

# Crimes Against Nature

Frank Forencich

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“This is crazy,” the man thought as he thrashed his way over another brutal mile of rough, north coast beach. The going was treacherous, an obstacle course of giant logs, slick rocks and ankle-busting holes. “No wonder no one backpacks out here,” he said out loud. The day was winding down and the sun was dropping behind a distant fog bank out at sea. A chill in the air made the man long for the comfort of his tent and the pleasure of a hot meal.

This was the remote Northwest coast of Turtle Island, a coastal habitat rarely visited by humans, except for the fanatical backpacker willing to brave wind, rain and hellish walking conditions. A nearly pristine environment, it was a long way from the nearest road and human settlement. The guidebook recommended against solo travel, but the man’s vacation schedule was tight and he could find no willing partner.

Rounding a bend in the beach, the man was suddenly rewarded with a fresh view. Now he could see hundreds of yards down the coast, into a deep cove. The land met the sea here in a gentle arc; a high bluff overhead was heavily forested and sloped down to the beach in a grand spiral, touching the lagoon in a terrestrial embrace. The man sighed with relief, for this was exactly the kind of place he was looking for.

Before long he arrived at the back of the cove, a rocky shore between the beach and the forest. It was not an ideal spot to camp, but he saw a rough trail leading to higher ground and he took it without hesitation. “Probably a game trail,” he thought, for there had been no signs of humans for the last several miles.

He whacked his way up the trail and emerged on a small plateau at the edge of the forest. This was obviously the spot he was looking for. A panoramic view of the lagoon, old-growth shelter at his back, and yes, he could hear the sound of fresh running water nearby.

The tent site was obvious to his eye. A small patch of level ground, covered by a blanket of moss, sat at the center of the bluff. On one side was a flat rock which would make a good platform for cooking. No trees overhung the tent site, which meant he wouldn't have to worry about waking up with a branch on his head.

The man relished his good fortune. He gazed out to sea at the setting sun and breathed deeply of the salt air. He was content, but inexplicably, he felt an odd sensation, an intuition about the rocky beach below. Something seemed strange about the lay of the logs; they appeared curiously regular in some sense, but he couldn't say why. He studied it for a moment and then shrugged off the thought. Behind him, the trees waved lightly, and he heard the sound of distant birds and the crashing of waves below.

Driven by fatigue in his shoulders, the man shrugged off his pack and began setting up the tent on the mossy cushion. The dome-shaped structure went up easily, even in the fading light. The man worked quickly, anxious for the comforts it would provide.

Once the tent was in place, he crawled inside and dragged his pack in after him. He was quite familiar with the ritual of preparing for a tent-bound evening, and he moved with precision. The first order of business was to find the headlamp. He dug into the top flap of his pack, pulled out the device and set it aside for later use. Then he struggled out of his wet pants and boots and pulled on luxurious dry socks and sweat pants.

He set his small stove just outside the door of his tent, primed the pressure tank and allowed a bit of raw fuel to fill the cup at the base of the burner. Checking for clearance from the flammable nylon, he lit the mixture and watched as a stark flame burst forth, leaping straight into the darkness. Soon the flame burned down and he lit the burner, which fired bright blue and spoke with a dull roar.

Dinner was simple—some instant soup, a good hunk of bread, cheese and finally some tea. When he shut down the stove, the noise disappeared and he was struck, as he so often was in the outdoors, by the incredible silence and aloneness. Not loneliness exactly, for he was content to be here, but no escaping the sensation that, except for a few birds and small mammals, he was the only creature on this coast.

The man cleaned up his cup and spoon with a paper napkin and put his food back into the stuff sack. He thought briefly about hanging the food up in a tree, but shrugged it off. He didn't know for certain if there were bears in the region, but he supposed not. Besides, he didn't really feel like climbing a tree in the dark.

He stashed his cooking gear, unstuffed his sleeping bag and stepped outside to pee. The sky was clearing and stars were coming out, but the moon was making an appearance behind his back, already casting some vague and slightly eerie shadows. Standing in his underwear, the man soon cooled off and retreated to the warmth of his tent.

Not having brought a pillow, he folded up his jacket and made the best shape he could. Then he reached into his pack and pulled out his journal to record the day's events. He wrote about his frantic escape from the city, his relief at getting out and his passion for nature. His words were brief however and fatigue soon overtook him. He switched off the headlamp, rolled over and drifted off.

The man's dreams were deep, lucid and pleasantly improbable. But then, an interruption, something odd, even for the dream world. A subterranean sensation, dull and powerful pounded into his consciousness. He thrashed his arms, twisting in his sleeping bag like a man in a straight jacket, but the feeling only intensified. Slowly, he surfaced, gaining awareness of the tent and the night around him. Something, it seemed, was beating on the side of his tent!

Once, while winter camping in the Cascades, a fir tree had dumped a load of fresh snow directly on his tent at night, but this was something totally different. Now there seemed to be snuffling sounds, heavy feet and breathing only a few feet away. His pulse raced, his adrenal glands dumping their stimulants into his bloodstream. Terrified, he cringed inside his bag and prepared for the worst.

But the beating intensified and one of the tent poles snapped, collapsing the structure around him. Frigid with fear, he could feel the cold nylon against his face, threatening to smother his breathing. Convinced that the bears, or whatever they were,

were after his food, the man groped for the food sack and thrust it out the partially collapsed door. Still, the beating and grunting continued unabated.

“Get up human.”

Insanely, the man thought that he heard a voice, which sent him into even deeper fear. What was this?

“Human, get up.”

There. There it was again. He heard it clearly this time, a deep voice, obviously assertive but without malice.

The man stammered in spite of himself, “No. What?”

“Get up, NOW”

This time the voice was not to be denied, and the man felt compelled to obey. After all, he was still alive and anything had to be better than lying helpless on the ground. He unzipped his bag and to his astonishment heard himself answering, “OK, OK, I’m doing it.” The beating stopped.

The man wrestled against the collapsed nylon, found his pants and boots and staggered clumsily into the night. As he stood up, he struggled mightily to fasten his pants without falling over. At the same time, he turned to look around and yes, there were in fact two bears, great hulking figures with red eyes fastened upon him. There was no way to tell if they were grizzlies or black bears, but they were big, there was no question.

“Let’s go,” he heard one of them say.

Still stunned, he just stared at them, his jaw slack in astonishment.

“C’mon, human, we don’t have all night.” The creatures moved closer, separating the man from his tent.

“What do you want?” the man managed to say, his mind reeling.

“You’ll find out soon enough. Let’s go.”

The man heard the words distinctly, as if they were spoken, but could see no movement on the bear's faces. They spoke to him, apparently, without audible voice. Somehow, they could touch his mind with words.

“Er, but..”

“LET’S GO!” the bear voice demanded with finality. The bears moved in and bumped the man in the torso with their massive muzzles, pushing him towards the lagoon.

With no choice but to obey, the man turned and lurched down the trail, looking back at every possible instant and tripping frequently in the darkness. In the east, the first light of dawn filtered through the trees, and in the distance, an owl hooted. The lagoon shimmered, and the ocean lapped at the beach.

Stumbling down the trail, the man's eyes gradually adjusted to the low light. He could see the rocky beach with a little clarity and the sight staggered him further. There were hundreds of animals gathered here. Sea gulls, hawks, crows and birds of every description floated in the mist. Beaver, otter, wolves and coyotes walked the beach, some in small groups, others alone. Even the mouth of the lagoon seemed to be brimming with creatures; salmon were rushing about, steelhead jumping. And out further in the lagoon, a pod of orcas cruised and a humpback breached the surface.

The man stopped and stared at this explosion of life, but the bears nudged him onward, and not too gently either. They pushed him towards a downed log and told him in no uncertain terms to sit down. He looked around, terrified and awed, then sat.

He waited, glancing nervously left and right, stunned. The creatures were all around him and moving closer. They actually seemed to gather together, not at random, but instead, sitting and perching towards a pile of logs at the center of the beach. The man thought for a moment that the lay of the logs resembled an amphitheater, but then dismissed it as lunacy.

Suddenly, a Stellars Jay screeched loudly and all the animals looked forward.

“Hear ye, hear ye. The first animal court of the Northwest Turtle Island bioregion is now in session, the honorable judge Bubo presiding. All rise.”

With this, an enormous great horned owl flew down from a fir tree on the bluff and landed with perfect grace on the highest log in front of the assembled creatures. The animals that could stand did so.

The judge was massive and dark in color. His ear tufts were widely spaced, his bright yellow eyes framed by tawny facial disks. He looked around at the assembled animals, turning his head almost all the way around. He paused for a moment and then began.

“Good morning. Please read the charges.”

The Stellars Jay screeched once again, as if clearing his throat.

“The creatures of planet earth v. *Homo sapiens*” he said flatly. “The defendant is hereby charged with crimes against the natural world including, but not limited to, wanton and malicious destruction of habitat, destruction of biodiversity, systematic abuse of both human and non-human animals, felony assault and ecocide with premeditation.”

The man’s eyes widened in total astonishment. Now, all eyes were upon him, and he could feel the weight of the accusation sink into his flesh. His mind reeled and he sprang to his feet in protest.

“What the hell is this? You can’t do this!” he yelled at the top of his lungs, feeling simultaneously defiant and ridiculous. He was about to say more, but the bears swatted him back down to the log and the judge hooted a warning. “Mr. Human, I will not tolerate any outbursts during this trial. These charges are serious and deserve full consideration. If you cannot maintain proper decorum, I will have to order stricter measures. Do I make myself clear?”

The man stared at the owl in silence, his anger still rising in indignation and defiance. Surely he did not deserve this! There was no way that he would cooperate with this madness. But just as he resolved to play no part, the bears loomed closer, hot breath in his face, cutting off his retreat and forcing compliance. Frustrated and furious, the man acquiesced. “Yeah.”

“You will address the court as ‘your honor,’” said the judge.

“Yes, your honor,” the man replied meekly.

“Good,” said the judge. He paused for a moment to look at the assembly on the beach. “Now then. This promises to be a highly publicized trial, and I would like to remind everyone to keep to the highest standards of animal behavior. Obviously, many of you will find yourselves in close contact with creatures that you would normally hunt or hide from. This being the case, I hereby order that you suspend the your predator-prey relationships for the duration of this proceeding. Otherwise, this whole trial is going to get completely out of control.”

He looked at the assembled creatures with a penetrating stare. “Predators, do you understand? There is to be no hunting and killing of the jury members, witnesses or, I might add, the defendant. If you get hungry during the trial, ask for a recess and go elsewhere. I intend to make an example of my own behavior. As you know, I am the greatest of all avian predators, and if I can suspend my predatory instincts, so can you. Anyone caught eating any other creature during this trial will be held in contempt and asked to leave. Is that understood?”

He made eye contact with each of the carnivores, but they looked back without emotion or supplication. They seemed to be in compliance, but just barely.

The judge continued his instructions, this time directing his comments to the human. “Defendant, under the rules of animal law, you are entitled to representation, unless of course, you plan to defend yourself and your species, in which case, you’d have a fool for a client. What is your choice?”

“Er, what the hell are you talking about?” the man shot back. “You can’t do this! I refuse to be tried by a bunch of...animals!”

At this, the bears moved in on either side of him, looming so close that he could feel the earthy smell of their coats. Suddenly he felt very small, vulnerable and agreeable.

“Well, yes, well.” A long pause, then “your honor.” The words stuck in his throat and every syllable was a struggle.

“Well, what will it be? Will you represent yourself, or will you accept some representation?”

“I’ll take the representation...your honor.”

“Does anyone wish to represent the human?” the owl asked the gallery. Numerous hoots, howls and grunts passed through the assembly and it was impossible to tell whether the animals thought that this was a fool’s task or a golden opportunity.

The judge looked from one animal to another. “Beaver, what about you?”

“No, your honor, I’ll be busy maintaining the benches and other structures.”

“I see. What about you, hawk? Otter?” There were no takers.

“What about you coyote?”

“Yes, your honor, I’ll take the job. The defendant looks like he can use all the help he can get.” A few snickers passed through the audience.

“So be it. You will act as counsel for the defense.”

“Thank you, your honor. I would like a few minutes with my client.”

“Granted,” the owl hooted, “The court will take a short recess.”

The judge flew off his perch back to the forest, and the animals dispersed. The bears stayed close by until coyote dismissed them. “Thanks guys. I think we’ll just sit on this log and talk for awhile.” Grunting, the bears ambled off toward the forest, but stayed within sight.

Alone now, the coyote and the human looked at one another. Coyote had seen plenty of humans before, but was struck, as he usually was, by their pathetic posture and sheer lack of vitality. The human, on the other hand, was simultaneously fascinated and awed by the intensity of the coyote’s eyes.

For a minute they stared at one another and then coyote said, “So, how will you plead, human?”

“Plead? Plead? Jesus Christ, this can’t be happening!”

“I’m afraid it is happening, human, and I’d suggest that you start thinking about your defense.”

The man groped for a response. “Yeah, but why me? God, why don’t you go after some of those land developers or timber barons? Why don’t you go after the board of directors at a big corporation or some politicians?”

“We thought of that,” replied coyote, “but there was too much disagreement. Every creature had its own, as you would put it, ‘pet’ issues with humans. Sure, the big trees wanted to go after the timber barons. But the salmon wanted to go after the dam builders. The wolves wanted to try the ranchers. It just got too complicated, and besides, it seemed like there was something fundamental about your species that was really at issue, so we decided to go for a common example. You were chosen more or less at random. Just happened to be in the wrong place at the wrong time.”

The man just stared again, sinking into a deeper layer of disbelief.

“So, brother, how do you want to plead?” coyote continued, ignoring his client’s obvious consternation.

“What do you mean how will I plead? You can’t do this! This is crazy. You can’t put me on trial. Why, you’re just a bunch of animals!” Frantically, the man searched his memory for relevant legal knowledge. “Er, you don’t have the jurisdiction!”

Coyote ignored his protest and paused to scratch his ear with his hind foot. “Well, I’m afraid that you’ve got to enter a plea, my friend. Unless you want to plead no contest, which, considering your species’ behavior, might not be such a bad idea.”

“You can’t hold me responsible for all the behaviors of my species!”

“Well, we can’t get all of you together in one place, so we decided to choose a representative. That’d be you.”

“So what are the consequences anyway? What if you do find me guilty? What will they do about it? I mean, so what? You find my species guilty, but what’re you going to do about it? Hold a rally? Protest in the forest?”

“Oh, animal law is quite clear on that, Mr. Human. If you’re found guilty, we can make it quite uncomfortable for you, your species and, naturally, your genes. There’s no telling what the prosecution will ask for, or what the judge might hand down, but you’ll want to keep in mind the fact that we have substantial powers. We’re extremely, how should I put it, well-connected. The outcome of this trial could tip the balance not just for you personally, but for your species as a whole. It would be a simple matter for us to allow certain viruses to multiply for example. We have friends in low places, you know.”

The man just grunted, still not quite believing the reality of his predicament. “Yeah, well, I don’t know what you’re trying to prove here, but I’m innocent, and so is my species. I plead not guilty.”

The coyote stared at him for a long moment. “Are you sure? We might be able to work out some sort of plea bargain.”

“No, damnit!” the man said furiously. “Not guilty!”

“You might consider pleading not guilty by reason of insanity, you know.”

With that, the human just glared, red-faced and indignant.

“OK, well, that’s all I need to know for the time being. I’ll have more questions for you when we sit down to prepare your defense. In the meantime, I’d suggest that you get something to eat. It’s going to be a long afternoon.”

Slowly the man turned away, astonished that he was actually playing along with this madness. But he was getting hungry, so he began walking back up the beach towards his tent. The bears joined him instantly and escorted him all the way.

Later that afternoon the animals reassembled in front of the log dais. Stellar’s jay called the court to order, and the great horned owl addressed the defense, “Does the defendant have a plea?”

“Yes, your honor,” the coyote said. “We plead not guilty.”

A ripple passed through the assembled audience, a few grunts and snickers, and a cackle of disbelief. Ignoring the noises, coyote stepped forward and addressed the court with a preliminary motion. “Your honor, the defense requests a change of venue.”

“Ah,” replied the great horned judge, “how could this be? On what grounds?”

“Your honor, my client cannot get a fair trial in this bioregion. The clear-cutting, road-building and dam-building have been too traumatic, too sustained. Any jury in this region is bound to be biased.”

“Motion denied,” the owl shot back without hesitation. “I find it hard to believe that the defense would be in a better position anywhere else on this planet. Any other motions?”

No one offered any, so the judge began the process of jury selection. He began with instructions to the assembled creatures, but was immediately interrupted by the human who stood up and declared, “Your honor, I object to the nature of this jury. I demand to be tried by a jury of my peers.”

The judge stared at the defense team, incredulous. “Mr. Human, in the first place, you are in no position to demand anything. If you persist, I may decide to hold you in contempt of court, something you would find most unpleasant. In the second place, this *is* a jury of your peers. You are an animal too, or have you forgotten? I will have no more outbursts, is that clear? Counsel, please see to it that the defendant keeps his comments to himself.”

“Er, yes, sorry your honor,” coyote replied.

With that, the judge made quick work of selecting the jury. A Douglas Fir tree, a bald eagle, a spotted owl, a woodpecker, a harbor seal, a millipede, a bobcat, a razor clam, a coho salmon, a cougar, a raccoon and an orca. Those creatures that could sit on the log bench did so, the others came as close as they comfortably could. Several otters were enlisted to act as translators between aquatic and terrestrial creatures; they scurried back and forth across the beach, making sure that everyone was well-informed.

That task completed, the judge declared the court in recess. The bears led the man down the beach and up the bluff into the trees and back to his tent. He did what he could to repair the damaged structure, wrapping the broken pole with some adhesive tape. He wasn't hungry really, but he forced himself to cook a bit of soup, mostly out of habit.

Still in a state of shock, he crawled into his sleeping bag and lay awake for hours struggling to comprehend his predicament. No matter how he thought about it, he just couldn't get his mind around the situation. Held captive by animals? A trial? This just can't be. I've got to get back to the city. My boss is going to kill me, but I can't tell him this. No one will ever believe me. He tried his cell phone, but was out of range. Eventually, his anxious mind ran out of momentum and he fell into a fitful sleep, fantasy and reality hopelessly tangled and impossible to separate.

The next morning the man had a hard time waking up and an even harder time coming to grips with his predicament. This was not exactly the kind of outing he had in mind when he left Seattle three days ago. Surely there had to be a sensible way out of this mess. He wondered about escape, but when he looked outside the tent, there were the bears, alert and as big as ever. So he got dressed, made some coffee and once again was escorted down to the beach. The bears said nothing.

Once the creatures were assembled, the judge directed the prosecution to present its opening statement. The prosecutor was a large black crow with a sharp tongue and a reputation for success. He hopped forward across the sand, then bowed politely to the assembled animals.

"Creatures of the jury. Today we are gathered to consider the case of an arrogant and vicious species. Behold this human," he pointed his wingtip at the defendant, who shuddered involuntarily. "A pathetic creature, or so it would appear. He seems so innocent, so soft and powerless sitting there. Indeed, if you stripped him naked and left him here in the forest without support, he would probably die in short order."

"No hair to speak of, no feathers or fur, no body armor and no weapons. His upright posture is unstable and his senses are relatively weak. He can see with reasonable

acuity, but his sense of smell is almost non-existent. It would seem that we have nothing to fear from him.”

The crow paused for dramatic effect, looking straight into the eyes of the assembled animals.

“And yet, there is more to this creature than would appear. In fact, we do have reason to fear. You see, this is the most vicious, most destructive and most terrifying creature ever to walk the planet.”

“During the course of this trial I will demonstrate how this self-proclaimed *Homo sapiens*”—the crow sneered as if tasting a poisonous plant— “is moved by a strong and irresistible impulse to control everything in its physical and biological environment. I will give you convincing evidence of recent history of ecocide, speciesism, arrogance and hubris. I will show you how this creature has extended his power beyond all sense of proportion. I will prove beyond a shadow of a doubt that he has violated the animal contract.”

“During the course of this trial, the prosecution will demonstrate that the species *homo sapiens* is an environmental criminal loose in the natural world. As you know, the defendant stands charged with the following crimes.”

With this, the crow began to work his way down a long list of charges, his voice rising with each accusation: ecocide with premeditation, wanton destruction of habitat, deforestation, over-fishing, toxic poisoning of land, water and atmosphere, destruction of biodiversity... The man felt each one as a blow to his body.

“My goal is to see that the defendant suffers swift and severe justice that is consistent with the magnitude of his crimes.”

His introduction complete, the crow paused for a moment to let it sink in, then resumed.

“I would like to take you back on a trip in time, many thousands of years so that we might explore the origins of my defendant and his ecocidal tendencies. His species first took form perhaps a million years ago, on another continent entirely. He was a simple primate then, a good animal. But somehow, through an unlikely combination of

circumstance, he developed a curious set of characteristic—hands with opposable thumbs, an upright posture, reasonably good vision, a grossly oversized brain and the capability for vocal speech. Taken together, this combination made the early hominids excellent survivors in their niche, and they thrived. But they were not content with this success; they were restless and ambitious. They migrated from their native lands and displaced other creatures wherever they went. Supported by their devious skills with tools and machines, they came to inhabit a wide range of environments, hot and cold, high and low. And still they did not stop. Now they have expanded their numbers and influence beyond any and all reasonable needs.”

The man fidgeted on his log bench and looked to coyote for reassurance, but saw nothing.

“There is great irony here,” the crow continued. “A paradox that I cannot explain, but one that we must address. For while this species possesses unprecedented powers of destruction, it will not and apparently cannot act in its own self interest. It wantonly destroys that which gives it life. This may be its greatest crime, its most glaring flaw. This species calls itself “sapiens” the wise animal, and yet it refuses to act in its own self interest. It refuses to preserve that which gives it life.

“*Homo*’s crimes have been entirely and increasingly premeditated in almost every case. He is a calculating creature and plans his every move in advance. Due to the severity of the charges, and the extreme malice with which these crimes have been committed, I will be asking for the most severe penalty possible. I will ask for swift extinction of the human species.”

The man turned pale and looked around frantically. Coyote sensed his angst and whispered, “Don’t worry, he’s all bluster.”

“Some will object and ask the court for mercy, but I will have none of it. The defendant and his species have been responsible for the greatest extinction crisis in the last 65 million years. Together they have been responsible for the extinction of thousands of species. In their world, this would be the equivalent of a mass murder, a case of genocide.

They would surely ask for the death penalty and we should do no less. I ask that you find the defendant guilty, and I further ask that you sentence his species to a swift and just extinction.”

With that, the crow turned and made a short hopping flight back to his log, where his associates greeted him. Some animal noises rose from the beach. Clearly, some of the creatures were convinced that the prosecutor spoke the truth. The man sat stunned, his breath shallow. He looked at coyote for reassurance, but coyote just sat on his haunches, looking patiently at the judge, waiting to be called.

After a moment the judge gave coyote the nod and he trotted out and sat calmly in front of the assembled animals.

“Creatures of the jury. During the course of this trial, you are going to hear the prosecution give you a long and tedious summary of the sordid history and barbarous inclinations of *Homo sapiens*. He will tell you about malicious destruction of habitat and species. He will tell you about the buffalo, the passenger pigeon and the ozone layer. He will tell you about the death of the oceans and global warming. Much of what he says will be true. But still, the prosecution is given to exaggeration, hyperbole and distortion.

“In fact, my client is not an innocent plant species or a gentle herbivore. Yes, he has expanded his niche. Yes, he has destroyed habitat and species. But in spite of his obvious failings and ecological ignorance, my client is not guilty in the sense that Mr. Crow would suggest.

“During the course of this trial, I will demonstrate to you that my defendant, *Homo sapiens*, is in fact a good animal and is doing no more or no less than any one of us would do in similar circumstances. I am certain that once you have reviewed all the evidence, you will find my client and his species innocent of all charges.”

He stood and paced back and forth in front of the jury, relaxed and confident in his presentation.

“As you look at the defendant, you will no doubt be asking yourself about this species’ motivations and intent. What moves this animal? As the prosecution tells it,

humans intentionally set out with only one thing in their hearts— domination and destruction of the natural world. As the prosecution tells it, these creatures have one and only one agenda in their relationship with us—power and control. As the prosecution tells it, *Homo sapiens* aims to be the alpha species, lord and master over the entire creation.

“The prosecution will make a good case. I cannot deny that there are some among his kind who are guilty as charged. But let us not forget that there is diversity within this species, just as there is diversity between us. Homo sap is not of one culture or of one mind. Look at the defendant. He came here with no malice, no anger in his heart. Indeed, his one and only goal was to experience this bioregion in all its living glory. There is no conspiracy of human domination. For every one of them that is bent on exterminating us, there are a hundred that are looking for something more, shall we say, ‘sapien?’

“In some cases, atrocities were in fact committed and continue to be committed in a spirit of ignorant domination and outright malice. And yet, other acts are the inadvertent consequence of basic needs and the physiological characteristics of the species. In most cases, *Homo sapiens* is simply being a good animal.”

“In fact, *Homo sapiens* is simply doing what we all do—using his inborn talents to feed himself and reproduce. For every atrocity that we recognize, we must also give credit where it is due. Homo sap is one clever animal, and this is not a crime. I am confident that after hearing all the evidence in this case, you will return a verdict of not guilty. Thank you for your time.”

With that, coyote gave a shallow bow to the jury and trotted back to his client’s side. “How’d I do?” he whispered to the man who was far too stunned to respond.

The judge called for a recess and the animals wandered away, some up to the forested bluff, others down to the ocean or across the beach to the fresh water. Everyone was ready for a break. The prosecution team conferenced for a moment and then hopped away down the beach.

The man and the coyote were left alone on the log, with the bears in the distance. The light was fading and a gentle breeze blew in off the water.

“Well, human, how do you feel after all that?” asked coyote.

At first the man could scarcely speak, overcome by thought and emotion.

“It’s more than I had imagined. That crow, he’s filled with rage. The way he talks, it makes us sound evil, the humans I mean.”

“Well, don’t worry too much about it. Crows always exaggerate; everyone knows that. But still, it’s going to be rough for awhile. He’s going to call some witnesses, and he’s going to tell some harsh stories. But don’t worry too much, I’ve got a plan.”

The man just stared down at the sand now, exhausted.

“You’d better get some rest, my friend. I’ll see you in the morning.”

The next morning, the animals assembled and the judge gave the go-ahead to crow who declared, “Your honor, the prosecution calls *canis lupus*.”

With that, one of the bears left the gathering and walked up the bluff towards the forest. He returned a few minutes later, a single wolf trailing along behind him. The wolf dutifully took his place on a large flat rock facing the judge and jury.

The bear said to wolf, “Place your paw upon the ground. Do you swear to tell the truth, the whole truth and nothing but the truth?”

The wolf grunted his assent and crow approached.

“Please describe your habitat and natural history.”

“We evolved during the Paleocene, some 60 million years ago, when we became a cursorial, or hunt-by-chasing carnivore. We are adapted to a wide variety of habitats ranging from intense arctic cold to warmer temperate regions. At one time, we ranged over nearly all of Turtle Island, although today our range is restricted to the far north.”

“I see,” Crow said. “Now if you would, please describe your experience with the defendant species.”

Wolf glared at the defendant, his eyes burning. “They tortured us, set us on fire, and crippled us. They poisoned us with strychnine, arsenic and cyanide, killing not only us,

but millions of other creatures—raccoons, foxes, wolverines, ravens and eagles. Sometimes they even poisoned themselves and burned down their own property while torching the woods to get rid of us. Today they run us down in pick-up trucks and snowmobiles or shoot us from aircraft.”

“Could any of this be considered livestock protection?”

“Only a fraction of it. It went far beyond protection of their domestic animals. It was hatred. It was fear.”

“What, would you say, has been the typical human perspective on your species?”

“They said that we were lecherous beasts, sneaky villains of waste and desolation. They said we were innately evil. Not only that, we were considered to be cowards.” He curled his lip and bared his teeth, casting a sidelong glance at the defendant. “Which we are not.”

Satisfied, Crow turned to the defense bench and said, “Your witness.”

Coyote approached the stand and addressed the wolf.

“You’re a carnivore, is that correct?”

“Yes, of course,” replied the wolf.

“Can you describe a typical hunt for the jury?”

“Yes, although there isn’t really any typical hunt. They’re all unique.”

“Very well. Now rumor has it that you are highly selective in the animals that you kill, that you only kill the sick, the slow and the aged. In other words, you select out those individuals who are less than perfectly healthy and robust, thus keeping the gene pool in tip-top condition. But that’s not really true is it?”

For a moment, the wolf seemed taken aback, flummoxed by this surprising question. “Er, well...”he hesitated.

“Answer the question,” owl ordered from above.

“Well, no, I guess not.”

Coyote pressed the issue. “Isn’t it true that you sometimes kill animals in the prime of health, and that sometimes you also kill in excess and that you on some occasions also kill each other?”

The wolf sat there and glared, a low growl rumbling in his throat.

“Answer the question!” the judge thundered.

Grudgingly, the wolf sneered, his lip curling, teeth flashing. “Yes, what of it?”

With that, coyote turned to the judge. “No further questions your honor.”

The wolf glared at the coyote for a long moment, then stepped down and trotted back up to the top of the bluff and disappeared into the woods.

Momentarily flummoxed, Crow lost no time calling his next witness. “The prosecution calls humpback whale.”

The judge directed the court to reassemble at water’s edge, near the end of the lagoon. The whale swam up as close as he dared, wary of beaching himself in the shallow water. Fortunately, the tide was coming in and the channel was sufficiently deep. The otters came forward to act as intermediaries.

Once the whale was sworn in, Crow began his questioning.

“Please state your genus, species and habitat for the court.”

“*Megaptera novaeangliae*. I’m an aquatic mammal of the order Cetacea.”

“I see, so you belong to the same class as the defendant.”

“Yes, we returned to the sea in the early Cenozoic period, but we’re still placental mammals.”

“And what has been your relationship with the defendant species during, say, the last 500 years?”

“We’ve been hunted almost constantly. At first it was easy to get away just by keeping to the deep water away from the shore, but as they improved their sailing and hunting technology there was no place to hide. They killed us for our blubber and they

used our oil to lubricate their industrial machinery. Then they began to hunt us in fast, steam-powered boats with explosive harpoons. And then, it was factory ships, which could keep hunting for months at a time. Our numbers dropped radically and we've never really recovered."

"Did the humans make any attempt to curtail their hunting when they saw your numbers dropping?"

"Oh, there were some efforts, I suppose, and some treaties. But by then, our populations were in sad shape. And some humans continued to hunt us for what they called 'scientific purposes.'"

"Scientific?" asked the crow.

"Yes, if you can believe that. It doesn't require a huge brain to realize that there was nothing scientific about any of it. Any sentient being knows that it's stupid to kill beyond need; it's a basic function of intelligence."

"No further questions your honor," said Crow as he took to his perch.

Coyote took his place, paused to gather his thoughts, and began his inquiry.

"So, am I correct to understand that you are a seasonal feeder and a carnivore? You like to feed on tiny crustaceans, krill, plankton and small fish—herring, mackerel, capelin and that sort of thing?"

"Yes, that's correct."

"And isn't it true that you're often described as a 'gulper,' not a 'skimmer?' Don't you actually feed by gulping large mouthfuls of plankton and fish? I've heard it said that an average humpback will eat thousands of pounds of krill and small fish every day. Wouldn't you say that that's a bit excessive?"

"Certainly not. We are enormous animals after all. It takes a lot of energy to do what we do."

"Hmmm," mused coyote. "I see. But there's more to the story, isn't there? Isn't it true that humpbacks cooperate in hunting and have developed a method of rounding up

highly concentrated masses of prey? Something called bubble-net feeding? I've heard it said that a pod will form a big circle under the water and blow a wall of bubbles as you spiral up to the surface. The wall of bubbles forces your prey to the surface in a giant, concentrated mass. Then you're free to gorge at will."

Nothing was heard from the humpback for a few moments and all the assembled animals looked to the otters for a response and a translation. Finally, the response came through. "It's not gorging as you call it. We're just eating, just like everyone else."

"Everyone else?" shot back coyote. "One of your so-called meals is enough to feed a thousand ordinary mammals for a year. How is your behavior any more moderate or intelligent than that of the defendant? What makes you think your fishery is sustainable?"

"OBJECTION!" shouted Crow from his bench. "The defense is badgering the witness."

"Sustained," agreed the judge. "Although I believe that some of us might take issue with your choice of language. In any case, I suggest we take a recess."

With that, the animals dispersed and regrouped in their various pods, packs, flocks, herds and swarms. Some took naps, others disappeared down the beach and into the forest, presumably to feed. After an hour or so, a silent call went up and the animals gathered once again.

"Your honor, the prosecution calls beaver to the stand."

The judge nodded, and a beaver waddled up to the witness rock, dragging his broad flat tail in the sand.

"Please state your genus and species."

"*Castor Canadensis*, order Rodentia, commonly known as the gnawers. We're associated with the squirrel, the rat, the marmot and the porcupine.

"Very well. Now what is your preferred habitat?"

“Well,” the beaver replied, “we like to live in dens or in the banks of rivers, mostly riverine habitats, although we’ve historically had a pretty wide range. At one time we were all over Turtle Island.”

“If you would, please describe your relationship with the defendant species.”

“It’s been a hellish few centuries, I can tell you that. We’ve been trapped and hunted relentlessly. Our numbers have fallen catastrophically. Not only that, but our habitat is disappearing everywhere. Creeks, rivers and wetlands have been drained, dammed and diverted. There’s no place to live anymore.”

“No further questions, your honor.”

Crow returned to his bench and coyote trotted up to the stand and sat on his haunches.

“So, you like to stay around water when possible, is that right?”

“Oh yes, we like to stick pretty close to ponds, shallow lakes and wetlands whenever possible.”

“I see. Well perhaps you could tell the court something more about your dens. Isn’t it true that you actually build these dens out of logs and sticks?”

“Yes, we’re really quite adept at the process,” replied the beaver, obviously proud of his species’ expertise. “We cut the branches to exactly the right lengths and place them carefully. We use them to build dams and our homes as well.”

“And you also have to cut down a lot of trees to build these dams and dens, isn’t that true?”

“Yes, we’re quite adept at felling trees and stripping the bark, using the sticks to dam small brooks and streams to make shallow ponds.”

“Why go to all the trouble? Seems like a lot of work to me.”

“Well, it’s for protection. You see, we have always been a favorite target for carnivores. The wolves and the lynx have always hunted us. This way, we can build our dens in the middle of the water. No one will attack us there.”

“Wouldn’t you say that your species is really quite skilled at the placement of sticks and mud? Wouldn’t you also say that you are adept at predicting the flows of water and the strength of structures?”

“Well yes, I’d have to say that we’re quite proud of our skills.”

The man noticed that Crow was beginning to fidget, scratching his head furiously with his foot.

“Now wouldn’t you also say that dam building is a form of technology and that this makes you a technological species?”

“Objection!” Crow jumped up off his log, flapping his wings in protest. “That calls for speculation!”

“Over-ruled.” said the owl.

Coyote paused, knowing full well that he had scored a dramatic point. “So, Mr. Beaver, given your obvious expertise in building and habitat modification, I was just wondering if perhaps your species has ever given any thought to placing any kinds of limitation on your behaviors, your tree-felling and dam-building for example? Ever given any thought to using a more sustainable and less destructive method of meeting your needs? Ever drawn up a manifesto, a protocol? Any sort of regulations?”

Beaver gnawed on his knuckle, nervously slapping his tail. “Er, well...”

“No further questions your honor,” barked Coyote. He took a swift glance at Crow, and trotted back to sit with the defendant.

Crow seemed not to notice and was wrapped up in a hushed, animated conversation with his partners. There was an intensity to their manner and coyote could tell that their tempers were rising. But Crow stepped forward and called out with confidence, “Your honor, the prosecution calls frog to the stand.”

Coyote cursed under his breath. “Aw shit, I was afraid of this.”

At this, one of the bears ambled over to the edge of the forest and escorted a small green frog down the grassy slope and back onto the beach where he crawled up onto the log bench that served as the witness stand.

Crow approached the stand, paused, and began his questions.

“State your species.”

“I am *Rana cascadae*, informally known as the Cascades Frog.” His voice was low, smooth and surprisingly loud, considering his small size.

“Mr. frog, what is your natural habitat?”

“We normally inhabit any of the moist, forested areas of the Pacific Northwest, most of the Cascadian bioregion in fact.

“And what is the state of your species today?”

Frog’s throat bulged a bit as he gathered his words. “Yes, well I’m glad you asked. Things have been absolutely dreadful, not just for my species, but for all amphibians. Our numbers are falling everywhere. I used to have hundreds of friends and relatives, all within singing distance you know, but now I’m lucky to hear anyone on a summer night...it’s become rather lonely these days.”

“Any idea what might have caused this change?” crow asked in sympathy.

“Well, you hear all kinds of things. There’s ozone depletion, of course. That’s the big one. The light hurts us now. We try to stay out of the sun of course, but even a little exposure burns our skin. And then there’s the pesticides and toxics in the water. Hard to find a clean place to live anymore.”

“I see,” said the Crow. “So you’re suggesting that human activity has had a big impact on your ability to thrive and reproduce?”

“No question about it.”

“Very well,” said the crow. “Now, I understand that amphibians are in serious danger of extinction; is that correct?”

“Yes, barring some unusual event, most of our kind will disappear from the earth in the next 20 years.”

“And you attribute this to the humans?”

“Obviously.”

“No further questions your honor,” said the crow with a nasty glance back at coyote.

Unfazed, coyote approached the stand.

“Mr. Frog, you speak of extinction, the ultimate disappearance of your species and related species. A tragedy to be sure, the ultimate horror.”

“That’s right. What could be worse?”

“And yet, perhaps there’s more to this story. After all, isn’t it the case that all species eventually go extinct?”

Frog replied with what sounded like a belch.

“I’m sorry, could you repeat that? asked coyote.

“I said, yes, I suppose, that’s true.”

“And isn’t it also the case that of all the millions of species that have ever lived on this planet, most have gone extinct?”

Another belch.

“Please answer the question clearly,” instructed the judge.

“Yes, I guess so.”

“And isn’t it also true that most of those extinctions took place before the defendant and his species even evolved?”

“Objection!” shouted crow. “This line of questioning is entirely out-of-bounds.”

“What exactly is your point, counsel?” asked the judge.

“My point,” coyote replied with assurance, “is that extinction is, biologically speaking, a normal event. With the possible exception of the bacteria, we are all temporary. A few million years is about average for most species. With or without human activity, all species will eventually go extinct. My client cannot be held responsible for every event in the biological world.”

“Point taken,” replied the judge flatly. “Any more questions?”

“No your honor, that will be all.”

“Very well. That will be enough for this day. As you know, the principles of animal justice demand a speedy trial and there’s no point of belaboring this proceeding any longer. This court stands in recess. We will reconvene tomorrow at dawn for final statements.” He spread his mighty wings, turned into the wind and took off, flying with perfect grace back to his nest in the high trees.

The man turned to coyote, his face pale, his eyes dark. “So that’s that,” he said.

“What do you mean?” replied coyote. “Just wait till I get ahold of that jury. You’ve got nothing to worry about.”

The man shrugged, unconvinced. The testimony of the day had stuck in his gut and he felt a profound sense of shame and culpability. He had always thought of himself as environmentally conscious, but now, hearing the animals describe their plight in their own words, he was distraught. He walked back up to his tent, sat on the bluff and stared off to the west as the light began to fade. His mind raced, staggered and jumped. He was simultaneously depressed, agitated and filled with awe. And in spite of his distress, there was an odd sense of peace to his being. The animals had spoken and whatever the verdict, he had been there as witness. No one would ever believe this story, but no matter. His life, whatever lay in store, would never be the same.

The next morning the man woke with a start, but gathered his senses quickly and made his way to the beach. Preposterous as it was, he was already beginning to adapt to this new situation, and this spectacle of animal behavior seemed almost normal, as natural as

catching the bus in the city. Anticipation and expectation were rising. Had he not been the defendant, he would actually be enjoying himself.

Once the animals were assembled, Crow began his closing arguments:

“Creatures of the jury. This has been a long and difficult week for all of us and we are all anxious to get back to our lives and prepare for winter. As you are well aware, the weather is far more vicious than it once was. The atmosphere is warming, the storms are becoming more severe. The sea level is rising and many of us will be squeezed out of our already marginal habitats. Many of us will die, and the survivors will be forced to eek out a living or relocate to distant bioregions. Some of our species will surely go extinct.

“During the last few days, you have heard in exacting detail the crimes of *homo sapiens*. You have seen the ways that this species has violated every sense of proportion. You have heard stories of speciesism, atrocity and abuse. You have seen evidence of negligence and outright ecocide. Not only has this species acted with hostility towards the rest of the natural world, it has committed an even greater crime—it has disregarded its own self interest. Blessed with a fantastic nervous system and cognitive powers, it has wasted these gifts with short-term amusement and destruction of its own habitat. It has refused to limit its own procreation and consumption. This species has proven that it is unable and unwilling to live by the laws of ecological functioning

“Consequently, I am asking for the harshest possible penalty. Creatures of the jury, I ask that you deliver a verdict of guilty. Furthermore, I ask that you impose a sentence of a swift and merciless extinction. Given the magnitude of these crimes, anything less would be a miscarriage of justice. Thank you for your time and attention.”

Crow gave a curt bow to the assembled jury and hopped back to his bench. His colleagues whispered into his ear, apparently happy with his summation.

Coyote spoke a few words to the human, then trotted forward. “Creatures of the jury,” he began, pacing easily back and forth. “During the course of this trial you have listened to a long and torturous diatribe against the behaviors of my client’s species. You

have heard a host of charges, some of them substantive, some of them exaggerated, some entirely without merit.”

“Now, I am the first to admit that my client’s species is far from guiltless. There is guilt here, some conscious and intentional, some the product of negligence and stupidity. Nevertheless, I remind you that my client is and has always been, an animal. He has a certain set of characteristics that make him unique, as we are all unique.”

“My client’s species has numerous unique adaptations—the opposable thumb, the upright posture, the binocular vision, the grossly oversized cerebral cortex. But these adaptations are really not so special. Each one of us has some particular trait that gives him power and control in this world. Orcas, you have awesome killing skills. Bats, you have echolocation. Salmon, you have the ability to navigate immense distances. Each of us has incredible powers.

“The prosecution has told you about motives. He has told you that *Homo sapiens* is moved by a strong and irresistible impulse to control everything in its world. According to the prosecution, each and every member of this species lays awake at night, trying to devise ever more devious and cunning ways to dominate his physical and biological environment.”

“Perhaps such an impulse does exist, but I submit to you that it is not, as the prosecutor would suggest, an overwhelming compulsion. It is true that many of my defendant’s kind seek greater power and control at our expense, but in the main, the average human has few delusions of grandeur. This creature does not desire biological tyranny. He simply wants what we all want—some basic level of physical comfort, a chance to feel good in his body, to thrive and reproduce.”

“My client’s species has chosen to call itself *Homo sapiens*, “the wise species,” which given what we have seen in this trial, sounds like either a pathetically bad joke or a genuine aspiration. I encourage you to consider the latter. Thank you for your attention.”

With that, coyote returned to his seat next to the human and addressed the court.

“May it please the court your honor, my client would like to make a statement.”

The man did an abrupt double-take, astonished at this surprising turn of events. He whispered fiercely into Coyote's ear. "What? You never said anything about this. What am I supposed to say? You can't do this!"

"Oh, sorry," Coyote replied. "I meant to tell you yesterday. Standard procedure in a case like this. But relax, you'll do fine. This is your chance to speak out."

"But what will I tell them?"

"I'd suggest you talk about why you came here. I think that would mean a great deal."

The man nodded, unconvinced. His mind rebelled, but as if by some intangible force, his body stood up and faced the jury. He trembled slightly and his mouth was dry; his tongue felt stiff and waxy.

"Your honor, creatures of the jury. I live in a world that is very different from this one. I work in a city, in an office, in a tall building. My world is noisy and frantic. It is exciting and rewarding, but it is also very troubling. We are busy almost all the time. We live in buildings that are insulated and shut off from the natural world. Some of us go weeks or months without seeing sky, water, open land or animals. And so we forget. We get so wrapped up in human affairs that we forget about the land."

The man began to relax a bit as his words came forth. But still the eyes of the animals were upon him; there was no place to hide.

"We know that something is wrong. We have some enormous powers, but many of us feel trapped, isolated and cut off from the thing that gives us life. That is why I come here. To know the world as it is and as it was.

"This place makes my body feel alive. The beauty of this land fills me with wonder and light. My senses come alive. I am thrilled to see any of you, even for an instant. Even a glimpse of you—otter, whale, owl..." He looked from creature to creature in turn... "is special to me. I live for this. All year long, I labor at my desk, trying to break free for a few days, a week perhaps, so I can come to places like this, just for a glimpse. Many of my

friends live the same way, longing to come here, craving this place, this life. This is what we live for.”

He looked around, trying to make eye contact.

“Human education is long and incomplete. As you know, we are born helpless and it is many years before we can function independently. Our culture and makes us what we are, but in most human cultures, we are not encouraged to question our relationship with the natural world. But that culture is changing. Many of us understand what we are doing, many of us understand the suffering we have caused. Many of us are doing everything possible to live in harmony. This is something that you must understand. We are sorry for what we have done and what we continue to do.”

The man sat.

Coyote whispered in his ear, “Nice piece of talking.”

The judge then addressed the jury. “Creatures of the jury, you may find the defendant and his species guilty or not guilty in any degree you choose. You may also recommend to the court any additional penalties or sanctions. Your verdict need not be unanimous; your judgment will be by consensus. You are reminded to conduct your deliberations in strict accordance with animal law. Thank you for your time and your fair judgment.”

And so the court went into recess and the jury began its deliberations, clustered on the beach. Otter shuttled back and forth, ferrying messages between aquatic and terrestrial creatures. Salmon pushed their way up into the nearby stream and whale eased up into the shallow beach. They all began talking at once. The jury foreman did his best to keep them on track, but the discussion went on late into the day, then overnight...

Early the next morning, the jury sent word that it had completed its deliberations and the judge called for the animals to reconvene. Anxiously, they gathered on the beach in anticipation. When they had all settled into place, the judge turned to the jury bench “Have you reached a verdict?”

“Yes we have your honor.”

“Will you please tell us what it is?”

Racoon, the jury foreman, came forward with the declaration. “We find the defendant guilty of negligence. We find the defendant guilty of being a poor animal and of not acting in his own self-interest. We find the defendant not guilty of premeditated ecocide.

The judge paused and then began with grave seriousness.

“During the course of this summer, we have all learned a great deal about you and your most curious species. I dare say that all of our minds have been opened and that many of our former prejudices have been erased. It seems that we were right about you in some ways, wrong in others.”

“You are hereby placed on 10,000 years of probation. You are hereby sentenced to participation, reflection, contemplation and community service. You are hereby required to study the characteristics of your home bioregions and structure your activities in accord with the characteristics of those regions. If you violate these conditions, you will be subject to more extreme measures. Do you understand these conditions?”

The man replied “Yes, your honor.”

With that, the judge declared the trial adjourned. “You are free to go. Be a good animal.”

The man stood up, quivering. He looked around at the creatures assembled around him, tears streaming down his face. They looked back, some with pity, others still bitter and harsh.

The man turned to coyote and awkwardly offered his thanks. Coyote grinned fiercely, obviously pleased with the verdict. Crow ignored him and conferred with his associates.

“Well human, what now? Will you be moving on? Back to the city, the land of humans?”

“Er, yes, I suppose so. I’d like to spend a few more days here, but, well, I could use a shower and all...”

“Ummm, yes, that’s one of your odd habits, I understand. But maybe you can come back and visit us again next year?”

The man could only waffle. “Uh, well, I’ll have to think about that one,” he said. Then he offered his hand to Coyote who returned the gesture with his foreleg. They shook and Coyote trotted away, down the beach and disappeared into the brush.

Staring hard at the disappearing creatures, the man stood motionless, stunned into silence. Wonderstruck, he finally returned to the bluff and, lacking other options, prepared to leave. He stuffed his sleeping bag, packed his tent, put on some clean socks and began the hike back down the beach. As he rounded the point, he stopped and looked back at the lagoon. The animals had disappeared, and now, he could hear nothing.