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## THE BAN AND THE BULL: CULTURAL STUDIES, ANIMAL STUDIES, AND SPAIN

Animal es sustancia animada, adornada de sentido y movimiento, y entre todos el principal es el hombre por ser animal racional y se dize del bruto; y es nombre genérico para él y para el hombre; pero vulgarmente solemos dezir animal al hombre de poco discurso.

Sebastián de Covarrubias, *Tesoro de la lengua castellana o española*, 1611

A despecho de haber sonreído muchas veces ante el recuerdo de los escolásticos de la Universidad de París que ocupaban sus ocios discutiendo “si una quimera que bordonea en el vacío pudo comer las segundas intenciones” . . . me he sorprendido en más de una ocasión imaginando qué pensarán los centauros.

José Ortega y Gasset, “Introducción metódica”, 1846

### **Part 1: *Averse visto en los cuernos del toro es aver estado en gran peligro*<sup>1</sup>: On the horns of a dilemma**

By way of preface: much of what follows comes out of thinking about cultural studies in relation to new work I’m doing (and a graduate course I taught last fall) on what lies just outside/beyond/before/after the limits or the borders of the human (and the matter of the preposition here is at the same time of little importance and of the utmost importance). My title is a subtle (or perhaps not so subtle) nod, on one hand, to Agamben’s work on sovereignty and the animal (specifically “The Ban and the Wolf” in *Homo sacer*) and to Derrida’s critique of it in *The Beast and the Sovereign* (though I am following *L’animal que donc je suis* a little more closely) and, on the other, to the ban on bull-fighting in Catalonia passed at the end of July 2010 that is to go into effect in January of 2012 and the protection (the non-banning) of the *correbous* (bull festivals) passed at the end of September 2010.

Because in this essay I do not discuss the bull-ban very much at all and even less so Catalan politics, I want to provide some brief background: the Catalan ban on bullfighting, which passed by a larger margin than expected (68–55 with nine abstentions), was received less as a victory for animal rights than as a response or reaction to (and the choice between these two words might be said to haunt the whole of this paper) the contested ruling by Spain’s constitutional court on the Catalan Statute of Autonomy and in particular on its use and definition of the word “nation”.<sup>2</sup> (The bull vote that resulted in Catalonia’s rejection of the Spanish *fiesta nacional taurina* took place a mere two-and-a-half weeks after the massive protest rallies in Barcelona). Josep Rull from *Convergència i Unió* (CiU), the center-right nationalist coalition

party, handily used the ban to claim Catalonia's greater affiliation to Europe than to the rest of Spain. "This is not an attack against Spain but evidence that we, Catalans, support and share more advanced values with the rest of Europe" (cited in Minder). There's almost an evolutionary subtext at work in Rull's statement, the ghost of a politico-ontological chain of being in which the species *homo catalan* is revealed (through the ban) to be closer to the "more advanced" *homo europeus* than to the more primitive *homo hispanense*. The September vote yielded quite different results: lawmakers voted (by a 114–14 vote, with five abstentions) to protect and regulate the *correbous*—village festivals that include tying flaming wax or fireworks to bulls' horns and letting them run free or provoking bulls to chase people on seaside platforms and then plunge into water.<sup>3</sup> If politics make strange bedfellows, bull politics make them even stranger: in the September parliamentary vote, for instance, the left nationalist ERC (Esquerra Republicana de Catalunya) and the PP both voted in favor of protecting the bull festivals, while the eco-nationalist Iniciativa per Catalunya (ICV-EUIA) voted against. *Covergencia i Unió*, many of whose members had voted to ban the *corrida*, sponsored the bill to protect the *correbous*, pointing to the fact (contested by many animal rights activists) that bulls do not die in the *correbous*. Francesc Sancho, a CiU party spokesman, was quoted as saying what sounds like a coded aphorism: "If the horns are wide enough, the bull does not get burned" (cited in Woolls).

My intention is not to chase the various capes of Catalan politics through these bull runs, though that is important, indispensable work. Rather, I want to use these bans and these bulls (and the state of suspension that this current period marks—the ban in place but not yet in effect) as a point of departure for thinking about the intersection of cultural studies, animal studies, and Spain. How do these three terms pressure one another? How might they productively be brought together? (As a parenthetical note, and as a shortcut to gauge the field, let me add that to date the *Journal of Spanish Cultural Studies* has received only one submission (currently under review) that could be considered to engage in animal studies. What sort of critique does animal studies or the animal turn launch against cultural studies as a disciplinary (or inter- or non-disciplinary) construction? How might the animal question help redefine cultural studies?

Specifically, I want to take seriously the thoughtful critique offered by Cary Wolfe of "the use of a cultural studies template, associated with ethically and politically attuned scholarship" as the site on which to engage animal studies (568). In a kind of position paper published in *PMLA* in March 2009, Wolfe writes: "the problem with cultural studies, at least in its hegemonic modes of practice in North America, is that despite its apparent oppositional, materialist, and multicultural commitments, it ends up reproducing an ideologically familiar mode of subjectivity based, philosophically and politically, on the canons of liberal humanism [. . .] The full force of animal studies, then, resides in its power to remind us that it is not enough to reread and reinterpret [. . .] That undertaking is no doubt praise-worthy and long overdue, but as long as it leaves unquestioned the humanist schema of the knowing subject who undertakes such a reading, then it sustains the very humanism and anthropocentrism that animal studies sets out to question".<sup>4</sup>

Part of the project I'd like to propose here—and perhaps I'm doing so prematurely, because I don't know exactly the forms and directions it would take, or even its feasibility—is the possibility of an animal-inflected cultural studies project,

but one that wouldn't limit itself to simply taking animals on board as objects of cultural study (or, laudable as it may be, as subjects of some form of future political enfranchisement). Rather, a project of cultural studies that responded, at the level of theoretical and methodological approach, to the particular challenges that animal studies presents by somehow thinking beyond the human. There is no question that such a paradigm shift poses significant challenges. To begin with, one might argue that the concept of culture that informs cultural studies is always already inhabited by the human, particularly in those articulations that pit culture in binary opposition to nature. (It's no accident that the bullfighting debate in Spain is frequently hung on the nature-culture fulcrum with those who favor bullfighting claiming that banning *los toros* amounts to condemning an already endangered species of national culture to sure extinction.) It may well be that the liberal-humanist schema that animates much of North American cultural studies is too deeply entrenched to allow for the sort of conjugation of animal studies and cultural studies that I propose here. At the same time, there are productive points of intersection and/or tension that suggest that an animal studies-cultural studies project of the sort I propose may be possible; to cite just one that is particularly fertile for the period I study, the privileging in animal studies and (although perhaps less explicitly so) in cultural studies as well of categories of becoming over those of being.

In order to put some of these questions into context, I turn in the next two parts of the paper to two texts of the early modern period separated by approximately 100 years. The first—an account that seems today quaint—is from the mid-seventeenth century, the second (in a reverse chronology) from the mid-sixteenth century. Before turning to them, however, let me say a word or two about my use of early modern materials. Making a case for animal studies in this period is not difficult. As Erica Fudge writes: “The study of the early modern period has much to offer to the understanding of human-animal relations in the present because it unsettles the naturalness of those contemporary relations” (8).<sup>5</sup> We might argue, in fact, that the concept of the “human” (or “humane” or “humanity”) that informs humanism—and consequently posthumanism—was set, precisely, in these years. (And in most posthumanist accounts, Descartes tends to be the go-to man here, a habit we might question, even in subscribing to a posthumanist position. My point is not to supplant Descartes in this genealogy, but to suggest that our constructions of posts often cast greater coherence on the pre-post than they might warrant. Part of what the early modern materials I look at here suggest is that the period is rife with all sorts of “leaky distinctions”—to borrow Donna Haraway's apt term—between the human and its others, animal, and machine (72). This, I suspect, has never not been the case. The early modern period—and I would venture that Spain especially, as a consequence of its imperial appetites and the political-theological hand-wringing that sometimes accompanied it—not only saw the rise of different border practices aimed at establishing (or, occasionally erasing) lines of demarcation between human and non-human (a constantly shifting category), but it was particularly interested in what lies at the edges of the human: the beast and the sovereign, but also the monster, the machine, the hermaphrodite, the native, the slave, and the divine. And yet, we should not proceed without some pause, or in the very least wakeful recognition of the particular uses we make of history for the work of cultural studies or animal studies or the dialog between the two.

**Part 2: *Echar la capa al toro, dexar el hombre su hazienda y no hazer caso della, a trueco de librar su persona: On persons***

In Párraces, a small village north of El Escorial, in the summer of 1647, 10 years after the publication of the *Discourse on Method*, a swarm of locusts appeared and devastated the surrounding countryside, causing widespread crop damage and economic losses. The locusts returned the following year and the one after that as well.<sup>6</sup> Summer after summer, the town resorted to the usual arsenal of spiritual remedies in order to rid itself of what had all the earmarks of a biblical plague—exorcisms, blessings, sprinklings with holy water, and with water of San Gregorio, processions, *novenas*, confessions, fasts, and constant prayer. Nothing seemed to work. When the locusts returned the fourth year, in 1650, Párraces sought remedy of a different sort and proceeded to bring the locusts to trial in ecclesiastical court. The village priest, *bachiller* Manuel Delgado, launched the formal accusation against the locusts for the irreparable harm they had caused, not only to the region's inhabitants, who were forced to spend all their time and resources battling the locusts, but to souls in purgatory, local saints, mendicant orders, hospitals, religious images (of those local saints), and other pious works that suffered from lost alms, to say nothing of the Church itself. With that, the canon-legal apparatus was swiftly set in motion: a judge was named, as was a fiscal (a prosecuting attorney) and a procurador (a defense attorney) for the locusts.

The court documents are extensive. Among the first questions the judge, Fray Pedro de la Trinidad, Provisor y Vicario General de Santa María de Párraces, takes up is whether it is possible to judge and, if necessary, condemn irrational animals. This was no minor point. Never having received the sacrament of baptism, locusts were, in theory, outside the jurisdiction of canon law (this was the same problem the Church faced when it sought to excommunicate non-Christians). Fray Pedro solves the dilemma by making recourse to a subtle distinction in Aquinas between direct and indirect excommunication: although the locusts, deprived of souls or rationality, can't be excommunicated directly, Fray Pedro reasons, they can, however, be indirectly excommunicated inasmuch as they are “*creaturas irracionales que se ordenan al hombre para su bien o su mal*” (cited in Tomás y Valiente 25). “*Ordenan al hombre*” here refers to the locusts' designed role in divine providence—the entire animal kingdom “is ordered to” the good of humankind; by violating this order, the locusts are subject to a kind of divine disinheritance, a condition excommunication renders explicit.<sup>7</sup> To further bolster his claims—and ward off the possibility that his trial of locusts will be interpreted as a case of animism, a crime subject to inquisitorial persecution—the good judge cites a long list of precedents in which the threat of excommunication had worked against animals: in Avila and Valladolid, trials of locust swarms who were sentenced to leave their respective towns and complied; a similar case in Osma against rats; and, most compelling, the flock of swallows who under threat of excommunication had stopped defecating on a church outside of Córdoba.

The trial is hallucinatory. Legal historian Francisco Tomás y Valiente is perfectly right in dubbing it a kind of “*auto sacramental o farsa teológica*” (22). Numerous townspeople testify against the locusts before the court, appearing not as themselves, but as appointed legal representatives for souls in purgatory and a litany of saints: San Sebastián, San Miguel, San Lorenzo, San Nicolás, San Pablo, San Juan, San Juan

Bautista, and Santa Olalla. The prosecuting attorney argues what amounts to a private property case: “aunque es verdad que las dichas langostas son criadas por virtud de Dios, como lo dice la petición del dicho procurador defensor de las langostas, y aunque han menester sustentarse, pero sustento suyo es la hierba de los caminos y los campos baldíos y otras partes que no sirven a los hombres . . .” (cited in Tomás y Valiente 27). The words of the locusts’ defense attorney, Bernabé Pascual, *vecino de Cobos* (whose own fields had been desolated by his clients), are worth citing. In the seeming failure of the argument that the locusts have to eat something, he attempts to exculpate them of legal responsibility: “no tienen la culpa las dichas langostas porque son movidas y gobernadas de otro y no de ellas mismas” (cited in Tomás y Valiente 28). (The question of who or what moves the animal is at the very heart of the animal-machine controversy.) After vacillating on whether it’s God or the devil who is “moving” them (and in the end, it doesn’t matter to their defense), he concludes, plaintively, “Pero no quiera vuestra paternidad excomulgarlas” (cited in Tomás y Valiente 28), an appeal to the court’s mercy.

More witness testimony follows, accusation after accusation against the defendant. (I use the singular because in most cases against a swarm or group of animals—typically insects, mollusks, or rodents—the judge would take one member of the species on trial literally in hand, to synecdochically stand in for the rest of his or her absent co-defendants.) The preliminary sentence reads: “Nos Fray Pedro de la Trinidad. . . Christe Nomine Invocato, mirando la razón del derecho y de todo rigor de justicia, fallamos: que debemos condenar y condenamos a la dicha langosta, así a la presente como a la venidera [. . .] a que sea desterrada de todos los términos y lugares de esta abadía y cualquiera parte que pueda hacer daño [. . .] y no vuelvan jamás a los dichos términos. Y la damos de término tres días naturales, en los cuales no hara daño alguno, lo cual la mandamos en virtud de santa obediencia y so pena de excomunion mayor. . .” (cited in Tomás y Valiente 29). Foreseeably, the locusts did not heed the dire warning; not only did they not leave in their allotted three-day grace period, but they remained even after the threat of excommunication was made real. (It’s unclear if the excommunicated locusts dared return in 1651; no further *pleytos* were brought).

Tomás y Valiente points to this trial—or to its failure in banishing the locusts—as marking a moment of crisis in the theocratic system. “A partir del momento en que la utilidad es un criterio más allá de la legitimidad teológica para imponer una sentencia y para abrir un proceso de este género, el riesgo de fracaso del sistema es mayor. [. . .] Después de 1650 no volvió a abrirse un pleito contra langostas ni en la abadía de Párraces ni, que yo tenga noticia, en ninguna cercana” (30). Without disagreeing, I want to suggest that a number of other crises are at stake here as well, beyond the risk of system failure. Indeed the trial raises a number of important questions that might help map the grounds on which cultural studies and animal studies meet. What forms of anthropocentrism and anthropomorphism are here materialized? And how does the latter—a practice that should in theory attenuate the human-animal divide insofar as it blurs the boundaries between them—often (even usually) reinforce the former? What model of animal understanding and response informs the trial? And this is something of a razor’s edge for Fray Pedro, who vacillates between the hope for an efficacious solution that the threat of excommunication might provide and the fear that he’s indulging in something not quite kosher by trying the locusts as persons. How are those models troubled (or do they remain static) when animals seem to respond (as,

say the swallows or the rats) or either fail or refuse to do so—or to do so in any way that is interpreted as acceptable response by the human agents (as in the locust case)? Or, alternately, is a non-response response enough? What binds response with responsibility and to what or to whom? (What is the nature of the responsibility, for example, that the locusts' defense attorney, Barnabé Pascual, has to his winged clients?) What questions of performance and performativity are at stake in the various testimonies offered and in the sentences pronounced? What, if any, ritual or incantatory purpose is being served by or through the legal framework? And on what or whom does it operate? What efficacies—legal, theological, linguistic—are being tested? In anthropomorphizing the locusts, are the townspeople of Párraces simply moving an abyss (animal-human) and installing it elsewhere (human-divine)? And yet, the subpoenaing of saints and souls in purgatory would suggest that that abyss was less than stably constituted. Are different, less abyssal, spaces opening up all around the tiny village? Are faith and law always destined to meet at the edges of the human?

But of all the questions the locust trial of 1650 raises for us, however, perhaps the most crucial one is what or who constitutes a person or subject (and we might consider abandoning the word “subject” altogether, though I'm not sure “agent” or “patient” or another substitute word quite works, so I'll use it as a place-holder, invoking it in the double sense of “subject” and “subjected”) and for what end? If, arguably, the canon law apparatus is producing the locusts as legal subjects, are they, in turn, profaning that apparatus (to recall Agamben's *What is an Apparatus?*)? We would do well to think about the apparatus (the law, the state, the corporation) as another articulation of the non-human, recalling, however, that under certain conditions, corporations are granted legal status as persons. What, in short, constitutes a person or a non-person?<sup>8</sup>

According to Peter Dinzelbacher, a medieval historian who has written on animal trials in France and Northern Europe in the late Middle Ages, the practice survives into the early twentieth century, regardless of the success or failure of the trials in modifying animal behavior. Dinzelbacher prefaces his study asking: “What are we to make of the fact that both intellectuals and common people in late medieval and early modern Europe regarded as perfectly reasonable such acts as filing a suit against cockchafers, bringing mice before an ecclesiastical court, or having a dangerous pig punished by the town's hangman? One of the principal aims of the history of mentalities is to deal with phenomena that seem alien to us now” (405).<sup>9</sup>

I want to pressure the word “alien”—or my earlier word “quaint”—in light of the law passed by Spanish Parliament in June 2008 extending limited human rights to the great apes (chimpanzees, bonobos, gorillas and orangutans); the law affords them legal protection against being killed, tortured (including for medical experiments), or arbitrarily imprisoned (zoos may still keep great apes, but circuses, for example, cannot). The measure was praised by Peter Singer and Paola Cavalieri, co-founders of the Great Ape Project, as well as by any number of animal rights groups. Others were less enthusiastic. Joseph Saunders, then Deputy Program Director of Human Rights Watch, which has no position on apes or on who is or is not human, responded to the question of where the human-animal line is in the following terms: “There's no blurry middle, and human rights are so woefully protected that we're going to keep our focus there” (cited in McNeil). In 2006, Spanish philosopher Adela Cortina (who characterizes her work as aimed at preserving the dignity of human persons)

published a piece in *El País* in which she critiques the Great Ape Project (translated into Spanish as Proyecto Gran Simio), by asking what a small female monkey would think of the fact that her younger, but larger, evolutionary cousin is afforded protections and privileges that she is not. Cortina's argument is in some ways disingenuous; she is not really arguing the case for *la pequeña simia*, but that the project (and, we might infer, the 2008 law that sprung from it), is pigheaded in the first place.<sup>10</sup> And yet, she makes a point. In this formulation, it is only the location of the line that has shifted, while the line itself remains untouched. If, on one hand, the 2008 law represents an important, positive ontological shift in our understanding of what constitutes a person and of who is or isn't eligible for certain protections under the law, on the other it leaves unquestioned, in ways that recall Wolfe's critique of cultural studies, an ideological schema that allows humans to continue practicing violence on non-humans.

But let us return, locust-like, to Párraces: there is, to be sure, an important distinction between affording animals (or a certain class of animals with which we happen to share 95–98% of our DNA) protection under the law as the 2008 Spanish statute did and making animals subjects of legal culpability and/or discipline as the medieval and early modern animal trials did (though this last is not relegated to the past absolutely). Nonetheless, I'd suggest that the questions the locust trial raises concerning justice, and if and where and with what means and to what ends we trace or untrace the line between persons and non-persons and, moreover, concerning who is subject of or to the Law (whose Law?) have suggestive resonances for the great apes law and help articulate a possible critique of it and of other well-meaning measures that fail to challenge the idea that the only form of life deserving an ethical response is human life, leaving intact the animal—in the singular—as a category onto which it is fair to do violence.

### **Part 3. *Ciertos son los toros, frasis ordinaria, quando la cosa de que dudamos da indicio de ser çierta: On doubt***

I begin this last section with a fragment from a letter written by Menéndez Pelayo (*La ciencia*), berating the *Sociedad de Bibliófilos Españoles* for failing to publish an out-of-print work by a Spanish philosopher he claims anticipates Descartes, Gassendi, and Reid, choosing instead to publish the *Libro del potro y descendencia de los caballos guzmanes* (and the title of the book the *Sociedad* published in 1877 was the *Libro de la jineta y descendencia de los caballos guzmanes*, the error no doubt malicious):

Si yo fuera capitalista, poco tardaría en hacer una copiosa y regia edición de la *Antoniana* y de otros muchos libros filosóficos españoles. Pero como no lo soy, ruego a Vd., con lágrimas en los ojos que si conoce y trata a alguno de esos señores *fil-biblion* que entienden en el gobierno y manejo de dicha Sociedad, les pida, por Dios y la Virgen Santísima que reimpriman la *Antoniana*. . .(Menéndez Pelayo 474)

The text in question that brings tears to Menéndez Pelayo's eyes is Gómez Pereira's Latin opus *Antoniana Margarita, Opus Nempae Physicis, Medicis ac Theologic non minus utile*,

*quam necessarium* (roughly, “*Antoniana Margarita* [Antonio and Margarita were the author’s parents], *A work on Physics, Medical and Theologic Matters, no less useful than necessary*”). Published in 1554 in Medina del Campo, it somehow managed to skirt the censorship apparatus of the day (the first edition contained no *Aprobaciones* in its front matter, probably for good reason); it was reissued in 1555 with an appendix that includes a set of severely-worded objections by Miguel de Palacios, who goes so far as to say that if Gómez Pereira doesn’t retract his offensive errors, Palacios will use his agile pen (and his students) to “commend you and your writings to heresy” (318).<sup>11</sup> Gómez Pereira retracts nothing, offering instead a point-by-point rejoinder to Palacios’s objections also included in the appendix of the 1555 edition. The following year, *Endecálogo contra la Antoniana Margarita* is published anonymously in the shop of Matheo del Canto, also in Medina del Campo. The *Endecálogo*, likely authored by Dr Francisco de Sosa (Gómez Pereira was also a doctor), is a fictional dialog that sets out to defend animal sentience; the *dramatis personae* include a *ximio*, *murciélago*, *cocodrilo*, *león*, *águila*, *ballena*, *lobo*, and *elefante* who, ostensibly, outraged at the treatment they are given in Gómez Pereira’s book, launch (and win) a legal suit against the author of the *Antoniana Margarita*. Nicolás Antonio claims a 1620 Frankfurt edition of the *Antoniana* but copies have not been found. The work was reprinted in a limited edition in 1749. The nineteenth-century *Bibliófilos*, alas, chose to pass on it.

*Antoniana Margarita* is a rich and complicated text. The first part sets out to prove animals’ insensitivity by offering a mechanistic model of animal behavior based on motion; a second part contains a commentary on Aristotle’s *De anima* and provides a proof for the immortality of the human soul. As Menéndez Pelayo’s letter insinuates, the treatise is or was best remembered for having proposed animal automatism in terms that anticipate the Cartesian animal-machine. It’s not my focus here, but the question of if or to what extent Descartes borrowed from Gómez Pereira was prevalent enough that Descartes felt the need to defend himself against whispers of plagiarism, claiming never to have seen the *Antoniana*. (The nationalist polemic that arises around this matter when Gómez Pereira’s text is reissued in 1749 is fascinating. Nicolás Gallo, for example, compares what he claims as Descartes’s unacknowledged use of the *Antoniana* to the pirating of Spanish treasure by foreign nations.<sup>12</sup>)

A strict logician, Gómez Pereira goes about his task methodically. As Javier Bandrés and Rafael Llavona rightly point out, some arguments “attempt to prove the non-existence of cognitive processes in animals” while others “demonstrate that an assumption of cognitive sensory faculties in animals produces absurd conclusions” (159). This second type of argument, which is the most prevalent, usually consists of a kind of one-two punch. First a proposition: if animals were equal to humans in feeling, they would also be like us in their reasoning or, if animals were sentient, they would be like humans in their understanding of universals (Pereira 3). If *p*, then *q*. The proof follows in the form of the contrapositive: if not *q*, then not *p*. Because animals are not rational or because they are deprived of the capacity to think in universals, they must not be sentient. But this sort of negative argumentation leads Pereira into more than one rabbit-hole. Let’s follow him down one of them:

In the fourth place, if it were given to animals to be like us in external sensations and in the internal disposition of their organs, then we would have to admit that humans everywhere behave inhumanly, savagely, and cruelly. For, what indeed

could be more atrocious than to flog draught-animals worn out by heavy burdens and long journeys, and to poke them cruelly with an iron point until blood flows from the wounds, while they, not infrequently, plead for mercy with wails and certain [other] sounds (if from their nodding it is permissible to surmise their emotional state)? (8)

We are before the scene of an excess that radically destabilizes Gómez Pereira's very rational philosophical project, a project, I might add, that is linked—as it will be in Descartes—with the emergence of a subject, of an *I* constituted as a subject of knowledge precisely in contradistinction from the non-thinking, non-sentient animal-machine. Let me make that link explicit and then return to this remarkable passage. In the second part of the *Antoniana*, in the long section that ostensibly proves, but perhaps disproves,<sup>13</sup> the immortality of the soul, Gómez Pereira discusses the role of the senses in awakening the sleeping soul. After establishing that the soul knows itself, he writes:

... sic procedendo, nosco me aliquid noscere, & quicquid noscit est, ergo ego sum (277).

[... proceeding thus, I know that I know something—and whatever knows *is*, therefore I am].<sup>14</sup>

We have here a “Nosco ergo sum” (I know, therefore, I am) some 83 years before the Cartesian *cogito*, in a book that conjugates the animal machine and the immortality of the human soul with an *ergo ego sum*. (One might argue that in this, at least, Descartes seems to be headed in a different direction than Gómez Pereira. The kind of Cartesian denuding of the mind, leaving behind the body—but who can leave behind the body?—at the moment of and as a *sine qua non* for constituting subjectivity does not quite obtain in the *Antoniana*, or at least not on the same terms.) What does obtain, however, is the corseting of the animal to machine as a precondition of the *ergo sum*. In this, Pereira *does* anticipate Descartes, particularly the Descartes invoked by Derrida in the essay “But as for me, who am I?” collected in *The Animal That Therefore I Am*; that is, “someone who doubted to the level of hyperbole but never doubted. . . that the animal was only a machine, even going so far as to make of this indubitability a sort of condition for doubting, that of the *ergo* as such, as *ergo dubito*, as *ergo cogito*, and therefore as *ergo sum*” (76).<sup>15</sup> If in Gómez Pereira we have, as in Descartes, something like a causal (*donec*) relation between turning the animal into a machine, depriving it, thus, of me-ness and the emergence of a rational, human me-ness elsewhere (and I say something like, because it is a necessary precondition, but not the only one, and not explicitly named as one, so it is an attenuated causality), what happens in the passage cited above—the passage that concerns itself with animals' suffering—might be understood as doubt invading the indubitability needed to doubt and therefore to be. That doubt is warded off, but not entirely. The *ergo* on the other side of which the subject in theory emerges is, *ergo*, put *sous rature* by the specter of animal suffering.

What is startling in Pereira that is not overt in Descartes (where animal response is pure reaction) is how the animal-machine opens itself up to suffering in ways that look ahead to Bentham. I'm not arguing here for influence or consonance, particularly since the ends of one and the other are, on the surface at least, quite disparate—

Pereira makes room for animal suffering but has to disavow it. (All the same, it would be telling to track the 1749 re-edition of the *Antoniana* and if or how the text or its ideas circulated outside of Spain in the eighteenth century). In *Principles of Morals and Legislation*, Bentham writes: “It may come one day to be recognized, that the number of the legs, the villosity of the skin, or the termination of the *os sacrum*, are reasons equally insufficient [as blackness of the skin] for abandoning a sensitive being to the same fate [the caprice of a tormentor]. What else is it that should trace the insuperable line? Is it the faculty of reason, or, perhaps, the faculty of discourse? But a full-grown horse or dog is beyond comparison a more rational, as well as a more conversable animal, than an infant of a day, or a week, or even a month old. But suppose the case were otherwise, what would it avail? The question is not, Can they reason? nor, Can they talk? but, Can they suffer?” (Bentham).

In the *Antoniana*, suffering materializes as an excess of proof (as an excess of affect offered up as proof) that tends towards doubt. In order to support the passage from *p* to *q*, to arrive at the *then* of the initial proposition (if animals feel, then man would have to be condemned for his inhumanity), a proposition intended only as a temporary foothold for the argument, a bestiary of examples proliferates that makes the penultimate not *q* (the not *q* that should lead, triumphantly, to not *p*, that is, non-sentience) highly suspect. The unacceptable consequence (man’s cruelty) that in theory denies the condition being put to the test (animals’ sentience) fails to convince; as a result, *p* never passes to *q*. Following this line, we might even imagine a Pereira who means quite the opposite of what he says. José Luis Barreiro Barreiro makes more or less this claim with reference to the argument for the immortality of the soul.<sup>16</sup> There are various textual instances that lend support to this type of reading. In his first dedication of the *Antoniana* to Jesus, for example, in a passage discussing the fawning adulators of kings, Pereira writes that fear makes persons say things that are very different from what they really think. This “hidden transcripts” line of inquiry may seem far-fetched, but there are wonderfully strange and seemingly far-fetched passages strewn throughout this text. To give one more example, Gómez Pereira ends the second dedication, to Cardinal Silíceo (the same Silíceo who instituted the purity of blood statutes in the Cathedral of Toledo) by wishing death upon him: “No one who wishes what you deserve should wish that your life lasts any longer. That way you won’t see yourself deprived of so great a good as you will no doubt enjoy: Eternal Life” (IV, English translation mine).

But, even taking Pereira strictly at his word, the human-animal “line of insuperability” (to recall Bentham) is doubly aggrieved by the scene of suffering: not only on the side of the animal-machine whose status as a non-sentient being is put in doubt (the *p*), but also on the side of the human, whose inhumanity now seems indubitable (the *q*). Part of the problem with this fourth place argument is that the two sides of the statement operate on seemingly different grounds or, put another way, on grounds that one version of modernity (following Latour [*We Have*]) holds out as irreconcilable: one purportedly scientific (and hence verifiable as true or false), the other moral and perhaps, ultimately, political. The denial of the if-clause takes place on the basis *not* of the falseness of its consequent (ultimately unprovable), but rather of its ethical or “autobiographosphical” (to borrow a term from Derrida) intolerability.

What follows this impasse is the atrocious scene, the excess embedded in (and ostensibly, but *only* ostensibly, contained by) the rhetorical question (what could be

more atrocious. . .?). The pathos of this moment has a dangerous stickiness, like a bloody accident on the highway that one can't help but look at. That rhetorical question houses a threat, no less atrocious than the scene it conjures: that, like the beasts of burden bleeding and pleading on the side of the road, Pereira's narrative won't be able to move beyond the beastly burden of this example. But the question turns out not to have been rhetorical after all: there is another example, beyond the limit. Let me, in closing, cite the end of the passage:

And beyond this barbarity, that is all the more atrocious given how frequent it is, the height of cruelty is the torture of bulls, wounded by poles, swords and stones; and there is no other human practice in which man seems to take pleasure in such shameful actions, in which the beast, suppliant on its knees, seems to plead for protection with its roar. And it is not just the scarce sympathy of man that is condemnable, if one believes that all this is perceived by the bulls, as they indicate by their gestures, but all the goodness of nature—who generated these living beings—is abolished and condemned, along with whatever else makes for a life so filled with loss and misery (8–9, English translation mine).<sup>17</sup>

What we are left with in this place, beyond the limits of an atrociousness imagined as unimaginable (beyond barbarity), is an imagination that teeters between the sadistic and (to invoke Coetzee's Elizabeth Costello) the sympathetic. As Coetzee writes Costello saying: “despite Thomas Aquinas and René Descartes, there is no limit to the extent to which we can think ourselves into the being of another. There are no bounds to the sympathetic imagination” (*Lives* 35). Pereira's perceiving, gesturing, suppliant animal-machine seems, finally, a rather rickety place on which to found a Cartesian subject: his mules wail and nod, his bulls bellow and bow, demanding mercy or protection. Perhaps I am giving too much—or depending on how you slice it—too little credit to Gómez Pereira, but it seems to me that although the *Antoniana* argues for a disavowal of animal sentience (a disavowal necessary because without it human cruelty would be simply too much to bear), the sympathetic imagination it mobilizes at moments like this cannot be so neatly swept away. We are here before a different kind of ban on the bull than the one we opened with, though one that responds meaningfully to that one. And it's on the horns of this dilemma that I will end.

## Notes

- 1 Each of the titles for the subdivisions of the essay is a bull-related Spanish proverb cited in the definition of *Toro* [bull] in Covarrubias's *Tesoro de la lengua castellana o española* (968).
- 2 *The New York Times'* coverage of the ban, which was fairly standard, stated: “In many ways, however, the ban reflected less on the animal rights than on a political debate over Catalan identity and a push by local parties for greater independence from the rest of Spain. . . .” (Minder). For media coverage of the ban, see “Alegría”, Maiol et al., Minder, and Rainsford.
- 3 For coverage of the vote protecting the *correbous*, see “El Parlament”, Piñol, and Woolls.

- 4 Wolfe proposes two levels at which questions that occupy animal studies need to be addressed: first, at the level of content or object of knowledge (requiring a shift in the ethics of reading and interpretation, attuned to the animal) and second (and this is where he suggests cultural studies necessarily falls short), at the level of theoretical approach. He writes: “Indeed, one of the hallmarks of humanist—and more specifically of the kind of humanism called liberalism—is precisely its penchant for the sort of ‘pluralism’ that extends the sphere of consideration (intellectual or ethical) to previously marginalized groups without in the least destabilizing or throwing into question the schema of the human who undertakes such pluralization” (568).
- 5 If Fudge here points to the usefulness of the study of the past in order to understand human-animal relations in the present, it’s worth noting that she also points to the value of the reverse move; that is, the study of animals (and of human-animal relations) in order to understand the past: “If we agree that there is no such thing as a pure human society . . . and if we don’t expand our horizons to include animals, ultimately we will be ignoring an important aspect of the cultures we interpret . . . [and] denying ourselves access to an enhanced understanding of the past” (7).
- 6 For the trial documents, I rely on the excellent transcription of Julián Zarco Cuevas (“Pleito”) and in particular on the study by Francisco Tomás y Valiente (which itself cites Zarco Cuevas). Pablo de Lora also mentions the Párraces trial in his compelling *Justicia para los animales*, citing it as an example of what he terms “antropomorfismo por exceso” (“anthropomorphism by excess”). See de Lora (45).
- 7 Let me here mark my gratitude to Professor Frank Peters for helping me understand the finer points of excommunication.
- 8 In the context of the Párraces trial, it’s worth recalling the work of Mary Midgley (“Persons”); she reminds us that the concept of “person” has a long history that remits to a dramatic origin.
- 9 On animal trials, see also Cohen and de Lora. Cohen suggests that the survival of animal trials “was the result of their simultaneous dependence on two different traditions. Popular anthropomorphism and learned ideas of justice met at this juncture. Furthermore . . . they fulfilled certain necessary functions. [...] They defined man’s relationship with the animal kingdom by virtue of his judicial rights over it. They reaffirmed society’s self-image as universally just. Finally, the animal trials provided the setting for a communal ritual of self and environment purification” (37).
- 10 In *Las fronteras de la persona*, Cortina writes that the Great Ape Project is “una auténtica chapuza desde el más elemental sentido común” (61). For a cogent discussion of animal rights and the intersection of justice towards animals and ethics, see Pablo de Lora *Justicia para los animales*. De Lora’s position is starkly different from Cortina’s. See, in particular, de Lora Chapter 6 “¿Para qué quieren derechos los animales?” (“What do animals want rights for?”).
- 11 The Latin reads: “Verum si iniquo animo tractaveris, et offenso pede non-retraxeris gradum, et in eadem salebra haeresis, ego suspenso calamo, te, et tua, nostris discipulis commendabo”. I have used the bilingual Latin-Spanish edition by José Luis Barreiro, but have revised the translations to be more literal. I am enormously grateful to María Willstedt for her brilliant help with the Latin.
- 12 In his *Censura* prefacing the 1749 edition of the *Antoniana Margarita*, Nicolás Gallo says that the French philosopher, “too concerned with glory, was not ashamed to

- build upon a borrowed structure . . . preferring to hide in shameful silence, the well-earned praise he owed to Gómez Pereira” (IX). See also Barreiro Barreiro’s introduction.
- 13 See Barreiro Barreiro’s “Estudio preliminar”, and in particular the section titled “La lectura verosímil o sospechada” (§ 25–26).
- 14 The Latin passage reads: “quod ipsa seipsam noscit, sic procedendo, nosco me aliquid noscere, & quicquid noscit est, ergo ego sum” (277). Barreiro Barreiro’s Spanish translation is as follows: “es decir, porque avanzando así, el alma se conoce—yo sé que conozco algo, luego existo”. I am here following Willstedt: “She [the soul] herself knows herself, proceeding thus, I know that I know something—and whatever knows *is*, therefore I am”.
- 15 The passage continues: “The relation to itself of the soul and of thinking, that very being of the thinking substance, implied the concept of an animal-machine deprived of what would be, in short, nothing less than the *ego as ego cogito, je pense*. Such an automaton would be deprived of a ‘me’ or a ‘self’, and even more of any capacity for reflection, indeed of any mark or autobiographical impression of its own life” (Derrida 76).
- 16 See note 13.
- 17 “Ac ultra hanc immanitatem, quae tanto atrocior, quanto frequentior habetur; crudelitatis apicem obtineret taurorum agitatorum tormentum, sudibus, ensibus, lapidibusque caesis ipsis: nec in alium humanum usum, quam ut iis flagitiis humanus visus dilectetur, quibus bestia vindictam mugitu supplex poscere videtur, Atque non-tantum hominis parvus affectus culpandus offertur, dum haec ita percipi a tauris, ut nutus eorum indicant, creduntur, sed omnis benignitas naturae aboletur & culpatur quae genuerit viventia illa, ac quamplurima alia, ut vitam adeo areumnis & miseris plenam agant” (8–9). Willstedt’s literal translation reads: “Y además de esta barbaridad, que se considera tanto más atroz cuanto más frecuente, el culmen de la crueldad lo detenta el tormento de los conductores de toros [toreros], destrozados éstos mismos con chuzos, espadas y piedras. Y no hay en otro ejercicio humano, como en estos actos ignominiosos en que el hombre parece deleitarse, en los que la bestia de rodillas [o suplicante] parece pedir amparo [libertad] con su bramido. Y no solamente se debe denunciar el poco afecto del hombre mientras se crea que esto es percibido así por los toros (como indican sus gestos/cabezadas), sino que toda la bondad de la naturaleza es abolida y culpada, que generó aquellos seres vivos, y cuantas otras cosas más que hacen una vida tan llena de quebrantos y miserias”.

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