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Another legacy for Canada's 2010 Olympic and Paralympic Winter Games: applying an ethical lens to the post-games' sled dog cull

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In the spring of 2010, approximately two months after the conclusion of the 2010 Olympic and Paralympic Winter Games (Winter Olympics) held in British Columbia, Canada, approximately 100 sled dogs were culled in what the media quickly dubbed a 'massacre'. A sled dog tour company had overestimated the tourism draw and demand of the Winter Olympics and was consequently 'over-stocked' with sled dogs. This paper takes a case study approach to examine the sled dog culling through the ethical lenses of utilitarianism, rights and ecofeminist theory. The application of these three perspectives provides evidence that the behaviour of both the sled dog tour company and the employee who carried out the killings was morally wrong. The implications of this case study are far reaching; the tourism industry can no longer afford to ignore the ethical elements that relate to the industry's use and, frequently, abuse of non-human animals. The recent interest by tourism scholars in the ethical aspects of the industry's use of non-human animals is timely. This under-researched topic of study will benefit from more scholarly interest and study, particularly as it relates to the effectiveness of codes of ethics and conduct, corporate social responsibility programmes, and the practicality and value of incorporating ethical education and training into these various programmes.

Keywords: ethics; utilitarianism theory; rights theory; ecofeminist theory; nature-based tourism; sled dogs; Olympics; British Columbia

Introduction

Since the beginning of humanity, human animals have had a complex, oppressive and frequently cruel and exploitative relationship with our fellow non-human animals. Our relationship with non-human animals has been well documented through time, from their depictions in Palaeolithic cave drawings, to their use in the ancient Roman Empire's Coliseum, and from their use in everything from medical research, to their display in menageries, zoos and circuses. Non-human animals on display have attracted the human gaze for centuries and, indeed, travel and tourism opportunities and ventures developed over time related to everything from our fear to our fascination with non-human animals. The tourism industry has managed to put non-human animals to work in a variety of creative and frequently exploitive ways and, in some examples, non-human animals have become

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the destination in and of themselves (Cohen, 2009). Today, countless tourism-related businesses across the globe make use of non-human animals for the sustenance, transportation, interest, education and amusement of their guests.

Our fascination with the non-human animal–human animal relationship has drawn numerous researchers to this field of study, including animal ethicists. While animal ethics, welfare and rights, as a general topic, have been well studied by researchers, these subject areas, as they relate to tourism, have not been topics that have received in depth or sustained attention from tourism scholars (Fennell, 2008, 2011; Fennell & Nowaczek, 2010; Hall & Brown, 1998; Nowaczek, 2009; Nowaczek & Smale, 2009). One merely has to scan O'Donnell's (2008) extended bibliography on animals, ethics, rights and law and its 500 entries to discern the lack of research related to tourism, ethics and non-human animals. This is a surprising discovery, particularly in light of the fact that much of the tourism industry is either focused on interacting with animals or displaying them for our 'education' and amusement. Fortunately, a number of tourism scholars have recently begun exploring non-human animal–human animal relationships from a tourism perspective. Cohen (2009) attributes this growing interest to the increasing popularity of wildlife tourism.

The number of tourists seeking interactions with wildlife in their natural environment is growing (Reynolds & Braithwaite, 1999; Roger, Moore, & Newsome, 2007), as is the number of tourists seeking commercialised recreational experiences (Buckley, 2006). Our desire to escape the workplace environment leads us to seek natural environment experiences that often include interactions with wildlife (Buckley, 2000; Roger et al., 2007). Increasing demand by tourists for interactions with nature and wildlife is putting mounting pressure on the wildlife that inhabits natural environments. Ethical behaviour on the part of all tourism stakeholders is increasingly necessitated, in order to ensure top quality, ethical experiences for the tourists, in addition to fair, just and ethical treatment for the non-human animals who, for the most part, are unwilling participants.

Using a case study approach and the ethical perspectives of utilitarianism, rights and ecofeminist theory, this paper will explore animal ethics, welfare and rights as it relates to an incident that occurred in British Columbia (BC), Canada, in the spring of 2010, approximately two months after the conclusion of the 2010 Olympic and Paralympic Winter Games (Winter Olympics). This incident involved the culling of approximately 100 sled dogs, which set off a national and even global debate on the rights of non-human animals and, on a deeper level, the morality of individuals and, indeed, an industry which often treats non-human animals like expendable surplus stock. The ethical analysis will lead to a discussion on the political perspectives of this case, as well as the implications for the tourism industry. Based on the analysis and discussion, conclusions will be drawn and suggestions will be made for future research on ethics and the tourism industry's use of non-human animals.

Animal ethics, welfare and rights

Since the 1980s, interest in the relationship between humans and non-human animals has been increasing (Hemsworth, 2008). This interest corresponds with a growing concern for conservation and the health of the natural environment, particularly from a tourism perspective (Reynolds & Braithwaite, 1999). As these researchers point out, such interest in the relationship between human animals and non-human animals is increasingly fuelled by concern over the ethical treatment of non-human animals, both in captivity and in the wild. A review of the tourism literature reveals that there is now a small and growing

body of research that explores the moral and ethical[1] aspects related to the tourism industry's use of non-human animals.

The recent interest in the relationship between non-human animals and the tourism industry is long overdue. Perhaps part of the reason for the previous lack of interest by tourism researchers relates to the fact that non-human animals are often viewed as the objects, rather than the subjects of tourism (Hughes, 1998). As objects, non-human animals are used, manipulated and treated like minors whose interests remain the business of responsible adults (Franklin, 2008). Accordingly, the value lies not in the intrinsic value of the non-human animal, but rather in the instrumental value, which is the ability of the non-human animal to provide enjoyment for tourists and profits for the business owner (Fennell & Nowaczek, 2010).

Before moving forward with the case study, it is valuable to briefly define the following few key terms: animal ethics, animal welfare and animal rights. Animal ethics is concerned with the moral responsibility that human animals have towards non-human animals, as well as the quality and amount of care that should be extended to non-human animals (Hastein, Scarfe, & Lund, 2005). At the broadest level, animal ethics includes social, cultural and religious aspects, as well as economic aspects (Hemsworth, 2008). Seen to be separate from environmental philosophy which focuses on ecosystems and populations, animal ethics focuses on individual non-human animals and their value (Aaltola, 2005). Aaltola (2005) adds further depth to this definition by stating that animal ethics focuses on the value of individual non-human animals, and that their interests and feelings of pain are of moral importance. While animal ethics provides arguments on how non-human animals should be treated, it does not provide answers on how to 'relate to a reality' where non-human animals are not treated ethically (Aaltola, 2010, p. 40).

Although animal ethics is quite well defined within the literature, there is ongoing debate and ambiguity as to what animal welfare actually means. Dawkins (1998) contends that our difficulty in defining animal welfare lies in our inability to conceive a non-human animal's capacity to experience pain and suffering. She measures welfare through two primary categories. The first measure of welfare focuses on injury, dehydration and disease, all of which have a direct impact on a non human animal's ability to survive and reproduce. The second measure, which is more difficult to understand, focuses on stress and aversion tactics. The Farm Animal Welfare Council (2009), defines animal welfare in terms of the physical and mental state of animals, which includes concern for their fitness and well-being (see the five freedoms of animal welfare at http://www.fawc.org.uk/freedoms.htm). (Dawkins, 1998). As Fennell (2011) notes, welfare is often framed by three basic qualities: sentience, domestication and intrinsic value. Until the twentieth century the animal welfare movement was mainly focused on caring for homeless animals, while seeking to prevent unnecessary cruelty (Yount, 2008). It was not until 1975 and the arrival of Peter Singer's watershed book, *Animal Liberation*, that many concerned with animal welfare began to question the morality of our relationship with non-human animals (Yount, 2008).

The animal liberation movement, or what is more commonly known as the animal rights movement, brought into question the morality of hurting or killing non-human animals, for any reason (Yount, 2008). Now society was asking questions about non-human animals' right to life, as well as their right to avoid suffering (Ryder, 2000). According to Yount (2008), these questions and the search for answers have led to changes in both laws and in society, particularly Western society, as it relates to the rights of non-human animals. Today, the animal rights position is steadfast; anything that is alive has worth and, as such, is entitled to rights equal to all other beings (Gruen, 2010). Eating, hunting,

experimenting with and displaying non-human animals is wrong, regardless of the 'human need, context or culture' (Gruen, 2010, n.p. electronic resource).

Proponents of the animal rights movement and the animal welfare movement seek to influence changes in society's thinking (and to a lesser extent legislative changes) about our treatment of non-human animals (Yount, 2008). However, there are differences in the approaches and thinking as it relates to these two movements. For example, from a tourism perspective, an individual who subscribes to the animal welfare perspective would be accepting of the use of animals in the tourism experience, provided the animals are presented in a natural way that emphasises preservation and education (Shani & Pizam, 2008). In contrast, an animal rights proponent would outright reject tourism activities that induce pain and suffering in animals, as well as any attempts to remove animals from their natural habitats (Shani & Pizam, 2008).

Case study: Post Olympic sled dog cull

Background to the case study

British Columbians pride themselves on the spectacular beauty of their province. From majestic mountains, to forested valleys, the natural environment is the foundation of the tourism industry in BC's economy, and is evidenced in the tourism marketing tag line of 'Super, Natural British Columbia'. Tourism plays a substantial economic role in BC, directly contributing $6.3 billion (2002 constant dollars) to the province's gross domestic product (GDP) in 2009 (Ministry of Jobs, Tourism & Innovation, 2011). In fact, tourism's contribution to BC's overall GDP has been consistently higher than its traditional, resource-based industries (agriculture, forestry, and mining, oil and gas extraction) over the last decade (1999–2009). A 2001 study indicated that nature-based tourism businesses contributed $11.3 million dollars to BC's GDP (Tourism British Columbia, 2004).

Dog sledding in the province of BC encompasses a wide range of recreational and commercial operations that include a myriad of activities, such as racing, breeding, training, caring for retired animals and adventure tours (Sled Dog Task Force, 2011). The dog sled industry in BC provides outdoor sport and guided tours that can be classified as catering to a 'small niche tourism market' (Sled Dog Task Force, 2011, p. 14). Across the province, 10 operations, the majority of which employ less than five employees, are contained within seven rural communities (Sled Dog Task Force, 2011). Although many within the industry are addressing the need for changes, according to Hamilton (2011), there is a long history of animal abuse and deceit in the sled dog industry.[2]

Dog sledding experiences have been labelled everything from ecotourism (Muir, n.d.) to a team sport (dogs and musher) (Winterdance, 2011). In BC, sled dog operations are permitted to operate on Crown or private land. Crown land use is regulated through a lease or licence of occupation, issued under the Province's 'Land Act'. Commercial and recreational sled dog operations, as well as dog sled racing, continue to be a controversial activity. In February 2010, three months before the incident that is the subject of this paper, the British Columbia Society for the Prevention of Cruelty to Animals (BC SPCA) published a position paper on sled dogs. The position paper provided support for the five, 'basic freedoms' (standards already employed around the world) that are meant to ensure physical and emotional health of sled dogs (BC SPCA, 2010, p. 1). These freedoms are as follows: (1) Freedom from hunger and thirst, (2) Freedom from pain, injury and disease, (3) Freedom from distress, (4) Freedom from discomfort and (5) Freedom to express behaviours that promote well-being.

In July, 2003, the City of Vancouver, BC, was chosen to host the 2010 Olympic and Paralympic Winter Games (International Olympic Committee, 2010). While some of the venues were hosted in and around the city of Vancouver, 15 competition and non-competition venues were held in the resort municipality of Whistler, located 115 km north of Vancouver (Government of Canada, 2009). In the years leading up to the Olympic Games, Whistler went through a period of substantial residential and business growth. Many of these new businesses, including golf courses, zip lining and dog sledding companies, complemented the repertoire of the existing activities, all anticipating an increase in business in the years leading up to and beyond the Olympic Games. However, the tourists did not materialise in 2010 and Whistler experienced one of its worst winter seasons, visitor wise (Jackson, 2010). While the global financial crisis of 2008/09 is partially responsible for this fact, Owen (2005) points out that studies have consistently evidenced that these types of sporting events rarely, if ever, achieve the estimated economic impacts. Consequently, some Whistler-based businesses that had overestimated the draw of the Olympic Games were left in a financial predicament.

Howling Dog Tours Whistler Inc. (Howling Dog Tours), a dog sled tour company operating in Whistler, BC, is one such company that had overestimated the tourism draw and demand of the Olympic Games. A few months following the conclusion of the Olympic Games, 100 sled dogs were culled in what the media quickly dubbed a 'massacre'. The incident was brought to light after a BC resident's compensation claim for post-traumatic stress disorder came to the attention of a WorkSafeBC worker. The compensation report detailed the events of late April 2010, wherein an employee of Howling Dog Tours, carried out his employer's orders to undertake 'pack control'. The decision to euthanise the dogs occurred after a veterinarian reportedly refused to participate in the killing of healthy animals and requests for help from the BC SPCA went unanswered. Subsequent attempts to adopt out the dogs met with limited success (Pemberton, January 31, 2011) and, as a result, the employee began the task of reducing the pack. According to the employee's compensation report, the dogs panicked as the cull began, demonstrating signs of stress and anxiety as they witnessed members of the pack being euthanised. Over a two-day period, approximately 100 sled dogs were either shot to death or had their throats slit. Some dogs, not scheduled for culling, were accidentally killed in the melee and confusion. At the end of it all, the bodies of the dogs were dumped in a mass grave and covered over by the employee. The WorkSafeBC worker, despite a duty of confidentiality, leaked the contents of the report to the media and from there the news quickly spread around the world.

In the ensuing days, weeks and months, the RCMP and the BC SPCA worked to uncover the details of the incident, with an eye to laying animal cruelty charges. In early May, 2011 a team of anthropologists, veterinarians and forensic experts descended on the gravesite near Whistler to begin the task of exhuming the dogs' bodies. As reported by Kane (2011), the team was there to gather tissue and bone samples, gun shell casings and any other evidence that would support the laying of animal cruelty charges under the Canadian Criminal Code. The forensic investigation, paid for by the SPCA and the Provincial Government of BC, and described as the 'largest and most complex investigation' in the history of the SPCA, was anticipated to cost more than CD $225,000 (Daniel, 2011).

At the same time, and as news of the incident spread, the Province of BC quickly moved to establish a 'Sled Dog Task Force' (Task Force) (BC Ministry of Agriculture, 2011). Within 45 days, the Task Force, comprising government, non-governmental and local authorities, made 10 recommendations to enhance the 'health, welfare and protection' of sled dogs in the province. In addition to their recommendations, the report called for a strengthening of provincial animal protection legislation (Sled Dog Task Force, 2011). Included in

the recommendations was a direction to develop a mandatory code of practice for sled dog operations and a 'standard of care' for sled dogs (BC Ministry of Agriculture, 2011).

Application of ethical theory

While it is safe to assume that most will agree that the culling of the sled dogs is a distasteful and distressing example of human greed, was the behaviour of the employee and his employer morally and ethically wrong? After all, the employee was merely undertaking his employer's orders. From the employer's perspective, the company is in business to make money. If the company is unable to show a profit for its business endeavours, it will close and the company owners and employees will suffer financially. What will become of the entire pack of dogs if the company goes out of business? If homes could not be found for 100 dogs, then it is safe to assume that homes would not have been found for three times that number of dogs (the pack totalled approximately 350 dogs before the culling). Further, the financial situation of the company could lead to the drawn-out suffering of the dogs, if the company is unable to properly feed, exercise, socialise and house them.

Questions of morality, such as the above-noted issues, can be rationalised through an examination of relevant moral theory (Regan, 1983). The culling of the sled dogs is obviously a question of morality; morality, or a lack thereof, on the part of all stakeholders, including the owner of the dog sled company, the employee, the BC SPCA and the veterinarian (as previously noted both a veterinarian and the BC SPCA were approached for assistance prior to the cull). The following paragraphs will examine the behaviour of the two key stakeholders: the owner of the company and the employee who carried out his employer's wishes. Specifically, the authors will examine and apply the ethical theories of utilitarianism, justice and ecological feminist (ecofeminist) ethics to examine the case of the sled dog culling. It is not the intent of this paper to provide a summary of the existing literature on each of these theories. Rather, a general overview of each theory is provided so that the general principles of each theory can be used to evaluate the ethical behaviour of the employee and his employer. This section of the paper will then be followed by a general discussion of the theory as it applies to the case, as well as recommendations for the tourism industry, in general and tourism businesses that use non-human animals in the delivery of their services, specifically.

Utilitarian perspective

Utilitarianism is one of the most powerful ethical theories when it comes to providing guidance on how we should treat non-human animals (Gruen, 2011). Utilitarianism is a moral theory that states an action is right only if it is consistent with the principle of utility (pleasure). Utilitarians are concerned with maximising pleasure and minimising pain and will ask the question, 'What should I do?' (Benn, 1962). Jeremy Bentham (1748–1832), an influential supporter of utilitarianism, is considered to be one of the earliest proponents of animal rights. While classic utilitarians, such as John Stuart Mill (1806–1873), did not include measures of non-human animal pain and pleasure in their evaluations of pain and pleasure, Bentham extended the theory to consider non-human animals by stating, 'The question is not, Can they reason? Nor can they talk? But can they suffer? (Bentham, 1908, electronic book). While Clark (1997) argues that both utilitarian perspectives favour human animals, most utilitarians agree that sentient beings are capable of

suffering and therefore the action that causes the least amount of suffering is the most ethically necessitated (Gruen, 2011).

Although utilitarian perspectives provide guidance regarding our treatment of non-human animals, there is still debate among proponents and opponents of the theory. Proponents of classical utilitarianism would claim that self-conscious beings are capable of fearing their own death and, therefore, killing a self-conscious being is wrong (Allen, 2011). On the other hand, Peter Singer, a utilitarian proponent who is strongly associated with the modern animal rights movement, believes that utilitarian principles apply to all creatures with preference interests (Singer 1990, 1993). Singer (1993) questions why self-consciousness should even factor into the debate. As he points out, if we use the characteristics of self-consciousness and autonomy to distinguish human animals from non-human animals, then the moral status of intellectually disabled human animals would be on a par with that of non-human animals.

Gruen (2010), however, contends that Singer has been erroneously linked with the animal rights movement. As she points out, Singer believes that while it is of concern to cause suffering to non-human animals, their rights may be disregarded when an action advances the most good. Consequently, the moral significance of the non-human animal depends upon the importance and the nature of competing interests (Gruen, 2010). Singer (1993) does indeed appear to make the case that in certain cases it is ethically acceptable to kill non-human animals; however, he argues that non-human animals, which are considered rational and self-conscious, should not be killed, particularly when it comes to killing for food.

In applying a utilitarian lens to the case of the Whistler sled dog culling, it is helpful to look at the work of Singer and particularly his argument that the killing of a self-conscious being is more serious than the killing of a conscious being (see Singer, 1993, p. 194 for the four grounds upon which this is argued). Questions regarding the consciousness of non-human animals have been a topic of considerable debate among animal ethicists (see Carruthers, 1992; DeGrazia, 1999; Regan, 1983; Ryder, 2000; Singer, 1990; Wynne, 2004). On one side of the debate, some philosophers claim that non-human animals live from moment to moment. These philosophers argue that non-human animals do not see themselves as separate beings with a past and a future, nor do they have the autonomy to choose how they want to live their lives. Consequently, non-human animals are conscious, sentient beings and their interests should not take precedence over the interests of self-conscious and autonomous beings. In contrast, other philosophers contend that non-human animals are indeed self-conscious beings and, as such, their interests must be of consideration.

In addition to the debate around the self-consciousness of animals, or lack thereof, Singer (1993) also puts forth an argument in favour of animal rights based on the individual value of non-human animals. Specifically, he maintains that the 'total version of utilitarianism' considers sentient beings to be of value because they provide intrinsically valuable experiences, such as pleasure (1993, p. 121). In this regard, he discounts the 'replaceability argument', put forward by some utilitarians (Singer, 1993). The 'replaceability argument' is often used to defend meat eating, by reasoning that while meat eaters are responsible for the death of a non-human animal and the loss of the non-human animal's pleasure, meat eaters are also responsible for the creation of more animals. Therefore, the loss is balanced by the benefit of the creation of more non-human animals. Singer (2011) explains that if we think of non-human animals as self-conscious beings, leading their lives and wanting to continue living, the replaceability argument falters.

There are three key points from the preceding paragraphs that apply to the analysis of this case from a utilitarian perspective. The first point concerns the weighting of overall good over harm. It is clear that the greatest amount of good for the greatest number has not been achieved in this instance. While one could argue that Howling Dog Tours has been able to remain in business in the interim, because it was able to reduce its costs related to the dogs in its possession, it is not clear how long the company will remain in business as a result of the negative publicity. For example, Tourism Whistler, after learning of the situation, indefinitely suspended the sale of tickets for activities with Outdoor Adventures, the parent company of Howling Dog Tours (Fisher, 2011). Therefore, the long-term viability of the company, its employees, stakeholders and dogs is uncertain. Further, if we consider the case from the perspective of the dogs, clearly more harm was done than good. Second, a claim could be made that the dogs were exhibiting signs of fear, distress and anxiety as the cull began, as evidenced by the comments of the employee. This would point to self-consciousness on the part of the dogs and according to a utilitarian perspective it would therefore be an unacceptable behaviour to kill the dogs. Finally, applying the replaceability argument to the killing of the sled dogs provides further evidence that from a classic utilitarian perspective the killing of the dogs was morally and ethically unacceptable, as the killing of the dogs did not result in the creation of new dogs for the company.

Rights perspective

The rights of, or lack of rights, for non-human animals has been a well-debated topic. Many philosophers have wondered what it is about human animals that extends to them moral status, while at the same time denies a similar status to non-human animals. For some, there is no debate; human animals are distinguished from non-human animals and are therefore afforded moral standing. Lori Gruen has researched and written extensively on animal ethics. According to Gruen (2010), there is an interest by some to justify human practices that cause pain, discomfort, suffering and death to non-human animals. As Gruen (2011) explains, moral standing is extended to human animals based on our capacity to develop social ties, solve social problems, exhibit emotions, begin and end conflicts, use language and to think in abstract terms, in addition to numerous other capacities; however, she points out that research has proven that none of these capacities is uniquely human. She further points out that not only are there differences between human animals and non-human animals, so too are there differences among human animals. Consequently, a justification based on differences is not a valid basis for denying rights and moral standing to non-human animals. As non-human animals are clearly capable of suffering, one cannot morally justify their exclusion from moral consideration (Gruen, 2010).

Regan (1983), a proponent of the animal rights perspective, argues that those who deny basic rights to non-human animals lack the moral understanding to comprehend our duty to non-human animals. He provides further clarification that non-human animals, like human animals, have a value that is independent of their utility to others and, as such, non-human animals have a moral right to be treated in a manner that respects their value. Vardy and Grosch (1997) outline five categories of moral debate concerning our use of non-human animals, including (1) non-human animals bred for food; (2) non-human animals bred for fur and leather; (3) the use of non-human animals in medical experimentation; (4) the use of non-human animals in cosmetic testing and (5) non-human animals used to facilitate or enable human animal recreation (hunting, fishing, racing and other forms of entertainment). Obviously, the fifth category is most pertinent to the case study that is the subject of this paper.

The application of a rights lens sheds an unsavoury light on the practices of the dog sledding industry, in general. The practice of culling sled dogs does not appear to be isolated to this case. Indeed, there is evidence of an almost system-wide culture of abuse and neglect that views these dogs as a renewable resource (anonymous CSPCA employee, September 2011). In other words, the dogs are viewed and treated as replaceable and as having value only to others. It is helpful to turn to the work of Regan (1983) to analyse the culling of the sled dogs. Regan (1983, p. 329) makes the case that as a matter of justice, non-human animals have 'certain basic moral rights', including the right to be treated with respect and that they do indeed have intrinsic value. Aaltola (2005) includes the values of well-being, capacity to experience, equality and respect for others as being the basic values of animal ethics. Regan (1983) puts forward a popular argument against the rights of farm animals that could be used to evaluate the rights of the sled dogs in this case. This argument posits that farm animals only exist because the farmer has an economic interest in raising them and therefore the farmer's economic interests should determine how the farm animals are treated. Any harm done to the farm animal is the price the farm animal pays for having existed in the first place (Regan, 1983). In the case of the sled dogs, this argument would assume that the dogs owe their existence to the musher or to the business owner, and so therefore it is not in violation of the dogs' rights, should the musher or the business owner decide to kill them. Regan (1983) argues that, on the contrary, the principles of just treatment must apply. Once the owner is in the possession and care of a non-human animal, his or her past intentions or motives for bringing that non-human animal into existence are irrelevant and do not override the rights of the non-human animal to fair treatment. Owners assume a moral duty when they permit their non-human animals to breed, or purchase non-human animals from those who do (Regan, 1983).

On the other side of the debate is the right of the dogs' owner, whose dogs, under current laws, are his or her property. Arguments are made that because the dogs are considered legal property, the dogs' owners and guardians can treat the dogs as they so choose and that this somehow makes a difference in whether or not their behaviour towards the dogs is just or unjust. Regan (1983) responds by stating that regulating how non-human animals should be treated is not a violation of the owner's property rights. He uses the example that while he owns his house, his neighbours have the right to impose limits on what he does with his house (for example, running a casino from his home). Indeed, he further points out that had we used this rationalisation in the case of human slavery, the legal status of human slaves would not have changed. Regan (1983) advances the argument by pointing out that a slave was not considered a legal person before the Civil War in the USA. Similarly, he contends, it is time to ensure justice for non-human animals by recognising them as legal beings.

Ecofeminist perspectives

'We should not eat, kill, torture and exploit animals, because they do not want to be so treated, and we know that. If we listen, we can hear them' (Donovan, 1990, p. 375). This premise of caring is the foundation for feminist approaches to animal ethics. Feminist animal care theory developed in response to utilitarian and rights-based animal ethics (Donovan, 2006), which are seen to be anthropocentric in focus (Tong, 2009). As Donovan (2006, p. 306) points out, both a rights perspective and a utilitarian perspective are devoid of 'sympathy, empathy, and compassion'. These three emotions, she believes, are important 'ethical and epistemological sources' that should factor into our treatment of non-human animals. The female culture of caring provides a useful basis for examining the treatment of non-human animals (Donovan, 1990).

Feminist care theory attempts to infuse emotional responses, validated by knowledge, as well as an individualised approach to ethical reasoning where human animals incorporate the voice of non-human animals into a human ethic (Donovan, 2006). Seager (2003) concurs, stating that feminist approaches to animal ethics bring feelings, emotions and personal experience into moral decision-making. Ecological feminists believe the accepted methods of establishing the moral status of non-human animals are flawed. They point out that the focus on the individual fails to consider the context and, particularly, the political context, which underlies our use of non-human animals. (Gruen, 2010). Some ecofeminist equate the 'logic of domination' that underpins sexism with the logic that underpins the oppression of non-human animals (Gruen, 2010).

The work of Gilligan (1982) has been closely associated with ecological ethics (Curtin, 1991). Gilligan's ethic of care would insist that when deciding the fate of a non-human animal, her or his desire not to be slaughtered be considered (Donovan, 2006). While some may argue that we cannot understand the voice of non-human animals, Donovan (2006) disagrees, by pointing out that we use the same mental and emotional responses to understand non-human animals that we use to understand human animals. These responses include body language, eye movement, facial expressions and tone of voice.

Although Singer and Regan reject attempts to incorporate caring into moral reasoning about non-human animals, arguing that the case for animal rights must be unemotional (Seager, 2003), an ecofeminist perspective provides a unique lens with which to examine the case of the Whistler sled dog cull. While utilitarian and rights perspectives help us to weigh the morality of the employee and the employer, ecofeminist perspectives provide a voice for the dogs, permitting us with an opportunity to go beyond cold, hard reasoning. Our gut reaction to this case should factor into our analysis. It is clear that the dogs were not treated with care; they suffered in life and in death and this is morally and ethically wrong. Action clearly needs to be taken to bring morality and ethics to the dog sledding industry in BC. An eco-feminist approach permits us to move from a morality debate to action. Our emotional, empathetic responses to a situation should be supplemented with ethical and political perspectives that are enhanced through ethics training and education in order for human animals to make critical assessments of a situation (Donovan, 2006). An ethic of care, framed within a political perspective, is an effective vehicle for ensuring that animal rights are aligned with political ecology (Donovan, 1994).

The political perspective

Dogs play an integral part of Canadian society, whether they are simply our pets, or serve in working roles, such as search and rescue, policing and security, and compassion and assistance to shut-ins and the disabled. This stands in stark contrast to the fact that non-human animals, within Canada and BC, are considered little more than the property of their owners (Sled Dog Task Force, 2011). The sled dog industry is currently unregulated, in both BC and in Canada, in terms of registration, licensing and/or formal codes of conduct (Sled Dog Task Force, 2011). The Criminal Code of Canada, Sections 444 through to 447.1, set forth the criteria whereby individuals can be criminally prosecuted for willfully inflicting unnecessary pain, suffering or injury to a bird or non-human animal (Department of Justice, 2011). According to the Canadian Federation of Humane Societies [CFHS] (2011), Canada has a dismal record when it comes to protecting non-human animals from cruelty, abuse and neglect. As the CFHS points out, Canada's laws remain in the Victorian era when the federal cruelty law was first introduced in 1892. What lies at issue is the wording of 'wilful neglect,' which requires proof that an

accused intended to harm or kill his or her non-human animals (CFHS, 2011). In 2008, Canada's animal cruelty provisions were strengthened in the Criminal Code to increase the maximum imprisonment time ranging from 18 months to five years, and the maximum conviction penalty ranging from $2000 to $10,000 (Sled Dog Task Force, 2011).

In May of 2011, the government of BC introduced legislation, that if passed, will toughen animal cruelty laws and, according to government officials, be the toughest in Canada (Shaw, 2011). Specifically, the proposed legislation will increase minimum fines to $75,000 from $10,000, as well as jail terms of up to two years, from the current six months. The bill will also make it mandatory for veterinarians to report any suspected cases of animal abuse and will hold both companies and employees responsible for any offences. All of these changes occurred on the advice of the Task Force charged with investigating the killing of the sled dogs (Shaw, 2011).[3]

These changes are certainly welcome; however, the proposed legislation does not appear to regulate non-human animal standards of care or euthanasia, which the Task Force noted are missing from the Prevention of Cruelty to Animals Act (PCAA). According to the Task Force (2011, p. 11), municipalities, under the 'Local Government Act and Community Charter', have limited powers to regulate activities related to non-human animals, including the businesses that employ non-human animals and that, further, the regional districts and municipalities lack the ability to regulate the dog sled industry through by-laws, from both a planning and a land-use perspective. From approximately 2006–2010, the report indicates that the BC SPCA seised more than 200 sled dogs that were deemed to be in stress and during this same time period a total of five individuals associated with keeping sled dogs were charged and/or convicted (Sled Dog Task Force, 2011). Although the report does not provide details of those charges, it can be assumed that these individuals were charged with 'wilful neglect,' under the PCAA. It is unclear whether the proposed legislation will improve the regulating powers of local governments.

Mush with P.R.I.D.E. (Providing Responsible Information on a Dog's Environment) is the voluntary association for recreation and industry dog sled owners and operators in both Canada and in the USA. This organisation sets the voluntary standards and is the main source of information for the industry (Dog Sled Task Force, 2011). Mush with P.R.I.D.E. has published the 'Sled Dog Care Guidelines', which is a voluntary set of standards regarding dog yards and housing, feeding and watering, training and conditioning, basic health care, from whelping to end of life (Mush with P.R.I.D.E., 2009). Members of Mush with P.R.I.D.E. may choose to voluntarily participate in a kennel inspection programme. Members who meet certain criteria will be awarded a rating of 'Certification Plus'. It was the opinion of the Task Force (2011, p. 13) that the Mush with P.R.I.D.E. standards provided 'insufficient guidance in several critical areas of animal welfare including end of life planning and euthanasia practices'. A Mush with P.R.I.D.E. spokesperson points out that the guidelines do address planning for the entire life of the dogs; however, as the organisation does not support euthanasia for population control, the guidelines do not discuss the topic of euthanasia (anonymous email communication of 7 May 2011). It is interesting to note that the employee who is the subject of this case study had been a member of the board at Mush with P.R.I.D.E., at the time of the incident. His board membership was revoked shortly after the incident became public knowledge in early 2011 (Ramstead, 2011).

While it is encouraging to see that the BC government has quickly moved to improve its animal cruelty legislation, it remains to be seen whether or not the legislation will actually prevent future incidents, such as the sled dog cull. Further, it is unclear whether or not the legislation will actually lead to more ethical behaviour on the part of the dog sledding

industry. Certainly, the industry association Mush with P.R.I.D.E., veterinarians and governments of all levels need to work more closely together; however, this does not seem to be likely in the immediate future, given the Task Force's criticism of the association and the association's defensive response.

Recommendations and conclusion

The ethical lenses of utilitarianism, rights and ecofeminist perspectives have been valuable in analysing the ethical and moral aspects of this case. The actions of the employee and employer are clearly unethical and morally wrong. While all three ethical perspectives are valuable, an ecofeminist perspective helps to move us beyond analysis to ethical action. Ethics education and training, which Donovan (2006) contends are of great value, may be an effective vehicle for ensuring a more ethical dog sledding industry in BC in the future. Similarly, deontological tools, like codes of conduct and ethics, may be of further value to the industry. According to Hughes (1998), codes of conduct may be a move towards the granting of moral standing to non-human animals. A code of practice or conduct that incorporates mandatory ethics education and training for industry participants may assist in encouraging more ethical behaviour. Ethics training is mandatory for many professions, including the medical, legal and accounting professions. Recently, increasing numbers of tourism schools are also seeing the need for ethics education and training for their students – the future leaders in the industry. It should be relatively easy to mandate and enforce training through the business licensing and annual licence renewal process.

Although Mush with P.R.I.D.E. has published a set of voluntary guidelines, these are clearly ineffective in influencing more widespread ethical behaviour on the part of the industry. On the other hand, the proposed mandatory sled dog 'standard of care' may be an important enforcement tool for BC SPCA officers to ensure more ethical standards for sled dogs in BC. BC SPCA chief executive officer, Craig Daniell, points to the value of a code of practice that sets forth detailed care standards that includes housing, food, water, exercise, socialisation and 'retirement plans' (BC SPCA, 2011). It leads to deeper thought when one notes that the BC SPCA's reference to 'retirement plans' includes what the society deems to be 'acceptable forms of euthanasia' (BC SPCA, 2011, p. 12). It is important to remember that the employee from our case study was initially refused assistance from the BC SPCA. Presumably, the BC SPCA knew that some or most of the dogs would be euthanised, as this appears to be standard practice in the dog sledding industry. However, the BC SPCA was unwilling or unable to provide or assist in providing a more humane solution. The issue of euthanising unwanted sled dogs is just part of a much larger ethical issue that involves the destruction of countless unwanted and seemingly disposable non-human animals at humane societies across Canada.

There are a number of other issues that factor into this case that should also be examined with an ethical lens. It is apparent that the company increased its sled dog herd in anticipation of more business before, during and after the Olympic Games. Although the president and owner of the company denies financial hardship as the reason behind the culling of the dogs (Houssian, 2011), this claim does not appear to make sense and raises even more ethical questions if true. Did the company owners not think past the Olympics and realise that business would eventually drop off post Olympics and that the company would potentially have more dogs than it needed? What is the common or accepted practice of dog sled companies regarding old and or redundant dogs? As outlined in the WorkSafeBC report, the employee outlined how dogs were routinely euthanised at

Howling Dog Tours, in a process that involved taking the dog out into the woods with a big piece of meat. As the unsuspecting dog tucked into her last meal, she was dispatched with a bullet to the brain (Workers' Compensation Board, 2011). Another ethical issue relates to the WorkSafeBC worker who broke confidentiality rules to leak the story to media sources. No information has come forth on who this individual is and whether or not he or she was reprimanded. Presumably, this individual felt compelled to release this story for, what we can only hope to be, her or his own personal moral integrity and a desire to prevent similar incidents in the future.

This case study has evidenced a number of under-researched areas that could be of assistance to the tourism industry as it moves forward with ensuring more ethical behaviour on the part of the industry and the tourists themselves, particularly as it relates to the use of non-human animals. For instance, although codes of ethics and conduct and the closely related corporate social responsibility programmes can be vehicles for promoting more ethical behaviour, little, if any, longitudinal research exploring the long-term sustainability of such programmes appears to exist. Further, questions have been raised as to whether or not these programmes actually lead to more ethical behaviour (Bazerman & Tenbrunsel, 2011). Obviously more research is needed into the role that corporate culture plays in the effectiveness and the long-term sustainability of codes of conduct and ethics, and corporate social responsibility programmes. Another understudied area lies in exploring the effectiveness of incorporating ethical education and training into these various programmes. Ethics-related research, particularly longitudinal studies, will benefit the human stakeholders (business owners, employees, shareholders, communities and governments) as well as the non-human animal participants in the tourism industry.

The tourism industry can no longer afford to ignore the ethical elements as they relate to the industry's use of non-human animals. Certainly, there is significant potential for an incident, such as has been the focus of this paper, to reflect negatively upon the tourism industry. As mentioned earlier, BC is recognised around the world for its beauty and is frequently marketed to those seeking experiences in the natural environment. The fact that this story received coverage in *The New York Times* evidences the potential damage that can be done to the province's image, particularly in light of the fact that this news source receives, on a monthly average, 45 million unique hits to its online newspaper website, reaching one in six internet users (The New York Times, 2011). The fact that the BC Provincial Government moved to quickly establish a task force, with a short reporting timeline, is further evidence that the government was moving quickly to dispel media coverage that would cast the province in a negative light, possibly affecting provincial tourism revenues (see Figure 1, as it appeared in the *Times Colonist Newspaper*, 1 February 2011, p. A10).

There has been a major shift in the way human animals regard non-human animals over time, and the transition of thought appears to be getting stronger in favour of pro-non-human animal attitudes. Non-human animals are no longer viewed as merely property. It has been helpful to examine the ethical issues related to this case, in the hopes that lessons can be learned and future incidents can be avoided. Sled dog owners and other nature-based tourism businesses that use non-human animals for human animal enjoyment, must assume a moral duty to the non-human animals in their possession. Indeed, the moral duty goes beyond considerations of pain and suffering and must include minimum standards of care and well-being. The twenty-first century is upon us; it is time to incorporate the rights of non-human animals into the business practices of the modern world.

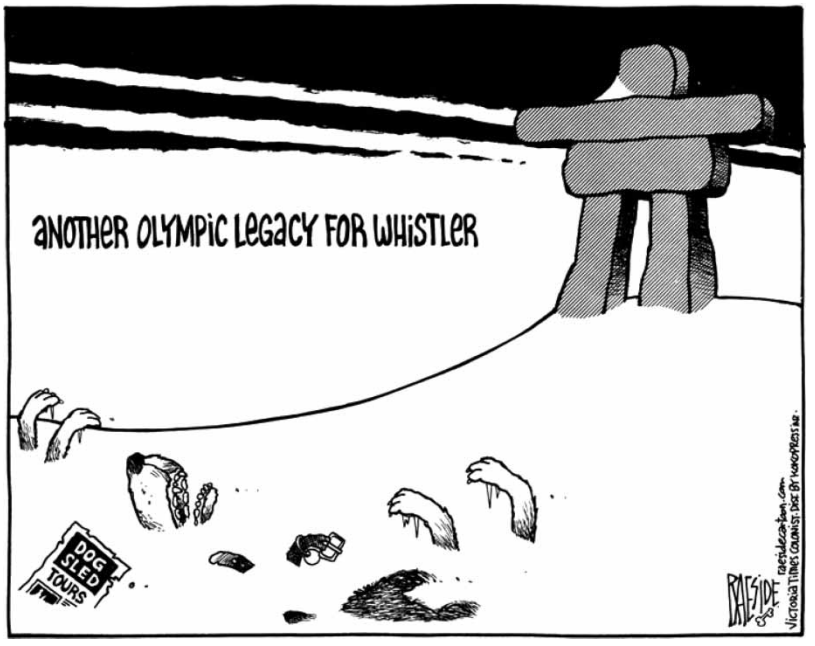

Figure 1. Raeside, A. (2011, February 1), Reprinted with permission.

Notes

1. While the terms 'ethics' and 'morals' are often used interchangeably, they are, in fact, quite different by definition. For the purposes of this paper, ethics are seen to be guidelines for how an individual should behave within society. Morals, on the other hand, are seen to be that which is good or right in an individual's character or conduct and are influenced by one's culture. The term 'ethics' is more commonly associated with society, whereas the term 'morals' is more commonly associated with the individual.
2. See http://theflume.com/main.asp?SectionID=1&SubSectionID=1&ArticleID=7470; http://www.huffingtonpost.com/2009/12/17/starving-sled-dogs-seized_n_396469.html; http://www.huffingtonpost.com/2011/02/08/samuel-walker-gets-90 day_n_820180.html?ref=fb&src=sp#sb=1314454,b=facebook; http://www.adn.com/2010/03/01/1163218/17-year-olds-dog-dies-on-the-trail.html http://www.nnsl.com/frames/newspapers/2005-02/feb2_05dg.html; http://www.whistlerquestion.com/article/20090325/WHISTLER01/303259833/1030/WHISTLER/spca-probes-two-dog-sled-operations; http://news.seppalasleddogs.com/blog/2006_02.html; http://www.helpsleddogs.org/
3. See Sled Dog Task Force for their 10 recommendations (http://www.gov.bc.ca/agri/down/sleddog_taskforce_report_25mar11.pdf).

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