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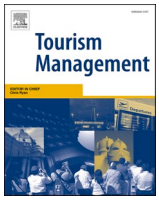

Animal-informed consent: sled dog tours as asymmetric agential events☆

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ABSTRACT

Standing in the way of a stronger voice for animals used in tourism is Cartesian and contractarian thinking on the part of operators and ontologically and epistemically constructed barriers by theorists. This paper pushes the animal ethics agenda forward by developing a novel, first-of-its-kind animal-informed consent framework in tourism under the assumption that sled dogs do, in fact, consent or deny consent through their emotions, preferences, behaviours, and physical state. The Five Domains model of animal welfare focused on the subjective experiences of animals is used to build the framework. The discussion culminates with a discussion on asymmetric agency, which speaks to the lack of balance between human and animal agents working in the same events.

> "I said it in the film and I'll say it now: the industry's an abomination."

1. Introduction

What we *see* in tourism and what we *know* about the nature of tourism operations can be vastly different. Such is the case with dogsled tourism, where tourists interact with seemingly happy dogs eager to run, often for considerable distances, and eager to please. However, evidence indicates that dogsledding operations can exist more as conduits of pleasure and profit at the expense of dogs. The quote from the former volunteer director of the Whistler Sled Dog Co., Sue Eckersley, above, suggests that sled dog tourism cannot be managed ethically because of the appalling conditions in which dogs are worked and kept (Barrett, 2016; see also; Crawford, 2020). The organisation, Humane Mushing (2022), confirms that several operations throughout North America seriously compromise the welfare of dogs. In one case, a province of Quebec operation was found to be using a "plastic storage bin connected to a canister of argon welding gas" to end the lives of puppies (Humane Mushing, 2022; online). Still, the Canadian Coalition for Sled Dogs maintains that the welfare of dogs is of vital importance and that the activity supports Canada's cultural heritage and puts tourism dollars in the hands of local people.

Research on sled dog tourism has intensified over the last few years, with initial studies focusing on the interests of human agents (Benjaminsen & Svarstad, 2008) to state-of-the-art studies on dogs as activists (García-Rosell, 2021) and dog agency (Haanpää, Salmela, García-Rosell, & Äijälä, 2021). However, even as we continue to advance discussions on the use of sled dogs and other animals in tourism, there are still barriers preventing the realisation of an even stronger voice for animals: consent on the part of animals themselves. This type of paradigm change, absent in the literature and practice, has been suppressed through Cartesian and contractarian thinking on the part of operators and through ontologically and epistemically constructed barriers by theorists. In this conceptual paper, I develop an animal-informed consent model under the assumption that animals, like sled dogs, do in fact, offer consent (assent), or denial of consent (dissent), through their emotions, preferences, behaviours, and physical/physiological states. The Five Domains model of animal welfare (Mellor et al., 2020), focused on the subjective experiences of human-animal interactions, is used as the principal mechanism to build a framework on animal-informed consent.

In turning the tables on the issue of consent, I argue that (1) it is we humans who fail to understand animal-expressed indicators, and (2) we ignore these indicators in the pursuit of individual and organisational interests through pleasure and profit. Informed consent in veterinary medicine, often termed informed owner consent, is based on the belief that animals (like young children) cannot sanction that which they fail

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to comprehend. Defined, informed owner consent is "informed consent given to a veterinarian or his/her auxiliary by an animal's owner for the medical and/or surgical assessment and treatment of said animal(s) (College of Veterinarians of Ontario, 2014). The discussion advances by introducing a new theoretical premise in animal-based tourism, termed asymmetrical agency, and associated asymmetrical agential events, which speaks to the lack of symmetry between different agents working in the same operations or events.

2. Literature review

In this section, I present three different themes in setting the stage for developing an animal-informed consent framework. The first section discusses contractarianism, which is viewed as the principal theoretical construct driving sled dog operations. Next, several studies on sled dog tourism are included to situate past and current research on this topic, followed by a brief overview of informed consent and how, more specifically, it is being used in veterinary science as the closest aligning field to the tourism issues discussed in this paper.

2.1. Contractarianism

An assessment of the sled dog industry involves theoretically situating the practice to understand the nature of the relationship more fully between humans and dogs. A range of different animal ethics theories have been discussed in the literature, including animal rights, animal welfare, ecocentrism, ecofeminism, virtue ethics, utilitarianism, and contractarianism (Fennell, 2012). Due to the asymmetrical roles that humans and animals play in providing dogsledding services, with dogs having primarily instrumental, utilitarian value, contractarianism is argued to be the theory that fits best. Contractarianism follows from Hobbesian social contract theory, whereby agreements, political or otherwise, can be made only amongst people judged to be rational, free, equal, and able to accept duties and responsibilities (Ewasiuk, 2016). Such a perspective was adopted by Immanuel Kant (1991), who perpetuated the Cartesian divide between humans and animals in writing that.

Beings whose existence depends not on our will, but nature, have nonetheless, if they are non-rational beings, only a relative value as means and are consequently called things. Rational beings, on the other hand, are called persons because their nature already marks them out as ends in themselves—that is, as something which ought not to be used merely as a means—and consequently imposes to that extent a limit on all arbitrary treatment of them (pp. 90–91).

Rawls (1971) also adopted such an approach in his theory of justice, arguing that only rational and reciprocating beings can understand differences in good and evil and hence formal contracts (see also Garner, 2012; Rowlands, 1997). Because animals possess only relative value in the absence of rationality, or other qualities such as lack of consciousness, sentience, intentionality, and agency, they cannot execute contractual arrangements.

Contractarianism is evident in veterinarian science, where several triadic relationships have been established between the caregiver (veterinarian), the owner of the animal, and the patient (the animal) (Rötzmeier-Keuper et al., 2018). The "Dysfunctional" relationship is most relevant to contractarianism thinking, where owners are detached from their animals under the belief that they can be easily replaced and where service providers are selected based on essential, cost-effective services, with provider recommendations reluctantly adopted. This scenario relates to the work by Connolly and Cullen (2018) on "contractual caring", which is instrumental in origin because it focuses on commodification, value and profit of animals used in agriculture. The argument to follow is that if dogsled operators maintain a contractarianism perspective, i.e., dogs as possessing only instrumental value and easily eliminated and replaced, the industry will continue to be, in the words of Eckersley, above, an abomination.

2.2. Dogsled tourism

Study on the moral issues tied to the use of animals in tourism has advanced considerably in recent years (Winter, 2020), outpacing the older and more general theme of tourism ethics. A move towards animal ethics in tourism is a testament to the need to protect those who, literally and figuratively, cannot speak for themselves. Examples of animals studied in tourism using an ethical lens include wolves (Thomsen, 2021), elephants (Rizzolo & Bradshaw, 2018), tigers (Cohen, 2013), and dingoes (Burns, Macbeth, & Moore, 2011). Dog sled tourism has been a consistent theme in this expanding body of knowledge. Nevertheless, there is still uncertainty about the role and place of dogs in these enterprises. For example, Carr (2014) interviewed sled dog tourism owners and found that they were viewed not as objects or tools but as possessing rights, "while at the same time being regarded as highly valued tools" (p. 78), all the while taking an animal welfarist position on dog management. Consequently, what we say of our dogs and how we treat them can be two different mindsets, as the animal rights movement would not sanction the view that animals are tools—valued or not.

Early studies on sled dog tourism emphasised the anthropocentric focus of operations. A study by Benjaminsen and Svarstad (2008) found considerable conflict in the introduction of dogsledding in Gausdal, Norway, as traditionalists and modernists clashed over land use values. Those opposed to the new practice of dogsledding argued that it threatened environmental values, traditional economic activities (dogs scaring off moose to be hunted by locals), and local people were starting to feel powerless. However, nowhere in the discussion was a question about the dogs' values, interests, and needs. Koikkalainen, Valkonen, and Huilaja (2016) found that guides and tourists often find themselves together in pubs after dogsled safaris, emphasising celebration, bonding, and team building. Moreover, while "drunken sled-dogs" is used as a metaphor in their work, missing from the team bonding exercise are dogs who do the balance of work.

Interspersed between the two studies above was work by Fennell and Sheppard (2011), who switched the narrative away from a focus on people to dogs. These authors conducted a critical investigation of the sled dog cull (Whistler, BC) in post-Olympic games Vancouver based on theories of utilitarianism, animal rights and ecofeminism. While the British Columbia government moved swiftly to improve animal cruelty legislation, Fennell and Sheppard (2011) argue that it is unclear whether guidelines would improve the lives of dogs used in this industry. A 2016 documentary film by Fern Levitt entitled *Sled Dogs* (https://www.youtube.com/watch?v=uDALaa3mADE) confirmed Fennell and Sheppard's suspicions of an industry bent on profit and pleasure at the expense of dogs.

The Whistler disaster prompted agencies in British Columbia to advance welfare policies on how sled dogs should be used and treated in this industry. An organisation at the heart of these issues for over a decade is British Columbia's SPCA, which argues that sled dog tourism is only justifiable and acceptable if the following conditions have been secured (BCSPCA, 2017):

- The work does not cause the dog to experience levels of psychological distress that diminish welfare.
- The work does not result in continuing injuries.
- Dogs have an appropriate coat type, body size and temperament for the activity and physical environment they are working in.
- Dogs receive sufficient rest from the work.
- Housing and transport do not compromise welfare.
- The work does not inflict injury or suffering on another animal for the purpose of recreation, sport, or entertainment.
- There are suitable plans in place considering the individual needs of the animal for surplus dogs, dogs that do not meet breeding standards and dogs retired from the work.

A consistent theme in early studies on sled dog tourism is that they

occupy a liminal state somewhere between wild and domesticated animals because of their role in wilderness and adventure activities (Granås, 2018; see also; Amador Fanaro, 2020). De Vos (2013) has explored the Greenland husky status and argued that dogs have far less status than hunters and even less than hunted wild animals. De Vos observed that these dogs are rarely celebrated, and their deaths are concealed and forgotten. Despite having played a vital role in shaping the cultures and environments of northern regions, like Greenland, they are viewed simply as property and transportation and never "free from exploitation, domination and control" (Amador Fanaro, 2020, p. 11).

Scholars have also explored the profound embodied experiences derived from corporeal movements as a result of interaction with other bodies (dog-dog, dog-tourist, tourist-tourist, guide-dog, guide-tourist), human products (clothes, sleds, kennels), and natural features of the environment such as ice, snow, and weather (Haanpää & García-Rosell, 2019; see also; Äijälä, 2019; Bertella, 2014). Knowing across species or knowing-with (Brown & Dilley, 2012) necessitates different embodied experiences that lead to more responsible practices, which may in turn lead to the recognition of the agency of dogs through more freedom in the collaborative process (Äijälä, 2019).

These embodied relationships have led scholars to investigate the co-creation of tourism experiences between sled dogs and tourists. For example, Fesenko and García-Rosell (2019) argue that tourists and operators should be aware of different sounds of dogs (barking or howling) at various stages of the safari in comparison to those of the kennel or holding facility. The sheer number of dogs in the latter makes for an intense soundscape. Studies have also explored the dimensions of active leadership in sled dogs. Knowing when to transfer leadership over to dogs is a function of getting to know individual animals and their capabilities and when, in demanding situations, for the handler to regain control (Hoarau-Heemstra & Nazarova, 2021).

Scholars continue to advocate on behalf of sled dogs by investigating how dog sled kennels have become agents of corporate activism and how dogs have become activists themselves (García-Rosell, 2021). The intersection of sled dog tourism and dogs as research subjects was the focus of research by Äijälä (2021), who queried whether the dogs themselves consented to have dog-cams fixed to their collars as participants in a research project. In a companion study, Haanpää et al. (2021) acknowledge that "Animals are involved in tourism activities without their informed consent" (p. 105) because they lack the freedom to choose in the same manner as humans. They further add that animals communicate and express their agency to others through their movement and behaviours (see also Haraway, 2008). Animals have agency and have life experiences which indicate that they are not simply passive instrumental objects but have an impact on tourism practices through their actions and reactions (Notzke, 2019).

2.3. Informed consent

Entrenched in the use of animals for research, experimentation (and tourism) is the universal standard of doing so without their consent. In the case of research and experimentation, there is the taking of animal lives, or serious compromise of these lives, aggressively, violently, and intentionally to save human lives (Simmons, 2016). The following discussion provides context around informed consent using research/-experimentation and veterinary medicine examples. Such is used to build a case for animal-informed consent in dogsledding in the section to follow.

Two significant declarations have been developed to protect human subjects in research. The Belmont Report (the National Commission for the Protection of Human Subjects of Biomedical and Behavioural Research) underscores respect for autonomy, beneficence and justice and how vulnerable subjects and populations should be protected. The World Medical Association Declaration of Helsinki – Ethical Principles for Medical Research Involving Human Subjects (World Medical Association, 2018) also discusses principles of informed consent. Critical aspects of the declaration include (1) who can provide consent, (2) the voluntary nature of consent, i.e., it must be freely given, (3) key information on procedures, (4) refusal to participate, (5) and the benefits, costs, and outcomes of participation. However, as observed by Ferdowsian et al. (2020; see also Robinson, 2019), no such declaration has been developed for animals used in research because "Human-animal interactions, and crudeness of our understanding of animals, are unlikely to permit meaningful informed consent" (p. 24).

The animal experimentation industry is trapped in the preceding situation because the law is not concerned about the ability of animals to consent to experiments, which means their interests are overridden in favour of the interests of humans, even though they have been proven to suffer (Thomas, 2005). Thomas contends that such a disequilibrium equates to two different ethical positions. In the case of non-consensual experiments on people, a deontological perspective is adopted on duty and rights because experimenting on people is wrong no matter the outcome. In contrast, a utilitarian perspective is adopted for animal experimentation because other beings get to benefit from these procedures. In the balance between costs and benefits, the greatest good for the greatest number outweighs the pain and misery of the individual when it comes to animals, even though human experimental subjects would make far better models in attending to our ailments, according to Thomas (2005). A utilitarian argument has also been used in veterinary medicine because, as noted by Fettman and Rollin (2002), historically, informed consent in agriculture was pragmatic and premised on preserving the owner's economic interests, not the interests of the animal. Therefore, costs and benefits are calculated based on the investment in animals as business assets.

The College of Veterinarians of Ontario (2014), under Ontario Regulation 1093, defines informed consent as "an approval process whereby a person gives his/her permission for an action taken by others based upon an appreciation and understanding of the need, risks, benefits, and consequences of that action" (College of Veterinarians of Ontario, 2014). Informed *owner* consent is defined as "informed consent given to a veterinarian or his/her auxiliary by an animal's owner for the medical and/or surgical assessment and treatment of said animal(s) (College of Veterinarians of Ontario, 2014). Appendix 1 provides a model of informed consent and owner informed consent used by the veterinarian profession.

Gray (2020) indicates that informed consent is under-represented in veterinary science and practice, despite it being an ethical requirement in the veterinarian, client (pet owner) and patient (pet) relationship. Clients provide consent on behalf of their pets, i.e., animals are the property of humans (Upjohn & Wells, 2016), who cannot provide consent for themselves. In her study of veterinarian practices in the UK, Gray (2020) found that although consent was often provided to clients, informed consent was routinely missing on options, risks, and benefits, suggesting that the protection of the pet and client was questionable. Consequently, ethical pressure points emerge when there exists a tension between factual uncertainty, the obligations of the veterinarian to administer the correct standard of care, and the right of owners to make choices on behalf of their animals, as legal property, because of financial costs and emotional attachment (Ashall, Millar, & Hobson-West, 2018). The result is that veterinary science is currently modifying informed consent practices to move away from a model of risk management toward one where veterinarians become animal advocates as the legal status of animals hangs in the balance (Ashall et al., 2018).

The legal and moral status of animals has advanced through recent discussions on personhood status and stakeholder theory, i.e., animals as stakeholders. Personhood, or status of conscious, self-reflective, and emotional (Dvorsky, 2017), is not simply the domain of human beings but also of specific taxa of animals. The most prominent example involving animals is the Great Ape Project, where chimpanzees, orangutans, gorillas, and bonobos have been granted life, liberty, and the prohibition of torture (Cavalieri & Singer, 1993; Cavalieri, 2015). However, it is not simply great apes that have been considered for

personhood, but also dolphins. For example, India's Ministry of the Environment and Forests issued the following statement:

Whereas cetaceans in general are highly intelligent and sensitive, and various scientists who have researched dolphin behavior have suggested that the unusually high intelligence; as compared to other animals means that dolphins should be seen as 'non-human persons' and as such should have their own specific rights and is morally unacceptable to keep them captive for entertainment purpose.

Many took this as confirmation that dolphins were extended legal personhood, but the statement above suggests that dolphins should be seen as having rights rather than actually possessing these rights (Dvorsky, 2013; Ferdowsian et al., 2020). Rowlands (2016) advances the discussion on personhood status by addressing the critical element of self-awareness, i.e., the argument that animals are not self-aware. Rowlands reconfigures self-awareness to include pre-reflective awareness, which involves a being who can be aware of oneself as a subject of an experience in a unified manner. Thus.

When a creature has a memory with the content this is familiar, that creature is pre-reflectively aware of itself in virtue of the fact that this content, when plugged into an appropriate context … would guarantee that the creature also has a memory with the content … (p. 11).

The decision to grant personhood status has also been extended to rivers in New Zealand and India (Dvorsky, 2017) and Quebec, Canada's Magpie River, which now has legal rights against the building of dams other commercial developments (Lowrie, 2021). So, the logical next-step question is that if rivers can gain legal status, why is it still contentious to include higher functioning animals?

Of less moral and legal weight is the discussion on animals as stakeholders. Kenehan (2019) defines stakeholders as groups "who are vital to the survival and success of the firm" (Evan & Freeman, 1988, p. 58) or who are "definitional to the firm" (Freeman, Jones, & Wicks, 2002, p. 31). While stakeholders in the organisational context are usually thought of as customers, suppliers, financiers, employees, and local people, it is not a stretch to view animals used in research and experimentation in the same capacity as they are essential in bringing products to market (Kenehan, 2019). Fennell (2014) and Sheppard and Fennell (2019) argue that animals should be considered stakeholders in tourism to ensure their interests are being recognised and protected from abuse, a perspective adopted by García-Rosell and Tallberg (2021). Using the perspective outlined by Kenehan (2019), there is reason to consider sled dogs as vital or definitional to the survival of the dogsledding firm.

Conventional thought on the status of animals used in research has recently advanced through new lines of thought on animal agency, self-determination, and consent. Martin (2022) argues that animals such as apes, dolphins and elephants can express their willingness to freely pursue their interests (assent) or through disapproval and resistance as dissent as demonstrations of agency. On Healey and Pepper's (2021) account, "wilful affirmation requires *observable behavior* that gives us reason to believe that an individual *desires, prefers, or chooses* the option or state of affairs" (p. 1234). Dissent from Healey and Pepper's (2021) perspective includes active resistance, physical struggle against something or someone, hiding, avoidance, and refusal to participate, in short, "a refusal to affirm some invitation, activity, or state of affairs (p. 1236).

Another manner in which to understand agency, self-determination and consent in animals is through what Blattner (2020), following Greenhough and Roe (2011) in the context of biomedical science, is the concept of embodied consent. Greenhough and Roe (2011) argue that the body is relational, situated and affectual which allows animals to express their preferences in more than just verbal ways. Examples include facial expressions, the release of hormones, and by showing, for example, fear, anxiety, hesitancy, and mistrust. What is required, however, is the human capacity to both interpret animal preferences as well as standards that are designed to protect animals from their own subjective will, which might otherwise threaten their wellbeing (Blattner, 2020). Such an approach allows us to "shift the question from 'Can animals sign and understand contracts?' to 'Under what conditions do animals consent in lived relationships with one another, and can we develop a similar model for human-animal relationships?'" (Blattner, 2020, p. 103).

3. Animal-informed consent

The Five Domains model of animal welfare is a widely accepted standard for assessing the well-being of animal use because it considers not only the cognitive and physiological needs of animals but also affective states, i.e., their subjective experiences (Mellor, 2017; Mellor et al., 2020). The model includes (1) nutritional conditions and their associated affects that lead to an optimal body condition score; (2) physical environmental conditions and affects (fresh air, good ventilation, and shelter protecting from adverse conditions); (3) health conditions and affects (hygiene, diseases, wounds, malnutrition and obesity, and access to veterinarian and health facilities); and (4) behavioural interactions (with the environment, with other animals, and with humans). The amalgamation of these four domains leads to an assessment of mental state, the fifth domain gauging an animal's overall welfare (Mellor, 2017, 2020). As such, when conditions lead to negative affects, they compromise the welfare of animals, while positive subjective experiences lead to enhanced welfare (See Supplementary Tables 1-4, based on the work off Mellor et al., 2017; 2020).

In the triad arrangement between patient (animal), owner and health care provider, the latter provides the requisite clinical information to make an informed decision on behalf of the animal, i.e., the owner speaks on behalf of the patient (the animal). Animal-informed consent alters this traditional model of care by allowing the animal to have a voice in representing its own needs. Cognitive, emotional, physiological, and behavioural responses to the indicators identified in the work of Mellor et al. (2020) provide the appropriate mechanism to "hear this voice", and "see" through the embodied consent model developed by Blattner (2020). Animal-informed consent, therefore, situates the animal as the primary agent responsible for speaking on its own behalf, and it behoves other stakeholders (i.e., service providers, veterinarians (possibly), tourists, and local people) to be able to recognise these indicators, which demands a higher level of animal welfare literacy (Fennell, in press). Such a position considers animal preferences, interests and vulnerabilities based on respect for autonomy, principles of beneficence and justice (Ferdowsian et al., 2020; Robinson, 2019).

Mellor et al. (2020) provide an example of how to grade the negative affective impacts of human-animal interactions based on five categories ranging from no negative affective impact to very severe. Main human-animal interaction categories include wildlife handling control, livestock handling/control, aversive training of companion animals, pushing animals to their physiological/physical limits, denying animals the expression of natural behaviours, and a strong human-animal bond. The fourth category, pushing animals to their physiological/physical limits, is germane to the practice of dogsled tourism. Table 1 illustrates the range of negative affective impacts for performance animals like sled dogs.

I use the general format of Table 1 and the categories of negative affective impact to expand upon the idea of animal-informed consent as it applies to the many indicators identified in Supplementary Tables 1-4, i.e., nutrition, physical environment conditions, health conditions, and behavioural interactions with the environment, other animals and humans. Table 2, the Animal-informed consent continuum, illustrates this information which adapts some examples of the many indicators from Mellor et al. (2020) to indicate how active animal-informed consent (extremely positive and moderately positive affective impact), passive animal-informed consent (negligibly positive and negligibly negative affective impact), and no animal-informed consent (moderately negative and severely negative affective impacts) correspond to these indicators.

Within the welfare indicator category of nutrition, Table 2 illustrates that active animal-informed consent would be indicated for sled dogs if

Table 1
Human-animal interactions for performance animals.

Nature of human-animal interaction	Lower		Negative Affective Impact		Higher
	A: None	B: Low	C: Mild to Moderate	D: Marked to Severe	E: Very Severe
Pushing performance animals to their physiological-physical limits: e.g., using persistent unassisted urging, whips, spurs and/or drugs	Animals compliant; briefly exercised below maximum levels using unassisted urging; little fatigue; rapid return to resting state.	Animal compliant; briefly exercised at maximum using persistent unassisted urging; some fatigue; return to resting state somewhat delayed.	Animals are non-compliant due to persistent use of contradictory aversive stimuli; escalation of injurious force; the slow decline of pain and fear to resting levels; markedly fatigued; delayed recovery to resting state.		Brutal methods lead to extreme withdrawal; panic, terror; pain from injury; bone fractures when fatigued animals misstep; very slow recovery or euthanasia.

Source: Mellor et al. (2020).

they receive optimal amounts and varieties of high-quality food for enjoyment and performance. Passive animal-informed consent would be granted if provided with adequate amounts of food and varieties of moderate quality. In contrast, dogs would not consent if given inadequate amounts of food of restricted variety and inferior quality. If dogs demonstrate a reluctance to engage in performance, it may be a symptom of food amount and quality deprivation. Regarding physical environmental conditions, if dogs are provided with the optimal amount of shelter, shade, and thermal regulation, they may be better prepared to work (active animal-informed consent), whilst dogs forced to live in conditions that are consistently cold, damp or too hot, may not consent to work.

Similarly, healthy dogs that are fit may consent enthusiastically to work, whilst dogs that are in poor physical condition with, for example, rhabdomyolysis based on too much exercise leading to a breakdown of muscle tissue and other ailments (Wells et al., 2009), would not consent to work. Dogs with periodic physiological and psychological breakdowns and exhaustion may passively give consent. Finally, in reference to behavioural interactions with humans, Table 2 shows that human handlers who are well trained and skilled with dogs and who use several different strategies based on kindness and compassion will induce active consent from dogs. Conversely, the opposite is true with unskilled handlers who use punitive measures that induce fear and pain. Research indicates that novelty is essential in building bonds between humans and dogs. Holmberg (2019) argues that intimacy between dog and human can be built in the regular rhythms of the day around the household (eating, sleeping, walking); however, it is through "arrhythmia" that these routines are broken through interactions with novel places that intimacy advances. Berlant (2012, p. 18) called these "intensified zones of attachment" based on the disruption of everyday mundane activities at the core of movement in space and place.

Informed consent for human agents typically involves only two options: consent given or denied (assent is obtained for minors and adults unable to give consent). Table 2 indicates some functional free space for dogsled operators to work within an expanded model. An extra category on passive animal-informed consent is included for uses that need to be monitored by operators depending on the psychological, emotional, and physical conditions of the animals in this category. Therefore, dogs may be used sparingly over a restricted timeline (e.g., a 1-h tour instead of a 3-h tour) or not at all as they rest and recover.

It is also accepted that a qualitative-informed assessment of an animal's state will typically be used to determine consent or not. Owners of working animals often state that they are the ones who truly "know" their animals. If such is the case, it would not be difficult for owners to assess the condition of their animals and to judge whether they should be able to work. As for the indicators identified in this study, I argue that proficiency in working with these indicators will evolve for operators and other stakeholders involved in the experience. Literate tourists should be able to discern the health and wellbeing of the dogs through proper channels of education in building a more responsible tourism industry from supply and demand perspectives (Fennell, in press), and they should make their concerns known to operators (Moorhouse, Dahlsjö, Baker, D'Cruze, & Macdonald, 2015). In the end, a principle of "do no harm" should guide decision making around the use of animals in sled dog operations and all other uses of animals in tourism.

4. Discussion

Earlier in this study, I identified contractarianism as the central theoretical premise behind the current operation of many sled dog companies. The proposed model of animal-informed consent is hinged upon a much different set of principles that suggest an entirely different ontology, one that places the interests and preferences of sled dogs on a higher plane. A theoretical premise that holds potential in elevating the interests of sled dogs is advanced by Ellis (2015) on social humanism (social idealism), bracketed by political philosophy and moral philosophy. Political philosophy espouses the development of a welfare state with structured agreements between global contractors regarding social and moral issues. Moral philosophy is vital for developing human rights charters that have the potential to move in the direction of universal acceptance. Social idealism, Ellis writes, requires ideals of character and society, and it is the only "theory that is compatible with (a) a scientific view of the nature of reality, and (b) is geared to the construction of a moral theory that aims to improve the life of all" (p. 255). There is compatibility in Ellis's work on promoting a kind of good that is both "whole-of-life" and "whole-of-society". Suppose good people are definable on how compassionate they are to human beings and other sentient beings (including honesty, social equity, and welfare). In that case, a good society can emerge with citizens who embrace these characteristics, allowing all beings who suffer and experience pain to flourish later (see also Pieper, 1955 on community justice). There are two aspects from Ellis (2015) that demand more context for tourism and the sled dog industry: virtuous entities and the ability to flourish.

First, Ellis's (2015) views on social humanism involve virtuous individuals and virtuous societies. While we might view the latter in the global context, that would be ideal; this does not preclude the development of virtuous societies in industry sectors within the tourism domain. What is suggested here is the development of normative welfare principles in the dog sled industry that would have regional, national, and international significance through self-regulation. Operations that "cheat" the principles and standards that define self-regulatory systems would be subject to punitive measures such as removal from an organisation, e.g., in the same manner as the International Association of Antarctica Tour Operators (IAATO, 2022). As proposed here, part of the development of this evolving set of principles includes animal-informed consent.

Second, Beaudry (2019) argues that allowing animals (and trees) to flourish suggests that we do everything as moral agents to ensure they

Table 2
Animal informed consent continuum.

Welfare Indicators	Affective Impact Better Worse					
	A: Extremely Positive	B: Moderately Positive	C: Negligibly Positive	D: Negligibly Negative	E: Moderately Negative	F: Severely Negative
	Active Animal Informed Consent (Assent)		Passive Animal Informed Consent		No Animal Informed Consent (Dissent)	
Nutrition	Optimal quality and amount of water for the amount of performance demanded. Optimal amounts and varieties of food of high quality for performance and enjoyment.		Infrequent water deprivation of moderate good quality, with some excessive water intake. Adequate amounts of food and varieties of moderate quality		Periodic water deprivation of poor-quality to consistent water deprivation of poor-quality Inadequate amount of food, restricted variety, and of poor quality.	
Physical environmental conditions	Shelter: The optimal number of dogs inhabiting enough space on substrate that is properly maintained leading to no physical ailments. Performance: Substrate that is suitable for the physiology of dogs leading to no musculoskeletal impairments. Thermal extremes: Dogs provided with the optimal amount of shelter and shade for thermal regulation Physical limits on rest and sleep: Dogs never overworked and always allowed to obtain enough sleep and rest for optimal quality of life.		Shelter: Marginally too many dogs inhabiting a small space on substrate that is periodically soiled and wet and which in rare occasions contributes to some physical ailments. Performance: Substrate that is in some places unsuitable for the physiology of dogs leading to rare musculoskeletal impairments. Thermal extremes: Dogs forced to live in conditions that are periodically cold, damp or too hot. Physical limits on rest and sleep: Dogs periodically overworked but allowed to obtain enough sleep and rest leading.		Shelter: Too many dogs inhabiting a small space on substrate that is regularly soiled and wet and which contributes to physical ailments Performance: Substrate that is unsuitable for the physiology of dogs leading to severe musculoskeletal impairments. Thermal extremes: Dogs forced to live in conditions that are consistently cold, damp or too hot. Physical limits on rest and sleep: Dogs overworked and rarely allowed to obtain enough sleep and rest leading to exhaustion.	
Health conditions	Injury: Dogs have very few acute and chronic injuries that are attended to immediately by proper health care workers. Dogs are in good health with functional capacity. Optimal nutrition leads to comfort of good health and functional capacity. Good fitness: Vitality of fitness and pleasurable vigorous exercise		Injury: Dogs have sporadic acute and chronic injuries with periodic attention from proper health care workers. Leanness: Minor physical and metabolic consequences from a periodic lack of food, and food quality, leading to a slight reduction in performance and quality of life. Periodic physiological and psychological breakdown from too much exercise leading to occasional exhaustion.		Injury: Dogs have a range of acute and chronic injuries from neglect, and these are not attended to by the proper health care workers. Leanness: Physical and metabolic consequences from a consistent lack of food, and food quality, leading to a major reduction in performance and quality of life.Poor physical fitness, muscle de-conditioning or the Rhabdomyolysis effect: Too much exercise contributing to the breakdown of skeletal muscle tissue or other physiological and psychological ailments, leading to exhaustion and weakness.	
Behavioural interactions—environment Behavioural interactions—other animals behavioural interactions—humans	Large group enclosure setting matched with periodic walking outside of enclosure and work time to activate the senses of dogs (e.g., sense of smell) and to mark in different ways. Males and females separated. Ability to make choices and to move which contribute to calmness, control, and engagement in activities of choice outside of work time. Regular bonding/reaffirming bonds with regular play that leads to affectionate sociability, group/rewards, excitation, and playfulness. Dominance hierarchies allowed to unfold. Periodic walking allows for time away from the pack to explore. Experienced, well-trained handlers that are kind, patient, and empathetic, who use calm and encouraging voices lead to calmness, alertness, compliance in dogs who		Dog agency impeded less by being kept in a large group enclosure with separate personal cages with less boredom, helplessness, depression and withdrawal because of direct social interaction with conspecifics (males and females separated). More choices promoted in a group enclosure setting but still restrictions on environment-focussed activities (inability to mark or survey territory) leading to anger, frustration. Regular bonding/reaffirming bonds with regular play that leads to affectionate sociability, group/rewards, excitation, and playfulness. Dominance hierarchies		Dog agency is significantly impeded by being kept in an invariant, barren, confined environment (chained to separate, isolated dog kennel for most of the day) leading to boredom, helplessness, depression and withdrawal. Choices always restricted including constraints on environment-focussed activities (inability to mark or explore territory) leading to anger, frustration. Animal-to-animal interactive activity constrained by chaining to separate, isolated kennels leading to loneliness, depression, yearning for company, thwarted desire to play. Inexperienced poorly trained handlers that are domineering, callous and cruel, and who use voices that are angry and loud, leads to cowering, appeasing, withdrawal, non-compliance, tail	

(*continued on next page*)

Table 2 (*continued*)

Welfare Indicators	Affective Impact Better Worse					
	A: Extremely Positive	B: Moderately Positive	C: Negligibly Positive	D: Negligibly Negative	E: Moderately Negative	F: Severely Negative
	Active Animal Informed Consent (Assent)		Passive Animal Informed Consent		No Animal Informed Consent (Dissent)	
	seek contact and bonds with humans. Handling interactions are based on skill and a gently approach (stroke, touch, push, guide).		allowed to unfold A mix of experienced and inexperienced handlers that provide a mix of positive and negative approaches will lead to confusion and varied compliance		pinned under body, ears out to the side. Handling interactions that are erratic, rough (slap, hit, kick, grab, poke, beat, whip); excessively punitive, with excessive pressure leads to anxiety, fear, panic, terror, insecurity, confusion, uncertainty, and pain from injuries.	

Adapted from Mellor et al. (2020) using examples of welfare indicators based on the Five Domains model.

have the best life possible because they are living beings. Importantly, Beaudry notes that it is impossible to know what they require to live a good life, which provides a fundamental problem—a perspective that has been given moral weight by Nagel (1974). Our ignorance has consistently got us off the moral hook, Beaudry claims, but we should still endeavour to find solutions and answers to this ignorance. We have a moral duty, therefore, that goes well beyond pain and suffering (see Fennell & Thomsen, 2021) towards acceptable levels of care and consideration if we are to attain an allusive "responsibility" in tourism because pain and suffering are still obvious entrenchments in the dog-sledding industry even though we are immersed in pro-non-human animal attitudes and beliefs in society (Fennell & Sheppard, 2011).

Beaudry's (2019) reference to ignorance holds significant weight for the treatment of animals in the tourism industry. Even though ignorance gets us off the moral hook, there are cases where we act akratically because we can recognise the differences between what is morally right and wrong. Fennell (2015) argued that even though we know the right thing to do whilst on vacation (he used the example of purchasing endangered animal souvenirs), we still opt for what is morally wrong because we succumb to our selfish desires—we express a weakness of will. Dog sledding is a part of our past and representative of culture and the close relationship with companion animals through time. We romanticise how past cultures lived and the ability to live off the land through uses that we would, and could, never dream of employing in the present day. However, for a moment in time, we capture the beauty of the experience at the confluence of nature, dogs, guides, northern regions, other tourists in an embodied experience that actuates our senses while at the same time suppressing our moral governance. I argue here, in line with Blattner (2020), that embodiment is not just of the domain of humans, but of animals as well through fear, anxiety, hormone release, and mistrust and dislike when it comes to understanding consent.

We might also contextualise the poor treatment of sled dogs according to their lower status (Amador Fanaro, 2020) as workers instead of companions, even though they are "ours" for only an hour, a half-day, or a day. Dolgert (2012) argues that animals were routinely sacrificed in Greek society because they could not challenge their ill-treatment (and death). This inability for animal victims to be avenged, or invengeance, according to Dolgert (2012), means that they can be used in all manner of horrific ways in the absence of guilt and legitimised by a sacrificial economy that is deeply embedded as a political and cultural practice (Derrida, 1991; see Fennell, 2021 on the link between invengeance and suffering for animals used in tourism). However, if sled dogs are considered employees of an organisation, they must indeed be viewed as stakeholders in the manner described by Kenehan (2019). While personhood status is mired in moral, legal, and operational quandaries, organisational theory opens the door to view sled dogs as stakeholders because of their vital role in the firm's success, not unlike suppliers and customers. Allowing dogs to choose, and affording them care, changes the narrative of who and how to bond with in the event (Koikkalainen et al., 2016), which in turn unlocks ways to truly get to know these animals (Äijälä, 2019) so that we are open to how it communicates its agency and state of wellbeing to us (Haanpää et al., 2021).

The overriding problem is the nature of one-off touristic experiences that define events like sled dog tours and other animal encounters. These events are often once-in-a-lifetime experiences for tourists to be maximised at any cost. Dogs, however, must repetitively endure these events daily, weekly, monthly, and seasonally—a factor discussed by Koikkalainen et al. (2016) about the obligations and stresses of dogsledding guides. Therefore, tourists and dogs are both at different ends of the spectrum. This phenomenon may be referred to as asymmetric agency or asymmetric agentialism (see also Srinivasan's, 2014, work on agential subjectification, biopower, and the politics of conservation). Defined, asymmetric agency is based on contractarianist, Cartesian, and traditional animal welfare thinking that suppresses the agency of non-human animal workers used in tourism enterprises in efforts to enhance tourist pleasure and tourism operator profit. Suppressive mechanisms include little to no status of animals, disregrad for time and energy demands placed on animals, and the unwillingess to know the conditions in which animals either assent or dissent to their use as tourism industry resources. Unethical dogsledding firms that exist as abominations in the manner explained at the paper's outset are referred to as asymmetric agential events, despite the fact that sled dogs as stakeholders (see Fennell, 2014, and Sheppard & Fennell, 2019 for a discussion of animals as stakeholders) are central to the sled dog firm's success in the manner described by Kenehan (2019). If we are interested in building interspecies solidarity by providing jobs that are both good for people and good for animals (Coulter, 2016), like sled dogs, an expanded circle of morality is needed imminently to better balance the needs of dogs against outmoded thinking.

5. Conclusion

The love of a dog for his master is notorious; in the agony of his death, he has been known to caress his master, and every one has heard of the dog suffering under vivisection, who licked the hand of the operator; this man, unless he had a heart of stone, must have felt remorse to the last hour of his life (Darwin, 1872, p. 39).

Such is the devotion that dogs have to humans, honed over millennia. However, there are practices, like sled dog tourism, where our relationship with our "best friends" has become asymmetrical. Keeping and working dogs in deplorable ways does nothing to elevate humans as virtuous beings and perpetuate the status quo of relegating dogs to tools or devices for profit and pleasure. However, as observed by Jonathan Swift, "Every dog must have his [and her] day". The recent flurry of research activity on tourism and animal ethics is a testament to the need to provide a voice for those who have not been heard. I argue that sled dogs and other animals do in fact speak for themselves through their emotions, preferences, behaviours, and physical state, and we have

simply avoided their "voices" because of ignorance and self-interest. In hearing other species in tourism, and other enterprises involving animals, we recognise that, as observed by Notzke (2019), that animals have experiences, indeed this is a chief operational precept adopted by Mellor et al. (2020), and they impact out tourism enterprises through their actions and reactions suggestive of the fact that they regularly express agency (see Haanpää et al. (2021).

The cautious way to proceed for animals used in tourism, as observed by Ferdowsian et al. (2020) in the context of animals as tools in research, is "if animals cannot consent or assent, almost no form of known harm—particularly serious harm—is acceptable" (p. 31). Whether the tourism industry is prepared to embark upon a trajectory of non-use, at least in the near future, is a moot point. A precautionary approach as an intermediary position is a more realistic option, with animal-informed consent providing guidance. Even rudimentary assessments of animals' behavioural, emotional, and physical states now can, in turn, evolve into a long-term understanding of the suitability of animals for use in several disparate activities and attractions. The chief limitation of this conceptual paper is the absence of empirical data. As such, intensive studies should commence on the indicators and cues that would signpost animal-informed consent for major species and taxa used as attractions in tourism. For sled dog tourism, qualitative research could initially be employed through interviews or focus groups methods, involving one or more sled dog operators, in gauging the operational value of the proposed model. Additionally, research should commence on asymmetric agency and associated asymmetric agential events to open the door to better ways to interact with animals for genuinely responsible and sustainable tourism.

Impact statement

This paper pushes the animal ethics agenda forward in tourism, and other animal-use contexts, by developing a novel, first-of-its-kind animal-informed consent framework based on sled dog emotions, behaviours, and physical state. The Five Domains model of animal welfare focused on the subjective experiences of animals is used to build the framework. The discussion culminates with a discussion on asymmetric agency, which speaks to the lack of balance between human and animal agents working in the same events.

Credit author statement

As the sole author, David Fennell is responsible for 100% of the paper.

Appendix 1Consent for Client-Owned Animals

Informed Consent is an integral and essential component of clinical research on client-owned pets.

Basic elements of informed consent

In seeking informed consent, the following information shall be provided to each owner:

1. A statement that the study involves research, an explanation of the purposes of the research and the expected duration of the owner/patient's participation, a description of the procedures to be followed, and identification of any procedures which are experimental.
2. A description of any reasonably foreseeable risks or discomforts to the patient.
3. A description of any benefits to the patient or to others which may reasonably be expected from the research.
4. A disclosure of appropriate alternative procedures or courses of treatment, if any, that might be advantageous to the patient.
5. For research involving more than minimal risk, an explanation as to whether any compensation and an explanation as to whether any medical treatments are available if injury occurs and, if so, what they consist of, or where further information may be obtained.
6. An explanation of whom to contact for answers to pertinent questions about the research and owner/patient's rights, and whom to contact in the event of a research-related injury to the patient.
7. A statement that participation is voluntary, that refusal to participate will involve no penalty or loss of benefits to which patient is otherwise entitled, and that the owner may discontinue participation at any time without penalty or loss of benefits to which the owner/patient is otherwise entitled.

Additional elements of informed consent

When appropriate, one or more of the following elements of information shall also be provided to each owner:

1. A statement that the particular treatment or procedure may involve risks to the patient which are currently unforeseeable.
2. Anticipated circumstances under which the owner/patient's participation may be terminated by the investigator without regard to the owner's consent.
3. Any additional costs to the owner that may result from participation in the research.
4. The consequences of an owner's decision to withdraw from the research and procedures for orderly termination of participation by the owner/patient.

Source: Michigan State University (2022)

Appendix A. Supplementary data

Supplementary data to this article can be found online at https://doi.org/10.1016/j.tourman.2022.104584.

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