

Human Preference vs. Animal Welfare: Canine Ear Cropping and Tail Docking

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Human convenience and environmental welfare can be in competition. For example supporters of fracking note that it has “created millions of American jobs” and “reduced energy prices” (IPAA, 2019). Opponents of fracking fear it will damage the local environment and exacerbate climate change (Oakland Post, 2013). Even environmental values may be in competition with each other. Wind turbines are championed as a sustainable source of energy, but are responsible for hundreds of thousands of bird and bat fatalities, which provokes opposition (U.S. Fish and Wildlife Service, 2018). Such divergence in values complicates controversies.

Cropping and docking

Animal welfare versus human preferences has sparked controversy over cropping and docking (C&D). Cropping is the partial or whole removal of an animal’s ear cartilage; docking is the partial or whole amputation of an animal’s tail. In husbandry, lambs, piglets, and calves are commonly docked for ease of management. For example, docking discourages pigs from biting others’ tails and feces from accumulating on sheep (Sutherland & Tucker, 2011).

C&D are common for purebred dogs and are incorporated into at least 62 breed standards as of 2013 (Kavin, 2019). For dogs, C&D originated to minimize injuries in working dogs, such as guard, farm, hunting, and army dogs (AVMA, 2013-a). Puppies are docked at five days old and cropped at eight to ten weeks (fig. 1; Murgai, 1996). At this age, the puppy’s ear cartilage is still soft but will harden with age, which allows it to be molded to an upright position by posting

(Sitton, 2014). After a puppy is anesthetized, its ears are cut with a scalpel and then sutured for a week. Alternatively, the ears are removed by a laser which cauterizes the wound (LAH, n.d.).

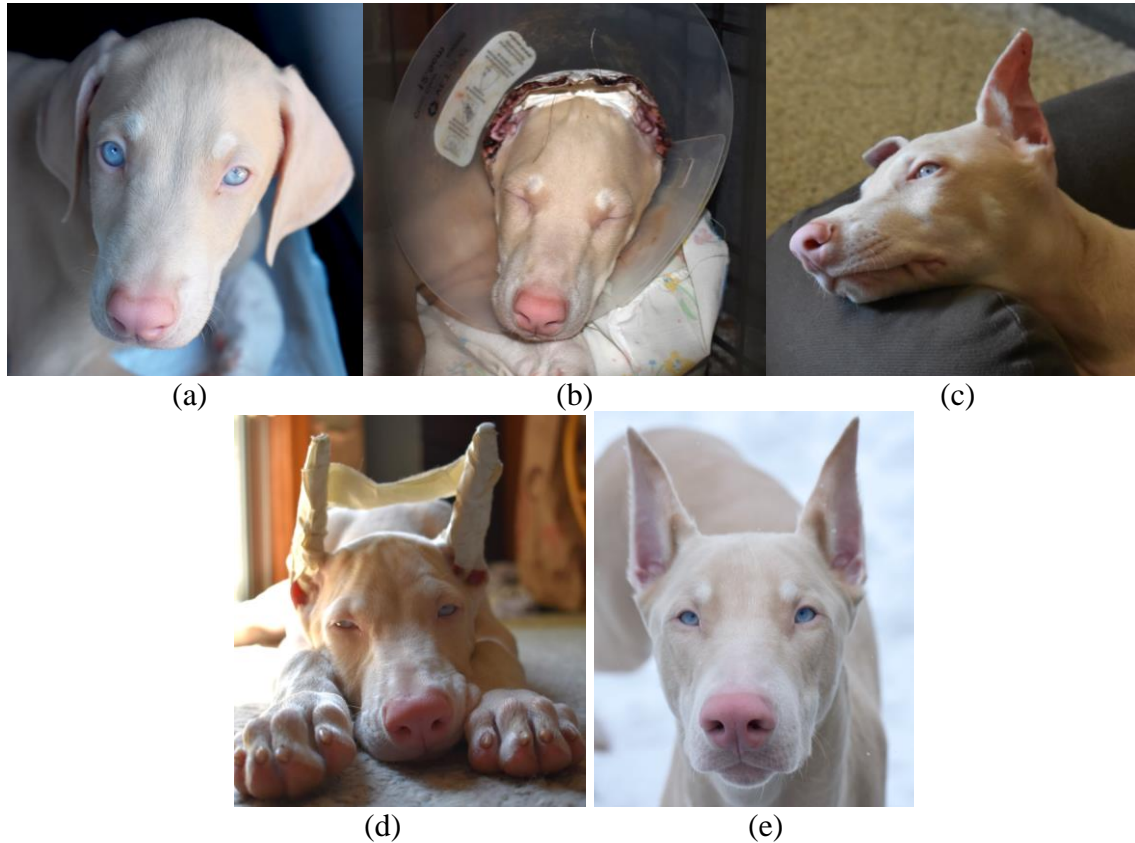


Figure 1. (a) 11-week-old Doberman Pinscher with natural, floppy ears. (b) Same puppy with freshly cropped and sutured ears. (c) 12 days later, the ears are completely healed, but still floppy. (d) The ears are posted for 4 months to train them to stand upright as the cartilage hardens. (e) The final result is pointed, erect ears. (Rudy, 2019-a).

Tail docking is done without pain relief because of the belief that a puppy's nervous system is underdeveloped at five days old (Noonan et al., 1996). Two common docking methods are clipping the tail with surgical scissors and banding, both of which are commonly done by breeders and not veterinarians. Banding refers to placing a rubber band between two tail joints to cut off blood circulation. The tail past the band dies, shrivels, and falls off after several days (cl2ysta1stock, 2013; AVMA, 2013-b).

Canine C&D is often considered cosmetic. Critics of C&D usually argue that it is unnecessary, painful, unsafe, and even torturous and cruel. Most defenders of C&D value it because of a dog's perception (although other motives exist), but the crux of all support is the owners' authority over their pets. There is a fundamental disagreement about whether C&D is cruel, which is the underlying disconnect in the debate. Therefore, much like the wind turbines versus bats debate, the C&D debate is a subset of the larger question of whether animal (or environmental) exploitation is always unethical or if its gravity can be weighted against human preferences.

Review of Research

Animal welfare is difficult to define because it depends on human values and is not purely scientific. Fraser (1997) suggests that “we view animal welfare as a 'bridging concept' which links scientific research to the ethical concerns that the research is intended to address.” Fraser (1997) also suggests animal welfare must be guided by three quality-of-life considerations:

(1) that animals should lead natural lives through the development and use of their natural adaptations and capabilities, (2) that animals should feel well by being free from prolonged and intense fear, pain, and other negative states, and by experiencing normal pleasures, and (3) that animals should function well, in the sense of satisfactory health, growth and normal functioning of physiological and behavioural systems.

Animal rights activist Tom Regan argues that “what is wrong isn't the pain The fundamental wrong is the system that allows us to view animals as our resources,” and “once we accept this view ... the rest is as predictable Why worry about their loneliness, their pain, their death? Since animals exist for us, to benefit us in one way or another, what harms them really doesn't matter-or matters only if it starts to bother us” (Regan, 2004). Regan challenges the

philosophy of *contractarianism*, in which a set of rules, i.e. a contract, is agreed upon by able parties which grants each party rights. Third parties of sentimental value that are unable to understand morality or sign a contract, such as children and animals, can be protected by the contract, but have no inherent rights. The third party's wellbeing serves the contractors' preferences. Consequently, animal welfare depends on animals' sentimental value, and so kicking a pet dog is wrong, but overdosing laboratory rats with novel drugs is not. Contractarianism, which is inherently biased, is easily refuted for human welfare; so Regan says, "a theory with so little to recommend it at the level of the ethics of our treatment of our fellow humans cannot have anything more to recommend it when it comes to the ethics of how we treat our fellow animals" (Regan, 2004).

Duncan explores two schools of thought about animal welfare, "the biological functioning school' and the 'feelings' school" (Duncan, 2002). The former "believes welfare is principally to do with the satisfaction of the primary needs and much less to do with the satisfaction of the secondary subjective feelings;" thus, a healthy, well-fed, reproducing animal has good welfare (Duncan, 2002). "The feelings school, on the other hand, believes that welfare is all to do with the secondary subjective feelings, with the absence of negative feelings, particularly the strong negative feelings we call 'suffering' and with the presence of positive feelings that we call 'pleasure.'" Duncan argues it is the secondary feeling, such as hunger, that diminishes welfare, and not the primary need, such as nutrient deficiency. Although the subjective feelings of animals cannot be measured, indirect evidence of suffering can scientifically measure animal welfare (Duncan, 2002). Another definition correlates animal welfare with "natural-living;" an animal in an unnatural state or habitat has low welfare, even if their primary and secondary needs are met (Fraser, 1997; Hewson 2003). It is mostly accepted

that only creatures with a nervous system have welfare which excludes plants and invertebrates (Broom & Johnson, 2019). However, there is no consensus on which definition of animal welfare is best.

Argument

C&D: cruel and unnecessary

Opponents of C&D argue that they are unnecessary and painful mutilations that serve no function other than the owner's vanity. The Canadian Veterinary Medical Association president, Dr. Troye McPherson, “believes that cosmetic alteration, including tail docking in canines, is painful and produces no benefit to the animal” (CMVA, 2018). PETA says that “unscrupulous veterinarians perform cruel, disfiguring surgeries that cause dogs great suffering” and “that simply perpetuate the image that dogs are fashion accessories” (PETA, 2010). The most popular descriptions are “cruel,” “torture,” “painful,” and “unnecessary.”

Because opposition thinks C&D is not just unnecessary but *torturous*, the natural result is that C&D should be criminal. C&D is illegal in most European countries under the *European Convention for the Protection of Pet Animals* (Council of Europe, 1987), but is legal in the United States. Some states require C&D be done under anesthesia by a licensed veterinarian (Khuly, 2015). In the United Kingdom docking has been illegal except for working dogs since 2006 (Parliament of the United Kingdom, 2006). Bills have been proposed in U.S. legislatures to criminalize C&D; for example Assembly Bill 418 in California, voted down in 2006, would have made C&D a misdemeanor with maximum fines of \$10,000 (Fiala, 2005). Opponents usually characterize C&D as mere cosmetics; Jeannette Niedler, an American Bouvier des Flandres Club

representative said, “I wish those who advocate it would be honest about why they continue to push the procedure—they like the look of cropped ears” (Spadafori, 1992).

C&D: a matter of authority

Defenders of C&D value authority over their pets. In response to the Assembly Bill 418 in California, the American Kennel Club (AKC) posted a legislative alert urging “purebred dog owners” to contact their veterinarians to oppose the bill because they “should be concerned about allowing the government and public opinion too much control over their practices” (AKC, 2005). The AKC added, “Owners, in close consultation with their veterinarians, should make informed decisions about their pets' health care—not the government,” and, “once legislators determine they can ban certain elective procedures, they may be just a short step away from removing veterinarians’ and owners’ rights to make informed decisions about animal care and treatment” (AKC, 2005). In 1896, the AKC, voted in favor of cropping, but clarifies “the American Kennel Club did not indorse cropping either directly or indirectly,” and, “a majority [of delegates was] in opposition to the practice,” but upheld cropping because of “the belief that the question was one which should be left to the specialty clubs most directly concerned.” (“Dog Ear Cropping,” 1896).

C&D: an artform

Support for C&D *does* stem at least in large part from aesthetic preferences. However, there are two schools of thought: that the alteration is purely cosmetic versus that it serves a function beyond beautification.

To defenders, C&D is a work of *art* and *beauty*. On a Doberman Pinscher Club of America (DPCA) Facebook post featuring a Doberman with a posted, show crop, Michele

Lovelette commented, “Beautiful Dobie & Excellent Ear Show Crop..Beautiful,” (Lovelette, 2020). In the same comment section, Lois Lafrombois wrote, “I prefer the ears smaller. But whatever. They’re magnificent dogs,” (Lafrombois, 2020). Valerie Doyle wrote, “He is gorgeous. Great example of the breed. Ignore the haters, they have no clue!” (Doyle, V., 2020). Scott Smith wrote, “Absolute perfection on the crop. Whoever did it deserves an award,” (Smith, 2020). Marge Doyle adds, “I want this beauty ... Those are the most beautiful ears I have seen in a very long time,” (Doyle, M., 2020). Lamfrombois prefers a different style because C&D is an *artform*. Not all crops are equal and some are masterpieces. To advocates, C&D augments a dog’s *beauty*. Advocates exhaust that word “beautiful” when praising a crop. For example, Protection Dog Sales (PDS) breeds and trains personal protection dogs, and often in its promotional videos, PDS enthuses over how “beautiful” its dogs’ crops are (David Harris, 2017).



Figure 2. Doberman sporting a longer pet crop and show dock (Rudy, 2019-b).

To fanciers, C&D is an artform which enhances the appearance of a show dog (fig. 2). Most show-lines are not working-lines, but they sport the altered look fixed into the breed

standards. Breeder Shayna Sitton of Prima Dobermans comments on natural-eared dogs: “The first thing that comes to mind may be ‘what a cute and goofy dog,’ which may fit the personality, but is not what we desire for the impression of the breed” (Sitton, 2014). The DPCA, a nonprofit, is the only National Doberman Breed Club recognized by the AKC. The DPCA states that its “major objective. . .is to encourage and promote purebred Doberman Pinschers and to do all possible to bring their natural qualities to perfection” (DPCA, 2017). The AKC’s official policy states that it “recognizes that ear cropping, tail docking. . .as described in certain breed standards, are acceptable practices integral to defining and *preserving breed character* and/or enhancing good health” (AKC, 2008, emphasis added). To the AKC and many breeders, the altered standard is the *correct* one.

Many breeders and owners value the perception of their dogs. “I’ve always had my pups’ ears cropped,” says one owner on a Doberman forum, “but only because that’s the look I love” (DJ’s Dad, 2013). Another owner wrote, “I have one of each, a natural floppy and one cropped. The only thing that bothers me about the natural floppy look is that no one knows what breed she is” (My2Girls, 2017). Sitton argues that “a Doberman with floppy un-cropped ears is more the look of a hound dog with Doberman marking” (Sitton, 2014).

C&D: functional modification

Some supporters agree that C&D is cosmetic but serves a function beyond enhanced looks. Doberman Pinschers were carefully created by a German tax-collector, Louis Dobermann, to be his personal protection dogs. “Cropped ears are more representative of Louis Dobermann’s vision of the perfect guard dog because they give the dog an impression of keen alertness,” Biniok wrote, “The angularly cropped ears are also an attractive compliment to the Doberman’s wedge-shaped head. Uncropped dogs. . .soften the ridge lines of the face, making the Doberman

appear much tamer” (Biniok, 2009). Sitton echoes this point: “The Doberman breed is meant to protect. One of the greatest security measures is JUST the appearance of the Doberman. Many can hardly recognize a Doberman with un-cropped ears” (Sitton, 2014). PDS crops and docks all of their Dobermans and Giant Schnauzers, specifically for the intimidating appearance, and not for any practical or health function (Harris, 2016). Mills et al. (2016) found that most people do not recognize that modified dogs are unnatural and perceive them as more aggressive, suggesting that C&D is useful for a working Doberman to be recognized and feared, and not merely a fashion statement.

Another function is breeder legitimization. Backyard breeders are less likely to crop because they rarely show their dogs. “Reputable breeders always send their puppies home cropped,” an owner posted on a Doberman forum (Archer, 2017).

C&D and animal welfare

There is agreement across the aisle that C&D is for aesthetic enhancement. The disconnect is whether C&D is animal abuse. Opposition points out that C&D causes a puppy unnecessary pain and uses inflammatory words such as “cruel” and “torture.” Despite the belief that a puppy’s nervous system is underdeveloped at 5 days, Noonan et al. (1996) found that puppies shriek and vocalize for up to 14 minutes after being docked with scissors. Supporters of C&D emphasize that any discomfort is minimized or negligible. Breeder Sitton wrote, “The [cropping] surgery itself is very brief, they wake up quickly, and when they do they are hungry and playing like usual During this time they play just as rough if not more because the cone/cup on the head looks like a very fun chew toy!” (Sitton, 2014). On the Lacrosse Animal Hospital’s ear crop informational page, they assure that “the use of laser means that there is virtually no bleeding,” and, “also ensures that your pet feels the least amount of pain” (LAH,

n.d.). Pain is managed with medication and the healing process takes a couple of weeks. Most veterinarians and owners who elect to crop prioritize the minimization of pain. Hope Springs Veterinary wrote “we take great care to provide appropriate pain management and pain control before, during and after your puppy’s procedure to ensure they receive the relief they need” (HSV, n.d.).

Advocates of C&D are mostly dog enthusiasts and resent the suggestion that they disregard their pets’ welfare. As of March 27, 2020, the hashtag *#croppedandloved* has been used on 43,042 Instagram posts featuring cropped pets. Owners love their pets and value their wellbeing. On a forum post discussing a botched ear crop, owners offer condolences, saying, “[I] hope your pup feels better soon :(” and, “Find another Vet. even if you have to drive a distance. First thing is to take care of that poor pup. Then I would get an attorney sue him for all the after care the other vet [will] charge you. Then stop that Vet from touching another pets ears!” (DogsR4Life, 2012; stryker2, 2012).

However, not all supporters of C&D value animal welfare. In places where C&D is illegal, such as the United Kingdom, black-market C&D is practiced without veterinary oversight to capitalize on its appeal. Simon Davis, a celebrity dog breeder in the United Kingdom, was fined £7,000-a-time for cropping American Bulldog puppies with a razor blade before selling them to celebrities (Brown, 2020). As of January 2020, the number of illegal croppings had risen over the past five years, with 69 reports in 2019 (Stretton, 2020). The ear crop can be an element of a tough aesthetic sought at the dogs’ expense. Some breeders produce barrel-chested pitbulls for a tough impression, but the unnatural proportions can cause intense suffering. Winter reports that a pitbull was euthanized because of congenital defects caused by such poor breeding but he also emphasizes its “mutilated” ears (Winter, 2019).

C&D is common in dog fighting to mask behavioral cues and to remove handles (ASPCA, n.d.). In this case, C&D is functional, and animal welfare is not valued. Dog fighting pits two dogs against each other until one cannot continue, which can last hours (ASPCA, n.d.). Both dogs will suffer from lacerations, puncture wounds, blood loss, and broken bones, and many will die from the injuries (ASPCA, n.d.). Dog fighting is a felony in all 50 states and violates every definition of animal welfare (ASPCA, n.d.). Most advocates and opposition to C&D alike would agree dog fighting is barbaric. Those who defend C&D as an artform would not defend its use for efficient dog fighting. Opposition would view C&D fighting dogs as a facet of disregarded animal welfare.

The disconnect between supporters and opponents of C&D

To defenders of C&D, critics who characterize it as torture vilify them. Opposition uses inflammatory language. For example, Dr. Fox in an advice column wrote about whether to crop, “So tell your brother [who wants to crop his puppy] to wise up, be cool and join the humane revolution to stop cruel and unnecessary animal mutilations!” (Fox, 2001). To advocates of C&D, phrases like “humane revolution” and “cruel mutilations” stigmatize C&D and cast opposition to C&D in a flattering light. Cane Corso breeder Rachel Hattig, in response to criticism for cropping her puppy’s ears, said “you don’t get to claim that people who crop their dogs’ ears are horrible people. You don’t get to do that” (Senza Tempo Cane Corso, 2018).

The equation of C&D with torture encourages criminalizing it. To supporters who disagree that C&D is cruel, this is an unjust overreaction. Criminalizing C&D without convincing supporters that C&D is unethical has increased the incidence of untrained, unregulated backyard C&D usually practiced without pain management (Stretton, 2020). The practice continues despite the law because the law is considered unjust. In 2017 in Pennsylvania,

the renowned miniature schnauzer breeder Joan Huber was “charged with eight counts of animal cruelty,” and “convicted of illegally cropping her dogs' ears,” (Kavin, 2017). Huber cropped her puppies' ear without anesthesia or a veterinary license, and never served time (Kavin, 2018). Some defenders of C&D use Huber's case as an example of oppressed authority. “Supporters ... [insist] the only thing Huber did wrong was violate a law that shouldn't exist” (Kavin, 2017). However, cropping is not illegal in Pennsylvania when performed by a licensed veterinarian.

Reactionary defenses of C&D

The characterization of C&D as unnecessary and cruel has prompted justifications from supporters beyond its aesthetic appeal. The first defense is that C&D is functional for working dogs. C&D removes any handle that an assailant could grasp to thwart a guard dog, spares hunting dogs' tails from damage in underbrush, and prevents farm dogs from ear injuries which bleed profusely and heal slowly (AVMA, 2013-a; Senza Tempo Cane Corso, 2018). However, C&D is practiced on show and companion dogs for whom these functions are irrelevant. A second argument is that C&D prevents chronic ear infections, or *otitis externa*, in floppy-eared dogs. Ear infections are the second most common affliction diagnosed in dogs (Senze Tempe Cane Corso, 2018). *Otitis externa* incidence has been correlated with floppy-eared breeds, but there is insufficient evidence whether ear shape or breed is the cause (AVMA-b, 2013). Ear infections are both preventable and treatable without cropping, and there are many floppy-eared breeds for whom cropping is not practiced. A third argument is that cropping improves hearing. Theresa Mullen, a member of the DPCA education committee, thinks that erect ears improve “sound localization” (Mullen, 2010). Although Mullen fails to substantiate the claim, the idea is echoed in Doberman forums.

A fourth argument is that cropping fixes an unnatural result of domestication. Floppy ears are non-existent in nature. Russian geneticists led by Lyudmila Trut observed floppy ears in foxes after a decade of deliberate domestication (Dugatkin, 2018). This perspective directly challenges one given in a journal, *Forest and Stream*, in 1889, that “the rule is that nature does her work well, and if she has given dogs tails and ears, man with his notions and knives cannot improve on nature” (“Docking Tails and Cropping Ears,” 1889). Rachel Hattig explains the opposite opinion in a video about why people elect to crop (Senze Tempe Cane Corso, 2018, emphasis added):

You will find that there are no floppy eared animals in nature, especially no floppy eared canines. ... And the reason for that is because it traps moisture and it blocks sound. So there’s no evolutionary advantage to an animal having a floppy ear. And that is why it is not represented in nature Floppy ears are caused by the domestication and concentrated breeding efforts of humans Another [trait] that we’ve bred into our dogs is the very short snout that you see in boxers and bulldogs ... and that also is not healthy for them. ... *So don’t think that just because dogs are born with floppy ears that it’s natural. It’s not. Dogs are not natural. They are a human production. They would not exist without us, and so they are our responsibility, meaning that if we realize we bred something into these dogs that is bad then we need to be aware of it and even possibly correct it if necessary.*

Human preferences vs. animal welfare.

Opposition to C&D considers it a cruel mutilation. Castration, a common alteration, is more invasive than C&D, correlates with serious health complications in dogs fixed too young, and is practiced for human convenience (Bennett, 2001). Yet unlike C&D, castration is encouraged by veterinarians and the American Society for the Prevention of Cruelty to Animals (ASPCA, 2019). Waters et al. (2009) found that female Rottweilers with intact ovaries until 4.5 years old lived exceptionally longer than a Rottweiler’s average life expectancy, and “had 37% lower mortality than females that underwent elective ovariectomy before 4.5 years” (Waters et

al., 2009). Ru et al. (1998) found the risk of canine osteosarcoma (bone cancer) in neutered dogs was both in excess and twofold (Ru et al., 1998). Yet, “the American Animal Hospital Association supports the concept of neutering cats and dogs *as young as eight weeks of age* in order to *help reduce the overpopulation issues* that can be present in companion animals” (AAHA, 2018, emphasis added). However, overpopulation is caused primarily by puppy mills, which mass produce puppies for profit, not by the average, responsible pet owner (ISAR, n.d.). For the average pet owner, castration may minimize territorial and marking behavior in males, and spaying eliminates biyearly heats, which are bloody and inconvenient, in females. In either case, neutering is practiced for the owner’s benefit and not the dog’s.

Conclusion

Animal welfare underpins the C&D debate. Both defenders of and opposition to C&D value animal welfare, but they define it differently. The arguments stemming from one party’s definition are illogical to the other because the underlying root is not agreed upon. Defenders of C&D do not view it as a violation of welfare, and so they defend their authority over their pets and C&D’s worth as an artform. Opposition to C&D views it as animal abuse, and so the owner’s authority and C&D’s artistry are moot. Defenders disagree that C&D is abusive; so the con arguments seem melodramatic and oppressive to them. Both parties will continue to talk past each other until the focus shifts from the merits of C&D to the definition of animal welfare. Animal welfare weighted against human convenience is also a factor, since opposition to C&D usually supports castration. This extends to other environmental issues, where the underlying issue is likely not *if* the environment should be valued but rather *how* the environment should be valued. Avery Bennett, President of the Association of Avian Veterinarians, asked: “is spaying

and castrating any less inhuman than declawing, ear cropping, devocalizing, or pinioning? ...

Who has the right to decide?... YOU do... But along with that goes the obligation to be tolerant of the values, beliefs, and morals of our colleagues” (Bennett, 2001).

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