

Contemporary Circumstances of Companion Animals in China

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Abstract. In China, the implementation of animal welfare in the legal system has been relatively lacking when compared to other nations. As the existing flaws and the lack of enforcement of such laws condone many instances of animal cruelty in China's society, animal welfare and protection have been a topic of growing discussion both in the society and in the academic world of China. However, while most literature focuses on the general welfare of more noticeable animals like wildlife and livestock animals, the abuse, abandonment, and mistreatment of companion animals have been receiving less attention regarding their unfortunate circumstances in China's society. With a lens on the topic of companion animals, then, this paper aims to uncover the cases of animal cruelty in China and point out the loopholes in relevant laws. This will be done through a combination of a dive into literature in this field as well as statistics, case studies, and government policies. Furthermore, this paper will go on to explain the difficulties of establishing companion animal welfare laws in relation to the Chinese legal system, society, and cultural context, and hence offer suggestions about how companion animal welfare can be achieved.

Keywords: Animal Welfare; Animal Cruelty; Companion Animals; Law.

1. Introduction

As societies develop rapidly in the modern day and people become more aware of the ideas of ethics, animal welfare has been a topic of growing attention. Around the world, policies have been adopted to ensure the fair treatment of animals in a wide range of settings, such as farms, markets, and even households. In China, similar conversations about animal protection and welfare issues are taking place, as many have recognized China's lacking progress in implementing animal welfare at an international level [1]. However, despite ongoing discussions in this field, many studies remain on a superficial level of animal welfare, focusing on the more prominent animals such as livestock, laboratory, and wildlife animals. In many cases, the unfortunate circumstances faced by specific animals in our society go unseen.

Companion animals, more commonly known as pet animals, face one of the greatest welfare issues in China that most studies don't focus on. According to statistics, the occurrence of animal abuse has been increasing exponentially online, out of which most are targeted towards companion animals including dogs and cats [2]. The reason for this stems from the complete absence of nationwide legislation relevant to the welfare of companion animals. In terms of the Chinese legal system, these animals are not protected by any welfare policies but are often considered as property of their owners. This has left many legal loopholes and flaws in the regulations relevant to companion animals, condoning this behavior of animal cruelty.

With the aim of uncovering the legal loopholes of companion animal welfare policies, this essay will start with a case study of an incident of companion animal abuse, revealing the apparent flaws present in the Chinese legal system. After that, by looking at welfare policies of current use in China, this paper identifies the reason for this flaw in terms of specific policies relevant to animal welfare. Then, this essay goes on to shed light on the miseries faced by companion animals and explains its link to the flawed nature of China's companion animal policies. As a result, this paper aims to evaluate the importance and difficulties of implementing stronger welfare policies for companion animals in China and discuss suggestions on actions that could be taken by the country to promote their welfare.

2. Current Circumstances for China's Companion Animals

In the summer of 2024, a dog poisoning incident flooded Chinese social media. The case started because Yang's two dogs died in the garden due to ingestion of toxic chemicals. According to the investigation, the chemicals that caused the dogs' deaths came from the neighbor's wallet pocket. However, despite solid evidence of crime, the estimated value of the two dogs is 2750 RMB, which is lower than the threshold of 3000 RMB required for filing a property damage case, and therefore the criminal cannot be prosecuted in this case [3]. Beyond the simple cruelty of such an action, this incident revealed the loopholes in the legal system of China regarding animal protection. Many incidents of animal abuse have occurred across the country without being noticed or controlled, especially with companion animals such as dogs and cats. As people see more culprits walk free after acts of abuse, abandonment, and cruelty, such cases have attracted more attention and discussion revolving around animal welfare. As the day goes by with the absence of secure animal welfare laws, the severity of these cases is escalating, urging the need for an update in laws regarding the protection of companion animals [2].

2.1. Development of Animal Welfare in China

Despite the increasing attention to animal welfare in the Chinese society, there is still a long way to go, especially when it comes to companion animals. As of now, three main legislations in China have been established relevant to the cause of animal welfare: Regulations for the Administration of Laboratory Animals, the Animal Husbandry Law of the People's Republic of China, and the Law of the People's Republic of China on the Protection of Wildlife [4].

Although these laws do provide basic protection for livestock, wildlife, and laboratory animals, the lack of enforcement of these policies has caused China to be widely considered as lacking in the sector of animal welfare. More importantly, it is essential to note that the current coverage of animal welfare policies in China is too narrow and insufficient to ensure security for the wide range of animals that exist in our society. When compared with other countries with extensive and developed animal welfare policies, the protection of working animals and entertainment animals is nowhere to be found in the Chinese legal system, whereas the United Kingdom has a number of legislations ranging from the Code of Practice for the Welfare of Horses, Donkeys, Ponies to the Animal Welfare Act 2006, providing a coverage for a multitude of animals [5].

When focusing on the animal welfare of companion animals in particular, policies are completely lacking in the Chinese legal system, similar to working animals and entertainment animals. With next to zero nationwide policies or legislations protecting the welfare of companion animals, only a handful of local governments have established regulations regarding individual companion animal species [4], meaning that these loopholes and flaws in the law have condoned acts of animal cruelty at varying degrees.

2.2. Cruelty of Companion Animals in China

2.2.1. Animal Abuse.

In Chinese society, the most prevalent practice of animal cruelty is the direct abuse and killing of companion animals. Due to the absence of anti-cruelty laws in China, companion animals are only considered by the law as properties of their owners. In cases such as the dog poisoning incident mentioned previously, if the evaluated value of the animals is lower than the minimal value for a crime of property, the abuser will not take any form of criminal punishment at all.

This grey area, in which animal abuse of companion animals is unrestricted by the law, has condoned the rise of more similar incidents. As illustrated in the Figure 1, the number of incidents related to animal cruelty in China has been increasing almost exponentially in China [2]. Out of these cases, many are associated with companion animals such as dogs and cats, who are vulnerable animals that are common within the human setting.

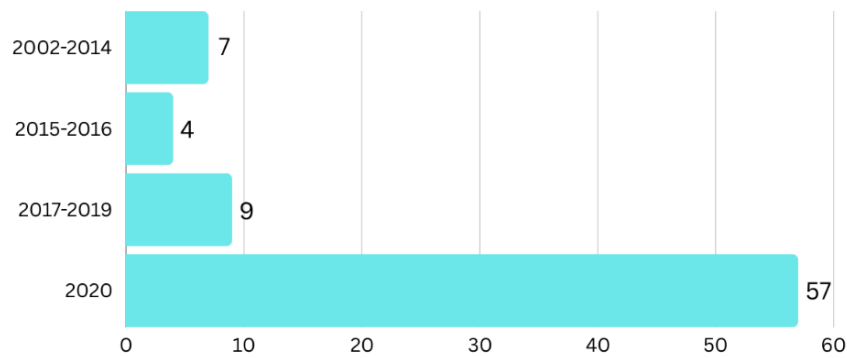


Figure 1. Occurrences of Animal Cruelty Incidents in China from 2002-2020 [2]

2.2.2. The Pet Industry.

Employing more than 100,000 people and producing a yearly output of more than 7 billion CNY, China’s pet industry experienced significant growth as it attracted many into the business [6]. Even more, if the current growth rate of pet animal numbers is maintained, it is estimated that China will have more than 200 million pet animals with an output value of the industry exceeding 40 billion CNY [6]. However, due to the lack of policies surrounding the welfare of these companion animals as well as their legal provision, many incidents of animal cruelty in the industry have been uncovered. For example, news of underground pet trade was revealed on the internet, where pet dealers would raise these companion animals in extremely poor living conditions [7]. In order to minimize costs and maximize profits, cats and dogs are raised in extremely harsh living conditions with minimal food, water, and hygiene. Serving as reproduction machines to give birth to pet animals sold to pet owners, almost half of the pet animals in these places end up dying [7]. Despite regulations such as the Animal Epidemic Prevention Law of the People's Republic of China which prohibits aspects of this conduct [8], the lack of provision and enforcement of such law still provides space for such practices to continue in society [7].

2.2.3. Abandonment.

Another phenomenon caused by the lack of companion animal policies is the abandonment and neglect of pet animals by their owners. Although no academic estimations of the total stray animal population in China have been made yet, it is apparent that their numbers have been skyrocketing over the years due to the rapid reproduction rates of these animals. For instance, research has revealed that adult cats can reproduce up to 420,000 offspring in 7 years, and a pair of adult dogs can give birth to 67,000 pups in 6 years [9]. In this process, the continued addition of abandoned pet animals serves to continue this endless cycle of stray animal population growth. As of now, only four out of over seven hundred cities in China – Shanghai, Beijing, Qingdao, and Guangzhou – have established regulations that prohibit the abuse and abandonment of pet dogs [4]. For all of the remaining cities, abandonment is still a common issue across households, contributing to the mistreatment of companion animals.

2.3. Importance of Reinforced Welfare for Companion Animals

As established previously, the current legislation of China is completely absent for the protection of companion animals in society. The flaws and loopholes caused by the absence of legislation have condoned and even escalated the cases of animal cruelty in our society. From abuse and exploitation to the abandonment and mistreatment of these animals, these issues urge the reinforcement of welfare policies regarding companion animals. In addition, the implementation of welfare policies is also important for many other factors.

2.3.1. Ethics and Moral Values.

In many discussions around animal welfare, its importance is often inexplicably tied to our ethics and values as humans. As social beings who value the suffering of individuals, people are obligated to

also consider the pain that's been induced upon other living beings. The sentience of animals, which refers to their ability to perceive feelings such as happiness and suffering, should be discussed when people make decisions and actions that may impact the living conditions and livelihood of these animals.

In the topic of companion animals, recent works of literature have all been coming to a consensus that there is a realistic possibility for companion animals to be sentient beings. For instance, studies into the behavior of dogs have indicated a remarkable range of cognitive abilities, such as the ability to differentiate human emotional states, exhibit cooperative and social behavior, and even solve tasks involving critical thinking skills [10]. Such signs of companion animals' ability to think, feel, and act accordingly suggest a realistic likelihood of their ability to suffer pain and suffering. Therefore, the establishment of welfare policies for companion animals adheres to the ethics of human civilization, as it takes into consideration the pain that human activities might impose on these beings and protects these beings from harm.

2.3.2. Positive Social Impact of Welfare Policies.

In addition to ethical reasons for promoting animal welfare policies, the social impact of such change is also worth evaluating. As outlined previously, acts of violence, abuse, and mistreatment of animals are the result of the lack of welfare legislation for companion animals. According to studies around aggressive behavior of human beings, repeated acts of animal cruelty for young children can serve as a behavioral marker of escalating and persistent aggression [11], where abusing animals and even observing abuse by others during childhood is likely to have a negative impact on the individual's psychological development in empathy and, in turn, the possibility of developing violent and aggressive behavior [12]. Thus, by regulating acts of animal abuse through the implementation of companion animal policies, the possibility of getting exposed to abusive behavior would be lowered as the deterrence of the law would lower the occurrence of animal cruelty incidents. Not only would people be less likely to be exposed to abusive acts in life, but animal abuse being posted online would decrease as well. This minimized exposure to abusive acts would, as a result, lower the likelihood of developing aggressive behavior, improving the stability and security of our society.

At the same time, implementing welfare policies for companion animals would also bring positive impacts to the community in terms of public health and daily life. As previously stated in this paper, the abandonment of pet animals has significantly contributed to the population growth of stray animals. In the community, the overpopulation of stray animals may have numerous risks in daily life, such as the higher infection rate as stray animals carry and spread diseases, the noise effects in communities, as well as the possible attacks on people that stray animals may cause [9]. By ensuring the responsible ownership of companion animals through welfare policies, the overpopulation of stray animals would be reduced, improving the issues that may arise from the frequent abandonment of companion animals.

2.4. Difficulties that may occur

2.4.1. The Long Establishment Procedures of Chinese Laws.

One of the main obstacles along the way in establishing welfare policies for companion animals is the long legislative process that a regulation has to pass through in China, which could range from six months to fifteen years [13]. In 2009, for instance, an expert draft of an Animal Cruelty Law in China was compiled by a group of legal scholars, which defined abuse of animals in a wide range of scenarios as well as the punishment offenders of this law would face [13]. However, due to the delay that could happen at any part of the legislative process as well as the prioritization of other matters over animal anti-abuse laws, the legislative process of this law still has not been set in motion yet. To achieve the efficient and timely establishment of new regulations regarding companion animals, China's society has to recognize the importance of such issues and prioritize the foundation of such laws.

2.4.2. Cultural Barriers.

Apart from legislative obstacles that may occur in the law-making process, cultural differences in Chinese society may also serve as obstacles during the pursuit of welfare for companion animals. One of the main reasons for China's difficulties in improving animal welfare has to do with the nation's heavy reliance on animal utilization [13]. With many industries and practices associated with exploiting animals, improving animal welfare might receive opposition as the profits and livelihoods of workers in such industries may be threatened. Furthermore, although there has been a decline in the popularity of such practices around China, certain regions of the country still consume dog meat as a tradition of celebration [13]. Therefore, clashes with cultural traditions will be inevitable when it comes to the pursuit of animal welfare in China. To tackle these issues, the perspectives and attitudes of society towards companion animals have to be reversed, allowing people to understand why these policies should be established in Chinese society.

2.4.3. Lack of Enforcement.

Even if corresponding legislations regarding the welfare of companion animals are established, there are still difficulties when it comes to the enforcement of such policies. Due to the large number of companion animals existing in households, streets, and markets, it will be hard to monitor and implement these regulations at a nationwide level. Effective, well-structured systems to carry out these legislations have to be developed in order to maintain the stable execution of these laws.

3. Suggestion

The pursuit of welfare for companion animals in China will not be one that is easy. To tackle the issues that companion animals in China face in contemporary society, the loopholes and flaws in China's legal system have to be revised and corrected. Therefore, a combined effort of individuals, the government, and society will be necessary to ensure that the enactment and enforcement of welfare policies for companion animals are effective and sound. The actions that could be taken include the following:

3.1. Establish a clear and accurate definition of companion animals

Policies in the justice system require accurate descriptions and cohesion to set clear regulations for people to abide by. By giving a clear scope of definition for companion animals, such policies would not only ensure the full extent of protection for these animals but also enable the efficient enforcement of these policies.

3.2. Restrain acts of cruelty upon companion animals

In order to resolve the existing issues faced by companion animals in China that were mentioned previously, a number of regulations can be set to secure the ethical treatment of companion animals. Anti-cruelty laws regarding the killing, abuse, and commercial exploitation of these animals in the pet industry have to be included to ban these acts that put companion animals in the face of death and suffering. At the same time, a system of ownership for companion animals should also be established. Not only would this make it easier to implement and regulate welfare policies, but it would also ensure the responsible ownership and treatment of companion animals in the household, reducing the number of abandonment and mistreatment that takes place in society.

3.3. Community Education

As mentioned, cultural barriers both in society and in markets might serve as opposing forces during the enactment process of welfare policies. Therefore, education is of crucial importance to enable communities to recognize and support the conduct of such policies. For instance, education could start in schools and local communities, promoting the standards of animal welfare to the general public. Furthermore, specialized education can be applied to communities that work especially

closely with companion animals, such as animal shelters and pet industries. This specialized education would encourage the standardized and ethical treatment of companion animals, serving as propelling forces to ensure the welfare of these beings.

3.4. Establishment of government institution

Enforcing such policies will be a complicated and laborious process. Therefore, the establishment of government institutions that monitor the welfare of companion animals will be especially useful in guaranteeing effectiveness. These institutions should be well-connected to local departments, commercial industries, and any related communities to maintain efficient communication and maintenance ethical practices that do not violate the welfare of companion animals.

3.5. Encourage the research of companion animal welfare

Due to the lack of funding for animal welfare in China, research in this field has been generally lacking in this country when compared to others [1]. This has made the effective enforcement of welfare policies especially difficult, as there is limited research for policymakers to base on. By encouraging research in this field of study, more effective welfare policies and standards suitable for Chinese society could be designed and implemented, contributing to the welfare of animals.

4. Conclusion

In conclusion, the welfare of companion animals in Chinese society is largely compromised due to the loopholes that exist within China's legal system. By first looking at the welfare legislation of animals, this essay has pointed out the flaws existing with companion animals in China's legal system, where there is an absolute absence of nationwide companion animal legislation in the current legal system of China. By further going through a comprehensive dive into literature revolving around China's companion animal population and its welfare, this essay reveals how these legal loopholes in China have condoned multiple acts of animal cruelty in society. These instances may include the abuse, mistreatment, and abandonment of companion animals, which urges the establishment of welfare policies specifically for companion animals in China. After explaining the importance and potential difficulties of enacting companion animal policies, this essay goes on to recommend actions to be taken by the government in efforts to tackle the flaws in China's welfare policies. Given that companion animals have been a relatively less noticed topic during the discussions of animal welfare, this investigation of China's welfare policies shed light on the unfortunate circumstances that these animals have been living in. This effort would not only serve to bring more discussion around the survival and welfare of these animals but will serve as valuable contributions to future policy-making on the topic of animal welfare. In the future, discussions of this topic will hopefully reinforce the animal welfare of companion animals in China through more influential advocacy for change and the implementation of more effective welfare policies.

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