CONCLUSION

5. General, specific and final conclusions

5.1 General Conclusions

As I mentioned in the introduction to this thesis, many underdeveloped countries are facing significant environmental problems without the necessary resources to fully deal with them. Mexico is clearly no exception to this – a claim that I have attempted to show is especially true of animal protection within the territory. In fact, the welfare of wild and particularly domestic animals in Mexico is very low on the public and political agendas even though the plethora of comprehensive legal mechanisms for animal protection suggests the contrary. The lack of academic research focusing in sufficient depth and detail on Mexican environmental issues in general and Mexican animal protection in particular is therefore unsurprising. I have nevertheless attempted to provide several arguments demonstrating that it is crucial that environmental issues and especially animal protection should occupy a far greater role in public, academic and political debates.

I hope to have contributed to raising the profile of animal welfare issues in a few small but important ways. First, it is hoped that this thesis has gone some way toward addressing the gap in the existing literature in a more detailed manner than is usually found. This study is intended to complement, expand and update the very small amount of existing academic works that deal with the Mexican fauna situation and to gather into one place up-to-date information on laws, practices and situations that could be of use in extending the discussion both academically and politically. Second, I have attempted to offer a few modest suggestions for the areas in which practical changes could feasibly be

considered to promote better animal treatment and to rethink and reformulate a more coherent policy direction regarding animal laws and their enforcement. Third, at the very least, I have attempted to provide a plausible justification for why the question of animal protection in Mexico should be placed in a much higher position on the national agenda despite the obvious difficulties involved in its implementation in the context of Mexico and despite the fact that doing so would probably conflict with existing high-priority matters such as poverty.

The central hypothesis I have defended is that *having comprehensive laws concerning animal protection on paper, as Mexico clearly has, is not enough if they are inadequately enforced in practice or unenforceable in the practical context for which they have been developed.* To make a case for this I broke down the argument into two sub-hypotheses. First, that *existing laws are fairly comprehensive but lack adequate enforcement in Mexico.* Second, *that Mexico lacks both a deep culture of respect toward animals and lacks awareness of what animal protection laws contain and of the pressing nature of the problems facing treatment of domestic and wild animals. This translates into the general belief that animal protection is of relatively little importance in Mexico which both exacerbates law enforcement problems and contributes to the low place animal welfare has on the political and public agendas.* I attempted to verify these hypotheses in the following way.

5.2 Summary of the arguments

In the introduction I provided a general justification in why we should elevate the discussion of animal protection in Mexico to a higher place on the national agenda. I

mentioned that animal protection policy is imperative for assuring the survival of endangered animals and domestic fauna and how can such actions benefit or affect our lives. It is due to the close relation we have with animals, mainly for labor and consumption that it is not only for the sake of animals to be humanely treated, it is also in the interest of humans to do so.

In chapter one I described the Mexican animal protection laws and NOMs at federal and state levels, which I demonstrated are all conceived upon humane principles. I also described the governmental institutions in charge of overseeing the compliance of federal and state laws which seem as impressive as the rest of the legal framework. The evidence I collected was used to demonstrate that while animal protection laws are rather comprehensive on paper, this comprehensive legal coverage has not translated into the comprehensive practical protection such complete laws appear to promise. I argued that this suggests that Mexican animal protection laws and policy are therefore not *adequate.* Here I present a verification of sub-hypothesis one which shows that this gap between theory and practice finds significant evidence in the current lack of law enforcement I showed exists which, in turn, encourages many other disrespectful practices like illegal animal trafficking. I concluded that the existing legal framework is perhaps too comprehensive for existing government institutions to manage effectively. In particular, I provided evidence to show that the laws and norms are often ambiguous, sometimes contradictory and, because of this, may not always be enforceable in the Mexican context. All of this suggests that both contextually adequate laws and adequate law enforcement need to be taken fully into consideration when evaluating the adequacy of the existing animal protection legal framework in Mexico. The main conclusion for

chapter one was therefore, that animal welfare needs practical and substantive protection not mere formal protection if it is to get better.

Underlying the approach of chapter two is the general assumption that a deeper knowledge of the causes and reasons for a lack of enforcement of animal protection laws can better equip us to find the right kind of solutions. I therefore discuss some of the deeper reasons that are rarely touched on in the available literature of why the problems I identify in chapter one are so difficult to remedy. Here I attempted to verify sub-hypothesis two which is basically that in great part these problems are due to the place of animal issues in the 'low politics' sphere.

I demonstrated that two main problems contribute to this low place. First, a lack of respect towards animals exists, due to cultural inherited practices and to poverty. Second there is a lack of awareness of the animal protection laws, but even when there is knowledge about these there is *apathy* in following them, because penalizations do not exist or are not impartially or consistently applied. Several factors combine here. The large amount of bureaucratic red tape one needs to go through in order to act legally is a serious problem which makes illegal activities more appealing. In turn, corruption also exacerbates law enforcement in addition to the general lack of resources allocated to those institutions charged with enforcing environmental and animal laws. I also demonstrated that the situation of lack of awareness of the animal protection legal framework is reflected in the current environmental education.

The conclusion for chapter two was that enhancement of public awareness of animal protection laws and a concerted attempt to increase respect for animals in general should be an important aim not only of the government but of civil society. Indeed, if I

am correct in arguing that there is an absence of cultural respect for animal welfare in Mexican society, then this is likely to aggravate problems regarding law enforcement. Such a cultural context means that more and not less resources will be required to ensure that policy is effectively implemented because officials need to be more and not less vigilant. Additionally officials in such a context are required to be less open to corruption than the evidence suggests is currently the case. The overall conclusion of chapter two was therefore that *adequate* law enforcement and greater emphasis on environmental education are absolutely crucial in the absence of strong public support for animal welfare. I also suggested that such an emphasis would contribute toward creating a culture that could, in the future, be more mindful and respectful of the environment in general and animals in particular.

In chapter three I reinforce the central hypothesis that having comprehensive animal protection laws on paper is not enough if they are inadequately enforced in practice by showing that an approach toward formal and not substantive animal protection similar to the Mexican national legal framework can be found in its international approach to animal welfare. Here I demonstrated that the international treaties and conventions that Mexico has signed have achieved few successes. I also mention that several new protection measures are being engaged, their existence suggests that the need for adequate animal protection law enforcement is gradually becoming more recognized. However, in practice the results have been less than encouraging. The few successes achieve have been obstructed by poor enforcement and corruption.

Being part of treaties and conventions has raised some public awareness of the ecological and fauna situation. This is a positive outcome reflecting some interest of the

government and in society. The point I stressed, however, is that governments (including Mexico) often appear to be signing international agreements only to improve their position in the international arena. I provided evidence of loopholes and lack of enforcement of such agreements and argued that this largely overrides the few gains obtained.

I conclude here that the responsibility of signing treaties is the same as creating protection laws: they should be coupled with a strong emphasis on successful practical implementation, otherwise they are useless pieces of paper. Mexico is not the only country suffering the symptom of having strong national and international legal protection measures and not enforcing them. Canada and the US also suffer from it. However, it is more notorious in Mexico, since this country also fails to enforce its national laws, is poorer and lacks a culture of respect towards other forms of life unlike the other two. The creation of new national measures and the signing of international agreements are promising efforts, but if they remained at the current level, they would take a very long time to educate the population sufficiently before several species become extinct and many more become endangered. If this is correct, it seems that more emphasis needs to be placed on enforcing national laws and international agreements (drawn up in such a way that they are not contextually unenforceable) and for the international community to take more responsibility in providing the kind of infrastructure necessary to help poorer countries in this project.

In chapter four I provided suggestions for ameliorating a few of the problems I outlined previously. Due to the extension of this thesis I had to concentrate on some broad suggestions that would in part help to reduce the problems the fauna faces and the

problems government institutions and the public face in attempting to do so. I suggested that measures to decrease bureaucracy are crucial to make it easier for people to be interested in operating within the legal framework. For this, I argued that more power should be allocated to municipal authorities. I also emphasized government-society collaboration. For this, I suggested that the government should devote more resources to combat the problems at their cause as well as at their symptoms which is currently not the case. I also suggested the creation of a single animal welfare law that would gather together in one place all the existing legal clauses concerning animal protection and treatment. This suggestion has proven to be effective in developed countries and, if applied sensitively to the context of Mexico in certain ways could help to reduce problems of legal complexity. It could also encourage a greater public awareness of what is legal and illegal behavior toward animals and of the importance of treating animals humanely and with respect.

In order to construct a culture of respect, I have argued, echoing González in some respects, that education has to be given greater emphasis. What González does not recognize, however, is that animal protection NGOs could well provide a useful and existing resource in this respect. I therefore suggested that a pilot scheme could be implemented in several schools across the country where NGOs participate actively in extending and re-orienting environmental education. As I affirmed, there are arguments suggesting that this would benefit both the government and the NGOs, and need not be particularly expensive to implement. In addition to this, probably simplest yet entirely feasible substantive suggestion I offer is that of pet ownership in schools. This, I argued,

could help encourage children to become aware of humane animal treatment that can later lead to a wide respect for nature.

I conclude chapter four by stressing that my suggestions are not proposed as *exclusive* and as perfect models to be followed. They might be indeed subject to many critics since they are broad and at some extent simple and inconclusive. But they are, in my point of view helpful at understanding why a debate for animal protection issues should start in Mexico and why it is necessary and feasible to place animal issues in the 'high politics' agenda. For this an undoubtedly close collaboration between the government (national and international) and society (schools and NGOs) can and ought to be stimulated in order to take advantage of resources that are already in place, but are sadly often neglected by society and the government alike.

5.3 Final conclusions

The final conclusion that stems from this thesis is that by enforcing and publicizing current federal and state animal laws, by adopting successful measures created by NGOs and some foreign governments and by putting greater emphasis on environmental education, it may be possible to both improve animal protection in Mexico and reduce serious environmental problems that will undoubtedly impact upon the lives of present and future human generations.

The arguments I identified in each of the chapters might be debatable, since they are not be the only ones for understanding the current situation of animal protection in Mexico. Thus, I attempted to prove that they are in great part the most important ones for the obstruction of fauna protection. Current literature on environmental issues in Mexico

focuses on the environment as a 'whole' – a focus which is reflected in Mexican environmental laws, policy drive and governmental actions. But it should be stressed here that water problems, desertification or pollution cannot be addressed with the same set of actions. In contrast to most, if not all, the few authors who do engage environmental issues in the particular case of Mexico, it is my opinion that it is important to attempt to understand each problem separately in order to fully or at least better understand its causes and consequences – for these impact sometimes in quite unexpected areas and have implications for how coherently very different policies and laws fit (or do not fit) with each other. For this reason, I feel it is only by tackling *each* part of the environmental problems that specific and more effective solutions can be achieved.

It seems possible, therefore, to approach and discuss animal protection as a 'separate issue' from the whole 'environmental problem' as well as understanding it as part of it from a more environmentally integrated point of view. This approach might be contentious for some and it has to be acknowledged that there are weaknesses with any methodological approach. In the case of this thesis, I could not hope to cover the enormous variety of issues involved in environmental policy in Mexico as a whole in more than a broad and unsatisfactory way. I hope to have made a contribution, however, since the advantages of the method I have chosen are that I have been able to go into far more detail about animal protection issues than is found elsewhere in the literature. My suggestion is not so much that this thesis should be taken to stand alone. Instead I hope it fits in with, and elaborates on, the wider available literature about environmentalism in Mexico.

Although the topic of my thesis is not new or under-discussed in other countries, I have tried to show that in Mexico it is certainly under-discussed and very under-researched. I therefore hope to have demonstrated that it is important to start and continue a more concrete debate about animal welfare and to understand fauna problems more clearly. The suggestions I have proposed for improving the situation of animals, are as stated not *exclusive* and should be complemented by others far more legally and politically oriented in order to work.

Understanding animal protection in Mexico is complicated since, as we have seen throughout this thesis, many diverse factors are interrelated with it, like poverty, cultural inheritance, lack of awareness and apathy among others. My argument has been that, in spite of its complexity, it should *not* be left aside until it gets too late. It is a problem that requires immediate recognition and immediate address - not only as a matter of animal welfare but as a matter of human self-interest. We should therefore engage in a stronger animal protection in the present in order to understand it and to start the creation of a culture of respect. For it is, in my view, on the foundation of a strong culture of respect that highly vigilant, determinant (and ultimately expensive) law enforcement programs can be gradually replaced by a more enduring, deeper (and cheaper) kind of regulation of behavior: self-regulation.