

Saint Cruelty (*)

Keywords: shows with animals; bull runs; animality; religious rites

The beginning of summer sets in motion the calendar of patron saint celebrations in Spain. There are festivities all year round, but during summer they seem to peak as the good weather encourages people to take part in outdoor shows, and they are always more frequent at the far reaches of our country.

With a few exceptions, the festivities in the towns coincide with the religious calendar. Through religious dedication the Patron Saints are celebrated. City councils implement the Annual Programme to amuse fellow citizens, which has little variety. It is called traditional, due to it being repeated, and it always includes, as well as other activities that I will not detail as they are already known (gastronomic, sporting, cultural, open-air), shows with animals.[1] I am of course referring to the bullfights that, aside from in two autonomies,[2] continue to be celebrated, despite the fact they increasingly disgust the public and that there are municipalities, such as in Mallorca,[3] that declare themselves against to the organisation of bull shows. The mayor of Pinto has for some years announced that they will not grant subsidies for the celebration of bullfights,[4] and both A Coruña[5] and Gandía[6] have made similar declarations.

However, I don't want to limit this reference only to bullfighting. Right now it is not about adding fuel to the fire, as it is already well fuelled! [7] Instead my view is broader. I want to refer to all the shows authorised by their respective municipal corporations, established by general legislation [8] and in the respective Autonomous Communities, [9] in which, almost always in relation to a religious festivity, shows are organised with animals that endure mistreatment for the amusement of citizens and of visitors that come to the locality to cure their summer boredom.

I am referring to the "bull-running", the "Corre-bous", the "Bous a la Mar", the "Toro Embolado", the "Toro de Jubilo", the "Toro de Fuego", and others that would make this list too long.[10] For better or worse, all these barbaric acts consist of putting a bull in unnatural situations that endanger its physical integrity and are quite simply against common sense.

Based on this, please allow me to present the following questions:
Instead of grazing, do bulls that live in meadows spend their time swimming lengths at the nearest beach?

In a sudden burst of night-time pleasure, do they adorn their nape with torches that cause molten tar to drip into their eyes and blind them?

Of course, I had forgotten;
Bulls (mammals with a central nervous system similar to you that is reading this article) enjoying being burnt, they enjoy running among a rowdy crowd of "I-don't-know-where-to-but-let's-go". They like being dragged by through crowded streets while people pull their horns by the rope attached to them. They like bleeding from darts thrown by locals

at the bar on the corner, a bigger bull's eye than normal. They like dying in an open field, skewered by a horse rider wielding a spear. They like swimming in the sea; for this reason they don't need to be pushed or tricked into falling from the dock, but throw themselves in. Precisely this: the bulls like to find themselves in water, surrounded by boats full of people knocking each other in trying to grab its tail, which, like our tailbone, forms the end of the spiral column and is therefore full of nerve endings. Out of interest, the bulls used in these festivals can weigh over 200 kilos and are short-legged. Also out of interest, my dogs, which are short-legged and wide-bellied, like to swim *a little*, and they weigh no more than seven kilos. If all the above were true, one would have to demand: Federation of swimmer-runner-triathlon bulls: NOW! Or also, Federation of tethered-bloodied-blinded by torches bulls: NOW! And that in the municipalities that organise the annual martyrdom, they pay for the facilities and trainers, so that we are in the best place – including that which we hire – for the next Animal Cruelty Olympics.

If we limit ourselves only to bulls, we could think that in Spain we perhaps have a “fondness” for the bull, that, as with any great love, can at times can surpass reasonable boundaries (in this case, the minimum respect for a sentient being and its basic needs). But outside of these dates and facilities. the shows that make animals the target of behaviour for the purpose of patron saint festivals would be punishable by the Criminal Code or by the administrative authority[11] for breaches that our legislation has determined for not only bovines but all types of animals; ants sprayed with vinegar; ducks thrown at the port or on the beach; those that are trapped in the middle of deafening screams; wild horses that have their manes torn off; live chickens or ducks that have their throat cut by those in rowboats on the river; donkeys or ponies tied to a carrousel for children, but are then mounted by adults, who are sometimes drunk, whose weight exhausts and damages them; or donkeys enclosed in a coral to be mounted by anyone.[12]

Setting out the issue in this summary form creates a map of animal cruelty that is simply grotesque. No surrounding country of ours, at least in an open way and with consent from society and political authorities, maintains and defends animal abuse and cruelty against living beings that feel as we do.[13] It is paradoxical that a country that calls itself civilised not only tolerates, but organises barbaric acts in which the blood of an animal is spilled for the entertainment of spectators that, for the mere fact of attending this bloodbath, are considered defenders of their idiosyncrasy, are affirmed in their being and feeling, are filled with love as the bell tolls. There is no sense, a lack of clarity and limit of official intervention, appropriate legislation and public policies, which must serve to defend, respect and generate respect for all, including all animals. None other than this is the mandate of our membership of the EU,[14] which is the supranational organisation that has most and best legislated on animals: 40 years legislating for animal welfare.[15] Well, animal mistreatment is not compatible with animal welfare. So, as recently done by France,[16] it is time we modify our Civil Code, so that animals no longer remain inert things. It is the time for public administrations to stop subsidising cruel shows. It is the time for becoming aware about public animal shows, which cause danger and death to citizens, and are also incompatible with risk prevention legislation, observance of which is a priority for public administrations.[17]

In terms of society, there is increasingly more sensitivity, expressed by way of rejecting these shows that denigrate a whole country, although there are some who insist

on maintaining Saint Cruelty, as an expression of our tough and incontrovertible identity. The animal celebration-cruelty binomial is, for some, inseparable. However, our position must change substantially, towards amusements also. Individual and collective responsibility towards animal protection is the best way to express a new form of relations with animals, which is beginning to define itself this way in global society. They are not objects, nor are they things; society owes animals responsible behaviour that recognises their intrinsic dignity as sentient beings.

Finally, does the Church play any role in the organisation of these acts? Officially, of course not. But there are acts of animals mistreatment that take place in ecclesiastical facilities, in the bell towers of the church, from which, for example, a turkey is thrown into the crowd gathered in the town square below.[18] To cite a case that faced international repercussion, in the celebrations of the San Fermin festival, there is bull-running in the morning and bullfights and processions in the afternoon, or procession and bullfight with *ajoarriero* and *chistorra* sandwiches in the local suntraps. Does the Catholic Church, therefore, have any interest in maintaining the link between its religious celebrations and animal cruelty? Is animal cruelty transformed, because it is carried out in honour of the local saint, Saint Cruelty?

It is well known that the Church has openly demonstrated against animal mistreatment on many occasions, but, it would be more accurate to say that it has done so for particularly terrible situations, and not for ordinary occasions. The papal bulls that have prohibited the runs are evidence of this.[19] We find examples of seraphic behaviour towards animals in San Francisco (“Hermano Lobo”), in San Antonio Abad (“Sant Antoni de Porquet”) and in San Roque. The recent Popes - John Paul II, Benedict XVI and Francis - have reiterated warnings against animal abuse but, frankly, in my opinion it is necessary and crucial for society that the Church visibly separates itself from indifference or passive acceptance of animal abuse, whether or not it is decorated as a celebration with flowers and incense. In short, there is no pretext to justify cruelty against animals.

(*) The title of this editorial has been taken from Nietzsche, from epigraph 73 of Book II of his book "Die fröhliche Wissenschaft" (1882, "The Gay Science", the Young science, an accepted translation, of an almost untranslatable German expression), in which he begins to develop the concept of animality, common among humans, which has also influenced the work of other recent thinkers such as Derrida, and in the configuration of contemporary bio-political debates.

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[1] It is worth reading art. 3 of Law 34/2010, of 1st October, regulating traditional celebrations with bulls, in the Autonomous Community of Catalonia (BOE of 23 October 2010), aimed at clarifying what is understood by “municipalities with tradition”, where the legislator does not seem to have been inspired by, exactly, the well-known quote by Catalan philosopher and essayist Eugenio d’Ors; “All that is not Tradition, is plague”.

[2] The Canary Islands prohibited the bull runs in 1991 with Law 8/1991, 30th of April, on the protection of animals

that, in article 5, establishes: “the use of animals in fights, celebrations, shows and other activities amounting to mistreatment, cruelty or suffering is prohibited”. On 28th July 2010 the Catalanian Parliament passed by 68 votes in favour, 55 against, and 9 abstentions, the abolishment of bullfighting in Catalonia from 1st January 2012 (<http://www.derechoanimal.info/bbdd/Documentos/792.pdf>), published in the Official State Bulletin of 24th August 2010 (<http://www.derechoanimal.info/bbdd/Documentos/791.pdf>), with the following amendment: the letter ‘f’ is added to part 1 of article 6 of the revised text of the Animal Protection Law, passed by Legislative Decree 2/2008, with the following text: “bullfights and shows with bulls that include the death of the animal and the use of types of spears, bandarillas and rapiers, as well as any form of bull shows that take place within or without the bullrings, except for the celebrations with bulls referred to in part 2”.

[3] The “Mallorca sin sangre” campaign (“[Mallorca sense sang](#)”, initiated some years ago, has until now achieved the suppression of bullfights in various municipalities. [The last of these - Mancor de la Vall - currently amounts to 18.](#)

[4] See. href="http://cadenaser.com/emisora/2015/06/30/radio_madrid/1435665020_130305.html

[5] See http://www.lavozdegalicia.es/noticia/coruna/coruna/2015/05/30/toros-museo-automovil-noroeste-fiestasdescentralizadas/0003_201505H30C2993.htm.

[6] See <http://www.elmundo.es/cultura/2015/07/01/5593cb4be2704e48378b4576.html>

[7] It is enough to read the prologue to Law 18/2013 of 13th November, regulating the *Tauromaquia* as cultural Patrimony, a text made to ‘play it safe’, in which there was no solution other than introducing paragraphs recognising the existence of the dissension provoked in citizens by bullfights, and which the legislator ventures possible changes for future generations to accept the *Tauromaquia*: “The bull celebrations and popular bull shows are lively and dynamic, subject to constant evolution, however conjecture may be on how to adapt them to the changing sensibilities of our times and other things to come. This will depend on maintaining its popular interest, and of it being able to renovate itself among the new generations of fans that, in their case, must maintain, update and conserve the bull celebrations (...)”.

[8] Law 10/1991, 4th April, on administrative powers on the subject of bull shows ([BOE de 5.4.1991](#)).

[9] To this end, updated autonomous legislation relating to this subject can be found in the [derechoanimal.info](#) Database under the topics: [Shows, Bull Shows, Popular X, Cock fighting, dog fighting, prohibition of shows.](#)

[10] It is to make an interactive map of popular festivities with animals. I am committed to doing so, and invite my readers to send me the following information: date, celebration, locality, type of show, authorisation. Thanks in advance!

[11] Cf. the articles published on this site referring to the latest modification of the Criminal Code, coming into on 1st July 2015: REQUEJO CONDE, M.C., [The crime of Animal mistreatment after the Penal Code reform by the Organic Law 1/2015 of 30th March](#); RIOS CORBACHO, J.M., [Commentary relating to the mistreatment of animals in the new reform of the Spanish Penal Code \(LO 1/2015\)](#).

[12] See. GIMÉNEZ-CANDELA, M., [La gran burrada](#),

[13] See. GIMÉNEZ-CANDELA, M., [Seres sintientes](#); [Las cosquillas del caracol](#) and in [Caballo de Nietzsche](#);

[14] Even though paragraph 2 of TFEU art. 13 excludes shows with animals, it implicitly considers them sentient beings, as established by the first part of the article. On this, cf.: ALONSO, E., El art. 13 del Tratado de Funcionamiento de la Unión Europea: Los animales como "seres sensibles (sentientes) a la luz de la Jurisprudencia del Tribunal de Justicia de la Unión Europea, in GIMÉNEZ-CANDELA, T. - D. FAVRE (Eds.), *Animals and the Law* (Valencia 2015) 17ss.; LACHANCE, M., *Animal as Sentient Being, Are we Concerned by Animal Suffering in Canada?*, *ibidem* 275ss.; WARTENBERG, M., Art. 13 Lisbon Treaty/TFUE. Historical, Constitutional and And Legal Aspects, *ibidem* 353ss.

[15] PLUDA, M., Entrevista a Andrea Gavinelli, in <http://www.derechoanimal.info/esp/page/3326/entrevista-a-andrea-gavinelli>; [información general sobre Bienestar Animal en Europa; 40 Years on Animal Welfare](#)

[16] See GIMÉNEZ-CANDELA, M., [Una nueva Revolución Francesa: la modernización del Code civil](#).

[17] In this sense, the El País editorial on 29th June 2015, [Fiestas mortales](#).

[18] [On the occasion of the S. Blas Celebrations, in Cazalilla de la Sierra \(Jaén\)](#).

[19] S. Pio V , Papal Bull "De Salutis Gregis Dominicis", on 1st November 1567, which was not published in Spain, was systematically incomplete and later abolished. After 84 years and 8 papacies, Pope Sixtus XI sent a brief to the King of Spain, during the reign of Carlos II, through the apostolic herald Cardinal Portocarrero, in which it was stated: “how much it would please God to prohibit the celebrations of the bulls”, although it is not certain whether this recommendation was very effective. In 1920, eminent members of the clergy, such as Cardinal Gasparri, Secretary of State for The Vatican, condemned bullfights (“those bloody and shameful shows”) and in 1989 Monsignor Canciani, Congregation Consultant for the Santa Sede Cergy, declared the validity of the papal bull in public declarations that were systematically forgotten.