

CHAPTER TWO

OBSTACLES TO ADEQUATE ANIMAL PROTECTION LAW ENFORCEMENT

2. Reasons for inadequate animal protection in Mexico

At the end of the previous chapter I highlighted the problem of lack of adequate enforcement of animal protection laws. The central question for this chapter to address therefore becomes *why* this is the case.¹ The obvious answer is that Mexico lacks law enforcement in general as mentioned briefly by Ruanova and Smith. But a deeper exploration than this is necessary. This chapter explores some of the main reasons that lie behind this problem. For if we have a better idea of what they are, we may well be better equipped to find the right starting points for effective solutions.

I have already suggested that one reason for the lack of law enforcement lies in the difficulties produced by the very structure and complexity of the LGEEPA. Another is that officials charged with enforcing the law are either unwilling or unable to carry out their jobs adequately. Yet the problem may even go deeper. The central argument of this chapter is that a large part of the problem of lack of enforcement of animal protection laws in Mexico is rooted in the general belief that animal protection is in practice of relatively little importance, in spite of the comprehensive legal framework that appears to suggest the contrary. In other words, Mexicans do not generally seek animal welfare in practice. In view of other problems, the general public does not consider animal protection to be significant. It is primarily for this reason that Mexico does not in practice follow the high level of animal welfare provisions that are contained formally in the law.

¹ See also Emma R. Norman and Norma Contreras Hernández, “‘Like Butter Scraped Over Too Much Bread’: Animal Protection Policy in Mexico,” ‘This is a preprint of an Article forthcoming in Review of Policy Research © [21, 1, January 2005] Policy Studies Organization,’ for a detailed discussion of the causes of the lack of enforcement of Mexican animal protection policy.

The low place of animals on the political agenda is rooted in at least two points that form sub-hypothesis two of this thesis. First, there exists a *lack of respect* of the population to fauna in general. Second, I contend that this is aggravated by a concomitant *lack of awareness* of animal protection laws and what they contain. Both contribute significantly to the lack of enforcement problem established in chapter one. Yet I argue that while these causes of the problem are serious and difficult to eradicate, they need not obstruct better provisions and practices for animal welfare protection.

2.1 Lack of Respect

2.1.1 The historical perspective and ‘the separation of the human and the non-human’

Lack of respect toward animals means ignoring or denying that such beings have rights or, at the very least, interests and needs that ought to be respected: to survive as a species, to be treated humanely, to be appropriately fed and housed when in captivity, not to be subjected to torture, to minimize suffering, and so on. All these interests are represented in the federal laws and NOMs regarding animal protection in Mexico. Yet a general lack of cultural respect for animals abounds in Mexico as in other nations, particularly those such as Spain, Greece and other parts of Latin America. Animals remain perceived as mere means to serve the needs of humans, often regardless of the animals’ welfare. It is partially due to this absence of cultural respect that illegal practices take place, like the widespread trafficking of endangered species present in Mexico, or the slaughterhouse situations described earlier.

There are various reasons why this lack of cultural respect to animals exists in Mexico. Two, in my view, stand out from the rest. The first concerns the perspective of

animals contained in Christianity and its influence on Mexico's historical traditions. The Catholic Church has in general terms established a gulf between humans and non-human beings, since according to the Bible, non-human beings are on earth to serve human needs. The second concerns poverty which is in part linked to illegal practices like dog fighting and illegal trafficking of species.

Western attitudes to animals have roots in the Christian and Jewish² traditions often cited in historical preludes to arguments for animal rights. The tradition appearing most often concerns interpretations of the *Old Testament*. In *Genesis* we are told that God explicitly gave humanity absolute dominion over all living things. The naming of the animals, for example, placed Adam top in the hierarchy of all living things.³ The story of Noah continues this idea.

And God blessed Noah and his sons, and said unto them, Be fruitful, and multiply, and replenish the earth. And the fear of you and the dread of you shall be upon every beast of the earth, and upon the earth, and upon all the fishes of the sea; into your hands are they delivered. Every moving thing that liveth shall be made for you; even as the green herb have I given you all things.⁴

It is in this passage that it becomes obvious that God intended beasts, fish and plants to exist primarily for the ends of human beings and not as ends in themselves. While sometimes a more compassionate attitude occasionally emerges from the human dominion that this permission implies,⁵ a clear separation between human beings as superior and other beings as inferior is well-established in the *Old Testament*.⁶

² See Peter Singer, *Animal Liberation* (New York: Harper Collins Publishers, 1975) and Roderick Frazier Nash, *The Rights of Nature* (Wisconsin: The University of Wisconsin Press, 1989).

³ *Genesis*, 1:26-31 King James Version.

⁴ *Genesis*, 9:1-3.

⁵ Singer, *Animal Liberation*, 188.

⁶ Although the prophet Isaiah condemned animal sacrifices and St. Francis of Assisi is well known for teaching a full respect towards animals. These, however, seem to be exceptions in Christianity. Such ideas did not spread widely throughout Christian thought.

Human dominion and power over non-human animals was also reflected in pre-Christian Roman culture as a form of popular entertainment. In the amphitheatres different kinds of animals were forced to fight each other or low-status humans such as Christians or criminals. The Emperor Tiberius, in particular, favored watching animals fighting in the amphitheatres.⁷ In the present era, we generally no longer share the Roman penchant for watching bloodthirsty spectator sports between human participants. Indeed, we reflect on its past popularity with fascinated distaste. General distaste for bloodthirsty practices, however, has not prevented us from continuing entertainment similar to the Roman versions literally and figuratively where animals are concerned. Bull fights and cock fights⁸ are cruel, archaic and degrading spectacles,⁹ but they are contemporary traditions that are culturally accepted as well as some cruel practices in circuses patronized by members of contemporary Mexican society or even famous food brands.¹⁰ Some social sectors that condone and practice illegal dog fighting also remain in the country.¹¹ These practices question the effectiveness of the high level animal welfare contained in the law.

Bull fights and cock fights are not only respected as traditions among society but are included in the law as perfectly legal spectacles. The Catholic Church is involved in these kinds of traditions, as demonstrated in the Anniversary Bullfight held on February 4, 2004, where priests attended to bless the bullfighters.¹² While many contemporary

⁷ Tacitus, *The Annals of Ancient Rome*, trans. Michael Grant (London & New York: BCA, 1990), chapter 4.

⁸ National Geographic, *Cultural Practices*, Produced by National Geographic (March 25, 2004).

⁹ Anonymous, "No More Bull..." *Earth Island Journal* vol. 11, issue 1 (Winter 1995): 14.

¹⁰ Tim Christian Vanderpool, "Cross Border Tensions mount over Bull Fighting," *Science Monitor* vol. 92, issue 10 (December 8, 1999): 2.

¹¹ Silvia Ortíz, "Las peleas de perros en México," *GEPDA Artículos*, <http://www.gepda.org/> [cited March 2004].

¹² However, there is some indication that the future of bullfights in Mexico, and throughout all countries that practice them, might not remain the same. In April, 2004, Barcelona was declared anti-bullfight by its City Council. See WSPA, "Barcelona declares itself an anti-bullfighting city," *WSPA International* (February 6, 2004), <http://www.wspa-international.org/site/index.php?page=951> [cited February, 2004].

societies have clearly made a moral shift away from a widespread acceptance of human blood sports, that shift has not always applied to non-human animals. In other words, while contemporary societies may perceive human beings in a more egalitarian fashion than the Romans did, the gulf between humans and non-human animals remains wide. A lack of cultural respect for animals is consequently still evident in many countries, including Mexico.

This lack of cultural respect between humans and animals often takes the form of the subjugation of animals in the attitudes of contemporary everyday life. Intensive farming methods are usually disrespectful of the quality of animal life and not always mindful of their suffering at slaughtering time. Animals are used for farm labor without being considered as co-workers but as *mere* means to achieve human ends. Both the modern version of the Roman amphitheaters and everyday practices illustrate very well how modern Western practical life continues to perpetuate the Biblical distinction between humans and our non-human environment. In fact, the very expression ‘our’ environment is a term loaded with ideas of both possession and distance. We consider ourselves as separated from, or distinct from, the environment ‘we possess’ to do with as we wish. If this is correct, it is not something we perceive ourselves as fully a part of.

Mexicans have inherited several strands of Christian doctrine and therefore have unconsciously been culturally taught to perceive other beings (non-human animals) and nature for the sole purpose of serving human needs. The death of around 35,000 turtles during Holy Week¹³ is a clear example of this attitude.

The consumption of meat and turtle eggs increases at an alarming rate during Lent... For second year in a row, the One Hundred Group and the American Turtle Group of the Californias engaged into a campaign that included an exhortation to the Pope John Paul II

¹³ Pilar Franco, “Semana negra para las tortugas,” *Medio Ambiente y Desarrollo* (2003), <http://www.tierramerica.net/2003/0421/acentos.shtml> [cited March, 2004], [my translation].

to urge believers in not eating turtle meat during Holy Week... If the Vatican clears that turtles are not fish, Catholics that follow the fasting period would help in the preservation of a threatened species... Unites Sates prohibited the killing of the turtles since 1973 and Mexico in 1990 declared a prohibition of catching this species and the selling of its products. But the consumption continues.¹⁴

It seems that the separation of the human and the rest of nature found in Christian and classical thought and practices lies at the bottom of the current lack of respect given to animals in Latin America and the countries of their Mediterranean colonizers.

The point to be made here concerns the obstacles to law enforcement this cultural attitude promotes. First, it is correct that the culture is not predisposed to respecting animals or to regulating treatment of animals, then passing comprehensive animal protection laws is likely to mean that active and protracted enforcement plans will be necessary. Second, significant resources will therefore be needed to implement adequate enforcement. Third, this is likely not to be particularly electorally popular, given the lack of concern for animal welfare in society.

Not all countries with a Christian heritage maintain such a marked lack of respect. In Germany, Great Britain, Canada and the United States there is far greater evidence that animals are more respected than in Mexico.¹⁵ The stray dog problem discussed in chapter one seems to be a general indicator of this point. There are approximately 500 million dogs in the world, of which a great part are thought to be strays.¹⁶ This situation is common in Mexico, where street dogs are seen in great number (13 to 16 million in

¹⁴ Franco, "Semana negra para las tortugas."

¹⁵ See Christiane Meyer, *Animal Welfare Legislation in Canada and Germany: A Comparison* (Frankfurt: Peter Lang Publishing, 1996) and Robert Garner, *Political Animals: Animal Protection Politics in Britain and the United States* (Basingstoke & New York: Palgrave MacMillan, 1998).

¹⁶ Maryann Mott, "U.S. Facing Feral-Dog Crisis," *National Geographic News* (August 21, 2003), http://news.nationalgeographic.com/news/2003/08/0821_030821_straydogs.html [cited August, 2004].

1998).¹⁷ Conversely, the stray dog population in, for example, Britain and Germany is almost non-existent.

Although Germany and Britain are home to a fewer number of non-human animal species than Mexico, in proportion, they are far more caring and their animal populations have increased or remained the same. In Mexico species are rapidly becoming endangered.¹⁸ If it is correct that the current lack of respect for animals in Mexico is at least partly linked to the separation of humans and animals in Classical and Christian thought, it seems that fostering a greater level of respect must address this separation seriously which, for some, can lead to ecocentric-type arguments¹⁹ attempting to regain a balance between the human and the non-human. However, the marked differences between Mexico and these countries might also be due to at least two other reasons. The first is concerned with established cultural practices. Germany and Britain have evolved toward a culture of respect for the environment more than Mexico and over a much longer period. It is now inherited in their culture. This might be derived from earlier attempts to preserve natural resources including fauna, after the serious depletion their environment suffered due to industrialization. As a result, the argument would be that they are now forced to cherish what is more scarce. So at present these countries value animals not only for their instrumental usefulness in the life cycle, but also because of a perceived intrinsic value.

As I mentioned in the introduction to this thesis, philosophical arguments viewing animals as having intrinsic moral worth have been popular in Europe for at least the last

¹⁷ World Health Organization (WTO), "Field application of oral rabies vaccinations for dogs: Report of a WHO consultation," *World Health Organization* (1998), http://www.who.int/rabies/en/Field_application_for_oral_rabies_vaccines_for_dogs.pdf [cited August 2004].

¹⁸ See Annex: "Table of species".

¹⁹ See for example Robyn Eckersley, *Environmentalism and Political Theory: Toward an Ecocentric Approach* (London: UCL Press, 1992) and Peter Singer, *Animal Liberation*.

century and have a history that goes back centuries before that. For the reasons I have mentioned, Mexico lacks the kind of culture in which such discourses (including this one) are likely to be popular which clearly also contributes to their scarcity. Indeed, it is no doubt because of this that so few academic resources specifically concerning animal protection in Mexico are available. It is also unsurprising that the historical and cultural emphasis of the human above the animal translates into the low place of animal protection on the political agenda in spite of the comprehensive legal framework that appears to suggest the contrary. This contributes to the problem of law enforcement in terms of fewer resources available. The second reason why the difference in attitude toward animals is so marked between Germany, Britain and Mexico concerns differences in the basic standards of living. The Germans and British have covered their basic needs. By contrast, almost a quarter of Mexico's population lives in extreme poverty.

2.1.2 Poverty

At first sight, poverty might appear to be an exclusively human problem, but it seems to be the case that questions of human welfare and animal welfare are in many ways linked. I use two definitions when denoting 'poor'; one offered by the 1998 Nobel Prize Winner, Amartya Sen, the other by the World Bank. According to Sen, the definition of 'poor' is the deprivation of social capability. Social capability deprivation means the deprivation to access to the basis of household production such as information, knowledge and skills, participation in organizations, and sources of finance. In Mexico there is a clear lack of social capability since there is a lack of education and therefore of knowledge; there is very little civil participation in social activities and NGOs and there is also a lack of economic means, for many Mexicans to even survive the day. According to the World

Bank 2003 World Development Indicators, in Mexico 8.0% of the population lives with less than one US dollar a day, while 24.3% live below two dollars. In Germany and Britain poverty is 0%.²⁰

Living with less than two dollars a day does not cover basic needs. In view of this, talking about environmentalism and respect for fauna in order to protect it may well appear careless of their situation. It may be argued that any narrowing of the gap between animals and human beings places certain humans at risk. This is especially apparent where extreme poverty is a social problem of prime importance as in Mexico. Such an objection to extended animal protection is a strong one. As, I show later, it has been used in Mexico to endorse *not* enforcing existing animal protection laws. Hence it clearly qualifies as a strong obstruction to adequate animal protection law enforcement. I therefore want to spend some time discussing why ‘the poverty argument’ would be an invalid objection to the arguments for enforcing animal protection laws more adequately in Mexico offered in this thesis.

The basic ‘poverty argument’ is that any money, time and effort expended by the government is more justified in helping people escape poverty than in protecting and respecting the welfare of domestic and wild animals. The point is a strong one both politically and socially. Any government expenditure that places animals with a higher priority than humans could have serious electoral consequences. It is also likely to be perceived as an obstruction to improved social and economic development of the country both nationally and internationally. However, I wish to argue that this situation of ‘only’ aiding the poor is simply a short-term solution and an invalid argument for ignoring the current situation of the fauna.

²⁰ See The World Bank, “Poverty,” *World Development Indicators* (2003), <http://www.worldbank.org/data/wdi2003/pdfs/table%202-6.pdf> [cited August, 2004].

So why does poverty make animal welfare and protection laws difficult to enforce? The basic answer is that poverty, especially when concerned with subsistence, forces all animals to think in the short term. Humans are no exception. But humans are the ‘dominant’ beings who feel they can always trump non-human animal needs and interests. As I show shortly, this conclusion is neither morally valid nor pragmatically advantageous, especially where the survival of endangered animals is at risk. Nevertheless, unlike people, animals do not have a vote. Hence the welfare of animals is not a primary issue for politicians who need those votes, even if the laws they create suggest the contrary.

In countries like Britain and Germany, a significant part of the electorate feel strongly about animal interests and are prepared to lobby or vote accordingly. The general lack of respect in Mexico for animal protection means that far fewer citizens will be so prepared. Most supporters of animal rights and animal NGOs in Mexico are activists. Such organizations do not have the widespread passive membership of similar NGOs in the United States or Britain, for instance.²¹ Thus in Mexico the low place of animals on the national agenda is unlikely to increase significantly if nothing active is achieved in the near future. In Great Britain, for example, NGOs like the International Fund for Animal Welfare (IFAW) have greatly campaigned and pressured politicians and have therefore achieved historical changes like the banning of fox hunting with dogs which will become effective in February 2005.²²

²¹ Barbara Hogenboom, “Cooperation and Polarization Beyond Borders: The Transnationalisation of Mexican Environmental Issues During the NAFTA Negotiations,” *Third World Quarterly* vol. 17 (1996): 996.

²² IFAW, “IFAW welcomes historic vote to ban hunting with dogs in UK,” *IFAW Press Releases* (September 15, 2004), <http://www.ifaw.org/ifaw/general/default.aspx?oid=116863> [cited September 2004]

Another example of civil society activism and pressure is highlighted by the World Society for the Protection of Animals (WSPA) that published in its web page that Barcelona was declared anti-bullfight by its City Council on Tuesday April 6, 2004. 21 councilors voted in favor of the statement, with 15 against and two abstentions.²³ The secret ballot took place just two weeks after Deputy Mayor Jordi Portabella declared his opposition to bullfighting in front of hundreds of protesters, saying that “Barcelona must act like a capital and be a pioneer in the abolition of bullfighting.”²⁴ Leah Garcés, WSPA Head of Campaigns said that although Barcelona City Council does not have the legislative power to outlaw bullfighting and it is likely that bullfights will continue in *La Monumental* bullring, this decision is a major step towards the Catalan Parliament introducing legislation that bans bullfighting across the region.²⁵ This shift was made in part thanks to an opinion poll conducted in 2003 which found that

63% of Barcelona's residents do not want bullfights to continue in their city, with more than half (55%) agreeing that Barcelona should declare itself an anti-bullfight city. Bullfights are viewed as cruel and non educational by 76%; 59% of residents have never been to a bullfight and just 7% see bullfights as being positive for Barcelona's reputation. The overwhelming majority of those surveyed agree that animals suffer when mistreated (98%) and that the suffering of animals for entertainment should be banned (96%).²⁶

In Mexico, ignoring animals, or producing comprehensive animal welfare laws, but then not following them through with substantive enforcement in the ‘high politics’ sphere is merely a short-term solution. In the middle and long terms, this situation is severely affecting the survival not only of those animals but of those poor people. In other words it is risking sustainability. The argument for respecting animals in order to assure their

²³ WSPA International, “Barcelona declared antibullfighting city,” *News* (April 6, 2004), <http://www.wspa-international.org/site/index.php?page=951> [cited April 2004].

²⁴ WSPA International, “Barcelona declared antibullfighting city.”

²⁵ WSPA International, “Barcelona declared antibullfighting city.”

²⁶ WSPA International, “Barcelona declared antibullfighting city.”

survival in the short term becomes even stronger when it is noted that most poor people in Mexico live in rural areas and are in control of a great part of the natural resources. They therefore are also the closest to a variety of both domestic and exotic animals. For this reason, when people lack respect towards animals or their habitats, they are also affecting their own subsistence. Chopping forest slopes for lumber may create a short-term living for such people. It may even provide space for agriculture. But, as we shall see shortly, in surprisingly few years, soil erosion renders that land unproductive and eventually useless – both to humans who subsist upon it and to the flora and fauna that originally inhabited it.

Indigenous people, the poorest and most marginalized of Mexicans, live closest to the exotic fauna of Mexico. Although for many years they have lived in harmony with nature, it is their dire economic situation that has led them to overexploit the natural resources for their survival.²⁷ “Most of the marginalized people live in seven states: Chiapas, Guerrero, Oaxaca, Hidalgo, Zacatecas, Puebla and Veracruz... it estimated that they exploit around 5,000 species.”²⁸ This appears to indicate that the problem of poverty may well be fundamentally linked to the grave situation of the fauna in Mexico. Any solution to one side of this problem may therefore involve finding a solution to both. Concentrating on alleviating poverty to the exclusion of environmental and animal problems may therefore obstruct, rather than facilitate, policies that attempt to deal with human poverty. In other words, it may not always be in our own human self-interest to allow it to always ‘trump’ animal interests.

²⁷ Edgar J. González Gaudiano, *Elementos Estratégicos para el desarrollo de la educación ambiental en México* (México, D.F.: Secretaría de Desarrollo Social e Instituto Nacional de Ecología, 1994), 35.

²⁸ González, *Elementos Estratégicos para la educación* 11, 16-17.

An in-depth discussion of the problem of poverty in Mexico is clearly beyond the scope of this thesis. However, several things can be said about animal respect and protection in Mexico that simultaneously involve action against poverty. The best way to address the poverty argument is by looking at both long and short-term perspectives. The long-term argument is perhaps the easier perspective to engage, so I will take it first.

My initial response to the poverty argument is that poverty will always manifest itself as one of the immediate objectives of the government, but this does not mean that the fauna situation should be left aside. Mexico will at some point try to start to repair all damages its people have caused to the fauna because by the time they recognize it as a fully pressing problem, it will then be directly affecting themselves. Mexicans will realize that they have to change their attitude towards fauna, achieving a respectful attitude in order to also preserve themselves. By the time this need to fully respect nature is perceived, irreversible damage may already be happening and technology and other high-cost resources will be necessary to save what is left. In this scenario, it may well turn out that Mexicans will be forced to devote many resources to ameliorating the problem as Germany and Britain have already had to do. This is one option that we have: to wait until the long-term problem becomes a short-term concern.

If this argument is considered by politicians to be the best one, Mexicans can consider the short-term concerns of human beings as overriding priorities with a suitably clear conscience. However, the interconnectedness of the environment, and the place of humans within and not outside that environment, seems to render such an argument problematic. My view is that we should not fall into complacency or clear consciences in the short term. To justify this claim, it is essential to understand *why* we should preserve fauna in the short term. On one hand there are ethical, humane and legal reasons to do it,

on the other is its instrumental value to humans and to the correct function of the cycle where humans are ineluctably interconnected with nature.

Plants and species help in the maintenance of the natural services that we humans obtain for free as a result of the correct functioning of ecosystems, from which without them we will not be able to survive. Some of those natural services are: the maintenance of the atmosphere, the regulation of weather, the water cycle, the elimination of waste, the recycling of nutrients, the generation and preservation of land, the balance of the harmful organisms that attack fields and that transmit various diseases, etc. With the progressive extinction of species, the natural services diminish, floods, landslides, lack of water, etc are generated.²⁹

Another example of interconnectedness is the deforestation I mentioned earlier. 595,000 ha. are destroyed every year under the argument for combating poverty causing “flora and fauna loss,”³⁰ affecting the correct functioning of the environment.³¹ Before 1970 the *Selva Lacandona* spanned over 1 million 200 thousand ha. “By 1985 it was reduced by half. By 1988 it was reduced from 3209.5 km² to 2032.25 km².”³² Much deforestation leads to desertification and is due to the transformation of species-diverse land into farmland putting wild animals at risk.

The indiscriminate and exhaustive use of the water and land of the natural ecosystems for agricultural purposes modifies the ecological original relations. This turns into an artificial ecosystem, in which the water and nutrient cycles were altered. This may lead to the extinction of plants and insects which existed in the original ecosystem functioning as predators or in a balance competence with the rest of the species other species start to appear and compete for food with the crops, which forces the use of agrochemicals to try to equilibrate the artificial ecosystem. The new ecosystem then relies on the human influence for its management and maintenance.³³

This kind of argument seems highly persuasive. However, even if the present situations are not seen as enough to respect the fauna in the short term due to our

²⁹ Gerardo Ceballos, “La extinción de especies y poblaciones,” *Animales en Peligro Edición Especial*, (February 2004): 12-13.

³⁰ González, *Elementos Estratégicos para la educación*, 9-10.

³¹ González, *Elementos Estratégicos para la educación*, 9-10.

³² González, *Elementos Estratégicos para la educación*, 19.

³³ González, *Elementos Estratégicos para la educación*, 20.

interconnectedness, the other option we have for extracting the fauna issue from ‘low politics’, is to learn from the experiences of the German and British cases. We should recognize that long-term problems are not merely the problems of the next generation. Just like the environment, long-term problems are interconnected with short-term actions. The best option therefore seems to be to start addressing the problem now, while we still have an opportunity to preserve nature and animals relatively inexpensively, to achieve something good, not only in our near future for ourselves, not even merely for the future of our children, but as a moral and social obligation to the wider future of Mexico and, ultimately, the world.

This argument is intended to show that it is in *both* the short and long-term interests of all Mexicans to understand the gravity of the situation as it is right now and to attempt to foster an urgently needed respect towards animals. This argument also emphasizes that policies protecting animal welfare are not justified purely on the basis of animal welfare, but also on the basis of human self-interest and maybe even human survival in the future. This clearly has implications that are hard to accept for any society unaccustomed to thinking in the long term or to obeying laws. It is also difficult to accept for those who are genuinely concerned with alleviating human poverty in Mexico. Yet the obligations suggested by such an argument are not only directed at those who are poor. Those who are *not* poor have an equal, if not stronger, obligation to contribute to a solution of the poverty problem³⁴ on one hand and, most importantly, to refrain from contributing to the depletion of the environment directly or indirectly on the other. In the

³⁴ Which may well involve higher taxation, but which could also involve tax breaks as a result of contributions to charities benefiting either humans or animals.

final analysis, avoiding depletion can provide poor people with elements necessary for their survival, meaning water food and the like.

While poverty is not the central theme of my thesis, it relates to the lack of respect argument. It is often due to economic deficiency that poor people engage in acts that contribute to deforestation and overexploitation of natural resources. It is also due to poverty that poor people engage in practices that are ultimately disrespectful to animals, such as collecting for the purposes of illegal trafficking or dog fighting.

2.1.3 Poverty: animal trafficking and dog fighting

Illegal traffic takes place every day in Mexico, because people need money to survive. In the absence of government welfare or provision of jobs, traffickers will pay it. Although penalties for selling exotic animals range from a one-to-nine year prison sentence, the current situation is still very worrying. Both animals and the poor who collect the specimens are exploited. Poverty and illegal trafficking become a vicious circle with no easy solution.

Most literature in the area of illegal trafficking concentrates on the difficult situation of endangered species of which Mexico has 1560.³⁵ Most of these cases are due to either the destruction of their habitat because of human establishments in these areas, or the illegal hunting for either national or international commerce.³⁶ We therefore cannot ignore that the poverty argument is related to both lack of respect and lack of law enforcement, since both come together in illegal practices.

The animal traffic and their skins/furs is the second most profitable crime, after drug dealing, each year it generates between 20 and 25 millions of dollars in the world.

³⁵ Jorge Soberón Mainero, “Conservación y uso de la biodiversidad,” *Animales en Peligro*, 5.

³⁶ Eduardo Iñigo-Elías, “Guacamaya roja,” *Animales en Peligro*, 35.

According to the Conabio... the traffic of species of flora and fauna generates utilities equivalent to the ones obtained by the selling of armament.³⁷

The point is that rare/endangered species are the ones that the black market seeks and pays the most for. As a result, dealers convince or force indigenous communities that live in regions rich in fauna to capture wild animals, taking advantage of their extreme poverty. Dealers buy the species from them at ridiculous low prices³⁸ and resell them at exorbitant prices on the international black market. In the short term, illegal traffic of wild species causes unnecessary animal suffering and often leads to tax evasion. In the long term it disrupts and can destroy entire species. Some marine turtle species, for example, lay up to 100 eggs but only 1 or 2 reach the age of 25 – the age they become reproductive. When they arrive at the shores to lay, they are brutally killed en masse and the eggs are collected.³⁹ Mexico takes the first place in world turtle egg-selling.

The depredation of turtle is a daily matter, but now due to the rapid increase of poverty in the seashores of Michoacán and Guerrero, people are killing them not only for their survival but also as business. It is well known that armed groups obey drug dealer gangs that are starting to traffic with *carey* and turtle meat, which is sold in very high dollar prices in the American black market and tourist international zones, like Cancun.⁴⁰

This situation might be happening not only because officials may be directly involved, but also if they turn a blind eye to the poor (often children) who actually collect specimens because they need the money. Alejandro Méndez López gives a clear example.⁴¹ A motion was proposed in Michoacán State in 2003, by local Revolutionary

³⁷ Eleaneth Díaz, “Traficantes ponen en jaque a la fauna chiapaneca,” *El Financiero* (May 25, 2004), 30.

³⁸ This can be seen on the San Luis Potosi-Matehuala road where very poor families have to withstand very high temperatures for extended periods to sell the snake skins they have collected.

³⁹ Noticiero Vespertino, *Univisión*, (April 20, 2004).

⁴⁰ GEPDA, “Policía de Guerrero coludida con traficantes,” *GEPDA Grupo Educación Pro Defensa Animal* <http://www.gepda.com.mx/n/noticiasna5.html> [cited August 2004].

⁴¹ Alejandro Méndez López, President of the Michoacán State Executive Commission of the Mexican Green Ecologist Party, interviewed by Emma Norman and Norma Contreras, *Environmental Efforts in Michoacán*, (July 22, 2004).

Democratic Party (PRD) state representatives, to trump a species subsistence law for the purpose of ‘helping’ the poor. The proposal was to pass a law to exempt from prosecution economically disadvantaged persons who are caught collecting turtle eggs to sell to traffickers. The PRD’s argument, according to Méndez, was that social welfare was more important in this case than protecting the turtles. That motion was, fortunately, defeated by the Green Party of Michoacán in November 2003. What this shows is that the existing laws protecting endangered animal species is a case where animal interests have, as a matter of fact, trumped the interests of some humans. Even where those interests are thought to be linked to the subsistence of some humans, the survival of the animal species was deemed more important in this case. The example provides factual support that others have invoked the argument I made earlier that short-term human interests should not always be seen to trump the long-term interests of animals. The outcome of this party political contest demonstrates that it is indeed possible for politicians to win legislative battles that appeal to long-term consequences rather than short-term ones. However, whether the Green Party win on this matter will have electoral consequences remains to be seen. In particular, it should be noted if Green Party policy remains consistent about this kind of policy after the elections of November 2004, and if it does it must seek and provide alternative jobs for the poor.

The way in which non-commercial endangered species are treated in current Mexican practice presents a different kind of challenge for policies aimed at alleviating poverty and enforcing animal protection laws. Poor people need to survive and therefore can engage in practices that destroy or damage the environments of species. Active competition between animals and poor people for subsistence can drive poor people to kill protected animals. Small fishing businesses in Mazatlán, Sinaloa, for instance, are

killing sea lions because they apparently eat the fish before the fishers get there.⁴² As with organized animal trafficking, it is difficult to locate the culprits unless authorities are actually there which requires resources, information and effort. It also requires the willingness of authorities to resist corruption and to enforce the law.

This situation begs for two equally important and equally difficult long-term solutions. First, authorities should seek and provide alternative jobs for the poor; second, important steps should be taken to obstruct the mafia and the wealthy consumers who are the real cause of the trafficking. One solution is to apply the law impartially. It might be argued that well-established mafias have a greater power than authorities (as will be analyzed in the next section) but if this is the case, then more emphasis and resources should be allocated to the creation of alternative sustainable jobs. Otherwise future unsustainable practices like the selling of turtle eggs and the killing of seals could continue indefinitely under the argument of alleviating poverty. Such practices reflect that animal protection is not considered to be important in practice, contrasting with the existence of many laws and NOMs that suggest it is.

Another situation that is related to poverty is dog fighting, the majority of whose patrons are economically disadvantaged. Although dog fighting provides poor people with a few pesos in the short term, in the long term they end up harming their way of living. For Yolanda Bobadilla and Leticia Saldaña, members of Active Association for the Suppression of Cruelty Toward Animals, A.C.,⁴³ “the fact that dog fights are concentrated in marginalized zones is the consequence of the concentrated aggression due to the lack of socio-economic means, that is then reflected towards their pets.”⁴⁴ They

⁴² Throughout the year 2004, 11 dead sea lions have been found. Hechos, *Night News, TV Azteca, Azteca 13* (February 27, 2004).

⁴³ *Asociación Activa para la Supresión de la Crueldad Hacia los Animales, A.C.*

⁴⁴ Ortiz, “Las peleas de perros en México.”

also say that young people react to poverty by starting dog fights as a hobby. As with many economically disadvantaged groups in many countries, gambling in general can become a problem.⁴⁵ Saldaña and Bobadilla suggest that the fact of winning some money via dog fights excites them⁴⁶ so the activity later becomes a way of life. These practices ‘alleviate’ a short-term economic situation. But the disrespectful practices condemn them to live from hand to mouth for the rest of their lives. Consequently the fauna situation gets worse, and a lack of a culture of respect seems to be more embedded.

The ways that the poverty argument is often used and the general lack of respect toward animals in Mexico are evidence that Mexicans do not generally seek or champion animal welfare provisions in practice. This consequently contributes to the low position that animal protection has on the political agenda and obstructs adequate animal protection law enforcement. I will now argue that this is further aggravated by a concomitant lack of awareness of what the laws contain.

2.2 Lack of awareness of the legal framework and apathy in following the law

It is useful to break down the discussion here into two sub-arguments. First, there is a social lack of awareness of existing animal protection laws in general which translates into a lack of awareness of what constitutes legal and illegal practices and behaviours. Second, lack of enforcement creates an absence of encouragement in protecting the fauna among the society. By this I mean that it promotes *apathy* which is usually manifested as negligence among the people with respect to their treatment of animals and/or their habitats. I can think of two distinct scenarios in which this negligence becomes apparent.

⁴⁵ Kay Patterson, “States ignore problem gambling - a key cause of hardship,” *Commonwealth of Australia* (March 11, 2004), http://www.facs.gov.au/internet/minister1.nsf/content/states_ignore_problem_gambling.htm [cited May 2004].

⁴⁶ Ortiz, “Las peleas de perros en México.”

One is when part of the society might have knowledge about the legal framework, but decides to ignore it, since the law is not enforced and therefore penalizations are minimised or absent. Another is when animal needs and interests are ignored because animals are considered to be mere means to human ends.

Lack of awareness of the animal protection laws is evident mainly in rural and indigenous communities, where people hunt illegal species for consumption or deteriorate land to use it as crop fields for their subsistence without knowing that these activities are not only illegal but are putting their survival at stake. Such is the case of the red and green macaws, used for human consumption in different communities of Chiapas.

Even when people are aware of what constitutes illegal practices, they often continue to perpetrate them for reasons such as profit. In some cases, like dog fighting, poverty compels them to do this even if they know it is illegal. Here I provide further examples on this kind of apathy in following the law. In *Tepito*, one of the largest illegal markets in Mexico City, endangered animals and their subproducts can be found as well as all kinds of brands in electronics, clothes, and much more at low prices compared to those well established legal markets. Sellers in *Tepito* reflect the general situation of apathy in respecting the law nation wide. In this market endangered turtle eggs can be found. “A popular drink among local men consists of three turtle eggs and a dash of salsa served in a Dixie cup.”⁴⁷ Legislation protecting the turtle is in Appendix I of the Convention on International Trade in Endangered Species of Wild Flora and Fauna.⁴⁸ Despite the turtle’s critical situation, in diverse states of the Mexican Republic, like

⁴⁷ Todd Steiner, “Sea Turtle Success,” *Earth Island Journal* vol. 6 issue I (Winter 1991): 16.

⁴⁸ Franco, “Semana negra para las tortugas.”

Jalisco, Campeche, Michoacán, Quintana Roo, Tabasco or Chiapas, traditional dishes are offered such as turtle in blood and roast turtle.⁴⁹

There is also the particular case of a red macaw that has been in *Tepito* for 9 years and is priced at 19 thousand pesos. Most Mexicans will never be able to afford it⁵⁰ as the following quotation corroborates.

According to a recent government report, in the year 2000 half the Mexican population lived on about \$4 a day, with scarcity shifting along with the population from rural regions to cities. Some 10 percent of Mexicans at the top of the income pyramid controlled close to 40 percent of the nation's wealth. Meanwhile, the 35 percent of Mexico's population that lives in the middle - with average earnings of about \$1,000 [USD] a month - spirals slowly downward.⁵¹

Red and green macaws are in danger of extinction, since they are captured and trafficked to be used as pets.⁵² The same situations face many other birds and mammals which are nationally or internationally sold.

On August 3, 2004 *Azteca* broadcasted a report conducted by Ulises Grajales featuring the illegal trafficking of endangered animals. The report stated that Mexico possesses 70% of the biological diversity of the world and more than 2000 species of fauna in Mexico are under the special protection category.⁵³ Yet, Mexico has the 11th place of animal trafficking internationally. *TV Azteca* claimed to have denounced the case of illegal trafficking in 2003 in *Charco Cercado* in San Luis Potosí (a state of Mexico) and yet not enough has been done. In *Charco Cercado* animal trafficking takes place under the auspices of resolving the misery of many of its human inhabitants. Grajales interviewed José Bernal from the wild life sector of the PROFEPA who stated that Nuevo

⁴⁹ Franco, "Semana negra para las tortugas."

⁵⁰ Hechos, *Morning News*, TV Azteca, Azteca 13, (February 15, 2004).

⁵¹ Ginger Thompson, "Free-Market Upheaval Grinds Mexico's Middle Class," *Global Exchange* (September 4, 2002), <http://www.globalexchange.org/countries/mexico/311.html> [cited March 2004].

⁵² Iñigo-Elías, *Animales en Peligro*, 35-36.

⁵³ Ulises Grajales, "Venta ilegal de animales," *TV Azteca, Azteca 13* (March 25, 2004).

León, Zacatecas and Tamaulipas are the states where animals are most captured and sold throughout the Mexican territory and internationally. In the specific case of *Charco Cercado*, the royal eagle (endangered species) is sold. Approximately 50 eagles are sold per year out of the 350 that are left in the Mexican territory meaning that in five years this species could become extinct. Penalties for animal trafficking vary from one to nine years of prison, but these are *letra muerta*.⁵⁴

Two questions become clear at this point. First, why do animal sellers have this apathy in following the law? Second, why is it difficult to catch and charge law-breakers involved in the animal trafficking? One possible answer given earlier is that authorities may turn a blind eye to the situation to help people alleviate their poverty in the short term. Another is that authorities are sometimes directly or indirectly involved in illegal practices. Such is the case of 28 dolphins that were illegally introduced into Mexico, under the permission of Semarnat officers (including Raúl Arriaga, the former minister of the Environmental Protection Subsecretariat), in July 2004, as stated by the IFAW and Greenpeace.⁵⁵ The Subsecretariat “also granted illegal permits authorizing the slaughter of more than 2.5 million wild animals in different states of Mexico over the last two years [2002 – 2004].”⁵⁶

Another possible answer to the above questions could be that penalties are applied only in some cases, or that there is insufficient publicity of those cases to discourage repetition of illegal practices. Another answer could be that traffickers operate at times when they know officials will not be present, mostly because government authorities

⁵⁴ ‘Dead words’ not useful since they are not enforced.

⁵⁵ IFAW, “Major Victory for IFAW in Mexico,” *IFAW Press Releases* (February 17, 2004), <http://www.ifaw.org/ifaw/general/default.aspx?oid=82319> [cited March 2004] and Greenpeace, “Autoridad ambiental respaldó tráfico ilegal de 28 delfines,” *Greenpeace News* (July 24, 2003), http://www.greenpeace.org/news/details?news_id=458722 [cited October 2004].

⁵⁶ IFAW, “Major Victory in Mexico.”

have too few officials to invigilate an enormous, megadiverse territory. In the large and diverse state of Michoacán, for example, only 24 officials are charged with regulating environmental practices for the entire state.⁵⁷ Some or all of the above may be involved in any given case. What is clear, however, is that all of the above aggravate the problems associated with enforcing the complex and comprehensive animal laws Mexico possesses. These dimensions of the problem are, at best, institutionalized and, at worst, endemic – a truly disheartening conclusion, but one that requires addressing nonetheless.

I do not claim to have even the beginnings of an answer to the problems of corruption regarding animal protection. Nevertheless, a deeper breakdown of the problem may be useful in understanding it better. On one hand, the law is not being enforced because authorities benefit economically from civilians breaking the law. One example of the authorities being involved in illegal practices is reported by the One Hundred Group. The *talamontes*, “a ‘well organized mafia’ that owns powerful weapons and radio communication technology” invaded the monarch butterfly Chincua reserve, with the means of chopping it down. While environmental authorities have been made aware, “the impunity is still going on. Sometimes they are protected by judicial police.”⁵⁸

Natural resources have been ‘used’ to benefit those in charge of protecting them for years. These old practices of corruption are not easy to eradicate because of the short-term benefits they provide to both the powerful and the poor. This provides additional evidence suggesting that it is not only the responsibility of the government in aiding the poor to find alternative subsistence methods; but it is also urgent to stop the corruption and punish ‘all’ culprits, without exception.

⁵⁷ Méndez López, *Environmental Efforts in Michoacán*, Interview.

⁵⁸ El Economista, “Taladores devastan santuario de mariposas,” *Portal de Contenido* (Marzo 2004), <http://www.economista.com.mx/online4.nsf/0/8F4A1F3D9E5C0E5E06256E8600700AE1?OpenDocument>, [cited March 2004].

The nation's public property invaded and used for private interests; beach areas and ecological reserves illegally exploited by former and current public servants as well as businessmen and foreigners; environmental impact certificates and forest, fishing, and hunting permits granted on a discretionary basis; preferential treatment given to companies responsible for polluting; distribution of water for political purposes; punitive actions not carried out—these are some examples from an inventory of anomalies discovered so far by the [Semarnat].⁵⁹

On the other hand, another cause of the problem is that laws are not being properly enforced because there is a clear lack of infrastructure to do so. Well-established mafias are often, if not always, more powerful than authorities. The small victories authorities have achieved to date seem like nothing, given that the problem is so big and unmanageable for few rangers. Méndez⁶⁰ confirmed the point when he stated that the battle against turtle egg traffickers on Michoacán's beaches is impaired by the technology and resources of organized criminals. Egg collectors are given night-vision binoculars and motor trikes to avoid capture by officials.

The mafia is not only well 'armed' and prepared, but they also greatly exceed authorities in number. For example, in 1999 there were only 15 federal environmental inspectors for the whole state of Chihuahua, the largest state in Mexico.⁶¹ According to Méndez this scenario has not changed. The state of Michoacán is formed by 58,561.6 km²,⁶² and as mentioned before there are currently only 24 officials to guard the state's natural resources of forests, coasts, mangroves, industry and wildlife. The state's main attractions are its monarch butterfly sanctuaries and its coast. Only six officials work for the protection of monarch sanctuaries and just two for over 300 km of coastline. They are

⁵⁹ Raúl Monge and Silvia Ortiz, "Graft's Toll on Mexico Environmental Destruction," *World Press Review*, (October 2001), <http://www.worldpress.org/1001cover2.htm> [cited September 2004].

⁶⁰ Méndez López, *Environmental efforts in Michoacán*, Interview.

⁶¹ Anonymous, "A greener, or browner Mexico?" *The Economist* vol. 352, issue 8131 (August 7, 1999): 26.

⁶² Secretaría de Comunicaciones y Transportes, "Datos generales y estado físico de las carreteras," *Programa Sectorial de Comunicaciones y Transportes 2001 – 2006*, http://www.sct.gob.mx/direccion_gral/dgcf/2_programa_de_trabajo/datos_generales_html/dg_mic.html [cited September 2004].

not allowed to carry firearms. Méndez affirmed that in 2003 two marine officials were shot dead protecting endangered land turtle eggs and the turtle nests were plundered.

The lack of personnel is also recognized by federal authorities, as stated by José Ignacio Campillo García, former head of the PROFEPA (2003) and former Undersecretary for Natural Resources, Raúl Arriaga Becerra (2003). There are no adequate policies for managing the diverse natural resources and not enough staff to deal with the areas, although few successes have been achieved in some areas.

With only limited resources available, actions have been taken against clandestine loggers in the states of Mexico, Campeche... as well as in the Zempoala and Chimalapas regions. According to Becerra, "Large-scale deforestation is run by organized groups; it's a real mafia." Protecting forests is the responsibility of 320 forest rangers, each of whom must watch over the equivalent of the total land area of the state of Tlaxcala.⁶³

Officials, it seems, have too many duties and responsibilities to be able to manage illegal practices on the scale that it is now happening. The conclusion to be drawn from this section is that law enforcement is much more complex than just applying the law. If adequate resources to enforce it are lacking, or if the law itself is too comprehensive to enforce given the limited resources available, then it is unsurprising that the public is either unaware of what the law contains, or is sufficiently prepared to risk the limited chances of reprisal for breaking it.

2.3 Lack of publicization

A problem related to the lack of awareness is that animal protection laws equally lack publicity. This leads to a situation where popularly accessible or intelligible information is significantly lacking and therefore the phenomena of lack of awareness of animal protection laws increases. If laws were being enforced, this would contribute to the job of

⁶³ Monge and Ortiz, "Graft's Toll on Mexico Environmental Destruction."

publicizing and act as a deterrent. Measures like education and media are therefore not having as effective results as they would if laws were better enforced.

It seems that any long-term solution to animal protection problems in Mexico will ultimately lie in generating respect for animals, if not for the laws, at the social level. Education is a crucial part of this project and could conceivably be used as a major resource to help reduce the enforcement workload in the future. While to some extent this seems to have been recognized, the pattern is similar to the legal side of government animal protection policy: present efforts remain formal rather than substantive and are consequently not enough to lessen the culture of lack of respect and lack of awareness.

2.3.1 Lack of the right kind of education on animal matters

I mentioned in the introduction to this thesis that Edgar González Gaudiano's solution to Mexico's environmental problems places education in a central role. He argues that this would create awareness among the society about the ecological and environmental problems.⁶⁴ Like González, I am persuaded by this argument, but not as the *only* solution to the problems. Education takes time, I perceive it as a long-term strategy, and as I have argued that it is necessary to act *now* in order to stop cruelty against domestic species and to preserve wild species to assure a sustainable development. So, while the 'education solution' is promising, it should be complemented by adequate enforcement of the animal protection laws. Education has been successful for countries like Canada or the US, where there is a wide respect for the law and an inbuilt culture of respect toward nature. In Mexico the 'education solution' cannot be expected to do the entire job, since Mexico lacks the other two elements.

⁶⁴ González, *Elementos Estratégicos para la educación*, 31.

To evaluate what the education system in Mexico is doing currently in this area, I conducted field research at different public schools in Puebla.⁶⁵ I reviewed the text books on ecological matters provided by the federal government to all the public elementary and junior high schools. There are 4,088 public schools in Puebla where text books from 1st to 9th grade are distributed.⁶⁶ From 1st to 8th grade children learn about ecological issues, but they deal with many environmental problems ‘at once’ and as a non-specific whole. Scant attention is given to separate environmental problems. Collaboration between government and society is not stressed and the responsibility for finding solutions to the ecological problems is presented as a task of the society rather than the government. Concerning animal protection, only endangered and wild animals are mentioned. In animal matters, children are taught about the extinction of species due to the transformation of ecosystems.⁶⁷ Animal trafficking is mentioned as a short-term relief for some people that risks the future of biodiversity.⁶⁸ What can be drawn from the current information in the text books is that animals are only considered to be important when they are at risk and therefore endangering the survival of ecosystems and not because they should be respected as living beings.

The main task of this chapter was to show that lack of respect for animals has its roots in a wide range of problems: historical roots, lack of awareness of the existing laws and more. The dimension of this problem is expressed in the following sentence of a Natural Science 6th grade text book: “The damage to the natural resources occurs for various reasons like lack of information, the impossibility to cover the needs in other

⁶⁵ Juan Crisóstomo Bonilla Primaria Matutina, Dr. Alfonso Briceño Ríos Escuela Secundaria General, Instituto Mexicano Madero, Cristóbal Colón Kinder Primaria Secundaria.

⁶⁶ Secretaría de Educación Pública, “Los programas compensatorios y sus repercusiones en la calidad de la educación básica,” *Portal SEP* (January 29, 2003), http://www.sep.gob.mx/wb2/sep/sep_3482_programas_compensato [cited October 2004].

⁶⁷ Ana Barbara Echeverría, et al, *Ciencias Naturales Cuarto Grado* (México D.F.: SEP, 2002), 135.

⁶⁸ A.B. Echeverría, et al, *Ciencias Naturales Quinto Grado* (México D.F.: SEP, 2002), 35.

ways, the apathy or negligence.”⁶⁹ But the point is neither developed further nor mentioned again in any other text book. This, in my point of view, should be broken down into parts and explained in order to allow children understand *why* the current ecological problems exist and knowing *why*, it is easier to know *how* to solve them.

The interconnectedness among all species in order to solve the environmental problems is given great emphasis⁷⁰ in all the texts. One of the most interesting examples to highlight this interconnectedness is written in a 7th grade Biology text book where the importance of biodiversity is stressed.

Let's say that for example: in a certain place there is only grass, rabbits and coyotes, what would happen if for some reason the rabbits vanished? The grass would not serve as food for the coyotes and they would also vanish. If instead, we have different types of vegetables, insects, mammals and other animals that depend on each other then a major stability of the environment is granted. This is the importance of biodiversity. For this reason... when different types of vegetables are replaced for crops like wheat, corn, beans or some other, the biodiversity reduces hence the ecosystem becomes more fragile.⁷¹

It is then pointed out that if humans were intelligent enough they would notice that their destructive action on nature is detrimental to themselves.⁷² This situation is a common scenario in countries lacking infrastructure but not in the developed countries where preventive measures are always followed. Mexico lacks infrastructure, hence it is suffering the harsh consequences of non-preventive measures engaged in the past, that only *alleviated* economic problems in the short term; but that have seriously affected nature and environment. Like the desertification caused for intensive cropping among others.

⁶⁹ A. B. Echeverría, et al, *Ciencias Naturales y Desarrollo Humano Sexto Grado* (México D.F.: SEP, 2002), 93.

⁷⁰ A. B. Echeverría, et al, *Ciencias Naturales y Desarrollo Humano Sexto Grado*, 98.

⁷¹ Sainz Cañedo, et al, *Biología I La dinámica de la vida* (México D.F.: Prentis Hall, 1998), 115-116.

⁷² Cañedo, et al, *Biología 1*, 186.

In all text books the role of the government in solving environmental problems is not significantly stressed. What is considered to be of prime importance are the solutions from society. The importance of collaboration between people is seen as the solution to avoid further environmental problems and help in resolving the existing ones, because having a well established legal framework has not been *adequate* for giving an answer to such a wide range of problems.

It is not enough to have laws and regulations, because the solution to the environmental problems depends on each and every one of us. The actions taken by the authorities, groups and ecological associations will only be effective when we all have responsibility and consciousness. Only by being responsible and respectful we will achieve a society that respects nature that allows the renewal of the ecological equilibrium... We have to do it for true conviction and not for the fines and sanctions.⁷³

It is indeed the responsibility of every citizen to avoid further damage but, as mentioned throughout this chapter, the responsibility is not yet culturally inherited: a culture of respect has *not* yet been built. In view of this, it would seem to be more appropriate to emphasise first of all, what existing environmental laws permit and prohibit and second, to stress in basic but certain terms that children and adults have a duty to follow them.

It is not until junior high that teenagers learn about some existing environmental laws. These are not explained,⁷⁴ which, again, appears to exacerbate rather than address the problems of lack of awareness and publicity. It might be a possibility that, given the government is in charge of making and distributing text books, it wants to create a social conscience about the situation of nature in general and not an awareness of the legal framework. The role of the government is hardly touched. While it is true that legal subjects are not quite the most interesting topics to learn about, this strategy is perhaps not taking advantage of the useful resource education could be in a long-term strategy for

⁷³ Urbabo Bahena, *Formación Cívica y Ética 2* (México D.F.: Grupo Patria Cultural, 2003), 221.

⁷⁴ Bahena, *Formación Cívica y Ética 2*, 221.

reducing the necessity of constant vigilance in animal protection law enforcement. This is a weakness of text books. If the arguments in this thesis so far are correct, it seems that collaboration between government and society as well as the responsibility of both sectors should be equally stressed.

Having the right kind of education is a good long-term solution for the creation of an aware society and for the construction of a culture of respect. But Mexican environmental education still has some flaws. Even if the education plans were strong, they would not influence the whole population. We would have to wait until pupils become adults to see a change in nature; meanwhile current problems would remain and irreversible damages could have happened before the next generation is ready to try to change the dire situation. It is for this reason that adequate current enforcement of existing laws becomes even more important. Environmental education must continue, but the emphasis is in need of some redefinition.

What I wish to stress is that law enforcement and education are complementary, not mutually exclusive subjects. This does not mean that both should occur independently, for one can and ought to be found in the other. Law enforcement, if properly implemented, can provide education through publicity, establishing good practice and deterrence. Education in its turn should provide information on the content of the law and, most importantly, *the reasons why specific laws are enacted* and the wider consequences of not following them.

2.4 Conclusions

Animal protection in Mexico is likely to continue to be difficult if the culture does not change in terms of respect in general. At the heart of the problem is that Mexico exhibits

not only a lack of respect of animals but also a widespread lack of respect for the law, for other people (poor, indigenous), and for the environment. The main conclusion to be made here is that enhancement of public awareness of animal protection laws and a rigorous attempt to increase respect for animals in general should be an important aim. The conclusion to be drawn from this chapter shows that this is a responsibility of both the government and society. If adequate animal protection is to be forthcoming, the cooperation of both will be required. Given the absence of a culture of respect for animals in Mexico, this is not something that can happen overnight. Indeed, the low place on the public and political agenda of animal protection issues suggests not only that it will take more time than many endangered or suffering animals have. Together with the lack of emphasis in education on the necessary socio-political cooperation, it also suggests that more could be done to raise the profile of the issue. Either way in the absence of an inbuilt cultural respect for animal welfare, it seems that the adequate enforcement of laws protecting animals is absolutely crucial if endangered species are to be protected and if domestic species are to be treated humanely.

Lack of awareness of the content of animal protection laws and apathy in following them makes constant vigilance and consistent enforcement of animal protection laws crucial. This has been in part recognised by the government. Nevertheless, there are indications that the government is either unable (lacking resources) to apply the law impartially (corruption, accepting bribes) and/or is unwilling to apply it, since animal issues are 'low' on the political agenda and sometimes conflict with high agenda priorities such as poverty. It is very likely that this is a main reason why authorities are not yet implementing the measures it will take to do the job properly. While these obstructions to animal protection in Mexico and to the necessary enforcement of animal

protection laws are serious, my conclusion is that they should not suggest that better animal protection and better law enforcement cannot be achieved in the near future.

The general assumption I have made here is that a deeper knowledge of the causes and reasons for lack of enforcement of animal protection laws can lead us to be better equipped to find the right kind of solutions. Education is one of them. As González has stressed,⁷⁵ is an essential part of cultural change. In the absence of animal law enforcement the only way we will be able to protect animals is by self-regulation of behavior. This requires a change in the way animals are viewed in relation to us. Education, as González's argument suggests, is crucial in this enterprise. However, it will take generations to become fully effective. For this reason, emphasis should be given to *adequate* law enforcement as well as to education, since the arguments in this chapter show that respect and awareness are not inherent in the Mexican culture. However, there are some signs that the government is taking measures, both nationally and internationally, to at least attempt to do something about these obstacles. This is encouraging but, as I show in the next chapters the real successes are few.

⁷⁵ González, *Elementos Estratégicos para la educación*.