

Animal Trials

Name: _____

Division: _____

"We, in detestation and horror of the said crime, and to the end that an example be made and justice maintained, have said, judged, sentenced, pronounced and appointed, that the said porker, now detained as a prisoner and confined in the said abbey, shall be by the master of high works hanged and strangled on a gibbet of wood near and adjoinant to the gallows and place of execution."

The year was 1494; the place, a French monastery. On trial was a pig, interred for the crime of having "entered a house and disfigured a child's face, whereupon the child departed this life". The presiding judge was Jehan Levoisier, licentiate in law and grand mayor of the church and monastery of Saint Martin de Laon of the order of Premonstrants. The punishment; execution.

It's all recorded in a remarkable book *The Criminal Prosecution and Capital Punishment of Animals*. First published in 1906, the book outlines in great detail (and some humour) the extraordinary practice of putting animals on trial. This was common throughout the Middle Ages, and still occurred right up into the 20th century. In 1906 in Switzerland, a man was killed and robbed by Scherrer and his son "with the fierce and effective cooperation of their dog". All three murderers stood trial, but while both men received life sentences, the dog was condemned to death.

Child-killing swine were apparently a regular medieval hazard. There are numerous accounts of pigs being strung up on the gallows as a deterrant to potential wrongdoers. What's strange is not so much that the dangerous animals were killed, but that the people went through the farce of an elaborate trial first. Animals were afforded exactly the same rights under the law as humans. In prison awaiting trial, they were entitled to the same allowance of the king's bread. Jailers charged the same fee for their board. At trial, they were entitled to legal representation.

One sixteenth century jurist is even said to have made his reputation at the bar defending the province's rats. Bartholomew Chassenee was able to successfully argue that first, more time was needed to notify so many rodents of the trial date, and second, that they could not possibly attend trial when to do so would put them at risk of confronting their mortal enemy, the cat.

1. Why do you think people would want to put animals on trial? What purpose would it have?

2. What justification do you think medieval people used to put animals on trial?