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## Several Mexican States Move to Ban Use of Animals in Circus Acts

by Carlos Navarro

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The Partido Verde Ecologista de México (PVEM), in partnership with several animal-rights organizations, was instrumental in convincing a handful of municipalities in Mexico to abandon the long-held tradition of bullfighting ([SourceMex](#), Nov. 9, 2011, and [July 3, 2013](#)).

Now, the PVEM—along with animal rights organizations like AnimaNaturalis, Asociación Mexicana por los Derechos de los Animales (AMEDEA), and México Unido Por el Respeto a los Animales (MUPRA)—has succeeded in passing legislation in about a dozen states to ban the use of animals in circus performances. The participation of artists, including Mexican actresses Kate del Castillo and Sherlyn González, has given the campaign a high profile.

The prohibition on the use of circus animals has not met as much resistance as the campaign to ban bullfighting, an activity considered part of Mexico's cultural patrimony.

Still, despite broad support for a ban on the use of animals in circus performances, circus operators based in Mexico and other countries are pushing back. In the short term, a group of 100 circus companies have asked a court to file an injunction against a law approved in Mexico City in July. For the longer term, the circuses are hoping to bring the issue to the Mexican supreme court (Suprema Corte de Justicia de la Nación, SCJN) on the premise that the bans are unconstitutional.

The states that have imposed or are considering a ban include Puebla, Chihuahua, Chiapas, Zacatecas, Colima, Guerrero, Guanajuato, Jalisco, Morelos, Querétaro, Mexico City, Aguascalientes, Oaxaca, Tamaulipas, and Quintana Roo.

Some municipalities have also taken the initiative to pass laws banning circus animals in the absence of state legislation governing the practice. In June, the municipality of Apodaca, Nuevo León, unanimously approved a ban on the use of animals during circus acts inside city limits. Apodaca is a suburban community northeast of Monterrey.

In Chihuahua, which approved the ban in June of this year, supporters said the ban was more than just about the animals. "We hope that this reform will help us become kinder and allow us to construct a better society," said state legislator María Ávila Serna, a member of the PVEM.

Ávila Serna said the circuses would still be able to operate profitably, since many acts that do not involve animals are still entertaining to the public. As an example, she cited the internationally renowned Cirque du Soleil, which does not have any animal acts.

### *Opponents call ban overreaction*

While the measures were approved easily in each of the state legislatures that have conducted a vote, there were plenty of voices in dissent. In Puebla, state legislator Pablo Montiel Solana of the conservative Partido Acción Nacional (PAN) said he opposed a blanket ban on the use of animals but supported any measure to sanction circus acts where there is measurable evidence that an

animal has been mistreated. "In my opinion, the across-the-board ban is exaggerated," said Montiel Solana. "It would be similar to trying to ban violence in the stands by prohibiting soccer games from being played."

In Mexico City—where the measure won by an overwhelming margin of 41-0, with 11 abstentions—opponents sharply criticized the PVEM sponsors before the vote took place. "We are now persecuting the circuses because of these hate campaigns [by the PVEM]," said legislator Manuel Alejandro Robles, a member of the center-left Partido de la Revolución Democrática (PRD). "This campaign is affecting the image of the families employed by the circus."

The ban could have its greatest impact in metropolitan areas, which tend to have the largest circus performances. While the prohibition on circus animals in Mexico City covers the city limits, there is nothing to stop circus organizers from setting up shop in the suburbs of the Mexican capital in México state, which still has not approved a ban. The ban in Jalisco state would affect performances in Guadalajara, but Nuevo León state has no such ban—which means that acts in Monterrey (other than Apodaca) could still include elephants, horses, and other circus animals.

To address the uneven application of the ban, some legislators have proposed pushing for a law in the federal Congress to prohibit the use of animals in circus acts. PRD legislator Rubén Escamilla said the proposed federal ban would be similar to laws approved in Guatemala and Chile.

### *Circus industry files legal action*

Opponents of the changes, including circus operators and employees, are fighting back. As a first step, the circus industry has requested that a federal judge impose an injunction to prevent implementation of the law approved by the Mexico City legislature (Asamblea Legislativa del Distrito Federal, ALDF).

The Unión Nacional de Artistas y Empresarios de Circo (UNEAC) said that proponents of the ban in Mexico City and elsewhere rushed into imposing the ban without studying the situation fully. "This measure was approved irresponsibly without determining the reality [of how animals are actually treated]," said a statement circulated by the UNEAC to the press.

UNEAC president Armando Cedeño said there might be instances where animals might have been mistreated, but an across-the-board ban was not warranted. "If an animal is beaten, mistreated, stressed out, the environmental protection agency [Procuraduría Federal de Protección al Ambiente, PROFEPA] has every right to shut down an operation," said Cedeño.

UNEAC said the organization has called on the federal government to intervene to protect their industry, in particular the consumer protection agency (Procuraduría Federal del Consumidor, PROFECO) and the Secretaría de Medio Ambiente y Recursos Naturales (SEMARNAT), which has jurisdiction in the matter.

"We will also bring the matter to the SCJN, to demand that our individual rights be protected against this prohibition that is no doubt a violation of the Constitution," said UNEAC.

-- End --