

Bioethics and human rights. xxv years of reflections

Bioética y derechos humanos. xxv años de reflexiones

José Enrique Gómez Álvarez*

<https://doi.org/10.36105/mye.2021v32n4.07>

Ruiz de Chávez, Manuel (Coord.) *Bioethics and human rights. XXV years of reflections (Bioética y derechos humanos. XXV años de reflexiones)*. Editorial Fontamara. Mexico; 2018, 314 pp.

The book is a collection of papers from the commemoration of the 25th anniversary of the National Bioethics Commission. It aims to explore some of the themes that the Commission has undertaken over the years. This probably explains the uneven length and quality of the chapters.

It presents 28 papers that have as a common axis, as the title indicates, human rights. The topics are varied, although it seems that, except on rare occasions, the statements end up being very general, for example, «bioethics is very important» or «human dignity must be respected», «bioethics is complex and requires consensus», etc.; in other words, dilemmas and discrepancies among the authors are really avoided.

* Centro de Investigación Social Avanzada (cISAV), Division of Bioethics, Mexico.
Email: jegomezalvarez@yahoo.com <https://orcid.org/0000-0002-8964-2207>
Reception: May 10, 2021. Acceptance: June 20, 2021.

Thus, a common idea is that of «secular bioethics», which insists on the obvious fact that ethics is rational and is not based on religious beliefs. Juliana González, in «Philosophical Perspectives of Bioethics» (pp. 27-37), repeats what she has maintained for years: the immanence and not the transcendence of the human being, where: *secularism... is not anti-religious, but it is anti-dogmatism and anti-absolutism and, in particular, it fights against the imposition of one point of view over all the others* (p. 34). The above raises the question of whether truth discovered and reasoned is an imposition. She believes that the embryo is not a person. Is this dogmatism or truth? This type of discussion, where the strength or weakness of the arguments between authors is discussed, is practically not addressed in the book

In «The bioethical approach to scientific and technological advances» (pp. 39-48), Enrique Grauer insists on two elements: secularism and environmental bioethics. In «Bioethics in relation to human rights and the Political Constitution of the United Mexican States», by Enrique Cabrero (pp. 49-52), emphasis is placed on human dignity as the fundamental legal axis of the Constitution and some of its implications. In «Bioethics in the face of scientific and technological advances», by Jaime Valls Esponda (pp. 53-57), the actions carried out by CONACYT, such as the 2014 World Congress on Bioethics, can be highlighted. In «Bioethics and university social responsibility», also by Jaime Valls Esponda (pp. 59-70), the Sustainable Development Goals, university students and their relationship with bioethics are analyzed. Jorge Gaxiola, in «Health and Bioethics on the centenary of the 1917 Constitution» (pp. 71-94), shows in detail and with abundant references how the right to health did not remain in our legislation until 1983.

In «A new vision of humanism» (pp. 95-107), Paulina Rivero basically defends an ethics extended to the animal world, where non-human animal abuse is fought. In «The Convention for the Protection of Human Rights and Biomedicine: Mexico's perspec-

tive» (pp. 109-114), by Manuel Ruiz de Chávez, and in «The Oviedo Convention, 20th anniversary» (pp. 115-117), by Lawrence Lwoff, the importance of the Oviedo Convention for Mexico and the world is discussed.

Simon Kawa, in «Impact of the UNESCO Declarations: Human Genome. Bioethics and Human Rights» (pp. 119-127), describes and points out the importance of the Declarations on the Genome and the Declaration on Bioethics, where the author notes: *...it is important to emphasize that they are political agreements and commitments that are assumed by the States... Latin American participation was crucial, especially for the incorporation of social responsibility, international collaboration and gender* (p. 133).

In «Protection of people with mental and psychosocial disabilities; challenges for health and Human Rights» (pp. 135-151), María Elena Medina Mora Icaza analyzes the situation and the challenges for bioethics, due to the vulnerability of people with these limitations. Thus, she points out that: *For the WHO, disability is not only a health problem. It is a complex phenomenon that reflects the interaction between the characteristics of a person's body and the characteristics of the society in which he or she lives* (p. 137). In short, interventions to address it are multidimensional.

In «Informed consent as a basic rule of Bioethics» (pp. 153-164), Jorge Linares Salgado discusses the importance and difficulty of establishing the limits of informed consent, as a fair means between the imposition of procedures and interventions on people, and the abandonment to the mere choice of the patient, without adequate information leading to avoidable damage, not only for the patient but for everyone: *The dilemmas generated between paternalism... and the need to respect and protect the autonomous decisions of patients are an unavoidable counterpoint to the principle of IC* (pp. 159-160).

In «Bioethics and Human Rights» (pp. 165-183), by Mariana Dobernig, judicial rulings that have had a strong impact on bioethics are analyzed, such as Roe versus Wade (abortion), In Re Quinlan (euthanasia), among others.

Martha Tarasco, in «Human Rights and Bioethics. Sense of encounters and disagreements» (pp. 185-194), emphasizes that human rights are fundamental rights in some way pre-legal. She thus defends the metaphysical foundation of rights, where there is no room for mere consensus.

Fabio Salamanca Gómez, in «New horizons of bioethics in biomedical research» (pp. 195-204), analyzes the bioethical and technical elements of obtaining, developing and applying stem cells in research.

Evandro Agazzi, in «Health research, between science and ethics» (pp. 205-213), outlines the need and history of how the inclusion of ethics in clinical research came about.

Edith Valdez and Miguel Bedolla, in «Research committees and health research committees: Where do their authority, their fundamental responsibility, and the need for periodic audit come from?» (pp. 215-222), analyze the regulatory character and the practical dimension of the Committees, concluding that: *...the ICs and RECs have a central role and great power and authority over health research, so it is important that they operate in a clear and transparent manner... It is a matter, then, of the members of the committees fully complying with their personal responsibility, and the committees as a whole complying with their social responsibility* (pp. 220-221).

Bernardo García, in «Research Ethics Committees, Protection of Subjects» (pp. 223-231), analyzes the Nuremberg Code, not only as a historical reference, but also as a guide that continues to be a reference today. Other documents are analyzed, such as the Declaration of Helsinki and its implications for Research Committees.

«Ethical aspects to consider in the review of research protocols» (pp. 243-247), by Arturo Galindo, raises the principles of respect for persons, beneficence, non-maleficence and justice as minimum principles to consider in the ethical evaluation of research projects presented to research ethics committees.

Ignacio Villaseñor, in «diabetes and obesity» (pp. 249-251), raises the dilemmas generated by obesity and diabetes in Mexican public health.

In «Dilemmas at the end of life» (pp. 253-266), by Maricruz Medina Mora, the elements of advance directive in general and its statute in Mexico City are analyzed.

«Proposal of the Ministry of health: state strategy for the prevention of pregnancy in adolescents» (pp. 267-282), by José María Mojarra and Alejandro Arellano, addresses the problem and the policies that have been implemented in relation to teenage pregnancy in general in the country, and in particular in the state of Sonora (Mexico), analyzing its challenges, achievements and future prospects.

Ángelica García, in «Health in the context of migration: a limited human right» (pp. 283-292), describes the health problems of migrants in the state of Zacatecas (Mexico). The author points out the complexity of the problem and proposes that both migrant-exporting and migrant-importing countries should have a common agenda, beyond the merely economic.

The book closes with «Gender, health and human rights» (pp. 293-297), by Gerry Eijkemans, pointing out that: *Gender equality in health implies that women and men, throughout their lives and with all their differences, enjoy the same conditions and opportunities to achieve the full realization of their rights and their potential to be healthy, contribute to health law and benefit from the outcomes* (p. 294). Emphasis is placed on the 2030 Agenda for Sustainable Development, which implies this quest for equality.

The book gathers information that summarizes some problems of bioethics and its legal implications. In this sense, the book does help to have a panoramic view of the discussion of bioethics in the Commission, although perhaps a debate would have been desirable to be able to assess the strength and weaknesses of what was presented by some authors.

This work is under international license Creative Commons Reconocimiento-No-Comercial-CompartirIgual 4.0.

