Contemporary ethical debates

Debates éticos contemporáneos

José Enrique Gómez Álvarez*

Cantero Flores V, Hernández Ortiz H, Parra Dorantes R, Peralta del Riego V. *Contemporary ethical debates (Debates éticos contemporáneos).* México: Colofón. Universidad del Caribe. 2019; pp. 150.

Philosophy is largely characterized by argumentation. This book exemplifies this position very well. It raises four topics in which arguments are presented for and against them. These issues are: eating animal meat, positive discrimination, the right to bear firearms and the death penalty.

The structure of the debates consists of the presentation of arguments against the indicated topic; then follow the arguments in favor and the response of each author to the observations of their arguments by the opposing party. Each debate closes with an assessment of the arguments presented by a different author.

Is it unethical to eat animal meat? That is the first debate that arises in the book (pp. 11-45). The arguments against this position focus on three areas: the health benefits of eating meat, the environmental effects (the impact of consumption on the ecosystem),

* Centro de Investigación Social Avanzada (CISAV), Division of Bioethics, Querétaro, Mexico. Email: jegomezalvarez@yahoo.com
https://orcid.org/0000-0002-8964-2207

and the disproportionate suffering of animals. Health issues, according to Hernández Ortiz, are not conclusive, since, according to the empirical data available, the diet that includes meat is healthier. Regarding the environmental aspect, the key to the argument is that, although there is undoubtedly an impact on carbon dioxide emissions from meat consumption, this also happens with other products, such as the cultivation of rice, so the consistent would be to stop consuming both products. In addition, the main problem occurs with fossil fuels, which are the ones that generate the greatest environmental impact; therefore, the consistent attitude is to stop using cars, for example, and not just stop eating meat. The third argument has to do with the suffering of animals. The traditional argument is based on the position of the philosopher Peter Singer, who points out that there are animals with the same human capacities and should have the same rights as human beings. The problem with this position is that it can lead to counterintuitive conclusions, since a severely handicapped child would have fewer rights than a healthy animal, which can lead to justifying infanticide. Now, since none of the three ways defends the lack of ethics in the consumption of meat, it seems reasonable that it should be consumed.

Cantero Flores, when making the arguments in favor, defends that «as a consequence of the moral status of non-human animals, it is not justified to kill them to use them as food» (p. 19). The author argues that animals have intrinsic value. It is discussed whether the presence of rationality is a good criterion to recognize this intrinsic value. The author believes that it is not adequate, since there are human beings who do not possess it and, nevertheless, we consider them valuable, such as human embryos. The other criterion mentioned to recognize dignity in animals is their ability to value their own life or have an interest in maintaining it. The author indeed recognizes that the idea of transferring the notion of interest from humans to animals is problematic. An indicated position

is also the utilitarian one: weigh the benefits and costs for the animal when it is used as food.

In response to the objections, Hernández Ortiz tries to show the inconsistencies in Singer's position, in addition to pointing out that even if it were accepted that there are animals that feel pain and suffering close to the human, in reality they would be minimal. The hypothesis is raised that, if it is accepted that killing any animal is the greatest harm that can be done to it, why should it be limited only to mammals and, for example, not include insects, invertebrates and, in strict sense, also to vegetables? In such a case, the most consistent approach would be to minimize the pain of the animals in breeding and in the process of killing them.

In evaluating the arguments presented, Parra Dorantes points out:

> In the end, both authors seem to agree that, under certain circumstances, it would be possible to give a moral justification for a diet that includes at least some amount of animal meat. These circumstances would include that, to the extent possible, the unnecessary suffering of the animals to be consumed is reduced and they are provided with proper breeding and a «dignified» death (p. 44).

The second theme of the book is «positive discrimination» (pp. 47-82). Against positive discrimination (*affirmative action*), Peralta del Riego points out the difficulty of applying this concept. But what is positive discrimination? The author points out: «Positive discrimination is, thus, any action aimed at benefiting social groups that accumulate historical vulnerabilities, typically institutional and traceable, according to a *certain theory of harm and certain grievances*» (p. 49). Thus, for example, a group such as the indigenous people of a certain region, who have been denied rights, such as the vote or access to health, could be recipients of preferences in access to these goods for the very fact having been discriminated against in the past. The author mentions two models of positive discrimination and the criticisms they have received. The first is:

> ...between two contenders to receive a type of resource, if two subjects, A and B, are equal in the minimum requirements to receive the benefit, and are unequal due to some accumulated discrimination and, at least, perceived as unfair, the resource should be given to the one who belongs to the allegedly injured group (p. 52).

The second model is that, in the event that two people or groups that can receive the resource are below the minimum level required to receive a benefit, the one that is still below the selection criteria should be preferred. For example, between two groups or people who are hungry, the one with the most is the one that should be given priority. The author points out some difficulties in applying these models. What is the greatest weakness in general of positive discrimination in the opinion of Peralta del Riego? The main problem is that it weakens the social group and, in the long term, makes it difficult to «...maintain a good standard of living for the majority» (p. 54).

For his part, Parra Dorantes defends the position in favor. In it, it insists that there are exceptions when considering characteristics of people, such as the discrimination they have suffered before, in order to receive benefits, even when they have the same merits. There are actions that serve to remedy injustices, where there are special conditions that seem fair. Thus, a university can carry out a specific campaign to promote access to university for disadvantaged or previously discriminated groups.

The discussion among these authors focuses on the actual classification of the cases in which positive discrimination actually occurs and the level of responsibility of the agents involved. In the argument evaluation section of this topic, Cantero Flores notes: «Peralta del Riego conceives of it [affirmative action] as completely disconnected from merit. In contrast, Parra Dorantes does seem to consider that at least some cases of positive discrimination can be justified in terms of a person's merits» (p. 81).

The third theme of the book is the right to bear firearms (pp. 83-117). Against carrying them, Cantero Flores asks if the posses-

sion of firearms is really a useful means and an adequate way to preserve the right to legitimate defense. Basically it focuses on the following theses: a) The possession of firearms does not derive directly from legitimate defense. b) Carrying weapons is actually ineffective in real life. c) There are psychological reasons that weaken the objective of the possession of weapons, such as, for example, the desire for revenge.

In the debate in favor, Peralta del Riego starts from the idea that using maximum violence (such as a firearm) against an aggressor is a right that is never lost and, thus, firearms are a means that nullifies aggressions and preserves the right to justice.

Hernández Ortiz subsequently makes an evaluation of the strengths and weaknesses of the arguments presented, with which the chapter closes.

The last topic is that of the death penalty (pp. 119-150). Among the arguments against (explained by Parra Dorantes) it is mentioned that the definition of «death penalty» is crucial for the analysis of the arguments around it. He proposes the following definition: «The death penalty is the institutionalized punishment, contemplated by the laws and adjudicated in a trial by the judges of a country, consisting of the act of taking the life of a human being as a consequence of having committed an action that constitutes a crime according to the laws of that country» (p. 122). The author points out the importance of not confusing legitimate defense with extrajudicial executions. It is analyzed if the death penalty can be justified from any of the reasons that can be used to justify a punishment: rehabilitation, deterrence, retribution, promotion and incapacitation. The author concludes that the death penalty is not superior to other forms of punishment that are less invasive and more humane.

Héctor Hernández Ortiz argues in favor of the death penalty, arguing that the main reason for applying it is the protection of the innocent, while other punishments give the offender the opportunity to continue doing harm. In addition, the death penalty

sometimes falls short in relation to the damage caused to the victims, and with all the more reason lower sentences would be unfair. The author points out: «We must remember the definitive nature of punishment; that is, the suffering applied by the penalty seeks to be equivalent to the seriousness of the criminal action» (p. 131). The author points out two arguments in favor of the death penalty. The first is that capital punishment is justifiable to protect an entire community from a murderer who is dangerous to others, being the fairest and most efficient way to do it. The second argument holds that it is the proportionate penalty for those who take an innocent life.

Hernández Ortiz responds in the following pages to certain common objections, such as: that no one has the right to deprive a human being of life; that it can be applied by mistake to an innocent person; that it is cruel and inhumane; that does not deter; that it violates human dignity and, finally, that the death penalty prevents any possible amendment of the condemned.

Parra Dorantes then responds to Hernández Ortiz by pointing out the weaknesses of his argumentation, of which the problem of the proportionality of the penalty applied can be mentioned. Héctor Hernández responds to the objections to the death penalty with the following arguments:

1. On costs: this is not a good reason, but if it were, the death penalty in Mexico would be much cheaper than life imprisonment.

2. About what does not deter: but if it were true, the other penalties would deter less...

3. About the judicial error: the fact that there are cases that leave room for small doubts, does not mean that there are no cases in which there are no doubts about the murderer's guilt (p. 145).

Peralta del Riego, finally, evaluates in the following pages the arguments presented by the authors, where he points out: «In a general balance, Parra Dorantes' strategy would seem to be the most economical, since whoever affirms that a certain person deserves a certain punishment is the one forced to prove his saying. But he

faces a quantity and quality of objections that are difficult to counter» (pp. 149-150).

I highly recommend reading this book. It seems to me that it represents the best of philosophy; that is, an activity that elucidates with arguments and concepts. The topics are treated in detail as to their validity and soundness. The arguments are broad and detailed. Only a sample of their richness has been sketched and given here.