

Summaries

Justitiële verkenningen (Judicial explorations) is published eight times a year by the Research and Documentation Centre of the Dutch Ministry of Justice in cooperation with Boom Juridische uitgevers. Each issue focuses on a central theme related to judicial policy. The section Summaries contains abstracts of the internationally most relevant articles of each issue. The central theme of this issue (nr. 7, 2009) is *Humans, animals and the law*.

Who profits from the new legislation on animals?

I.E. Boissevain and A.A. Freriks

In March 2008 the Minister of Agriculture, Nature and Food Quality put forward a bill on animal welfare and animal health to the Dutch Parliament. In this bill five acts on kept animals are integrated. The authors discuss whether the integration is a goal in itself or means to an end. In their view the choice of legislation involved in the integration is not a logical one, and it is questionable whether this integration is necessary at all. Furthermore, the bill in its present form is not an adequate instrument to attain the policy goals in the field of animal welfare and animal health.

‘There is no justice, just us’; how the state fuels the extreme animal movement

E. Eskens

In recent years the Dutch radical animal movement has manifested itself through arson, threats and destruction of property. This article describes the rise of the radical movement and its tendency towards violence. While the animal movement has its roots in nineteenth century romanticism, the anarchism of the sixties and the squatting movement of the eighties gave way to a more radical animal movement. The anti-establishment movement of the sixties turned against intensive farming. When the punk movement of the eighties freed itself from an overwhelming sense of doom, it gave rise to a new attitude, which rejected drugs, alcohol, and meat. The so-called Straight Edge Movement developed into one of the driving forces behind the recent animal related violence. Hiding behind the facade of the Animal Liberation Front the activists are strongly convinced that they have morality on their side while targeting farms,

cattle trucks, and animal test facilities. Many animal activists feel that Dutch law as it is, does not protect animals in a sufficient way. Another problem is that animal laws are hardly being upheld. Inspections of farms, slaughterhouses and transportation vehicles are rare, prosecutors usually give no priority to animal cases, and judges and the rare judicial sentences are usually extremely mild. This leads radical activists to a conclusion that one of them wrote on a wall: 'There is no justice, just us'.

Animals as offenders?

J. Janssen

In Dutch history five cases are known of animals that received the death penalty after 'committing a crime'. Nowadays it sounds rather strange to present animals as offenders. Does that mean that no contemporary examples can be found of animals being presented as offenders? Before answering that question some outlooks on judicial and criminological ideas are presented on offending by human and other animals. Next the debate on invasive exotic species and the threats to biodiversity, health and other risks, and the discussion about the dangers regarding pit bulls is described in order to illustrate that in this day and age there still seems to be a risky anthropomorphic and anthropocentric tendency to present animals as offenders.

Does animal abuse signal domestic violence?

M.J. Enders-Slegers

The notion that animal abuse and domestic violence are related has been existing for centuries. Recent studies in the United States, Great Britain, Australia, New Zealand and the Netherlands report evidence for this relation. In the western world, more than 50% of families have pets. They are often valued as members of the family. It is obvious that pets can be victims of family violence as well. The relation between animal abuse and domestic violence has many manifestations. Abused women reported violence against their pets, reported that their children abused the pets. Abused children, especially severely abused and/or sexually abused children, are more often than other children animal abusers. Animal abuse is often related to other violent behaviour or severe criminal acts later in life. Besides, animal abuse is an early diagnostic marker for psychopathology. Animal abuse is always a signal of a problematic situation.

A greater awareness of the possible link between animal abuse and domestic violence could contribute to saving men, women, children and animals from violent situations.