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Contents

page

Editorial: Ethics, Religion and Making a Better Society - Darryl Macer	1
Religion and Ethics in the Japanese Society - Nader Ghotbi	2
Spirituality & the concept of <i>amae</i> or the desire to be loved - Kenjiro Uemura	5
Theological and Philosophical Partners for Human Rights - Ann Boyd	7
Tanabe's Philosophy in the Comparative Contexts - Makoto Ozaki	10
The Current State of Surrogate Conception in Japan and the Ethical Assessment of Dr. Yahiro Netsu – An Ethical Investigation of Japanese Reproductive Medicine (Surrogacy) - Masayuki Kodama	12
Dignity and Freedom through Human Security - V. Balambal	18
Emerging community ethics and student education: A rural community experience - Sivapalan Selvadurai*, Ong Puay Liu, Marsitah Mohd Radzi, Ong Puay Hoon and Nor Adlyzan	21
Engineered pathogenesis related protein crops and consumer behavioral patterns - Bengyella Louis	26
Teaching Bioethics to Undergraduate Physiotherapy students: Students' Attitudes and Perceptions - Zoheb Rafique, Saira Baloch	30
Ethics Education Addressing Issues Related to Community-based Healthcare Services: Comparison of Case Study Methodologies Using Drama Cases - Akio Kanayama	33

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Editorial: Ethics, Religion and Making a Better Society

The first issue for 2014 includes five papers exploring bioethics in Japan, and another five more general papers including three on education. One of the common themes is the relationships between descriptive ethics and social structures and norms that each society, and our world, has constructed.

Ann explores the linkages between religion and philosophy in the emergence of human rights, and shows that there was global input into the drafting of the Universal Declaration of Human Rights. Nader looks at how some of the traditional ethics in Japan seem to lead to decisions that limit the recognition of full moral agency to certain groups of people. Kenjiro examines the concept of "amae" or the desire to be loved, a particular type of love that some Japanese writers claim to be unique. The application of love of others in Japan by the doctor who provides surrogacy services in Japan, counter to professional opinion, is the subject of a detailed case study by Masayuki of Dr. Yahiro Netsu.

Akio presents empirical results of two methods for use of case studies and drama in teaching bioethics to nursing students in Japan. Zoheb and Saira present student perceptions of learning bioethics in Pakistan. Siva and colleagues present a case study of the community involvement in general educational empowerment in a rural Malaysia school. Bala presents a review of human security in India. Makoto explores the philosophy Hajime Tanabe, who endeavored to unify Christianity and Buddhism from the standpoint of Absolute Nothingness. Bengyella looks at the future of human consensus and choice with GM crops.

EJAIB wishes you a Happy New Year, counts on you to renew your membership of Eubios Ethics Institute and Asian Bioethics Association, and appreciates any other support. Hope to see you at ABC15 from 1-9 November 2014 in Japan, if not at an earlier conference! More updates on the web!

– Darryl Macer

Religion and Ethics in the Japanese Society

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Abstract

Religion has individual as well as societal functions. At the individual level, religion forms the foundation of spiritual health as an important dimension of human health. At the societal level, having a religion may also function as a 'proof of righteousness'. Followers of a certain religion can use 'religious affiliation' as a guide in making choices on complex issues, because religion for them provides a 'reliable' source for the 'right' answers. They can also identify and be identified as the 'righteous members' of the society or community they live in. Religion and religious affiliation thus may be regarded as a 'compass' for making the right decisions in complex situations. This is where the Japanese society stands out differently, and therefore Japanese people may mistakenly be assumed not to be religious. The Japanese society commonly uses other 'social' mechanisms, not religion, to make those decisions, and therefore acts as a 'secular' society. The 'ethics' of the Japanese society is closely linked to its collective culture with peculiar virtues and values that are discussed here.

Introduction

Health is not simply an absence of disease but requires the existence of positive dynamics in various health dimensions that include the physical, mental, social, emotional, intellectual, environmental and last but not the least, spiritual health. Spiritual health refers to the human sense of having found a meaning and purpose in life, of inner peace, and a feeling of interconnectedness and mindfulness, with a capacity to understand higher values outside the self (Hawks, 1995). Most people rely on religious beliefs to attain spiritual health and this is perhaps the most significant contribution of religion to human health, especially at the individual level.

However, religions do not remain confined to individual believers but are propagated in communities in a characteristic form, commonly referred to as an 'organized' religion. As such, religions serve a wider function at the societal level by bringing their members together and helping them to recognize and be recognized, accepted and trusted as a member affiliated with the 'righteous' group. Consequently, faith in 'religion' can be extended to faith in 'leaders' and 'trust' in members of the religion, particularly for those members who practice the religion in a convincing manner. Having similar religious beliefs in a group may motivate the individuals in that group to 'cooperate' with other members (Wood, 2011).

The alternative hypothesis that religion serves to decrease 'societal dysfunction' with an overall beneficial impact 'on society' has not been supported

in an evidence-based study by social researchers (Paul, 2005). In an examination of data related to levels of religiosity and social health from over 18 developed countries in the 1990s and early 2000s, he found a negative correlation between the two. This study therefore refutes the hypothesis that the societal role of religion is to provide social health benefits and reduce social dysfunction. We can ask why religions in general show such a strong tendency in becoming 'organized' and turn into a 'societal movement'?

It has already been shown that people who participate in religious ceremonies, are more likely to think of their choices as righteous or 'sacred' (Sheikh, 2012). I argue for a broader and more significant aspect of a 'societal function' for religion based on implicit information carried among its affiliated members. Let me offer a practical example; the US home politics is complex and many people may find it difficult to know which candidate can be trusted and who they should vote for. The US Republican candidates thus commonly use their religious affiliation as a promotional strategy, because a large number of US citizens who define themselves as "religious" choose their desired candidate based on 'faith'. For instance, *Washington Post* published a piece in which Rick Santorum, the hopeful Republican candidate at the time, had called the US President Obama's Christian faith into question (18 February 2012).

The Japanese society, however, is different in an interesting way. The Japanese society has been described as the most secular and the least religious nation in surveys (Paul, 2005). Still there is some controversy among researchers whether Japanese people are religious or not (Mullins, 1993). Some experts refer to the culturally strong and widespread religious practices by the majority of Japanese people that not only classifies them as being religious but sometimes to an extreme point of being superstitious; they commonly offer money to shrines and temples to protect themselves from bad luck and to help them accomplish their dreams. However, others believe that the majority of Japanese people are not religious because they do not show a particular choice in religious activities, visiting Shinto Shrines, Buddhist temples, and Christian churches for various activities that have a religious element. Also the Japanese appear to make purely 'secular' choices in socio-political affairs and in science, firmly believing in the evolution theory. So which is it? Are Japanese people religious or not?

Findings

The discussion over the relative significance of 'culture' versus 'religion' in Japan has received some attention. Japanese people as individuals may be as religious as any people from other nationalities. They have spiritual needs like any human being and use various religions to attain these needs. However, there is a major difference in that the socio-cultural rules, norms and regulations in a Japanese society are more significant in defining the 'morals' or 'ethics' of the society than any religion; these socio-cultural rules

dominate and govern the relations among Japanese people.

An individual living in a Japanese community cannot use his/her affiliation with religion to imply righteousness; righteousness depends on following a comprehensive set of social rules, regulations, virtues and values, some explicit and some implicit. These rules and norms are so comprehensive and quite well established that some individuals may feel a considerable burden over keeping their individuality in check. Many studies have shown that the Japanese feel a large gap between their individual attributes and sense of self, and what they enact as their social role (*tachiba*) at work, school, and other public arenas (de Rivera, 1994, and Bar-Tal, 2007).

There is no doubt that ancient religious traditions in Japan, particularly Shinto, Buddhism and Confucianism have influenced the culture and social norms and rules. However, a major point of distinction regarding such an influence is the dominance of 'human relations' over 'relations with god(s)'. Whenever the societal impact of an action differs from the religious aspect of that action, the Japanese society finds the human impact to be more significant. This feature has been interpreted as the 'human' orientation of ethical obligations in a Japanese society versus the 'godly' nature of obligations in most other societies (Suzuki, 2012). In other words, in Japan it is more important to satisfy the needs of the society than the gods. Such 'secular' traditions could have helped reduce human conflict and improve cooperation in the Japanese society (Atran, 2012).

There are other reasons why no particular religion plays as a strong role in the ethics of the Japanese society as 'secular' social rules. After Buddhism and Confucianism spread into the Shinto ruled society in the 6th and 7th centuries, they found a way to merge elements from the various belief systems into a reconciled system of beliefs and thereby helped avoid opposition and religious conflict among them. So they selected and took 'pieces' from each that would suit a 'combined theory of beliefs'. The success of this compound adoption of various belief systems provided a basis for further borrowings of ideas, concepts and beliefs from various other sources and adopting them into the 'proper' position in the Japanese society (Davies, 2002). In this way, the social system learned to transform and dominate almost any new value system into its own structure.

Moreover, the ethics of the Japanese society is dominated by sociocultural rules and norms rather than religious instructions. While some philosophers discuss the issue whether morality is social or based on religion, the Japanese demonstrate in practice that the sense of morality may be based on the values of society rather than any particular religion. A good example is the issue of abortion in Japan (Norgrem, 2001). Although abortion has caused a lot of controversy in the West between prolife and prochoice groups, it is done quite commonly and with few 'ethical' repercussions simply because Japan has 'legalized' it; the legality of abortion dominates its controversial

ethical status. In other words, in Japan 'law' in general is dominant over 'ethics'.

Law is the strongest representation of social limits on individual freedom; as long as a Japanese individual may act within the limits of the law, he/she cannot be questioned over the 'ethics' of his/her conduct. However, social rules may still require him/her to behave in certain ways even with no explicit 'legal act' behind it. One such example is *giri* (義理) which refers to moral behavior a Japanese feels obliged to act on, based on social relationships, even if it is against his/her own will. The obligations that one feels obliged to follow serve to maintain cohesion and harmony in the Japanese community and the broader society.

Modesty (謙虚) is another basic ethical virtue in Japanese culture which requires playing down of one's personal level of wealth, knowledge, and talents; the concept is not to stand out from members of the group. It is especially important to be humble towards one's seniors or superiors (Davies, 2002). Japanese people are also widely known to value honesty (Bennett, 1999) and to aspire to be earnest and decent (*majime*); dishonesty in a societal situation is a particularly undesirable characteristic. The opposite term to *majime* is *furyou* which means 'immoral' and 'delinquent'. This suggests that being decent and earnest (*majime*) is considered as the highest moral status in the Japanese society. In fact, contrary to the West where a person may be qualified as good or bad, the Japanese emphasize on this social distinction of whether a person is earnest (*majime*) or not.

A question that may be asked is how the secular Japanese society values virtues such as modesty and honesty without having a religious source for the concept? Although many researchers have shown that being ethical, in an individual, does not necessarily require religion, the Japanese 'society' is a unique example where a certain group of virtues, such as modesty and honesty are so common as to be considered the 'social norm'. I argue how 'ethical virtues' developed from socially coherent needs in the collective Japanese culture.

The concept of universal imperatives as a theoretical methodology by Immanuel Kant are practically demonstrated in the maxims developed by the Japanese society and culture to allow this collective society maintain harmonious relationships among members. Therefore, even without religious principles requiring modesty and honesty, the Japanese culture pushes for maxims that can keep it bonded together in a harmonious collective society. I believe that many ethical virtues that exist in Japanese culture are mainly 'secular' and related to the needs of this collective society to 'moral' principles, or maxims, holding it in harmony and balance.

This phenomenon is related to another Japanese concept known as 'group consciousness' (集団意識) which also supports my argument. It means that many of the virtues and ethical values common in the Japanese society serve the whole group and community, and are mainly group-oriented. Another interesting consequence of this situation is the

observation of 'conventionalism' in the ethical standpoint of the Japanese society where it contradicts Western ethics. For example, the Japanese society has a difficult time why others cannot respect their stance regarding 'whaling' which is supposedly a culturally accepted activity for the Japanese. In fact, the Japanese society is upset about the intolerance of the non-Japanese towards their culturally approved attitudes. This situation demonstrates the significant role played by Japanese society in setting the 'moral' principles that should or could govern the relationships based on group consciousness, though limited by an scale that encompasses individuals formidable to Japanese cultural values.

There are also instances where 'social cohesion' requires an attitude which is different from true honesty; a common example is when questions are asked about the injustice committed by Imperial Japan during its colonial rule over Korean and Chinese territories. Another example is in a court of law in Japan, where telling a lie may sometimes provide 'legal' protection for an individual, as opposed to a situation where it may harm the society; telling a lie is tolerated in the former but severely punished in the latter. Thus in legal cases between two individuals, telling a lie may be considered a strategy to win and as such is rather acceptable; however, similar lies that may hurt a group of people or can endanger the community or society are not tolerated.

Discussion

The strong socio-cultural obligations to be earnest and decent (*majime*) in the Japanese society helped with the rapid growth and development of their nation, and thus strengthened the self-image of Japanese citizens as devoted workers and their sense of 'national pride'. All Japanese citizens irrespective of religion can benefit from this 'secular' social stature. The only backdrop is the weakening of the sense of 'moral' responsibility towards a non-Japanese citizen or society.

Ironically, under certain circumstances, a Japanese individual may be set free from the obligation of honesty (Burns, 1998 and Reader, 2003). Burns explains the lower rates of academic dishonesty among Japanese high school students, as compared to the US and South African students, but how they increase significantly and take over the two other groups over the college years; the erosion of 'social control' and a weakening of their social commitment were deemed responsible for this deviation. Reader refers to Japanese self-images and national identity that assert moral superiority in the form of a 'civil religion'.

Another example is the case of a Nepalese man who was wrongly accused of murdering a Japanese woman in 1997, served 15 years in jail, and was simply deported from Japan with no apology after he was found innocent in 2012 (*Japan Today*, October 30, 2012; Retrial of Nepali convicted in 1997 murder case clears way for acquittal). Because he did not have a valid visa when he was arrested, there is no 'legal'

obligation for accepting 'moral/ethical' responsibility for the injustice that resulted from some 'mistakes'.

Consequently, there is a special risk of discrimination towards non-Japanese people living in a Japanese society because the social obligation on the Japanese to be decent towards the non-Japanese is not much strong. Fortunately, the Japanese policy-makers can use law and legal remedies to change this situation because as pointed out before, the law's position in Japan is strong, dominant to and setting the 'ethics'. Therefore, the right laws could play an important role in reducing discrimination because Japanese law is to be respected and obeyed by Japanese citizens.

Finally, of special concern, is the still growing preoccupation of the Japanese society with its 'uniqueness' and "appetite for self-reflection" with a paradoxical sense of insecurity and "self-doubt" (Pyle). In Japan, such discussions are presented as *nihonjinron* (日本人論) and most Japanese consider it to be true (Dale, 1986). The concept of *nihonjinron* has been followed as the Japanese moral code with explicit as well as implicit rules about community roles and individual manners (Kanedo, 2010). However, there is a backdrop in their regional affairs.

Although they are Asians with strong historical and cultural bonds to the Chinese, Koreans and Mongolians, the Japanese prefer to compare and rank 'outsiders' on the basis of which country they come from; by not focusing on their 'Asian race', common to their regional rivals, they emphasize on 'Japanese' nationality as a unique identity. Thus they may see themselves as similar to the punctual, serious and hard-working Germans, for instance, and build a hypothetical hierarchy of nations similar to the hierarchical structure of the Japanese society. Having a perspective as such makes it difficult to establish a common value of human equality irrespective of race and nationality, which can be a particular challenge in the development of regional integration in East Asia.

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Spirituality and the concept of *amae* or the desire to be loved

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The purpose of my presentation is, first if all, to introduce the meaning of the Japanese word, *amae* or the desire to be loved. There may be no direct equivalence of “*amae*” in English. Takeo Doi, the founder of *amae* theory, expresses *amae* in English as follows: “the wish to be loved or to be taken care of,¹ the wish to cling to the love object, the desire to be loved (p. 267), dependency wishes” (p. 271). *Amae* is a noun. *Amaeru* is its intransitive verb form whose meaning is, according to Doi’s interpretation, “to depend and presume upon one’s love” or “to indulge in

another’s kindness (p. 266).” As a non-Japanese’s interpretation of *amae*, let me show you Gregory Boyle’s, an American Catholic Father, description of *amae*. He tells of *amae*: “The Japanese speak of a concept called *amae*, living in a deep sense of being cherished, of raising kids lovingly.”² It is quite interesting that in almost all cases, the Japanese mention *amae* negatively, while the American Catholic Father refers to the concept positively. John Bester, who is the translator of *The Anatomy of Dependence* which is Doi’s most influential work, explains *amae* for non-Japanese: “*The Japanese term amae refers, initially, to the feeling that all normal infants at the breast harbor toward the mother—dependence, the desire to be passively loved, the unwillingness to be separated from the warm mother-child circle and cast into a world of objective ‘reality’.*”

The fact that there is no equivalence of *amae* in English does not signify that English speaking people don’t feel *amae* or *amae*-related emotions. Let me show you some examples which explicate *amae* or similar-to-*amae* phrases, clauses or sentences in English:

1 the degree to which one feels related to and loved by others and experiences safety and intimacy.³

2 purely seeking attention⁴ (This is similar to *amae*’s intransitive verb *amaeru*.)

3 Connections with others enable individuals to feel alive, loved, cared for, and listened to.⁵

4 The consultant responds by understanding and tactfully and appropriately communicating his understanding of the patient’s predicament through the psychodynamic life narrative. In so doing, he gratifies the patient in a way reminiscent of the early mother-child relationship, and a sense of oneness with a nurturing figure is reinforced.⁶ (The underlining is mine and in my opinion, it highlights the *amae*-related emotion.)

Amae is an ambivalent concept. While its negative connotation is “dependency” in English, its positive aspects can be found in the four examples mentioned-above. They are, in my interpretation, *amae*’s positive features.

All human beings experience *amae* as an infant but also in adulthood. I suppose *amae* works almost positively in Japan without the Japanese being aware of its positive function. As I said earlier, its negative sense is that of “dependency” or “childishness” in

² Gregory Boyle, *Tattoos on the Heart. The Power of Boundless Compassion* (New York: Free Press, 2010),91

³ Laurel Arthur Burton, “The Spiritual Dimension of Palliative Care”, *Seminars in Oncology Nursing* (Volume 14 Issue 2, May 1998), 126

⁴ Phil Cotterell, Helen Findlay, Ann Macfarlane MBE, “Patient and Carer Narratives and Stories,” in *Narrative and Stories in Health Care* (Oxford New York: Oxford University Press, 2009), 138.

⁵ Barbara Haight “Sharing Life Stories: Acts of Intimacy” in *Generations: the Journal of the American Society of Aging* 25(2),2001:90.

⁶ Milton Viederman, “The Psychodynamic Life Narrative: A Psychotherapeutic Intervention Useful in Crisis Situations,” *Psychiatry*, Vol. 46, August (1983), 243.

¹ L.Takeo Doi “Some Thoughts on Helplessness and the Desire To Be Loved,” in *Psychiatry*, 26, 266.1963.

English, the Japanese use the word negatively in almost all cases. I have shown you some examples of *amae* expressed in English, and will now tell you how easily we can find *amae* within transference both in psychoanalytic and psychotherapeutic situations. The four examples of *amae*, mentioned-above, are parts of the therapist-client relationship.

Let me explain the concept of transference in psychoanalysis. Takeo Doi, one of the most trained psychoanalysts as well as a psychiatrist says, "Simply put, the concept of transference refers to something in the personal feelings of the one being analysed toward the analyst that is transferred from feelings that once were directed toward people close to the patient."⁷

But I think that to show too much *amae*, except for infants and young children, brings shame, which Aristotle defines as a fear of dishonor.⁸ On the other hand, if Aristotle had known the concept, I suppose, he would have regarded it as something contributing to the matured personalities. Because, essentially, from the rational point of view, "*amae*" could be considered as part of his Organicist notion. In all cases, it points to the idea of Organic wholeness. Indeed, "*amae*" could directly refer to and correlate with Aristotle's Organicist philosophy and contemporary Biocosmology (neo-Aristotelism).

In a broader sense and figurative expression, "*amae*" (reflecting natural healthy conditions for the individual's development) is equally essential as in early childhood (for healthy physiological and social growth), as in a mature period.

Secondly, consider the definitions of spirituality where we see an important role for the term "meaning" in defining "spirituality". Judging from the context in which the word "meaning" is employed, we find the word is almost identical with "meaning in life".

Let me show you two examples of the definitions of spirituality: "*The essence of spirituality is . . . one's concern in the meaning and purpose in life and the afterlife inherent in human beings . . . Spirituality is a function which searches for the transcendence or the Ultimate within when one meets life's crises in which one loses 'a frame of reference of being' or 'self-*

identity' necessary to be human and to be oneself."⁹

" . . . spirituality is defined as a relationship with God (or whatever is held to be the Ultimate or Transcendent, e.g. a set of sacred text for Buddhists) that fosters a sense of meaning, purpose and mission in life. In turn, this relationship produces fruit, such as altruism, love, forgiveness, etc. which has a discernible effect upon one's relationship to self, nature, others, and the Ultimate."¹⁰

Takao Takahashi asserts that all human beings are, in nature, longing for "being cared for".¹¹ I interpret his statement as a proof of *amae*'s universality. Since, "longing for being cared for" is nothing other than *amae*. He says, "*Self-care connotes human nature. Those who are trying to find meaning in life should take good care of themselves. Self-preservation and finding meaning in life are at the basis of caring.*" Considering his opinions, I've come to the conclusion that we have to give ourselves appropriate *amae* or self-love when it comes to caring for one another. In other words, maintaining good interdependence, — especially in terms of the spiritual points of view or spiritualities—is paramount not only in therapeutic situations but in all human relationships. This is because, spiritualities indicate or imply connections, relationships, love, meaning, *amae* and others, which are of vital importance regarding good or true human relationships. The reason I include *amae* as a component of spirituality is that though very few people engaging in spiritual care mention transference in Japan, Elisabeth Young-Bruehl, an American psychoanalyst regards *amae* as the kernel of the transference.¹² I believe psychoanalysts and spiritual caregivers have something in common. One of which is that both have to analyze the transference of their patients or clients.

In conclusion, let me state my working hypothesis: I want to claim that both spirituality and *amae* have something in common; that is, there meaning. David W. Kissane et al says: "*Spirituality will be a powerful source of meaning for many; . . .*"¹³ Before each individual finds "meaning in life", does she/he need well-met *amae* experiences, in particular during infancy? I think they do.

[This paper was presented at KBRT7.]

⁷ Takao Doi, trans. by Mark A. Harbison, *The Anatomy of Self The Individual Versus Society* (Tokyo · New York · London, 1986), 137. Sigmund Freud tells of transference: "In every psychoanalytic treatment of a neurotic patient the strange phenomenon that is known as 'transference' makes its appearance. The patient, that is to say, directs toward the physician a degree of affectionate feeling (mingled, often enough, with hostility) which is based on no real relation between them". In Sigmund Freud, trans. and ed. by James Strachey *Five Lectures on Psycho-analysis* (New York London: Norton & Company, 1977), 51.

⁸ Citation at second remove from Aristotle. *Nicomachean Ethics* (Harvard, Cambridge Mass.)

⁹ Toshiyuki Kubotera, *A New Introduction to Spiritual Care*. (Tokyo: Miwashoten, 2007), 8-9. Available only in Japanese. Translation is mine.

¹⁰ David R. Hodge, *Spiritual Assessment Handbook for Helping Professionals*. (Botsford, CT: North American Association of Christians in Social Work, 2003), 14.

¹¹ Takao Takahashi, "The Concept of Care in Japanese Thoughts: Focusing on the Idea of Gods." in *The Range of Theories of Caring*, Takao Takahashi, Susumu Nakayama eds., (Fukuoka; Kyushu University Press, 2001), 69, available only in Japanese. Translation is mine.

¹² Elisabeth Young-Bruehl and Faith Bethelard, *Cherishment: A Psychology of the Heart* (New York: The Free Press), 30.

¹³ David W. Kissane et al, "Dignity, Meaning, and Demoralization: Emerging Paradigms in End-of-Life Care", *Hand Book of Psychiatry in Palliative Care*, ed. Harvey Max Chichinov and William Breitbart (Oxford University Press, 2009), 326.

Theological and Philosophical Partners for Human Rights

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Abstract

Grounding human rights in philosophy or theology may or may not satisfy the demands of universality ascribed by the "Universal Declaration of Human Rights." This paper seeks to explore how philosophical and theological partners may contribute or detract from the universal applicability of human rights. Major world religions share universal values such as the Golden Rule, a conception of compassion and the recognition of the basic interests necessary for human flourishing. While the indignities and inhumanity experienced in World War II prompted the Universal Declaration of Human Rights, the document affirms human dignity that relies heavily on a variety of civic, political, cultural and economic rights. Human rights as with global bioethics share a concern for the human condition, addressing issues at every stage of life. Human capacity equates with rational and relational ability. It is the universal embrace of human dignity for all persons with various capacities for cognition and relating that inspires advocates of human rights. The newborn child, the mentally compromised, the dementia sufferers share species-membership. Empathy and compassion for the suffering of others is embraced by philosophers and theologians of diverse stripes, each recognizing the common humanity articulated at least in theory as universal human rights. The concept of human rights depends on a vision of what might be rather than the current status quo. Such a vision challenges power structures, tradition, and provokes resistance because claiming human rights as universal suggests we look carefully at who we count as persons-humans.

Diverse Contributions to Universal Declaration

On 10 December 1948, the United Nations adopted the Universal Declaration of Human Rights (UNDR) without a dissenting vote, declared every human being, without distinction, possesses a set of morally authoritative rights and fundamental freedoms that ought to be socially guaranteed. The document holds states responsible for the way their citizens are treated as well as how they treat other states and their citizens. Recognizing the ideal vision of the UDHR does not mean every nation will ratify it or covenants derivative of it.

While Eleanor Roosevelt chaired the commission on human rights from which the UDHR emerged, she was one of several notable contributors to the thoughts contained in it. A Canadian professor of law, John Humphrey, based the draft on various European and Latin American documents on rights. A French secular Jew and later Nobel Peace Prize Laureate, Rene Cassin, revised the drafts. Carlos Romulo from the Philippines campaigned for rights of peoples under

colonial rule and for antiracial discrimination leading to article 2: prohibiting discrimination generally (Kao, 2011). India's Hansa Mehta lobbied for inclusive language e.g. in article 1 "all human beings (rather than 'all men') are born free and equal in dignity and rights." China's Peng-chun Chang pushed for social and not rational grounding for how we understand our moral obligations to others in the human tribe based on the Confucian concept of *ren* (two man mindedness) which became "conscience" in the second part of Article 1 ("they are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.") (Twiss, 1998). Confucian emphasis on role specific duties rather than on abstract individual rights is significant (Chan, 1999). The Confucian emphasis on role-specific duties does not negate inclusion of human rights in the ideal of *ren* (humanity, humaneness) (Chan 2000). Other Confucian scholars, e.g. Roger Ames (1988), consider Confucianism to be at odds with current formulations of human rights, and admonish rights advocates to learn the harmony tenets of East Asian culture in place of possessive individualism (Dallmayr, 2002).

Human rights are sometimes criticized as "western" in origin, or based in a particular religious/philosophical maxim such as Natural Law. Natural Law thinking has a diverse history depending on where one starts. Natural Law thinking can be found in Sophocles (496-406 BCE), Aristotle (384-322 BCE), Aquinas (1225-1274 CE). All of these share the idea of a common humanity, nature as a source of moral knowledge, and universal epistemic access to basic truths. Natural law thinking took a secular turn in the hands of Hugo Grotius who wanted a legal system composed of rights rather than laws: what conforms to our nature as rational and social beings was considered right. A century later John Locke argued that the Law of Nature is the basis upon which we claim inalienable rights of life, liberty, and property, a clearly antimonarchy political viewpoint and in keeping with the U.S. Declaration of Independence and the French Declaration des Crotis de l'Homme et du Citoyen. Nevertheless, protests arose from such persons as Jeremy Bentham who dismissed the idea of natural imprescriptible rights as "rhetorical nonsense" (Waldron, 1988). Universal endorsement of human rights does not rest on one ubiquitous philosophical perspective. For this reason, perhaps, the International Bill of Human Rights refer to neither God nor nature to provide a foundational underpinning.

Thomas Paine suffered for his advocacy of the "rights of man" as did Nelson Mandela. Sometimes religious belief inspires advocacy for rights, such as abolition of the slave trade or ending apartheid in South Africa. Twenty seven years in a prison designed to strip a person of dignity did not prevent Mandela from seeing the dignity in all humanity, including his captors. Emerging from prison Mandela was devoted to South Africa as a "rainbow nation" with eleven languages, three national capitals, a quadrilingual national anthem and room for "truth and reconciliation."

Sadly, it is often in horrific cases of abuse of human rights that we recognize a need for them. For example, during the trial of Slobodan Milosevic in The Hague, witnesses reported horrific events in Kosovo and Bosnia. As witness after witness recounted the horrors of “ethnic cleansing”, Milosevic sat with a placid expression on his face, seemingly untouched by the accounts of human suffering. In man’s inhumanity towards others, recounted in too many places and too many times in history, we are reminded of what ought to be but is not yet. Each repetition of the inhumanity of fellow humans invites us to reclaim the vision that all men (and women) are created equal. The rights we claim humans need to flourish need not be insidious seeds of individualism but a way to recognize our common humanity.

Crisis of universalism

The world community faces a crisis of legitimacy with respect to human rights for a variety of reasons, most of which pertain to how we answer two questions: who within the *Homo sapiens* species has rights and whose duty-responsibility is it to provide the conditions that make rights claims practical? Further it has been suggested that human rights are thinly disguised or updated ways of imposing “Western” ideas on other peoples who have their own values and traditions.

Samuel Huntington crafted the thesis: “clash of civilizations” between the “west and the rest.” In it, Huntington says values of “individualism, liberalism, constitutionalism, human rights, equality, liberty, rule of law, democracy, free markets and separation of church and state have little resonance in Islamic, Confucian, Japanese, Hindu, Buddhist, or Orthodox cultures” (Huntington, 1998). It is understandable that if human rights are perceived to be “western” and “individualistic” many theorists may wish to separate their support for human rights from enlightenment liberal values or monotheistic beliefs.

Contra Huntington, the drafting of the UDHR was the product of western and nonwestern writers as mentioned above. Perhaps more importantly, the United States, the United Kingdom, and the Soviet Union did not intend the newly organized United Nations to prioritize or promote human rights, because they perceived the purpose of the organization to be prevention of war. At the time of the UDHR writing the world was recovering from World War II, and colonization was still in place in much of the world. Certainly colonization has seeded distrust and resentment, for which apology may be insufficient to achieve reconciliation among peoples.

Encouraging affirmation can also be found in “non-western” communities, such as the Organization of Islamic Conference’s Cairo Declaration on Human Rights in Islam (1990) and Parliament of the World’s Religions’ Declaration toward a Global Ethic (1993). In the Cairo Declaration on Human Rights in Islam (CDHRI) endorsed by the Organization of the Islamic Conference (OIC) in 1990 was presented for adoption at the 1993 World Conference on Human Rights in Vienna, Austria. The origins for human rights in the

document were attributed to divine revelation in seventh-century Arabia to the Prophet Muhammad when he received the “Revealed Books of God.” The Cairo Declaration names the Islamic Shariah as the ultimate foundation of and reference for all the rights named within the document. In addition, the document describes human moral worth and common humanity and situates human rights within a holistic view of life (Kao, 2011)

More encompassing and reflective of the ancient wisdom inherent in many world religions, the Declaration Towards a Global Ethic issued by the 1993 Parliament of the World’s Religions cited universal values such as the Golden Rule to reach consensus on human rights and responsibilities. This Declaration calls for respect for life and prohibits killing, torture and genocide. Calling for mutual respect and compassionate consideration of others, the Parliament of World Religions did not offer a theological or philosophical grounding for the Declaration (Kao, 2011).

Human Rights are claims every person has simply because they are human, independent of anything else that might follow, i.e. nation-citizenship, religious affiliation, cultural context, gender, age, social status, etc. Human rights are a class or moral rights that aim to recognize and promote the dignity of every human being. That being said, it is clear that rights claims can and do conflict with one another, leaving open the prioritization of rights reflecting the plurality of most, if not all cultures. Communitarians do exist in cultures that are predominately characterized as individualistic. Martha Nussbaum has aptly observed people are “resourceful borrowers of ideas” and wisdom would counsel that we should think twice before dismissing an idea simply because it is not indigenous (Nussbaum, 2000).

Who has responsibility for those who suffer?

Slavery and serfdom have a long history. Ancient philosophers such as Aristotle argued that this was a “natural order”. Slavery existed in the Americas (North and Latin), in the Pacific Islands, in the Far East. At the beginning of the 19th century, over three-quarters of the human population were trapped in forced labor by slavery or serfdom, by caste, class, or race, such persons were not considered fully human and therefore denied equal rights. Intolerance toward those with different religious, cultural, political, or philosophical beliefs has at times contributed to lack of support for human rights. If a culture posits a natural order that includes a hierarchical arrangement, equality is inherently antithetical. Hereditary rulers e.g. the divine right of kings in Europe and the dynasty system in China illustrate the hierarchical polity and the power of the state. National sovereignty allowed rulers to treat their subjects as they deemed right without being accountable for abuses of human rights. How a state treated its citizens was immune from international scrutiny, and thus any person within said state who suffered rights abuses had no recourse to help or assistance.

Representatives from western societies, e.g. Britain, Canada, the United States, spoke strongly and favorably for universal human rights in the crafting of the Universal Declaration, with colleagues from many other cultures, religions and nations. Representatives were not solo voices of a univocal state. The civil war did not end racial discrimination in the U.S.A. nor did the civil rights act of 1964 create a society of harmony and good will toward all fellow citizens. Indeed even though the U.S. A. has signed the civil rights covenant of the UDHR it has not ratified the economic covenant. This history points to a progressive element in the human rights landscape: one which we have seen recounted in the enumeration of covenants descendent from the UDHR specifying the rights of women, the rights of the prisoner, the rights of the child, etc.

Rather than continue an unproductive dichotomy between “East and West, North and South” or slide into infinite relativism, there is merit in a cross-cultural dialogue. It is clear that most cultures are not monolithic, philosophically or theologically and conflict within cultures exists about human rights. One may reject human rights as ethnocentric. It is also possible that in so doing abandon particular culturally relative and useful human rights claims.

Dignity as grounding:

The Kantian framework of human worth is dignity arising from capacity for rational action: to act autonomously according to moral imperatives we give ourselves and others. Nicholas Wolterstorff argues that a functioning, reasoning, approach fails to encompass all human beings with dignity due respect, using the argument from “marginal cases” that illustrate where the least able person is still different from the nearest animal relative (Wolterstorff, 2008). Human Rights per se does not require the belief that humans are superior to other species. It requires universal recognition of a set of rights for all persons without saying anything explicitly or otherwise about other species’ moral worth. Therefore, a distinction can be made between natural rights and human rights.

Human rights require some vision of what humans hold in common. John Rawls used the “original position and veil of ignorance” to determine content for human rights applicable to all peoples (not individual persons). Rawls suggests eight areas that assist humans to function well, which he called the Law of Peoples (people to Rawls means essentially a nation-state, a community with a system of governance) (Rawls 1999). Rawls’ Law of Peoples lists elements and conditions that he labels decent but not liberal. The eight norms list conditions required for political stability thereby allowing rights to exist. The norms include freedom, equality, treaties, duty of non-intervention, self-defense, restrictions on conduct of war, assistance for other peoples living under unfavorable conditions, and honoring human rights (Rawls, 1999). In the eight areas, he affirms articles 3-18 of UDHR as genuine and posits a minimalist vision of what is necessary for human flourishing. Rawls Law of Peoples contains political support for human rights even if all peoples do

not support them locally. It affirms human rights based on mutually desirable outcomes but evades questions of why all persons should be entitled to protection.

Plurality:

Unity is not uniformity. Community or nation-state based grounding of human rights in their own terms and perspectives affirms human rights with plural foundations. Charles Taylor, the Canadian philosopher, suggests that unforced international consensus on human rights will reflect diverse fundamental values, consensus on norms of human behavior, without agreement on why they are the right norms (Taylor, 1999).

The capability approach taken by Nussbaum and others is a broad conceptual framework that offers a chance to compare quality of life across nations, evaluate public policy and justice of social institutions. Sidestepping religion and metaphysics, Nussbaum offers a set of ten human capabilities every person needs to be able to function in ways essential to living life of dignity as a human beings. The list includes life, bodily health, bodily integrity, sense cognition, emotions, practical reason, affiliation (in families, communities, groups), play, awareness and relationship with world of nature, and control or influence over one’s environment (including but not limited to political choices, property, employment, and meaningful relationships). (Nussbaum, 1999)

There is considerable overlap if not consensus between the UDHR, the Law of Peoples and the capacities approach. There is also room for pluralistic priority setting and interpretation. One country may secure primary education whereas another will provide public access to the internet as best serve the interests of its people.

Rawls and Nussbaum offer us visions of what human beings need to flourish, but why or how to justify human rights to sovereign states is not specified. They remind us that human rights are not the only path to totally satisfying meaningful and wonderful lives. Capacity approach is a consensus offering that supports what it means to have concern for human, animal and environmental wellbeing. Nussbaum does not insist on a religious locus of values or on pure reason as the source of truth. Respecting the social and political and moral norms of another suggests tolerance for a plurality of norms because they hold in common the object of interest: human beings. Consensus approaches such as Rawls and Nussbaum offer provide an olive branch to those who assert human rights are a western concept (Rawls 1999; Nussbaum, 2002).

Why might people agree that slavery or human trafficking is bad? Christians may say social justice or love of neighbor precludes treating human beings as property. Buddhist might use the normative value of compassion to sentient beings to oppose the trade. Kantians would claim the imperative that all persons should be treated as ends and never as mere means. Utilitarians would calculate a diminishment in the total welfare of humans. Other examples can be added, but

the point is that a world community could generate a list of universally human rights that are diversely justified.

Existential Realism:

We should not conflate the normative with the motivational. The existential failure to will *x* and do *y* is not limited to philosophers or theologians, to do what we ought is a universal challenge for all human persons. There is the possibility that the moral and the rational will coincide when the our eyes are opened to see the poor begging for food, the sick pleading for health care, and the refugees seeking a home to know that these neighbors are no more and no less human than we are and therein lies the reason to search for common ground. When we experience others coming into our presence bearing legitimate claims on us and how we treat them: as when we come into the presence of others with hopes about how they should treat us, we begin to see the common wisdom of the Golden Rule, not as a religious edict, or a philosophical maxim, but as a practical acknowledgement of our common humanity.

Positing the real and equal value of human beings gives moral weight to human rights. Why humans have worth can be grounded in theological or philosophical constructs. The International Bill of Human Rights makes it clear by its silence regarding a particular philosophical grounding, citation of any sacred text, or quotation of an individual. We may come to realize what ought to be through the experiential lens of what happens when we fail to treat humans humanly. Political - state sovereignty, aggressive acts of national defense, incarceration and detention without trial, point to failure to recognize our common humanity. Humanity ought to have a "hermeneutic of suspicion" to any claim that torture extracts useful information when all empirical data argue the opposite. Human rights advocates call attention to acts that degrade human beings, whether such actions occur within one's own country or in that of another. Most, if not all nations are vulnerable to some neglect or infraction of one or more of the rights articulated in the UDHR. Progress is the key: linking humanity with social progress. Existential realism offers a grounding that may transcend philosophical and theological categories. Human rights offers a vision of what it means to treat a person as a human being, and offers the vision of a human(e) community.

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Tanabe's Philosophy in the Comparative Contexts

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Abstract

As Hegel suggests, there is no philosophy apart from the history of philosophy. Each philosophy represents the spirit peculiar to its own period. Heidegger, too, holds that every philosophy is the sound of Being, and the history of philosophy is the history of Being. This is true for the Kyoto School philosophy of modern Japan represented by Kitaro Nishida, Hajime Tanabe, and Tetsuro Watsuji, who made to endeavor to construct a new synthesis of Western and Eastern philosophy in the critical, confrontational, and creative ways in the given historical contexts. In particular, Tanabe (1885-1962) attempts at the dialectical unification of Christianity and Buddhism in the last resort from the standpoint of Absolute Nothingness. As, in Whitehead's conception of process, actuality is composed of the past objective being as the given data

and the present subjective act of becoming, so it might be highly significant to analyze the constitutive elements of Tanabe's system of thought from the historical and comparative contexts.

Confucian Influence

Tanabe does not presuppose any pre-existent entity such as God or the Eternal Ideas prior to the actual world. The origin of the world is mysteriously incomprehensible and unrecognizable for human beings, according to him. Human beings can start only from the end as the given facts of the world. His standpoint is not from above but from below, being restricted to the historical perspective without the transcendental realm. This echoes to natural sciences and Confucian standpoint. Confucianism is secular in character and not transcendental in its basic structure accorded with the given society. The backgrounds of Tanabe's thinking lie in Confucian culture and Buddhist tradition as well.

The historical origin of Confucian culture is found in the oldest Chinese literature, the *Book of Change*, in which dual elements of the positive and the negative in opposition are alternately convertible and changeable. The basic structure of nature represented by the movement of the sun and the moon is applicable to all aspects of human society, including the way of life. The alternation of the positive and negative element generates all phenomena in the universe, and this is the basic principle of the Change. On the one hand, the historical background of Tanabe's thought lies in Confucian culture, and on the other hand, it is also much influenced by the Buddhist notion of Emptiness, which rejects any pre-existence of the original source of the world but whose reverse side constitutes the dependent origination of all phenomena in the nexus. This means that there is no original source of phenomena in the world, but rather that phenomena have no their own substantiality or own being eternally. All phenomena in the universe arise and perish alternately, and are constituted by the inner relationship between the cause and the effect. This causality is called *pratityasamutpada* in Sanskrit, which might correspond to A.N. Whitehead's conception of concrescence. The Confucian idea of Change and the Indian Buddhist notion of the dependent origination might be in some way parallel to each other from the standpoint of the occurrence of phenomena. That Change has no substance but only operation or activity may suggest the latent correspondence of Confucian and Buddhist conceptions.

Even so, however, there is another stream within the wider sense of Confucian culture, i.e., Laozi's and Zhangzi's idea of Nothingness. Their ideas of Nothingness are different from the Indian Buddhist notion of Emptiness in that the former is characterized by the original source of all phenomena in the world, whereas in the latter there is no original reality prior to phenomena. In other words, Laozi's and Zhangzi's ideas of Nothingness are emanational in character, while the Buddhist notion of Emptiness never presupposes such pre-existent reality from which

phenomena come about and into which they return. This difference between them is significant, and contributes to the preparation for the settling of the Buddhist notion of Emptiness in Confucian culture. They are not the same or identical, but merely similar on the surface.

The difference between Laozi's and Zhangzi's idea of Nothingness and the Buddhist notion of Emptiness might be reflected in another way within the ambit of the Kyoto School of Philosophy, namely between Nishida's and Tanabe's concept of Absolute Nothingness. Whereas Nishida leans towards Laozi's idea of Nothingness, though there is some mixture with the latter, Tanabe authentically points to the Buddhist notion of Emptiness. Nishida's thought may reflect the very traditional heritage of the Eastern intellectual history in general without explication of the literal references. This is due to the fact that the intellectual tradition in Japan comprises many different elements and streams of various ideas which originally came from the diverse cultural backgrounds and regions but are actually mixed with each other in content in the long historical formation of the intellectual cultural heritage.

Hegel's Dialectic in Comparison

For Tanabe, Hegel's dialectic seems to be still confined to continuous identity and not yet fully developed into the existential dialectic which is characterized by negative mediation in the proper sense.

Human beings should act in reformation in front of death to make eternity temporal as the interruption of its endurance, and resurrect and renew it in the depth of moving origin of being, i.e., Absolute Nothingness, entailing the end of being enduring since the past countless eons and simultaneously opening up a new era in reformatory action for the future. Human existence as a creating element participates in eternity in the way that return is identical with renewal in the form of the existential cooperation as the spacious extension as well as the repetitive progress in time through the conversion in negation from death to resurrection.

On the relationship between the state existence and the individual, Tanabe criticizes Hegel's dialectical logic for still clinging to the self-identity of being. For Tanabe, if the subjectivity of the state existence, which is to be mediated by the individual freedom, were directly unified with the subjectivity of God, and there were no conversion in negation of the individual and hence in no need of the mediation of the Other power but only the self-effort of the individual, then the state existence could be merely a finite God on earth as a self-limitation of God and never signify the negative mediation to the revelation of God. But on the contrary, the negation of its finitude, together with the negation of the finitude of the individual spirit, would be converted into the preservation and retention of the content of the world from the eternal God. It would turn out to be optimistic *status quo*.

On the part of Hegel, according to Tanabe, the opposition in negation and reciprocal conversion between the state existence and the individual cannot become self-conscious in action, and the concretization of the individual and its simple subsumption under the state existence are interpreted in a way of the self-identical logic. Religion then turns out to be the immediate revelation of God without the mediation of the state existence to which the individuals are opposed in action, and the political practice of the state existence as the species-like substratum which mediates between God and the individuals in negation is not required any more. This is a kind of the theory of emanation and immanence entailing the divinization of the given actuality. This is the reason that what is reasonable is actual, and what is actual is reasonable. Thereby the linear progression prevails over the cyclic mediation.

According to Tanabe, the construction of the state existence is negative in character as the expedient, and only in so far as it is constantly renewed in the reformatory practice, it can be made to exist in action through the mediation of the individual. The individual existence is based upon the principle of Absolute Nothingness, whereas the state existence is the dynamic balance between the negation resulting in a constant renewal in reformation and the affirmation retained by the past tradition. The former is the revelation of the subjectivity of God, while the latter is the mediating manifestation of the substratum of God. God as Absolute Nothingness becomes manifest and present through conversion in negation of the both of the state existence and the individual.

The state existence on the level of species-like society is such a substratum as the expedient on the basis of which the individual is to be negated. This may be analogous to Christ as the archetype of human beings in communicating the truth that the relative is identical with the absolute to us. Therefore the state existence is such an expedient as mediating between the individual and the substratum on which the mutual love among the individuals is communicated, and is made to exist as far as it is to be renewed in conformity with its historical mission by the constant practical action of the individual; it is so as a moment of negation within Absolute Nothingness as the expedient. It is not such a specific being as is subsumed under the universal God according to the self-identical logic as in the case of Hegel.

For Hegel, from Tanabe's viewpoint, there is no mediation of the state existence which is mediated between the individual and the universal genus, but rather the individuals are subsumed under both of the species and the genus. In other words, the individuals should be negated by the state existence which is negative in mediating the individual to the genus and which is ascribed to Nothingness owing to its self-negation and by standing in opposition to the universal divine goodness which is the ground of its existence. In the later Plato, in particular in his *Nomoi*, according to Tanabe's interpretation, Absolute Goodness arises from the practical mediation of Absolute actuality qua

ideality as the second order, and in doing so, the species comes to the terms to the absolute unity with the genus solely through the negative mediation of the state existence.

In Conclusion

In as much as for Hegel the Absolute is apprehended not only as the substance but also as the subject, for Tanabe Absolute Nothingness is not only transcendent and beyond the relativity of the phenomenal world, but also is immanent in space and time as the self-realization in and through the mediation of self-negation. In this sense, Tanabe's thought might be Aristotelian in character as a result of his critical confrontation with Hegel.

Although for both Hegel and Tanabe the truth of human beings lies in action, Tanabe places more the emphasis on the individual in terms of the perpetually self-negating activity of Absolute Nothingness, rather than in terms of the self-identical Being presupposed in the beginning as in the case of Western thinking.

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The Current State of Surrogate Conception in Japan and the Ethical Assessment of Dr. Yahiro Netsu – An Ethical Investigation of Japanese Reproductive Medicine (Surrogacy)

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Abstract

In this paper I will introduce the current state of surrogate conception in Japan (layer 1), identify Dr. Yahiro Netsu's ethical assessment of the surrogacy treatment in which he is involved (layer 2) and the fundamental medical viewpoint that supports his ethical assessment (layer 3).

Layer 1: As of October 2013, from a total number of 21 cases of surrogate conception, 10 pairs achieved pregnancy and 10 fetuses developed in 11 mother/daughter cases, and 4 pairs achieved pregnancy and 6 fetuses developed in 10 blood related sisters & sisters-in-law cases.

Layer 2: Dr. Netsu's position, based on his solemn medical creed that 'as long as there are people who suffer, they are not to be left to their fate', is to implement surrogacy 'supporting reproductive technology'.

Layer 3: Dr. Netsu is anything but a promoter of surrogate conception. When confronted with a patient

who is only able to have a child of her own by the surrogate conception, and with no other option to answer that patient's pleas for help, as a physician Dr. Netsu just cannot ignore her.

Dr. Netsu does not possess an indomitable religious mind that would support his ethical assessment. If asked, I would say the foundation supporting Dr. Netsu's ethical assessment is the patrimonial precepts that shape Japanese culture. Putting it simply, these are the traditional values (the importance of justice, and the reverence of heaven and the love of people) 'to live in a way that is not shameful to god or to ones ancestors' and 'the gratefulness for life' that were common among the Japanese people before World War II.

Dr. Netsu's basic medical ideology can be summarized in the following 3 points.

1. A physician is there for his patients
2. Care for patients through their eyes
3. The patient is a physician's best teacher

Keywords: Surrogacy, Art, Yahiro Netsu M.D., Ethics, Reproductive Medicine

Foreword

The only obstetrician and gynecologist in Japan who has continued to implement surrogate conception, even before the TV personality Aki Mukai brought attention to the surrogate conception issue in Japan, lives in Nagano prefecture. This man is Dr. Yahiro Netsu, the director of the Suwa Maternity Clinic (SMC).

Since 1996 Dr. Yahiro Netsu has been practicing procedures in advanced reproductive technology such as non-spousal IVF and surrogate conception in Suwa city, Nagano prefecture, based on his medical conviction that 'as long as there are suffering patients, they are not to be left to their fate' and 'one must focus on the needs of patients, no matter what happens'¹⁴. At the SMC, based on the clinic's guidelines, the creed has always been 'treatment before regulatory report'¹⁵, while the Japanese government has not made any progress in the creation of legislation regarding surrogate conception, and although the Japan Society for Obstetrics and Gynecology (JSOG) and the Science Council of Japan Committee for Deliberating the State of Assisted Reproductive Technology have extolled a general prohibition of surrogacy in place of the Japanese government, releasing reports like *Opinion regarding Surrogate Conception* (April 2003)

¹⁴ Cf. Dr. Yahiro Netsu: *Do Not Take Away Our Lullabies*. Karamatsu Shobo 6: 177-243, 2004. Dr. Netsu's fundamental attitude towards medical treatment overflows from all his words and deeds. See Dr. Takeshi Kaido: *Japanese Medicine. Look at This Person!* PHP: 196, 2012.

'In case that I am asked by a patient, why don't you help me with your advanced assisted reproductive technology, I cannot prohibit using it without being able to give its reason? Japanese people should be ashamed that the JSOG makes Japanese suffering patients' diseases cured in other countries than in Japan, though there are Japanese doctors who are well versed in advanced assisted reproductive technology'.

¹⁵ Dr. Yahiro Netsu: *Really ("Hokai")*. Karamatsu Shobo: 19-21, 2012.

and *Issues in Assisted Reproductive Technology centering on Surrogate Conception – towards a Social Consensus* (8 April 2008).

The purpose of this paper is to investigate advanced reproductive medicine (surrogate conception) ethics in Japan based on a three-layered structural analysis. In this paper I will introduce the current state of surrogate conception in Japan (layer 1), investigate Dr. Yahiro Netsu's ethical assessment of surrogate conception based on his experience (layer 2) and Dr. Netsu's unique standpoint towards medical science in support of his ethical assessment (layer 3). In conclusion, I will provide an overview of a topic for future research.

The current state of surrogate conception in Japan (layer 1)

(a) Surrogate conception regulations of the Science Council of Japan Deliberative Committee on the State of Assisted Reproductive Technology

While the director of the SMC Dr. Yahiro Netsu was raising one issue after another to society, on 30 November 2006, the Japanese government (both the Ministry of Justice and Ministry of Health, Labour and Welfare) requested the Science Council of Japan (president Ichiro Kanazawa), in a communication cosigned by the Minister of Justice and the Minister of Health, Labour and Welfare, to hold deliberations on the state of assisted reproductive technology (infertility treatment) focusing on surrogate conception ('surrogate mother' in artificial insemination type surrogate conception/'host mother' in IVF type surrogate conception). The Science Council of Japan immediately established (21 December 2006) a deliberative committee on the state of assisted reproductive technology and requested an investigation¹⁶. The fruitful products of this investigation resulted in the external report *Issues in Assisted Reproductive Technology centering on Surrogate Conception – towards a Social Consensus* (8 April 2008).

The main points of the external report concerning the state of assisted reproductive technology centering on surrogate conception ('surrogate mother' in artificial insemination type surrogate conception/'host mother' in IVF type surrogate conception) are as follows.

- (1) As for surrogate conception, legal regulation (e.g., a *Bill on Assisted Reproductive Technology* (tentatively named)) is required and, based on this law, as a rule the prohibition of surrogate conception would be advisable.
- (2) Surrogate conception done for honor and profit shall be dealt with by punishment. The performing physician, intermediary and requestor will be subject to punishment.
- (3) In light of the necessity to provide for the safety of the mother and the rights and welfare of the child that is born and to comprehend medical, ethical,

¹⁶ The 8th Science Council of Japan (24 August 2007) called a hearing to learn the opinions of Dr. Yahiro Netsu and Aki Mukai.

legal and social issues, trial implementations of surrogate conception (clinical tests) under strict control limited to women who congenitally lack a uterus or whose uterus has been removed as a method of treatment can be considered.

- (4) For the performance of surrogate conception trials, an official committee of operations including medical, welfare, legal and counseling specialists must be established. This committee will, in due time, evaluate the medical safety and the social/ethical validity, and if there are no concerns, it will amend the law and give its approval within a standard set of guidelines. If there are any harmful effects, trials will be discontinued.
- (5) Concerning the parent-child relationship of the child born out of surrogate conception, the person who undergoes surrogate conception will be regarded as the mother.
- (6) Concerning the requesting couple and the child that is born, a parent-child relationship will be established by adoption or special adoption.
- (7) Concerning the right of the surrogate child to know his or her family background, the welfare of the child must be given maximum consideration. However, this will be a major topic hereafter as the case of surrogate conception has to be assessed upon ample preliminary consideration of this right in case of long-term practices such as artificial insemination with sperm from a third party (AID).
- (8) Since the problem remains that the debate on conception through egg cell donation or with frozen sperm of a husband after his death remains unfinished, and because there is also the possibility that new problems may still arise, the continued deliberation of assisted reproductive technology is required.
- (9) Concerning issues of a bioethical nature, given their importance, it would be advisable that these issues are dealt with, including policy development, by the establishment of a new official permanent committee and public research facilities.
- (10) In the event of any debate surrounding assisted reproductive technology, beginning with surrogate conception, the welfare of the child that is born must be given top priority.

On 16 April 2008, the Japanese government (the Ministry of Justice and the Ministry of Health, Labour and Welfare) received the external report from the Science Council of Japan Deliberative Committee on the State of Assisted Reproductive Technology. After this time, it appeared as if there would be some progress in the preparations for an *Assisted Reproductive Technology Bill* (provisional name), but to date the Japanese government has not taken any action towards the establishment of such a law. Under such circumstances, on 9 May 2008, Diet members with a direct interest in surrogate conception launched a 'suprapartisan study group to further preparations for a surrogate conception bill'¹⁷ (Yoko Komiyama,

president; Seiko Noda, secretary), and when on 30 November 2010, following the change of cabinet, the 'study group on preparations for a bill concerning assisted reproductive technology' (lead by the office of Masako Obuchi) was launched, this group formulated in June 2012 the draft for a Diet member bill conditionally approving assisted reproductive technology such as egg cell donation and surrogate conception involving a third party.

(b) The current state of surrogate conception from the experience of Dr. Yahiro Netsu

The SMC director Dr. Yahiro Netsu opened an IVF facility inside the SMC in 1996 as the result of an encounter with a woman with Mayer-Rokitansky-Küster-Hauser syndrome, and in 1997 he opened a counter for patients without a uterus with his own guidelines at the foundation. Dr. Netsu's publication of the first performance of surrogate conception (surrogate conception with a blood related younger sister) in Japan occurred on 19 May 2001. Thereafter, Dr. Netsu's publications on the realities of surrogate conception have piled up one after the other, adding to the list whenever finding the chance.

Though, at the time of the SMC's opening, Dr. Netsu was performing surrogate conception with both blood related sisters and sisters-in-law, he began surrogate conception with blood related mothers in 2003, and has worked to unify his treatment policies since 2006 in favor of surrogate conception with blood related mothers with whom certain kinds of problems are difficult to occur.

The Japanese government (the Ministry of Justice and the Ministry of Health, Labour and Welfare) interpreted the issues that Dr. Netsu consecutively raised to society with grave concern and on 30 November 2006, requested a deliberation regarding the state of surrogate conception by the Science Council of Japan. The Council that accepted the request, established a deliberative committee regarding the state of assisted reproductive technology and reached the conclusion of general prohibition.

Dr. Netsu, upon hearing of Committee chair Shigehiko Kamoshita's statement that the deliberative process in reaching this conclusion did not contain public data on surrogate conception in Japan, on 3 April 2008, published data from 15 cases of surrogate conception on the homepage of the SMC in the paper *Deliberation from Surrogate Conception Practice at This Clinic – Report on Surrogate Conception at This Clinic*.

The breakdown of the causal disorders in these 15 cases was: 6 congenital cases (1 case of severe uterine hypoplasia where only traces of the uterus existed, 5 cases of Mayer-Rokitansky-Küster-Hauser syndrome), 9 acquired cases (4 cases with a myoma of the uterus, 2 cases of premature detachment of the placenta and DIC (disseminated intravascular coagulation), and 2 cases of uterine body cancer and 1

¹⁷ Its predecessor was the 'suprapartisan study group for the deliberation of bioethics and reproductive technology' that

was inaugurated in August 2006 (president Kayoko Shimizu, secretary-general Seiko Noda).

case of uterine rupture). Embryo transfer was performed 37 times in these 15 cases, with surrogate mothers, in 11 cases becoming pregnant, in 8 cases the surrogate mother gave birth, in 3 cases the surrogate mother had a miscarriage. In 4 cases the surrogate mother did not become pregnant.

The surrogate mothers in these cases were made up of sisters-in-law (7 cases), blood related mothers (5 cases), and blood related sisters (3 cases) with the age range of over 35 years of age (10 cases), and over 55 years of age (4 cases)¹⁸. Of the 4 surrogate mothers aged over 55 years, the oldest one was a 61 year old blood related mother who gave birth to her grandchild.¹⁹

Thereafter, Dr. Netsu released the actual surrogate conception results as of 1 February 2011.²⁰ Among the total 21 surrogate conception cases, 11 cases were between mother and daughter, and for the 10 couples with whom implantation and pregnancy were achieved, 10 children were born. 10 surrogate conception cases involved blood related sisters and sisters-in-law, and for the 4 couples that achieved implantation and pregnancy, 6 children were born. The results showed that, as compared to surrogate conception with blood related sisters and sisters-in-law, the pregnancy rate of surrogate conception with blood related mothers was higher.

Dr. Yahiro Netsu's ethical assessment regarding surrogate conception (layer 2)

For the main part of this paper, we will look for the ethical assessment of Dr. Yahiro Netsu who is the only physician to bravely continue to perform surrogate conception based on his personal medical beliefs in Japan where assisted reproductive technology legislation is non-existent and immersed in

declarations for the prohibition of surrogate conception from the Science Council of Japan Deliberative Committee on the State of Assisted Reproductive Technology to the JSOG. While we can gain an understanding of Dr. Netsu's medical ethical point of view through his numerous writings and his ordinary words and deeds, it is concisely summarized in his documented lecture *It Is Thus That I Perform Surrogate Conception in Japan Based on An Ideology* that was delivered when he was invited as a panelist at the 5th Symposium on Religion and Bioethics, *Considering the Issue of 'Surrogate Conception'* (Kokugakuin University, 25 February 2011). With this lecture as our foundation, we will next search for Dr. Netsu's medical ethical point of view.

We can divide Dr. Netsu's ethical view into an absolute ethical view and a relative ethical view. The absolute ethical view that Dr. Netsu holds can be summed up in the following 4 articles.

1. It is not allowed to kill or wound human beings.
2. It is not allowed to steal the property of people.
3. It is not allowed to trade human beings.
4. It is not allowed to deceive people.

The absolute ethical view that is composed of the above 4 articles is a legal structure, i.e. natural law as a universal law grounded on the rational faculty in human beings that must be universally protected, whereas the relative ethical view is an ethical norm that changes together with periods in time, ethnicity and place of residence. The tools by which humans are made to obey are positive laws that are effective in a certain period and society. The JSOG's regulatory report concerning the practice of assisted reproductive technology (surrogate conception, non-spousal IVF-ET, preimplantation genetic diagnosis, and others) is no more than a regulation based on the relative ethical view of one elective vocational body; it is not a positive law in the capacity of norms that bear the contemporary and social restrictions the Japanese people must adhere to. In short, the JSOG regulatory report does not hold legal power. Moreover, in cases where the JSOG regulatory report is not able to adequately reflect contemporary and social changes, Dr. Netsu's stance is that even though he is a JSOG member, it is not a requirement that he is restricted 100%, and that he should be able to practice 'relief offering reproductive treatment' under the medical belief that 'as long as there are suffering people, they cannot be left to their fate'. Dr. Netsu continues to battle with the JSOG that at times makes erroneous judgments in its regulations for assisted reproductive technology. The term 'relief offering reproductive treatment' that was coined by Dr. Netsu, implies 'reproductive treatment that is effected by the spirit of mutual support'. Specifically, the treatment consists of the following 3 types of reproductive treatment.

1. Non-spousal artificial insemination called AID that has been performed for about 60 years.

2. Non-spousal IVF (sperm donation, egg cell donation).

3. Surrogate conception—author's note: even though Dr. Netsu approves of the IVF type surrogate

¹⁸ The results of 15 surrogate conception trial cases (Tokyo morning edition *Yomiuri Shimbun*, 5 April 2008).

Relation to requesting spouse	Number of people	Pregnancy	Miscarriage	Birth
Blood related mother	5	4	0	4
Blood related sister	3	2	1	1
Sister-in-law	7	5	2	3
Total	15	11	3	8

¹⁹ Tokyo morning edition *Yomiuri Shimbun*, 21 August 2008.

²⁰ By the end of March 2013, the number of surrogate conception cases Dr. Netsu had managed remained at 21.

Relation to requesting spouse	Number of people	Pregnancy	Miscarriage	Birth
Blood related mother	11	10	0	10
Blood related sister	3	2	1	1
Sister-in-law	7	5	2	3
Total	21	17	3	14

conception 'host mother', he is opposed to the artificial insemination type surrogate conception 'surrogate mother'.

However, Dr. Netsu takes a definite stance against surrogate conception (a 'host mother' in artificial insemination type surrogate conception/a 'surrogate mother' in IVF type surrogate conception) for commercial purposes²¹. On this one point, Dr. Netsu's opinion is in agreement with fundamental policy of the Science Council of Japan Deliberative Committee on the State of Assisted Reproductive Technology (2), that clearly states that 'it should be dealt with by punishment. The performing physician, the intermediary, and the requestor should equally be treated as subject of punishment.'

Accordingly, in order to prevent abuses of surrogate conception that are contrary to the basics of mutual support, Dr. Netsu emphasizes 'the necessity of developing a constructive positive law for surrogate conception', stating that it is 'indispensable to provide a positive law that will, among other things, prohibit surrogate conception for profit, commercialism, and even more, by coercion'. Dr. Netsu, being aware of contemporary and social restrictions, also insists on the necessity of regular revisions to such a positive law. It is 'also the right and the responsibility of each of us individually to check if the laws are appropriate to our changing society, and to modify the law when required'.

Finally, regarding the critical opinion whether it is necessary for women with the Mayer-Rokitansky-Küster-Hauser syndrome who congenitally lack a uterus, and women whose uterus has been totally removed as the result of affections like a myoma of the uterus and uterine cancer, to go as far as to be given 'reproductive relief treatment' in order to have their own child, Dr. Netsu believes as follows.

The irresponsible assertion that 'people who do not have a uterus must give up and accept reality without hoping for a child' is an old-fashioned interference, not in any way different from others demanding that 'women with a uterus must always make children'. 'People must not interfere in another life with regard to whether they have children or not'. As long as one does not violate public order and standards of decency, it would be a socially sensible attitude for others not to meddle in other families' reproductive liberties. In the first place, the right to pursue happiness with regard to

²¹ 'Supporting reproductive technology is not something that should be implemented forcibly or commercially, it is voluntary mutual assistance, i.e. an interdependence that is realized through a volunteering spirit, goodwill and human love' (the February 25th, 2011 recorded lecture of Dr. Yahiro Netsu: *It Is Thus That I Perform Surrogate Conception in Japan Based on an Ideology*). Below opinion of the same purport is also expressed in the July 24th, 2011 recorded lecture of Dr. Yahiro Netsu: *The Art of Medicine – To All Who Aim at Becoming a Physician* (Medical Department, Shinshu University). A point that is of vital importance in conducting 'supporting reproductive technology' is a volunteering spirit that regards everything except necessary expenditures as free of charge (the prohibition of trade in things related to life), 'it may not be done as business.'

reproduction within the family as the basic unit constituting society, as long as it does not violate social standards, is guaranteed in article 13 of the Japanese Constitution.

The fundamental medical view supporting Dr. Yahiro Netsu's ethical assessment (layer 3)

At the outset of his lecture at the 5th Symposium on Religion and Bioethics named *Considering the Problem of 'Surrogate Conception'*²² Dr. Netsu expressed the following medical view that supports and formulates the foundation of his ethical assessment.

I am not in any sense a member of the school that promotes surrogate conception. There was a patient in front of me who could not have her own child in any other way but by the method of surrogate conception, and when I was solicited for relief by this desperate patient, as a physician I could not ignore her.

The Japanese saying which states that 'we help those who appeal to us in a time of distress' is an expression of the medical ethics in the art of healing. Dr. Netsu, who practices the 'benevolent art of medicine', does not have an indomitable religious backbone in support of the foundation for his medical ethic. If I were asked, I would say that the foundation for his ethical assessment lies in the patrimonial teachings that make up Japanese culture. To put it plainly, these are the traditional values (a strong moral sense and, the reverence of heaven and the love of people) that were common to the Japanese people prior to World War II like those of, 'living in a way that will shame neither god nor ancestors' and 'being allowed to live; being grateful'.

Dr. Netsu's fundamental medical belief can be summarized in the following 3 points.

1. A physician is there for his patients.
2. Care for patients through their eyes.
3. The patient is a physician's best teacher.

The above medical convictions are the product of the exhortation of a dozen or so American teaching staff at the time Dr. Netsu was a resident intern at Ryukyu Governmental Central Hospital (present day Okinawa Prefectural Central Hospital), and afterwards became his precept in his daily diagnosis and treatment as general practitioner; Dr. Netsu's three commandments of self-reproach as it were.

Obstetricians and gynecologists involved in assisted reproductive technology, actually realize anew daily the dignity of life by witnessing in their medical routine the birth of life and, in unfortunate times, the unexpected death of a mother or a child. Obstetricians and gynecologists, who in the implementation of assisted reproductive technology use IVF-ET as their essential technology, will inevitably in the process of choosing a gamete (sperm, egg cell, fertilized embryo) confront the selection of life issue. With respect to this point, obstetricians and gynecologists are required to have a highly ethical outlook that restrains them at all

²² The 25 February 2013 lecture of Dr. Yahiro Netsu: *It Is Thus That I Perform Surrogate Conception in Japan Based on an Ideology* (Kokugakuin University).

times. Dr. Netsu, who is more than any average physician aware of the need for a highly ethical view in his official capacity, performed the first selective reduction operation in Japan in 1986. At that time, the arrows of criticism were shot at Dr. Netsu by the Japan Association of Obstetricians and Gynecologists (JAOG), and his fellow physicians and the general public condemned him by calling it 'an act against the providence of nature' and 'an act infringing on the domain of god'.

To criticisms such as these, Dr. Netsu offers the following unsophisticated sentiment. Medical treatment is a persistent activity endeavoring to both eliminate matters obstructing life and to prolong life. If people reassessed this hard reality again, speaking from a broad perspective, the very medical activities that resist the death of living organisms would already be 'acts against the providence of nature' by which the souls of all things in nature transmigrate.

Nevertheless, whether medical activities that resist the death of living organisms are 'acts against the providence of nature' or not, progress and clinical application of medical technology are favorably received by human society as instruments that amplify human life and public welfare, and transcended race and time. A perfect understanding of the paradoxical world of such people is an important prerequisite for a debate. Still furthermore, would they persist in calling a medical act that ultimately, after having exposed the mother to physical danger by not doing selective reduction, artificially terminates all pregnancies in exchange for the safety of the mother's body 'an act in accordance with the providence of nature', while at the same time condemning a medical act that in a multiple pregnancy saves mother and child by reducing the number of pregnancies an unethical 'act that goes against the providence of nature'? If the human capability of performing selective reduction is to be condemned as 'an act that goes against the providence of nature', then should not the ultimately total pregnancy termination as measure to save women with a multiple pregnancy be denounced even more as 'an act going against the providence of nature'?

Since 1986, Dr. Netsu has continued to perform selective reduction on the conviction that 'it is wrong to regard rescuing some as outrageous, while artificial termination of all fetuses in a multiple pregnancy is allowed'²³, and by July 2011, the number of his cases exceeded 920 with more than 1500 children born. Today, selective reduction has been implemented in many Japanese obstetric and gynecological clinics.

As stated above, Dr. Netsu also expresses a sense of discomfort with the discussion that denounces selective reduction as 'an act trespassing on the domain of god'. Humankind's strenuous work through

intelligence and the technology of the life sciences that has served in explaining causes of disease and the eradication of obstructions to life in the fight against unknown diseases that made humans of the pre-civilized world shudder with fear as divine punishment is a chronicle of progress replete with tough and successful struggles in medical science. The course of medical science, that has stepped into an unknown realm while respecting the entity unifying all things in nature, struggling with strange diseases, is the fruit of human intelligence and unmistakably has been the driving force behind the advancement of humankind. Nevertheless, the 'domain of god' exists on an elevated plain and greatly surpasses human intelligence that remains as only a little wiser than a monkey, 'from where god is quietly watching how we humans use the intelligence that we have received, and whether we live interdependently.'

In concluding this investigation into Dr. Netsu's basic medical view, I quote 2 fragments from *My commandments of self-reproach in the daily practice of diagnosis and treatment as general practitioner ("Kotonoha Tuzuri")* that subtly illustrate Dr. Netsu's mindset:

Be grateful for everything in the service of people (tanka, March 1989)

My own emotional pain and sorrow and my responsibility and my growth (tanka, March 16th, 1995)

These tanka are characteristic of a unique Japanese obstetrician and gynecologist who, based on the above-mentioned fundamental medical ideology, is struggling to open up the untouched field of assisted reproductive technology (selective reduction, non-spousal IVF, surrogate conception, preimplantation genetic diagnosis).

Conclusion

The present paper is a preliminary investigation of reproductive technology ethics in Japan using a methodology called the three-layered structural analysis. Previously, facts concerning the current state of surrogate conception in India and Thailand and the ethical assessments of physicians in charge have been revealed by way of this analysis. In our continued research on reproductive medicine (surrogate conception) ethics in each Asian country where surrogacy is practiced (India, Thailand, Malaysia, the Ukraine, etc.), the gathering of diversified information helpful to the preparations for an assisted reproductive technology bill in Japan is a future topic of research.

This paper was presented at KBRT7.

²³ The 24 July 2011 recorded lecture of Dr. Yahiro Netsu: *The Art of Medicine – To All Who Aim at Becoming a Physician* (Medical Department, Shinshu University). On the commotion surrounding the first implementation of selective reduction in Japan, see *The Practice of Selective Reduction – The Questions That It Raises* (Kindai Bungeisha, 1998).

Dignity and Freedom through Human Security

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Introduction

Human Security (HS) may mean *"the right of all people to live in freedom and dignity, free from poverty and despair and all individuals, in particular vulnerable people, are entitled to freedom from fear and freedom from want, with an equal opportunity to enjoy all their rights and fully develop their human potential"* (article 143 of the 2005 World Summit Outcome (A/RES/60/1)). HS is at great risk in modern times. It may look outwardly that external wars and cause insecurity to the people; but a deeper study on the socio-economic and environmental conditions of the people prove that they cause more danger and insecurity not only to the people but to the nation itself.

Human security brings together the 'human elements' of security, rights and development. It is mainly people centred. Millions of people are threatened by poverty, climate-related disasters, organised crime, human trafficking, health hazards and sudden economic depression and financial downturns.

There are different types of HS and the threats and solutions.

Need for Human Security

National security is important for peace and stability of the nation. But various other challenges which the people and nation face cause more insecurity. Sometimes, it has its own impact on our friendly or unfriendly nations. HS is needed not only to safeguard oneself from external and internal conflicts but to give some freedom, relief, safeguards to protect oneself from poverty, illiteracy, unemployment, under employment, gender bias, domestic violence, inequality, health hazards, terrorism, fundamentalism, climate change and economic depression.

More so, with HS, one can have access to various opportunities to tackle various such challenges and threats through human rights, approach to International organizations and friendly ties with other bodies.

HS aims at safeguarding the dignity of people, providing them good livelihood and ability to face challenges and threats. It is not mere physical needs but emotional and intellectual too. Human security acknowledges the interlinkages between security, development and human rights and considers these to be the building blocks of human and, therefore, national security.

Main Features of Human Security

HS is inter-disciplinary as it deals with security, rights and development. It is people-centred, comprehensive, prevention oriented, multi-sectoral with specific context. There should be advancement of political, social,

economic, environmental, cultural and even military systems which helps people to develop and progress achieving peace.

As a people-centered concept, HS places the individual at the 'centre of analysis.' Consequently, it considers a broad range of conditions which threaten survival, livelihood and dignity, and identifies the threshold below which human life is intolerably threatened. Human security is also based on a multi-sectorial understanding of insecurities. Therefore, human security entails a broadened understanding of threats and includes causes of insecurity relating for instance to economic, food, health, environmental, personal, community and political security.

Only by comprehending the causes of insecurities, planning and execution of solutions are possible for the wellbeing of the people. Human security identifies the structural as well as the behavioral changes that are needed to help mitigate the impact, and, where ever possible, prevent the occurrence of current and future threats. By protecting and empowering people in facing threats, development could be made possible.

Focus of Human Security

Though there is a general focus of HS in all the countries, it differs from nation to nation and people to people based on various factors. People under stress and threat are to be identified and their problems are to be analysed and solution is to be planned and executed. The role of the government, NGOs and people in solving the problems is necessary and important.

Protection of people from threats is important. But what is more important is the empowerment of people to face the threats bravely and successfully.

Application of Human Security

Reducing poverty: HS will be of great use in reducing poverty if the government officials do justice to their duties. Rich becoming richer, and poor becoming poorer should not be the case in any country where development of the community is the goal of the government. It should be ready to face natural disasters and climate change affecting the economy of the nation and individuals.

Protection and empowerment: HS safeguards the rights of all especially the women, Dalits, marginalized people and victims of trafficking. It also protects them and helps them in their empowerment.

Ending of conflicts: In a diversified country like India various factors such as different castes, languages and religions and classes cause conflicts among people, leave alone the external factors. When the unity of the country and people is affected by these factors, HS helps to end such conflicts in the form of Constitution and Human Rights

Healthy and hygienic environment: People are to be safeguarded from health hazards and poor people are to be provided not only with awareness programmes concerning health but also with necessary treatment for diseases. It will be easily possible through HS.

Violence: Violence is of different types. Women suffer from domestic violence; children suffer because of child abuse; and violence breaks out due to various other causes. Caste, religion, language and regional differences result in violence. Its impacts are very harmful to the progress of a nation. If HS is at work, violence could be prevented or even stopped. HS helps to reduce violence and crime rates, by protecting the people.

Types of Human Security

The government should provide different kinds of securities to people for their good living. Security is threatened in economic, social, political, environmental, personal and health aspects of the life of the people. Various threats to HS results in insecurities. It is necessary to find out the nature of threats and causes of insecurity and execute possible and plausible solutions as the context is very specific. What it needs is good governance and recognition of Human Rights.

Economic security

A good government has its base in healthy economic conditions which it could offer to its people. Common people should be able to enjoy the basic needs of life---food, clothing and shelter. Persistent poverty and unemployment of majority of the people will doom the economy of a country. People should be free from hunger and unemployment. Many people in villages and urban slums live without basic amenities especially food. Natural calamities like famine, floods, tsunami, etc. cause damage to personal as well as national economy. A nation should be able to protect its people from insecurities arise due to these negative factors. Many people in developing and under developed countries live in below poverty line. It is important that the government is well prepared to face these calamities causing economic insecurity. Human security improves local capacities, strengthens social networks, and ensures coherence in the allocation of resources and policies.

Threats: Some of the threats to economic security are increased poverty and unemployment, prevalence of war economies, illegal networks, collapse of economy, destruction of property and infrastructure, lack of economic opportunities, discrepancies in aid, internal and external economic shock.

Food security, an off shoot of economic security is threatened by hunger, destruction of food systems as a result of war, famine, flood, disruptions of food supply or allocation, malnutrition and unsafe food.

Solutions: Better economic policy and execution by the government could solve the food threats.

Poverty reduction strategies will benefit from comprehensive and coherent policies and actions.. These will minimize duplication and accelerate the impact of actions taken by those at the international, national and the local level.

The impact of poverty on the vulnerable people must be well understood and better policies are to be executed for the actual needs of them.

People should be able to have access to food, by growing it themselves, having the ability to purchase it or through a public food distribution system, diversified agriculture and economy, local and national distribution system. They are to be protected from natural and human-made calamities. Proper distribution of food materials is essential.

Infrastructure recovery and restoring access to basic services like transport, communications, water, and electricity are essential.

Poverty alleviation, agricultural rehabilitation, dismantling of war economy and ending illegal economic networks are to be given utmost priority.

Provision of micro-finance opportunities will help the poorer section to start their own small scale industries and better their economic condition. Macroeconomic development will be helpful to get job creation for many.

Everyone should remember the words of India's National poet Subramania Bharathiyar that if one person is without food, we should destroy the world. Nutritious food is important for healthy life. Awareness is to be created on these issues and the way HS will be of great use to achieve economic and food security.

Though natural calamities cannot be avoided, government and other organizations could protect people and environment through long term planning and execution.

India is a country where there is plenty of natural and human resources which should be properly utilized for the economic development of the nation having in mind the significance of HS.

Health security:

The World Health Organisation (WHO) is very clear in stressing the importance of health and hygiene for all, especially to the poorer section of the society. According to WHO, it is the basic right of every individual to get health security from the State.

Health is wealth. A state should see to the health of its people. Basic facilities are to be provided to the people. Important ones are good drinking water, sanitation and hygienic and healthy environment. As the rural population has been migrating to the cities, there is rise in population in cities which resulted in slums which lack basic facilities. Most of the slums do not have proper water and toilet facilities. Though the NGOs like Rotary and Lions clubs build toilets for the slum and rural people, they are not sufficient and not neatly maintained. Floods and famines cause epidemics and sickness. The illiterate people are not aware of free medical facilities available to them. It is the duty of the government to educate the illiterate and poor people to know about clean and healthy environment. HS will help them to realize it.

Threats: Ignorance, poverty, unsafe food, stress, unhealthy and unhygienic environment, spread of diseases, non access to medical aid, lack of awareness about diseases, unsafe drinking water, drinking, domestic violence are some of the major threats to health of the people especially the poorer section.

Solutions: People should have access to basic health care and health services. Community based Health Insurance Schemes are to be promoted for the welfare of the people. Interconnected surveillance systems should be set to identify disease outbreaks at all levels. Universal basic education and knowledge should be made available on health related matters. The Government should encourage indigenous and traditional and modern health practices. Free medical camps for periodical health check up could be organized by the State and NGOs. Availability of free medicines, operations facilities and treatment for the economically poorer section of the people is of prime importance... All these will be possible through HS.

Environmental Security:

India is a vast country with plenty of natural resources. There was lot of greenery in many parts of the nation. But over the course of time, it lost its charm due to deforestation and environmental degradation. Natural resources are illegally exploited. Cultivable lands are being sold for industrial and residential purposes. Due to exploitation, there is unequal access to resources. Deforestation has caused climate change and water scarcity. The environment is spoilt due to the irresponsibility and lack of awareness of people. Natural calamities like flood, famine, tsunami harm the environment. Lack of sanitation and water make the environment unhealthy.

Solutions: Natural resources are to be protected and properly used. Forests are to be protected. Tree plantation is to be encouraged. Early warning and response mechanisms for natural hazards and/or man-made disasters at all levels. Indigenous or traditional practices that respect the environment are to be highlighted. Apart from these public interests, it is necessary for every individual to keep the environment neat and clean. HS looks in to these angles to and sees that insecurities in environmental protection do not exist.

Personal Security:

Every individual is expected to be protected by his/her country's constitution and other organizations. The Rule of Law should safeguard individual's rights and liberty.

But in real practice, personal safety and security is very much absent in a democratic country like India. Violence in different forms (i.e.) domestic violence, gender based violence, child abuse, dowry killing, elder abuse, human trafficking etc., make the people feel very insecure. Increased criminality, murder, theft, terrorism, and fundamentalism affect personal freedom and safety. In larger scale, state violence, police atrocities cause insecurity to individuals. It not only affects the physical health but mental health too.

Solutions: Human rights and civil liberties are to be enforced to protect the individuals from insecurities. People should be aware of their Fundamental Rights and Rule of Law. This could be made possible help in promoting Personal Security.

Social Security:

All are the same before law and every one is protected with human rights. But differences in castes, creeds, languages, and religions damage the unity of India. Society should be free from all differences and work for the development of the community. Gender bias, domestic violence, inter-ethnic violence, inequalities in the society, exploitation of the marginalized people are great threats to social security.

Solutions: Proper protection is to be given to minority ethnic groups and weaker sections of the society. Protection from oppressive and unwanted traditional practices is necessary. Women's education and employment should be given priority to empower them. Various social evils against women, are to be put an end to. Free education for poor and girls, nutritional midday meals for poor students, severe punishment for rape and child abuse, protection of elders from abuse, employment opportunities for women and men are some aspects of social security. Apart from governmental measures, the NGOs resources are to be tapped for safeguarding the interests of the needy people.

Political Security:

In all democratic countries, human rights are given utmost importance. India is no exception. Political security ensures every individual is entitled to enjoy human rights. All securities could be practicable and possible through enforcement of Human Rights.

People should be protected from abuse and military dictatorship. Protection from political or state repression, torture, ill treatment, unlawful detention and imprisonment are essential. Some **threats** to political security are political repression, Impunity, Human Rights violations by conflicting parties, corruption, political violence, etc.

Solutions: Political security will be possible if **good governance** prevails. Otherwise, people will suffer because of corruption, violence, degradation of economic standards etc. Moral values are to be given importance, especially in administration. If there is good administration, people will progress smoothly.

Good governance is possible, if only there are good leaders. If they do not value ethics as representatives of the people, they live for their own progress, but not for the progress of the people. With a clean conscience, they must realize their accountability to the people who put them in power.

Conclusion

Human security is to be understood as a concept of freedom from fear (personal, political, and social security, etc.), freedom from want (economic, food, health, environmental security, etc.) and life with dignity (education, access to freedoms, equality, human rights, community security, political security, etc.). It is the duty of the government to protect people from these fears and empower them with education and employment to lead a dignified life. It is necessary to empower the people to act on their own behalf and re-

establish their livelihoods in a culture of peace. For that the human security needs of the communities in the areas of public safety, economy, environment, coexistence and reconciliation, health, education, training, employment and institutional support are to be given priority. National security remains foremost in maintaining peace and stability. But insecurities can spread rapidly and cause more intractable crises challenging individuals and causing security threats. With the availability of resources and advanced technologies, insecurities could be removed easily. Mahbub ul Haq rightly puts, *"We need to fashion a new concept of HS that is reflected in the lives of the people, not in the weapons of our country."* Without Human Security and Human Rights, it is impossible to lead a dignified life, for which HR could be seen not only in paper but also in practice.

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Emerging community ethics and student education: A rural community experience

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Abstract

Ethics of society have been found to influence collaborative efforts of stakeholders which then enhance student's performance and experience. The aim of this study is to examine the ethical precepts of an isolated mountainous community and its success in uplifting the students' education. The study was undertaken in Ba' Kelalan village which is located in the northeast region of Sarawak, East Malaysia. A focus-group discussion with village heads and interviews with teachers, ex-students and current students were carried out. The transcribed materials were analyzed via constant comparison method. The findings revealed that there were several ethical precepts that forged the community spirit, namely the *Musang* tradition of collective effort, local leadership, and teacher's duty-bound and commitment attitude, and preservation of local identity. Other schools can draw lessons and adapt features suited to their local environment and shared value.

Introduction

There is a conventional view that educators have been viewed as change agents, but the going gets tough when students do not perform well or low achievement is the norm. This has been the case in poor performing schools in both rural and urban schools. Many teachers believe that it is difficult to motivate students from rural areas as their social environment and under-developed nature constraint positive reinforcements and intervention measures.

Before the year 2000, absenteeism, truancy and low performance was the norm amongst the primary school children in Ba' Kelalan, a remote school in the mountainous area in Sarawak, East Malaysia. Although primary education is free the school children were not willing to go to school because they were not interested or passionate about education. This is attributed to parental attitude that did not prioritize education but more on working the land and expect their children to do the same. In fact some students were unable to cope with the learning process in school whilst some other students who were capable had poor parents who were unable to support them. As a consequence, the school witnessed low achievement by the students and was one of the bottom-runged schools in the Lawas district of Sarawak.

Under the leadership of a new principal in 2001, the school transformed from one of the lowest performing schools in Sarawak to one of the top schools and even

managed to receive the prestigious Commonwealth Education Good Practice Award in 2009. Considering the remote location of this school in the highlands of Borneo and the limited resources available, the school's success has caught the attention of the education community. This paper examines the ethical precepts of this isolated mountainous community and its success in uplifting its students' education.

Literature Review

Community is a complex, multi-layered concept. A community can be thought of as something that is internal to local community (MacFarlane 2009). In simple terms, it can be viewed as a perspective that seeks to lessen the focus on individual agency and structural determinism and attempts to focus on communal responsibilities of the local community. The idea of community ethics came about after reading works on community technology by Pinkett (2002) and an attempt at reformulating the idea of communitarianism. Community ethics can be seen as a process of utilizing local ethics and values to service the local community by identifying their needs/goals and providing appropriate solutions. The ethical elements comprised of shared communal values, social norms and traditions, and considerations of the local community. Thus the emphasis is the influence of local community on individuals and asserts that values are embedded in common history and tradition (Beauchamp and Childress 2001).

Tam (1998) suggests that community value (or communitarianism as asserted) is based on three principles: i) communities of co-operative inquiry, ii) common values that underpins mutual responsibilities of all community members, and iii) citizens' equal access and participation in the power structure of society.

The process of educational transformation has also been viewed from a participatory perspective attempting to provide localized education in establishing anti-colonial education (Freire and Macedo 1987 in Sefa Dei 2008). Few studies have examined how local subjects such as teachers, parents and community utilize their local community ethics to understand and engage educational change in improving student achievement and how educators respond (in classroom instructional and discursive practices) to the diverse needs and local knowledge of students under difficult conditions (Sefa Dei, 2008:188).

The process of inculcating community ethics requires community engagement and collaborative efforts. According to Pinkett (2002), community collaboration in schools can be viewed from an insider or outsider perspective. An insider perspective involves the internal actors, comprised of neighborhood residents and governing boards who manage the resources and expertise of researchers, funders and technical assistance providers to achieve the school's goals (Pinkett, 2002: 222). Meanwhile an outsider perspective includes non-residents attempting to support and learn from the community members and

organization in fostering ownership and empowerment amongst them, thus reducing their reliance and dependence on others. The ideal situation for communities to collaborate is where the schools are part of the community and they have to truly work together as partners where the needs of both parties are met and the community's capacities are strengthened as a result of this partnership.

Past studies have shown that when schools develop programs for family and community partnership, the likelihood of increasing parental involvement and its impact on children witnessed improved achievement or performance as well as better discipline especially in reducing absenteeism (Sheldon, 2003 in Sheldon and Epstein, 2004). However, a study by Zellman and Waterman (2001) appears to suggest that formal programs of parental involvement do not appear to improve child outcomes. But they suggest that it depends on the individual parental enthusiasm and positive parenting style. Meanwhile, Philipsen (1996) asserts that parental involvement is shaped by parent-school relations and a decisive factor in parental involvement is the extent to which they felt a sense of ownership over the school. Both these studies suggest that local social relations (i.e. informal ties) and extent of local shared norms matters in shaping educational outcomes.

In a broader sense, Sefa Dei (2008) in dealing with the disadvantaged African Canadian students in Ontario, Canada, suggests the need for education to cultivate a sense of identity within local culture and community. Thus he proposes several measures in educational reform in public schools: (a) effective method of teaching diverse student needs, (b) create opportunities for the needs of the disadvantaged groups, (c) encourage schools to establish close ties to the community, and (d) help students build their identities in terms of self, collective, and cultural identities within their social environment. Here the idea of community ethics is enhanced where the interaction of the school with local community, not only in terms of its teaching and learning process should reflect local diverse needs, but it promotes ties and connects with the local community's identity and resources.

Previous studies in Malaysia have examined community partnership with university-initiated action research for remote rural community from the use of ICTs (Harris, 2002) but few studies have examined community ethics as a vehicle for student's educational enhancement.

Study Area and Method

Ba' Kelalan is a rural mountainous community located in the district of Lawas in the northeastern part of the state of Sarawak, Malaysia. The closest town and city includes Lawas and Miri. The name Ba' Kelalan originates from the word "Ba" meaning paddy while Kelalan is the name of a river and thus refers to the wetlands suited for paddy planting. Ba' Kelalan comprises of nine villages, all located in the highlands about 3,000 feet (910 m) above sea level. The villages are Buduk Nur, Long Langai, Long Lemumut, Long

Ritan, Long Rusu, Pa Tawing, Buduk Bui, Buduk Aru and Long Rangat (see Figure 1). Ba' Kelalan has a very small population comprising about 1500 people who are Christians of the *Sidang Injil Borneo* denomination. The majority of the people living in Ba' Kelalan belong to the Lun Bawang tribe, formerly known as the Murut people found in central Northern Borneo. Besides Ba' Kelalan, the Lun Bawang people are also scattered in Lawas (Sarawak), Limbang (Sarawak), along the borders in Long Bawan (Indonesia) and are also known as Long Dayeh people in Sipitang-Beaufort area (Sabah). In Sarawak, the Lun Bawang people belong to a sub-group of a minority ethnic group known as Orang Ulu who comes under Dayak native people category. The other major Dayak groups in Sarawak comprised of Iban, Bidayuh and Melanau.



How to get there

Ba'kelalan is accessible by air on Twin Otter aircraft operated by MasWings from Miri, which has airline connections to the rest of the world. It can also be reached by 4WD vehicles from Lawas, at the northern end of Sarawak, via a well-maintained timber track which leads to Ba'Kelalan and the central highlands of Borneo. Lawas is connected to the coastal road that runs all the way across the northern end of Borneo island.

Figure 1: Sketch Map of Bekalan

Source: Anonymous 2010. A trip to Ba'kelalan, Sarawak,

My story, July 15, 2010 <http://mypleasantstory.blogspot.com/2010/07/trip-to-bakelalan-sarawak.html>

With water supply from the Kelalan river, the community has created well-irrigated paddy fields in Buduk Bui and Long Langai, and cultivated small-grained "Highland Adan Rice" which has fine and sweet grains. Besides rice, mountain salt is obtained from the salt water wells in the nearby hills and this has been an important source of revenue for some residents. Tourism has increased in recent years with the promotion of apple farming though its activities are seasonal. The first Apple Fiesta in Malaysia was held in Ba' Kelalan in 2007. It has become an annual event and tourist attraction, based around the Apple Lodge in Buduk Nur. Ba' Kelalan also has a 9-hole natural golf course, and the settlement is also accessible for visitors to neighbouring Kayan Mentarang National Park in Krayan, Kalimantan in Indonesia.

Prior to 2009, road access to Ba' Kelalan from the nearby town of Lawas was via a 125 km former logging trail using four-wheel drive vehicles. Depending on weather where road conditions can be particularly bad in the rainy season, the journey can take from eight hours to two days. In September 2009, the federal government of Malaysia approved RM50 million for the first construction phase of a road from Lawas to

Ba' Kelalan to facilitate access and cutting short the journey within three to four hours. Another key mode of transport prior to the highway construction was air travel. Ba' Kelalan Airport has flights to and from Miri and Lawas using 19-seater DHT aircraft that serve the locals and tourists alike. The half-hour flight by MASWings from Lawas to Ba'kelalan is available three times a week. There is also a 55-minute MASWings flight from Miri to Ba' Kelalan every Wednesday.

The method used to collect information entails a focus-group discussion with village heads and interviews with teachers and students. The transcribed materials were analyzed via constant comparison method to elicit appropriate themes.

Findings

There are several community ethical values that were introduced into the school environment to encourage the participation of the community that eventually led to the **enhancement** of the school children's learning and performance. **These** ethical values **include**: firstly, **Musang** is a collective effort external to the classroom, secondly, the **Community in the Classroom** (COMIC) program is a collective effort inside the classroom, thirdly the local leadership of the school administrator, fourthly the commitment and duty-bound nature of teachers and finally, the preservation of local identity.

Musang as the tradition of collective effort

The Lun Bawang people in Ba' Kelalan live a life that is closely associated with nature. Its fertile valley is very suitable for paddy cultivation. As Ba' Kelalan is located in a remote mountainous region, it is isolated and detached physically and communication-wise from the outside world, resulting in the Lun Bawang community living in a close knit manner. Out of this physical setting/context arose the tradition of *Musang*. *Musang* means "working together to accomplish a complex task" (SK Ba' Kelalan 2009). As things were done manually, such *Musang* collaborative practices are very crucial as complex tasks can be accomplished with ease with the participation of many people (SK Ba' Kelalan 2009). *Musang* refers to the tradition of collective effort and culture in working their paddy fields and has become an innate character of the Ba' Kelalan people (Amrizan Madian 2013). This is a Lun Bawang teamwork tradition where an "individual or a family appeals to the surrounding community for assistance in completing a complex task" (Blair 2010). This tradition has been extended to collective activities in other spheres of life such as clearing land or in organising events (Amrizan Madian 2013).

Realizing the potential asset of this tradition, Mr Pudun, the principal of the primary school from 2001 to present, mobilized the local community's voluntary service or *Musang* in uplifting the school's predicament in terms of lack of human and physical resources. The school undertakes special projects that require many volunteers (physical strength) and specific skills such as carpentry. The assumption is that the community possesses certain skills and these skills can be utilized

to accomplish varying tasks as well as difficult tasks. As such the school collaborates with the Parents Teachers Association (TPA) to obtain the consent for their participation in the *Musang* Program. The *Musang* program entails the school administration to identify projects to develop and beautify the school compound. It then seeks the community's voluntary service to execute the projects and subsequently persuade them to undertake their own activities to allow them to evolve their own creative strength. The respective village volunteers are assigned to a particular area of the school compound and are expected to improve the area. Some examples of such tasks include cleaning up their areas, plant flowers and trees, and in some occasions, erect huts.

The Community in the Classroom (COMIC) project

There is sense of the urgency in narrowing the gap in educational attainment between the urban and rural schools and one of the mechanisms introduced was the partnership between the school and the local community. The Ba' Kelalan Primary School being a small school realized the need to activate the role of the community in developing the school toward a sustainable excellence level. The school is constrained materially in terms of funds and human resources. Limited funding added constraints in providing adequate infrastructure and facilities that can provide a comfortable and lively environment for the children. Meanwhile the limited number of staff and students constrained the school in undertaking projects that require longer duration and adequate human resources to accomplish these projects. Thus the school administrators realize the need to involve the community directly in developing institutions and norms that can create a feeling of sense of belonging.

The COMIC (Community in the Classroom) project entails the participation of community volunteers comprising of students' parents, community leaders and residents of Ba' Kelalan irrespective of whether they are young or old. In the COMIC project, the volunteers from the respective villages work inside the classrooms rather than on the school compound as in the *Musang* program. The classroom refers to not only the year 1 to year 6 classes but also the rehabilitation and pre-school classes. Each village is assigned to a classroom and is expected to beautify it in a way appropriate for the respective age cohort of students who occupy the classroom. The volunteers have created mini 'huts' at the back of each classroom and equipped them with relevant pictures, posters, and reading materials. The huts' designs reflect the unique architectural craftsmanship of members from the various villages and provide a unique physical enhancement to each of the classrooms. The representatives of each village are expected to come periodically for maintenance and improvement of their assigned areas. An interesting feature of this program is the participation of residents who might not have school going children. The inclusiveness of the members of the local community participation suggests a commitment towards community building through the projects.

Local Leadership and Vision

The local leadership led by the school principal Mr. Pudun and group of committed staff and teachers began to believe that academic excellence was attainable, no matter what the circumstances were. In a short time, this belief spread to the students and then to their parents as they witnessed improved exam results and growing enthusiasm for learning in their children. As the parents came on board through the two signature programs, *Musang* and COMIC, they began to volunteer their time and talents to improve the school under the direction of the school administrators. As the local community actively participates, the creativity of the local community was set free and the school's appearance, inside and outside the classroom, was transformed.

Teacher's Duty-Bound and Commitment

According to a senior teacher, many children in the primary school prior to 2001 were not interested in their studies or learning process due to: i) lack of motivation from parents who themselves lack adequate level of education, ii) the social environment in the rural landscape does not encourage and expose the students to learning new things, and iii) students encounter boring teaching and learning methods.

As such the school administrators sought to improve the situation by encouraging the teachers to bring the learning process outside the classroom to stimulate the students' interest. For example, one of the senior teachers provides some examples such as bringing students to the paddy field to see how the buffalos were utilized to plough the field, as well as identifying types of woods available in the neighbouring forest. This engagement and familiarization process with the local village environment encourages the students to appreciate the knowledge obtained. This learning method has also managed to reduce the students' feelings of boredom in school as well as sustained their interest in the subject matter. In fact one of the village heads (Mr M) asserts that, "*the children like to go to primary school in Ba' Kelalan because of the teaching method [outside the classroom] which attracts their interest and attention in learning and when they go to secondary school (in Lawas) they appear to be disinterested in learning because of the conventional teaching method.*"

The teachers are also committed to uplift the performance of students by undertaking the following activities (Blair 2010):

- a. special instruction in the afternoons and evenings so as to give weaker Year 6 students an opportunity to succeed on par with their peers on the UPSR (Year Six examination) .
- b. Undertaking test-taking strategies and providing adequate sample exam questions for practice by coaching Year 6 students so as to improve the school's overall UPSR (Year 6 exam) results.
- c. Provide incentives for students to read books on their own outside the classroom so as to develop good reading habits.
- d. Daily repetition of memorization exercises for multiplication table so as to ensure students' mastery.

- e. Create more opportunities for English interaction by encouraging university graduates from English-speaking countries to come to BKPS for several month stints as volunteer teachers. This approach was undertaken to motivate the students to speak English more in school.
- f. Recognizing the student's sporting talents early and coaching them effectively so as to groom excellent athletes.
- g. Providing remedial instruction outside of classroom so as to help weak students master the basic necessary skills of reading and writing.
- h. Students given daily chores and responsibilities so as to develop their independence, responsibilities to care for themselves
- i. Motivational presentations by teachers and outside visitors so as to keep the students continuously motivated to do their best.
- j. Leadership training for potential selected prefects so as to build leadership capabilities and inculcating adequate responsibilities.

Each program is routinely monitored and adjusted under the direction of a different staff member. Also almost all students reside in the hostel and it is easier for the teachers to monitor them. Unlike parents of children in conventional urban schools commonly utilize private tuition to give their children extra instruction outside of class, the programs in Ba' Kelalan primary school takes place inside the school compound and the students receive school assistance, without any charge.

The Ba' Kelalan Primary School has certain features which give it an advantage over other schools. There are few enough students in each class that the desks can be arranged in a U-shape, leaving an open space in the center. This facilitates better interaction between the teachers and students and among the students themselves. Teachers often invite the pupils to sit with them on the floor and approach learning more informally. Recognizing that these young students are away from their parents in the boarding school and the children go home every weekend, the teachers try to relate to students more like parents so that the children feel comfortable. This is all part of the administration's goal of the school being a home away from their homes. This policy has been successful to ensure that all students stay in school without using coercion approach. In general, the teaching staff are committed and take full advantage of their 24-hour access to the students by planning various extra activities for them to learn beyond the daily class schedule.

Preservation of local identity

According to one of the village heads (Mr M), there is a change in the mindset of the parents in sending their children to schools. Previously parents tended not to send their children to school because both of them were working and there was no one to care for their younger children. They also feared that if their children were to study in school and then progress to secondary schools or colleges, they would migrate and

leave their parents alone. In fact one village head suggested that they had this perceived idea that it would be better for their children to settle down and get married early. However, such mindset has changed in recent years as the parents have greater awareness and are more open in sending their children to school because these children can secure better jobs and pay. In fact the parents are willing to sacrifice economically by not only paddy planting but also rearing buffaloes to support their children's education up to the secondary level.

Because of the remoteness and relative backwardness of Ba' Kelalan, the children are not exposed to those harmful elements of urban society. Television, movies, and video games which can be time-wasters are not available, so the students read or play inside and outside their homes or school for entertainment. With unspoiled tropical rainforest in the vicinity, the students tend to take an interest in their local environment. The Parent Teacher Association of the Ba' Kelalan primary school constantly seek out for books and financial assistance. Together with the signature programs of *Musang* and COMIC, the local community is able to preserve its local values and traditions and inculcates the spirit of local identity.

Conclusion

The case of Ba' Kelalan Primary School illustrates how a remote school in a mountainous area can transform with the partnership of educators and community and innovative local leadership. This case illustrates how the quality of education can be made available even in a remote and disadvantaged school when the school undertakes community ethics involving not only the schoolgoing children's parents but also the wider community to inculcate local values that inspire and motivate the students to perform academically and finding their self-worth. As a consequence of these efforts the school achieved academic excellence and depth in co-curricular experience. With active and innovative leadership of educators and a culture of excellence the school has managed to transform. Though some of the reasons for the school's success are unique to Ba' Kelalan and are not transferable, the key attributes of community ethics played an important role. What this case study reflects is that educators not only execute their daily teaching duties but also have an added responsibility to help families and communities or be part of community so that they become involved in reducing absenteeism as well in improving performance of students especially in academic achievements.

From the findings it can be seen that the informal nature and the idea of incorporating the local culture played a role in activating the students enthusiasm in learning. Zellman and Waterman's (2001) finding suggests that formal nature of programs does not have positive impact on parental involvement. This parallels our finding where the programs though they appear formal, have an informal nature of participation. Drawing on local culture triggers active local participation as the people feel and draw on their

tradition and a sense of attachment is cultivated. As such integrating the local cultural values enables these programs to be successful.

The moment the participation of the students' parents is viewed as following the local cultural value, the enthusiasm of the parents' involvement is activated resulting in a sense of ownership over the school. In fact the relevance of school curriculum was further enhanced when the teachers relate the curriculum to outside classroom and the students' interest were rejuvenated resulting in the students' attachment to local knowledge and locality. In short, both parental involvement in school and student engagement in outside classroom activities enable a sense of local attachment to evolve.

This case illustrates that schools which want to emulate the success of this primary school can draw lessons from the activities and programs carried out, as well as utilize local values to solicit involvement of their communities. There must be shared vision and passion to strive for excellence under transformational leadership. The students, parents, and staff of any school must believe in their potential and insist that no obstacles can be an excuse for poor performance.

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Engineered pathogenesis related protein crops and consumer behavioral patterns

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Abstract

The transmutation of classical genetics into *in vitro* recombinant DNA (rDNA) technology didn't only provoke wariness, but divided the consumer society as some past economic crops were modified into engineered pathogenesis related protein crops (EPRC). However some pathogenesis related proteins (PR) are life-threatening allergens for those vulnerable, and thus food toxins. The consumer society as a whole since the inception of rDNA technology in agriculture is polarized by the emergence of a new breed of consumers referred herein as the '*contransgenimers*' and '*transgenimers*'.

Profiling ethical issues and concerns over EPRC-consumer behavioral pattern is based on the potential evils of PR vis-à-vis human health. Are EPRC 'red-goods,' 'red-flag' or a debacle to human disintegration? Can consumers rollback from EPRC or transgenic crops (TC) as a whole? Results show the determination of our EPRC-body compatibility prior to the recombinant DNA technology green revolution culmination by 2015 maybe the way forward. This may probably confer virtue to our entelechy and subsequent reclassification within the dominant consumer mainstream of '*contransgenimer*' and '*transgenimers*'. Oversight to this before the expected zenith of this revolution in 2050, as anti-labeling of food-stuff, world population, food demand and inaccessibility for food on the raise will cost lives.

Key words: Pathogenesis related proteins, allergens, food toxin, '*contransgenimers*', '*transgenimers*'.

Introduction

Humans lived before the inception of rDNA crops as a social group thriving omnivorously on conventional

crops and animals solely. Crop improvement using PR led to the creation of engineered PR crops which ignited a polarization among consumers.

In a broader sense, a consumer is an ecological community or food chain with organisms that feeds on other organisms or on material derived from them. Equally, the most acceptable definition for PR is that of polypeptides with relatively low molecular weights (10,000-40,000 kilo Daltons) that if not broken down might accumulate extracellularly in infected tissue, exhibit high resistance to proteolytic degradation, and some possess extreme iso-electric points (Van Loon, 2006). A red-flag for EPRC consumption for people with allergies came with the Brazilian nut soya beans saga incident (Nordee *et al.*, 1996), USA food corn contamination by Starlink corn (Marvier, 2007), Filipino-allergic crisis marked by victims producing antibodies to Bt-toxin (Aglionby, 2004) and India allergy cases handling Bt-cotton and cotton oil (Gutpa *et al.*, 2005).

Enhancing plant resistance or protein enriching conventional crops involve the intricate use of 'plantibodies' or better still, PR and other antimicrobial proteins and their chimera 'transgenes-construct' in a state-of-the-art *in vitro* RDT by biotechnologist (Bengyella and Pranab, 2010). This method of crop improvement ultimately leads to EPRC in particular and transgenic crops in general. Complications and allergenicity related to PR were profiled by Hoffman-Sommergruber (2002) and updated by Bengyella (2011) as depicted in Table 1.

As a prologue, it's important stating that PRs interact with allergens from different sources and represents the molecular core for allergic syndromes as depicted on the table. Furthermore, allergic patient abnormally produces specific Immunoglobulin E (IgE) after inhaling or eating foodstuff with nutritive allergens. Diverged polarization over EPRC had resulted to different behavioral patterns viz: 1) Those feeding on non-GMO food only, (2) Those feeding on transgenic crops as well. This paper ethically peruses the social structure of consumers; their organic behavioral pattern to EPRC and predicts stakes by 2050. Finally, and perhaps interestingly; this work probes into the genomic and proteomics level, unveiling the possible reasons for introgressed PR involvement in allergenicity.

Profiling EPRC - consumer's behavior pattern

Although, early consumers behavioral pattern was aimed at avoiding EPRC and transgenic crops, receding production of conventional crops have prompted them into open circumstantial circle of either feeding on EPRC or both EPRC and conventional. Some freethinkers (referred herein as group-A) fundamentally consent to the consumer behavioral pattern related to EPRC, based on the dangers associated with the high rate of world population growth, the need for food fortification and decreasing farmland due to biotic and abiotic factors. Meanwhile, other freethinkers (referred herein as group-B) question the future human viability or decadence upon consumption of EPRC's and the non respect of the "natural" order or intrusion into the genomic dogma.

Table 1: List of pathogenesis related proteins in crops involved in allergenicity

Family of PR	Designee PR	Plant source	Allergy name
PR-2	β -Glucanase	<i>Hevea brasiliensis</i> latex, banana	Hev b2
PR-3	Class I Chitinases	Avocado, Chestnut, <i>H. brasiliensis</i> Latex, banana	Pers a1, Cas S5, Hev b11
PR-4	Class II Chitinases	<i>H. brasiliensis</i> latex, turnip	Hev b 6
PR-5	Thaumatococin like proteins	Cherry, apple, bell pepper, mountain cedar	Pru av2, Mal d2, Cap a1, Jun a3
PR-8	Class III Chitinases	<i>H. brasiliensis</i> latex	Hevamine
PR-10	Ribonuclease-like proteins and Bet v I homologues	Birch, hazel, alder, hornbeam, chestnut, apple, celery, peach, apricot, pear, carrot, potato, parsley	Bet v1, Cor a1, Aln g1, Car b1, Cas S1, Mal d1, Api g1, Pru av 1, Pru P1, Pru ar1, Pyr c1, Dau c1, STH-2, PcPR-I
PR-14	Lipid transfer proteins	Peach, apple, soybeans, apricot, plum, cherry, barley, <i>H. brasiliensis</i> latex, chestnut, hazel, walnut, mugwort, ragweed, asparagus, grape, maize, olive	Pru p3, Mal d3, Gly m1, Pru av3, Art v3, Amb ab, Par j 1, 2, Cas s8, Cor 8, Jug r1, Asp O1, Vit v1, Hev b12, Zea m14, ole e7

EPRC's and its mass production came as a psychological blow to the skeptical consumer society and warier moral freethinkers; and raised excitement amongst adventurous consumers and optimists in the quest for new flavours, fortified nourishments, fragrance and feeding stimuli. As for the status quo, it was quite exciting to hear cotton clothes were bearer of introgressed *Bt Cry-genes*. Intrepidly, that transgenic potato carried osmotin gene, a PR under the control of the *Cauliflower mosaic virus* ^{35S} promoter and constitutively expressed in edible potato (Liu *et al.*, 1994; reviewed in Bengyella and Pranab (2010)). Group-B, strengthened by anti-transgenics angst-ridden, question the Human physical decay at a core fundamental level as a principal consumer, within an already disequibrated ecological system. Can the polarized consumer society expect any noticeable decrease in PR's and other engineered proteins in our foodstuff in the future?

The answer is seemingly yes, if the whole consumer society within a given biota stringently rejects rDNATGR. Unfortunately, this appears impossible in this era where gigantic world economies are driven by transgenic technology with policies differing from one country to the other. Moreover, bioprospection and gene-mining for the obvious creation of new transgenic crops apt to counteract biotic and abiotic stresses on

land where conventional crops have failed to propagate are on the rise. Probing into proteomics law of 'one-gene-one-protein dictum' and considering that each engineered PR salvages only one abiotic factor such as high salinity, drought, fluctuating high temperature etc, and mindful of the continuous spread of these stress factors; neither consumer nor land will escape from engineered PR crops by 2050. The amazing 2007 results from the human genome project revealed that the human genome could actually code for many more proteins than the number of available genes (ENCODE PROJECT CONSORTIUM, 2007). This severely compromised the 'one-gene one-protein dictum' and the forward create wariness as to the type, quantity and quality of protein each consumer will ingest per meal. Group-B school of thought believes further engineering of PR encoders in economically important plant will be an oversight swap deal for consumer's health; instigated by shysters.

Are engineered PR crops evil? What degree of evil are they; and of what nature? Consider two circumstantial people, one in a war-torn zone and another in a peaceful zone; both inflicted by lethal hunger. If these individuals are rescued with food supply, consumption is evident for the different spheres of people for hunger is the bottom-line issue and survival is unequivocally the ultimate goal. These individuals will never raise the question of allergenic PR, land ethics or the farmland used for cultivation of the foodstuff. This hypothetical consumer behavior is reproducible in all circumstances provided the subject is prone to acute hunger. This raises the question how evil is EPRC's? If EPRC's are an evil for all, it cannot be because of its positive virtue, but uniquely because of what it deprives us of; and *per se* health. Evidently, Human health is the polarizing issue. Although PR harmful potentials have been limited to allergies, allergies are recognized as disease affecting approximately 25% of the total population in industrialized countries of northern hemisphere (Hoffmann-Sommergruber, 2002). This has strengthened group-B doomster views on the harmful potency of engineered PR in economical crops and into the human food chain. Group-B freethinker's diehard rejection of EPRC's and their paradoxical consumption of animals fed with EPRC's put their consumer behavioral pattern into jeopardy. This behavioral pattern may be equated to refusing the devil and accepting a legion of demons, if and only if EPRC's are evils. Interestingly, the body composition and all anthropometric parameters of every being are determined primarily by food intake content. Hence, Group-A school of thought had tendentiously qualified bugaboo's related to engineered PR crops emitted by moral philosophers and ethicist as a whole as 'anti-tech', 'jeremiad' and 'pusillanimous changers'.

Scientific angling for EPRC's shows the good elements are plentiful and overweigh bad elements. Should we abandon this technology because of its risks? Food security related issues loom over the Earth already. Projections into 2050 show an absolute food scarcity if nothing is done now to salvage 11 billion

people, excluding domesticated animals. Within the time frame of 2014 to 2050, survival is eminent in developing countries facing chronic food security problems. Is it morally right to see the over two billion world population impoverished and malnourished with rDNATGR in our hands? Are moral freethinkers advocating for Human misery by refusing rDNATGR and its products or simply protecting their stances in the debater's animato echelon?

Everything being equal, group-A freethinkers argue that the value of life on earth does not and should not depend on organic survival of humans solely, but indispensably the viability of all the other components which interacts directly or indirectly with humans in harmony or disharmony, but ensuring the equilibrium of our being and the ecological system. Kick starting from this stance, limiting our food to conventional crops will be tantamount to questing for humankind organic survival solely by 2050. This excludes the fact all domestic animals depend on Man agricultural produce. Hence, the art of improving plants is simply a concession of rendering Man more Humane to fellow Man, and other living things in 'the natural order of things'.

'Removed PR, I'll eat'; 'Give me free allergic crops', 'To hell with shyster biotech crops' etc, are epitomized anti-transgenic slogans. Do consumers really shy-away from biotech crops? A hungry man is an angry man and can not distinguish between biotech and conventional crops especially in troubled zones characterized with energetic food dumping. Scientists have demonstrated that food allergies are not unknown with conventional crops; giving an upper hand to group-A school of thought. Scientific evidence has limited EPRC's evils and potential of their evils to humankind at the level of allergic reactions; which solely depends on an individual sensitivity. The trend of things depicted in figure 1 is a favorable variance for EPRC's acceptance.

Initially, conventional crops had one luxurious consumer population; which I christened 'normoconsumers'. EPRC's acceptance tenor has instigated many consumers to also add EPRC's in their biota. I call this consumer behavioral pattern, the 'contransgenimers'. While optimistic consumers feeding solely on transgenic crops (in the future when all crops are modified) from the inception of the technology in agriculture are herein called 'transgenimers'. Moreover, criticisms of rDNATGR are scientifically unproven and are merely fears, unmatched to those associated to nuclear technologies and health. Group-A freethinkers see abandonment as a far-fetched issue. If the technological overhauled was possible, what will become EPRC-junkies? Worries are drifting from ethical issues solely to biosafety measures, among which labeling of biotech products before deployment into the market is a key issue. This offers the polarized consumer society the choice to chose their food.

It's important to note PR are plantibodies produced constitutively and induced during plant-phytopathogenic and some plant-abiotic factors

specific interactions both in transgenic and in conventional crops. PR existed before the advent of rDNA technology in agriculture. Moreover, plant vaccines are now widely appreciated in developing countries due to the antimicrobial properties of PR and related introgress genes in plants (Pribylova *et al*, 2006). Furthermore, bias trade mark by infiltration of unlabeled engineered PR crops into the market exposes 'transgenimers', diehard 'normoconsumer' and pusillanimous 'contransgenimers' for consumption. 'Qui vive'?

Outlook

Post-transcriptional, post-translational modification, gene interaction and overlapping are probably the root causes for the failure of the 'one-gene one-protein hypothesis'. This implies scientists cannot affirm with certitude the product of each introgressed PR encoder in crops based on revelation from the human genome project, creating a tense consumer society. However, optimistic consumers overlook the failure of the one-gene one-protein model; and challenge the verification of its lapses if they exist at the plant genomic dogma. If the evil of engineered PR is allergenicity and food poisoning, then nascent proteins must undergo some deformities due to: 1) wrong or antisense introgression process, since it's usually probability-randomized event, (2) Systemic quenching of introgressed PR genes and activation of pseudogene families probably by mutation some incorporating methods confer to the host genome, (3) Absence of appropriate chaperones molecules to mediate processing and targeting leading to novel malformed PR. This malformed PR can exhibit malicious and erroneous metabolic function upon consumption. All these suggestions shed light why PR is present in conventional crops but few has high level allergenicity and food poisoning. Hence, responsible and purposeful consumption of EPRC is highly recommended.

Logical evidence shows 'transgenimers' and 'contransgenimers' are the direct polarization scars left by EPRC's and transgenic crops on the consumer society. Has EPRC's brought evil unto humankind? I argued it has brought us diversity, freedom, availability of quality and quantity crops to both 'contransgenimers' and 'transgenimers'. After all, Man is supremely indispensable in 'the natural order of things' and in the reconstitution of things in 'the nature order of things'; and must thrive from the best within or around his food chain. This supremacy is referred to in Genesis 1: 26, "Then God said, "Let us make mankind in our image, in our likeness, so that they may rule over the fish in the sea and the birds in the sky, over the livestock and all the wild animals, and over all the creatures that move along the ground." Paradoxically, humans was never given powers to control plants, modify nor create new ones; except eating them in their natural form as food (Genesis 1:26; 9:4). Man and his nature are mutable. Tolerance to biotech crops, availability of biotech crops and purchasing power of consumers will definitely determine the proliferation of the consumer behavioral pattern by 2050 i.e. incontrovertibly becoming

'contransgenimers', 'transgenimers' or remaining 'normoconsumers'. If we denote contemporary consumer population size by a, b, and c representing the tendentious consumer behavioral patterns i.e. 'transgenimers', 'normoconsumers' and 'contransgenimers' respectively, as depicted in Figure 1.

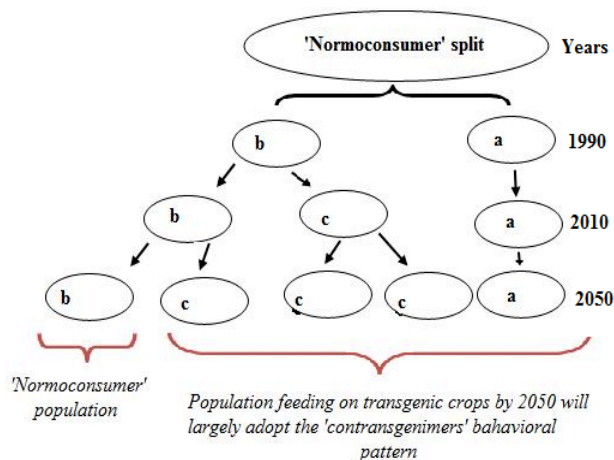


Figure 1: The raise of the 'contransgenimers' by 2050 by (Bengyella, 2011).

Then, now characterized by food security related issues, $lcl>lal$ and $lcl>lal \leftrightarrow lcl>lal<cl$; based on the fact that most countries back in time of rDNATGR inception applied a skeptic transgenic application policy. Secondly, most of these countries are developing and over-populated. Hence, cheap available crops are transgenic ones. If we consider 'transgenimers' and 'contransgenimers' are tolerant to engineered pathogenesis related proteins and conventional crops. Then, 'transgenimers' {a} for now are a subset of 'contransgenimers' {c} due to its continuous growth rate, and that 'normoconsumers' {b} population decreases as market influx of transgenic crops increases with widespread application of rDNATGR and biased trade of biotech crops. Hence, $c \dot{I} a$ or $a \dot{E} c$. Therefore, by 2050 projected to be characterized by food scarcity and population enlargement; the net population behavioral size feeding on transgenic crops either partial or entirely will be $la + cl >> lb$. Unarguably, 'contransgenimers' will dominate the consumer society. A psychological challenge for detractors of transgenic technologies to accept; but reduce to the option of following the change itself. The deviant behaviors favouring some 'normoconsumer' thriving on both TC and CC; and becoming 'contransgenimer' is the widespread tendency. This voluntary or involuntary transformation as the case may be is inevitably the quest to override the lapses of traditional nourishments. A phenomenon I call 'sweet equilibration'. Hence, allergies payback for our divine defiance of the nature order of things? For the time being, tolerant 'contransgenimers' and 'transgenimers' will continuously flow with transgenic crops in general and EPRC's in particular. Mindful allergies are not caused solely by biotech crops, but even by organic dust particles responsible for allergic alveolitis diseases: Are you a 'contransgenimers', 'transgenimers' or 'normoconsumer'?

Conclusion

Today, the use of PR chimera transgenes for crop improvement is widely applied. This signal 'normoconsumers', 'transgenimers' and 'contransgenimers' are poised to prepare their minds to savour and see EPRC's flourish on our land whatever the case. Normative views about what is good or bad, right or wrong related to engineered PR crops-consumers and TC-land relationships will solely depend on the benefits and needs at the individual level. There will be concerns of allergenicity, irrespective of group-A and B being champions of virtue. Hence, the 'contransgenimers' are pusillanimous circumstantial benefactor enjoying 'sweet equilibration' believed to have hermeneutically observed the wind of change in 'the nature order of things'. Humans may forcibly evolve by 2050 not by natural selection pressures, but by nutritional engineered transmutation leading to transmundane beings.

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Teaching Bioethics to Undergraduate Physiotherapy students: Students' Attitudes and Perceptions

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Abstract

Objective: To determine the attitudes and perceptions of undergraduate physiotherapy students on different components of their bioethics course.

Materials and Methods: The final year physiotherapy students at IPRS LUMHS were given the pre-designed self-report questionnaire at the end of their bioethics lecture and were requested to participate in the study.

Results: All 39 present students participated in the study and 3 were absent. All the students were of the view that learning bioethics is necessary for good professional practice. The students were satisfied with the course and they are now able to identify and resolve ethical dilemmas in their field of physiotherapy.

Conclusion: The students' evaluation of their bioethics course is very important as this will help us in further improving our bioethics curriculum. The student's responses will also facilitate us in the betterment of the bioethics teaching.

Introduction

Physiotherapy has evolved dramatically in recent years, to the extent that it is now a major healthcare profession. Ethical development is cited as a basic objective of physiotherapy education and many authors have identified an ethical dimension in everyday functions of the physiotherapist. The Behavior guided by the ethical code has been described as identifying physiotherapy as a profession rather than technology and thus contributing to professional stature (1). Physiotherapy raises some serious bioethical queries and questions that are neglected and far too little discussed and debated (2). To understand the ethical issues and dilemmas and their solutions, bioethics is introduced in the curriculum of almost all the fields related to medicine. Significant progress is achieved in developing bioethics in undergraduate curricula over last 20 years (3). Medical ethics has now become a compulsory and standard component of medical curricula around the world (4). In Pakistan bioethics teaching started in 1988 at Aga Khan University Karachi and was included in the undergraduate curriculum (5). In our University Liaquat University of Medical & Health Sciences (LUMHS), bioethics is currently being taught in MBBS and Physiotherapy undergraduate medical education. The Institute of Physiotherapy and Rehabilitation Sciences (IPRS) introduced bioethics as separate subject in their final year (4th year) of BS of Physiotherapy. We have

included all the major topics of bioethics in the curriculum. Along with general ethics, principles, issues and dilemmas, we have also included the ethical issues related to physiotherapy, organizational ethics, administration and the code of conduct of physiotherapy to strengthen the curriculum. This paper reports our experience of evaluating the undergraduate bioethics course, particularly in relation to the students' perception of teaching of medical ethics. Our aim is to stimulate debate and discussion on how we can improve our bioethics curriculum and teaching of bioethics.

Methods

To assess the attitude and perception of undergraduate physiotherapy students at institute of physiotherapy and rehabilitation sciences (IPRS), LUMHS Jamshoro regarding the components of bioethics course, a self-report questionnaire was designed. Our study population included final year BS Physiotherapy students. A total of 39 present students participated in the study and 3 students were absent on that day. There were 42 enrolled students in the batch. The questionnaire was given to the students at the end of their last bioethics lecture of their 8th semester (Final Year), to make sure that their bioethics course finishes before conducting this study. The course contents are shown in Table 1. The data was collected on 21st October 2013. The students took 10-15 minutes to complete the questionnaire. All students willingly participated in the study. The questionnaire consisted of total 11 questions. Completed questionnaires analysis was done using statistical methods.

Table 1: The contents of the Bioethics course:

- Fundamental Principles of Bioethics
- Theories of Bioethics
- Informal consent
- Confidentiality
- Privacy
- Veracity
- Euthanasia
- Ethical Dilemmas
- Abortion
- Medical Error
- Breaking Bad News
- Doctor-Patient Relationship
- Doctor-Pharmaceutical Sales Representative Relationships
- Professional Ethics
- Organ Donation
- Equity and Equality
- Human Rights
- Nuremberg Code
- Code of conduct of Physiotherapy
- Organizational Ethics
- Ethics and Administration

Statistics: For each question, we calculated the percentage of students responding in each category. Responses to the questions were analyzed such that first response ('Agree') and third response ('Disagree')

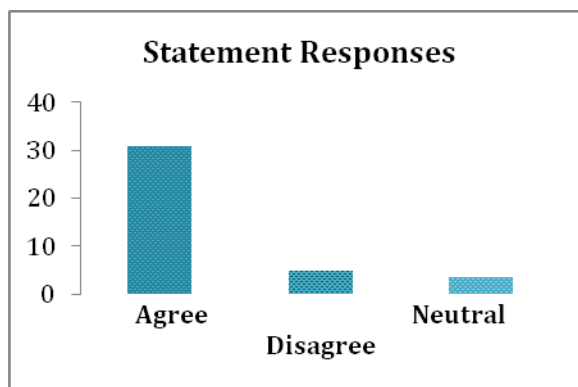
indicates agreement and disagreement with the statement while the second response ('Neutral') indicates unsure with the statement. The responses of the physiotherapy students to the questions were analyzed as percentage of those surveyed who agree, neutral or disagree with the statement.

Results

A total number of 39 undergraduate physiotherapy students participated in the study. There were 4 male and 35 female participants. Table 2 shows the students responses to the questionnaire.

Table 2: Attitudes and perceptions of physiotherapy students on different components of the bioethics course

Responses: (1) Agree (2) Neutral (3) Disagree			
1. Learning Bioethics is important for good professional practice	(1) 39	(2) 0	(3) 0
2. I have learned fundamental principles of bioethics	(1) 37	(2) 02	(3) 0
3. I found bioethics teaching interesting	(1) 25	(2) 12	(3) 02
4. Bioethics is just a common sense so no need for formal teaching	(1) 07	(2) 09	(3) 23
5. Topics in our bioethics course were relevant to the field of physiotherapy.	(1) 33	(2) 03	(3) 03
6. I can now identify and resolve ethical dilemmas in physiotherapy	(1) 32	(2) 04	(3) 03
7. Length of the course was reasonable	(1) 32	(2) 06	(3) 01
8. It was appropriate to learn bioethics for one year	(1) 31	(2) 06	(3) 02
9. Course contents were relevant to my culture	(1) 31	(2) 06	(3) 02
10. The methods used for final assessment were appropriate	(1) 34	(2) 02	(3) 03
11. I have understood the code of conduct in the field of physiotherapy	(1) 39	(2) 0	(3) 0



Ratings from Likert Scale: Agree (1) Neutral (2) Disagree (3)

Discussion

Identification and recognition of the ethical issues facing a profession is an important activity (6) and is considered as a mark of professionalism. In last 20 years, there has been an increased interest in the ethical issues. With this increase in curiosity and interest, there has been a concurrent increase in publications relating to medical ethics. The majority of

the literature has been related to nursing and medicine (7). Only in the last few years have other health professions begun to address ethical issues specific and related to their professions.

The need for these other health professions to address their distinctive ethical issues has become more urgent as these professions have expanded their scope of responsibilities, placing practitioners into positions in which ethical decisions must be made frequently. In recent years, the profession of physiotherapy has increased its autonomy in decision-making and has further expanded its role in patient care (8-9). Due to the recent publicity of patient safety and the medical errors, it is necessary to emphasize the importance of biomedical ethics as integral part of our undergraduate medical education (10). The results of our study showed that the students strongly valued biomedical ethics.

The questionnaire of our study comprises of 11 different questions and Likert scale was used to assess the responses of the participants. In the response to the first question all 39 students agreed that learning bioethics is important for good professional practice. When asked about the fundamental principles of bioethics, 95% of the students agreed that they have learned fundamental principles of bioethics.

64% of the responders found bioethics teaching interesting. In one question, the students were asked that bioethics is just a common sense so there is no need of formal teaching, in the response 59% of the students disagreed with the statement and only 18% agreed with the statement, while 23% students were unsure. 82% of the participants were of the view that they can now identify and resolve ethical dilemmas in the field of physiotherapy. About 80% of the students believed that the course contents were relevant to their culture and it was appropriate to learn bioethics for one year.

The students when asked about the length of the course, 82% of the students agreed that the length of the course was reasonable. When asked about the methods used for final assessment, 34 students (87%) agreed that the methods were appropriate. This is also reflected in their semester results, in which only 2 students were declared to have failed and 40 students passed the exam.

We used (BCQS) and (SEQS) to assess the students. In the response to the question related to physiotherapy, all (100%) students agreed that they have understood the code of conduct in the field of physiotherapy. The results of our study showed the general attitude and perception of undergraduate physiotherapy students at IPRS LUMHS Jamshoro.

Conclusion

The increasing debate and discussion in the professional and academic literature about the necessity and importance of exploring bioethics in Physiotherapy profession, and also the contribution of bioethics training to the ethical decision making of the future professionals, supports the view that it is necessary to encourage the academics and educators

to work together to further improve the academic bioethics curricula (11). The current study shows that the undergraduate physiotherapy students took bioethics as an important subject which is necessary to be taught, and not barely to be worked out as common sense. This study will further help us in improving our bioethics curriculum and also bioethics teaching.

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Ethics Education Addressing Issues Related to Community-based Healthcare Services: Comparison of Case Study Methodologies Using Drama Cases

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Abstract

In bioethics and medical ethics education, methodologies have been developed from a range of viewpoints, between the principles-based and opposite approaches. However, all these methodologies similarly adopt the case study method as an educational approach. This study aimed to confirm the usefulness of the case study method commonly adopted in various methodologies, rather than conflicts among them, by comparing the effects of two different methodological approaches: narrative- and drama-based. Considering that the majority of case study methodologies adopt the former approach at present, the effect of the latter was focused on in the study.

A study was conducted involving 85 second-year nursing students, who were divided into 2 groups: A: 43; and B: 42. To examine a case, 2 different study materials, a narrative text and drama DVD, were prepared, with the same content. Group A students were initially read the narrative text, and underwent a questionnaire. Subsequently, they watched the drama DVD, and underwent a similar questionnaire. In contrast, those of Group B as control students initially watched the drama DVD, and underwent the questionnaire to confirm their levels of comprehension of the case. They subsequently read the narrative text, and underwent a similar questionnaire.

The results showed no differences in the level of comprehension between the narrative text and drama DVD in Group B, while the level of comprehension was higher when watching the drama DVD in Group A, suggesting the usefulness of using drama cases in case studies.

Key words: Medical Ethics Education, Case Study, Drama Case

Introduction

Up to the present, the case study method has been generalized in the field of nursing and medical ethics education to a certain extent. Its details, however, widely vary under the diverse circumstances of bioethics. For example, they are frequently based on the principles-based approach, casuistry, or narrative, care, virtue, or situation ethics, and, therefore, it is difficult to simply define the case study method.

On the other hand, as cases are reduced to common events and described to provide a basis for ethical judgments in the principles-based approach,

while involvement in individual cases is focused on in different approaches from opposite viewpoints, it may be possible to classify the case study method into these major categories.

1. Principles-based approach: Beauchamp and Childress adopted this approach to apply 4 principles, <respect for autonomy>, <non-maleficence>, <beneficence>, and <justice>, to individual cases. In actual cases, however, mutually conflicting principles are mostly applied, without clarifying the appropriate order of application; in this respect, there may be a tendency for the principles-based approach to generalize each case with simpler descriptions.²⁴

2. Casuistry: As a solution to such a disadvantage of the principles-based approach, a movement to reconsider casuistry, which had been forgotten since the 16th to 17th centuries, arose.²⁵ The term "casuistry" is derived from the Latin *casus* ("case"), meaning involvement in individual cases. In short, it is a method of case reasoning, unlike the principles-based approach. While the latter examines issues based on principles, the former addresses them on a case-by-case basis.²⁶ In the casuistry-based approach, typical cases are initially defined as a basis for examining issues, focusing on analogy between these and relevant cases. The principles- and casuistry-based approaches are frequently differentiated, referring to 2 ancient Greek philosophers, Plato and Aristotle; while the former considered ethics as one of the logical sciences, the latter separated theories (*theoria*) from practice (*praxis*), and gave more importance to practical wisdom (*phronesis*) compared to theoretical knowledge (*episteme*).²⁷ Based on this idea, the casuistry-based approach tends to describe the details of individual cases.

3. Narrative ethics: In narrative ethics (ethical science), starting discussions by shifting principles to cases is not sufficient, unlike in the casuistry-based approach.²⁸ As individual cases involve personal stories, which cannot be generalized as common events, and, therefore, it is difficult to objectively reduce individual cases, and consider this process as a science.²⁹ Such difficulty, in short, leads to the necessity of considering ethics as non-academic and differentiating it from academic sciences, highlighting its contradictory characteristic as a science.

4. Care ethics, which is also closely related to narrative ethics, is characterized by the following question, raised by feminists during discussions regarding

²⁴ .Tom, L. Beauchamp, James F. Childress, *Principles of Biomedical Ethics*, 5th ed., Oxford University Press, 2001; p39

²⁵ .Jonsen, A.R, *Casuistry: An Alternative or Complement to Principles?*, *Kennedy Institute of Ethics Journal* Vol.5, 1995; 237–251.

²⁶ .Richard Brian Mille, *Casuistry and Modern Ethics* 2nd, 1996; p5.

²⁷ .Jonsen, A.R, S. Toulmin, *The Abuse of Casuistry*, Berkeley: University of California Press, 1998; 23–26.

²⁸ .Carson, A.M, *That's Another Story: Narrative Methods and Ethical Practice*, *Journal of Medical Ethics* Vol.27, 2001; 198–202.

²⁹ .Rita Charon, *Narrative Medicine: Honoring the Stories of Illness*, Oxford University Press, 2008; pp8–2

modern theories of justice: The principle of justice in principlism is right-based reasoning.³⁰ In this principle, inequality between equal individuals is considered unfair; in other words, inequality between unequal individuals, such as between physicians and patients or nurses and between males and females, is not considered unfair. However, considering that equality and inequality were originally defined by males, justice may also be a masculine concept. According to ethics of justice, led by the question "what is appropriate with respect to justice", moral problems arise from conflicts between different types of rights, and, therefore, it is possible to solve them by prioritizing rights from formal and abstract viewpoints. In contrast, in care ethics, the importance is given to the question "how to meet others' needs", and contextual and narrative perspectives are needed. Care ethics has been underestimated to the present, as it has been measured based on justice as an ethical index. Feminists also pointed out this tendency in principle-based bioethics, consequently leading to the development of care ethics perspectives in this field.³¹

5. Virtue and character ethics: Pellegrino and Thomasma are representative scholars who developed virtue and character ethics. Pointing out principlists' overemphasis upon patients' autonomy, as well as their rights, they advocated the adoption of communitarianistic virtue ethics in bioethics. From such a perspective, virtue and character ethics focus on physicians' human morality, rather than patients' rights, and aim to restore medical ethics by nurturing their virtue indispensable for benefiting patients. Pellegrino and Thomasma also focused on the ethical studies promoted by Aristotle in ancient Greece and Thomas Aquinas in the Middle Ages, suggesting the importance of physicians' virtue and appropriate personality for establishing trust relationships with patients.³²

6. Situation ethics: examines all the situations which must be decided fully in consideration of ethical action principle which the community where oneself belongs has. It is the same as a Law of nature at the point accepted that reason serves as a means of a moral judgment. But construct the good and it does not make it into the law-of-nature idea which shall be given a priori.

Although Situation ethics also follows a morality law, it is not a Categorical Imperative according to hypothetical imperative. Therefore, a morality law can be broken according to the necessity for love. Situation ethics can also be called "the principle-ized relativism." A principle, Maxim, and agreement are enlightening.

These only demand people to follow love and reason as much as possible. On the other hand, situation ethics guides an ethical act and requires it as certainly observing it at the place where love and

reason can be useful. And love cannot be defined beforehand.

As for the core of Situation ethics, I hear that a situation changes the ethical judgment about a case. Or you may put it in another way as a situation changing a norm and a rule.³³ Situation ethics duty is very relative to a situation. But the duty within a situation is absolute. Situation ethics does not ask for the good or justice which have universal validity. It asks for the worthiness in a situation right that and specific. Joseph Fletcher emphasized the necessity of shifting from <the sanctity of life> to <the quality of life>.³⁴

In short, in nursing and medical ethics education, it may be necessary to conduct unbiased case studies, while considering these different views.

Methods

1. Challenges in nursing and medical education using the case study method

From any of the above-mentioned viewpoints, case studies as a methodology to examine cases in clinical environments, including ethical problems, may be indispensable for making ethical judgments, regardless of their levels. In line with this, the case study method may play an important role in providing medical ethics education.

The author realized a number of challenges and difficulty when providing ethics education, presumably due to marked differences between learners in the ability to accurately interpret individual cases, even with carefully developed contexts. Consequently, they need a long time to achieve a certain level of comprehension, including in minimized case studies, and educators' efforts are frequently made to solve this problem, in addition to playing their primary role in managing discussions and activating classes by raising questions to prevent learners from reaching easy conclusions. In short, the author developed a sense of crisis against insufficient discussions due to learners' necessity of taking a long time to address their question, "I don't know what questions I should ask".

Considering such a situation, this paper discusses the usefulness of drama cases as a method to nurture learners' basic comprehension from a different perspective than those of ethical methodologies, in order to appropriately conduct case studies, as previously mentioned.

Subjects

The study was conducted on 12 May 2010, involving 85 second-year nursing students belonging to the Department of Nursing, Faculty of Health Care, Kiryu University. The students were divided into Groups A (43) and B (42) and instructed to self-evaluate their levels of comprehension of a single case (appended table). Group A students initially read a narrative text describing the case (story case), and

³⁰ Peter Allmark, Can there be an ethics of care?. *Journal of medical ethics*, 1995; 19-21.

³¹ Nel Noddings, *Caring: A Feminine Approach to Ethics and Moral Education*, University of California Press 2nd edition, 2003; 79-80.

³² Edmund D. Pellegrino, David C. Thomasma, *The Virtues in Medical Practice*. Oxford Univ Pr 1993; pp20-26.

³³ Joseph Fletcher, *Moral Responsibility*, SCM, 1967; pp141-147.

³⁴ Joseph Fletcher, *Situation Ethics: The New Morality*, Philadelphia, The West Minster Press, 1966; pp26-39.

underwent a questionnaire. Subsequently, they watched a drama DVD representing the same case (drama case), and underwent a similar questionnaire. In contrast, those of group B as control students initially watched the drama DVD, and subsequently read the narrative text before undergoing the questionnaire.

Case study: Care for community residents with dementia and intellectual disability

Shizue Arima, an 80-year-old female, lived with her son with mild intellectual disability, Shinichi (40), in a small town of the Hokuriku area of heavy snowfall. Her husband, who had been a government worker for a long term, died five years ago due to gastric cancer. Shinichi was her only child.

The chief nurse of the Health and Welfare Center supporting elderly residents and those with disabilities in the community, Sayoko Kurokawa, occasionally visited Shizue with helpers to observe her condition, as her forgetfulness had recently become marked. Shizue and her son lived in a 30-year-old wooden house.

Up to then, she had maintained a favorable health state, without suffering from serious diseases. Due to her naturally introverted character, relationships with her neighbors and communication with her sister-in-law living in the same town had become limited since her husband's death. Her neighbors stated that she had rapidly aged over the past 2 or 3 years, appearing depressed, and the signs of dementia, such as not recognizing her acquaintances and forgetting their names when she met them, were observed.

Last winter, Shizue developed pneumonia after the common cold, and was hospitalized for a month. Her nutritional condition was poor. In hospital, she was diagnosed with mild cerebral infarction and hypertension, and, after discharge, home care by visiting helpers and nurses for her was initiated. Although she was also advised to use day-care services, she refused this, stating that she was unwilling to visit places where a large number of people gather. Nurse Kurokawa visited Shizue twice or three times a month to confirm her blood pressure and medications. Helper Mizukami visited her weekly to assist her in housekeeping. Nurse Kurokawa recently recognized Shizue's poor medication adherence, in addition to a loss of appetite and decreased body weight. Helper Mizukami also became anxious about her status, as cooked dishes were left uneaten in the refrigerator for a week, and rice in the cooker frequently became moldy. When she visited Shizue the other day, a new set of futon was laid in the living room --- a costly product she bought via pernicious door-to-door sales. She began to go out for shopping less frequently unless the helper visited and accompanied her. Her closet was full of unwashed clothes. One of the care-givers' major concerns was fire management; in the past month, a fire nearly occurred twice, as Shizue left a pot on fire for too long. Her poor fire management might be a serious problem in the coming winter. In fear of possible fire accidents and solitary death, her neighbors demanded through the town office that the Welfare Center should admit her to a care facility. However, she also refused this, insisting that she should stay at home to continuously take care of her son.

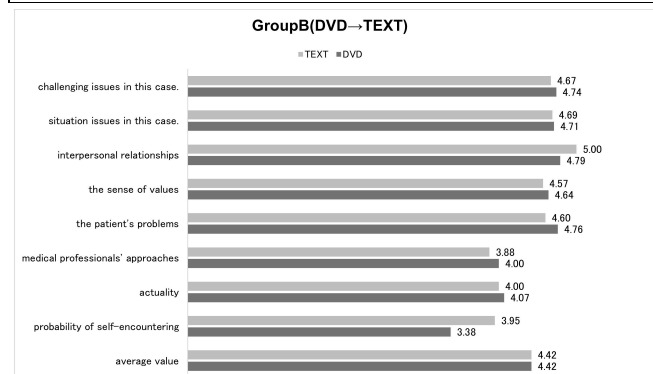
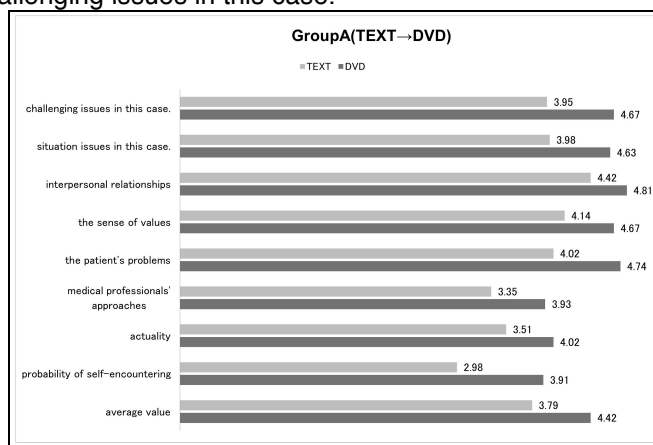
(*ABC of Medical Ethics, Second Version*: Kenji Hattori and Takao Ito; supervised by Toshiko Ibe; Medical Friend Co., Ltd.; p220; 2012; <Case 19> was partially modified to use as a drama case)³⁵

Results

1. Students' evaluation of the case

The results were as shown below when the students initially read the narrative text, underwent a questionnaire, and subsequently watched the drama DVD. Their self-evaluated general comprehension levels were clearly higher with the drama DVD.

Evaluation items included: the probability of self-encountering; actuality; medical professionals' approaches; the patient's problems and sense of values; interpersonal relationships; situation; and challenging issues in this case.



2. Quantitative test of Students' evaluation with t-test

On the t-test, values were within the range between 0.0079 and 1.1101, supporting the null hypothesis that there are no differences at a significance level of 5%. When calculating at a degree of freedom of 40 to 60, the value was 2.021 at a significance level of 5% and 2.704 at that of 1%. T-test values in Group B were: 0.0079 ≤ t ≤ 1.1101. *T-test values: 0.0079 to 1.1101, supporting the null hypothesis that there are no differences at a significance level of 5%.

Discussion

This study was based on the idea that it is necessary to confirm learners' reactions, in order to use drama cases as a new case study methodology. In this respect, it may be pointed out that the results are epidemiologically and statistically inaccurate; in fact, the questionnaire survey was conducted, without setting the accurate number of the target population or confirming the accuracy of the questionnaire.

³⁵ Toshiko.Ibe,Kenji.Hattori,Takao.Ito,Iryo *Rinri no ABC (ABC of medical ethics)*, Medical Friend., 2012; p220.

T-test

Sample size	level of significance	5%	1%	degree of freedom
A:43 B:42		-2.021	-2.704	40-60

Group A (TEXT→DVD)	sample size	sample mean	sample variance	unbiased estimator	standard error	P(T<=t)
probability of self-encountering	43	-0.9302	2.1114	2.1617	0.2242	-4.148869
actuality	43	-0.5116	0.7615	0.7796	0.1347	-3.799671
medical professionals' approaches	43	-0.581395349	1.220118983	1.249169435	0.170441931	-3.411105
the patient's problems	43	-0.720930233	0.666306111	0.682170543	0.125954084	-5.723754
the sense of values	43	-0.534883721	0.806922661	0.826135105	0.138608962	-3.858940
interpersonal relationships	43	-0.395348837	1.076257436	1.101882614	0.160078659	-2.469716
situation issues in this case.	43	-0.651162791	0.69226609	0.708748616	0.12838429	-5.071982
challenging issues in this case.	43	-0.76744186	0.876149	0.897010	0.144432	-5.313505

Group B (DVD→TEXT)	sample size	sample mean	sample variance	unbiased estimator	standard error	P(T<=t)
probability of self-encountering	42	-0.5714	1.8163	1.8606	0.2105	-2.714919
actuality	42	0.0714	1.0187	1.0436	0.1576	0.453147
medical professionals' approaches	42	0.119047619	1.914399093	1.961091754	0.216084846	0.550930
the patient's problems	42	0.166666667	1.186507937	1.215447154	0.170115308	0.979728
the sense of values	42	0.071428571	0.780612245	0.799651568	0.137983053	0.517662
interpersonal relationships	42	-0.214285714	1.168367347	1.196864111	0.168809847	-1.269391
situation issues in this case.	42	0.023809524	0.785147392	0.804297329	0.138383295	0.172055
challenging issues in this case.	42	0.071428571	0.780612245	0.799651568	0.137983053	0.517662

*Significance level: 5%: 2.021; and 1%: 2.704 *Calculated at a degree of freedom of 40 to 60 *T-test values in Group B: $0.0079 \leq t \leq 1.1101$

Naturally, it is possible to determine such accuracy by repeatedly examining it, such as performing retests; however, in nursing education, repeating the same test in the class, involving students and consequently forcing them to repeatedly undergo educationally invalid tests, may be inappropriate from an ethical viewpoint. Similarly, the number of the population targeted for the questionnaire was not accurately set, as the study was limited to a framework as a university class.

Further studies were conducted since the study in 2010, as a questionnaire for the measurement of the ethics classes, and I am continuing the investigation of the same issues with the permission of the nursing school and several universities. In the analysis, it is possible to see the same tendency as the present study. However, it is difficult to get permission to announce the official data from the ethical review committees of all the universities.

On the other hand, the results of this study may provide a basis for future studies to compare data by performing meta-analysis. The data obtained in the study were managed on such an assumption.

Although the data may be statistically insufficient, the questionnaire was significant in observing students' actual attitudes from a philosophical viewpoint. Some of its results were not predicted in the initial study scheme; they may be statistically inappropriate and disregarded as outliers. These data, however, may play an important role in addressing the challenge of interpreting and understanding individual cases as a subjective action in future studies. Similarly, this study may also provide a future perspective on the

development of class discussions to nurture students' inter-subjective comprehension through case studies.

Conclusion

While the results of this study may be statistically insufficient due to limited settings in the field of nursing education, retests to confirm their accuracy were not conducted, considering that they may be ethically inappropriate and educationally invalid. On the other hand, as the questionnaire was conducted in the beginning of a class, continuous case studies may have provided students with an opportunity to enhance their comprehension of cases in relation to their own development through the class. Although this possibility has not yet been fully examined with evidence, it may be a useful finding for educators. In line with this, in nursing ethics education, it may be effective to conduct case studies using visual materials as drama cases to deepen students' comprehension in combination with narrative texts as story cases to nurture their accurate and imaginative interpretation.

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