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ORIGINAL ARTICLE



Animal Cruelty: A Spotlight

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Abstract

Animal cruelty cases make headlines around the world every day, whether it's the person who kills the neighbor's dog, the hoarder of sick and dying animals or the family whose freezing, starving dog is tied up outside in the middle of winter. Cruelty towards animals falls under several categories. It can be simple neglect, gross neglect, intentional abuse, animal hoarding, organized abuse or animal sexual assault. These cases of cruelty cannot be overlooked as they have proven to have severe implications ranging from the fact that is linked to other crimes, to the factual truth that these practices inflict great pain on these animals that have nobody to speak on behalf.

INTRODUCTION

Animal Cruelty – the legal definition

The California penal code defines animal cruelty as the malicious or intentional maiming, mutilation, torture or wounding of a living animal, and states that any person who overworks, tortures, torments, deprives of necessary food, drink or shelter, cruelly beats, mutilates or cruelly kills an animal is guilty of a misdemeanor or felony. Any person, who owns, possesses, keeps or trains a dog with the intent to engage the animal in exhibition fighting, as well as any person who is knowingly present as a spectator at an exhibition of fighting of dogs, is guilty of a misdemeanor. In addition, any person who willfully abandons any animal is guilty of a misdemeanor^{1,2}.

Types of Animal Cruelty

1. **Simple neglect:**This involves 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 today³. The most common example of simple neglect found everywhere today is the case of dog owners chaining their dogs around the neck without a dog belt and most times the dog is kept stagnant at the backyard for hours if not days without proper shelter.

2. **Gross neglect:**It can also be called willful, 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 therefore the intentional act of withholding food or water from an animal or group of animals. A typical example of this type of cruelty is the case of people throwing away their sick dogs callously, some leaving their dogs out in the cold or rain.

3. **Intentional abuse:**Cases of intentional cruelty are the ones of greatest concern to the public and the ones more likely to involve juvenile offenders. There is legitimate fear that the individuals involved in violent acts against animals 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 can be one of the most visible parts of an entire history of aggressive or antisocial behavior. Such cases are often easier to prosecute than neglect or hoarding cases since the effects of the crime on the victim may be easier to document and the intentionality of the offense is more clearly recognized.

4. **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 household⁴. Examples of animal hoarding cases are: the transportation of large number 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.

5. **Organized Abuse:Dog fighting and Cock fighting**

Blood sports such as dog fighting and cock fighting 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. This act involves the setting of two or more dogs, cocks or any other animal in a fight circle and allowing them to brutally kill each other for the sole purpose of entertaining the spectators.

6. **Ritualistic Abuse:**The phrase 'occult and ritualistic animal abuse' immediately evokes many disturbing images: a cat nailed to a crucifex 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. 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.

Benefits of studies on animal cruelty

1. Reveals tendency for other crimes.
2. Exposes family violence.
3. Exposes a dysfunctional youth.
4. Animal cruelty links with extreme violence.

There are three common offences against animals in India

A. Mischief: This includes killing, poisoning or maiming an animal. Poisoning is the most common method of mischievous killing of an animal. *Abrus precatorius*, arsenic, aconite root, snake venom, datura leaves and seeds of yellow oleander are common poisons used in the mischievous killing of the animals. Accidental poisoning may occur in animals by linseed or jowar poisoning. Mischief is punishable under Section 428 and 429 I.P.C.

Maiming means making an animal useless by the use of violence. This type of offence is also common and its aim is to harm the owner when an animal damages the crop or other property. The common forms of hurting animals and rendering them useless are:

- a) Fracture of bone.
- b) Cutting tendons of legs and neck.
- c) Injury to udder in milch animals.
- d) Tearing of the vagina or rectum by introducing sharp or blunt object.
- e) Punctured wounds etc.

B. Cruelty against Animals: This offence includes beating, overloading, using a diseased animal for work, starvation, *Phuka* method etc. these acts are punishable under the Prevention of Cruelty to Animals Act, 1960.

C. Bestiality: Bestiality means carnal intercourse with man, woman or animal against the order of nature. This type of crime is more frequently found in India due to the following reasons:

- a) The common belief among illiterate people that intercourse with a she-donkey is a remedy for gonorrhoea.
- b) Excessive sexual desire with less opportunity for natural intercourse.
- c) Young villagers, who go out to graze cattle in fields far away from human eye, are incited, owing to loneliness and the proximity of the animals, to commit this crime.
- d) People having some mental abnormalities.

In bestiality the human male is generally the active agent and the passive agent is a she-goat, donkey, mare, cow or even hen. No cases of the human female being involved in similar manner are publicly known.

Examination of Animal for Bestiality

- a) The offenders are usually caught red-handed.
- b) The vagina of animal should be examined for evidence of injury and that accused examined for marks of injuries caused by the kicks, teeth or claws of the animal.

- c) The surrounding hairs of the animal should be examined for the presence of human spermatozoa (this is very important to note that the spermatozoa found are of the same animal or not, for this purpose, the presence or absence of heat in the female animal is also a guide).
- d) The presence of organisms of gonorrhoea in the vagina of the animal is a sure sign of bestiality.
- e) The clothes of the accused will give off a smell of urine or faeces of the animals as after sexual act animals have a habit of urinating.

Bestiality is punishable under **Section 377 I.P.C.**

Examination of Seminal Stains

In the case of bestiality, it is essential to determine presence of human seminal fluid in or around the parts of the animal. Detection of human spermatozoa in a smear from the vagina of the animal and that from the discharge adhering to the surrounding hairs is a positive proof of the offence.

The examination of seminal stains may be carried out by the following methods: Physical, Chemical, Microscopic and Serological.

a) Physical Examination: The physical characteristics of fresh semen of different animals and men are given in **Table 1**.

b) **Table-1:** The physical characteristics of fresh semen of different animals and men

Species	Average volume of ejaculate (ml)	Average concentration (million per ml)	pH	Colour	Consistency
Bull	3-4	600-1200	6.5-7.5	Resembles whole milk	Slight viscid and opaque
Stallion	75-125	50-200	7.0-7.8	Whitish	Thinner than bull's semen
Ram	0.8	800-4000	6.2-6.8	Creamy	Creamy
Boar	200	270	6.8-7.2	Whitish	Gelatinous
Dog	7	125	5.8-6.9	Grayish to milky white	Watery
Cock	0.6	0.5-60	7.3-7.8	White	Dense opaque to watery
Man	3.5	150-200	7.2-8.9	Opalescent white or pale yellow	Thick viscid

Seminal stains, when dry, present a grayish-white colour and become stiff. The dried seminal stains show an irregular map-like contour. The invisible stains may be made distinctly visible by its bluish fluorescence under ultra violet rays.

c) Chemical Examination

There are two preliminary chemical tests for seminal stains; Florence's Test and Barberio's Test.

Florence's Test:

- 1) Prepare a thick smear of seminal fluid and place a cover slip.
- 2) One or two drops of the Florence's solution is allowed to run-in under the cover slip.
- 3) Large brown haemin-like needle-shaped crystals of choline per iodide will shortly be formed in the presence of semen.

d) Barberio's Test:

- 1) Prepare a thick smear of seminal fluid and place a cover slip.
- 2) One or two drops of concentrated picric acid solution is allowed to run-in under the cover slip.
- 3) Yellowish needle-shaped crystals of spermin picrate will be formed in the presence of semen.

e) Microscopic Examination

Take a drop of mucus from the vagina of the animal on a glass slide and one drop of a normal saline solution. Place a cover slip and examine under the high power of the microscope for the presence of spermatozoa.

Prepare a thin smear of mucus taken from the vagina of the animal and stain by the haemalum and eosin staining method.

Procedure:

- 1) Prepare a thin smear.
- 2) Fix with methyl alcohol.
- 3) Refix with 95% and then 70% ethyl alcohol for five minutes.
- 4) Rinse quickly with water.
- 5) Stain with haemalum solution for 20 minutes.
- 6) Steep in running water for 30 minutes.
- 7) Restrain with haemalum for five minutes.
- 8) Rinse in water for 10 minutes.
- 9) Counter-stain with eosin solution for 3 minutes.
- 10) Differentiate in sequence of 70%, 90%, and absolute alcohol.
- 11) Clear in xylol.
- 12) Mount in Canada balsum and apply cover slip.
- 13) Examine under the high power of the microscope.

Morphology of spermatozoa

The spermatozoa consist of a head and a tail. The head is flattened ovoid, made up of a nucleus covered anteriorly by the acrosome or galeacapitis and posteriorly by the post-nuclear cap. The long thin tail is differentiated into three parts: mid-piece, main-piece and end-piece. The anterior end of the mid-piece connecting with the head is known as the implantation region. The mid-piece (10 to 15 microns) is the thickened region of the tail between the head and the main-piece. Here the sperm is surrounded by a helix or spiral of mitochondria. The main-piece (about 30 microns) is the longest part of the tail.

A tail sheath surrounds the axial filament in this region. In the end-piece (3 microns), a sheath does not surround the filament.

Table- 2: The morphological differences of spermatozoa of animals, man and cock

Species	Length of sperm (in micron)	Shape of head	Size of head (in micron)	Length of the tail (in micron)
Animal	50-60	Flattened ovoid	8.0	40-50
Man	50-55	Flattened ovoid or pear shaped	4.5	50
Cock	100	Long cylindrical	15.0	80

f) Sereological examination (Precipitation Test)

By this method the seminal fluid of man is differentiated from that of animals. An immune serum is prepared by injecting a rabbits with human seminal fluid or the seminal fluid of a particular animal, in the same manner as for the production of anti-blood serum. The serum precipitates must be removed by mixing it with an equal part of 1 in 20 dilution of human serum or animal serum. Leave the mixture at room temperature for an hour and centrifuge. This removes all precipitum from human serum or from the serum of particular group of animals. In this way immune serum of different animals are prepared.

Procedure:

- 1) Take 1 ml of seminal fluid extract to be tested in a test tube.
- 2) Add 0.1 ml of antiserum.
- 3) A white ring will be formed at the junction of two fluids within two to five minutes in positive cases.

Examination ForGonorrhoea Organisms

Presence of organisms of gonorrhoea in the vagina of the animal is sure sign of bestiality because only human beings are susceptible to gonorrhoea.

Method

The vaginal secretion should be taken by introducing a swab. The material obtained on the swab is transferred to a microscopic slide and thin film is prepared. The film is fixed by gentle heat and stained by Gram's Method. Bean-shaped, Gram-negative diplococci are seen in positive cases⁵.

CONCLUSION

Combating this menace of animal cruelty is a journey that must be undertaken and everybody including the Government, NGOs and even culture has a major role to play in this.

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