



CRIMES AGAINST ANIMALS: HARM TO THE WHOLE WORLD

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Abstract: Animal cruelty is can be understood as harsh treatment towards animals, it's important to understand animal cruelty because it includes very common acts like failure to provide adequate food, shelter, water, or veterinary care and not only physically harming or killing the animal, even though all the countries have acts to prevent cruelty to animals, yet we find that it's a presistant problem, it's popularity is in the black market is next to drugs and arms. This paper aims at providing a sound knowledge of cruelties against animals and their impact on us. Animal cruelty is a threat to efficient governance, our quality of life and development of our nation, It's been proved that animal cruelty is linked to domestic violence and other crimes, smuggling of animal products like ivory or fur is not only harmful to animals but it has effects on human lifestyle, economics and environment too, its a crime conjoined with various other crimes and hence strong legislation and law enforcement, change in the public propaganda, cultural outlook and deeper study of such offences are imperative to make the much needed difference.

1.0 Introduction:

Animal cruelty can be generally explained as simple neglect or omission of a duty to take care of the animal or as an intentional neglect where there's a deliberate and willful

attempt to hurt or harm the animal in anyway , but this classification is really general and often over looks the complexities and technicalities of various offenses in the modern society. Animal cruelty has become a reality of the modern times but it's origin has been traced back to the old times, where it's been often described as a sin, we often find religious texts advocating for a just and equal status for animals mainly because of their importance in the food chain. Animal cruelty includes many acts and omissions like starvation, dehydration, parasite infestations, allowing a collar to grow into an animal's skin, inadequate shelter in extreme weather conditions, and failure to seek veterinary care when necessary.

The Prevention of Cruelty to Animals Act, 1960 of the Indian Parliament holds that;

S.11 (1) If any person

(a) beats, kicks, over-rides, over-drives, over-loads, tortures or otherwise treats

any animal so as to subject it to unnecessary pain or suffering or causes, or

being the owner permits, any animal to be so treated; or

(b) employs in any work or labour or for any purpose any animal which, by

reason of its age or any disease or infirmity; wound, sore or other cause, is unfit

to be so employed or, being the owner, permits any such unfit animal to be

employed; or



(c) wilfully and unreasonably administers any injurious drug or injurious

substance to any animal or wilfully and unreasonably causes or attempts to

cause any such drug or substance to be taken by any animal; or

(d) conveys or carries, whether in or upon any vehicle or not, any animal in such a

manner or position as to subject it to unnecessary pain or suffering; or

(e) keeps or confines any animal in any cage or other receptacle which does not

measure sufficiently in height, length and breadth to permit the animal a

reasonable opportunity for movement; or

(f) keeps for an unreasonable time any animal chained or tethered upon an

unreasonably short or unreasonably heavy chain or cord; or

(g) being the owner, neglects to exercise or cause to be exercised reasonably any

dog habitually chained up or kept in close confinement; or

(h) being the owner of (any animal) fails to provide such animal with sufficient

food, drink or shelter; or

(i) without reasonable cause, abandons any animal in circumstances which tender

it likely that it will suffer pain by reason of starvation thirst; or

(j) wilfully permits any animal, of which he is the owner, to go at large in any

street, while the animal is affected with contagious or infectious disease or,

without reasonable excuse permits any diseased or disabled animal, of which

he is the owner, to die in any street; or

(k) offers for sale or without reasonable cause, has in his possession any animal

which is suffering pain by reason of mutilation, starvation, thirst,

overcrowding or other illtreatment; or

(l) mutilates any animal or kills any animal (including stray dogs) by using the

method of strychnine injections, in the heart or in any other unnecessarily cruel

manner or;

(m) solely with a view to providing entertainment

(n) confines or causes to be confined any animal (including tying of an animal as a

bait in a tiger or other sanctuary) so as to make it an object or prey for any

other animal; or

(o) organises, keeps uses or acts in the management or, any place for

animal fighting or for the purpose of baiting any animal or permits or offers

any place to be so used or receives money for the admission of any other



person to any place kept or used for any such purposes; or

(p) promotes or takes part in any shooting match or competition wherein animals

are released from captivity for the purpose of such shooting:

he shall be punishable.

1.1 Types of animal cruelties:

The types of animal cruelty recognized across the globe today are as followed:

Simple Neglect:

Neglect can be distinguished as passive and active neglect. Passive neglect takes place when there's an absence of intention or willful action in the illtreatment of the animal. Passive neglect can also be described as simple neglect, simple neglect could simply mean an omission of duty towards the animals and includes everyday incidents like failure to provide adequate food, shelter, water, or veterinary care to one or few animals, usually due to ignorance. This form of animal cruelty is the most common around the world today.

Gross Neglect:

It can also be called wilful, malicious or cruel neglect. It is important to make a distinction between simply failing to take adequate care of animals and intentionally or knowingly withholding food or water needed to prevent dehydration or starvation. Gross neglect is a crime and includes incidents such as people throwing away their sick dogs callously, some leaving their dogs out in the cold or rain.

Intentional Abuse:

Cases of intentional cruelty are the ones of greatest concern to the general public and the ones more likely to involve male juvenile offenders. There is legitimate fear that the individuals involved in violent acts against animals. Intentional abuse can be described plainly as someone who with intentions to cause harm or grievous hurt to the animal, does an act that leads to physical injury and even death. This also includes 'organised abuse' like dog fights, bull fighting etc. It's believed that people involved in intentional abuse may present a danger to the public. Intentional animal abuse is often seen in association with other serious crimes including drug offenses, gang activity, weapons violations, sexual assault and domestic violence and it has been proved via reasearch that people who abuse animals have an entire history of issues related to angers or anti-social / sociopathic behavior. These cases are easier to identify and prosecute as there exists intentionality and evidence or a pattern.

Animal Hoarding:

This is the accumulation of a large number of animals and failing to provide minimal standards of nutrition, sanitation and veterinary care; to act on the deteriorating condition of the animals; and to recognize or correct the negative impact on the health and well-being of the people in the household (Arluke and Lockwood, 1997). Examples of animal hoarding cases are: the transportation of large numbers of animals in an in-humane way, the keeping of birds and other animals in a very poor and un-conducive environment, pigs and other animals kept to starve to death at livestock farms etc.



Organized Abuse-Dog fighting and Cockfighting:

“Blood sports” such as dog fighting and cockfighting have been singled out for special attention in the anticruelty laws of the United States and the United Kingdom since their inception in the 19th century (Lockwood, 2006). These are organised in fighting pits where the animals are forced to fight against each other until one of them is dead, the animals brought into the pit are constantly tortured and starved to induce cannibalistic behavior and anger, often actively punishing and pushing the animal into the pit to fight for the pleasure of the spectators. Organised abuses such as dog fighting and cock fighting are banned in many countries and even declared illegal, however they still persist in the society as a source of entertainment and easy income at the cost of the lives of innocent animals.

Ritualistic Abuse:

The phrase “Occult and ritualistic animal abuse” immediately evokes many disturbing images: a cat nailed to a crucifix and burned, the head of a dog left on the steps of a building with a piece of paper bearing a curse stuck in the animal’s mouth, a goat’s throat slit as part of a ritual sacrifice (Lockwood, 2006). Few other crimes against animals create such intense concern within a community. Most crimes in which animals are killed or mutilated and left where they will be discovered immediately raise fears of “satanic” or cult activity and concern about what other crimes the perpetrators of such acts may have committed or be capable of (Randour and Davidson, 2008).

Animal Sexual Assault (Bestiality):

Bestiality is defined as an affinity, attraction or sexual attraction by a human to non-human animals. This act of using an animal for the purpose of sex as awful and nasty as it sounds and despite the fact that most people believe this to be a sin committed against nature, the issue of bestiality has been raising alarm across the globe. Section 377 of Indian Penal Code, 1860 also declares bestiality as an offence punishable with a sentence upto 10 years and the offender is also liable for a fine. Recently, a group of 8 men raped a pregnant goat in Haryana, India, ultimately leading to her death.

1.2 Wildlife trafficking:

Whenever people sell or exchange wild animal and plant resources, this is wildlife trade. The trade involves hundreds of millions of wild plants and animals from tens of thousands of species. To provide a glimpse of the scale of wildlife trafficking, there are records of over 100 million tonnes of fish, 1.5 million live birds and 440,000 tonnes of medicinal plants in trade in just one year.

When wildlife trade is practised maliciously driven by a demand for rare, protected species which need to be smuggled and/or by a desire to avoid paying duties. In illegal wildlife trade, some species involved are highly endangered, conditions of transport for live animals are likely to be worse and wildlife is more likely to have been obtained in an environmentally damaging way, its a huge business, animal parts are trafficked much like illegal drugs and arms. By its very nature, it is almost impossible to obtain reliable figures for the value of illegal wildlife trade. Experts at TRAFFIC, the



wildlife trade monitoring network, estimate that it runs into hundreds of millions of dollars. Some examples of illegal wildlife trade are well known, such as poaching of elephants for ivory and tigers for their skins and bones. It is estimated that 70 000 species of plant are used for medicinal purposes alone. Additionally, approximately 25% of 'modern' pharmacy medicines have been developed based on the medicinal properties of wild species. International trade in species of conservation concern is monitored by CITES. From 2005 - 2009, CITES recorded an annual average of more than 317,000 live birds, just over 2 million live reptiles, 2.5 million crocodilian skins, 1.5 million lizard skins, 2.1 million snake skins, 73 tonnes of caviar, 1.1 million coral pieces and nearly 20,000 hunting trophies. Not all trade is legal of course: between 2005 and 2009 EU enforcement authorities made over 12,000 seizures of illegal wildlife products in the EU.

Wildlife trafficking includes:

The Ivory trade:

Elephants are one of the world's most iconic species, recognised as majestic creatures, they can be found in Africa where we have the Sumatrans elephant, they can also be found in Asia- Indian and Sri Lankan elephants. Elephants across both the continents face similar threats including, habitat loss, confrontations with human life and the ivory trade. The ivory trade is the primary reason that the endangered elephant population world wide is diminishing at an alarming rate. Many other species are captured and killed for their tusks, these include animals like hippopotamus, walrus, narwhal etc. Poachers travel to places where

there's considerably good amount of elephants for an easy prey, obliterating the population wherever they go. There's an international ban on ivory trade since a long time, yet, there's a surge in this brutal practice. In a single decade between 1979 and 1989, half of all Africa's elephants were lost to the ivory trade, according to pan African census conducted by STE's Iain Douglas-Hamilton. Asian elephants have been recognised as an endangered species and yet their number has declined by about 50%. According to World Wildlife Foundation every year, around 20,000 African elephants are killed so that their tusks can be sold in the black market, this presents an average of one elephant being killed every 25 seconds. The demand for ivory in the far East is the primary driver of the killing. In the four years up to 2014 the wholesale price of raw ivory in China tripled, reaching \$2,100 / Kilogram. Back in 2016 over 487 kilograms of Ivory was busted in the black market in India. According to Jose Louies, senior programme manager, Wildlife Trust of India (WTI) most of these items were idols of Gods & goddesses the most popular one being the idol of Ganesha. Ivory products are associated with high status and luxury and hence the most common buyers are high-profile individuals --politicians, ministers, bureaucrats, celebrities, film stars and royal families -- who can afford these ivory products. According to officials at the World Trade Organization (WTO) 1 Kilogram of Ivory tusk can fetch up to ₹50,000 in the black market. States like Kerala, Karnataka, Tamil Nadu, Odisha, Uttarakhand and West Bengal are responsible for most of the elephant poaching. The elephant is protected under Schedule 1 of the Wildlife Protection



Act, 1972. It lists it as a 'most endangered animal. Killing it or possessing any ivory item calls for a minimum three years in jail punishment and Rs 50,000 fine. Sadly, it hasn't been able to deter the criminals.

The fur farming:

The fur farming industry is horrifically cruel. Animals are caged for their fur, they are beaten, often till their bones break and then they're often skinned alive. Those who survive after being skinned, die within the next ten minutes in much agony. They live their lives crushed in to tiny cages, being driven mad. The animals receive no veterinary attention and are just left to suffer. The "fur farmers" use cheap and brutal methods for slaughtering animals which include; suffocation, electrocution, gas, and poison. Europe and North America are the biggest fur farming hubs with over 500 fur farms in total in the year 2014. Fur trading brought in around \$217.1 million into the US economy in the year 2014. A worker was quoted as saying "There is nothing wrong with treating the animals this way. They are going to die anyway." This is a huge industry where millions upon millions of innocent animals are regularly meeting this fate, prevalently in Asian countries, such as China and the Philippines. More than half the fur in the U.S. comes from China, the Chinese fur industry is dirty where they knowingly mislabel the fur to fetch a higher price, hence, there's no way of knowing which animal you're wearing.

The animal experimentation:

Animal experimentation in plain words means the usage of chemically developed material on animals to check for any side

effects or undiscovered results. Animal Experimentation is done to advance human medical science in modern society, its not only confined to medical science research work but it has also extended to the cosmetic industry, where the chemically beauty products are tried and tested on the animals resembling human DNA. Animals used for testing develop neurotic problems, are physically harmed, often killed during the procedure. Around 100 million animals are die every year in the USA because of experiments on animals. Examples of animal tests include forcing mice and rats to inhale toxic fumes, force-feeding dogs pesticides, and dropping corrosive chemicals into rabbits' sensitive eyes. Even if a product harms animals, it can still be marketed to consumers. Conversely, just because a product was shown to be safe in animals does not guarantee that it will be safe to use in humans, because humans respond so differently to other animals, using other animals to test on is unreliable at best, and fatally dangerous at worst, for humans. There exist some cheap and animal friendly ways for testing products and experimentation, however, the torturing and sacrificing of animals is what remains to be a cruel reality of the modern society.

Dog fighting:

Dog fighting is a cruel reality where the animals are caged, starved and beaten to induce anger as to prompt them to fight. Dog fighting is illegal in countries including the UK and US. Unfortunately, that does not stop it happening, it just happens in secret. In the fight, the dogs are badly wounded, suffering heavy bleeding, ruptured lungs, broken bones, and other life threatening injuries. Dogs often die due to these injuries



or end up eating each other on the field, there are rare instances where an owner actually cares for the dog, when the dog wins the fight, the cruel act is rewarded with enough food to sustain the animal, only because it's a source of income for the owner. Owners often kill these dogs if they cause them shame during the fight. All this is done with the intention to earn easy money by providing gruesome entertainment to people.

Traditional Chinese Medicines:

Many Chinese Medicines contain parts of wild animals, including those of endangered species. Whether endangered or not, poachers illegally kill wild animals in order to sell their valuable body parts to the industry. Sustaining because of false the public propaganda that certain animal parts have a favourable impact on the humans, this industry flourishes because many people believe that the traditional medicines are actually more effective, especially in culture oriented Asia. The people invested in this business pay huge amounts of money to the traffickers and poachers to hunt down exotic animals and endangered species. The Chinese traditional medicines are known to use around 36 different animal parts including animals like tiger, sea horse, rhinos and seals. According to World Health Organization around 80% of the world population is inclined towards traditional medicines, however, there's no scientific proof to show the supremacy of traditionally prepared medicines. Many cultures have their own ways to prepare their own respective traditional medicines but the Chinese Traditional Medicine industry is the biggest one in the world, these include Products like Rhino horns, Tiger bones and

bear bile are some grotesque ingredients used in 'traditional chinese medicines'. In a 2015 report, The Guardian mentions an estimated 12,000 bears are held in bile factories across East and South-east Asia. Most of them are locked up in tiny cages, ready for their bile to be tapped via catheters or open tubes.

Illegal dog meat trade:

Southeast Asia's illegal dog meat trade is on the rise. It is a multi-million dollar industry run by criminals of the worst kind. Thailand is really well known for their mass exportation of Dogs to other Asian countries, where around 30,000 dogs are captured almost every month to export them into Vietnam where dog meat is really popular via Laos traveling through the riverine routes. Thailand has no legal penalty for this brutal act, dogs are caged, segregated and distinguished by size, breed and quality as to determine their merchantability, such a practise reveals the popularity and acceptance of such a trade. Another major player in the world dog meat trade and consumption is China, China is alone responsible for the slaughter of around 10 million dogs and 4 million cats for trade in the name of the local festival popularly known as the "Lychee and Dog Meat Festival", usually referred to as Yulin Dog Meat Festival. Animals Asia has exposed the Asian dog meat trade's false claims that it farms dogs for food on 'dog meat farms'. Most 'meat dogs' are vulnerable strays or pets, stolen from their families, snatched from the streets and forced into tiny cages. Many suffer broken limbs as they are transported vast distances, without food or water. But the truth is, the Yulin dog eating festival is just the tip of the iceberg, with the



number of dogs slaughtered at the festival representing less than 0.01% of the Chinese dog meat trade as a whole.

Circus animals cruelty:

Investigations by animal rights charities in to circus animal cruelty have found that heartbreaking cruelty is inflicted on the animals. They are continually physically and mentally abused until their spirits are broken and they are too petrified to rebel or disobey their trainers. Bears, elephants and other animals do not voluntarily do tricks such as jump through fire or on trampolines, these animals are broken in a fashion as to frame their mentality by fear in order to get them to perform the tricks for public entertainment, often kept caged and starved to keep them on their toes and completely dependent on their trainers.

Abuse in animal tourism:

Many people who consider themselves animal lovers visit animal tourism attractions because they do not realise the suffering they are funding. They are fooled into thinking the animals are happy, when they actually live a life of absolute misery. A lot of cruelty is known to go on behind the scenes, away from public view. This can be the torture of wild animals to tame them in order to comply, or the killing of surplus animals in other attractions. Animal tourism can include attractions near to your home, or in other countries. When animals are used for profit, profit is the main priority of the business, not animal welfare. There are also animal tourism places that pretend to be sanctuaries, or contributing to conservation, when their main objective is to profit through exploiting animals.

After a thorough reading of the acts passed by The Indian Parliament like The Prevention of Cruelty to Animals Act in 1960 (came into force on 1st April, 1972) and Wildlife Protection Act, 1972 which also came into force on 1st April, 1972, coupled with the Directive Principles of State Policy contained in part IV of the Indian Constitution we derive that;

1. It is the fundamental duty of every citizen of India to have compassion for all living creatures. Article 51A(g) To kill or maim any animal, including stray animals, is a punishable offence. IPC Sections 428 and 429.

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3. Abandoning any animal for any reason can land you in prison for up to three months. Section 11(1)(i) and Section 11(1)(j) PCA Act, 1960.

4. No animal (including chickens) can be slaughtered in any place other than a slaughterhouse. Sick or pregnant animals shall not be slaughtered. Rule 3, of Prevention of Cruelty to Animals, (Slaughterhouse) Rules, 2001 and Chapter 4, Food Safety and Standards Regulations, 2011.

5. Stray dogs that have been operated for birth control cannot be captured or relocated by anybody including any authority. ABC Rules, 2001.

6. Neglecting an animal by denying her sufficient food, water, shelter and exercise or by keeping him chained/confined for long hours is punishable by a fine or



imprisonment of up to 3 months or both. Section 11(1)(h), PCA Act, 1960.

7. Monkeys are protected under the Wildlife (Protection) Act, 1972 and cannot be displayed or owned.

8. Bears, monkeys, tigers, panthers, lions and bulls are prohibited from being trained and used for entertainment purposes, either in circuses or streets. Section 22(ii), PCA Act, 1960

9. Animal sacrifice is illegal in every part of the country Rule 3, Slaughterhouse Rules, 2001.

10. Organizing of or participating in or inciting any animal fight is a cognizable offence. Section 11(1)(m)(ii) and Section 11(1)(n), PCA Act, 1960

11. Per 48, the Constitution requires the State to “take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves in other milch and draught cattle.”

12. Per 48A, the Constitution places a duty on the State to “endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.”

13. Per List III, Both Parliament and the legislature have the authority to make laws on the following: “prevention of cruelty to animals,” “protection of wild animals and birds,” “prevention of the extension from one State to another of infectious or contagious diseases or pests affecting men, animals or plants.”

1.3 Impacts

Impact on human beings:

Animal abuse and cruelty has lasting effects on the human behavior, both witnessing and performing the abuse have a deep impact on the human psyche. Animal cruelty affects people is an old idea. As early as the seventeenth century, the philosopher John Locke (1693) suggested that harming animals has a destructive effect on those who inflict it. In later centuries, the psychologist Anna Freud (1981) and the anthropologist Margaret Mead (1964) argued that cruelty can be a symptom of character disorder. There have been numerous mentions about the correlation between violence against women and children and violence against animals. Child and animal protection professionals have recognised this link as well, where animal abuse is seen as means to feed the hunger for power and dominion over others by an individual. It is proposed that witnessing, being threatened with, or forced to commit animal abuse constitutes an important form of abuse. Similar to the impact of other forms of abuse, comparable short- and long-term effects could exist for both the human and nonhuman survivors of animal abuse. Similarly, children who witness animal abuse or domestic abuse grow into believing that it's normal to mistreat people/ animals and hence develop such negative traits. Other times, children have long lasting effects when witnessing such an abuse which has causes anxiety, PTSD etc. Abusers kill, hurt or threaten animals to exert power over the human victims and to show them what could happen to them. Often people abuse other humans or animals so as to displace their for their abuser.

Impact on Economy and Governance:



Global trade in illegal wildlife is a potentially a huge illegal economy, it's worth billions of dollars .Wildlife smuggling may pose a transnational security threat as well as an environmental one. it often involves organized criminal syndicates, insurgent groups, and foreign military, wildlife trafficking can therefore threaten the stability of countries, foster corruption, and encourage violence to protect the trade.

High prices for illegal wildlife, combined with often lax law enforcement and security measures, have motivated the involvement of such actors, to whom trafficking is an opportunity for large profits with a low risk of detection. Development of a country is endangered since the wildlife is immorally appropriated, hence wastage of the limited resources, another important impact on the social and economic development of a country is the corruption that is associated with illicit wildlife trafficking. Corruption weakens macroeconomic and fiscal stability, deters investment and hinders growth. It reduces the effectiveness of government, deters civil engagement and distorts public expenditure decisions. It erodes the rule of law and harms the reputation of and trust in the state. In short, corruption increases wealth for a few at the expense of society.

The valuable products from such exploited animals include traditional medicine, clothing, and exotic pet foods, jewellery prepared from animals' fins, skins, shells, horns, tusks and internal organs. According to an estimate, the countries like China, US, and the European Union are the places where these smuggled products have huge market demand. In addition, these demands benefit the goods of the criminal groups involved to delay the development of

legitimate businesses such as tourism. It affects the performance of legitimate local businesses and hence trade and revenue generation falls. Trade is important in every country because it helps in generates for the national economy. As mentioned before, animal trafficking is an illegal trade of animal, which definitely affect the economic resources and development of the country. Illegal wildlife trade in Southeast Asia is an \$8—\$10 billion per year industry worldwide, wildlife trade is the second largest form of black market commerce, behind drug smuggling and before arms.

Impact in environment:

Animal cruelty also affects the ecological balance of Earth. All animal species survive because of their interdependence on each other, the food chain clearly brings about the importance of a proper ecological balance between species for survival. Killing animals, taking them away from their habit , experimentation and forced breeding of different species lead to an ecological imbalance and thus a tussle between animals and humans to survive.

Thus , we can infer that animal cruelty threatens the very basis of our survival and the grounds of humanity and social behavior.

Conclusion: Animal Cruelty should be taken seriously because it is a form of violence and violence rarely exists in a vacuum; the study of Animal Cruelty can give insights to other forms of social vices. Acts like Animal cruelty are linked to a variety of crimes, including violence against other people, property crimes, and drug or disorderly conduct offenses. Reporting,



investigating, and prosecuting animal cruelty can help take dangerous criminals off the street. The evidence of a link between animal cruelty and violence to other people – including child abuse, spousal battery, and other types of criminal violence is compelling..Animal cruelty is a threat to efficient governance, our quality of life and development of our nation, its a crime conjoined with various other crimes and hence strong legislation and law enforcement, change in the public propaganda, cultural outlook and deeper study of such offences are imperative to make the much needed difference.

