



## The Ethical Status of the Bull in Corrida<sup>1</sup>

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# The Ethical Status of the Bull in Corrida<sup>1</sup>

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## Introduction

Our attitude towards animals is the subject of an ethical concern which is not the concern of animal rights, but which must adapt to the extreme variety of forms of life, the diversity of relationships between men and animal species, and the unique nature of each species.

In the corrida, the fighting bull, far from being reduced to a mere “thing”, is endowed with an ethical status that fulfils the general principles just mentioned. Those ethics, far from only being valid for bullfighting, generally apply to the relation of men to all other species, and they may even prove to be the bearer of values which, although they do not belong to the morals of subjective rights, might still have a meaning for us.

Throughout history, corrida has come under criticism. For centuries, the main issue was to know whether it was proper for a gentleman or a Christian to risk his life in this way or to attend such a spectacle<sup>2</sup>; the fight against an animal degrades man. In recent years, this criticism has been reversed; animals are degraded by the fights organized by men. Bullfighting is now condemned in the name of respect for animals, and not for men<sup>3</sup>. This

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<sup>2</sup> See Araceli Guillaume-Alonso, “Contre la corrida. Essai de typologie des positions anti-taurines (XVI<sup>e</sup>-XVII<sup>e</sup> siècles),” in *Des taureaux et des hommes. Tauromachie et société dans le monde ibérique et ibérico-américain*, ed. Anne Moliné-Bertrand, Jean-Paul Duviols, Araceli Guillaume-Alonso (Paris : Presses Universitaires de la Sorbonne, 1999).

<sup>3</sup> See my paper “Qui est le taureau ? Les représentations de l’animal dans les discours et les pratiques tauromachiques contemporaines,” in *Des taureaux et des hommes. Tauromachie et société dans le monde ibérique et ibérico-américain*. In this paper, I showed that one must distinguish between several kinds of criticisms made in the name of different kinds of values which are contradictory if we do not consider them separately. I distinguished between four kinds of ethics with respect to the criticism of corrida: (1) the ethics of the respect of life (P. Taylor & H. Rolston); (2) the ethics of compassion towards sentient animals – whose prototype has been developed by the Australian and utilitarian philosopher Peter

can be called an “animalist”<sup>4</sup> attack. I aim to show that, far from being the expression of an anthropocentric arrogance towards the animal kingdom or of a cruel indifference to the suffering of animals, corrida involves a coherent ethic which is respectful towards bulls. If corrida were ever to be banned where it can take place today, it would not only entail a great cultural or aesthetic loss, but a moral loss. And this moral loss would be twofold. With the disappearance of corrida, an essential dimension of “being-human” [être-homme] but especially an essential dimension of “being-animal” [être-animal] would both die out. Contrary to what many believe those who ignore everything about corrida or those who lack vocabulary, the bull in the bullfight is endowed with a unique personality and is far from being a mere thing<sup>5</sup>. The prohibition of corrida would not only immediately condemn extinction of the animal species involved in the physical contest, but it would also deprive humans of an irreplaceable relationship with animals, a relation that they cultivated, in all civilizations, with wild bulls. My statements can only appear as an intellectual paradox to those who have only a very vague idea of bullfighting, or to those who imagine that it is nothing more than a barbaric spectacle where men enjoy torturing animals before putting them to death. Worse still, my statements may appear as a moral scandal. I hope at least that the remainder of this paper will convince readers that bullfighting is not some “immoralism” or even an “amoralism” towards animals. Rather, corrida is the pillar of a reasonable ethics towards animals and even of a possible ethics for humans. For the fighting bull does have an ethical value—which is not without consequences on what animals are

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Singer in his best-seller *Animal Liberation* (New York: Harper Collins, 2009) ; (3) environmental ethics; (4) contractual ethics. I aimed to put against each kind of criticism the proper ethics of bullfighting. Some of my remarks at the end of the present paper will develop on several points of this previous study.

<sup>4</sup> By “animalism”, I mean any kind of defense of animals based on the generic concept of animal. “Animalism” covers both the vague idea that “animals must be defended” and the more specific ideas stated in the various declarations of “animal rights”. (A first formulation of this Universal Declaration dates from 1978. A revised text by the International League for Animal Rights was drafted in 1989). The origins of the novelty and growing strength of the animalist movement are twofold. On the one hand, modernity has undoubtedly led to an aggravation of the “ill-treatment” towards certain species (experiments on animals, industrial battery farming, etc.), although it has improved the condition of other species. On the other hand, under the influence of Anglo-Saxon moral and legal theories and under the growing realm of the notion of “subjective rights”, the moral issue is now, in its large parts, monopolized by the ethico-legal concept of “rights” and directed towards a new object, namely the animal (endowed with sensitivity to pleasure and, especially, to pain) to which the concepts and foundations of morality are supposed to apply. Just as, in general, the undifferentiated sphere of “law and morality” (a vague domain sometimes referred to as “ethics”) always deals with victims whose natural rights are violated, so contemporary animalism deals with animal victims whose rights must be defended (the accepted principle being that there are human rights and that these subjective rights are the main foundation of ethics). I will address other aspects of contemporary animalism in the main body of this article.

<sup>5</sup> In his excellent book *Le Philosophe et ses Animaux* (Nîmes : ed. Jacqueline Chambon, 1998), Jean-Yves Goffi observes that, generally speaking, the attribution of an ethical value shows that the being in question is not regarded as a thing (112). The idea that bullfighting regards the animal as a mere thing is not only mentioned by animalists or by deep-ecology partisans, but also by some of their opponents. For instance, Luc Ferry, *Le Nouvel Ordre Ecologique* (Paris : Grasset, 1992). In “L’Esprit de la Corrida”, *La Règle du jeu* 6 (1972) Alain Renaut defends a Kantian understanding of the animal which he opposes to Descartes’ conception of the animal-machine. “Reducing the animal to a mere thing (putting it to death) cannot be the subject of a game. This reduction can, at most, be a necessity, but never some kind of entertainment for the one who remains attentive to the diverse aspects of reality.” (123). The bottom line of the argument is the Kantian thesis that “animals are an *anologon* of mankind”. Animals must therefore, according to Renaut, be “the subject of a certain respect, which is the respect that, through animals, we express to ourselves.”. I could not have put it better myself.

and on what ethics can be. I aim to show, that the “defense of bullfighting” (which, after all, really needs to be defended since it is being attacked more and more violently from all sides, and especially by those who claim to defend animals while often ignoring what animals are) can be done, without the slightest paradox, not only in the name of “regional cultural traditions” or in the name of aesthetic values to which so many artists, writers, poets, painters, sculptors have sacrificed, but also in the name of essential ethical values which regard both humanity (in answer to the question “what is it to be human?”) and “animality” (in answer to the question “what can an animal be?”).

I would thus like to address the following aspects. Our behavior towards animals must be the subject of ethical concern. However, those ethics cannot and must not be the dangerous or reductive ethics of animalism. I will identify some ethical principles and show that bullfighting does not contradict them. Better still, I shall contend that the status of the animal in bullfighting is exemplary of what our attitude towards other species should be, and that it even reveals values which could have some meaning for our own species.

## **I. On the Inexistence of “The Animal”**

About two million animal species have been recorded. In actuality, we do not know how many there are. Five million? Probably a lot more. Our margin of uncertainty is tremendous; it goes from 1 to 10 million. So, fifty million? Plus, one species if we include, as we should, the current species of men, *Homo sapiens sapiens*, which cohabited for a long time with other human species (*Homo sapiens*)—in Europe, for instance, with the Neanderthals, who died out 30 000 years ago, perhaps under the blows of these “wise wise men” that we are. But the animal par excellence, the most abundant on the planet, is a marine species, the krill, a kind of small shrimp six to seven centimeters long weighing two grams, with an almost transparent body, slightly greenish, pigmented with red dots and showing two large black eyes. There are eighty-five species of krill distributed throughout the world, living in gigantic swarms in the upper layers of the ocean, sometimes forming shoals of two million tons extending over 450 square kilometers. According to some estimates, there are 650 million tons of krill. But when we talk about animals today, when we talk about “defense of animals”, when we talk about “animal rights”, we are not thinking about each of these small shrimps, nor are we thinking about these millions of animal species. We do not think of the hundreds of species of mosquitoes, nor the cobras, nor the lice, nor even the billions of locusts that periodically ravage the African continent and threaten Egyptian cities today. We are not thinking of the clear majority of animal species, we are referring to a few dozen of them, to pets, to mammals that we have seen in the countryside or in the zoo, to chickens reared in batteries, perhaps to rats or rabbits that live in certain laboratories. In short, we have a rather narrow and, in fact, quite urban point of view on animals, which has little to do with the extraordinarily diverse reality of the biosphere.

In order to start thinking about the relationships between humans and other species (in the twofold sense of what they are and what they should be), a first conceptual obstacle must be removed, namely “the animal”<sup>6</sup>. Let me put it in a nutshell: “the animal” does not exist. “The animal” is a speculative illusion resting on an ethical and political basis. As it has

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<sup>6</sup> This is the pivotal concept of all animal rights declarations. See the preamble of *The Universal Declaration of Animal Rights* (UNESCO, 1978): “Whereas all animals have rights”. See also Article 1: “All animals are born with an equal claim on life and the same rights to existence”. Available via the following link: <https://constitutii.files.wordpress.com/2016/06/file-id-607.pdf> (accessed September 7, 2018). Text of the declaration has been revised in 1989. Article 1: “All animals have equal rights to exist within the context of biological equilibrium. This equality of rights does not overshadow the diversity of species and of individuals.”. Article 2: “All animal life has the right to be respected.” Available via the following link: <http://www.esdaw.eu/unesco.html> (accessed September 7, 2018).

often be observed, the concept of the animal has been created in order to account for and think about an anthropological difference. An extensional definition of “the animal” is made starting from man in order to be able to think about man in intensional terms. The definition of “the animal” has been made based on man since its ambition is to include into a single concept millions of animal species (from the paramecium to the bonobo<sup>7</sup>, from the trypanosoma<sup>8</sup> to the Brittany dog), exception made of one species: man. This strange concept of “the animal” seems far too broad (from what could the unity of the definition be derived, if not from the rather vague idea of “living being with locomotory structures”?) and at the same time too narrow because it must exclude man (otherwise, talking about “animality”, “human and animal” relationships, or “animal rights” would not make any sense). But the definition has been made by and for us in order to think about the specificity of man. We attribute traits to animality which are said to explain by contrast such-and-such feature of humanity, even though this contrast is only possible because it has been presupposed by the concept of “the animal”. This is obviously begging the question; man is (in some sense) an animal, but not an animal “like the others” (as if the “others” would belong to a specific and well-defined class). The animal will thus be endowed with such-and-such particular capacity, for ideological, religious, ethical or political reasons—in short, according to practical interests.

For instance, certain behavioral features were traditionally attributed to animals (aggressiveness, reproductive instinct, territorial defense, etc.). And those features were likely to explain a supposedly natural or universal trait of human behavior (evil, violence, war — “as long as there will be men...”, “human, all too human”). However, to these traditional explanations was added the idea that man was able to rise above his animal condition (he was a “rational” or “reasonable” living being), an idea through which it was possible to explain that, unlike animals, man was also capable, for example, of moral behavior (selfless conduct, respect for universal values, etc.). Based on the same couple of concepts and the same human/animal opposition, the spirit of the Animal Rights Declarations, and in general contemporary animalism, have retained the same anthropocentric strategy and only reversed its orientation. From now on, animals—and more generally nature—are implicitly on the side of “morality”, whereas man is on the side of destructive aggressiveness. Animals in general are endowed with a legal personality, which they derive from their (good) nature. Animals have natural rights, but these are not respected and even violated by man’s moral misconduct (cruelty, gratuitous violence etc.<sup>10</sup>). Admittedly, it is recognized that man is an animal as well—for it would nonetheless be difficult to exclude man from the set of natural rights granted to all other living creatures. As stated by the 1978 *Universal Declaration of Animal Rights* “Man as an animal species shall not arrogate to himself the right to exterminate or inhumanely exploit other animals.”<sup>11</sup> The expression “as an animal species” is cleverly ambiguous. For, if we take it seriously, it would

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<sup>7</sup> If we put aside the religious assumption which a priori opposes man as the only creature made in the image of God to all other animals, it is difficult to see under which unique concept the paramecium and the bonobo shall be classified. The paramecium is close, in many respects, to bacteria (are they animals?), and the bonobo has been classified, along with the chimpanzee and according to a recent taxonomy, in the “homo” species.

<sup>8</sup> Group of unicellular parasitic flagellate protozoa, causing the human disease of sleeping sickness.

<sup>9</sup> Like any absolute criterion regarding the animal/vegetal distinct, this definition is highly questionable.

<sup>10</sup> Preamble of the 1989 *Universal Declaration of Animal Rights*: “Considering that all living beings possess natural rights, and that any animal with a nervous system has specific rights. Considering that the contempt for, and even the simple ignorance of, these natural rights, cause serious damage to Nature and lead men to commit crimes against animals.”

<sup>11</sup> UNESCO, *The Universal Declaration of Animal Rights*. Italics added.

imply that all animal species as such (from tsetse flies to pit bulls) are subject to the same duties. But it is clear that, actually, the *Universal Declaration of Animal Rights* would like to hold two contradictory statements at the same time. On the one hand, it states that man is an animal as well. But then we may wonder how, and by virtue of which authority, other animal species will be required to respect human rights as well as the rights of every other animal species. On the other hand, the *Universal Declaration of Animal Rights* states that humans are an entirely different species, since only they behave “criminally” towards other species, and since only they can and must be subject to duties towards every other species. This is the fundamental contradiction that animalism cannot avoid. Animalism claims to defend animals in the name of natural rights and, correlatively, in the name of the condemnation of anthropocentrism<sup>12</sup> but, in doing so, it holds a fundamentally anti-naturalist position (since it excludes man from nature) and revives the most solid and constant foundation of anthropocentrism: the concept of “the animal”. In the name of the unity of nature, animalism aims to extend to animals (in a very broad sense) rights which were hitherto only recognized to humans. However, animalism must restrict to humans the duty to respect animals (in a rather narrow sense). Mankind is deprived of his central position in the name of moral universalism and becomes an animal species like any other but is then redefined as an “empire within an empire” and stands face to face with his “Other”, the animal, which becomes once again the correlative concept of mankind. The internal tension within the concept of animal (sometimes including, sometimes excluding man) determines a contradiction in the concept of “nature”, the pivotal concept of all Declarations of Rights (of man, of animals) as well as of all forms of animalism.

The extent of this inherent contradiction in animalism can be seen in the following dilemma: does man, when he acts “criminally” against animals (since that is what he is accused of), behave in a “natural way”?

If one answers no, then unsolvable questions emerge. How can we establish what in man depends on nature in the general sense (a nature endowing him with his specific rights) and what depends on his perverse behavior (which supposedly goes against his obligations)? Would man be the only species with an “evil nature”, the only species standing as an enemy to the rest of “nature”? In addition, how can we distinguish man’s “criminal” behavior towards other species from the “good” behavior animal species have to each and another?

If one answers “yes, when man acts ‘criminally’ against animals he behaves in a ‘natural way’”, then we wonder why this “nature”—which is the source of animal species’ rights and must therefore be preserved and defended—should be specifically prevented in man. Why does man act “criminally” when he hunts and not the panther? Some will say that the latter hunts for his survival or acts out of necessity (which, according to them, should be regarded as the criterion of a “good” nature), while the former hunts for the sake of pleasure or game (which, according to them and strange enough, should be regarded as the criterion of a non-

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<sup>12</sup> It is well-known that contemporary animalists are mobilized in the name of their fight against “speciesism”. Just as racism consists in favoring one race (one’s own) over every other, just as sexism consists in favoring one’s sex over the other, so speciesism consists in favoring one species over every other. But it is easy to see that speciesism, understood this way, is nothing but the universal and natural attitude of all living species. Requiring man to be (or to become) an “anti-speciesist” would amount to grant him a unique privilege among living species. This constitutes the height of anti-naturalism and anthropocentrism and thus a speciesism reversed. In this regard, another curious fact shall be observed. In most of its history, and still in a significant part of our planet, the human kind, like other animal species, has had to protect its own species against the threats of other animal species (since animals, defined as living organisms, can only ensure their survival to the detriment of other living species. In recent years, after a radical change of circumstances in so-called “developed countries”, the central moral issue no longer is “how do we preserve the human species from other animal species”, but “how do we preserve the other animal species from the human species?”).

natural activity and even, paradoxically, as the criterion of a useless and superfluous activity, although we know that this criterion usually refers to the highest forms of human activities). But this is not the case. It is well known that domestic cats, even when they are well-fed, enjoy hunting and playing with the living and disarticulated body of their preys. Should they be prevented from doing so in the name of the rights of the mice? Should all animal species act in the respect of “animal rights”? Should we pacify nature in its entirety and by constraint? Should we state that, from now on, nature should refrain from any act of “cruelty” towards itself? But then, who would police nature?

These inherent contradictions in animalism show the even more fundamental contradiction of the idea of (natural) animal rights. If we assume that men have natural rights, it is because we assume that they all equally have the same rights, and that each one’s obligations are only the counterpart of the rights granted to everyone. If we state that animals have natural rights, then we must confess that only man can recognize and declare these rights. But man can only do so if, on the one hand, he excludes himself from these rights, even though they have been declared natural. On the other hand, he can only do so by imposing to himself the obligations which are the counterpart of these rights, and without being able or having to request to those to whom these rights have been recognized that the obligations shall be obeyed. In the end, there only remains a moral of compassion which is entirely different from the idea of subjective rights.

Let us draw our first conclusions. “The animal” does not exist. Contrary to what it claims to be, this concept is anthropocentric and anti-naturalistic. If we get beyond this misleading concept, we notice the existence of an extraordinary diversity of life forms, and an equally considerable prodigality of what we may cautiously call “animal species” whose classifications are always questionable and regularly called into question. This pseudo-concept of “The animal”, comes into existence either in myths, or in naive taxonomies (distinguishing between people, animals, things), or in religious classifications of the living (distinguishing between gods, men, animals) that are often based on implicit anthropological norms<sup>13</sup>.

## II. Reflections Regarding our Moral Behaviour towards Animals

That being said, if “The animal” does not exist, shall we conclude that we should “not care” about animals, that our behaviour towards them does not need any norms? Quite the contrary. The concept of “The animal” is not only an epistemological obstacle with regard to rational thought on nature but is also a moral obstacle with regard to reasonable ethics towards nature. Indeed, it would be equally unreasonable to argue that we should treat all animals as mere things or “machines” (including chimpanzees or poodles) than to state that all animals shall be regarded with the same “respect” (wolves deserving the same respect as lambs, scorpions deserving the same respect as Persian cats, lice deserving the same respect as bulls). Those who contend that animals as such have “rights” and those who regard nature as a boundless collection of objects at man’s full and entire disposal share the same anthropocentric presuppositions. In both cases, man is defined as standing alone in the middle of an undifferentiated nature.

Once we get beyond the misleading concept of “The animal”, the question of our moral behaviour towards animals is far from becoming inconceivable. On the contrary, this

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<sup>13</sup> For instance, in ancient thought, man is neither a god nor an animal. And yet, as he is in between two forms of beings which are homogeneous and perfect in their kind, there is at the same time something divine (as opposed to animals) and something animal (as opposed to gods) in him. As I aimed to show in chapters 3 and 4 of my book *L'Être, l'Homme, le Disciple, figures philosophiques empruntées aux Anciens* (Paris: Presses Universitaires de France, 2000), man had a double-nature.

question now becomes possible. We shall first notice that the issue of our moral behaviour towards other species is not a new one caused by the “progress of our mores” or by our sudden awareness of the natural bonds we have with our animal friends, or by a gradual and salutary broadening of the sphere of “natural rights” (first all men, then all women, then all children, and so on). Since ancient times, moral thinking often raised the question of how we should define and adapt our behaviour towards animals. This question was not solely the concern of sophisticated philosophical discussions. Popular morality always acknowledged that our behaviour towards other species must regard certain norms. For popular morality, one does not eat anything or anyone, one does not merely treat his beef, his donkey, or his sheep at his convenience. More importantly, popular morality was always aware that we not treat all living species the same way. Contrary to the thoughts of some Cartesians (for whom animals are nothing but things) and of some Christians (for whom the ultimate purpose of the animal kingdom is subject to human ends), the issue is not to know whether we can treat animals “as mere things”. Contrary to what some contemporary animalists think, the issue is not to know whether we should treat animals as “subjects of law”. The question is to know how to adapt our behaviour towards each living species. As it is often the case, there is more practical wisdom in popular morality or in spontaneous conduct than in learned or *a priori* ethics based on reductive ontologies. What is striking is that men always have, *de facto*, behaved in extremely various ways towards animals, and that they have standardized these behaviours according to different values. The mosquito and the Labrador have never been put in the same axiological basket. Totem animals and pets have never been confused with the parasite or the predator. This axiology does not only rest on opposed concepts such as good/bad (or useful/harmful) but involves a very varied range of moral sentiments.

This variety of possible moral sentiments towards countless animal species must be compared to the extreme lack of diversity of moral sentiments in rights-based ethics. Indeed, rights-based ethics narrow down this variety of morality sentiments to a single standard regarding our behaviour towards animals, that is compassion. Animals are only one being, “the Animal”, and this being can only play the part of the victim. “The Animal” has only one mode of being or relationship to the world: suffering. It is a suffering creature in the two senses of the expression: it passively endures its condition, and experiences pain. Man, this potential executioner, must protect this suffering creature against itself (since “the Animal” is defined *a priori* as an impotent being), or avoid harming it (since “the Animal”, this mythical creature, is an entirely passive being which has only one idea in mind, namely to avoid pain). Let us compare this simplistic moral of animal rights to the variety of sentiments that we can have regarding animals and the equally diverse forms of behaviour we can have towards other animal species. There are the species with which we live in companionship, those with which we play, those which we tame, those which we train, those which we honour, sometimes those which we adore, those which we hunt, those which we fight, those which we would like to exterminate. The variety of forms of friendship and enmity is tremendous. On the one hand, we annihilate the parasitic species, we destroy the harmful species, we push aside the dangerous species, we fight loyally against the fearsome species, we fish tasty species, and so on. On the other hand, we venerate the sublime species, we glorify the intrepid species, we identify with indomitable animals, we nurture and preserve animals which protect us, we value the animals with which we can collaborate, and we even affectionate some animals as companions or cherish them as friends, and so on. In respect to animals, one can almost experience the same range of moral sentiments as for human relations—friendship, attachment, respect, admiration, or on the contrary enmity, disgust, fear, fright, execration, and so on. Of course, this does not mean that we should treat animals the same way we treat men! However, our remarks show



how absurd it would be to adopt only a single and undifferentiated moral standard with respect to such a variety of life forms and of possible relations between men and animals.

These aspects are of crucial importance for the question of the ethical status of animals in corrida. For what is the range of feelings, and therefore of moral sentiments, that can be experienced in front of the fighting bull in its natural environment? And what about these moral sentiments in the arena? But before addressing these questions, it is important to draw some general principles from our above-stated remarks.

The first principle is obvious, and we will not try to demonstrate its relevance in this paper. It is the principle of subordination: “You shall consider humanity first”. Whatever our duties towards animal species, they cannot have the same foundations as the duties we have towards men. The only absolute morality is the one that binds us first to all men, and which does not bind us collectively to the species, but rather binds us distributively to all individuals who are part of the same species. Whatever source we wish to assign to the morality that governs our relations with our fellow human beings (moral sentiment, identification with others, the form of the law, the transcendental conditions of communication, the idea of the Good, the natural or positive contract...), and whatever the (consequentialist or deontological) principles on which it is based, the morality that should govern our conduct towards other species is necessarily subordinate to this absolute morality. The duties of the absolute morality are categorical, the duties of the subordinate morality are hypothetical. In other words, the latter duties must only be regarded if they do not go against the duties we have towards men. Universal morality applies to all humanity but not beyond it. It is always and unconditionally necessary to save the unknown child before the pet<sup>14</sup>. Therefore, we cannot assume the same rights for humans and for animals; if we really want to think in terms of “rights”, which is probably not appropriate in this case—for only the respect of the rights of our fellow human beings must be absolute.

The second principle is the one of differentiation. We must treat animals in a moral way (i.e. in terms of actions, or conduct and attitudes that we shall preferably<sup>15</sup> have towards them, and behaviours from which we should abstain) according to a range of hierarchical and qualitatively variable values, that is values which are equally adapted to the extreme variety of animal species, to the diverse ways in which we relate to them, and to the moral feelings that result from these relations. The crux of the problem is to establish these hierarchization and differentiation criteria. What is sure is that wolves must be treated like wolves, lambs like lambs (i.e. neither like men nor like wolves), desert locusts like desert locusts, pets like pets, hunting dogs like hunting dogs (i.e. neither like men nor like wolves, nor like domestic cats, and so on), and fighting bulls like fighting bulls. All the difficulty lies in determining the positive meaning and specific implications of these remarks. We will see that the answer is both about adjusting and adapting our conduct.

But before we further develop on these aspects, we shall introduce an essential distinction. What do we refer to when we mention the ethics that must guide our relations with other species? Do we refer to our behavior towards the species or towards individuals? The two are clearly not the same, although “animal advocates” often confuse species individuals or easily move from one concept to the other. We can accept that we must, at least conditionally, defend certain species threatened with extinction (to preserve biodiversity, or the ecological balance of a specific ecosystem, or according to an ontological and a priori choice in favor of the multiplicity of species, the greatest possible diversity of

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<sup>14</sup> This is a conscious declaration of “speciesism”. It would be immoral to treat members of another species in the same way we consider other human beings shall be treated.

<sup>15</sup> With regard to other species, the principle of subordination implies that we do not have absolute duties but only conditional (that is, subject to respect for the duties that bind us to humanity) and hierarchized ones. “Preferable” therefore refers to the specific meaning of “preferred” in stoicism.

living organisms<sup>16</sup>, and so on). But, by this, we cannot mean that this or that specific animal must be defended. For in order to defend this or that species (e.g. bears), we often have to accept to sacrifice this or that individual (e.g. this or that hen); we cannot defend both. And in order to defend this or that individual (e.g. an animal from a herd), it is often necessary to defend it against this or that species (e.g. the predator). These two principles are contradictory. If we defend the wolf species (to preserve its existence in the Alps for example), we must agree to sacrifice some sheep. In order to defend a balance that preserves species diversity, it will often be necessary to sacrifice thousands of individuals of a species that is too prolific and therefore threatening to others. In this case, what will the “animal advocate” do? At this point, he will have to choose sides between the ecological camp (which is concerned about safeguarding ecosystems, the balance of species, or the defense of threatened species) or the animalist camp (which is concerned about the harm, or the good, done to each animal). Will the “animal advocate” defend wolves or sheep? Perhaps he will have the generous hope of saving everyone, species and individuals, that is, ultimately, the hope of saving nature from itself. It is likely that he, the beautiful soul, imagines an irenic natural kingdom in which animals, left to a nature “devoid of humans”, would not be in perpetual war for their individual survival or their collective survival as a species—we know that, more often than not, the “natural behavior” of many animals entails the principle of sacrificing the life of the individual to the survival of the species. He may imagine this, unless he—kindly but even more incoherently—believes that it is right to defend the “good” nature against the “bad” one and wants, at any cost, to prevent the poor rabbits from being eaten by the naughty foxes<sup>17</sup>. But who will protect the poor foxes from this evil and fatal impediment? And who will protect morality against stupidity? In any case, one has always to choose his animalist morality depending on if it first pertains to the species or to individuals. What will we choose between being good to the former or the latter?

This question will be of a crucial importance when it comes to defending “fighting bulls”. By definition, preserving the species of the “fighting bull” amounts to defend the fight of bulls. Consequently, we cannot defend both the species’ right to exist and the right of individuals, since the survival of the species depends on the right to kill certain individuals. Conversely, prohibiting the killing of individuals amounts to killing the species, and consequently it immediately amounts to killing all the individuals of which the species is composed. The apparent dilemma of the animalist is therefore as follows: should we defend corrido in order to preserve the species, or should we abolish corrido in order to avoid “harming” individuals? It is to be feared that this second “solution” is an illusion which is quite reminiscent of the famous ultimatum “your money or your life”. As we know, if one chooses to lose the money he will (likely) save his life, but if one chooses to lose his life, he will certainly lose his money as well. The same applies here for “the species or the individual” ultimatum. If one chooses, like a consistent ecologist, to defend the toro bravo species<sup>18</sup> “to the detriment” of individuals who, after having spent four years of their life in

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<sup>16</sup> Although the life and death of species is, in any case, co-substantial to evolution and there is probably little point in aiming to preserve all species at all costs.

<sup>17</sup> Jean-Yves Goffi observes that “only S. Sapontzis [...] defends the idea that human beings are (morally) obliged, under certain circumstances and certain conditions, to oppose predation in nature”. See Jean-Yves Goffi, *Qu'est-ce que l'animalité ?* (Paris : Vrin, 2004), 51. Steven F. Sapontzis especially defends this moral claim in chapter 13 of his book *Morals, Reason, and Animals* (Philadelphia : Temple University Press, 1987) entitled “Saving the Rabbit from the Fox” (229-247). This chapter illustrates a consistent moral sentimentalism, and thereby an inconsistent reasoning.

<sup>18</sup> We are using the word “species”, even though the toro bravo is not strictly speaking a species. Given that the species is the sum of the naturally inter-fertile congeners, the fighting bull is not a species but a variety (or a “race”, a word fallen into disuse because of its dark “racist” or “racialist”

the field, are fought by toreadors, one preserves the existence of the species as well as the lives of present and future individuals. If one chooses to rescue individuals, he would condemn the species and therefore all individuals to death. If corrida is banned, all herds, calves, cows and bulls will be slaughtered, since "wild" bulls are only bred, selected and preserved for fighting in the arena. Will they be better defended if they no longer exist? We may say that "at least there will be less suffering" (we will come back to this question of the suffering of the fighting bull). But this utilitarian reasoning is irrelevant, for its logic amounts to claim that the extermination of the five billion inhabitants of the Third World would reduce world's misery.

Let us leave aside this "consequentialist" argument and go back to our "deontological" reasoning. We are now confronted with two issues. How do we prioritize the moral interests that we must have with respect to the different animal species? Between the species or the individuals, what kind of good should be our aim?

At first sight, it turns out that a single answer may resolve both questions. For humans have always had two main types of relationships with animal species. On the one hand, some species are called "domestic"<sup>19</sup>—i.e., species which are raised, selected and maintained by humans, and which are even, most of the time, created by humans<sup>20</sup>). On the other hand, some species are called "wild"—i.e. species which do not directly live under human protection or domination, but which can be exposed to human threats. As a result of this distinction, we owe our concern to the individuals of the "domestic" category and to the species of the "wild" category. Indeed, we cannot and should not worry about the fate of each individual shrimp, nor about the life, survival, living conditions or individual well-being of the millions of billions of wild animals belonging to the millions of living species, but we must refrain, as far as possible, from harming the balance of natural species and we must strive to preserve the diversity of animal species and to save "endangered species"<sup>21</sup>—as far as it is our duty<sup>22</sup>, that is to say, provided that duties do not conflict with superior ones<sup>23</sup> such as the preservation of domestic animal species or, even more so, of the conditions of survival and living of current or future societies and human groups. In other words, with regard to wild species, we must essentially adopt a prudential behavior for ourselves (i.e., present and future of humanity). This prudential behavior is of the same type as the one we

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connotations). However, we do not use the concept of "species" in its rigorous biological meaning, but rather in the broader and vague sense that it has in logic or metaphysics – that is to say, the smallest class of beings bearing common essential features or natural commonalities [*ayant communauté de nature*].

<sup>19</sup> I shall get back to this first distinction between "domestic" and "wild" later. This distinction implies significant difficulties regarding its application. It also probably does not do justice to the extreme variability of relations between humans and animals.

<sup>20</sup> It should be noted that domestication is almost always accompanied by finalized selection, production of new varieties, and often the creation of new species. The dog, horse and pig as we know them, are human artifacts for the aims of hunting (or companionship), riding (or entertainment), or food.

<sup>21</sup> In order to determine which "threatened" species should be most protected, hierarchical criteria must be found. However, this question goes beyond the scope of this paper.

<sup>22</sup> This duty cannot be defined as an absolute imperative but can only be "preferred". Other duties are obviously superior (see our remarks on the first principle of subordination above).

<sup>23</sup> These conflicting duties are rarely experienced by people living in the city centers of the most developed countries. However, people from the countryside are sometimes confronted with these conflicting duties and people from the third world are often confronted with them. Defending endangered species and criticizing "human greed" (ivory trade, whale hunting, etc.) or human domination over the natural environment is much easier in Paris, Berlin or New York than in Nairobi or Murmansk.

must have regarding the “environment” in general: defend threatened species, let those that are not threatening live, defend ourselves by all means against those that are threatening us (whether it is the hyena or the weevil).

Yet the same does not apply to animal species which live thanks to man (as they are more or less dependent on humans for their livelihood) and for man (as they provide assistance to humans), these two aspects being interrelated: it is because these animals are useful to man that he has subjected them and continues to raise them. As indirectly noticed by Epicurus, the great ancient Greek theorist of naturalistic and consequentialist ethics and of legal contractualism, we are dealing here with a quasi-contractual relationship:

For all (*pros tanta*<sup>24</sup>) living things which have not been able to make compacts not to harm one another or be harmed, nothing ever is either just or unjust; and likewise too for all tribes of men which have not been unable or unwilling to make compacts not to harm or be harmed.<sup>25</sup>

As well, Lucretius’ reasoning leads to the same distinction. Among other things, he refers to the animal species whose

utility has commended them to our care and committed them to our guardianship. ... the light-slumbering and loyal-hearted dog and every kind of beast of burden, as well as the fleecy flocks and horned herds, are all committed, Memmius, to the guardianship of human beings. They were glad to escape from the wild beasts and seek peace and the plentiful provisions, procured by no exertion of theirs, which we give them as a reward for their utility.<sup>26</sup>

Since our moral relationships between men are based on the contractual relationship (“not to harm one another”, “advantage in the requirements of men’s dealings with one another”<sup>27</sup>), we actually maintain a similar relationship with regard to certain species; we offer them our protection and our food<sup>28</sup> in exchange for the services they give us. And the exchange relationships between us and the animal species commit us to protect the individuals of which this species is composed.

We would come to similar conclusions through non-“utilitarian” reasonings. For example, a sentimental morality would point out that the common life of animals and humans creates relationships of mutual (not to be confused with symmetrical) affection which is one of the forms of friendship. Whatever legal basis we may want to attribute to this attitude, it is obvious that most cultures acknowledge different kinds of treatments

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<sup>24</sup> There are in fact two meanings of the maxim: if we interpret the *pros* in the sense of “in”, then the maxim pertains to forms of “pre-right” or “quasi-right” in so-called “political” species – e.g., the bee, the wasp, the ant, the crane (according to Plato’s *Phaedrus* and Aristotle’s *History of Animals*). If we interpret the *pros* in the sense of “towards” or “with respect to”, then the maxim pertains to the distinction between two types of human relationships regarding the “domestic” and “wild” animal species. See Victor Goldschmidt, *La Doctrine d’Epicure et le Droit* (Paris : Vrin, 1977), 44-57.

<sup>25</sup> Epicurus, *Extant Writings*, trans. Cyril Bailey (Oxford: Oxford University Press, 1926), Principal Doctrines XXXII, 103.

<sup>26</sup> Lucretius, *On the Nature of Things*, trans. Martin Ferguson Smith (Indianapolis: Hackett Publishing, 2001), 160.

<sup>27</sup> Epicurus, *Extant Writings*, Principal Doctrines XXXVII, 105. See also Principal Doctrines XXXVI & XXXVIII.

<sup>28</sup> “But those animals that nature endowed with none of these qualities, so that they were unable either to be self-supporting or to render us any useful service, in return for which we might allow their kind to have sustenance and security under our protection, were of course an easy prey and prize for others, shackled as they all were by the bonds of their own destiny, until nature brought their species to extinction.” Lucretius, *On the Nature of Things*, 160.

towards the animals that depend on us (and on which we reciprocally depend), and towards the species that live, as far as they can do, far away from us (some of these species being very harmful to us, others living a life of which we are unconcerned, others being more or less “interesting” to us). We are bound by a cautious attitude towards the former species as well as towards wild species but, regarding the former, we also feel bound by a series of actions or attitudes towards the individuals of which the species is composed. This distinction between domestic and wild may be the basis of Ancient Law<sup>29</sup>. In any case, this distinction is the basis of most modern legal systems that determine the legal status of animals. By the mid-19th century, many European countries had developed a legal framework to define it. This is the case in France with the Grammont law (voted on 2 July 1850), which punishes with fines and imprisonment “those who have publicly and abusively abused domestic animals”. Whereas former legal principles recognized only two types of beings, namely “persons” (who are entitled to rights, and in particular the right to property, but who cannot be possessed or alienated) and “things” (which are not entitled to possess, but can be possessed), modern law introduced the “domestic animal” as a third kind of being. The “domestic animal” is neither a person nor a thing. Like a thing, the domestic animal can be possessed (by its master), but unlike a thing, people cannot treat it as they like, and it cannot be subjected to cruel treatment<sup>30</sup>. During a long time, these legal distinctions were pivotal regarding the status of bullfighting, since the *Society for the Prevention of Cruelty to Animals* (whose French branch dates back to April 1846) tried throughout the 19th century to apply the Grammont law to corrida and that the legality (and, undoubtedly, also the legitimacy) of the corrida “à l’espagnole” in France long depended on this question (to which we will get back soon): shall we or shall we not regard the fighting bull as a domestic animal?<sup>31</sup>

Nonetheless, any clear-cut distinction between domestic and wild animals remains questionable<sup>32</sup>. This has been proved by François Sigaut in his remarkable paper “Critique

<sup>29</sup> See Victor Goldschmidt, *La Doctrine d’Épique et le Droit*, 49-50.

<sup>30</sup> We can notice that, as early as the 19th century, jurists had a more inventive ontology than some neo-Kantian philosophers who were only aware of the existence of “persons” and “things”.

<sup>31</sup> It was not until the decree of 16 February 1895 that it was decided that the fighting bull was a domestic animal and that, consequently, the Grammont law could well apply to bullfights. The Court of Cassation confirmed (by judgment of June 13, 1932) the 1895 decree: “The bull is under the domination of man, is selected by him, is raised in enclosed pastures and receives its food from him”. Although officially prohibited, bullfighting was nevertheless tolerated, on payment of fines, in the bullfighting regions until the adoption of the law of April 24 1951 which, adding a paragraph to the Grammont law, finally gave a legal status in France to Spanish bullfighting (i.e. including the act of “killing”): “This law is not applicable to bullfighting when an unbroken [*ininterrompue*] tradition can be invoked.” A decree of September 1959 added the epithet “local” to the word “tradition”. Since 1951, trial judges, under the supervision of the Court of Cassation, have striven, in a series of judgments, to clarify the terms “tradition” (judgment of the Toulouse Court of Appeal of April 3, 2000) and “local” (judgment of the Agen Court of Appeal of January 10, 1996). The term “unbroken” [*ininterrompue*] is still the subject of legal disputes. Regarding the legal status of corrida in France, the most important reference work is Emmanuel de Monredon, *La Corrida par le Droit* (Nîmes: UBTF, 2001). Interesting excerpts of legal documents and debates can be found in Pierre Dupuy, *Les Fanatiques du taureau* (Nîmes : UBTF, 1972). For less technical accounts see Philippe Teissier, “Droit français et tauromachie,” in *La Tauromachie, Histoire et Dictionnaire*, ed. Robert Bérard (Paris : Robert Laffont, 2003) & Auguste Lafront, *L’Histoire de la Corrida en France du Second Empire à nos Jours* (Paris : Julliard, 1977).

<sup>32</sup> “Like the tree that hides the forest, the domestic animal hides the multiplicity of relationships between humans and animals invented by man.” [“*L’animal domestique tend à cacher la forêt de la multiplicité des relations que l’homme a inventées avec l’animal.*”]. Dominique Lestel, *L’Animal singulier* (Paris : Seuil, 2004), 18.

of the Notion of Domestication” [*Critique de la Notion de Domestication*’]. Sigaut’s study goes through the extremely varied range of relations between humans and animals, and it shows that these relations can be assessed on the basis of three independent axes which cannot be reduced to the mere domestic and wild divide. His study distinguishes between the “legal” axis of appropriation, the “ethological” axis of familiarization and the “anthropological and social” axis of utilization<sup>33</sup>. As shown by hunting reserves of so-called wild animals, man can appropriate animals without taming or using them. Some human uses of the animal (other than corrida<sup>34</sup>) imply that “ferocity” (i.e. in the sense of a kind of natural hostility from the species towards man) “far from being an obstacle to the use of the animal is a necessary condition for its use”. For example, it has often been written at the end of the 18<sup>th</sup> century that, in order for cats to efficiently hunt mice, they must not be in a too friendly relation with the household. A further example are civets<sup>35</sup>. In Ethiopia, civets were once bred for their musk which was highly prized. However, “civets only ejaculate their musk when excited by anger, so it was by tormenting the animal that their secretions were obtained”. After having highlighted various criteria (such as breeding in captivity and “distinguishing oneself from native wild animals by the gene pool and heritable phenotypic, morphological and even behavioral traits” / “*se distinguer des animaux sauvages de souche par un pool génétique et des caractères phénotypiques héréditaires, morphologiques et même comportementaux*”), Jean-Pierre Digard notes that “the lexicon referring to animals living in contact with humans is problematic *per se*. From commensal animals to pets, through domestic, domesticated, tamed, mastered, trained, captive, confined, bred and acclimated animals, the lexicon’s extent is only matched by its persistent vagueness.” [*le lexique se rapportant aux animaux vivant en contact avec l’homme fait lui-même problème. Son étendue n’a d’égale que son imprécision persistante : entre animaux commensaux et animaux familiers, domestiques et domestiqués, apprivoisés, domptés, dressés, captifs, confinés, élevés, acclimatés.*] Digard concludes that “After careful consideration, the notions of domestication and domestic animal appear to be either contradicted by exceptions or, more simply and generally, overflowed with the variety of processes, forms and contexts of domestication.” [*Les notions de domestication et d’animal domestique se révèlent à l’examen soit contredites par des exceptions, soit, plus simplement et plus généralement, débordées par la variété des processus domesticatoires, des formes et des contextes de la domestication.*”]<sup>36</sup>.

As a preliminary approximation, the domestication criterion<sup>37</sup> therefore turns out to be, despite its merits, too imprecise if we want to determine to what animals we should grant individualized moral relationships. To adopt François Sigaut’s distinction, it would be necessary to take into account first the axis of familiarization, then possibly the utilization axis (both are culturally-dependent variables), rather than the sole legal criterion of appropriation. Clearly, in some instances, familiarity binds us to animals through individualized emotional relationships (pets, sheepdogs, domestic cats, mynas, race horses, chimpanzees tamed by ethologists, water park dolphins<sup>38</sup>, etc.), or at least through individualizable relationships (animals living around the household or farmyard, the donkey, the ox, the sheep of the flock, etc.). These relationships determine duties towards

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<sup>33</sup> François Sigaut, “Critique de la notion de domestication,” *L’Homme* 108 (1988) : 59-71. Regarding the problems raised by the notion of domestication, see also Jean-Pierre Digard’s paper “Jalons pour une Anthropologie de la Domestication Animale,” *L’Homme* 108 (1988) : 27-58.

<sup>34</sup> The case of corrida is mentioned by François Sigaut, “Critique de la notion de domestication,” 62.

<sup>35</sup> *Ibid.*, 63.

<sup>36</sup> Jean-Pierre Digard, “Jalons pour une Anthropologie de la Domestication Animale,” 34.

<sup>37</sup> It is through this criterion that Jean-Yves Goffi distinguishes between animals which are threatened on an individual level and animals which are threatened on a collective level [*“animaux individuellement menacés” & “animaux collectivement menacés”*]. See Jean-Yves Goffi, *Qu’est-ce que l’animalité?*

<sup>38</sup> See, for instance, the “hybrid human/animal groups” [*“communautés hybrides homme/animal”*] mentioned in the first chapter of Dominique Lestel, *L’Animal Singulier*.

individuals of the animal species—duties of assistance (care, food), of protection against predators, of proper treatment, etc. It should therefore be possible to determine what particular type of “emotional” relationship is established between a man and a particular animal in each case. At any rate, we notice that it is at the same time necessary to conduct ourselves in a way that conforms to the type of relationship we have with individuals of this or that domestic species (a conduct that does not break the moral contract that binds us to them), and impossible to generalize these moral obligations and prohibitions to all animal species, even domestic ones in the legal sense of “owned” [*appropriés*]. In more concrete terms, beating his dog ferociously is obviously morally (as much as legally) reprehensible because such a behavior implies a unilateral break of the moral contract of “submission against protection” between a dog and his master; it implies (moreover) a betrayal of the emotional relationships that result from the common life between a master and his dog. By contrast, hunting (whether for food or for leisure) is not reprehensible in principle, as long as it preserves species and respects the balance of the ecosystem. We do not have individualizable relationships with game animals (whether or not they are raised in hunting reserves) which compel us in a moral or emotional respect; we are not bound by a contract of reciprocity (criterion of contractualism) or by individualized emotional relationships (criterion of moral sentimentalism) with animals that we hunt or shoot—nor do game animals have such relationships with all the other species of predators, including the human species, that are part of their living environment.

The principle of differentiation therefore calls us to distinguish between two types of duties towards animals. On the one hand, we must consider the duties we have towards most species. On the other hand, we must consider the duties we have towards animals of certain domestic species. The latter duties’ contents are largely determined by the nature of the relationship *per se* (care and food in exchange for protection, etc.). Hence, we can introduce a further principle that what we may refer to as the “principle of adjustment” which can be summarized as follows: “You shall always treat the domesticated animal in a way that is at the same time consistent with the reciprocal relationships that have been established with the species of which the animal belongs to, and with the emotional relationships that result from this reciprocity.” If we want to define our duties towards the species of the “fighting bull”, then the principle of adjustment is of the utmost importance.

However, the behavior we must have towards animals can not only be defined by the nature of our relations with them. It must also be defined in accordance with the very own nature of the animal. This consideration leads us to what we will refer as the “principle of adaptation”. Even if we have the same type of relationship with the dog and the domestic cat (we keep each other company), we should not treat the dog and the cat the same way. Even if we have the same type of relationship with the hen and the cow (we feed them, they feed us), or with the antelope and the crocodile, we cannot and should not treat them in the same way. We must not only consider what those animals are to us, but also what they are in themselves, that is, we must consider their needs, requests, inclinations, etc. If we disregard the very own nature of each animal, we risk reducing all animals to a broad, abstract and homogeneous group. This reductionism is sometimes compounded by the pitfalls of anthropocentrism. Under the pretense that men generally favor independence and freedom, they give their preference to the dog which needs a master and feels appeased by a leash or commands. Under the pretense that men enjoy tenderness and caresses, they give their preference to baby seals or to bears whose fur was not meant for cuddles (and certainly not for trade). Incidentally, so-called animal “defenders” often attribute rather specific cultural, historical or ideological preferences to animals. These preferences only reflect animalists’ preconceived notions regarding what man is and what he ought to be. In animalism, the entire ethos of rights is projected on animals in a general sense as well as on

each animal in its specificity. Hence, animalists tend to apply some general criteria such as the aversion to monotony or the appreciation for a peaceful life to our relations with animals, whereas living species generally experience monotonous regularity as reassuring and some species are naturally combative. Animalists fail to notice that, depending on their nature, some animals “prefer” independence, some prefer dependency or even sacrifice to the group or lineage, some are reluctant to change or adventure outside the familiar territory, others engage into intraspecific aggression, still others are only aggressive towards certain and different species than theirs, etc. Of course, it is inevitable that man projects his feelings, aspirations, ideals and fantasies onto the animals with which he builds relationships. Thereby, we cannot phrase the principle of adaptation through an affirmative statement. Rather, we must insist on the necessity to modulate the principle when put into practice. Thus, the principle of adaptation goes as follows: “You shall treat the animal in a way that contradicts *as little as possible* its very own nature.” This principle will prove crucial in order to define the ethical status of the animal in *corrida*. What are fighting bulls? What is their nature? What are the representations (whether positive or negative) of man that we project on fighting bulls? These are, indeed, questions that we must address.

I shall now address the question of the ethical status of the fighting bull in *corrida* with the help of the four principles that we just defined:

- (1) *the principle of subordination* (any man’s life has more worth than the life of an animal).
- (2) *the principle of differentiation* (depending on the degree of familiarity with have with them, we must distinguish between animals to which we owe more individualized forms of treatment and animals that we shall more broadly treat and regard as a species) which is deduced from (1) and further specified by (3) and (4).
- (3) *the principle of adjustment* (we shall adjust our conduct to the type of relation that we have with the species).
- (4) *the principle of adaptation* (our conduct towards animals must consider their intrinsic nature).

### **III. On our Relation towards the Bull and the Ethics that Follow from it**

Given the above-mentioned principles, we must elucidate two aspects in order to define our legitimate conduct towards the fighting bull (in Spanish: *toro bravo*). First, how shall we treat the species of the fighting bull in light of the nature of the relationship between man and bull (i.e., the being of the bull with respect to man)? Then, how shall we treat the species of the fighting bull in light of the nature of the fighting bull (the being of the bull in itself)?

First, let me recall some facts. The *toro bravo* is a very different variety of cattle than the one we see in our countryside. It is a species, or if you prefer a breed or variety (*bos taurus ibericus*), that lived in the wild in several regions of Spain (Andalusia, Castile, Navarre) until the 17<sup>th</sup> century, that is, before the 18<sup>th</sup> century codification on modern *corrida* (i.e., the practice of fighting bulls on horseback replaced by a fight practiced on foot) which led to the birth and development of large farms aimed at selecting the most suitable bulls for fighting in the arena. The gradual evolution of this breed has therefore been determined by that of bullfighting, just as the evolution of the horse breed has depended on the existence and development of horse racing. In the past, *corrida* was first and foremost meant to demonstrate man’s feats against a wild animal and it was mainly focused on the purity of the act of killing. Thereby, it was necessary to preserve the primitive ferocity of the bull, and the selection of male and female breeders was based on this criterion. The practice of *corrida* gradually refocused on the execution of an audacious series of figures through which man was deceiving the animal with his astuteness and elegance. From that point onward, the



fighting bull is mainly expected to be constant and frank in its attacks, and farmers try to select these qualities through testing breeding cows. In any case, the *toro bravo* exists only for and through bullfighting. Bulls only live because, at best, they are meant to die in the arena<sup>39</sup>. This fact alone is certainly a satisfactory argument in favor of *corrida* for those who aim to defend the survival of the *toro bravo* species above all. However, such an argument is certainly insufficient if we want to justify that individual bulls are bred for many years in order to be eventually fought and killed.

Our question is to know whether this human activity is justified, not generally speaking regarding animals (for, as we saw, such a question makes no sense), but regarding the specific conditions of *corrida* and regarding the specific animal that we call fighting bull. Now, the legitimacy or not of such an activity has to be established in the light of the principle of adjustment (3) and the principle of adaptation (4). In other words, in order to answer our question, we need to define the bull with respect to us—humans—, and to define the bull *per se*. As it happens, the solution to these matters of definition lies in a single and tricky word: *bravura*.

Spanish and Portuguese language have a word which is hard to translate, but which turns out to be the key to the problem of the ethical status of the animal in *corrida*. This word is *bravura*. The fighting bull is called *toro bravo*. *Toro bravo* first refers to the general zootechnical feature of a breed or species which, unlike its congeners the *toros mansos* (e. g. cattle raised as draught animals or for food), is innately hostile towards strangers and especially towards humans. It is the pivotal concept for the definition of the fighting bull. Hence, as we will see, this notion of *bravura* will make us understand at the same time how to define the fighting bull with respect to us (it is an animal that is paradoxically raised by man in order to be *bravo* towards him) and how to define the fighting bull *per se* (by nature, it is an animal which is *bravo*).

In order to adjust our behavior to fighting bulls (principle 3), it is necessary to understand the type of “contractual” and reciprocal relationship between men and bulls and the type of emotional bonds that follow from this relation. At this point, we will be able to notice both the strengths and the limitations of the legal criterion of “domestication” introduced by the Grammont Act (*Loi Grammont*). As we saw, the strength of the Act lies in its contractualist essence. We “owe” to whom we “owe”; we have duties towards whom we owe debts. As mentioned above, the limitations of the Act lie in the weakness of the conceptual framework of its main criterion (i.e., the notion of domestication mixes up concepts which shall be regarded as distinct). However, we will now see in detail why the Grammont Act is particularly unsuitable for the fighting bull, called *toro bravo*.

For the bull is an animal that man has appropriated, at least since there have been farms. Moreover, the bull serves a human purpose and its “species” only exists because it is used by man. Through selection and control of reproduction, the bull becomes the most suitable product for this human purpose. Not only would the *toro bravo* not exist if it did not serve this purpose, but its morphological and ethological characteristics are also largely the result of human will. The *toro bravo* can be called “domestic” if we want to stick to this word and if we accept that its meaning is twofold<sup>40</sup>. The paradox is that this appropriation and use by

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<sup>39</sup> Cows that are not selected for breeding are sent to the slaughterhouse at around age two. The same applies to the few tested and unselected male cattle. Bulls who are judged to be of good lineage are not tested. They are preserved for bullfighting and will fight as adults, that is between age three and five.

<sup>40</sup> Let us recall the four criteria mentioned by the Court of Cassation: “The bull is under the domination of man, is selected by him, is raised in enclosed pastures and receives its food from him.” [“Le taureau subit la domination de l’homme, est sélectionné par lui, est élevé dans les pâturages clos et en fait reçoit sa nourriture de lui.”]. See footnote 31.

man presupposes and implies that the bull is raised with a view to preserving his natural wariness and to developing his native aggressiveness, that is, to preserving his hostility to man. We are dealing with a peculiar kind of domestication here, since it is made so that the animal fights against man; it is a domestication which contradicts its own means through its intended effects. Indeed, the bull must be at the same time as much “domesticated” as possible (in the dual sense of its appropriation and adaptation for human purposes), and as less “domesticated” as possible (as untamed as possible, and therefore as rebellious as possible towards man).

The species of the “fighting bull” is neither domestic, nor wild; it is a species composed of *bravo*-type animals. By the same token, the fighting bull cannot be defined through the oppositions “friend/enemy” or “familiar/stranger”. The fighting bull is neither a friend because he is fought and put to death, nor an enemy because he must not be slaughtered or exterminated. The fighting bull must be fought by whom accepts to expose his life to the greatest danger, and the bull is put to death in accordance to rules and guidelines which are based on the respect of his moral (it is not allowed to lessen or heighten its combativeness through artificial means) and physical (its horns, those formidable natural weapons, must not be damaged or altered) integrity. On the one hand, like the pet, the bull is valued through its singular, almost egalitarian and, in particular, almost symmetrical relation to man—in corrido, the relation between the opponents bears striking resemblance to what we call “man-to-man fight”. On the other hand, similarly to dangerous or harmful animals, the bull must be kept as much distant to man as possible. Its natural being must remain as foreign or as opposed to man as possible so that he can fight him and be fought by him—for if the bull were not fighting against man, it could not be regarded as a fighter by him. Regarding the *toro*, one could almost say that its highest degree of domestication (i.e., the ability to serve human ends which gives it the contractual rights of a friend) amounts to its highest degree of ferocity (i.e., the instinctive ability to fight against man which gives it the status of an enemy). The *toro* is neither domestic nor wild but maintained in a kind of state of domesticated ferocity. The *toro* is neither entirely familiar nor entirely foreign to us, since it lives not so far away of the entrance of men’s houses but cannot enter them. The *toro* is not a friend, since men fight against it. The *toro* is not an enemy, since men measure themselves against it. The *toro* is the adversary. This is the ambiguous secret of the bull’s personality in corrido (both man’s best friend and best enemy), which shows the dual meaning of the ethics of bullfighting (on the one hand, the tragic struggle to death with the animal taken as an antagonist / on the other hand, the playful duel of equals with the animal taken as a partner), and which is revealed by the two meanings between which the concept of *bravura* hesitates—between the superhuman virtue of bravery and the animal instinct of ferocity at its purest.

In the light of what I just explained, we can see to what extent the bull’s participation at the fight complies with what the bull is with respect to us, humans. The bull must not be treated as a domestic animal (that is, as an animal entirely meant to serve man’s domestic purposes), in which case he should not be fought. Neither shall the bull be treated as a wild animal, in which case it could be slaughtered. The bull must be treated like a *bravo*-type animal, that is, it must be treated in accordance with what it is with respect to man who made it such, namely man’s best and closest enemy, man’s eternal adversary. The bull is *bravo* with respect to man, because man wanted the bull to be this way. *Bravura* is in the nature of the bull, but *bravura* has also been made through an acculturation controlled by man [*La bravura est dans la nature du taureau ce que son acculturation par l’homme en a fait.*]. There are therefore reciprocal relationships which bond man to the *toro bravo* and we must respect them. We must let the bull live in peace, keep it the same time close to us and far from us, and preserve its great distrust towards us.

However, in order to conform with the principle of adjustment, it is not sufficient to treat the animal in accordance with the reciprocal relationships that may have been established with the species. It is also necessary to behave according to the type of emotions that result from these relationships. Now, precisely because the bull is meant to fight and die, the *toro bravo* is treated by man, during his life, during his fight and after his death, in a manner consistent with the respect we have for an adversary. Given that the *toro bravo* lives in view of its death, it embodies the living par excellence and is therefore worthy of respect; its life must have been free, its death must be dignified. Its death is ritualized according to the inexorable sequence of a sacrificial ceremony with three distinct stages: the lancing third (*tercio de varas*), the third of banderillas (*tercio de banderillas*), and the third of death (*tercio de muerte*). The killing of the bull must be frontal, straight, loyal and rapid. Both speeches and practices manifest the intrinsic dignity of the being of the *toro bravo*.

Speeches about bullfighting almost systematically praise the bull. In every civilization where the bull has been fought and killed in a ritualized way, it has been admired, acclaimed, celebrated, and has rather been chanted like a god than treated like a beast. One could still find numerous proofs of this attitude today in the (popular or learned) writings of bullfighting-themed literature and bullfight reviews, or in the lyricism of poetry devoted to bulls. In a once famous book, the French novelist and poetesse Marie Mauron referred to the bull as a “god who fights”<sup>41</sup> [*“dieu qui combat”*].

But if we mainly consider bullfighting in its practice, we notice that the respect owed to the bull is inseparable from the four moments of its *gesta*. Respect is shown to the bull before the fight, during the fight, at the moment of its death, after its death. Before the fight, the bull must be “pure” or rather *limpio*<sup>42</sup>. Obviously, this rule is in part based on technical considerations. Indeed, the bull must not be in confrontation with a human prior to the fight because, since it remembers everything and gradually learns his opponents tricks, it would risk becoming impossible to reach. But there is another meaning of the purity of the bull prior to the fight<sup>43</sup>. A pivotal requirement in the ethics of bullfighting is that the bull must not have been changed through human manipulation—his horns in particular must not have been adulterated. At the moment when it fights man, the purity of the bull is still manifested in its virginity. Regarding the virginity of the fighting bull, symbolic connotations are—in a more or less explicit way, but inevitably—intertwined with technical considerations (animal reproduction is obviously controlled for selection purposes). As it enters the arena, the bull is intact in every sense of the word. It is as if the animal, because it is meant for death, should enjoy the purest possible life, remain untouched and protected in its inviolable nature until the final hour—similarly to those virgins meant for human sacrifice.

This respect owed to the bull is manifested in the behavior that the *torero* must have towards the animal during the fight. In bullfighting, unnecessary actions that would degrade the adversary’s dignity (e.g., pulling its tail) are banned. Learned bullfighting audiences are

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<sup>41</sup> See Marie Mauron, *Le Taureau, ce Dieu qui Combat* (Paris : Albin Michel, 1949). The same image of the fighting god can be found in Manuel Delgado-Ruiz, *De la Muerte de un Dios. La fiesta de los Toros en el Universo Simbólico de la Cultura Popular* (Barcelona : Península, 1984).

<sup>42</sup> To be fought, the bull must be “certified *limpio*” by the breeder who is liable to heavy penalties in the event of a contravention. *Limpio* means clean, pure, untouched. In other words, the bull must neither be physically manipulated or drugged, nor approached by a man who tried to lure him [*approché par un homme l'ayant “toré”, c'est-à-dire leurré*].

<sup>43</sup> Of course, I am referring to the Spanish corrida here. In the *Course Camarguaise*, the fight consists in the confrontation with an animal that already knows the game and whose character traits are already known by the testers.

aware that any act of humiliation regarding the bull (e.g., blinding it by covering its head with a cape, kicking it<sup>44</sup>, etc.) is inappropriate and shall be banned. It should be noted in passing that these behaviors are only tolerated when the animal is *manso* (I will come back to this crucial point)<sup>45</sup>.

At the time of death, the respect owed to the bull becomes almost sacred. Bullfighting is not a slaughterhouse-like execution but is based on the purity of the act of the *estocada* which must be done as loyally as possible. The *toreador* must thrust the sword from the front, by “letting oneself be seen”, in order to allow its opponent to charge and catch him as he passes. He must raise his sword as “high” as possible, that is, by taking the maximum risk since he will lose sight of the bull’s horns for a moment. The toreador and the bull confront themselves in close combat. They enter a fight during which their bodies are looking for each other. In the absolute silence of this face-to-face confrontation, two weapons, the horn and the sword, are raised against each other.

Finally, after death, the remains of the fighting bull are often acclaimed. Sometimes, the remains are saluted by a lap of honor which follows the mules’ slow pace, and people in the crowd rise and take their hats off as it passes<sup>46</sup>. Sometimes the name of the dead bull is engraved in stone<sup>47</sup>, and the ephemerides keep the memory of his exploits. Further proof, if any were needed, that the fighting bull is not a “thing” for man. Its life, its *gesta*, and its death do have a meaning. The bull has a high ethical value; it is seen as a being worthy of the greatest respect.

Hence, fighting bulls are treated before, during, and after their fight in accordance with what they are with respect to man. They are treated with the respect that we owe to the adversary and with the admiration that we owe to the brave.

#### IV. On the Nature of the Bull and the Ethics that Follow from it

In order to know whether bullfighting conforms to the principle of adaptation (4), we must determine what fighting bulls are. Once again, the concept of *bravura* will be our common thread. Of course, the question of the nature of an animal species cannot be answered in a thorough or even pertinent way. At most, we can describe some unique features of the species in question. A *toro bravo* is a naturally wary animal which, similarly to many “wild” animals, is endowed with a kind of defensive instinct. This instinct is particularly developed in the fighting bull (and is more and more developed through the selection to which its breed has been subjected for more than two centuries) which manifests from its birth and is called *bravura*. Although the little bravo calf barely stands on his own legs and his horns did not start to grow, he already tries to give horns to those who come too close. Due to this aggressive instinct that grows with age, *toros bravos* herds are extremely difficult to approach and “manipulate”. Individuals in the herd can engage in fierce fighting for dominance and

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<sup>44</sup> See, for instance, the former practice of the *banderillas* with fire which has now been replaced with black *banderillas* which are only “infamous” in a purely symbolic way.

<sup>45</sup> It is worth noting that these practices are not reminiscent of an archaic sacralization of the animal. On the contrary, I am referring to a trend in modern corrido which constantly increased over the last century.

<sup>46</sup> This is not only a symbolic reward for the bull’s breeder. Since the 1992 regulations, in first and second category arenas, the president has even possibility, under certain conditions, to grant clemency to exceptionally brave bulls (which may serve as breeding animals in their original farms).

<sup>47</sup> In many arenas, at the end of each corrido season, a prize is awarded to the “bravest” bull whose memory is often marked by a stone or a carved *azulejo* that can be seen in some place removed from the arena. The bravest Camargue bulls receive their own graves after their death. Exceptionally, a sculpted monument recalls the bull’s heroic life.

inflict on themselves more serious injuries than in bullfighting arenas. But, more importantly, as soon as an animal is a little isolated from its congeners or its usual terrain, or the moment it feels that a stranger is crossing (or might cross) its path of retreat to its familiar place (*querencia*), it attacks the intruder and may leave the latter for dead. The bull's immediate action (or reaction) of charge towards anyone potentially considered as "enemy" indicates its *bravura*; it is the underlying basis for any kind of bullfighting. For there have been forms of bullfighting (i.e., settled fights between man and bull) at all times, in all civilizations, in all regions where there were "wild" bulls. It is an anthropological constant. Depending on the context, fights are ritualized, playful, athletic or artistic. Depending on the context, men may have seen the fight as a sacrificial ceremony, a *geste d'éclat*, a sign of challenge towards the rival, a festive event or a public demonstration of strength, courage, skill, ingenuity...<sup>48</sup>. The Spanish *corrida* somehow combines all these elements. In any case, it is a form of bullfighting among hundreds of others<sup>49</sup>, a few dozen of which are still practiced<sup>50</sup>. *Corrida* is one of the so-called "sacrificial" forms of bullfighting (i.e. involving the killing of the adversary)<sup>51</sup>. But all bullfighting is based on *bravura*, the Latin *furor*, which manifests itself through the spontaneous, immediate, violent, repeated attacks of the bull, especially when the animal is in an enclosed space whose prototype is the circular form of the arena. Tauromachic ethics consist in allowing this violent charge of the bull, in allowing this active force, this "nature", to manifest itself. *Corrida* is not about slaughtering an animal. It is quite the opposite. *Corrida*, as its name suggests (*corrida* = race) consists in letting the bull run, attack, fight. If the bull were not supposed to be naturally combative, *corrida* would be pointless, meaningless and worthless. Slaughtering amounts to face an unarmed, harmless or passive animal. The "animal-related" ["animalière"] ethics<sup>52</sup> of bullfighting consist in allowing the nature of the bull to express itself. It must express itself doubly; during the bull's life, and during its death. Throughout his existence, in the field, the bull is left perfectly free<sup>53</sup>: it lives in accordance with its "wild", rebellious, refractory,

<sup>48</sup> See for instance Álvarez Ángel, *Le Taureau, rites et jeux* (Portet-sur-Garonne : éd. Loubatières, 2003). See also from the same author *Grande del Brío Ramón, El Culto al toro, ritos y símbolos de la tauromaquia* (Madrid, ed. Tutor, 1999).

<sup>49</sup> See the comparative research of Frédéric Saumade, *Des sauvages en Occident. Les cultures tauromachiques en Camargue et en Andalousie* (Paris, MSH, 1994) & *Les Tauromachies européennes. La forme et l'histoire, une approche anthropologique* (Paris, CTHS, 1998). An exhibition entitled "Eternal Rituals. Man and the Bull in the world" held at the Musée des Cultures taurines de Nîmes (May 20-October 2004) gave an idea of the extraordinary diversity of still practiced and outmoded forms of bullfighting. See *Rites éternels, L'homme et le taureau dans le monde* [catalogue] Nîmes, éditions Romain Pages et Musée des Cultures taurines, 2004

<sup>50</sup> In France, four kinds of bullfighting are still practiced. The *Course Camarguaise* and the *Course Landaise* are typically French. But the *corrida* (sometimes in its Andalusian variant – *rejoneo*) and the Portuguese-style bullfighting (including the group of *forcados*) are also practiced in France.

<sup>51</sup> Regarding the (disputed and disputable) relation between *corrida* and sacrifice see Michel Leiris, *Miroir de la Tauromachie* (Saint-Clément-de-Rivière: Fata Morgana, 1938 /1981). See also Julian Pitt-Rivers, "Le sacrifice du taureau," *Le Temps de la réflexion* 4 (1983) : 281-297 & Pedro Romero de Solís' paper in his edited volume *Sacrificio y Tauromaquia en España y America* (Sevilla : Universidad de Sevilla, 1995). I wrote a study in answer to the sacrificial interpretation of *corrida*. See Francis Wolff, "¿ Por qué muere el toro ? Examen de la teoría pitt-riversiana," *Revista de Estudios Taurinos* 16 (2003).

<sup>52</sup> The "animal-related ethics" of *corrida* are referring to the norms and values that our founding the relation between ethics and the bull. In the remainder of this paper, I address the question of the virtues which, at a minimal level, found the "human" ethics of *corrida* : courage, self-sacrifice, heroic self-control, and the vigor of the fighter.

<sup>53</sup> The *toro bravo* lives freely for three to five years in huge fields in Andalusia, Old Castile or *campo charro*, that is, spaces that are incomparably larger than those available to all domestic species. Only the

insubordinate, and indomitable nature. And it is in accordance with the very same nature—*brava*<sup>54</sup>—that the bull fights until the moment of its death.

Let us now compare this idea (or this overview) of the nature of the bull in our ethics of *corrida* to the idea (or overview) of the nature of the animal in animalist ethics.

What matters, according to animalist ethics, is to avoid suffering. The animal has rights, and he has the right that people do not make it suffer<sup>55</sup>. “The animal” exists: it is an essentially, although potentially, suffering living being. This is demonstrated by the fact that, potentially and in any place, man exists as an essentially suffering living being. Therefore, man has rights. Therefore, animals have rights too. Mankind (of which animality is a kind of mirror) is postulated as a feature that only exists in subjects who are a priori endowed with rights and who are defined by the quantity of pleasure and pain they experience. We are dealing here with a utilitarian morality based on an ethics of compassion. The other, whether it is a (sentient) animal or a (sentient) human, is a living being that suffers (in the twofold meaning of pain and passivity). For, in the end, the highest value in life is about the avoidance of suffering. The animal does nothing. It does not act. It only experiences and feels. The same applies to Man. For instance, given that fighting (in order to advance this or that cause, in the name of values such as freedom) involves suffering, fighting cannot be regarded as a reason for living. Hence, it is better (from a human perspective) to live the long life of an enslaved ox plowing the fields, than to live the free life of a bull which eventually dies during twenty minutes of brave fight. Putting one’s life at risk has no value. Disregard for danger and suffering is a meaningless behavior. For if such a behavior made sense to man, it would be conceivable for an animal. However, there is no ideal, no virtue, no excellence, no duty or value which deserve man’s self-sacrifice. There is no moral value except the individual’s current and immediate experience assessed through the quantitative criteria of pleasure and pain. In contrast to this animalist ethic of suffering, the ethics of bullfighting regard *bravura* (i.e., the fighting instinct) as an active virtue and as defining the bull’s nature.

Nonetheless, some may contend that our ethics of bullfighting only focuses on the species of the *toro bravo* to which—despite its own wishes—humans have attributed more or less mythological virtues (it is well known that, in various civilizations, symbolizations pertaining to the wild bull are extremely varied). Some may claim that our ethics disregard the individual qualities of the animal (i.e., this bull that is in pain in the middle of the arena) and treat it as an animal foreign to us instead of the “more or less familiar” animal that it actually is—that is, an animal which is individualizable according to the principle of differentiation (2). In other words, some may argue that it is too easy to introduce

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bull’s sexuality is regulated, since reproduction is controlled according to the search for the best fighting bulls.

<sup>54</sup> Some argue that man chooses to fight the bull, whereas the bull has no choice and is therefore condemned to fight. But they forget that choice is a human value, and that “will” is a human capability *par excellence*. Admittedly, the bull “does not want to fight [in the arena]”. But this statement mainly indicates that the capability of will, contrary to the ability to fight, does not belong to the nature of th

<sup>55</sup> I am referring to the most popular form of animalist ethics today. We do not owe respect to all living beings as such, but only to some of them, namely those endowed with sensibility. It is not life in itself which is a value per se (this would be a pure and abstract category). Rather, values are defined based on the negative and positive experiences entailed by life. Those experiences are reduced to the fundamental constituents of pleasure and pain. Peter Singer, the most influential theorist of this new ethical trend, is an intellectual disciple of Jeremy Bentham. Like in Bentham, Peter Singer’s ethics are at the same time individualistic and utilitarian. According to Singer’s ethics, species and groups do not count, and the individual is the sole matter. From a human perspective, intrinsic values are not in the community but in individuals alone. And values merely consist in maximizing the sum of pleasures experienced by the individual (or by the sum of individuals) and reducing suffering.

bullfighting like a ritualized fight between Man and Bull. It is not the Toro Bravo, as a vaguely legendary creature or in its general species-related meaning, which is at the center of the arena. The fighting bull is always a particular animal; an animal of flesh and blood.

However, the ethics of bullfighting are individualized. The Bull taken as an abstract being that symbolizes *bravura* has been mainly praised through art, painting, literature, and myth. On the other hand, the actual practice of *corrida* is only dealing with bulls taken as individuals. In *corrida*, the lineage, the origin, the date of birth, and the proper name of each bull is known. Every bull has its own personality, and that is what makes the whole point of its special fight so interesting. For the *torero* as well as for the spectators, it is always the singular behavior of *this* bull that must be admired, assessed, understood, and (if possible) predicted. Indeed, it is in its capacity as a singular being that the bull has an ethical value, and that bull deserves respect for its fight and for its death. This is in line with the principle of differentiation (2); domestic animals must be treated respectfully as individuals. But the bull is neither entirely domesticated nor completely foreign to man. Hence, the ethical status is granted neither to the bull individually nor to the bull in general. Or rather this status is at the same granted to the bull as it is taken in its general and in its individual sense. The Bull must manifest itself in each individual bull. This is consistent with the concept of *bravura*. Each bull is *bravo* by definition. But, sometimes, some bulls are *bravo* by idiosyncrasy. As *bravo* bulls, all bulls are fighters, but each one is more or less combative. We are dealing with a quality that varies infinitely from one individual to another, a kind of “behavioral disposition” which is present to varying degrees in all *toros bravos*, but which is only achieved to its highest degree in some exceptional individuals. At this point, we move from a descriptive to a normative understanding of the concept of *bravura*. *Bravura* both characterizes the relationship of certain species to man (*ser bravo* means to be “wild” or “untamed”, in contrast to *manso* which refers to “domestic” or tamed) or certain individual behaviors (*estar bravo* means to be furious or angry). But, in addition to this twofold meaning, the concept of *bravura* also contains more or less anthropomorphic moral connotations pertaining to the fighting bull which is referred to as brave, valiant, intrepid... The evaluation of each bull will be proportionate to the degree to which the bull achieves the very essence of its species or race. Depending on individual cases, the bull will be called *bravo*, *bravito*, *bravucón*, or on the contrary *manso*, *manso perdido*, *mansurrón*, etc. The real bull, the good bull, the “*toro toro*” as we say, is the *toro* which, exceptionally, is in conformity with what it ought to be (i.e., *bravo*). In other words, the “*toro toro*” is nothing but the exceptional bull that matches with its very own nature. Just like only some *toreros* succeed in becoming what they are (“Now, that’s a *torero*!”) when they achieve the virtues of the *toreros* during the fight, so only some *bravo* bulls are *bravos*, that is, consistent with whom they are. The same applies when we sometimes say of a man, “Now, this is a real man!” Some virtues are molded by descriptive qualifiers which are usually used to point to the person’s or being’s belonging to a natural class. This applies, for instance, to humanity: it can be said of a man that he proved to be most especially human [*particulièrement humain*]. This means that such an individual exceptionally embodies in its actions all the ideal virtues that are expected of every man; in a nutshell, he is the model of the essence, he represents the realization of the Idea. In the same vein, *bravura* is the virtue through which the bull is supposed to perfectly match with its most intrinsic nature. *Bravura* is, so to speak, what makes a *toro* a *toro* [*C’est en quelque sorte la « toréité » du toro*]. This directly points to the kind of ethics we are dealing with. It is an ethics that, like many ethics in ancient philosophy, addresses the issue “who should I be?” and answers to the question “you shall be what you are in your essence”. The virtue of a particular being consists in being adequate to its essence, in being in its behavior all that it can essentially be, in bringing to fruition all of what is essentially the best in it. Hence, what applies to the *torero* also applies to the bull. What is good for a man does not merely

consist in doing what is allowed and refraining from doing what is forbidden, but in being a man, in the full sense of the word, in finally becoming what has always defined him as man. What is good for the bull, a living being which is naturally *bravo*, is to become *bravo*. In brief, we are dealing with an “ethics of being”.

We thus discovered a further meaning of the word *bravo*. In this latter sense, *bravo* refers to the bull which is endowed with the same “excellence” as its opponent, that is, the bullfighter who is endowed with *valor*, with courage. Man’s courage and the *toro*’s bravura are symmetrical concepts. By being *bravo*, the bull not only demonstrates his “toro essence” [“*toréité*”], but it also somehow shows his macho “virility”—if we assume that this specific sense of “courage” (from the Greek *andreia*) refers to the more properly masculine virtue of the fighter. This implicitly entails that the bull has to be, in and through its fight, what it is by nature. In the ethics of corrida, the same requirement applies to man (the bullfighter) who must be in conformity with his proper “function” (ἔργον / *ergon*)<sup>56</sup>. Regarding the bull, this “function” is already given by its nature: bravery. And this “function” is realized through the bull’s deeds. Better yet, it is realized through a specific activity, that of combat. We are not dealing with a morality which, based on some external norms, establishes whether this or that action is good or bad. Rather, we are dealing with a “practice-related ethics” [“*éthique de l’activité*”] which is only defined by its intrinsic norms. In other words, it is an ethics that addresses the following questions: What is the nature or essence that is brought to fruition by the practice? What power is actualized through the practice? What virtue does the practice denote?

Our moral considerations are further evidenced by the fact that bravery naturally stands alongside two other virtues to form the trilogy of the cardinal virtues of the fighting bull during its fight: *bravura*, *nobleza* and power. Bravery is regarded as the virtue of attack; it refers to the character and abilities of the charging bull. Bravo labels the bull which, during the fight, demonstrates the same “excellence” as its opponent, the *torero* who demonstrates his *valor*, his courage. There is a striking symmetry between the bull’s bravura and man’s courage. *Nobleza* is a subordinate virtue to *bravura*. Technically speaking, *nobleza* refers to the straightforwardness of the charge. But the moral connotations of *nobleza* are about the directness, the sincerity and, to put it bluntly, the righteousness of the charge. Even though he cannot be suspected of glorifying the virtue of “nobility” in the bull, the rigorous analyst and great theorist of corrida Claude Popelin even goes so far as to write that the “ultimate sign of nobility for a bull is not to charge back the torero whom it has overthrown and who lies on the ground” [“*le summum de la noblesse pour un taureau est de ne pas reprendre au sol un torero qu’il a renversé*”]<sup>57</sup>. Who would dare say that such an attitude is not about fairness? As we can see, the *bravura* of the bull is matched by man’s courage, and the bull’s “nobility” corresponds to man’s fairness<sup>58</sup>. But these two virtues that define the bull must be combined to a third one, namely power. Power refers to the physical resistance of the bull, its endurance in combat and its untiring ability to charge. Power in man (the torero) refers to the power of tricking (*metis*) his adversary and self-control. Man’s calm and hieratic force

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<sup>56</sup> See my paper “¡Torero ! torero ! la ética de torero y sus diez mandamientos,” in *Fiestas de toros y sociedad*, ed. Antonio García-Baquero González & Pedro Romero de Solís (Sevilla : Editorial Universidad de Sevilla 2003).

<sup>57</sup> Claude Popelin, *La Tauromachie* (Paris : Seuil, 1970), 162.

<sup>58</sup> I developed on this idea in my paper “Qui est le taureau ? Les représentations de l’animal dans les discours et les pratiques tauromachiques contemporaines”. See also Mariate Cobaleda’s book on symbolism in bullfighting which defends a similar thesis: *El simbolismo del toro. La lidia como culture y espejo de humanidad* (Madrid : Ed. Biblioteca Nueva, 2002). The third chapter of Cobaleda’s book (“El simbolismo antropológico de la fiesta”) offers an analysis of the concepts of *bravura* and *nobleza*.



responds to the always moving and furious violence of the bull. With respect to the bull and man, power represents two opposite embodiments of the virtue of the fighters who, at any movement, must show able to occupy the ground in order to defeat the adversary. Bravery, nobility, power is the trilogy of the virtues of the *toro bravo* and consequently of the *torero*. The three virtues of the *torero* are mirrored by the three virtues of the bull. One always finds those “mirrored virtues” in the ethics of heroism. For man (the *torero*) can only embody these heroic virtues because he faces a being which naturally embodies them. Corrida is the popular spectacle through which the democratic embodiment of aristocratic virtues is realized. Corrida is, by definition, an agonistic ethics. Those are, for sure, the ethics of the bullfighter. But, first, those ethics pertain to the bull. Obviously, the three qualities of physical power, bravery in battle, and nobility towards the opponent, are among those that were known to be true of knights. This proves that, from an emotional perspective, the bull is neither a person, nor an animal, nor a thing. The bull is a living being that is *bravo*. It is a being capable of the rarest and most singular individual achievements during its fights. For its achievements, the bull earns acclaim from the crowds. For its death, the bull earns all honors. Admittedly, man does not put the life of *toro bravo* on the same level as the life of his fellow human beings. Nonetheless, the bull is almost a god to him. The bull is a hero to him.

Let us now compare the two possible ways of picturing the bull fighting in the arena. Let us compare the perspective of the animalist, defender and advocate of animals, and that of the corrido enthusiast, admirer and friend of bulls. When the animalist attends (or rather imagines) a bullfight, he sees a suffering animal, he witnesses a pathetic drama; men are enjoying torturing a sensitive being. He pities the bull. Pity implies two processes: an identification with a living being, and the representation of that being as an essentially suffering being—because one also experiences oneself as a suffering being. On the contrary, when the aficionado attends a corrido, he sees a bull that fights. To him, the nature of the bull is not to suffer but to fight. The aficionado admires the bull, the bullfighter respects the bull. Either way, we are dealing with feelings pertaining to an animal that fights in contempt of danger and even of its suffering, that puts its freedom above its existence, and that puts the value of its life above its very life. This admiration (or respect) also implies two processes: here again, identification with the animal is undeniable; but this identification pertains to a living being that is essentially valorous—just like the *torero* is valorous, or as valorous just like the corrido aficionado would like himself to be. The *torero* and the aficionado are not indifferent to the suffering of the fighting bull. Rather, they regard the bull as an animal that disregards its own suffering during the fight. Better still, they regard the bull’s insensitivity to pain as the condition of the possibility of its fight.

It has sometimes been argued that the *torero* and the corrido enthusiast are insensitive towards the bull. Quite the contrary, they are extremely sensitive regarding the drama lived by the bull. Admittedly, they do not experience this drama in a merely compassionate way. But this is because they do not regard the drama as a *passionem*, as the pathetic representation of a catastrophe. Rather, they regard the corrido as a tragedy in which the bull, since it is the main actor, is one of the heroes. Isn’t this tragedy the very essence of life? I shall remind here that the ethics of corrido do not turn the bull into a passive victim but see it, even when it is defeated by the *torero*, as an active living being. Hence, the sensitivity of the *torero* and aficionado regarding the fighting bull is rather “co-active” than “compassionate”. It is sometimes believed that the *torero* and the aficionado are cruel, unable to feel pity. Yet, hardly any of them can stand the sight of a suffering dog or of a mistreated donkey. Identification mechanisms, regardless of whether they concern corrido enthusiasts or animal advocates, are always complex. Animal advocates cannot stand the sight of a

bullfight. But do they feel as much compassion for the suffering of the wolf as that of the lamb?

I would like to introduce a remark pertaining to the bull's "suffering" during the last twenty minutes of its fight which, it is well-known, has become the main argument of animal advocates against corrida. If we merely picture "the animal" as a "sentient" being, if we present pain as the most natural evil, if we turn the reduction of pain into a natural and ethical requirement, then we risk condemning living beings to death. John Baird Callicott has put this argument against Peter Singer's ethics. Callicott reproaches Singer with his individualism and his anthropomorphic moral sentimentalism<sup>59</sup>. As Catherine Larrère notices in her comments on Callicott's environmental philosophy: "In the animal world, pain plays a pivotal and functional role (it warns of dangers, it helps selecting individual traits for animals' adaptation); the eradication of pain would amount to the disappearance of the wild."<sup>60</sup>. In other words, if the living being were not foremost a being that can fight for its survival, if it were a being that avoids pain at any costs, it would plainly and simply not be a living being. For the living, life is an action before being a state. In more concrete terms this implies that, whatever the bull's injuries during the fight (which are comparable to the injuries that might be caused by a fight between the bull and any other living being<sup>61</sup>), they are not, like in animal testing, the result of torture inflicted on a passive and defenseless animal. The injuries are caused by blows during an event in which the bull fights back. It is well-known that living beings do not psychologically and physically experience those kinds of injuries, even when they are painful, as mere "suffering". In the heat of the battle, the soldier "forgets" his wounds which are not merely experienced as painful, but rather absorbed by the aims of the fight and turned into actions [*le soldat « oublie » ses blessures dans l'ardeur du combat, elles ne sont pas éprouvées comme simples douleurs, elles sont absorbées par l'action et transformées en actes justement.*]

Some may contend that this "defense of the ethics of corrida" in the name of what the bull is "by nature" (a being that fights rather than a suffering animal) and of what the bull does is nothing but a theoretical and *a posteriori* reconstruction, that is to say, an *ad hoc* justification. Some may indeed believe that, if one gets beyond these theoretical vindications, bullfighting is still and only a cruel spectacle that denies any value to the animal and regards it as a mere toy. However, that is not the case. For we did not only deduce the ethical status of the animal in corrida from speeches and depictions, but we also deduced this ethical status from the practice of corrida and its norms *per se*. Implicitly, the ethics are intrinsic to the rules of the fight.

For instance, let us consider the rules regarding the use of the lance (i.e., the *vara* of the *picador*), since animal advocates sometimes criticized this part of the contest even more than the actual killing of the bull. These rules are all based on the principle that the bull must go and return to the lance spontaneously. Put differently, the bull must attack its adversary in a spontaneous way. Regarding the bull, the lance rather represents the test of its *bravura* than an inflicted wound. It is worth noting that the bull's *bravura* must be the cause of the injury—and not the opposite way. The *picador* must therefore stand on the periphery of the arena's circle and must wait, at a required distance, for the bull's charge. He must also be

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<sup>59</sup> See John Baird Callicott, *In Defense of the Land Ethic: Essays in Environmental Philosophy* (New York: SUNY Press, 1989), 15-62.

<sup>60</sup> ["*Dans le monde animal, fait-il remarquer, la souffrance joue un rôle important parce que fonctionnel (elle avertit des dangers, elle peut être un élément de sélection des qualités individuelles, etc.) ; l'éradication de la souffrance serait la disparition du monde sauvage*"]. Catherine Larrère, *Les Philosophies de l'environnement* (Paris : Presses Universitaires de France, 1997), 56.

<sup>61</sup> Ethologists generally agree that even evolved animals do not have a differentiated understanding of species.

positioned “*contra querencia*”, that is, at the opposite side of the door of the *toril* from which the bull enters the arena and which may offer it a place of refuge. The bull must start its charge by moving away from its own natural “ground” and try to overthrow the *picador*. The bull is not charging in order to try to free itself from the blows of its adversary. It is charging in order to bring the adversary down. As a consequence, the more the bull “wants” to fight, the more it gets hurt. But, at any time, the bull must be able to escape from the *picador*’s lance if he “prefers” flight to combat. In other words, the use of the lance is based on the principle that the wound the animal inflicts on itself is somehow the effect of its own offensive instinct, of its own bravura. Hence, the rules are based on the idea that the fighting animal, as a *bravo*-type animal, puts the very value of its fight above its own suffering. The rules of *corrida* are specifically based on what defines the bull as *bravo*.

Eventually, some may contend that my reasoning—substantiated by depictions, speeches, and implicit practical norms—is not without anthropomorphic overtones. I fully concede to this remark. Any ethics, even an “animal-related” one, necessarily includes a concept of man and of his worth. If I were not introducing a certain idea of man, I would no longer develop an ethical reasoning—at best, it would be an ethological one. The crux of the problem is to know the idea of what-man-shall-be that stands behind our representation of the animal or, at least, of the animals we consider worthy of embodying values. The *torero* and the *aficionado* therefore treat mosquitoes like mosquitoes, not like living beings or animals in general. They do not treat their dog as a “suffering being” or as an “Animal”. They treat their dog, which is a pet, as a pet, and they treat it as it should, that is, in accordance with what the dog is by nature and what it is for them, in accordance with its nature as an animal of the house and the relationships of mutual affection that bind them to their dog. Similarly, they treat the fighting bull in accordance with its own nature and what it is to man, that is, in accordance with its nature as an animal that fights and with the respectful relationships that they have with this adversary which they confront as an equal. The ethics of *corrida* can therefore be summarized as follows. We respect the very nature of the *toro* by fighting it, since it is a fighting animal (*toro bravo*); and in the way we fight it, we also respect the singular emotional relationships of friendship/enmity that man has with it. It is a kind of Aristotelian ethics that is more or less based on the following principle: The supreme good of each living being is not simply a passive state (e.g., pleasure/absence of pain). The *Summum bonum* is about a practice through which each living being actualizes its potentialities<sup>62</sup>, through which each living being actively realizes its own essence. The bull achieves its highest good by living freely and dying as a fighter. It is in this way that the bull brings to fruition the full potentialities of its nature.

*Bravura*. The entire ethics of bullfighting are based on this single concept. The fighting bull, the *toro bravo*, is neither a thing nor a person, nor a domestic animal nor a wild animal, nor a friend nor an enemy of man, it is essentially a *bravo*-being. Bound to man by a singular mode of relationship, the *bravo* bull is appropriated by man without being tamed by him, it is raised and selected by man to be rebellious to him. But *bravura* does not only point to a way of relating to man, it also points to a way of “being animal”, that is, a certain way of living as a fighter which manifests itself according to the various degrees of the virtue of combativity. *Bravura* shows that the bull’s fate to fight and be raised for its fight in the arena is in conformity with the principles of adjustment (3) and adaptation (4). Since he is *bravo*, the bull must lead a sovereign and completely independent life in the fields. But, by the same token, he can also die as a *bravo* bull in the arena by fighting the foreigner who challenges his sovereignty.

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<sup>62</sup> Aristotle, *Nicomachean Ethics*, trans. Roger Crisp (Cambridge: Cambridge University Press, 2004), 7-10; 193-194.

Incidentally, it is now clear with what kind of ethics we are dealing with. It is an ethics which is the opposite extreme of the morals of subjective rights and morals of compassion. It is an ethics which is not based on the “catch-all” concept of “The Animal”, nor based on the simplistic conceptual opposition between persons and things (an opposition that has even been dismissed by Law). It is an ethics based on the variety of our emotions towards animals, adapted to the specific differences between animals. In short, it is a more nuanced ethics. It is an ethics of virtue, therefore an “ethics of being”. It is an ethics of heroism, therefore an ethics of excellence. It is an ethics of the *ergon*, therefore a practice-related ethics.

In this study, did I only confirm my human projections? I freely admit it. Let me conclude with three remarks. First, about animality. If we ban bullfighting in the name of so-called “moral progress”, if we get rid of fighting bulls and send them, once and for all, to the slaughterhouse, would it not, by the same token, deprive us of a significant part of the representations of animality that fill humanity’s myths and dreams? And would it not significantly and irreversibly impoverish our ethics? A further remark pertains to ethics. The fighting bull embodies an ethics which can be summarized by the formula “better to die standing than to live on one’s knees”. Admittedly, at the age of our triumphant and unanimous compassionate moralism and its motto “above all, no one should die”, the ethics of corrido no longer seem “up to date”. However, shouldn’t we sometimes highlight these ethics? And shouldn’t these ethics, from time to time, regain some reality and strength? Let me finish with a more personal remark: whoever loves bullfighting loves bulls. The aficionado necessarily dreams of becoming a bull himself—to my knowledge, there is no exception to this rule. If he cannot become a *torero*, he at least enjoys the thought of becoming a bull. He simply wonders: of all the animal species that man has appropriated to serve his ends, of all the species that fill man’s imagination, is not *toro bravo*’s fate—this animal which leads a free life and dies as a fighter—the most enviable one?

Translated by Andreas Wilmes

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