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Sam, an Old Dog

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A few days ago I received an email in which a good friend, a Professor of Philology who dedicates part of her little free time to volunteering in the Barcelona CAAC,^[1] sent some sad news.

It was about Sam, a beautiful 12-year-old Samoyedo that they had just found tied up at the entrance of CAAC. The photos show a beautiful, clean, well-kept dog with a lead and a collar in perfect condition but, above all, it was Sam's gaze that stood out in the photos; a gaze of both confusion and surprise, a gaze tender, calm and sad. Sam had presumably been left tied to the door of the Animal Rescue Centre (CAAC) by his owners at some point during the night or at dawn, when nobody could see them, nor take down the license plate of the car – a cowardly and cruel act.

If we ask ourselves the whys of such behaviour, why the abandonment of Sam, one only finds the explanation that Sam, at 12 years of age, with arthritis in his hips, has only a little time left in life, and in the life that he has left will possibly require expenses that are necessary at his age; pills for the pains in his bones, particular attention to his weight, more frequent visits to the vets, etc. Or perhaps his owners have experienced changes in their lives or their finances that have lead them to adopt a painful 'solution' for Sam. It is a possible explanation, but never a justification.

I can imagine Sam's life before seeing him tied up in a place unknown to him; a life with a family, sharing everything around him with happy and grateful eyes - perhaps since he was a white puppy, a ball of soft hair, he had known nothing different. Perhaps, as with many of our dogs, he had his bed, a spot on the sofa, a favourite toy, a walk routine and some trips and, of course, lots of stroking. With this, I can interpret Sam's gaze (which has not left my mind); firstly confusion, then sadness. The empty hours until he was untied and taken into the CAAC to be examined. All different. All unknown. Surely the staff and volunteers at CAAC did everything for him, but he was not in his home.

“When will my parents return?” He perhaps asked himself, as for our dogs we are their everything; they follow us everywhere, look at us with admiration, waiting on our tiniest movements, we are their happiness and their security. I can imagine Sam's suffering because I have a dog that is now fifteen and a half years old (good heavens!) that, while maintaining all his grace, becomes a little less self-sufficient each day.

What do we owe to a dog that has shared more than a decade with us? I don't know if the word owe is really appropriate, but what I'm trying to express is clear. A life of absolute dedication, unwavering loyalty, permanent happiness, knowing how to be and how to love, can't end in abandonment. An old dog is as fragile and dependent as when it was a puppy full of grace. It is easy to love a puppy, but it should be even easier to love an old dog; they need us and we must offer them unconditional love and an easy and dignified life.

In Spain, abandonment isn't punished unless it endangers the life of physical integrity of the animal.[2] It is a legal nuance that enables the justification of a lot of despicable behaviour, but, as said by a judge in an exemplary case, abandoning a dog is the equivalent, although not in degree, to abandoning a child that cannot fend for itself.[3] This is not the wording of the criminal precept, but it is the interpretation that should be made, and the abandoner should, purely and simply, be subjected to punishment. This is what happens in countries like Germany, Austria, and recently Romania.

In this case, should the abandonment of an old dog that's life and physical integrity has been endangered be severely punished by the law? From my point of view, the answer is yes. The courts are yet to receive a report of an old dog being abandoned that is sanctioned as unjustifiable conduct according to legal regulations. I have no doubt that part of the legal progress in relation to animals revolves around covering the risk of the simple abandonment of a dog, so the moral and legal obligation of animal owners is to care for and attend to them in a way that guarantees their life and physical integrity at all times. This is essentially what is meant by "responsible ownership", throughout all the years (hopefully a lot!) of an animal's life.

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[1] [External link](#) (Centro de Acogido de Animals de Catalunya)

[2] Art. 631.2 of the Criminal Code punishes "anyone that abandons a domestic animal in conditions that could endanger its life or integrity". This penal type requires two elements; on the one hand, the abandonment, and on the other, the endangerment of the life or integrity according to the conditions of animal.

[3] SAP, Segovia, 5.3.2007 ([sentence](#)): 'Therefore, grammatically the abandonment can be understood as much an active viewpoint as that of an omission, the conduct in this case being sufficient to amount to neglect. On the other hand, and regarding its legal definition, even though in the ambit of offences, and given how recent the classification has been, a jurisprudential definition is not found, typical abandonment figures exist and they existed in previous codes as abandonment of a family member or of minors. Ignoring from the differences between people and animals, understood in terms of gravity and criminality, the action of abandonment would be the same. And regarding the abandonment of minors, the doctrine has been reaffirmed in consideration that typical conduct "consists of the realisation of active or omissive conduct that causes a situation of neglect for the minor from a failure to carry out the duties of protection established in the applicable regulation". (STS 4 October 2001 [RJ 2001, 8527]). And this same resolution also describes the concept of neglect, as a normative concept of the criminal type, considering that it refers to the case in which the child is deprived of necessary moral or material assistance that impacts its survival or development. Transferring these concepts to the area of offences that we are currently examining, one must understand that abandonment can occur as much because the animal is found in a state of neglect, as for the direct action of throwing it out, as for the omission of not sheltering it when it is found in a state of neglect, given that the moral and legal obligation of all animal owners is to take care of them and provide them with the assistance necessary for their life and integrity.