

Note: This is a preprint of a paper forthcoming in the *Journal of Animal Ethics*.

## **A Critique of Mario Vargas Llosa's Putative Justifications of Bullfighting**

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### Abstract

The Nobel Prize in Literature laureate Mario Vargas Llosa (2020) praises the legal protection of bullfighting by a Peruvian law that prohibits the torture of animals except in case of cultural traditions, such as bullfighting and cockfighting. He claims that his defense of bullfighting follows from his liberal point of view, and advances three reasons in favor of its preservation: It is a tradition, it is a fine art, and the individuals should be constitutionally free to choose what to see and where to go. I argue that his arguments are morally irrelevant and logically unsound.

Key words: animal law, animal rights, culture, aesthetics, civil liberties, animal cruelty, animals in sport and entertainment, bulls, Mario Vargas Llosa

At the beginning of March 2020, the Nobel Prize in Literature laureate Mario Vargas Llosa (2020) published an opinion column praising a recent verdict passed by the Peruvian Constitutional Court (2020) on the legality of bullfighting and cockfighting. In his piece, the Latin American born author, and once-aspiring candidate to the Presidency of Peru, asserted that voting against the recognition of bullfighting as an instance of animal cruelty that should be banned by law was a deed that “gave honor” to the members of the Court. For him, the sentence constituted “a victory of democracy and freedom against their traditional enemies” not just in Peru, but also in the entire globe. He encouraged liberals around the world to celebrate this decision<sup>1</sup>.

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<sup>1</sup> Certainly, Vargas Llosa's enthusiasm is understandable, as it is his view of this verdict as a global “victory,” since nowadays bullfighting is legal in just eight countries (Colombia, Ecuador, France, Mexico, Peru, Portugal, Spain, and Venezuela) across the world and many indicators show that this number will be even

The verdict in question was actually not unanimous. It was a majority verdict (4–3) that rejected a petition signed by more than five thousand Peruvian citizens who demanded to declare unconstitutional the current exclusion of bullfighting and cockfighting from the national law for animal protection and welfare (see Ley de Protección y Bienestar Animal, 2016, First Final Complementary Disposition). This law prohibits the torture of animals by humans as well as staged animal fighting. The inconsistency contested by the petition was the ban of animal cruelty except in case of “cultural traditions.” This means that it is not allowed to provoke unnecessary suffering to an animal, save the unnecessary suffering is caused within the context of a local tradition.

The reasons Vargas Llosa advances in defense of bullfighting in his column are three: It is a tradition (culture), it is a fine art (aesthetics), and the individuals are constitutionally free to choose what to see and where to go (civil liberties)<sup>2</sup>. He does not defend or condemn explicitly cockfighting. He declares himself uninterested in that practice. It is worth assessing the arguments given by such an influential figure in the world of letters and among the political elites of the Americas and Spain. Vargas Llosa is arguably the most respected and influential public intellectual in the Spanish-speaking world.

## **Culture**

Vargas Llosa holds that bullfighting is “an essential part of the Peruvian culture” and that it has existed since the very moment both the Spanish tradition and what he calls the “pre-Hispanic tradition” mixed into “a single one” almost five hundred years ago. Consequently, the prohibition of bullfighting, if approved, would have as a result not the removal of a secondary and disposable aspect of the Peruvian culture, but the elimination of a primary and essential feature. In his view, banning bullfighting amounts if not to killing the Peruvian culture itself, still to weaken it significantly through the amputation

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smaller in the near future. Nicaragua banned bullfighting in 2010 and Panama in 2012. In Spain, the Canary Islands banned bullfighting in 1991 and Catalonia in 2010. For the controversy in Spain, see Brandes (2009) y Mosterín (1985).

<sup>2</sup> Vargas Llosa has advanced similar reasons in favor of bullfighting in several other pieces (see Vargas Llosa 2004, 2010a, 2010b, 2019). He also signed a manifesto in defense of this practice in Peru. Another prominent signatory to that document was Diego García Sayán, who at the time was the President of the Inter-American Court of Human Rights (see “Manifiesto por la libertad y la diversidad cultural: ¡Sí a las corridas de toros!”, 2012). For historical details on Mr. Vargas Llosa’s fondness for bullfighting, see Campos Cañizares (2011, 2012).

of a key part of its uniqueness. Peruvian identity would not just be the same after that hypothetical legal step.

First, it is not accurate to suggest that there was a single pre-Hispanic tradition in the territory later occupied by the colonial Spanish administration under the name of Viceroyalty of Peru. There were many pre-Hispanic traditions in the land area known as Peru. The Quechua/Inca culture, although hegemonic, was not the only one in this vast territory (see D'Altroy, 2014; Lockhart, 1994; Lumbreras, 1974, 1999; Moseley, 1992; Rostworowski & Morris, 1999; Salomon & Urioste, 1991). It is possible to find evidence of the wide cultural and ethnic diversity prior to the arrival of the Spaniards in the 47 native languages that are still spoken in different regions of Peru (see Ministry of Education of Peru, 2013). The evidence is also found in the rich and diverse worldviews associated to these languages. Furthermore, many other native languages — and their corresponding human groups — that evidenced the pre-Hispanic cultural diversity gone extinct in the last five hundred years (see Ministry of Culture of Peru, 2013; Spalding, 1999).

The fusion of the Spanish/Castilian tradition with the different regional traditions found in Peru did not give rise to “a single” Peruvian culture distributed uniformly throughout the country (see Dobyns & Doughty, 1976; Glave, 1999; Klarén, 2000). Indeed, Peru is not a homogeneous nation in any sense (see Coronado, 2009; Cotler, 1978; Thurner, 2001). There is a varied spectrum of cultural identities (native and hybrid ones) dispersed in the Peruvian territory across the Amazon jungle, the Andes Mountains, and the narrow coastal desert strip next to the Pacific Ocean (see Degregori, 2000; Degregori, Sendón, & Sandoval, 2012; Ministry of Culture of Peru, 2019). Thinking about Peru as a single culture with essential features that emerged from the mixture of the Hispanic and pre-Hispanic traditions is more an ideology (the ideology of miscegenation) than a belief based on facts and the study of social reality.

The Spanish style of bullfighting that Vargas Llosa celebrates, the one in which the bull is “punished” and killed in three acts (kinds of bullfighting in which the bull is not killed are described scornfully by him as “lame and one-armed”) does not constitute a custom in most of the different Peruvian regional cultures. It is not a well-received practice either. Vargas Llosa’s perception that those who oppose to it are just “few among Peruvians” proves wrong when contrasted to data. A 2013 national survey shows 78 percent

disapproval of bullfighting and 15 percent approval (see Datum Internacional S. A., 2013, p. 12). Interestingly, other national survey shows 70 percent disapproval of the 2020 verdict passed by the Peruvian Constitutional Court on the legality of bullfighting and cockfighting and 26 percent approval (see Datum Internacional S. A., 2020, p. 12)<sup>3</sup>.

It is important to point out that the particular style of bullfighting celebrated by Vargas Llosa was generated and implemented in Spain between the eighteenth and nineteenth centuries (see Douglass, 1984, 1997; Shubert, 2001; Thompson, 2010) — i.e., at least two hundred years after the conquest of Peru. This means that it is a late imported practice and not one that took place since the beginning of the Spanish rule in Peru in the first half of the sixteenth century (see Iwasaki Cauti, 2000; Rose, 1999).

Ironically, Vargas Llosa mentions the Yawar Fiesta (blood festival) as a proof of how ingrained bullfighting is in the Peruvian culture. This kind of bullfighting is quite different from the Spanish style but not less sadistic. In it, an Andean condor, which is the largest scavenging bird of prey, wounds with his claws and beak the back of the bull to which he is tied (see Barnes, 1994; Piana, 2019). The arena ends full of blood. That is the rationale behind the name “Yawar Fiesta.” The spectacle is not intended as a celebration of the fusion of Spanish and pre-Hispanic traditions, but as a metaphor of how native people represented by the Andean condor, a local animal, fought against the oppression of the Spanish invaders, who are represented by the bull, a foreign animal<sup>4</sup>.

On the other hand, even if there were such a thing as a single Peruvian culture, and that it had as an important element the practice of the Spanish style of bullfighting, this would not be a good reason for defending bullfighting from the liberal standpoint Vargas Llosa endorses. It is not clear that cultures have “essential parts.” That is probably a literary license in the use of metaphysical language. Cultures are not static entities; they are changeable phenomena. Cultures change over time and their component parts are not goods in themselves that should be preserved no matter what. Concluding that a practice is part of a local culture does not attach a fortiori moral legitimacy to it – from the fact that

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<sup>3</sup> For statistics on the approval and disapproval of bullfighting in Spain, see María, Mazas, Zarza, & Miranda de la Lama (2017).

<sup>4</sup> The Yawar Fiesta depicted in the eponymous novel written by the Peruvian indigenista author José María Arguedas (1941/1985) does not include a condor in the bullfight. In this fiction, the bull, a symbol of the oppression, is killed by native people using dynamite.

a practice is part of a local culture does not follow logically the legal protection of such a practice either. Further reasons should be given in defense of it and its preservation. That is why justifying animal cruelty on the sole basis of culture and tradition is fallacious (see Galgut, 2019). Traditions and culture are not immune to criticism. During the Enlightenment, for example, the Spanish kings Charles III and Charles IV banned bullfighting. Later, however, the conservative Ferdinand VII reintroduced it<sup>5</sup> — he also reinstated the Inquisition (see Andreu, 2008; Badorrey Martín, 2009; Carretero González, 2018; Mosterín, 2010; Sánchez-Ocaña, 2013). Rejected by eminent Spanish scientists and humanists, such as the Nobel Prize laureate in Physiology or Medicine Santiago Ramón y Cajal and the philosophers Miguel de Unamuno y Jugo (see Cambria, 1974; Codina Segovia, 2018; Llano, 2018; Vericat, 2018) and Josep Ferrater Mora (1971, 1985, 1994), the practice of bullfighting was reinvigorated, exalted, and promoted by Francisco Franco during his 36-year rule (1939–1975) (see De Haro De San Mateo, 2016; Gutiérrez Alarcón, 1978).

## **Aesthetics**

Vargas Llosa distances himself from cockfighting in the dispute dealt with by the Peruvian Constitutional Court. He sees it as a “sport” he is indifferent about, not as the fine art he claims bullfighting is. Both are violent, but according to him, the violence of bullfighting is artistic: It is a dance that represents the fragility of human condition. He portrays it as a fight of fragile human beings against the brutish and unpredictable nature. At the end of this fight, the humans risking their own lives defeat in a graceful and stylish manner the ruthless world<sup>6</sup>. Furthermore, Vargas Llosa reminds his readers that bullfighting has motivated the creation of great works of art: it is an art that inspires other arts. Thus, the reasoning goes, if it is not possible to defend bullfighting on the grounds of its status as a tradition, it is, however, still possible to make a case for its legitimacy showing it as a fine art and drawing parallels between the blood-stained arena and a “concert hall” or a “ballet’s scenario.” Such are the analogies deployed by Vargas Llosa.

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<sup>5</sup> For a historical exploration of the anti-bullfighting movement after the United States of America won the majority of Spain’s empire in 1898, see chapter 6 of Davis (2016).

<sup>6</sup> A similar defense is found in Savater (2011).

Yet art is representation; and, as the Spanish poet Antonio Machado (1936/1963) said, bullfighting is anything but a representation. There is no fiction and imagination in the arena: there is an actual killing. The blood is not fake. The bull is not an actor pretending; he is suffering and trembling. The lance, harpoons, and sword inserted multiple times in his back are real and extremely sharp. Why not to perform this dance — this “choreography” as Vargas Llosa refers to bullfighting in other piece of writing (see Vargas Llosa, 2012) — without torturing and killing the bull? Why not to show a proper representation? The argument is that we should see — and the children should see too, because the defenders of “*la fiesta*” (the festival) are opposed to banning the entrance of children to these events<sup>7</sup> — the blood and real suffering of the bull to appreciate the mystery proper to the fight of human beings against nature, the real significance of the struggle for existence.

This is clearly an argument constructed ex post facto just for vindicating and embellishing bullfighting. Contrary to what Vargas Llosa argues, going to a bullring is not like attending an opera or a ballet show. Bullfighting has been an entertainment event rather than an art event since its historical origins (see Shubert, 1999) that included the disembowel of numerous horses by the charging bull in the first of the three acts of the spectacle so the enraged attendants were moved to demand to the President — the person in charge of the event — the punishment of that evil creature. Bullfights were — and they still are — events full of alcohol and people screaming and laughing (see Mitchell, 1991). Where is the fine sensibility Vargas Llosa is proud of in seeing live flesh being cut and blood splashing everywhere?

As for the supposed combat to death between a human and an animal that takes place in the arena of the bullring, there is not anything like a proper duel going on there since the odds of the matador being killed by the bull are close to zero, while the death of the bull is virtually certain. (In the last 40 years, four matadors have died because of being gored by a bull, and according to data presented by the philosopher Jesús Mosterín (2014, 2015) over a million of bulls have been killed in the arena). Vargas Llosa talks about an “honor

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<sup>7</sup> For the effects of viewing bullfights on Spanish children, see Graña et al., 2004. The United Nations’ Committee on the Rights of the Child (2018) has recommended that “the State party [Spain] prohibit the participation of children under 18 years of age as bullfighters and as spectators in bullfighting events” (para. 25).

“pact” between the matador and the bull for dancing and fighting to death in front of the spectators. That “honor pact” is nonexistent. The truth is that, in the first two acts of the spectacle, the bull is strategically weakened — and systematically tortured — by the assistants of the matador (see Moore & Mench, 2013). This team (“la cuadrilla”) make use of a horse, a lance and three pairs of harpoons with no sign of the honor and artistic elegance Vargas Llosa mentions. After that, in the third and final act, the matador armed with a sword starts his “fight” to death with an already mauled and bleeding animal. It also happens that when the matador is not skilled enough to kill the bull by a sword thrust, one of his assistants stabs the bull with a dagger in the back of his head. In the exceptional cases when the bull kills the matador, the tradition rules that the mother and all the family of the bull must be killed in revenge (Jiménez Cano, 2016). It is difficult to see this vengeance as the execution of a clause contained in an “honor pact.”

Even if not an art, bullfighting has served as an inspiration for great artists. The names of Picasso, Goya, Hemingway, and Bizet are usually given as examples of the influence of bullfighting in the creation of works of arts. Vargas Llosa suggests that this is a reason for its preservation. There is a non sequitur in this argument. Serving as an inspiration to artists does not count as a justification for the preservation of a practice or state of affairs. Rape, murder, war and injustice have also motivated works of art. Is that a reason in favor of the preservation of rape, murder, war and injustice? Clearly not.

### **Civil liberties**

Apart from being a brilliant novelist, Vargas Llosa is also a well-known defender of civil liberties as well as a fierce activist in favor of liberal causes in the political and economic spheres (see Vargas Llosa, 2018). In fact, the Swedish Academy (2010) awarded him with the Nobel Prize in Literature “for his cartography of structures of power and his trenchant images of the individual’s resistance, revolt, and defeat” (lines 4-5). It is remarkable that Vargas Llosa offers a defense of bullfighting in cultural and aesthetic terms while appealing to the liberal values of freedom and democracy. He says that the underlying motive of those activists who oppose to bullfighting is not compassion for the bulls’ fate, but abhorrence of freedom. His opinion column aims to reveal the “enemies of bullfighting” as nothing but a group of “fanatics” who are the “traditional enemies” of freedom and democracy. What kind of freedom would have been curtailed if the Peruvian

Constitutional Court had accepted the terms of the petition? The freedom of people to choose what to see and where to go, Vargas Llosa suggests. Likewise, Manuel Miranda Canales, one of the members of the Peruvian Constitutional Court, mentioned the “freedom of artistic creation” and the right to “participate in the cultural life of the nation” as reasons in favor of bullfighting (see Peruvian Constitutional Court, 2020, Voto del Magistrado Miranda Canales, para. 13). The matador and his team of assistants must be assured with the right to freedom of artistic creation by the state. This is just begging the question insofar as Miranda Canales does not offer any argument in favor of the thesis that bullfighting is an art. The people, meanwhile, according to this judge, must be assured with the right to attend the bullfights since in doing so they “participate in the cultural life of the nation.”

As I argue in the previous section, the torture and killing performed by the matador and his assistants are not a representation (an artistic creation); they are real. Therefore, the bullfighters’ right to freedom of artistic creation is tantamount to a right to freedom of torturing and killing animals in public festivals, and the freedom for the people to attend the bullfights is equivalent to freedom to see how animals are tortured and killed in those festivals.

Vargas Llosa adds that banning bullfighting is like banning ideas exposed in novels. This new analogy is not accurate. Bullfighting is not a set of ideas; it is a set of actions. Banning bullfighting is not like censoring books. It is not against the spirit of democracy to impose limits to certain actions, specifically to those actions that harm others. The explicitly stated *raison d’être* of the law for animal protection and welfare is to protect animals from harm. The lance, harpoons, and sword used by the matador and his assistants cause the bull actual suffering. How can it be that bullfighters have a right to harm greater than the right of the bulls not to be harmed? The exclusion of bullfighting from the law is capricious.

### **Concluding remarks**

Although rhetorically appealing at first sight, the cultural, aesthetic, and political arguments in favor of bullfighting presented by Vargas Llosa in his opinion column “Los toros y el Perú” (The bulls and Peru) are not logically sound. His defense of bullfighting

is hardly morally serious, and his justification of the verdict on the legality of bullfighting passed by the Peruvian Constitutional Court is even self-reinforcing insofar as he praises as exemplary the judgement in which his own ideas were used as evidence in favor of bullfighting (see Peruvian Constitutional Court, 2020, Voto del Magistrado Ferrero Costa, para. 5). Augusto Ferrero Costa, one of the members of the Court, defended the practice of bullfighting appealing to the intellectual authority of Vargas Llosa's ideas and referred to him in a laudatory manner as "our Nobel Prize" and "our illustrious author."

Thus Vargas Llosa praises a verdict in which he is praised. He caricatures people having an opposite view than his own as a minority of fanatics and enemies of freedom – the manifesto in defense of bullfighting he signed refers with contempt to the critics of bullfighting as individuals who lack a fine aesthetic sensibility for the appreciation of art (see "Manifiesto por la libertad y la diversidad cultural: ¡Sí a las corridas de toros!", 2012). The torture and killing animals for amusement or art purposes requires considerably stronger moral justification, if indeed it can ever be justified. At the end, Vargas Llosa's reasons count as a post hoc justification for a personal taste and represent a cultural bias. It cannot be denied, however, that Vargas Llosa's views – simply because of who he is – are tremendously influential. He is not just a writer among many who has an opinion on bullfighting; he is a Nobel Prize laureate and an activist who signs manifestos and influences the votes of judges and the policies of decision-makers<sup>8</sup>. Critics of animal cruelty should pay more attention to his writings and expose his fallacies to the public.

## **Acknowledgments**

I would like to thank the Research Grants Council of Hong Kong for its support through the Hong Kong PhD Fellowship Scheme (HKPFS). I appreciate the comments on this article made by the editors of the *Journal of Animal Ethics*.

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<sup>8</sup> Another Nobel Prize in Literature Laureate, Joh Maxwell Coetzee, who Vargas Llosa (2003) recognizes as one of the best novelists – if not the best one – in the world, dismisses his arguments regarding animal cruelty as "sophisms." Coetzee wrote an open letter to the Congress of Deputies of Spain requesting that bullfighting should not be declared a "Bien de Interés Cultural" (asset of cultural interest) (see Congress of Deputies of Spain, 2013, p. 8). At the end, the Spanish Congress declared bullfighting a cultural heritage, not a "Bien de Interés Cultural." For more details on the subtleties of this legal controversy in Spain, see Tienda Palop (2018). For more about Coetzee's views on animal cruelty, see Coetzee (1999).

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