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## From Cultural Heritage to Ethical Obligations: Rethinking Animal Shows in Jurisprudence

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### Abstract

*[This paper explores the tension between the preservation of cultural heritage and the growing ethical obligations toward animal welfare, with a focus on animal shows as a site of conflict. Rooted in longstanding traditions, animal shows often carry significant cultural and historical value, serving as expressions of communal identity and continuity. However, they also raise profound ethical concerns regarding the treatment and welfare of animals, particularly when practices involve cruelty or exploitation for human entertainment. Adopting a jurisprudential perspective, the paper critically examines how legal systems navigate this tension. It analyses the extent to which laws accommodate cultural traditions while addressing moral imperatives to protect sentient beings. Through case studies from various jurisdictions, the study evaluates legal frameworks that attempt to balance cultural relativism with universal principles of animal rights. Drawing on theories of legal pluralism, cultural relativism, and utilitarian ethics—particularly Peter Singer's principle of equal consideration—the paper interrogates the adequacy of existing regulatory mechanisms and the moral underpinnings of legal decisions. The analysis culminates in a call for rethinking jurisprudential approaches to animal shows, advocating for legal reforms that harmonize cultural preservation with ethical progress. By proposing pathways for integrating cultural sensitivity with animal welfare protections, this paper seeks to contribute to a more compassionate and equitable legal landscape that respects both human heritage and nonhuman sentience.]*



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## I. INTRODUCTION

### A. Background

Animal shows, from circus performances to bullfighting and cockfighting, have long been entrenched in the cultural fabric of various societies<sup>1</sup>. They often symbolize tradition<sup>2</sup>, communal bonding, and local identity, serving as both entertainment and expressions of heritage<sup>3</sup>. However, as global ethical frameworks evolve, these practices are increasingly scrutinized for their treatment of animals<sup>4</sup>, sparking debates on their moral and legal legitimacy<sup>5</sup>. At the heart of this tension lies a profound philosophical and jurisprudential question on how should modern legal systems navigate the conflict between preserving cultural heritage and upholding ethical obligations toward nonhuman animals.

Cultural traditions are deeply rooted in history and identity, often resistant to change, and in some cases, protected by legal instruments aimed at safeguarding intangible cultural heritage<sup>6</sup>. Conversely, the ethical considerations surrounding animal welfare have gained traction in the legal sphere<sup>7</sup>, with growing recognition of animals as sentient beings deserving of protection from unnecessary suffering. This dichotomy creates a battleground where law, culture,

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<sup>1</sup> Garner, Robert. 2024. "Captives, Companions and the Law." In *Animals, Politics and Morality*. Manchester: Manchester University Press. <https://doi.org/10.7765/9781526183743.00009>.

<sup>2</sup> Sundar, R., and U. Ragavee. 2024. "The Study on Ethical Implications of Using Animals in Circuses for Entertainment with Special Reference to Chennai." *International Journal of Advanced Research in Science, Communication and Technology*: 490–507. <https://doi.org/10.48175/IJARSC-19161>.

<sup>3</sup> Cataldi, Susan L. 2002. "Animals and the Concept of Dignity: Critical Reflections on a Circus Performance." *Ethics and the Environment* 7 (2): 104–126. <http://www.jstor.org/stable/40339038>.

<sup>4</sup> Cupp, Richard L. Jr. 2016. "Animals as More than 'Mere Things,' but Still Property: A Call for Continuing Evolution of the Animal Welfare Paradigm." *University of Cincinnati Law Review* 84. hlm.1023–1025.

<sup>5</sup> Harris, M.R. 2021. "A Right of Ethical Consideration for Non-Human Animals." *Hastings Environmental Law Journal* 27: 71. [https://repository.uchastings.edu/hastings\\_environmental\\_law\\_journal/vol27/iss1/3](https://repository.uchastings.edu/hastings_environmental_law_journal/vol27/iss1/3).

<sup>6</sup> Hoyt, G. 2016. "Fighting against Bullfighting: Tackling Spain's Bloody Tradition." *Pell Scholars and Senior Theses*, hlm. 117.

<sup>7</sup> Leyuan, Ma. 2020. "How Long Will China's Animal Cruelty Laws Have to Wait?" *Legal Journal Princeton*, April 29, 2022. <https://legaljournal.princeton.edu/how-long-will-chinas-animalcruelty-laws-have-to-wait%E2%82%AC%80%E2%82%AC/>.

and ethics collide, raising critical questions about the role of jurisprudence in reconciling these competing values<sup>8</sup>.

Animal shows are diverse in form and function. From the grand spectacle of circuses featuring lions and elephants to traditional practices such as Spain's bullfighting<sup>9</sup> or Indonesia's *adu bagong* (wild boar fights), these events are often framed as celebrations of skill, strength, and human-animal relationships. Proponents argue that they are an essential part of cultural identity and communal pride, often tied to rituals, festivals, and historical narratives<sup>10</sup>. For instance, cockfighting in Bali is intertwined with religious ceremonies<sup>11</sup>, while rodeos in the United States<sup>12</sup> evoke a sense of frontier history and rugged individualism.

However, these practices are increasingly at odds with contemporary ethical standards. The rise of animal rights movements and the growing body of scientific evidence on animal sentience have shifted public opinion toward greater concern for animal welfare. Critics contend that animal shows often involve cruelty, exploitation, and disregard for the well-being of animals, reducing sentient beings to tools for human amusement<sup>13</sup>. This ethical awakening demands a critical reexamination of cultural

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<sup>8</sup> Setiabudhi, Donna, Irwansyah Irwansyah, and Ahsan Yunus. 2023. "Internalization of Animal Welfare Norms: Legal Protection Against Animal Mistreatment." *Fiat Justisia: Jurnal Ilmu Hukum*. Hlm. 305–316. <https://doi.org/10.25041/fiatjustisia.v17no4.3205>.

<sup>9</sup> Brandes, Stanley. 2009. "Trophies and Torphobes: The Politics of Bulls and Bullfights in Contemporary Spain." *Anthropology Faculty Publications*. Hlm. 779-794.

<sup>10</sup> Yilmaz, Orhan, Makbule Sarikaya, Fusun Coşkun, and Mehmet Ertuğrul. 2015. "History of Dog Fighting in the World." *Journal of Animal Science Advances* hlm. 5. <https://doi.org/10.5455/jasa.20150417024548>.

<sup>11</sup> Siswadi, Gede Agus. 2023. "Shifting the Meaning of Tabuh Rah Becomes Tajen (Cockfighting) in Bali (The Perspective of Max Scheler's Hierarchy of Values)." *Vidyottama Sanatana: International Journal of Hindu Science and Religious Studies* 7: 1–9. <https://doi.org/10.25078/vidyottama.v7i1.162>.

<sup>12</sup> Pearson, Demetrius, and C. Haney. 2004. "The Rodeo Cowboy: Cultural Icon, Athlete, or Entrepreneur?" *Journal of Sport & Social Issues* 23: 308–327. <https://doi.org/10.1177/0193723599233005>.

<sup>13</sup> Tiplady, Catherine, Deborah-Anne Walsh, and Clive Phillips. 2015. "Ethical Issues Concerning the Public Viewing of Media Broadcasts of Animal Cruelty." *Journal of Agricultural and Environmental Ethics* 28: 1–15. <https://doi.org/10.1007/s10806-015-9547-x>.

practices that involve animals<sup>14</sup>, questioning whether tradition can justify harm.

Peter Singer<sup>15</sup> in *Animal Liberation* introduced the concept of equal consideration of interests, which has been foundational in the development of modern animal welfare laws. Singer's utilitarian philosophy argues that the suffering of animals should be minimized, irrespective of their role in cultural practices<sup>16</sup>. According to Regan<sup>17</sup>, in *The Case for Animal Rights*, animals possess inherent value and should not be exploited for human amusement, positioning the ethical debate in opposition to the commodification of animals in entertainment<sup>18</sup>.

In the context of animal shows, animal welfare law has been slow to catch up with the ethical arguments presented by animal rights activists. Donaldson and Kymlicka<sup>19</sup>, in their work on animal political philosophy, argue that animal welfare laws often fail to account for the ethical concerns raised by practices like animal shows, which continue to be sanctioned or overlooked under the guise of cultural preservation. Their critique highlights the inconsistency in legal frameworks that allow cultural practices to persist while also promoting the welfare of animals in other contexts, such as farming or research<sup>20</sup>. Spakrs<sup>21</sup> further critiques the "cultural exemption" in animal welfare law, where certain practices are allowed to continue

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<sup>14</sup> Tochukwu, Mogbo, F. Oduah, and Daniel Nwankwo. 2013. "Animal Cruelty: A Review." *Journal of Animal Science Advances* 3.

<sup>15</sup> Singer, Peter. 2009. "Animal Liberation". Updated edition. New York: HarperCollins.

<sup>16</sup> *Ibid.*

<sup>17</sup> Regan, T. 1986. "A case for animal rights". In M.W. Fox & L.D. Mickley (Eds.), *Advances in animal welfare science 1986/87* (pp. 179-189). Washington, DC: The Humane Society of the United States.

<sup>18</sup> *Ibid.*

<sup>19</sup> Donaldson, Sue, and Will Kymlicka, eds. 2011. "Zoopolis: A Political Theory of Animal Rights". New York: Oxford University Press.

<sup>20</sup> *Ibid.*

<sup>21</sup> Sparks, Tom, "Protection of Animals through Human Rights. The Case-Law of the European Court of Human Rights". Max Planck Institute for Comparative Public Law & International Law (MPIL) Research Paper No. 2018-21, Published in Anne Peters (ed), *Studies in Global Animal Law* (Springer 2020), [https://doi.org/10.1007/978-3-662-60756-5\\_13](https://doi.org/10.1007/978-3-662-60756-5_13) , Available at SSRN: <https://ssrn.com/abstract=3248910> or <http://dx.doi.org/10.2139/ssrn.3248910>

despite their harm to animals. He points out that this legal leniency often stems from political pressures, where cultural heritage is prioritized over animal rights. This dichotomy is evident in cases like bullfighting in Spain, where animal welfare laws exist but cultural exemptions prevent enforcement. Peters in *Studies in Global Animal Law*, noting that countries with a strong cultural connection to animal shows often struggle to implement animal welfare legislation effectively due to these cultural and legal tensions<sup>22</sup>.

The ethical implications of animal shows are central to debates in animal rights philosophy. Singer's principle of equal consideration of interests is pivotal in understanding the moral issues surrounding animal entertainment. Singer argues that the suffering of animals, regardless of their role in human culture, should be given equal weight as the suffering of humans<sup>23</sup>. This approach challenges the cultural relativism often used to justify animal shows, as it denies the legitimacy of cultural practices that inflict unnecessary harm on animals. Similarly, Tom Regan's work on animal rights, provides a philosophical critique of cultural practices that exploit animals. Regan's rights-based approach argues that animals, as subjects of a life, have inherent rights to not be treated as mere commodities<sup>24</sup>.

However, not all ethical perspectives align with the rights-based or utilitarian view. Offor offers a perspective that values cultural relativism, especially in post-colonial countries, suggesting that certain ethical obligations are context-dependent and that practices should be evaluated based on local cultural values<sup>25</sup>. While this view acknowledges the importance of cultural preservation, it also opens the door for nuanced ethical debate. According to Gowans, the

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<sup>22</sup> Peters, Anne. 2020. "Studies in Global Animal Law". Springer. 10.1007/978-3-662-60756-5.

<sup>23</sup> Singer, Peter. 1979. "Killing humans and killing animals". *Inquiry: An Interdisciplinary Journal of Philosophy* 22 (1-4):145 – 156.

<sup>24</sup> Regan, T. *Op.Cit.* hlm. 179-189.

<sup>25</sup> Offor, I. 2023. "Global Animal Law from the Margins: International Trade in Animals and their Bodies" (1st ed.). Routledge. <https://doi.org/10.4324/9781003273783>

challenge lies in reconciling respect for cultural traditions with the universal obligation to minimize suffering and prevent cruelty<sup>26</sup>.

The role of jurisprudence in balancing cultural heritage and ethical obligations is discussed in several legal and philosophical works. Tomasik argues that law must balance competing moral and cultural claims<sup>27</sup>. In the case of animal shows, legal systems must navigate the tension between cultural preservation and animal welfare by developing frameworks that respect tradition while enforcing ethical standards that protect animals. Veit and Browning discusses the concept of legal pluralism and how different legal systems may coexist within the same jurisdiction, with different cultural groups applying varying norms to the treatment of animals<sup>28</sup>. Jurisprudence can mediate these tensions by proposing a hybrid model of law that incorporates both respect for cultural heritage and the moral obligation to prevent animal suffering. A more dynamic and context-sensitive approach can address cultural concerns while ensuring legal frameworks that protect animals<sup>29</sup>.

## **B. Research Questions**

We proposed these questions:

- 1) How does cultural origins and significance of animal shows across different societies conflicted with modern jurisprudence view on animal treatment?
- 2) How ethical theories, especially on animal welfare answer the gap between animal show as cultural practice and a form of exploitation?
- 3) How to propose strategies to reconcile cultural traditions with ethical obligations, emphasizing the role of law as a mediator?

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<sup>26</sup> *Ibid.*

<sup>27</sup> Tomasik, Brian. 2015. "The Importance of Wild-Animal Suffering". *Relations*. 3. 133-152. 10.7358/rela-2015-002-toma.

<sup>28</sup> Browning, H., Veit, W. 2021. "Perspectival pluralism for animal welfare". *European Journal for Philosophy of Science*. 11:9 <https://doi.org/10.1007/s13194-020-00322-9>

<sup>29</sup> *Ibid.*

## **II. RESEARCH METHODS**

This study follows a qualitative, interdisciplinary research design, drawing from legal theory, cultural anthropology, and moral philosophy to investigate how animal shows, as cultural practices, are situated within modern jurisprudence and the ethical concerns regarding animal welfare. The research will focus on specific case studies of two traditional animal shows Spanish Bullfighting and Indonesian *Adu Bagong*.

This paper draw on in-depth case studies of specific animal shows, including fieldwork (e.g., attending public performances or cultural events) where ethical concerns are relevant. Through participant observation, the researcher will capture the cultural and social significance of these practices, their emotional resonance within the community, and how they are perceived by various stakeholders, including cultural practitioners, animal rights activists, and legal professionals.

Semi-structured interviews will be conducted with key stakeholders in each of the cultural contexts studied. This includes: Local practitioners and organizers of animal shows to understand their perspective on tradition, its significance, and any ethical concerns they may face. The paper adopt Peter Singer's utilitarian philosophy of animal liberation and the ethics of equal consideration of interests. Singer's framework will be used to assess the ethical legitimacy of animal shows, questioning whether cultural practices can justify the suffering of animals. Similarly, the paper will explore Tom Regan's rights-based approach to animal ethics, arguing that animals have inherent value that cannot be overridden by cultural traditions. The researcher will examine whether animal shows are perceived as a means of cultural expression and heritage preservation or as a perpetuation of violence and exploitation. The analysis will look at the historical context of these traditions, identifying when and how they evolved, and whether they have been modernized or resisted in response to ethical concerns.

### III. RESULT AND DISCUSSION

In some jurisdictions, animals are recognized as sentient beings, granting them a distinct legal status that imposes obligations on humans to minimize their suffering<sup>30</sup>. However, these legal protections often clash with exemptions for cultural practices<sup>31</sup>, creating inconsistencies and loopholes that complicate enforcement. Theories of cultural relativism emphasize the importance of respecting diverse traditions and the autonomy of communities to define their practices.

This perspective often resists universal ethical standards, arguing that what constitutes cruelty or harm can vary across cultures<sup>32</sup>. Philosophers like Peter Singer<sup>33</sup> argue for the principle of equal consideration of interests, asserting that the capacity to suffer, rather than cultural context, should guide moral and legal judgments about animals<sup>34</sup>. This framework prioritizes minimizing harm and suffering, regardless of cultural or historical justifications.

#### A. Historical Context

Culture is a fuzzy concept without fixed boundaries, meaning different things according to situations<sup>35</sup>, for simplicity, we can determine culture as something encompasses everything related to the creation, feeling, intention, and work of a society. The object of cultural advancement is an intellectual creation, and as an intellectual creation, it needs to be organized, preserved, and safeguarded. In other words,

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<sup>30</sup> Rollin, Bernard. 2007. "Cultural Variation, Animal Welfare and Telos." *Animal Welfare* 16: 129–133. <https://doi.org/10.1017/S0962728600031833>.

<sup>31</sup> Oh, Minjoo, and Jeffrey Jackson. 2011. "Animal Rights vs. Cultural Rights: Exploring the Dog Meat Debate in South Korea from a World Polity Perspective." *Journal of Intercultural Studies* 32: 31–56. <https://doi.org/10.1080/07256868.2010.491272>.

<sup>32</sup> R.L. Doerfler, K.J. Peters. 2006. "The relativity of ethical issues in animal agriculture related to different cultures and production conditions". *Livestock Science, Volume 103, Issue 3*, September 2006, hlm 257-262. <https://doi.org/10.1016/j.livsci.2006.05.013>

<sup>33</sup> Regan, Tom, and Peter Singer, eds. 1989. *Animal Rights and Human Obligations*. New Jersey: Prentice-Hall. hlm. 4-9.

<sup>34</sup> Zuolo, Federico. 2017. "Equality, Its Basis and Moral Status: Challenging the Principle of Equal Consideration of Interests." *International Journal of Philosophical Studies* 25: 1–19. <https://doi.org/10.1080/09672559.2017.1286679>.

<sup>35</sup> Causadias, José. 2020. "What Is Culture? Systems of People, Places, and Practices." *Applied Developmental Science* 24: 310–322. <https://doi.org/10.1080/10888691.2020.1789360>.



it requires protection<sup>36</sup>. Scholars emphasize that these practices, including animal shows, are often seen as integral to social cohesion and community identity. For instance, Smith in argues that cultural heritage is a repository of communal values and collective memory, often central to how groups define themselves<sup>37</sup>.

Domestic livestock animals serve humanity over the past 11,000 years—as livestock, working animals, household pets, and companions<sup>38</sup>. The pathways that different animal species followed into domestication are remarkably varied by the different cultural contexts of their human partners<sup>39</sup>. From a social perspective, scholars emphasize the continuum of relationships between human and nonhuman animals by rejecting a simple wild/domestic dichotomy and focusing instead on the role of human intentionality in bringing animals into the cultural sphere where they become incorporated into the human social world.<sup>40</sup>

Some animal shows, have been recognized as cultural heritage and, as such, are protected and celebrated by local communities. However, there is growing concern about the ethical implications of these traditions<sup>41</sup>. Paluga, highlight that while cultural heritage is crucial for community identity, certain practices involving animals, especially in South-East Asia, have been increasingly criticized for their inherent cruelty<sup>42</sup>. Some animals have been and continue to be used for fighting

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<sup>36</sup> Koentjaraningrat. 1993. *Kebudayaan, Mentalitas dan Pembangunan*. Jakarta: Gramedia Pustaka Utama.

<sup>37</sup> Smith, Laurajane. 2006. *Uses of Heritage*. London: Routledge. <https://doi.org/10.4324/9780203602263>.

<sup>38</sup> Zeder, Melinda A. 2012. "Pathways to Animal Domestication." In *Biodiversity in Agriculture: Domestication, Evolution and Sustainability*, edited by Paul Gepts et al., 227–259. Cambridge: Cambridge University Press.

<sup>39</sup> Richerson, Peter J., and Boyd, Robert. 2005. "Not by Genes Alone: How Culture Transformed Human Evolution". Chicago: University of Chicago Press.

<sup>40</sup> Cucchi, Thomas & Arbuckle, Benjamin. 2021. "Animal domestication: from distant past to current development and issues". *Animal Frontiers*. 11. 6-9. 10.1093/af/vfab013.

<sup>41</sup> Bruder J, Burakowski LM, Park T, Al-Haddad R, Al-Hemaidi S, Al-Korbi A and Al-Naimi A. 2022. "Cross Cultural Awareness and Attitudes Toward Threatened Animal Species". *Front. Psychol*. 13:898503. doi: 10.3389/fpsyg.2022.898503

<sup>42</sup> Paluga, Myfel. 2007. "Cultural Attitudes to Animals in Southeast Asia: Human-Animal Relations as a Dimension of Cultural Identity Formation and Dynamics."

by some people in various culture. We will observe closely to two kind of animal fighting culture, namely Bullfighting in Spain and *Adu Bagong* (Boar Fight) in Indonesia.

Bullfighting is deeply embedded in Spanish culture, often regarded as a symbol of national identity. Brandes<sup>43</sup> examines the political and cultural salience of bullfighting in Spain, highlighting its role in national debates and identity formation. Douglass writes how bullfighting reflects and shapes Spanish identities, analyzing its historical roots and contemporary manifestations<sup>44</sup>. The economic implications of bullfighting are significant, particularly in regions where it attracts tourism. Sánchez-Rivero et al. analyze the economic impact of the Feria del Toro in Olivenza, Spain, assessing visitor expenditures and local support for the event. Their findings indicate that bullfighting festivals can have substantial economic benefits for host communities<sup>45</sup>. Marcos, discusses the competitive dynamics within the bullfighting industry, examining market forces and regulatory frameworks that influence its economic viability<sup>46</sup>.

The origins of bull-related activities can be traced back to the Bronze Age, serving as a form of entertainment<sup>47</sup>. Historical accounts reveal that bullfighting served multiple purposes, such as celebrating noble marriages, commemorating military victories, and other festive occasions<sup>48</sup>. Today, bullfighting is indeed still legal in Spain. This was the year of a major court ruling on the legal status of bullfighting in Spain, which resulted in overturning the bans on the practice that had

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<sup>43</sup> Brandes, *Op.Cit.*, hlm.779-794.

<sup>44</sup> Douglass, Carrie B. 1997. *Bulls, Bullfighting, and Spanish Identities*. Tucson: University of Arizona Press. Hlm. 245.

<sup>45</sup> Sánchez-Rivero, M., V. Royuela, and A. Franco Solís. 2021. "Residents' Perception and Economic Impact of Bullfighting: The Case of Feria del Toro (Olivenza, Spain)." *Current Issues in Tourism*, 24(21), hlm. 3057-3071. <https://doi.org/10.1080/13683500.2020.1860917>

<sup>46</sup> Marcos, Francisco. 2015. "Entertainment Made in Spain: Competition in the Bullfighting Industry". *Competition Law Review*. 11. 61-81. 10.2139/ssrn.2568397.

<sup>47</sup> Mitchell, T. J. (1986). Bullfighting: The Ritual Origin of Scholarly Myths. *The Journal of American Folklore*, 99(394), 394–414. <https://doi.org/10.2307/540045>

<sup>48</sup> Flores-Aguilar, Gonzalo. 2011. Bullfighting: A Troubled History (review). *Journal of Sport History*. 38. 10.5406/jsporhistory.38.2.326.

been in place in Catalunya and other places in the country<sup>49</sup>. So, as it stands, the sport is fully legal in Spain.

Wild boars were regarded as pests that needed to be eradicated. To address this issue, farmers began raising dogs to guard their plantations and hunt wild boars in the surrounding farmland<sup>50</sup>. *Adu Bagong* performances serve as a means for farmers to reduce pests that damage their crops. Indirectly, enthusiasts of *Adu Bagong* help farmers improve their harvests<sup>51</sup>. Communities living at the foot of mountains are predominantly farmers or cultivators, whose main source of income is agriculture. When wild boars descend from the mountains and destroy or consume crops, farmers who rely solely on agriculture experience significant losses. As we know, many farmers' yields are already affected by natural conditions, such as weather. With these additional challenges, farmers do not always profit, and when their crops are eaten or destroyed by wild boar pests, they inevitably suffer further losses<sup>52</sup>.

The farmers then made solution to this pests problems, namely matches between wild boars and dogs. *Adu Bagong* performances are organized by locals, where wild boars are placed in an arena and dogs are sent in one by one. If the wild boar is injured, it is rested to recover its strength before being sent back into the fight until it eventually dies. Meanwhile, injured dogs are taken by their owners for treatment<sup>53</sup>.

*Adu Bagong* performances are an example of performing arts. Essentially, performing arts originate from, develop within, and are owned by a specific community. These art forms are always dependent

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<sup>49</sup> Lin, Xingzhen. 2018. "Bullfighting Activities in Spain and Its Prohibition". *Advances in Social Science, Education and Humanities Research*, volume 233. Hlm. 1566-1571.

<sup>50</sup> Mulyanto, Dede & Abdoellah, Oekan & Iskandar, Johan & Gunawan, Budhi. 2021. "Ethnozoological study of the wild pig (*Sus* spp.) hunting among Sundanese in Upper Citarum Watershed area, West Java, Indonesia". *Biodiversitas Journal of Biological Diversity*. 22. 10.13057/biodiv/d221127.

<sup>51</sup> Marsh, Chris & Nekaris, K. Anne & Wirdateti, Wirdateti. 2016. "Crop raiding by *Sus scrofa* leads to pig fighting arenas in West Java". *Suiform Soundings*. 14. 21.

<sup>52</sup> *Ibid*.

<sup>53</sup> <https://www.malaymail.com/news/life/2017/10/18/bloody-spectacle-indonesian-villages-pit-wild-boars-against-dogs/1489877>

on the society that supports them. Consequently, people reach a consensus on what they need and want as entertainment within their environment. The initial concept of this art form arose from the fusion of two cultures—older traditions and newer cultural influences—centered on the practice of *Adu Bagong* and the community that sustains it. *Adu Bagong* is an intangible cultural heritage that has existed since ancient times and remains deeply rooted to this day. Intangible cultural heritage refers to non-physical or abstract cultural elements, such as ideas and technologies, which can evolve over time in response to societal changes.

For communities we engage in this research, *Adu Bagong* performance is considered part of cultural heritage, but in practice, it involves elements of animal cruelty. Any form of animal abuse cannot be normalized, even if the mistreatment is considered minor<sup>54</sup>. Many activists and animal welfare communities oppose this activity, including groups like the Scorpion Wildlife Trade Monitoring Group, which advocates for dogs and wild boars. Although it involves violence against animals, similar traditions exist in Indonesia, such as *Adu Domba* (ram fighting), *Karapan Sapi* (bull races), cockfighting, betta fish fights, and other cultural practices that continue to this day and are spread throughout the country.

Our field research also reveals economic aspect of *Adu Bagong* performances lies in the opportunities it creates for the surrounding community to engage in business activities. For example, local food stalls and vendors become bustling during cultural events, particularly *Adu Bagong* performances. Many community members rely on income from selling goods around the event area, making it clear that such events contribute to improving the local economy, especially for those operating businesses near the venue<sup>55</sup>.

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<sup>54</sup> <https://widerimage.reuters.com/story/indonesian-villages-pit-wild-boars-against-dogs>

<sup>55</sup> Wahyu, M Regita. 2019. "Analisis Tindak Pidana Penganiayaan Hewan dalam Tradisi Adu Bagong di Jawa Barat Ditinjau dari Hukum Positif dan Hukum Pidana Islam." Undergraduate thesis, Universitas Islam Negeri Sunan Ampel.

## **B. On Animal Welfare**

Defenders of bullfighting and *Adu Bagong* often argue that these practices are culturally significant and integral to local identities. While cultural heritage deserves recognition and preservation, it cannot come at the expense of ethical considerations. As societies evolve, cultural practices must adapt to align with contemporary values, including respect for animal welfare. Practices like these perpetuate the idea that animal suffering is acceptable if it serves human interests, contradicting global efforts to promote humane treatment of animals.

Globally, there is a growing consensus on the importance of animal welfare which advocate for the humane treatment of animals and discourage practices that inflict unnecessary suffering<sup>56</sup>. Public opinion is increasingly turning against activities that exploit animals for entertainment, with movements to ban bullfighting gaining traction in Spain and Latin America<sup>57</sup>. Similarly, grassroots efforts to raise awareness about the cruelty of *Adu Bagong* are emerging, driven by animal welfare advocates<sup>58</sup>.

With insights from Peter Singer, a prominent utilitarian philosopher, We argues that the capacity to suffer, not intelligence or species membership, should be the basis for moral consideration. We follow Singer critiques practices that cause unnecessary suffering to animals and challenges speciesism<sup>59</sup>—the idea that human interests inherently outweigh those of non-human animals. Singer emphasizes that

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<sup>56</sup> Rault, Jean-Loup & Bateson, Melissa & Boissy, Alain & Forkman, Björn & Grinde, Bjørn & Gyga, Lorenz & Harfeld, Jes & Hintze, Sara & Keeling, Linda & Kostal, Lubor & Lawrence, Alistair & Mendl, Michael & Miele, M. & Newberry, Ruth & Sandøe, Peter & Spinka, Marek & Taylor, Alex & Webb, L. & Whalin, Laura & Jensen, Margit. (2025). A consensus on the definition of positive animal welfare. *Biology Letters*. 21. 10.1098/rsbl.2024.0382.

<sup>57</sup> Maria Levrino, Gustavo & Mazas, Beatriz & Alzugaray, Francisco & Miranda-de la Lama, Genaro, *Op.Cit.*, hlm. 908-826.

<sup>58</sup> De Haro De San Mateo, María Victoria, and Garry Marvin, *Op.Cit.*, hlm. 139-156.

<sup>59</sup> Ojong, Lawrence Odey. 2019. "Singer's Notion of Speciesism: A Case for Animal Rights in Ejagham Culture". *Int. J. of Environmental Pollution & Environmental Modelling*, Vol. 2(3) 116-121 (2019)

sentience—the ability to experience pain and pleasure—is the key determinant of moral worth<sup>60</sup>. In bullfighting, the bull suffers physical pain, fear, and distress throughout the spectacle. Its experience is one of prolonged torment, beginning with the injuries inflicted by *picadors* and *banderilleros*, and ending with the fatal thrust by the matador. Similarly, in *Adu Bagong*, the wild boar endures repeated attacks in an arena until its eventual death, while the participating dogs risk severe injury.

From Singer's perspective, this suffering is morally indefensible because it is inflicted for the sake of human entertainment, an interest that does not outweigh the animal's right to avoid pain. Singer's utilitarianism demands that we consider the interests of all affected parties, human and non-human alike. In these cases, the suffering of animals far outweighs the transient pleasure or cultural pride derived by humans.

### **C. Reconciliation**

Bullfighting and *Adu Bagong* are traditional practices deeply rooted in cultural heritage, often defended as expressions of art and community identity. However, from an animal welfare perspective, these practices raise critical ethical concerns. Both traditions involve the deliberate harm and exploitation of animals, prioritizing human entertainment and cultural symbolism over the well-being of the animals involved. The concept of animal welfare is built upon five key freedoms that animals are entitled to: freedom from hunger and thirst, freedom from discomfort, freedom from pain, injury, or disease, freedom to express normal behavior, and freedom from fear and distress<sup>61</sup>. Both bullfighting and *Adu Bagong* violate these principles, causing physical harm, psychological stress, and an inability for the animals to live in conditions that respect their natural behaviors.

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<sup>60</sup> *Ibid.*

<sup>61</sup> McCausland, Clare. 2014. "The Five Freedoms of Animal Welfare are Rights". *Journal of Agricultural and Environmental Ethics*. 27. 649-662. DOI 10.1007/s10806-013-9483-6.

We argues that the capacity to suffer, not intelligence or species membership, should be the basis for moral consideration. We follow Singer critiques practices that cause unnecessary suffering to animals and challenges speciesism<sup>62</sup>—the idea that human interests inherently outweigh those of non-human animals. Singer emphasizes that sentience—the ability to experience pain and pleasure—is the key determinant of moral worth<sup>63</sup>. In bullfighting, the bull suffers physical pain, fear, and distress throughout the spectacle. Its experience is one of prolonged torment, beginning with the injuries inflicted by *picadores* and *banderilleros*, and ending with the fatal thrust by the matador. Similarly, in *Adu Bagong*, the wild boar endures repeated attacks in an arena until its eventual death, while the participating dogs risk severe injury.

We analyse this suffering is morally indefensible because it is inflicted for the sake of human entertainment, an interest that does not outweigh the animal's right to avoid pain. Singer's utilitarianism demands that we consider the interests of all affected parties, human and non-human alike. In these cases, the suffering of animals far outweighs the transient pleasure or cultural pride derived by humans. Our critiques of speciesism, likening it to other forms of discrimination such as racism and sexism. Bullfighting and *Adu Bagong* exemplify speciesism attitudes, as they involve the exploitation and suffering of animals solely because they are deemed lesser beings. The lives and well-being of bulls, boars, and dogs are treated as expendable for the sake of human traditions, disregarding their intrinsic value as sentient beings. The use of animals in these performances demonstrates a clear bias: human cultural and recreational interests are prioritized over the fundamental rights of animals to live free from harm. We would argue

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<sup>62</sup> Ojong, Lawrence Odey. 2019. "Singer's Notion of Speciesism: A Case for Animal Rights in Ejagham Culture". *Int. J. of Environmental Pollution & Environmental Modelling*, Vol. 2(3) 116-121 (2019)

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

that this bias is arbitrary and unjustifiable in a moral framework that seeks to minimize suffering for all sentient beings.

#### **IV. CONCLUSION**

The ethics of animal shows and the broader discourse on animal cruelty present a complex intersection of tradition, culture, and evolving societal values. While animal shows have historically served as expressions of cultural heritage, entertainment, and community identity, they often come at the cost of significant animal suffering and exploitation. This ethical tension underscores the need for societies to critically evaluate the moral implications of such practices in light of contemporary understandings of animal welfare.

From the perspective of animal rights, the capacity of animals to experience pain and distress demands moral consideration. Practices that prioritize human entertainment or economic benefits over the well-being of animals perpetuate speciesist attitudes and undermine ethical principles of compassion and respect for all sentient beings. At the same time, the preservation of cultural traditions need not rely on cruelty; humane alternatives can honor heritage while embracing ethical progress.

Advancing the ethics of animal shows requires a shift in societal values toward recognizing the intrinsic worth of animals. This can be achieved through education, legal reform, and innovative practices that balance cultural identity with the imperative to minimize harm. By addressing these issues, societies can move toward a more equitable coexistence between humans and animals, fostering traditions that reflect both cultural pride and ethical responsibility



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