



# Ethics and Evidence: Mapping New Paths Through Bioethical Controversies

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At the time of writing this editorial (13 February 2023), the World Health Organization (WHO) reported 755,703,002 confirmed cases of COVID-19, including 6,836,825 deaths worldwide.<sup>1</sup> And, in less than 3 years since the WHO announced a global pandemic on 11 March 2020, a total of 13,168,935,724 vaccine doses have been administered to people around the globe (as of 23 January 2023). The enormity of the impact of this disease has been devastating; the alacrity of the biomedical response has been breath-taking as has been the effectiveness of the response. However, the socio-ethical repercussions of the pandemic are equally devastating and breath-taking for their reach into human lives. The Asian Bioethics Review remains committed to mapping and tracing the ethical tsunami that continues to overwhelm us in the wake of COVID-19. It is for these reasons that the first two papers in this April 2023 issue of the journal focus on this coronavirus pandemic.

In his paper exploring the public health response to COVID-19 in Vietnam, Doan examines the human rights impacts that have been felt as a direct result of the Vietnamese government's particular strategy for dealing with the pandemic [<https://link.springer.com/article/10.1007/s41649-022-00226-1>]. A central feature of that strategy was a policy of decentralisation and delegation of power to local authorities to implement public health measures. While this was effective in practical terms in dealing with infection and containment, it led to inconsistencies of approach across the country and to a range of potential threats to human rights for Vietnamese citizens. The author maps the trickle-down effects of this approach through the lens of international human rights and calls for better training on the same; he also advocates for better supervision of the operationalisation of decentralisation, especially in times of public health emergency.

In contrast to the Vietnamese experience, Dar and Wani examine the wide-spread privacy implications that have been felt in India as a result of the Indian government's attempts to keep COVID-19 at bay [<https://link.springer.com/article/10.1007/>

<sup>1</sup> WHO Coronavirus (COVID-19) Dashboard: <https://covid19.who.int/>

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s41649-022-00227-0]. A series of strictly centralised executive policies that prioritised emergency response over citizens' civil liberties led to wide-spread surveillance of Indians. Impacts were significantly compounded by the lack of any adequate legal framework of protection that meant that human rights of privacy and liberty were widely disregarded or seriously compromised. The ripple effect of such measures continues to be felt within the legal void that remains. The authors use case studies and secondary data to explore the longer-term privacy implications of this untenable situation.

Evidence is crucial to an informed ethical response to any biomedical situation. The growing scholarship on empirical ethics makes essential contributions to our field and to legal and policy responses worldwide. The next two papers in our April 2023 issue are excellent illustrations of this. Against the backdrop of the global phenomenon of biobanking, Azahar et al. offer insights into approaches to, and understandings of, the role of consent to biobanking in Malaysia [<https://link.springer.com/article/10.1007/s41649-022-00229-y>]. The article contains important findings about the approaches to obtaining consent to participate in biobanking, demonstrating that broad consent is the most common practice in line with international practice. However, the study also reveals a lack of understanding among many participants concerning the wider ethical, legal and social features that pertain to biobanking as a research endeavour. Five areas of concern are explored, and the authors ultimately recommend more systematic research ethics training for all researchers. They highlight, however, that at present there is no centralised or standardised approach in Malaysia; any training initiative must come from the local institutional level, and this returns us to the challenges of decentralisation highlighted by Doan above. Equally problematical, there is no national syllabus on research ethics; this leads to variability in training and unacceptable lack of uniformity of approach in Malaysia.

This last point serves as a valuable segue to our next article, which is concerned with medical education in India. Ganguly et al. also deploy empirical methods to examine the experiences of a new module on Attitude, Ethics and Communication introduced for all undergraduate medical students in 2019 as part of the Competency Based Curriculum of the Indian National Medical Commission [<https://link.springer.com/article/10.1007/s41649-022-00225-2>]. While there has been widespread consensus about the need to teach medical ethics in an integrated fashion, the reported experiences of teachers and students show mixed reception and perceptions on both sides. Resources are a crucial issue for all involved, both to teach and to learn. The authors suggest that much more work is required to move towards a standard model for medical education in India. Lessons from the previous article would suggest further that training on research ethics would make a valuable addition to any such model.

Our final Original Article in this issue takes the form of a response by the author to recent work engaging on the (im)morality of abortion and a revisiting of the classic defence of abortion laid out by Jarvis Thomson. In his article, *Three Problems with the Impairment Argument*, Simkulet seeks to fortify the original position laid out by Jarvis Thomson in arguing that even if the killing of a foetus is immoral, this is trumped by the right of women to have access to abortion services [<https://link.springer.com/article/10.1007/s41649-022-00225-2>].

[springer.com/article/10.1007/s41649-022-00228-z](https://link.springer.com/article/10.1007/s41649-022-00228-z)]. The particular context for the discussion is recent work by Hendricks (2019a, b) based on the impairment argument and in which he lays out his argument why abortion is wrong. Simkulet offers three reasons to challenge that position and to engage directly with the impairment argument itself.

Our remaining two contributions are Perspectives Articles. Mohd Zailani et al. explore the nature of *haram* in Islamic faith as it applies to the use of human-pig material for organ transplantation [<https://link.springer.com/article/10.1007/s41649-022-00233-2>]. Basing the discussion on extant Islamic legal maxims about the forbidden nature of using pig derivatives in medicine, the authors apply this jurisprudence to bioethical considerations, particularly in the context of a medical emergency. The analysis suggests that while the forbidden nature of human-pig chimeric material must endure for followers of Islam, possible exceptions can be justified within Islamic bioethics and in the event of emergency situations.

Finally, Pougnet et al. seek to map the changing nature of ethical discussions and debate relating to genome editing, particularly as typified by more recent developments such as CRISPR-Cas9 [<https://link.springer.com/article/10.1007/s41649-022-00234-1>]. The discussion reveals an intricate tapestry of interwoven ethical concerns over time, first prioritising safety issues and uncertainty concerning future generations and then moving on to the likelihood of benefits and residual concerns if safety could be adequately addressed. Perhaps most telling, the analysis also engages with issues that have received far less attention, including stigmatisation, justice and equal access. As a snapshot of the evolution of ethical response that could be mapped to many (any?) new technologies or biomedical innovations, the article is important for what it reveals about how our moral community navigates its paths through novel bioethical terrain. In many ways, each of the contributions in this issue is an illustration of the same process.

## References

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