



La paradoja del Maltrato Animal como Delito Patrimonial: Sujeto activo y pasivo unificados [

2025

text (article)

Analítica

The purpose of the study was to analyze the legal obstacles that prevent effective criminal prosecution of cases of animal abuse when the aggressor is the owner of the animal, to determine if the coexistence of the concepts of property and animal welfare generates legal tensions that hinder protection. effective treatment of animals and whether a legislative reform is necessary that recognizes animal abuse as an autonomous crime, detached from the concept of property. Which led to carrying out an extensive literature review, using a search protocol of different terms combined in Spanish and English, within the ScienceDirect, Scielo and Redalyc databases, applying selection and exclusion criteria, having as a time limitation of the search in the period 2020-2024 to comply with the adopted bibliographic review method, which led to obtaining 25 articles selected to be analyzed. Among the results, it was possible to identify that Argentina was the country where the most publications were located, represented by 20% of the total. It was concluded that the coexistence of both concepts in the current legal framework generates significant tensions that hinder effective criminal prosecution, especially when the aggressor is the owner of the animal

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