Cats, Dogs, and the Road to Personhood
David Grimm, Ph.D.
In the beginning…

Dogs

- Evolved from the gray wolf
- Domesticated between 10,000 and 30,000 years ago

(c) 2011 - Monty Sloan
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The Rise of the Pet

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- Working animal: rodent control
The Rise of the Pet

Ain Mallaha, Northern Israel: One of the world’s first permanent settlements. 10,000 – 12,000 years ago.

Vigne et al., Science, 304, 259

Shillourokambos, Cyprus: Early farming community. ~9,500 years ago.

Guillaume Blanchard / Wikimedia Commons

Wolfgang Sauber / Wikimedia Commons

To Helena, foster child, soul without comparison, and deserving of praise.

"To Helena, foster child, rest without comparison, and deserving of praise."
The Good Times Don’t Last

Black cats linked to Satan, millions killed throughout Europe

Animals are mere machines. Helps justify hundreds of years of vivisection on dogs.

Pets Become Family
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• Victorian Era (19th century) ➔ new age of kindness and sentimentality
• Animals disappear from cities at turn of 20th century, severing our last daily connection with nature
• Flea and tick products bring pets indoors in early 1900s, and the pet industry is born
• Breakdown of large family units, rise of solo living and empty nest in late 20th century
• ~30% of homes have a cat, ~37% have a dog. Twice as many homes have pets as have children.
• We’ll spend more than $55 billion on our pets this year. That’s more than we spend on movies, video games, and music—combined.
Today’s Fur Baby

Edward / Wikimedia Commons

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  We’ll spend more than $55 billion on our pets this year. That’s more than we spend on movies, video games, and music—combined.
• More than 90% of pet owners consider their pet a member of the family. More than half would be "very likely" to risk their lives to save a pet. More than half would rather live with a dog or cat than a human if trapped on a desert island.

The Road to Personhood

In such as are of a nature tame and domestic, (as horses, kine, sheep, poultry, and the like) a man may have as absolute a property as in any inanimate being... The stealing, or forcible abduction, of such property as this, is also felony; for these are things of intrinsic value, serving for the food of men, or else for the use of husbandry. ... but not so, if they are only kept for pleasure, curiosity, or whim, as dogs, bears, cats, apes, parrots and songing birds, because their value is not intrinsic, but depending only on the caprice of the owner.

William Blackstone
Commentaries on the Laws of England 1765-1769
The Road to Personhood

The Road to Property

• **1800s**: Owners of stolen and killed pets had no legal recourse, from the local magistrate to the U.S. Supreme Court.

• **Early 1900s**: Cats and dogs considered property often in cases where animals are killed.

• **Mid 1900s**: States make pet theft a felony crime

The Road to Personhood

The Protected Pet
The Road to Personhood

The Protected Pet

• 1866: Henry Bergh founds the ASPCA. New York passes nation’s toughest anti-cruelty law. Eventually all states pass a version of the law.

• Early 1900s: ASPCA turns its attention to dogs and cats, displacing cruel dog catchers and establishing humane shelters.

• 1964: HSUS founded. Fights “pound seizure”, spay/neuter, and pushed for felony anti-cruelty laws. Today, 49 states have such laws.

The Road to Personhood

Beyond Property
The Road to Personhood

**Beyond Property**

- **1964:** Florida Supreme Court rules owner of daschund killed by garbage collector entitled to non-economic damages. $3000 for a $75 dog. “The restriction of a pet to its intrinsic value…is a principle we cannot accept.”

- **1979:** Dead cat placed in dog’s coffin. New York civil court: “This court now overrules prior precedent and holds that a pet is not just a thing but occupies a special place somewhere between a person and a piece of personal property.” Other courts begin to allow claims for loss of companionship, emotional distress, and other awards typically reserved for humans.

- **2000:** Tennessee passes “T-Bon” act. Allows owners of cats and dogs to recover up to $5,000 in non-economic damages. Pet custody cases rise in frequency, with judges considering the “best interests” of the cat or dog. Uniform Trust Code allows people to leave money to pets, opening the door for legal representation. Dog and Cat Protection Act bans trade in pet fur.
The Road to Personhood

**Recent Laws**

- **2006: PETS Act.** Pets incorporated into federal disaster planning. Encourage states to evacuate and house pets during national disasters.

- **2010: Massachusetts becomes first state to ban devocalization.**

- **2013: Canine Members of the Armed Forces Act.** Provide lifelong medical care for retired military working dogs. Create medals for their service. (Reclassify MWDs from “equipment” to “canine members of the armed forces”.) Trying again in 2014.
The Road to Personhood

Movements

• The Guardian Campaign: In Defense of Animals launches The Guardian Campaign in 1994. To date, 19 cities and the state of Rhode Island have adopted the word “guardian” in addition to or instead of “owner” in their animal-related ordinances.

• Animal Legal Defense Fund: Founded in 1979, ALDF has worked harder than any other organization to expand the rights of cats and dogs in the courtroom and legislature. Has pushed animal abuser registries, including pets in domestic violence restraining orders, and mandatory reporting of abuse. 145 law schools teach animal law (more than half of U.S. law schools), and there are currently about 1500 lawyers practicing animal law in the U.S.

Where Do We Stand Today?

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Cats and dogs are on the precipice of personhood??

So… ACC&D
A feral cat is...

- A pest
- A nuisance
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- A pest
- A nuisance
- An invasive species

Wisconsin lists stray cats under "predatory animals", along with coyote, raccoons, skunks, and porcupines.

OSHA shipyard employment guidelines list feral cats under "vermin" that may pose a danger to employees. Also included are insects, birds, and rodents.
So... ACC&D

A feral cat is...
  - Biologically identical to a housecat

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Friend?

Foe?
So... ACC&D

A feral cat is...

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Friend?  Foe?  Family?

So... ACC&D

The lessons of 30,000 years of pet history?

We define our pets. Yesterday, they were worthless property. Today, they are our sacred cows. What will they be tomorrow?

We created these animals. We turned them into children. So we have an obligation to care for them, whether they be ours or the “orphans” on the street.
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• We created these animals. We turned them into children. So we have an obligation to care for them, whether they be ours or the “orphans” on the street.

• The future is up to us. And so is the fate of cats and dogs.

Shameless plugs!

• CITIZEN CANINE: Our Evolving Relationship with Cats and Dogs (Public Affairs, Spring 2014)

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Thanks!