

SUPREME COURT OF THE STATE OF LINCOLN

IN RE 720 I.L.C.S. 5/12-35

NO. 20-19

Syllabus

The instant matter concerns 720 I.L.C.S. 5/12-35 which in essence makes it illegal for one to engage in sexual acts with an animal, assist someone else in doing so or allowing sexual acts with animals to be conducted on their premises. The petitioners, Cohn and Cames Cmith¹, were discovered engaging in sexual acts with a horse on the farm through a tip to the police from Cohn's ex-girlfriend. Pursuant to the law at question, the petitioners were then arrested and convicted. Petitioners argue that this statute violates their 9th and 14th Amendment rights as well as Article I section 24 and Article XII of the state constitution. The State has argued that this is not a privacy matter, and is instead a matter of public health as well as animal cruelty. After careful review, we hold that 720 I.L.C.S. 5/12-35 is constitutional.

CardWitch, J. delivered the opinion of the Court, joined by HomoFuckSpace, J., and High-Priest-of-Helix, C.J.

¹ The petitioner admits that these individuals look remarkably like John and James Smith as well as Bohn and Bames Bmith. The Court can only assume that this is a coincidence and not some elaborate costuming ruse in order to continually file in the Lincoln Supreme Court - as that is unnecessary.

I

The Petitioners alleged that 720 I.L.C.S. 5/12-35 is in violation of the Federal Constitution's Ninth Amendment, Fourteenth Amendment as well as Article I, section 24 and Article XII of the Lincoln Constitution. While normally it would behoove the Court to analyze each potential violation separately, each of the items are tightly intertwined with what they protect - the right of privacy from the government and protection from laws that infringe upon it as well as bodily autonomy. Strict scrutiny is the standard of review that this Court will use to determine the constitutionality of the law.

II

It is undeniable that the Courts have construed that there is a legitimate right to privacy. Griswold v. Connecticut, 381 US 479 (1965). This right is not absolute and is instead viewed as areas or zones of privacy - it extends to areas such as procreation, contraception and family relationships. Roe v. Wade, 410 US 113 (1973). It is important that individuals are able to have access to reproductive autonomy, however a key aspect to that - and what differentiates this case from standard case of two individuals having sex - is consent. The State quickly submits that the difference between bestiality and most other sexual acts, is the presence of consent². There are some parties that are just unable to provide consent. The State is well within its rights to punishing individuals for acts between them that are non consensual. Lawrence v. Texas, 539 US 558 (2003). To take it a step further, protecting those who are unable to give consent is firmly under the umbrella of a compelling government interest.

III

The petitioners further argued that if it could be determined that there *is* a governmental interest with regards to protecting animals, that is contradicted by the presence of the

² The presence of consent for sexual acts is vital in determining whether it is a crime or not. Shocking.

slaughtering of animals for food. While this brings up an interesting point to consider, it is not convincing in the least. Since the dawn of time³ humans have domesticated animals for the purpose of food, hide, and the use of animals for labor⁴. While there are plenty of instances where the argument of “this is how it has always been done” does not fly, the consumption of animals is for the most part necessary for the majority of people in the world. Despite some obvious shortcomings, it is clear that the United States has attempted to a degree to make the process less cruel through the passing of the Humane Slaughter Act of 1978⁵. The slaughter of animals, albeit for religious reasons, has been protected by the Courts. Church of Lukumi Babalu Aye, Inc. v Hialeah, 508 US 520 (1993).

CONCLUSION

Upon review of the arguments made by both sides as well as a thorough review of the law at question, the Court concludes that there is a compelling government interest present in maintaining public health as well as reducing instances of animal cruelty. Therefore, 720 I.L.C.S. 5/12-35 is found to be Constitutional and is **upheld**.

³ Or at least since humankind has begun to domesticate plants.

⁴ <https://www.nationalgeographic.org/encyclopedia/domestication/>

⁵ <https://www.nal.usda.gov/awic/humane-methods-slaughter-act>