

Alhaurin el Grande and Gerald Brennan

Alhaurín el Grande is a name that for many people has been associated with the British Hispanist, and member of the Bloomsbury Group, Gerald Brennan (1894-1987). Brennan authored some of the more revealing and impartial books about Spain's recent past, including *The Spanish Labyrinth: An Account of the Social and Political Background of the Civil War*, published in 1943, the Spanish edition of which was banned for many years –clandestine editions were made, e.g. by Ruedo Ibérico–. Brennan was one of a series of figures who were fascinated by pre-Civil War Spain and who were able to portray the country masterfully. Though always in touch with his many friends around the world, among which were artists, writers and incorrigible travellers, he lived most of his life in the town of Alhaurín el Grande and was very much a part of the local community, where he was known as Don Geraldo.

This brilliant writer, who loved Spain and its traditions, as reflected in South of Granada, would have been outraged if he had known that his town, Alhaurín, were to become associated since last May to the cruel spectacle in which a young cow (a heifer) died after being beaten brutally by local youths as part of the annual town festivities [\[1\]](#). Don Geraldo would have felt ashamed, as will anyone who has the heart to watch the footage that was shown on television and is now viewable on Youtube.

Such barbarism is insufferable, whether it is regarded a tradition or a legitimate custom, for legitimate it is not. The fact that it is subsidised with public funds makes it even more outrageous. It is not only a matter of the image that Spain offers the rest of the world –which is not a good one–, for reducing the matter to that aspect would be to indulge in Kosmetikbegriff: to disguise reality. The reality of it is simpler and harsher. It is a combination of brutality and impunity. It is possible to torment a helpless animal (¿how big was the little cow that was taken down by hoards of local lads?) in full view of all the townspeople and the police, with no danger of being admonished, not even of being told: “Stop! You are killing her!”, let alone being reported, cautioned or fined. That is the heart of the matter: the consented, cheered and subsidised brutality. The footage is there for all to see, the faces of the youths involved are clearly recognisable. Yet only one complaint has been lodged, by a member of an animal welfare organisation.

These spectacles in which animals are made to suffer must stop. They linger on in a confounded society that turns a blind eye and is permissive of the mistreatment of animals for mere (and bloody) entertainment. One must turn back far in history to find precedents of such spectacles, and even then there were philosophers and thinkers who cried out against the mistreatment of animals. Today, the Law, in shameful silence, is allowing the continuance of acts that degrade the whole of society.

What can be done? What means do we have to stop these acts? Well, not too many, to say the truth, but we do have some important things on our side. To begin with, we have an ever growing number of citizens that cannot stand for the infliction of suffering upon animals. An emerging social sensitivity refuses to look at itself in the mirror of cruelty towards animals. We also have the determination of many parents and educators not to turn a blind eye to the mistreatment of animals, and their commitment to show to their children and their pupils that such acts degrade humanity, and that our responsibilities as citizens, our obligations toward future generations, include the protection of animals. That is, as the legal texts of some European countries put it, they entail an obligation to protect and respect nature and, especially, animals. Accordingly, in these countries animals are no longer “things that can be owned”, but sentient beings.

In the legal sphere we have tools to punish the mistreatment of animals, such as articles 337 and 632 of the Criminal Code and the numerous animal protection laws in the Autonomous Communities, all

purporting to protect the animal and punish the abuser. We also have a nascent jurisprudence that favours firm interpretation of the regulations and letting the full weight of the Law fall upon those who abandon, abuse or kill an animal. But how effective are these abundant regulations? How far does the Law reach to protect animals, and how effective is the coupling of Law and society today in Spain?

What sets us apart from the trend in other European countries is that we lack a General Law for the Protection of Animals. To those who think that in a State that is divided into Autonomous Communities such a Law is not viable, it is worth noting that three of the countries in which such regulations are best established are in fact federal states, namely, Austria, Germany and Switzerland. This shows that a State Law that regulates the protection of animals can coexist with more specific regulations in the various federal divisions, Länder or cantons. This model is perfectly applicable in Spain, causing no diminishment to the regulations in the Autonomous Communities already in force, although these might have to be adapted if a general law were in place, in order to, for instance, adopt common rules concerning companion animals. Incidentally, these are now also referred to as working animals, which leads to confusion when accessing current legislation and also creates a disconnection with the users of the Law and with those in charge of applying it.

What's needed is not only a reform to toughen penal regulations concerning animal abuse, but also a coordinated two-pronged action. First, it is necessary for the education system to reflect the sensitivities of a citizenship that finds the abuse of animals increasingly disturbing, by including a pedagogy of compassion towards animals in schools. Secondly, lawmakers have to take on the responsibility for ensuring the full application of the sentences on animal abuse and for initiating the necessary changes to give animals full recognition in the Law as sentient beings, as opposed to mere things.

In those countries in which such change in legal status has been effected, the impact has been clear and significant. It has affected social life in that there is a greater tolerance of the presence of animals in public areas, fewer animals are abandoned, and new generations have a greater sense of responsibility toward animals. It has also had an impact on regulations, which are enforced, and associated to this there is a greater sense of responsibility that leads to what has been called the "culture of reporting." There is less indifference to animal abuse, and citizens take the initiative and decide to change things striving to eradicate cruel behaviour that degrades society as a whole.

In the sixties, in the midst of a revolution in fashion, music, customs and sexual behaviour, a book was published in the UK called "Animal Machines: The new Factory Farming Industry." With this book the author, Ruth Harrison, galvanised British society by exposing for the first time the appalling conditions under which animals were exploited in mass production farms. The social alarm that was generated led to the setting up of a Parliamentary Committee, chaired by zoologist F. W. Brambell, that would recommend much greater consideration toward, and protection of, farm animals. The Brambell Committee proposed the so-called "Five Freedoms," a set of minimum standards that the living environment of farm animals should meet. The Five Freedoms have served as guidelines for subsequent Animal Welfare legislation in the European Union.

This is truly a good example of how the Law and society can function synergistically. It is no coincidence that the United Kingdom has the honour of having passed the first law to protect animals back in 1822. Since then the mutual permeation between the regulations and customs of British society has led to ever more effective protection of animals. Gerald Brenan would undoubtedly have reported his town, Alhaurín el Grande, to the authorities.

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