzie, *The Empire of Nature: Hunting, Conservation and British Imperialism* (Manchester, 1988); David Anderson and Richard Grove, *Conservation in Africa: People, Policies and Practice* (Cambridge, 1987), particularly John MacKenzie's chapter, 'Chivalry, Social Darwinism and Ritualised Killing: the Hunting Ethos in Central Africa up to 1914'; J A Mangan and Callum MacKenzie, 'Radical Conservatives: Middle-class Masculinity, the Shikar Club and Big Game-hunting', in J A Mangan (ed), *Reformers, Sport, Modernizers: Middle-class Revolutionaries* (London, 2002). I am also grateful to Angela Dowdell for her paper at the Culture/Politics conference in Berkeley in 2005, 'Big Game Hunting, Masculinity, and Social Authority in Late Victorian Britain'.

This was a truly distinctive period, combining prevalent evangelical beliefs, concerns with manliness and a society-wide preoccupation with the meaning of Englishness.

The RSPCA's role in this English peculiarity cannot be understated. Its prime objectives largely were successful. The most prominent cockpits and dog pits, the most notorious bull baiters, and the scandals of the meat markets had been closed, prosecuted and reformed respectively. The Society's mission was not complete in these respects, but the committee would have been sufficiently satisfied that things had vastly improved. The RSPCA adapted to the new cultural landscape it was shaping. The animal protection movement, from its inception, had been couched in religious rhetoric. Humanity to beasts had scriptural precedents. The RSPCA fitted into this religious idiom in its early days, but its motives became increasingly non-religious – legislation, order, manliness, etc. This meant that religious rhetoric soon disappeared from the Society's publications. It took on the appearance of a secular machine, operating in the spheres of Parliament, the courts and the press. Its informers tended to be local businessmen, magistrates or clergy, and as such the RSPCA responded to a loosely middle-class set of values, concerned with public order, business and character – both individual and social. The Society relied on its informers to provide it with cases. As such, it was driven organically, at least as much by civic-minded individuals as by its central committee. Combined with provincial, locally organised arms of the RSPCA, comprised of more of these civic-minded types, the RSPCA seemed to have lost completely its religious motivation.

This would be to overstate the case, however. Individual religious motivation was doubtless still strong, but the success of the Society did not outwardly depend on it. It would be short sighted to conclude that because the religious rhetoric was no longer prevalent that religion no longer played a significant

role. The machinery of the Society shifted to respond to the problem of working-class men, as part of a general trend that increasingly foregrounded industrial discipline, public order, and individual and social decency ahead of piety and religious morality and education. This was the most effective way of achieving its goals. Nevertheless, the personal convictions of many of the Society's committee members, its subscribers and its informers would certainly have been influential in the pursuit of their goal to eradicate cruelty to animals. The significant difficulty lies in including these personal convictions in the historical account, since they largely are absent from the sources.

As the Society achieved its goals, its goals had to change in order for it to remain an important organisation. The definition of cruelty continually developed so that it reached farther into diverse areas of social and cultural life. Cruelty to animals, as has been made abundantly clear, was linked directly with the immorality of man. Once again, arguments of this nature had their origins in biblical teachings. These soon developed into concerns for the worldly character of men. How should men be in the modern civilised world? Cruelty became the symbol of unmanly men, just as the actions of unmanly men defined cruelty itself. Conversely, manly men could not be cruel. This thesis has explored these circular arguments and the RSPCA's handling of blood sports. Having succeeded to a large extent, the Society began to extend the definition of cruelty to scientists. It remains an open question, and one certainly worth further investigation, whether the gendered language of cruelty was extended to vivisectionists. At what point did the definition of cruelty become oriented for the sake of animals in their own right? Certainly, the controversy over the morality of field sports in 1869-70 was conducted in gendered terms, but it was a controversy in which the RSPCA conspicuously did not play a role. The sense from the Society's publications, and from its minute books, suggest

that it was already on the way to seeing animals as unconditionally worthy of protection. The formation of the Ladies Committee in 1870, and the dramatic increase in educational material that followed, marked a change in direction for the Society, and perhaps a further development of the definition of cruelty. These factors would all merit further research.

3. 'Spotless in our sports'?

In October 1852, Charles Dickens reviewed the century's sporting world in his *Household Words*, from the vantage point of what seemed to be a newly civilised age. 'Every Englishman who numbers more than forty summers, can remember what formed the staple objects of amusement among the people in his youth'. What followed was a list of 'ruffianly anachronisms' performed by 'post-dated vagabonds':

Bull-baiting, bear-baiting, duck-hunting, floating a cat in a bowl pursued by dogs; fastening two cats together by their tails, and then swinging them across a horizontal pole to see which would kill the other; tying a cat and an owl together and throwing them into the water to fight it out; cock-fighting (before lords in drawing rooms, sometimes – the birds being provided with silver spurs); ratting; and as a climax of filthy savagery, worrying matches against bull-dogs, the man being on his knees with his hands tied behind him!⁶

Fortunately, thought Dickens, this was all in the past. But there was a note of caution to this reminiscence of things thankfully extinct, for, he noted, 'we are not

⁶ *Household Words*, 6 (1853) p. 139.

quite spotless in our sports, yet'.⁷ To what he referred is left to the reader. Dickens had previously lauded the merits of fox hunting, showing no compassion for the feelings of the fox. 'And what does the fox think of it – do you ask?' he said. 'I don't know. I speak as a Fox-Hunter'.⁸ One might conclude therefore that he referred to an awareness of the continued practice of some of the sports he had listed. Nevertheless, there was an ambiguity in the statement that, in the context of this thesis, leads to some final reflections on the place of blood sports in the nineteenth century and what they meant.

The quality of being 'spotless', for which we might read 'civilised' has been a central feature of the thesis. How far was an activity's refinement instrumental in helping it resist the gaze of the humanity to animals movement? And what constituted that status of being refined? The answers to these questions have been complex. The subject matter has brought together separate strands of historiography, on sport and leisure, on cruelty, on political and moral reform, and on national character. Throughout, I have tried to organise these separate strands by incorporating them into a master narrative that examines manliness and masculinities. Sport in the late eighteenth and early nineteenth centuries has been shown to be a largely male affair in practice, and an almost exclusively male affair discursively. Likewise, cruelty to animals, as part of this broader discourse on sport, was held to be a problem with men – whether it was cowardly, unmanly or barbaric. Political and moral reform, incorporating both Parliamentary debate, legislation, and the crucial activities of the RSPCA, have been demonstrated to be ways that manly ideals were legally and socially codified and enforced. Finally, national character seemed to be almost interchangeable with ideas of manliness: allusions to the nation

⁷ *Household Words*, 6 (1853) p. 139.

⁸ *Household Words*, 4 (1852) p. 444

changed in emphasis according to changes in the ideal of manliness. Individual sports, proclaiming their virtues as builders of patriots and as central elements in the idea of England, were incorporated into the expanding definition of cruelty. This in turn entailed a redefinition of Englishness, in line with new trends in disseminating the refined vision of the manly man. This complex concatenation, this 'messy' interplay of forces, could effectively be seen through the lens of any of its component parts. Manliness is the most convincing of these fundamentals as an organising concept for the whole however, since it fits in with recent ideas on broader nineteenth-century trends, and is the most likely to foster further study and wider application.

Manliness has been the subject for social, political and cultural historians of the eighteenth and nineteenth centuries, as part of broader sociological and anthropological movements concerned with masculinities.⁹ The notion of masculine plurality, the existence of dynamics of power and subordination not only between men and women, but also between men and other men, has been one of the most important contributions to the enrichment of historical study in the last fifteen years. Yet its implications and applications have still not been fully realised. Manliness has been shown to be a central component in political and electoral history,¹⁰ in the history of the family and in society more generally,¹¹ and in the

⁹ R W Connell's *Masculinities* (Berkeley and Los Angeles, 1995) has been the pivotal text upon which much academic research has hinged.

¹⁰ See for example, Anna Clark, 'Gender, class, and the nation: franchise reform in England, 1832-1928', in Vernon (ed), *Re-reading the Constitution: New Narratives in the Political History of England's Long Nineteenth Century* (Cambridge, 1996); Keith McClelland, 'Some thoughts on masculinity and the "representative artisan" in Britain, 1850-1880', *Gender and History*, 1 (1989) 164-177, and the ongoing research of Sonya Rose.

¹¹ The work of John Tosh here has been of central importance. See for example his 'Authority and Nurture in Middle-class Fatherhood: the Case of Early and Mid-Victorian England', in his *Manliness and Masculinities in Nineteenth-Century Britain: Essays on Gender, Family and Empire* (Harlow, 2005) 129-147 and 'Masculinities in an Industrializing Society: Britain, 1800-1914', *Journal of British Studies*, 44 (2005) 330-342.

fashioning and maintenance of, and inter-relations within the British Empire.¹² But the richness of political masculinities still remain largely unexplored, as do the domestic and social masculinities of the lower classes both in urban and rural settings. The history of imperial masculinities is self-confessedly just beginning.¹³ The reasons for these shortcomings lie in the difficult nature of the topic itself.

Masculinities, it has long been known, hold an often implicit place in the historical record. They are there, but at the same time, not mentioned. The history of British masculinities often lies in reading for what is not stated in the sources – a practice that does not sit well with traditional methods. Nevertheless, Joan Scott's instruction to account for those absences in gendered terms, since they were rendered in a 'naturalised' gendered 'code', still seems like a feasible project.¹⁴ This thesis has demonstrated one way in which sources that do not, on the surface, have anything to do with a history of masculinity, can be used advantageously.

Based on the premise that manliness, as it evolved, entailed a renegotiation of the ways in which men interacted with animals, a new set of sources could be incorporated into the historiographical scope. This has proved a fruitful investigation, and one that bodes well for the future of studies on masculinities in historical contexts. It has transpired, through the course of this thesis, that a vision of manliness helped to construct new laws and new cultural landscapes beyond its immediately obvious scope. The previously known spaces or categories of the public school, Christian manliness, Imperial men and the 'independent man' – all topics that explicitly deal with the cultivation, training and refinement of men – can

¹² See especially Mrinalini Sinha, *Colonial Masculinity: the 'Manly Englishman' and the 'Effeminate Bengali' in the Late Nineteenth Century* (Manchester, 1995); David Alderson, *Mansex Fine: Religion, Manliness and Imperialism in Nineteenth-Century British Culture* (Manchester, 1998).

¹³ John Tosh, 'Manliness, Masculinities and the New Imperialism, 1880-1900', in his *Manliness and Masculinities*, 192-214, esp. at p. 193.

¹⁴ Joan Scott, 'Gender: A Useful Category of Historical Analysis', in her *Gender and the Politics of History* (revised edn., New York, 1999) pp. 44-49.

now be extended to include areas of research that do not, at first glance, appear to be about manliness at all. Moreover, the new laws and new cultural landscapes forged from the vision of the manly ideal also helped to perpetuate and reconstruct that ideal. Throughout this work, the RSPCA has been shown to be a mediator between the political and cultural realms. Not only did it help to frame legislation, it also served to enforce it. This had the twofold effect of both codifying the manly type they, and others, envisioned, and also making sure that it was brought to bear.

This process had a direct impact on the place of animals in British society. Animal rights would not come until later, though the principle had been propounded by Bentham and Lawrence.¹⁵ Nevertheless, the overriding concern with manliness brought animals into both the legal and moral scope of reformers. While the laws of 1822, 1835 and 1849 did not legislate entirely for the sake of animals, they did create a foundation upon which notions of animal rights could be built. In 1876 the first law regulating vivisection was passed, signalling the beginning of a new era in animal protection law.¹⁶ One commentator noted the distinction, stating that many people had considered blood sports to be “manly”, and conducive to the courage of the nation, just as now persons cut up alive helpless, unoffending, and affectionate creatures in the name of – Science!¹⁷ This was a new misconception to be corrected. A new wrong to be righted. While still essentially a piece of legislation concerning morality, animals were increasingly being considered as worthy of protection in their own right. This change in legislative direction accounts for the end date of this study, at a point when blood sports were deemed to be already in

¹⁵ For Bentham, see pp. 42-3, p. 68*n*, p. 204. For Lawrence, see p. 60, p. 87, p. 233.

¹⁶ Richard D Ryder, *Victims of Science*, p. 190, states that only after 1860 did animal experimentation begin to receive serious attention.

¹⁷ *Notes & Queries*, 5th Series, 1 (1874) p. 455.

terminal decline.¹⁸ But, and here Dickens's assertion can be extended, nineteenth-century society never quite achieved spotlessness in its sports.

If sports had not been entirely cleaned up, if men were not entirely acting like the kind of manly examples they were supposed to be, then nineteenth-century sporting discourse did a rather good job of persuading the reader otherwise. The *Sporting Magazine's* own story is telling of this fact. The magazine's chief patron after 1846 was Prince Albert.¹⁹ Meanwhile, the RSPCA's chief patron was Queen Victoria. This apparently contradictory state of affairs is actually internally coherent. The *Sporting Magazine*, under the editorial control of Robert Surtees in 1838, made some explicit policy changes. Firstly, its name changed from the *Sporting Magazine, or Monthly Calendar of the Turf, the Chase, and Every Other Diversion Interesting to the Man of Pleasure, Enterprize & Spirit*, to simply *Sporting Magazine*. It proclaimed that it had 'thrown off... [its] old cover, and donned a new one – something more characteristic of the times, and to the exclusion... of one or two sports that have become antiquated'.²⁰ This put it exactly in line with the RSPCA. Certain sports, while still existing, were simply to be overlooked. Hunting, now the magazine's main concern, was endorsed by the royal household and the RSPCA alike. Other blood sports disappeared from view with little fanfare.

This trend, of emphasising the changing times and the march of progress, was touched upon by many of the magazine's correspondents, some of whom endeavoured to sum up the entire process. Harry Hie'Over (Charles Bindley), a regular contributor on various subjects, drew attention to the difference between sportsmen and sporting men. To all intents and purposes, this was a distinction

¹⁸ This was later followed by an Act of 1911, which consolidated all of the nineteenth-century legislation under one statute. 1 & 2 Geo. V, c. 27.

¹⁹ *Sporting Magazine*, 3rd Series, 7 (1846).

²⁰ *Sporting Magazine*, 3rd Series, 1 (1843) p. 3.

between manly and unmanly men. And the source of the distinction lay quite clearly in the kind of activity one pursued:

Whoever follows any field sport for the sake of the sport itself, has an undoubted right to call himself a "sportsman"; we even allow it to the quiet patrons of the gentle craft. Now it is possible a man may be a sporting man that never followed a field-sport in his life, ever owned, or was on a horse, or could even boast the possession of a solitary sporting dog; but he may be a better on races, on pigeon matches, prize fights, cock fights, dog fights, matches against time, and various similar occurrences; nay more, may patronise them. How far his patronising the ring may be beneficial, in a national point of view, is a matter that has ever given rise to divided opinions; but by all his other propensities he can do no earthly good, but is certain to do a great deal of harm in many ways: still it makes him a sporting man; but we may at least congratulate ourselves that our morals have not become base enough, or our taste vitiated enough, to call such a man a sportsman.²¹

This is the language of inclusion and exclusion. Hie'Over's self-congratulatory glee in the knowledge that he, and those like him, knew what a proper man consisted of, suggests that even by 1846 there was a clear notion of what was considered to be respectable and unrespectable behaviour. That such base diversions were still carried on was plain, but their transformation into unmanly affairs was already virtually complete for those who could speak with the voice of the institution of the sporting world. Yet even for Hie'Over, there was a sense of lament that those days

²¹ *Sporting Magazine*, 3rd Series, 8 (1846) p. 390.

were gone. John Bull, he thought, acquired his love of fair play from the prize ring and other now disregarded amusements, and there honed his 'strong arm' and 'stout heart'. John Bull, 'if he saw a wounded and prostrate enemy in his power, instead of bayoneting him on the spot... [would] render, if possible, his position less agonizing ere he passed on. Such conduct and such feeling is [sic] truly British: refine as we may, we cannot improve on it'.²² While civilisation marched on, to the undoubted good of the country, even its chief champions felt that perhaps something was being lost.

The conclusion of this march – improved sports, animal protection, manly men, the idea of England – was in many ways, and to many people, entirely unsatisfactory. Unsurprisingly, harsh criticism came from the pen of Grantley Berkeley. Surely there were enough 'wanton and unnecessary cruelties in the world, on which the powers of the "Society for the Suppression of Cruelty" [sic] might beneficially be employed, without an approach to an infringement of the harmless liberties of the people, or the slightest infraction of national, old English, and manly sports and recreations'.²³ Yet Berkeley, while perhaps being the most outspoken, was not alone in his opinions. In another weighty reflection on the events of the first half of the nineteenth century, 'Old Grey' complained to the *Sporting Magazine* of the inconsistencies in the Cruelty to Animals Act. 'I find no fault whatever with the prohibition of either man-fights, dog-fights, or cock-fights, or of bull-baits, not even of badger baits', he reported:

but we must... recollect that they are peculiarly the sports of the million; the million always liked them. Cat-killing is now a punishable offence, and I

²² *Sporting Magazine*, 3rd Series, 26 (1855) p. 196.

²³ Grantley F Berkeley, 'Observations, From Practical Experience, On Old English Sports', *Sporting Review*, 7 (1842) 89-96, 169-174, 249-256, 329-336, at p. 170.

suppose rat-killing, too, will soon be declared by law a felony, or something like it. Abstractedly, there is no more harm in hunting a caitiff-cat than hunting a gallant fox or a timid hare.²⁴

This comparison, so often ignored by the sporting press and the RSPCA alike, was the single-most important challenge to the state of the animal cruelty laws, and has been a factor in those issues ever since. 'Old Grey' jeered at Richard Martin, claiming that the Cruelty Act was 'a blunder from beginning to end', perpetrated by a fool, and playing into the hands 'of a section of society, composed chiefly of "old women" of either sex'.²⁵ For this writer, while 'cruel sports' were undoubtedly cruel, so were the apparently not cruel ones. The sensibility that had seen them banned had been spawned not just by unmanly men, but by *non*-men, or female men. Clearly there was no hope of bringing those sports back, since the principle had been firmly established. But it was not necessarily for the good of the country, and perhaps not so good for the long term future of hunting either.

Ultimately, this fear was unfounded. Hunting with dogs was not subjected to the principles of the nineteenth-century legislation and went from strength to strength. The status of the men who hunted, despite some severe criticism, was ensured. The status of men who persisted with disreputable sports was shattered in the public eye, and in the sporting press, even if among circles of cockfighters or ratters it remained intact. Perhaps the most telling description of the end of this period was given by the *Sporting Magazine*, reflecting on the disappearance of the blood sports of old. The description was not necessarily accurate, but this was not so important as the perception that it was. For better or for worse, 'the art and

²⁴ *Sporting Magazine*, 3rd Series, 27 (1856) p. 428.

²⁵ *Sporting Magazine*, 3rd Series, 27 (1856) p. 428.

science of the games, and the requisite skill in the management of them, are lost in this intellectual and reformed age'.²⁶

²⁶ *Sporting Magazine* 3rd Series, 48 (1866) p. 37.

Appendix 2.1

Chronology of Principal Parliamentary Activity Concerning Cruelty to Animals.

1800

Bill to prevent bull baiting.

1802

Second Bill to prevent bull baiting.

1809

Bill to prevent cruelty to animals.

1810

Bill for the prevention of cruelty to animals.

1822

Act of 3 George IV, c. 71, to prevent the cruel and improper treatment of cattle.

1824

Cattle ill-treatment Bill.

1826

Proposed Bill to prevent bear baiting, dog fighting and 'other cruel sports'.

1826

Cruelty to Dogs Bill.

1831-2

Committee on a Bill for the prevention of cruelty to animals.

1833

Act of 3 & 4 William IV, c. 19. An Act for the more effectual administration of Justice... and for the more effectual prevention of depredations on the river Thames and its vicinity, which contained clauses prohibiting bear baiting, cockfighting, badger baiting and other animal sports within five miles of Temple Bar.

1835

Act of 5 & 6 William IV, c. 59, for the prevention of cruelty to animals. See Appendix 2.

1837

Act of 7 William IV & 1 Vic, c. 66. Cruelty to Animals (Ireland) Act extending the 1835 Act to that country.

1849

Act of 12 & 13 Vic, c. 92, for the better protection from cruelty to animals. See Appendix 2.

1854

Act of 17 & 18 Vic, c. 60, to amend the Act of 1849, so as to better protect dogs.

1876

Act of 39 & 40 Vic, c. 77. A new cruelty to animals Act specifically concerned with vivisection.

1911

Act of 1 & 2 Geo. V, c. 27. Protection of Animals Act, which consolidated all the above and more clearly delineated what was legal, what was not. Coursing and Hunting expressly exempted from this law, and 'animal' still defined as 'any domestic or captive animal'.

Appendix 2.2

5 & 6 William IV, c. 59

III. 'And whereas Cruelties are greatly promoted and encouraged by Persons keeping Houses, Rooms, Pits, Grounds, or other Places for the fighting or baiting of Dogs, Bulls, Bears, or other Animals, and for fighting Cocks, and by Persons aiding or assisting therein, and the same are great Nuisances and Annoyances to the Neighbourhood in which they are situate, and tend to demoralize those who frequent such places;' be it therefore enacted, That from and after the passing of this Act, if any Person shall keep or use any House, Room, Pit, Ground, or other Place for the Purpose of running, baiting, or fighting any Bull, Bear, Badger, Dog, or other Animal (whether of domestic or wild Nature or Kind), or for Cock-fighting, or in which any Bull, Bear, Badger, Dog, or other such Animal shall be baited, run, or fought, every such Person shall be liable to a Penalty not exceeding Five Pounds, nor less than Ten Shillings for every Day in which he shall so keep and use such House, Room, Pit, Ground, or Place for any of the Purposes aforesaid: Provided always, that the Person who shall act as the Manager of any such House, Room, Pit, Ground, or Place, or who shall receive any Money for the Admission of any Person thereto, or who shall assist in any such baiting or fighting, or Bull-running, shall be deemed and taken to be the Keeper of the same for the Purposes of this Act, and be liable to all such Penalties as are by this Act imposed upon the Person who shall actually keep any such House, Room, Pit, Ground, or other Place for the Purposes aforesaid.

12 & 13 Vic, c. 92

III. And be it enacted, That every Person who shall keep or use or act in the Management of any Place for the Purpose of fighting or baiting any Bull, Bear, Badger, Dog, Cock, or other Kind of Animal, whether domestic or wild Nature, or shall permit or suffer any Place to be so used, shall be liable to a Penalty not exceeding Five Pounds for every Day he shall so keep or use or act in the Management of any such Place, or permit or suffer any Place to be used as aforesaid; provided always, that every Person who shall receive Money for the Admission of any other Person to any Place kept or used for any of the Purposes aforesaid shall be deemed to be the Keeper thereof; and every Person who shall in any Manner encourage, aid, or assist at the fighting or baiting of any Bull, Bear, Badger, Dog, Cock, or other Animal as aforesaid shall forfeit and pay a Penalty not exceeding Five Pounds for every such Offence.

XXIX. ... The Word "Animal" shall be taken to mean any Horse, Mare, Gelding, Bull, Ox, Cow, Heifer, Steer, Calf, Mule, Ass, Sheep, Lamb, Hog, Pig, Sow, Goat, Dog, Cat, or any other domestic Animal.

Appendix 4

Rules and Orders for Cocking

(Source: Prior, *Racing Calendar*, pp. 119-121. All emphases are as in the original).

Imprimis. IT is agreed, That every Man having Cocks to fight, shew and put them into the Pit with a fair Hackle, not too near shorn or cut, or any other Fraud, under pain of forfeiting, for every time so offending, Three Shillings and Four Pence; and his Cock to be *put by* from fighting that Year.

II. *Item,* That every Cock match'd, shall fight as he is first shew'd in the Pit, without *sheering* or *cutting* any Feathers afterwards to a Disadvantage, without the Consent of both Parties that made the Match, upon pain of forfeiting, for every time so offending, ten Shillings.

III. *Item,* That when two Cocks are set down to fight, *and one of them run away* before they have struck *three Mouthing Blows*, it is adjudged *no Battle to the Betters*.

IV. *Item,* That in all Matches, none shall presume to set too, but those that are appointed by the *Masters of the Match*.

V. *Item,* When a *Battle* shall come to setting too, and both Cocks refuse to fight ten times, according to the Law, then a *fresh Cock* to be hovell'd, and set to each Cock; and if one fight and the other refuse, then the fighting Cock to *win the Battle*, but if both fight, or both refuse, then it is to be *a drawn Battle*: *Item,* That the Crowing of a

Cock, or Mantling in his *Battle*, shall be adjudged no Fight; and if both be blind, although they peck and fight, yet they shall be set too, telling the *Law* betwixt every time.

VI. *Item*, That when Cocks are far spent, and come to setting together, it is ordered, That they shall be set too as followeth (that is to say) *Bill to Bill, if they both see*; but if either be blind, then the *blind Cock to touch*; if either be drawn neck'd, then his *Head to be held fair*, and even with the other Cock, so that the Party do his best in setting too, to make his Cock fight; *Provided*, That after they come to be set thus, as aforesaid, between every setting too they shall stay till one tell *Twenty* before they set too again, until the *Law* of two times are forth, and then to tell *Ten* but ten times.

VII. *Item*, It is ordered, That when a Cock is so hurt that any of the Pit shall lay ten Pounds to Five Shillings, that after the Cocks fighting shall be told twice *Twenty*, and if then no Man will take that Lay, then the *Battle* to be adjudged won on that Cock's side the Odds is on.

VIII. *Item*, That no Man shall make any Cavil or Speech about Matching of Cocks, either to the Matchers or the Owners of the Cocks, after the Cocks be once put together; upon pain of forfeiting Five Shillings for every time so offending.

IX. *Item*, That all Losses in the Cockpit be presently paid down at the End of every *Battle*, before any other be fought; or else, that the Party winning be satisfied before the Party losing go out of Doors; and also, That every Man pay good current Money.

X. *Item*, Whosoever they be which shall put any *Lay* or *Bett* to Judgment, being in variance, they shall both stake down the Money laid on either side, and Six-Pence a-piece over; and the Party that is adjudged to be in the wrong shall pay his *Bett*, and lose his Six-Pence; *Provided*, That every Man speak freely, before Judgment given, what he thinks thereof; and if any Man speak afterwards, he shall, for every such Offence in speaking, pay Six-Pence.

XI. *Item*, That all *Betts*, made either within or without the Pit, shall stand good; and that one cannot go off without Consent of the other, and all *Betts* undemanded before the next Battle fights, to be lost.

XII. *Item*, If any Man, have made a *Lay* or *Bett*, and cannot tell, or call to mind, with whom he laid or betted such a *Lay*, then if he desire openly in the Pit, that the *Party* with whom he laid would give him the one half of the same, if he doth not confess it, and give him the one Half of the same, then it is allow'd, any one that knows the *Bett* to declare it, and the *Party* so *refusing to confess it*, shall pay the whole *Bett*; *Provided*, That no Man may tell before the *Party* said he is contented to take as aforesaid; but if any Man do tell him before the *Party* said he is content to take the Half of his *Bett*, then the *Party*, so telling, is to pay the said *Lay* or *Bett*.

XIII. *Item*, if any Man lay more Money than he hath to pay, or cannot satisfy the *Party* with whom he laid, either by his Credit or some Friend's Word; the which if he cannot do, then he is to be put into a Basket, to be provided for that purpose, and to be hang'd up in that Basket in some convenient Place in the *Cockpit* that all Men may know him, during the time of Play that Day: and also the *Party* so offending never to be *admitted* to come into the *Pit*, until he hath made satisfaction.

XIV. *Item*, That if any Man in a Pit shall proffer a *Bett*, and the *Party* that lays with him say *Done*, and he answers *Done* to him again, it shall be judged a lawful *Bett*.

XV. *Item*, It is ordered, That Persons of the better Rank and Quality of the *Cockers*, *Cock-Masters*, and *Gamesters*, such as are appointed to set too Cocks, and put them fair in, and no others (*without permission of the Master of the Pit*) shall set in the lower Ring; and that the said Master of the Pit shall have Authority at all times to remove such as he thinks not meet to set in the lower or second Ring; and also to make room for those that are of the better sort, and to place them there at his Pleasure, according to his own Discretion.

XVI. *Item*, It is ordered, That all *Controversies* which arise, or come by means of the *Sport of Cock-Fighting*, upon any of the Orders above written, or otherwise, between Part and Party, shall be determined by the Master of the Pit where the said *Controversy* did arise, with Six or Four of the ancient and best experienced *Gamesters* there, being called, *by the Consent of both Parties*, to assist him therein.

XVII. *Item*, That none shall strike, or draw Weapon to strike any man, upon pain, for every time so offending, to forfeit *Forty Shillings*.

XVIII. *Item*, For the better Observation of all the Orders before written, *It is ordered and agreed*, That if any Person shall offend in *any* of the said *Premises*, *he presently pay his Forfeiture*, the which, being adjudged, if he shall refuse to do, then the *Party* so refusing to be banish'd, until he *satisfy* the Forfeiture by him so committed, or the *Party* so offended.

XIX. *Item*, It is ordered, That the Forfeitures aforesaid shall be equally divided, the one Moiety thereof to be paid to the Use of the Poor of the Parish, and the other Moiety to be distributed and disposed of, as the Master of the Pit shall think fit, unto such Feeders and ancient Breeders of Cocks as are or shall be decay'd.

Appendix 5

Monody on Billy the Rat Killer.

(Source: Pierce Egan, *Book of Sports and Mirror of Life: Embracing the Turf, the Chase, the Ring, and the Stage, Interspersed with original Memoirs of Sporting Men, etc.* (London, 1832) p. 21).

Not a *bark* was heard – but a hideous growl
Burst now and then – or a piteous howl –
(For grief will have vent, in man or brute,
When the cause is great, and the sense acute.)

Not a *bark* was heard – but a mournful whine
Broke in cadence slow from the race canine;
And the prick'd-up ear, and the wagging tail,
Were drooping low 'mid the gen'ral wail.

Not a *bark* was heard – for the warlike hound
Had ceas'd o'er the hedge and ditch to bound,
And the timid stag, with his antlers tall,
Shook no more at the sound of the huntsman's call.

Not a *bark* was heard – for the mastiff bluff
Had inactive crouch'd, and his voice so gruff
Was hush'd, as the wind on a summer's eve,
So overwhelming the pang when mastiff's grieve.

Not a *bark* was heard – e'en the snarling cur
Had his *ivories* clos'd – and without demur
The *dustman*, and *beggar*, and *sweep* let pass,
So *down in the mouth* the whole race, alas!

Not a bell was toll'd – not a shop was shut,

Nor a searcher deign'd her *fives* to put
On the lifeless corse [sic] of the Prince of Dogs,
Whose history every history flogs.

Not a *bark* was heard – but a lively squeak
Was echoed from rat to rat (a whole week),
From Whitechapel church to Piccadilly,
Of “Long *life* to grim *Death* – for *boning* BILLY!”

Daffy.’

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