

This little piggy went to court: German piglets 'sue over castration'

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The painful procedure has become increasingly controversial in Europe and has been banned in Sweden, Norway and Switzerland

Little piggies go to market, but in Germany they also go to court.

In a legal first, [animal rights activists](#) have asked Germany's top [court](#) to ban the practice of castrating young male pigs without anaesthetic—with the piglets themselves listed as the plaintiffs.

The painful procedure has become increasingly controversial in Europe and has been banned in Sweden, Norway and Switzerland.

Farmers argue that the castration of piglets a few days after birth is necessary to prevent "boar taint", the occasional occurrence of a foul smell when cooking pork from male pigs past puberty.

The German parliament outlawed castration without pain relief in 2013 but it offered farmers a five-year transition period to help them adapt to the change—a timeline that was extended last year until 2021.

Outraged by the inaction, the PETA campaign group filed a lawsuit with Germany's Constitutional Court in November on behalf of the baby pigs.

The group wants judges to recognise that pigs have rights similar to [human rights](#) and that these are being violated by the "cruel act" of castration without pain relief.

"Non-human entities like companies and associations have legal personhood. So why not [animals](#) too?" said lawyer Cornelia Ziehm, who is supporting PETA in representing the piglets in court.

'Little chance of succeeding'

PETA argues that under German law, animals cannot be harmed without reasonable explanation.

"The castration of piglets—with or without anaesthesia—is in clear violation of this, giving Germany's male piglets only one option: to sue

for the enforcement of their rights in court," the group said in a statement.

The crux of the case is their argument that in Germany "everyone" (jedermann) can file a constitutional complaint if they believe their basic rights have been violated—even a pig.

But Jens Buelte, a law professor at Mannheim university, doubted whether the judges in Karlsruhe would see it the same way.

"Animals do not have their own rights under German law," he said, giving PETA's lawsuit "little chance of succeeding".



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Monkey selfie

It is not the first time campaign groups have filed a case on behalf of animals.

PETA made global headlines in 2015 when it asked an American court to grant a macaque the copyright to a selfie it snapped on a wildlife photographer's camera.

The picture of the broadly grinning monkey went viral but the court eventually ruled that animals cannot bring copyright infringement suits.

PETA condemned the verdict, saying the monkey was "discriminated against simply because he's a nonhuman animal".

However, in Argentina in 2016 a judge ordered Cecilia the chimpanzee to be released from Mendoza Zoo after agreeing with activists that she was entitled to basic rights and her solitary confinement was unlawful.

Alternatives

German farmers, who remove testicles from roughly 20 million piglets each year, have long resisted the push to end castration without anaesthesia.

They say there is a lack of workable alternatives to tackle boar taint, in an industry already struggling with fierce foreign competition.

Local anaesthesia and gene editing are not yet viable or too expensive,

they say, and would raise the cost of pork in a country famous for its love of schnitzel and sausage.

The government agreed in late 2018 to give the farmers a final two-year extension before the ban takes effect—a decision decried by the opposition Greens and far-left Die Linke, who argued it put the interests of the meat industry above animal protection.

Some German pork producers are pinning their hopes on a vaccine that requires just two injections to prevent boar taint—already a popular alternative abroad.

A pilot project involving 100,000 German piglets is currently ongoing, though critics say the vaccines are costly too.

A similar debate is raging in France, where agriculture minister Didier Guillaume recently said castration of piglets without [pain relief](#) should be banned by the end of 2021.

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