

The article "Aporías de la incapacidad moral permanente" by Franklin Ibáñez explores the ethical and constitutional implications of the concept of "permanent moral incapacity" used in Peru to depose presidents. This notion, rooted in the Peruvian Constitution, is critiqued for its vague application, often serving political rather than ethical ends. The article highlights the instability caused by the dismissal of presidents Pedro Pablo Kuczynski, Martín Vizcarra, and Pedro Castillo, emphasizing the societal and human costs, including protests and loss of life. Ibáñez argues for a clearer ethical framework, focusing on whether leaders possess the necessary moral faculties, such as cognition, will, and empathy.

The author divides the analysis into two approaches: evaluating moral incapacity as either the absence of ethical faculties or as a judgment of conduct. He critiques the current Peruvian application, which often prioritizes subjective and culturally specific moral evaluations. Ibáñez contrasts maximalist, minimalist, and middle-ground interpretations of morality, suggesting that the minimalist approach—focusing on universally agreed ethical principles such as human rights and anti-corruption—provides the most objective and fair framework for assessing presidential actions.

Finally, the article calls for constitutional reform to address the misuse of "permanent moral incapacity." It suggests either eliminating the phrase in favor of more precise legal grounds, redefining moral criteria with clear limits, or interpreting the term as a mental health issue requiring expert evaluation. The reform aims to balance ethical guidance in politics without exacerbating instability or enabling arbitrary decisions, ensuring accountability while respecting democratic values.