

Asian Bioethics: What Is It?, and Is There Such a Thing?

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Introduction

Debates in bioethics have now become global. This is so not only because of the fact that advances in today's biotechnology and life sciences are so rapid and wide ranging that it quickly spans the globe, but also because the different cultural traditions in the world need to find their solutions toward these challenges. Hence it is no longer adequate to limit the debates and discussions in bioethics only within the Western perspectives. As more countries, notably in Asia, enter into the advances in biotechnology and the life sciences, these countries need to find their ways of solving the problems as well as carry on the debates and discussions as partners in the global dialog. The phenomenon has prompted many to argue for the existence of 'Asian bioethics' which implies that the bioethics as practiced in Asia may be different from that in the West. In the same way as 'Asian elephant' is a species of elephants found only in Asia, the implication is that 'Asian bioethics' is a species of bioethics found only in Asia. In addition, terms such as 'Asian culture' or 'Asian thought' also imply that there is something distinct about the culture and thought of Asia, and presumably Asian bioethics would fall into these broad categories.

The debate on Asian bioethics falls into two major camps. On one side, it is argued that there are elements in bioethical discussion and argumentation that qualify it clearly to be Asian bioethics. For example, many in Japan to my knowledge have argued that the ethics of organ transplantation is different from that of the West (Cf. Sakamoto 1995). Whereas the modern West have largely adopted the new criteria of death focusing on the total loss of function of the brain rather than the ceasing of functioning of the heart and lungs, Japan has resisted the trend, emphasizing that their culture requires that the breathing warm bodies are not to be judged as dead. Hence it is argued or assumed that this different judgment toward the criterion of death indicates that there is a clear element of Asian bioethics. On the other hand, some have also argued that there are indeed common elements in bioethical considerations that pay no respect to national or cultural boundaries. Since everyone in the world values life, for example, any action that purposefully harms human life would violate the ethical norms of all cultures. And since the world has become smaller, with more and more people from various cultures and histories interacting with one another, then, it has been argued, the need to find such common elements would indeed be more pressing.

In this paper I would like to contribute to the debate and discussion, mostly by analyzing the term 'Asian bioethics'. The title of the paper consists of two question statements. And naturally I do hope to find an answer to them here. In the Kyoto Symposium, I said that there was no such thing as Asian bioethics because Asia was a very large continent containing highly diverse cultures, histories and traditions that made it very difficult, if not impossible, to find common elements that could define the 'Asian' in Asian bioethics. Nonetheless, since Prof. Ida has generously requested me to write a paper on this topic, which presented me with an opportunity to become more thoughtful and to engage myself in more reflection and research, I would like in this paper to elaborate on what I have said so that the thoughts I gave during the Symposium might become clearer.

Anatomy of the Questions

Let us look back to the paragraph where I mentioned the two sides in the debates on the possibility of Asian bioethics. The crux of the matter revolves around whether there are elements in bioethical judgements, norms, justifications and considerations, elements that are important enough to qualify them as Asian rather than, say, Western or Jewish or African. In other words, is bioethics a universal discipline like mathematics (it sounds rather odd to talk of 'Asian mathematics'), or is it more akin to art and literature (where talks about 'Asian art' or 'Asian literature' do not sound that odd)? However, when people argue and debate on such complex issues as this, more often than not there are more than one levels of the issue that are going on. And the parties entering the debate would find themselves talking past each other if they did not realize that they were operating on different levels. In the case of bioethics, as indeed with other ethical considerations, there are at least two levels, namely the first-order and second-order judgements. Basically the first-order judgements are those that we pronounce when we judge whether an action is right or wrong. If someone argues, say, that abortion is wrong, then she is making a first-order ethical judgement. However, if she says that abortion is wrong because it destroys human life, then she is also making a second-order judgement, which are the reasons or justification of the first-order judgements. Debates in bioethics, as in other fields of ethics, can take place at both levels. Hence if two persons enter a debate on the rightness or wrongness of abortion, then they are debating at the first-order level. But if they happened to agree that abortion is wrong, but were still debating on the right reasons for it, then they are debating at the second-order level.

These two levels are familiar to philosophers as the normative and theoretical level of ethics. The jargon is 'normative ethics' and 'meta-ethics' respectively. Thus when a Japanese bioethicist argues that organ transplantation should not be performed on a patient who is still breathing, even though the patient's brain is certified dead, on the ground that in Japanese culture the warm, breathing bodies are not to be considered dead. And if she argues further that this argument shows that there are elements of Asian bioethics which is distinct from the Western one, then the bioethicist is making both first-order and second-order judgements. And what is noticeable is that the Asian elements in her argument, the ones that enable her to argue that there is Asian bioethics, appear only at the second-order level. She is not arguing that, since cutting up warm, breathing bodies is wrong, then there is Asian bioethics. Certainly that is a bad argument. On the contrary, she argues that the reasons for the wrongness of cutting up warm bodies take their root in Japanese culture, and as a result the first-order judgement—whether cutting up brain-dead bodies is right or wrong—can take a different turn from that of the West, and because of that there is Asian bioethics. The difference with the West happens only at the second-order, where the reference to Japanese culture takes place. One could in fact argue that there is 'Western bioethics' in the same way by basing a first-order pronouncements on reasons that take their root from within Western culture.

Consequently, Asian bioethics, if there is such a thing, tends to exist only at the second-order level. To say that it exists also at the first level would mean that first-order ethical judgements are different between members of the Western and Asian cultures. But that is to be expected also from within any culture. I am quite sure that, within the Japanese culture itself, there are differences among opinions as to the moral value of abortion or euthanasia. This is to be expected in a healthy, open society where members are free to express their views. Thus to argue for Asian bioethics simply on the sheer differences in opinions among members of the Asian and Western cultures would not get us anywhere. I would like then to emphasize that it would be more fruitful to focus on the second-order rather than its counterpart. If we want to find a common ground so that concrete decisions can actually be made, then we would need to find a system of justification whereby these different first-order judgements could be reconciled in such a way that a form of consensus, or at least a way of reaching a decision that is agreed to by all, can be realized. And to focus on the system of justification would be to focus on the second-order judgements.

In more concrete terms, this would mean the following. We are focusing on whether there is Asian bioethics. A reason in favor of that is the argument of the Japanese bioethicist that we have seen in the previous paragraph. In a global debate and discussion on bioethics, we (meaning you, me, and indeed everybody who is interested in finding solutions to these vexing problems) would like find a common ground on which decisions can be made at the global level, so that the decisions can have force when they become a basis for enacting legislation in the respective countries. The common ground cannot be found among the second-order elements because these are just the elements which support the arguments that there are distinctive elements in local cultures that justify the first-order pronouncements taken by that particular culture. Hence if we are to find the common ground, then realistically what we can do is to focus on the first-order level.

Thus an answer to the question whether there is Asian bioethics is this: If there are elements in Asian culture that provide reasons for first-order bioethical judgements, elements which are distinct from those in the West, then there is Asian bioethics. And the answer to the other question is: Asian bioethics is an attempt to deliberate on bioethical questions in the context of Asia, consisting roughly of finding answers to the first-order, normative questions of what decisions to take as well as to the second-order, theoretical questions of what constitutes the reasons in support of the first-order judgements. The answers to these second-order questions also come from the cultural, historical and traditional resources of the locality where the deliberation is taking place. This idea is similar to that of John Rawls, who, in *Political Liberalism*, argued that decisions as to how people from different backgrounds are to co-exist with one another peacefully should be made on an 'overlapping consensus' which is political in nature and which is shorn of the metaphysical basis on what constitutes the good life of the respective groups that enter into the deliberation. In this case, the first-order decisions and judgements are at the level of the overlapping consensus, whereas the metaphysical bases held by the different groups are at the level of the second-order judgements.

Moral Education in Thailand: How Morality and Culture are Interconnected.

In order to illustrate the answers given above, I would like in this section to discuss moral education in Thailand. The idea is to show how morality and culture are interrelated, and the example is how moral education in Thailand is conducted. Traditionally moral education in Thai public schools is based exclusively on Buddhist teachings. The mission of the schools to teach their students to become morally good is one and the same with teaching them to be good Buddhists. This is understandable in a country where more than ninety percent of the population are Buddhists. Recently, however, there have been some calls for moral education in Thailand which does away with religion. The rationale is that Thailand needs to become more aware and sensitive to its multiracial and multicultural character than it has been, for Thailand has become more enmeshed in today's globalized world, with its increasing tendencies for violence and ethnic conflicts. Consequently moral education should become more secular. Ethical principles which can be adhered to by all religions should instead be taken up as the basis of moral education. Moreover, the new Constitution, promulgated in 1997, promised sweeping reforms in many areas, which prompted many to question the dominant role of Buddhism and how Buddhist teachings had taken hold on the Thai people's imagination and consciousness as to how moral education ought to be. Thus there have been calls for separating teaching Buddhism from teaching morality; in the views of those who call for the change Buddhism should be studied more in the social scientific sense, as a religion of a group of people, but not as the framework within which moral consciousness is to be formed.

It is deeply doubtful whether such calls can be realized. Thailand has been multiracial and multicultural since time immemorial, and the fact that Buddhism is practiced by more than ninety percent of the people does not imply that Buddhists in general are intolerant of other religions. Christian missionaries have been working in Thailand at least since the sixteenth century, but until now there have been relatively very few converts. (Today less than five percent of the entire population are Christians.) This did not happen because Buddhists tried to suppress people of other faiths. On the contrary, the missionaries were free to do their own things; there were not cases of religious oppression as there might be in other societies. Thus the calls for separating Buddhist education from moral education may stem from an overzealous faith in the moral system of the modern West, which found it necessary to separate Church from State because of a variety of their own historical reasons. In Thailand, such a separation is not necessary, since so far Buddhism and the Thai state have coexisted peacefully. The other religious groups in Thailand, moreover, are not oppressed; in fact the King traditionally and constitutionally plays a role in protecting them as well as the Buddhists too.

These calls for secular moral education are also made more difficult by the fact that Thai terminology in ethics and morality invariably have their roots in Buddhism. The Thai word for morality, *Seelatham*, is directly borrowed from Pali *Siladhamma* and means 'system of precepts', which are in fact Buddhist terms having their meaning in the system of Buddhist teaching. Thus even to conceive of a system of morality which is shorn of religious underpinnings and overtones, as has been the case with Western ethical system, appears to be almost impossible.

If it is the case that Buddhism should play a role in moral education of children in Thai public schools, then there seems to be a strong reason in support of a relation between ethics and culture. Buddhism is part of the Thai culture, and as moral education is also a way for society to train its younger members about its values, ethics and culture are then interconnected. An implication for our investigation on Asian bioethics is that there is a strong sense in which there must be Asian bioethics: If there is Asian culture, then as ethics and culture are deeply interconnected, there must then be Asian bioethics. Analogously, if there is Western culture, then there must also be Western bioethics for the same kind of reason. The catch, however, is that talks of Asian culture can in some cases be too general to work properly. And in this sense 'Asian culture' or 'Asian bioethics' may be too broad and one needs to focus at more local levels, such as 'bioethics in Thai Theravada Buddhism.'

So Is There Asian Bioethics Really?

Let me sum up what I have said so far. There is a condition that must obtain in order for there being Asian bioethics, namely the existence of Asian culture. But as is well known, 'culture' is a notoriously difficult concept to pin down. If one focuses on the different elements within Asia, then it is actually very hard to find a common element. But if we focus on the similarities then there is a sense in which it become legitimate to talk about Asian culture in general. For example, in talks about Asian culture as opposed to Western culture (which itself is a conglomeration of many different national, regional and ethnic cultures), one would presuppose that there is something that defines Asian culture in general. In some contexts this distinction may be fine when one is making a broad generalization comparing Asian and Western perspectives, for example when one says that Asian culture pays more attention to community values than do Western one. However, when one gets into the real business of how to construct a system where bioethics become realized as effective guidelines and principles for making concrete decisions, then one finds that talks about Asian culture in general do not help much, and one looks instead at cultures at a more local level, such as Thai,

or Vietnamese, or something of that kind. It does not help much precisely because, when Thai people, for example, get together to decide on the best course of action regarding, say, embryonic stem cell research, the most they can do is to study the decisions that have been made in other cultures together with their justification, but Thai people cannot just copy those decisions onto their own without thinking how those decisions and systems fit into the cultural milieu of their locality. Thus Thai people would need to take into consideration elements of their own culture which may or may not obtain in others, elements such as Theravada Buddhism and the particularities of Thai history and tradition. Nonetheless, the decisions made by Thais need to be more or less congruent with those in other cultures, otherwise we would lose a sense of global community and shared values which are very important in today's world. But even this is the case, the system of justification can belong entirely to the Thais' own particular tradition and history, as I have said.

So the question whether there is Asian bioethics actually depends on what level we are looking at. And I don't think there is much sense in saying that there is, or is not Asian bioethics without referring to the context the utterance takes place. It is a useful concept, but one should not think of it as existing objectively without the use to which its concept is put.

Conclusion

The dilemma between whether one should focus on the sameness or differences of things is as old as philosophy itself. I am not sure whether this dilemma can be solved algorithmically, as if it were a mathematical equation. Members of local cultures need to negotiate and argue among one another as to the best decisions they could adopt. What is usually taken as universal principles, such as those we are familiar with in bioethics, are products of a certain strand of history and culture. But that does not preclude its universal application. We are all entering into a global level of the debate and discussion, and whatever decisions and resolutions we can make should clearly have global force. And as for Asian bioethics, it should contribute to this global level of discussion and deliberation. Asians and other members of the global community can indeed learn from one another, through sharing of one another's viewpoints and traditions, which in the end will enrich us all.

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