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## **HUMAN–ANIMAL CONFLICT –A SOCIO-LEGAL STUDY IN THE INDIAN CONTEXT**

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### **ABSTRACT**

From the very beginning, humans were existing as one of the species among many, sharing from land to various resources with other living beings. With time, human evolution and growing of power shifted this relation from coexistence to dominance. Animals are being controlled, exploited, and subjected to violence. They are bred, traded, consumed, and abandoned once they are no longer useful or became difficult to manage. This shift is the foundation of human–animal conflict.

This study talks about human animal conflict which is not only the result of population growth or intersecting habitat. This is the result of anthropocentric attitude towards animals as they are inferior and denying them their inborn value. Humans have categorized animals as domestic, wild and expandable, building a belief that animals exist only for humans and benefiting their needs. Although animal welfare laws do exist but still they are only limited to written rules and a non-fulfilling commitment offering little protection in practice.

This study is based on doctrinal and ethical method of research by examining legal frameworks, policy documents and philosophical perspective on human-animal relation. We can find through this paper that animal welfare laws often prioritize human interest and economic convenience and not genuine animal protection. Compassion towards the animals have decreased and today humans only try to position himself as the only decision maker in regards to the life of animals in spite of standing on the same land with same natural and moral order. This reveals that humans have used their power to dominate the weak vulnerable species with exploiting them, removing them from their habitat so that industrialization can be done instead of protection them.

This paper tries to conclude that conflict can be only resolved through shifting perspective. Instead of dominance and control humans needs to apply compassion, mutual respect and

responsibility towards animals. Humans are required to recognize animals as co-habitant not just a resource for human's benefit it is essential for achieving ethical and sustainable human animal relation.

**Keywords-** Co-existence, Conflict, Dominance, Anthropocentric, Co-inhabitants.

## 1. Introduction:

In the ancient India animals were viewed as sacred and integral part of the society. There was nothing like conflict or superiority concept just as today but there was coexistence. In Hindu culture animals were treated as a part of nature and not a object. Every Hindu deities is being worshiped with their 'Vahana' i.e. the animals. In Bhagavad Gita Chapter 5 verse 18 krishna stated that, true sages, eyes of devine knowledge see the equal vision a learned Brahmin, a cow, an elephant, a dog and a dog eater. Living entities possessing souls, that are divine in nature essentially the same as humans. The cow was symbolized as motherhood likewise all creatures having a existence no matter what. But with times people started utilizing them on their own accord. If humans failed to utilize them then they treated them as a burden. Animals were not created by humans, having the independent existence then how even the human got the power to decide the fate of any creature. Wild animals were treated as a threat even though it's the human who are threatening their habitant, destroying them for their development.

This paper states that this is not something related to conflict but ethical matter on a humanitarian ground. Humans developed with time but left humanity. Humans being a superior own made laws for their own convenience not even giving a thought about other living creatures. Everywhere around the world laws which are disguised as made for protection of animals and nature are either used to exploit the poor creature or legalizing the exploitation. Though the laws, which are really meant for the betterment of animals were just left as the law to be read only without proper implementation.

Let us set aside current scenarios and problems, going back to the early ages, how humans evolved, does the humans originated just like today? The answer will be a big no. we are not even the so called advanced species. We also used to be a mere animal, fought for our lives, trying to gather food for our hunger, we didn't have shelter and nothing, and it was just an animal existence. It took 6-7 million years to become the modern human being. So we were a

mere animal just like other animals sharing same traits.

## **2. Evolution of Human Animal relationship:**

### **2.1 Early Times**

In early human society there was a conflict between human and animals for survival, but then also there was nothing like a concept of animals are a threat. They though animals were being hunted for the food by humans but there were a boundary and respect for ecological limits. Animal were never treated just a mere object or commodities but a part of shared ecosystem. Humans were not technologically advanced to dominate the ecosystem.

### **2.2 Shift domestication and control**

With the development of agriculture domestication was firstly normalized and then animals were bred, confined and all possible types of exploitation was started. The more useful animal the more care was taken by domesticating them but once the utilization has been done they were thrown out for meat or skin trade. The more society developing the more humans started finding ways of exploiting animals in different innovative way. Humans started believing that they are the superior ones having the authority to use the animals, as the animals were created just for the use of humans having no independent existence.

### **2.3 Industrialization and exploitation**

Industrialization completely changed the whole scenario, with developed human condition and deteriorates animal existence. Factory farming, animal testing, large scale habitat destruction which normalized mass exploitation and suffering. Cutting down trees in the name of developmental purpose, limiting the spaces where animals can live like zoos, reserve etc. Confining the animals in zoos for business purposes not utilizing the money collected for the visitors for the betterment of animals. Illegal transportation of animals for the sake of money leads to the extreme exploitation.

## **3. Understanding Human-Animal Conflict**

### **3.1 Conventional Explanation**

Practically deforestation, climate change, urbanization and population growth lead to human animal conflict. Unmanageable population growth since last few decades lead to the need to deforest so that humans can have house for their better living, humans do not even consider by

this they are destroying habitat of thousand of animals. And because of this if a animal enters into the human space, humans tend to kill the animal calling them a ‘threat’. Now who is truly accountable for this kind of threat? Humans themselves create danger for them and other creates but swiftly shifts the blame on the voiceless creatures.

### **3.2 Anthropocentrism as the root cause**

This puts humans at the centre point shaping the moral and legal liability for their own needs and requirements. Putting values to animals so far as they serves the human interests. Under this framework exploitation is legal and justifiable as long as they produces economic benefits, scientific advancement and human convenience.

By this animals are categorized as domestic and wild, domestic animals gets protection so fas they can be utilized and the wild so far they do not interfere with the development. The conflict is not just a clash between species but a manifestation of human supremacy.

## **4. Legal framework governing animals**

### **4.1 Animals as property**

Most countries classifies animals as property and made a legal framework in that regard. They do not consider the animals as right bearing entities. This limits the scope of protection and prioritizes human ownership over animal interest. China is the loser, with a score of 12.46. Some markets in China sales live frogs, pre-skinned for convenience<sup>1</sup>. Harm is permitted and enforcement of legal protection is weak and inconsistent.

### **4.2 Animal Welfare Laws**

In India, The Prevention of Cruelty to Animals Act 1960 was enforced as well as under article 51A(g), prohibits inflicting unnecessary pain, suffering or killing of animals, from which we can draw notion that unnecessary harm is prohibited and not any kind of harm. Now it’s the human only who is going to decide whether the harm was necessary or not, that means humans are in the position to decide what is right and what is wrong without any justification. Recently Supreme court took suo moto case for the removal of stary dogs from public places due to rising of dog bite incident. At first if we consider about the dog bite cases, it is evident that hunger increases the desperation in every creature be that animals or humans. Even humans also cannot control hunger. So what do we expect from an animal, there are plenty of cases that

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<sup>1</sup> <https://inhabitat.com/these-are-the-67-best-and-worst-countries-for-animal-rights/>

humans being negligent runs vehicles over stray animals, without any accountability. If this would have happened to humans the accused should get punished, no one even tries to help the victim animal. In a society full of criminals, where they are treated as innocent until proven guilty how can we put punishment to the animals who cannot even take a stand for themselves.

Near about 1,500 free-ranging dogs and at least 10 monkeys have allegedly been killed in different parts of Telangana within a month, following election promises by local representatives to get rid of free-ranging animals<sup>2</sup>. Humans have always tortured exploited animals and never held accountable for that instead given justification for their action.

Section 14 of Prevention of cruelty to animals act 1960, renders every performance of experiments lawful which has been done on animals for the advancement. Section 11 also provides for certain kind of punishment which is also not sufficient to stop animal exploitation. Section 20 puts penalties for contravening order made by animal welfare committee or breach of condition imposed by committee is bare minimum.

In Animal Welfare Board of India v. A Nagaraja, The Supreme Court banned Jallikattu, bullock cart races, and other events involving animal abuse, stating that animals have inherent rights to dignity.

#### **4.3 Wildlife Protection and Conservation**

Wildlife laws mainly aim on conservation rather than individual animal welfare. Animals are protected as species or resources, not as living individuals. If conservation conflicts with human interests, exceptions are readily granted. Wildlife laws often authorize lethal measures, treating animals as problems to be managed, rather than victims of human encroachment.

### **5. Decline of compassion**

Once the system of exploitation becomes institutionalized compassion diminishes. The decline of compassion is not accidental but structural, embedded in laws and social norms. Power creates responsibility, to protect the weak not to exploit and destroy. Humans as the dominant species possess the capacity to reshape ecosystem and determine animal lives. Ethical governance demands such power to be exercised with care.

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<sup>2</sup> <https://www.downtoearth.org.in/governance/election-promise-triggers-mass-deaths-of-almost-1500-free-ranging-dogs-in-telangana>

## **6. Findings and analysis**

This study finds that humans have always prioritized its own interest and economic convenience, the greed to earn more money, this leading to power imbalance and normalizes harm. Human dominance has intensified habitat loss, exploitation and violence rather than solving the conflict. Legal framework also tries to conceal imbalance and also fails to provide substantive solution.

## **7. Rethinking governance: from dominance to co-existence**

Humans should shift their idea from control, elimination to welfare of living creature irrespective of particular species. By this it will stop treating animals as objects, obstacle rather co-habitant so that justice could be served to everyone. Once the concept of co-existence comes to the mind it automatically develops responsibility mutual respect. This will protect the habitat, non-violent conflict mitigation.

## **8. Conclusion**

Human animal conflict is not something which is inevitable for the developmental but the result of anthropocentric attitudes. From early age where there was co-existence to modern hierarchical structure putting human benefits at top in a shared ecosystem. Existing animal welfare laws though intended for the betterment of animals are not well suited in this modern era, which only tend to prioritize human benefits and convenience. To solve the issue it is important to shift the notion from dominance to coexistence, control to responsibility and also from exploitation to compassion.