# **Criminalisation of Animal Cruelty**

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# Abstract

Considering the multifaceted nature of animal cruelty, criminalising it is an important step that could improve societal well-being and animal welfare, as seen by analysing its various forms in the fashion, entertainment, and food industries. Examining the historical development of animal welfare law, the current legal framework, and human violence provides an overall perspective and suggests certain reforms to strengthen legislation and enforcement. To address this problem, it highlights the pressing need for joint effort.

# I. Introduction

## Background on the issue of animal cruelty:

Animal cruelty happens when people hurt animals on purpose or by not taking care of them properly. It's a big problem influenced by many things, like how we've always used animals for food or clothes. But sometimes, especially with big farming, animals suffer because companies care more about making money fast than treating animals right.

Culture also plays a big role. In some places, animals are seen as things to use however people want, which leads to stuff like selling wild animals or making them fight for fun. Money matters too. Making cash in businesses like fur farms or labs often means mistreating animals. And laws about animal welfare are everywhere, so in some spots, animals are protected, while in others, they're not. There's also a link between hurting animals and hurting people, which is scary. Plus, seeing animals suffer in movies or games can make people care less about real animals getting hurt. Fixing this mess needs teamwork. Animal groups push for better laws and teach folks to treat animals right. Education helps too, by making people care more about animals and think about how their choices affect them. Animal cruelty is a big deal caused by lots of things, and fixing it means changing attitudes and laws to make sure animals are treated well.

Animals are usually harmed by offences like mistreatment, harassment, victimisation, and exploitation and are disregarded to some extent. This issue of animal cruelty is widespread all over the world, as animals are considered just a mere "property." Many countries have passed laws that consider animal cruelty to be a crime. A lot of theories about the causes of animal cruelty have been proposed, still, the results have been contradictory, and little guidance has been provided for public policy on how to combat animal abuse.

## Significance and relevance of addressing animal cruelty in contemporary society :

As kids, we are taught to be kind and gentle, but then we are served foods like bacon and burgers without knowing an animal was killed for them. When we find out, we wonder why it is okay to hurt animals but not people. We are told that meat and milk are good, but that is not always true. It's confusing because we are lied to about what's right. Every creature deserves kindness, not just pets. Animal cruelty teaches us it's okay to hurt those who can't speak up, which isn't fair. We are told we need meat for protein, but that's not true it is hard to be kind when we are misled. Animals feel pain just like we do, so hurting them isn't fair. We need to treat all creatures with kindness, not just the ones we like as pets.

#### Purpose of the research paper: Analysing the criminalization of animal cruelty and its impact:

It is important to understand the causes of animal cruelty and its effects on animals, ecosystems, and society, which provide evidence to support the development of laws and policies that aim to prevent and address animal cruelty. There must be awareness and prevalence of the impact that animal cruelty has on all our lives. Educating the public and professors of related fields like veterinary medicine, law enforcers, and social welfare groups. Equally, it is essential to stimulate discussions on moral responsibility and compassion towards animals, even when they aren't domesticated. Research also establishes a relationship between the following cross-functional fields: psychology, sociology, biology, and law. There must be additional efforts for advocacy and activism aimed at promoting animal welfare and rights.

## Definitions and forms of animal cruelty

Birds are violated in the cruellest way, where the soft layer of their skin and their feathers are removed to produce clothing and comforters, while cold-blooded animals are the ones with no bones. This includes Porifera, Cnidaria, Annelida, and Mollusca. Cruelty can be distinguished into four types: simple neglect, intentional abuse and torture, organised abuse, and animal sexual abuse. Animal cruelty is any form of abuse or violence to any non-human creature.

# Explicit definition of animal cruelty

Animal cruelty is often referred to as barbarism, which becomes a grave violation of ethical standards by inflicting suffering on non-human creatures. The formal forms of animal cruelty include torturing, maiming, or killing animals, but this definition can be widened because depriving an animal of food, water, shelter, or veterinary care is also animal cruelty. Giving any animal mental as well as physical pain where humans choke, suffocate, drag, or drown the animals to satisfy their needs is considered animal cruelty.

In-depth exploration of various forms in combination with different industries

Physical abuse: violence, harm, and injuries inflicted on animals.

#### Cows:

Neglected, lame cows suffer from pain and filth at Pennsylvania Dairy just for cheese. Pennsylvania, a country in the United States, has Reitz Dairy Farm, where farms kept approximately 300 cows and scores of calves. The cows being milked were denied care for painful grapefruit-sized masses that caused immense bleeding and pus, which was struck over their sensitive udders and found dead in lying manure. Here, the calves after birth were separated from their mother and were forced to lie in their own urine and manure day after day. They weren't called to go outside. The female calves were inseminated and exploited for their milk, and once their bodies were worn out after a lot of pregnancies and lactation, they were used in the dairy industry and shipped off to slaughterhouses.

The mother cows, which made milk for their babies, were taken away by the workmen and sold for cheese production. One instance was shown where one mother cow named Caroline developed lameness and favoured one of her hooves, after which her condition worsened, but the farm manager didn't provide her with any care, and one cow was trapped after being milked. She was trapped and rather helped by her worker, who hit her on the hindquarters and legs at least 60 times with a hard cane targeting her sensitive udder. He also kicked her repeatedly.

This shows the cruellest form of mankind. These are the innocent beings that provide us with some vital commodities, such as milk and cheese. We forget them in quest of convenience. These are locked in dismal conditions, and we suffer silently while we enjoy the fruits of labour. This is a tragic cycle of exploitation where we prioritise our needs over their well-being. Are we this indifferent and cold-hearted? This is a reminder of our darkest and cruellest tendencies and our disrespect for those on whom our lives are solely dependent.

Abuse means inflicting pain, harm, or violence more frequently or regularly and it becomes malpractice to treat animals with depraved behaviour. Every day, a lot of animals are being subjected to inhumanity, tortured, and killed with brutality. Physical abuse includes rape, murder, drowning, choking, or acquiring materials for human benefit by hindering animals' growth and causing pain and suffering.

#### Foie gras

Foie gras is a French word which means 'fatty liver' (dish), this is a delicacy that inflicts such suffering on animals that it's illegal to make it in several countries. This luxury food is produced by force-feeding ducks and geese until their livers become enlarged and diseased. After slaughter, the birds' swollen and yellowed livers are sold whole or ground up.

The production of this luxury product has been controversial around the world for its unnecessary and cruel production methods. There ducks and eight-week-old geese are force-fed and are later slaughtered. These birds are confined in cramped pens or wire cages that are too small for them to turn around in, thus resulting in foot and leg injuries. They are inflicted with psychological anguish on normally curious and sensitive animals.

## Ethics

Animals are creatures who show love and affection and the primary `duty of human beings is to protect them and treat them right. Their health and nutrition should be taken care of as we are sharing one land. Animals can't speak for themselves, so it is our responsibility to protect them but instead, we are showing the cruellest form by killing them and just using them for our benefit. Just like us, even they have feelings, and it is heartbreaking and upsetting to see them so vulnerable and helpless. People must know how to treat animals with kindness and respect because they also deserve to live without fear. More than governments just enforcing laws that make us stop animal cruelty, I think it's our duty as individuals to do the best at our levels.

Countries like the UK, Germany, the Czech Republic, Italy, Denmark, Finland, Turkey, California, Poland, and Israel have banned the production of Foie gras but there is still demand for foie gras in major cities of the US resulting in many upscale restaurants and corporations profiting from them.

Animal rights and welfare activist groups such as the Human Society of the United States and FOUR PAWS contend that the foie gras animal production methods and force-feeding constitute cruel treatment of animals. In modern gavage-based foie production, force feeding takes place for 10-15 days (about 2 weeks). PETA wants this practice to stop. In July 2014, India banned the import of foie gras making it the first country to do so which also caused dismay among some chefs in the country. Recently, in 2023, the import of foie gras was banned in the Flemish region of Belgium.

An investigation carried out by PETA at Hodson Valley found that a single worker expected to forcefeed 500 birds three times a day. Due to the large number, this resulted in rough treatment of major birds leaving them injured or suffering. It was also decided that the workers who killed fewer than 50 birds per month were given a bonus. Moreover, one duck had a maggot-ridden neck so severe that water spilt out of it when he drank. According to their calculations, approximately 15000 ducks on the farm die every year before they can be slaughtered.

In ancient Egypt, humans first observed the unusual migratory patterns of geese. They saw that geese would eat large quantities of figs before starting their journey to the north where they could spend the summer season. They did this so that they could get a lot of energy, but this also gave them naturally fatty liver and very rich meat. Egyptians observed this and recognized that there were popular demands for meat of this animal. Foie gras disappeared with the fall of the Roman Empire in the 4th century. Many countries later passed on this practice, but it was only till the 12th century that the word 'foie' finally appeared about the liver.

Christopher Columbus's discovery of corn on a farm gave a kick start to this business, the fattening of geese and ducks took off at a fast pace and was stronger than ever. The success of foie gras became undeniable once it started to appear in the meals of popes and was then added to the cookbooks.

Today France consumes more foie gras than any other country, but is also the no one producer, accounting for 75% of the population in the world.

## Neglect: Failure to provide proper care, shelter, and nutrition

Neglect occurs when an owner does not provide the animal with adequate food, water, shelter, or veterinary care. The most common and visible form of neglect is permanently restricting an animal's freedom of movement by attaching it to an immovable object or confining it in a cage. Neglect is the most common form of animal abuse. Hoarding is a serious type of neglect in which the owner collects an excessive number of pets and keeps them in severely overcrowded conditions, hence failing to provide even minimal nutrition and proper hygienic shelter. Such neglect can lead to several diseases and animals starving, which in turn results in their deaths.

In many countries, laws require giving each animal proper space to live and breed in, but this is highly exploited by dairy practitioners in many countries by keeping animals in extremely cramped conditions and prioritising profit over animal welfare.

The farm workers' knowledge of animal welfare is an essential component of the rearing system. There have been major surveys conducted on farm workers' awareness of their influence on the cow during milking, the effects of stress during milk production, and the possible effect of human behaviour on cows and heifers.

# Caging

## Caged rabbit in Australia

Very little or no work is done on Australian welfare laws about domestic rabbits in different contexts of use: research, food, fur, entertainment, exhibition, and as companions. Domesticated rabbits are those who are farmed in cages for industries such as food and research and those who are used in the pet industry. Wild rabbits

are those who are shot, eradicated, trapped, and hunted for meat, known for games. Caging animals in conditions of extreme confinement, such as rabbits used for meat in intensive farms, harms welfare conditions as animals are unable to express natural behaviour and suffer from physical as well as psychological pain. "Domestic rabbits are someone who is enjoyed dead or alive, fried or stewed, and they have the flavour of white chicken. As pets, they are friendly." This statement was reflected in the excerpt from Life magazine.

# Caged rabbit in India -

Rabbit meat was introduced in India in the last decade as an alternative meat source as it is juicy, tasty, and known for its tenderness. People have a great fascination with rabbit meat because of the great amount of fat and low cholesterol present in it. Slaughter of rabbits is done by dislocation of the neck of the rabbit, which leads to bleeding. After the dislocation, the head is severed to allow bleeding by hanging the rabbit upside down, and then the forefoot is removed. Then the skin is removed from the joints of the legs and cut across the lower part of the body. This skin is sundried to prevent spoilage so that it can proceed further. Here, hundreds of rabbits are mass slaughtered, keeping them under adverse conditions. They are killed abruptly, without providing them with any care or nutrition.

# Animal fighting: illicit activities involving animals

Animal fighting is the clashing of two or more animals, or a human and an animal, for entertainment, gambling wagering, sport, or showing who is more powerful. The most common type of animal fighting is dog fighting, where dogs fight against each other, and they last until one dog is declared the winner, which can only occur when one dog fails to scratch, dies, or jumps out of the pit. Sometimes, the owner may also call off the fight, but this practice is generally done to generate profits from stud fees, admission fees, and gambling. This practice has been banned in many countries but continues in some countries like Albania, Japan, and Honduras. It is also a popular sport in Russia. Animal fighting does not only include dogs but also cocks, bears, and badger baiting. It can be seen in some parts of Wales and England. This environment is very dangerous and involves a lot of criminals who are linked to other kinds of crimes.

## **Dog Fighting**

Dog fighting has been declared illegal for over 180 years but continues. The dogs are selected based on their aggressiveness to fight instinctively, are pitted against each other, and cause as much pain and suffering as possible. Most of the dogs that are used for fighting are ultimately killed in the ring, by their owners, or die due to severe injuries caused to them during the fighting. This practice is so secretive that finding it is itself a difficult task, although there have been approximately 9000 reports between 2015 and 2020. The dogs during that time who survived sustained injuries and were damaged mentally. Only a few can fully recover from trauma.

For England and Wales, the penalty for dog fighting is 51 weeks (about 11 and a half months) of imprisonment or fine, but usually both. This was established under Section 8 of the Animal Welfare Act of 2006. Section 23 is different from Section 8 in Scotland. The maximum fine for dog fighting is 20,000 euros and a prison sentence within a year. The legal system there takes dogfighting very seriously.

After dog fighting, those dogs that are severely injured are killed due to the high cost of recovery for their owners. There are very few cases where fighting dogs are taken to a registered vet.

The American Pit Bull is considered one of the most aggressive and efficient breeds and is therefore usually used in dogfighting. The Staffordshire Bull Terrier, Rottweilers, German Shepherds, and Mastiffs are also widely used.

Dogfighting, despite being illegal, is still carried forward in major countries like the UK. This cruel practice continues to thrive; many organised events with prize money and high-stakes gambling are practised underground.

## Illegal breeding practices: unethical breeding leading to suffering

## **Food Industry**

## **Factory farming practices**

Most people do not have any idea of the production site for the meat, dairy, or eggs they consume. We think that these animals are happy while sunning themselves in grassy fields. But the condition is very different from

what we think; instead of green and pleasant farmlands, we often see loud, windowless sheds and cages that barely allow any animal to move.

Factory farms are also known as concentrated animal feeding operations, where intensive animal agriculture is practised. This practice originated with us and has become commonly widespread all around the world in recent times. All the animal products are produced here. Factory farms include terrestrial farms, including animals like pigs, cows, chickens, and sheep. Aquaculture is another form of factory farming where salmon and other fish are farmed to produce food.

Factory farms have a significant impact on the lives of animals; here, animals are treated like machines rather than emotional, sensitive, and intelligent individuals. They are maimed and operated on without anaesthesia. They are also forcibly impregnated, only to have their offspring torn away from them. The lives of these animals on factory farms are miserable. For a short period, cows are allowed to roam in small areas, but after that, they are packed together and forced to stand on their faces. This cage is called a feedlot. Female pigs are confined to cages that are not much bigger than their bodies.

Farm corporations argue that animals are kept in good condition and are taken care of, but advocates counter this by saying that factory farming is rife with inhumane treatment of animals. Keeping animals caged and preventing them from seeing sunlight and nightlife for their entire lives is seen as inhumane and violent, as is killing them when they are still children, like pigs, hens, lambs, and beef cattle. Denying mothers the ability to engage with their offspring is also very inhumane.

# Cows

Cattles are directed into a compartment where their heads are secured in champs and then stunned with a captive bolt gun, intended to numb them to pain, before being hoisted by their legs and having their throats cut. After that, they are taken apart.

# Fish

Fish are often killed by blow-to-head and many others are left to asphyxiate. This method is viewed as inhumane, and it is believed that fish remain conscious after being removed from water for minutes and feel pain.

## Slaughterhouse conditions

The way animals are treated in slaughterhouses can be very cruel, as well as inflicting pain on animals. For example, cows are often put in stalls where their heads are held still, and they are shot. This is done so that they don't feel pain, but this is still very scary and painful for them. After that, they are hung upside down, and their throats are cut. This is very hard for animals to go through, and this is the reason why some people choose not to eat meat.

# The Humane Slaughterhouse Act

This law suggests that animals are handled humanely at slaughterhouse facilities, but this act does not apply to chickens and other birds, leaving them vulnerable to cruelty at slaughterhouses.

# **Fashion Industry**

Animal cruelty in the fashion industry is a significant concern that many people are unaware of. Every year, millions of animals suffer and die in the name of fashion, enduring unimaginable pain and suffering for the sake of clothing and accessories. One of the most common examples of this cruelty is the use of fur. Animals such as minks, foxes, rabbits, and chinchillas are often kept in cramped and filthy conditions on fur farms before being brutally killed for their pelts. According to statistics from animal rights organisations, millions of animals are killed for their fur every year, with many of them being skinned alive or electrocuted. Another prevalent form of cruelty in the fashion industry is the use of exotic animal skins, such as snakes, alligators, and crocodiles. These animals are often hunted or raised in deplorable conditions before being slaughtered for their skins, which are then used to make luxury handbags, shoes, and other accessories. The production of leather also involves immense suffering for animals, as they are subjected to painful procedures such as branding, tail docking, and castration without anaesthesia. In addition to the direct cruelty inflicted on

animals, the fashion industry also contributes to environmental destruction and habitat loss. For example, the demand for exotic animal skins has led to the destruction of natural habitats and the endangerment of species such as the Nile crocodile and the Burmese python. Furthermore, the toxic chemicals used in leather tanning and fur processing pollute waterways and harm ecosystems, posing a serious threat to wildlife and human health. Despite these grim realities, many people remain unaware of the suffering behind their clothing and accessories, continuing to support the fashion industry without considering the ethical implications of their choices. However, there is hope for change as more consumers become informed about animal cruelty in the fashion industry and choose to support ethical and sustainable alternatives.

# Fur farming and animal trapping

Fur farming and animal trapping are two major ways the fashion industry harms animals. Fur farming is where animals like minks, foxes, and rabbits are kept in small, dirty cages their whole lives. They suffer in these cramped conditions, and many are killed in cruel ways, like being electrocuted or skinned alive. According to the Humane Society International, millions of animals are killed for fur every year. For example, investigations by animal rights groups have found animals suffering on fur farms, like in China, where there are fewer regulations.

Animal trapping is another way animals suffer for fashion. Traps are devices set to catch animals like coyotes, raccoons, and wolves. Animals caught in traps can suffer for days before they die, either from starvation, dehydration, or attacks from other animals. For instance, a study published in the journal "Nature Conservation" found that trapping led to the deaths of thousands of animals in Canada each year. The fashion industry's demand for fur and animal skins fuels these cruel practices, but there are alternatives. Many fashion brands now offer faux fur and vegan leather options, which look like real fur and leather but don't harm animals.

# Cruelty in the leather industry

The inhumane treatment of animals for their skins and hides has led to calls for criminalization and stricter regulations to protect animal welfare. The United Nations has recognised the need for action, with various resolutions and conventions urging member states to uphold animal rights. In countries like the UK, laws have been enacted to prohibit certain forms of cruelty in the leather industry, with bans on the use of certain animal skins in fashion products. For example, the UK implemented a ban on the import and sale of exotic skins, such as those from snakes and crocodiles, to prevent the exploitation and suffering of these animals. However, despite these efforts, the demand for exotic leather continues to drive cruelty in countries where regulations are lax or enforcement is weak.

In places like Southeast Asia and Africa, snakes and crocodiles are often hunted or farmed in appalling conditions for their skins, which are then exported to satisfy the global demand for luxury fashion items. A case study conducted by animal welfare organisations revealed widespread cruelty in the production of crocodile leather in countries like Thailand and Zimbabwe, where animals are kept in overcrowded, unsanitary conditions and subjected to brutal treatment before being killed for their skins.

## **Entertainment Industry**

The entertainment industry in the fashion world often showcases glamorous images and events, but behind the scenes, there can be a dark side to animal cruelty. Many movies, documentaries, and pictures have shed light on the harm caused to animals in the name of fashion. For example, The True Cost and Earthlings reveal the harsh realities of animal exploitation and environmental damage in the fashion industry. The true cost reveals the impact of economic activities on society, in addition to private costs directly incurred by producers and consumers. Additionally, movies such as Blackfish have exposed the cruelty of keeping marine animals like orcas in captivity for entertainment purposes.

These movies and documentaries have called for change, and many groups have protested these practices too. Some countries have taken action to address this issue by implementing laws and regulations to protect animals. For example, countries like India and Bolivia have banned the use of animals in circuses, recognising the inherent cruelty and suffering involved. Moreover, organisations like PETA (People for the Ethical Treatment of Animals) have campaigned against the use of animals in entertainment, advocating for cruelty-free alternatives.

## Use of animals in circuses and shows

In many parts of the world, circuses and shows featuring animals have been a source of entertainment for decades. One such case occurred in a travelling circus in Eastern Europe, where undercover investigations revealed the harsh conditions endured by the animals. Among them were lions, tigers, elephants, and bears, all subjected to a life of confinement, abuse, and neglect. It was discovered that the circus had been engaging in illegal breeding practices to maintain a constant supply of animals for their shows. The breeding facilities were found to be overcrowded and unsanitary, with animals living in cramped cages and deprived of adequate food, water, and veterinary care. Many of the animals exhibited signs of physical and psychological distress, such as pacing, self-mutilation, and aggressive behaviour. The breeding practices employed by the circus were inherently unethical, prioritising profit over animal welfare. Animals were forced to mate repeatedly, often resulting in inbred offspring with genetic abnormalities and health issues. These animals were then used in performances despite their physical and behavioural problems, further exacerbating their suffering.

The case prompted outrage from animal welfare organisations and prompted government intervention. Authorities conducted raids on the circus facilities, rescuing the animals and shutting down the operation. Legal action was taken against the circus owners for their involvement in illegal breeding practices and animal cruelty.

This case suggests the inherent cruelty of using animals in circuses and shows, particularly when coupled with illegal and unethical breeding practices. It serves as a reminder of the importance of enforcing regulations to protect animals from exploitation and ensuring that those responsible for their suffering are held accountable.

Although we can reduce the cruel use of animals in the entertainment industry by supporting laws that ban their exploitation, asking governments to enforce stricter rules, and boycotting circuses and shows that use animals in any way, Spreading awareness about these inhumane practices is equally important. As individuals, we can speak for those who cannot speak for themselves and make the world a better place for them to live.

# Exploitative practices in the film and television industry

It is inherently considered very cruel when animals like monkeys, big cats, wolves, and elephants are used for entertainment in movies and films. It is never acceptable to have a situation where they can be used in a movie or TV show, as no amount of training would suffice for their instincts. Naturally, animals do everything and anything to stay away from humans, but in Hollywood, they are used by trainers, forced into proximity with captors, and kept away from their families, so they lose their freedom. The animals are whipped and kept in deplorable conditions. Some species are separated from their mother after death and are kept under distress conditions where maternal care is denied to them, resulting in extreme physical pain and psychological conditions.

Domestic animals like cats, dogs, horses, chickens, and cows have different needs from those of wild animals and are treated differently, but they also face danger, cruelty, and deprivation. Horses are most commonly used in movies and television shows, where they are killed and injured after that. In the movie business, cash and profits are all humans truly care about, ignoring the well-being of animals. The conditions in which animals are kept are often unregulated and unsupervised, and therefore, in many countries, laws have been enforced to prevent the use of computer-generated imagery or animatronics. Filmmakers should always avoid commercial supply of animals.

## **Historical Perspective**

During the 17th century, humans considered animals to be a different species with less logic than they possessed. This meant that animals could be used by humans in whichever way they wanted them to; they just had instrumental values. Eventually, humans found out that animals have some logic. In 1823, Bentham said that it was not rationality or logic that mattered but the pain and suffering, both physically and mentally, that animals go through every day. What mattered were their intrinsic values. Back then, people could do anything they wished to because they oversaw them. But compared to the Greeks, the Romans were way worse. They were known for being mean to animals as well as to people for about 400 years. Lots of different kinds of animals suffered terribly in the circuses just so people could be entertained. When the Roman Empire fell and things got darker, people often said it was a bad time for civilisation, but one good thing was that the mistreatment of animals wasn't bad anymore.

## Evolution of animal protection laws and regulations In India

For a long time, in India, people believed in being kind to animals and not hurting them. Hindus, Jains, and Buddhists thought animals were special and didn't eat meat. They especially respected cows. But when the Muslims and then the British came, things changed. Muslims ate meat and hunted animals, though some tried to be nice to them too. The British didn't care about Indian beliefs and even meant things like forcing people to

touch cartridges with pig and cow fat. They built slaughterhouses and encouraged people to eat beef. After India became independent, they made laws to protect animals. They stopped killing stray dogs and protected tigers. They even changed the constitution to make sure people took care of the environment and animals. In 1976, Prime Minister Indira Gandhi amended the Constitution of India to require citizens to take care of animal welfare. Although there are still some problems, Many animals, like cows, suffer on farms. India produces a lot of meat and eggs, which goes against the old values of being kind to animals.

India's first national animal welfare law, the Prevention of Animal Cruelty Act of 1960, which criminalised animal cruelty, was the first major legal step taken towards the protection of stray animals in India. After this, several other laws were enforced, like the breadth of experiments on animal control rules in 1998, the Wildlife Protection Act in 1972, and the Drugs and Cosmetics Rules in 2014.

Nowadays, things are improving for stray animals because of laws and organisations that look out for them. They make sure even stray animals are treated fairly and can get medical help when needed. There are a lot of veterinary hospitals and clinics across India where stray animals can be treated. But even with these many improvements, animals don't get the care they deserve. The old law from colonial times preventing cruelty to animals is still around, and it does not take animal abuse seriously. The government is changing this law to make the penalties tougher for hurting animals.

# Noteworthy that triggered legal responses and societal awareness.

In the United States, raising chickens for food is important, but it comes with problems like diseases that can hurt both animals and people. One big problem is bird flu, which spreads easily among chickens, turkeys, and ducks. It can quickly move from one farm to another through things like dirty equipment and people who work with the birds. When bird flu gets into a flock, it can make the birds very sick and even kill them, which is bad for farmers and can make it hard to get chickens and eggs.

To stop diseases like bird flu, the government has made rules for poultry farms. These rules include things like keeping farms clean, watching out for sick birds, and acting fast if there's a problem. The government also works with farmers to help them do things the right way and keep their birds healthy.

People are starting to understand that treating animals badly can lead to diseases, so they're asking for better rules to protect animals and keep everyone safe. Some farms have lots of chickens crowded together in small spaces, which can make diseases spread faster. Also, using too many antibiotics and hormones in poultry farming can make animals sick and create problems for people's health too.

In recent years, there's been a push to make poultry farming more humane and safer for everyone. This means giving birds more space to move around and trying to use fewer antibiotics. Some farmers are switching to different ways of raising chickens, like letting them roam outside or using organic methods.

There's also a growing idea that people who are cruel to animals should be punished. Being mean to animals isn't just bad for them; it can also make diseases worse and put people's health at risk. By making laws against animal cruelty and making sure people follow them, the government can make sure that animals are treated well and that everyone stays healthy.

# The current legal framework in India

India has a lot of places like Uttar Pradesh, Delhi, Haryana, and Maharashtra where animals grow and live, and people there have always thought to be nice to animals. They have written about it in old books, including the Vedas and Animal People, written by Indra Sinha, and still believe in it today. The government has made rules like compensation charges and jail sentences for people who are being mean to them, and these rules help protect animals from getting hurt or treated badly. India is working hard to make sure that animals are safe and happy.

# Overview of existing animal cruelty laws at national and regional levels

Sections 428 and 429 of the IPC punish all forms of cruelty, including murder, poisoning, maiming, or rendering of animals.

The Constitution of India 1960 makes it the "duty of every Indian citizen to protect and improve the natural environment, including forests, rivers, lakes, and wildlife, and to have compassion for all living creatures." The

Directive Principle of State Policy, which is outlined in Article 48A of the Constitution, supports this constitutional obligation to protect the animals.

The Prevention of Cruelty to Animals Act 1960 contains India's fundamental cruelty laws. The objective of this act is to protect the laws related to the prevention of animal cruelty and to stop the unnecessary suffering or pain that animals endure. The Wildlife Protection Act of 1972 forbids the hunting, poaching, and trade of endangered species. This act also established protected areas, such as national parks and sanctuaries, for the protection of endangered species. The protection of animals is considered a fundamental duty in the Indian Constitution, and there are several laws and legislation for the welfare of animals. The official criminal code of India, the Indian Penal Code (IPC) 1860, addresses every significant element of criminal law.

States may have their own animal welfare boards or organisations at the regional level, whose responsibility is to carry out and enforce animal protection laws. These boards frequently collaborate with the Animal Welfare Board of India (AWBI) of the central government. Moreover, specific rules or recommendations about how animals should be treated may exist in some areas, especially when it comes to animals utilised for entertainment, transportation, and agriculture.

# Examination of enforcement mechanisms and their effectiveness

In India, several national, state, and local organisations oversee enforcing regulations about animal care. To protect animal welfare, the Prevention of Cruelty to Animals Act established the Animal Welfare Board of India (AWBI), which is tasked with developing policies, advising the government, and working with other stakeholders. The enforcement of laws against animal cruelty and the prosecution of violators are under the authority of state departments of animal husbandry and local laws and enforcement. State Departments for Animal Husbandry, along with law enforcement agencies at local levels, enforce anti-cruelty laws while also prosecuting those who violate them. Here is how they do so.

**a.** Animal Welfare Board of India (AWBI): The AWBI was established under the Prevention of Cruelty to Animals Act, 1960. Its role is to formulate policies, advise legislation about animal welfare issues, and cooperate with other organizations.

**b.** State Animal Husbandry Departments: In India, every state has its animal husbandry department responsible for looking after their welfare. They are also tasked with enforcing laws against cruelty to animals, inspecting places where animals are used, and punishing those who break the law.

**c.** Non-Governmental Organisations (NGOs): Non-governmental organisations assist greatly in formulating legislation by the government aimed at curbing animal cruelty within India. Often, these bodies carry out most of the work when it comes to creating awareness on matters concerning animal welfare as well as saving injured or abused animals.

Several elements are taken into consideration while assessing the effectiveness of India's animal welfare law enforcement procedures, including prosecution outcomes, deterrent rates, and compliance rates. Here's a quick breakdown:

**a.** Compliance Rates: How well pet owners, farmers, zoos, and the entertainment industry adhere to laws on animal welfare is one measure of their success. If many people obey this legislation, then it means they acknowledge, understand, and abide by it, leading to better results in terms of animals' well-being too.

**b.** Deterrent Rates: Severe execution methods serve as deterrents against cruelty towards animals. Fear of being caught, tried, and punished should keep anyone from abusing any creature.

## Identification of criticisms and shortcomings in current legal approaches.

Although many jurisdictions have legislative frameworks in place to address animal cruelty, critics argue that these measures frequently fall short of providing sufficient protection from harm to animals and ensuring victims receive justice. Here are a few shortcomings of the current legal framework that are often highlighted by critics:

**a.** Inadequate Penalties: A lot of critics contend that the punishments for animal abuse are too light. To minimise the number of people who commit such crimes, there should be more severe penalties imposed on them.

**b.** Limited Protection: Some legal systems protect only a few animals, which means other animals are left without protection. Laws need to be designed in such a way that they can safeguard a wider range of creatures.

**c.** Enforcement Challenges: Shortage of funds, different understanding and interpretation of laws, as well as identification and prosecution difficulties, contribute to enforcement problems regarding animal cruelty legislation. The police force should receive more money for better training to enforce these protective measures effectively.

**d.** Legal Loopholes: In some cases, particular forms of cruelty towards animals may not be punishable because there is no specific provision against them under certain laws or regulations; for example, neglect that is not sufficiently covered by rules or regulations may exempt certain industries from compliance requirements. Critics want comprehensive changes made in the law so that all gaps are sealed up, thereby increasing safeguards for animals.

# The Link Between Animal Cruelty and Human Violence

Animals serve diverse roles in society, from cherished companions offering comfort to families to law enforcement dogs aiding in search and rescue missions and service animals providing vital assistance. Animals are integral to almost everyone's daily life. However, like children who lack their voice, animals are particularly vulnerable in society, making them susceptible to acts of cruelty such as neglect or intentional harm. This vulnerability exposes them to significant risks of abuse and mistreatment.

The acknowledgement of animal cruelty as a serious form of violence has evolved gradually over time. In the late 19th century, initiatives addressing child abuse and animal welfare were intertwined under separate programs. However, in the 20th century, government agencies began overseeing child protection services, while private humane societies took charge of animal welfare. This division impeded the recognition of the connection between animal cruelty and domestic violence. Over the years, more disciplines have come to recognise and address the correlation and gravity of these offences.

Plenty of research supports the finding that there is a direct connection between acts of cruelty towards animals and violence towards humans, including child abuse, domestic violence, elder abuse, and other forms of violent behaviour.

## Here are a few examples of the research that substantiates this conclusion:

**a.** A significant study conducted in 1997 by the Massachusetts Society for the Prevention of Cruelty to Animals and North-Eastern University discovered that individuals who abuse animals are five times more likely to also harm other humans.

**b.** Another study, published in 2013, revealed that 43% of those responsible for school massacres had previously committed acts of cruelty towards animals, often targeting cats and dogs.

**c.** Phil Arklow, coordinator of the National Link Coalition, which focuses on the connection between violence towards animals and humans, has frequently discussed how animal abuse can serve as an indicator of domestic violence, known as a "predictor crime."

**d.** Additionally, a study from 1983 found that animal abuse was present in 88% of households where physical child abuse was being investigated.

Research also suggests that if a child demonstrates cruelty towards animals, it could indicate that the child has experienced serious abuse or neglect. Furthermore, children who witness animal abuse are at an increased risk of becoming abusers themselves.

Exploration of studies highlighting the correlation between animal cruelty and subsequent human violence.

Many people commonly believe that individuals who begin by harming animals may progress to harming humans, and while this can be true in certain cases, it does not apply universally to all offenders. According to one study by Peta, 16% of offenders began by abusing animals and later escalated to committing violent crimes against humans. However, in many instances, offenders initially harm other humans before transitioning to harming animals.

Companion animals can serve as sources of comfort for victims of domestic abuse. Unfortunately, abusers often exploit the bond between victims and their pets to manipulate, control, and punish them. To instil fear and maintain control, abusers may threaten, harm, or even kill the animal. This cruelty towards animals may be used as a tactic to pressure the victim into returning to an abusive relationship, isolate the victim, exert financial control, or coerce the victim to stay. Additionally, offenders may harm the animal to psychologically punish the victim or remind them of the abuser's ability to assert physical dominance and control. In many cases, the victim of abuse may choose to remain in a violent situation out of concern for the safety of their pet.

A significant proportion of abused women with companion animals report instances of their intimate partners threatening or intentionally harming their pets, often in the presence of children who witness the violence over 90% of the time. Other studies have revealed that approximately half of all children are exposed to animal cruelty at some point in their lives. Children who witness interpersonal violence at home are substantially more likely to experience emotional maltreatment, physical abuse, or neglect, which can desensitise them to violence and lead to the belief that violence is an acceptable means to resolve conflicts.

Domestic violence incidents not only occur within intimate partner relationships but can also be concurrent with or precursors to other forms of violent offences. Animal cruelty serves as a predictor of both current and future violence, including assaults, rapes, murders, arson, domestic violence incidents, and sexual abuse of children. For instance, a significant majority of victims of interpersonal violence who report concurrent animal cruelty also express concern that the abuser might eventually harm or kill them, indicating an extremely high risk of severe injury or death. Moreover, animal cruelty is a stronger predictor of sexual abuse than a history of homicide, arson, or weapon convictions. Recognising this link enables law enforcement to identify potential additional offences occurring within households where animal cruelty is present.

## Consideration of the importance of addressing animal cruelty as part of a broader social context

Animal cruelty encompasses various forms of mistreatment, ranging from temporary neglect of essential care to deliberate acts of killing or torturing animals repeatedly. Each state defines animal cruelty differently, outlining specific prohibited actions and categories of protected animals. For instance, hunting is typically exempt from animal cruelty laws, and livestock are often excluded from protection, even though both are subjected to killing and frequently endure suffering. Some states have laws safeguarding wild animals against senseless harm (e.g., "thrill killing"), although most animal cruelty statutes primarily focus on safeguarding "companion animals" or pets.

Cases of animal cruelty often involve multiple state and local agencies, and the designated agency responsible for handling these cases can vary. Certain jurisdictions have established programmes within animal welfare organisations (such as Humane Societies, Societies for the Prevention of Cruelty to Animals, and Animal Control) staffed by specially trained individuals who respond to cruelty complaints. These personnel may be known as animal cruelty enforcement agents, humane law enforcement agents, cruelty investigators, or animal control officers, possessing legal authority to investigate and enforce animal cruelty laws. However, they may face public scepticism compared to traditional police authorities. In areas lacking local animal welfare organisations, law enforcement officers might be solely responsible for enforcing animal protection laws. In regions with humane agencies, police often refer cruelty complaints to these organisations, despite potential limitations in funding, expertise, and resources for investigating such cases.

The strong public response to media-covered animal cruelty cases suggests widespread concern about animal treatment and underscores the societal significance of addressing animal cruelty through law enforcement. Police officers, frequently encountering individuals at their homes where animals are typically kept, are well-positioned to identify signs of animal neglect or cruelty. While some cases necessitate extensive investigations, search warrants, and complex crime scenes, many instances of animal cruelty are straightforward. Particularly in cases of neglect, police officers who detect signs of cruelty can offer guidance, suggestions for improving animal care, or warnings, often preventing serious tragedies from occurring.

While specialised training is beneficial, especially for complex hoarding or physical abuse cases that may lead to prosecution, most police officers only require a basic understanding of animal health and typical behaviour to recognise signs of animal cruelty. These indicators include:

**1.** animals in poor physical condition (such as being skinny, emaciated, having open sores, being dirty, emitting a foul odour, e exhibiting excessive head shaking or scratching, or having an excessively matted coat).

2. excessively aggressive animals (displaying behaviours like lunging, snarling, snapping, or growling).

**3.** excessively submissive animals (showing behaviours like avoiding eye contact, cowering, shaking, or backing away).

**4.** Poor general sanitation (e.g., presence of urine or faeces in the living environment, lack of access to clean water or food).

- 5. exposure to extreme weather conditions without adequate shelter.
- 6. inadequate space, lighting, or ventilation for the number of animals present.
- 7. cruel confinement (e.g., short tethering, small cages, leaving animals in a hot car).
- 8. Lack of necessary medical care (e.g., animals appearing diseased, injured, or in a dying state).
- **9.** use of cruel or inappropriate training methods (e.g., suspending animals with their front legs off the floor as punishment, weighing them down and throwing them into the water, or forcing them to run alongside a car).
- **10.** tight collars or harnesses that have become embedded in the animals' flesh.
- **11.** presence of dead animals on the property.

# International perspective

Many countries and governments are making rules to protect animals. People are choosing products that are kind to animals. Companies are also making products that are vegan and cruelty-free. Groups and individuals who care about animals are speaking up. PETA is a famous organisation that tells people about the suffering animals endure for human use, like in experiments or for entertainment. Things are improving for animals, but they still face cruelty. As more people learn about the issue, they are making choices for animals. Governments are also passing laws to protect them. Overall, the world is becoming more aware of animal rights, and steps are being taken to treat animals better.

# A comparative analysis of animal cruelty laws globally

In 2009, Bolivia became the first country to outlaw the use of animals in circuses due to concerns about their suffering. Following this, Spain became the first European nation in 2021 to officially recognise animals' ability to feel emotions, granting them certain rights and prohibiting their use in circuses and similar forms of entertainment. Recently, South Korea passed a law in 2023 to prohibit the dog meat trade, with the ban set to take effect in 2027b. The legislation aims to end the long-lasting tradition of consuming meat in the country as attitudes towards dogs have shifted to view them as family members rather than foods. The law imposes penalties, including imprisonment, on those who are killing and selling dogs for meat.

In India, there has been a legal debate regarding the state amendments made to the Prevention of Cruelty to Animals Act of 1960, allowing certain animal sports like Jallikattu, Kambala, and bullcart racing to continue. Jallikattu, a bull-taming sport, is particularly significant in Tamil Nadu, where it is a part of the Pongal festival harvest. Similarly, Kambala, a traditional buffalo race, is practised in Karnataka, and these sports have to face legal challenges, but the Supreme Court upheld the states' authority to regulate them because they acknowledge their cultural importance while also considering animal welfare concerns.

In 2014, there was a big court case about a sport called Jallikattu in Tamil Nadu, India. Some people say it's cruel to the bulls. The court agreed and said the sport goes against the bulls' rights. They also said it's not necessary for Tamil Nadu's culture. This decision made it clear that animals have rights too. It changed how animals are treated in India, making laws stricter to protect them. Jallikattu is seen as part of Tamil Nadu's culture, but hurting bulls for it isn't right. The court made rules to stop cruel things like beating or hurting bulls during the sport.

In India, there are laws to protect animals from being hurt. The main law is from 1960, called the Prevention of Cruelty to Animals Act. It stops people from being mean to animals, like hitting or starving them. But even with these laws, animals still suffer. We need to teach people to be kind to animals and make sure the laws are followed better.

## Identification of countries with stringent regulation and successful enforcement

Many countries globally have established strict laws to criminalise animal cruelty and promote animal welfare, besides India. These regulations are adopted by nations like the United States, the United Kingdom, Canada, Australia, and various other European countries. They commonly prohibit such acts as abusing, harming, or neglecting animals and mandate proper care and housing for them. Additionally, these countries often outlaw animal fighting, abandonment, and exploitation for entertainment. Those who are found guilty of breaking laws may face fines or imprisonment, depending on the severity of the offence. By implementing and enforcing these regulations, these countries aim to safeguard animals from mistreatment and ensure their welfare.

In the United Kingdom, strict regulations have been implemented to protect animals from cruelty and ensure their welfare. One of the key laws is the Animal Welfare Act of 2006, which sets out the legal responsibilities of animal owners and requires them to provide for the welfare needs of their animals. This includes the need for a suitable environment, a proper diet, the ability to exhibit normal behaviour patterns, and protection from pain, injury, and disease. Failure to comply with these requirements can result in fines, imprisonment, or a ban on owning animals. Additionally, the UK has laws specifically targeting acts of cruelty towards animals, such as the Protection of Animals Act of 1911 and the Animal Welfare (Sentencing) Act of 2020. The latter increased the maximum penalty for animal cruelty offences from six months to five years in prison. These stringent regulations aim to deter and punish those who mistreat animals and promote a culture of respect and care for animals.

Despite the effectiveness of these laws in promoting animal welfare, there have been critics and protests against certain practices. One contentious issue is the use of animals in entertainment, such as circuses

and rodeos. Animal rights activists argue that these practices subject animals to stress, injury, and exploitation for human amusement. In response to public outcry, the UK government has taken steps to address these concerns. In 2019, legislation was introduced to ban the use of wild animals in circuses in England, which came into effect in 2020. Similarly, rodeos have faced criticism for their treatment of animals, leading to calls for stricter regulations or outright bans.

Furthermore, the UK has been at the forefront of international efforts to combat animal cruelty. It has supported initiatives such as the Universal Declaration on Animal Welfare and the European Union's ban on the sale of cosmetics tested on animals. However, not all countries have embraced these measures. Some nations, particularly those with cultural traditions involving animals, have resisted calls for change. For example, bullfighting in Spain and Portugal continues despite criticism from animal rights groups. Similarly, countries like Japan and Norway have faced condemnation for their whaling practices.

In conclusion, the United Kingdom has demonstrated a strong commitment to animal welfare through stringent regulations and successful enforcement. Laws such as the Animal Welfare Act of 2006 and the Animal Welfare (Sentencing) Act of 2020 provide legal protections for animals and impose penalties for cruelty. However, challenges remain, including addressing criticism of certain practices and advocating for global cooperation on animal welfare issues. Despite these challenges, the UK's efforts serve as a model for other countries seeking to promote the well-being of animals.

## Discussion of challenges in enforcing international standards and potential solutions

Enforcing international standards for animal welfare poses significant challenges, as countries vary widely in their cultural attitudes, legal frameworks, and resources for implementation. The United Nations plays a crucial role in promoting global cooperation and setting standards through organisations like the Food and Agriculture Organisation (FAO) and the World Health Organisation (WHO). However, despite efforts to establish universal guidelines, enforcement remains inconsistent and often inadequate.

One challenge is the lack of uniformity in national laws and regulations regarding animal welfare. While some countries have comprehensive legislation protecting animals from cruelty and ensuring their wellbeing, others have minimal or outdated laws that are poorly enforced. This discrepancy makes it difficult to establish consistent standards across borders and hold countries accountable for their treatment of animals.

Another challenge is the limited capacity and resources available for enforcing animal welfare standards, particularly in smaller countries with fewer financial and human resources. These countries may struggle to prioritise animal welfare amid competing social, economic, and political priorities. As a result, enforcement efforts may be sporadic or ineffective, leaving animals vulnerable to abuse and neglect.

Cultural attitudes and traditions towards animals vary widely around the world, complicating efforts to establish universal standards. Practices like bullfighting in Spain or whaling in Japan are deeply ingrained in certain cultures and are defended as part of national identity and heritage. Overcoming these deeply entrenched traditions requires careful diplomacy and engagement with local communities to promote alternative practices that respect animal welfare.

Despite these challenges, there are potential solutions to improve the enforcement of international standards for animal welfare. One approach is to strengthen international cooperation and collaboration through organisations like the United Nations. By facilitating dialogue and knowledge-sharing among countries, the UN can help identify best practices and support capacity-building efforts in areas with limited resources.

Additionally, raising awareness and promoting education about animal welfare can help shift cultural attitudes and behaviours towards animals. Public campaigns and outreach programmes can highlight the importance of treating animals with compassion and respect, encouraging individuals and communities to adopt more humane practices.

Furthermore, incentivizing compliance with international standards through trade agreements and diplomatic pressure can encourage countries to prioritise animal welfare in their policies and legislation. By linking access to markets and international cooperation to adherence to animal welfare standards, the international community can create positive incentives for countries to improve their practices.

Enforcing international standards for animal welfare is a complex and multifaceted challenge that requires collaboration, innovation, and persistence. While there are significant obstacles to overcome, including cultural differences and resource constraints, there are also opportunities for progress through international cooperation, education, and incentivization. By working together and leveraging the resources and expertise of organisations like the United Nations, countries can advance the cause of animal welfare and ensure that all animals are treated with dignity and respect, which would be put in place to help India reach that position.

# II. Conclusion

This step is crucial to protecting animals and fostering a more compassionate society. We've delved into the various aspects of animal cruelty and its impacts on both animals and humans. From the heartbreaking stories of abused animals to the broader implications for community well-being, the evidence overwhelmingly supports the need for legal measures against such acts.

By criminalising animal cruelty, we send a powerful message: that animals deserve our care and respect, and that harming them is not only morally wrong but also punishable by law. This serves as a deterrent, dissuading individuals from committing acts of cruelty and promoting a culture of empathy towards all living beings.

Moreover, the criminalization of animal cruelty acknowledges the intrinsic value of animals and their right to live free from harm. It reflects a shift in societal attitudes, recognising that animals are sentient beings capable of experiencing pain and suffering. As such, they deserve legal protection from abuse and neglect.

One of the key benefits of criminalising animal cruelty is the recognition of its link to other forms of violence. Research has shown that individuals who commit acts of animal cruelty often go on to engage in other forms of violence, posing a risk to both animals and humans alike. By addressing animal cruelty through legal means, we not only protect animals but also prevent potential harm to human victims.

However, passing laws alone is not enough. Education and awareness are essential components of any effort to combat animal cruelty effectively. By teaching compassion and empathy towards animals from a young age, we can cultivate a society that values their well-being. Additionally, providing resources for enforcement agencies ensures that laws are effectively implemented and perpetrators are held accountable for their actions.

While significant progress has been made in recent years, there is still work to be done. Inconsistencies in existing laws and gaps in enforcement pose challenges to the effective prosecution of animal cruelty cases. Therefore, ongoing efforts are needed to strengthen legal protections for animals and ensure that perpetrators are brought to justice.

Furthermore, addressing the root causes of animal cruelty requires a comprehensive approach. This includes addressing issues such as poverty, lack of access to resources, and mental health issues that may contribute to acts of cruelty. By tackling these underlying factors, we can prevent animal cruelty from occurring in the first place and create a safer, more compassionate society for all beings.

The criminalization of animal cruelty represents a significant step forward in our collective efforts to protect animals and promote compassion. By recognising the inherent value of animals and holding perpetrators accountable for their actions, we can work towards a future where all animals are treated with the care and respect they deserve. Together, let us continue to strive towards a world where animal cruelty is not just illegal but unthinkable.

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