

Swiss ask whether animals need lawyers

By Imogen Foulkes
BBC News, Zurich

Swiss voters will go to the polls on Sunday to decide on a proposal to appoint state-funded lawyers across the country to represent animals in court.

Supporters of the initiative say such lawyers would help deter cases of animal cruelty and neglect, by making sure that those who did abuse or neglect animals would be properly punished.

Opponents however claim that Switzerland, which already has strict animal protection laws, does not need any more legislation.

The canton of Zurich has in fact had its own animal lawyer for a number of years; the current incumbent, Antoine Goetschel, is the only state-funded lawyer in Switzerland who goes to court to speak on behalf of animals.

Four-legged clients

His clients include dogs and cats, guinea pigs, cows, horses and sheep, even, recently, a large pike, fished from Lake Zurich.

"It took 10 minutes of struggle to reel the pike in before killing it," Mr Goetschel explained. "The fisherman was reported by a long-standing animal rights organisation."

In fact, Mr Goetschel lost that particular case, but that has not deterred him. He believes appointing lawyers to speak for those who cannot speak for themselves is the essence of justice.

"People accused of animal cruelty very often hire lawyers to defend themselves," he pointed out.

"Why shouldn't someone speak for the animal as well?"

Zurich success

Supporters of a nationwide system of animal lawyers in Switzerland point to the sharp increase of prosecutions for animal cruelty in Zurich since Mr Goetschel started work. While he can average over a hundred successful cases a year, other cantons rarely have more than one or two.

" We see it as unnecessary bureaucracy, a kind of academic exercise "

Hans Staub Dairy farmer

In neighbouring canton Aargau, Marlies Widmer manages a home for neglected animals. For her, animal lawyers cannot come soon enough.

At the moment Marlies has more than 40 dogs in her care, as well as 30 cats, and several rabbits and guinea pigs.

"These were brought in as three-week old puppies," she said, pointing to four lively young dogs. "They were completely emaciated, they had been kept in an underground garage, in the dark."

Marlies believes Switzerland's strict animal welfare laws, among them mandatory animal care courses for dog owners, and a prohibition on budgerigars being kept alone in cages, are simply not being enforced.

"At the moment even if there are court cases the fines are tiny, laughably small," she said. "They don't deter people at all, we really want people who have behaved in such a brutal manner towards animals to be properly punished."

Farmers doubts

But there is one rather powerful lobby in Switzerland with big doubts about yet another layer of animal protection legislation.

Swiss farmers are already struggling with reduced subsidies and falling milk prices, and many fear the introduction of animal lawyers could lead to long, costly, and unnecessary court cases.

Hans Staub, who has a dairy farm in the town of Waedenswil, is in full compliance with all the many existing laws governing the keeping of cattle.

His cows, each named after a different city from Delhi to Rimini to Granada, are clean and well fed. In the winter they spend their time mostly in the stall, but, following the rules, Hans lets them out into the fields two or three times a week.

"You know as a farmer I have always thought of an animal's welfare and dignity as an integral part of my job," he said. "But animal lawyers, no, farmers won't vote for that. We see it as unnecessary bureaucracy, a kind of academic exercise."

What's more, Hans and his farming colleagues are very suspicious of what they believe is a hidden agenda among those pushing for stricter animal welfare laws.

"Some of these groups actually question the ethics of keeping animals at all," he pointed out. "It should be possible for us to do our jobs, all the while respecting our animals, but we are farmers and we want to stay farmers."

Costly legal fees

Antoine Goetschel believes the farmers' fears are groundless.

"If they keep their animals properly and obey the law, they have absolutely nothing to fear from me," he insisted.

"But," he continued, "perhaps the problem is that lots of people just don't like lawyers; after all, one in two people nowadays may have a costly divorce behind them."

In fact, the cost of appointing animal lawyers nationwide may be the proposal's downfall. In the past, Swiss voters have been very supportive of tough animal welfare legislation, but this time the government is recommending a "no" vote.

One reason could be that animals who need their day in court will not, of course, be paying the lawyers' fees - that will be left to the Swiss tax payer.

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