Between Tradition and Modernity: Bioethics, Vulnerabilities and Social Change

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The Hindu civilization has been a continuous tradition for at least the last 3500 years, and it has also always been in transition. The Indians think of their tradition as a stream, *Pranalika*, flowing at various speeds and changing with gradients, adapting to local conditions. The classical metaphor invoked by Jawaharlal Nehru (1981) was that of a palimpsest, an ancient parchment upon which generation upon generation has written its message, without quite completely erasing the previous ones[1]. Invoking another metaphor, it is like an archeologist who comes upon strata of artifacts from different ages, except in our case without digging, all eras existing simultaneously. I wish I could show you a photograph I used to have that captured this strange mixture of times. It showed a scene I came upon on a modern city street in India, a bullock cart/wagon transporting a large drum of gasoline!

My purpose here is to show that the Indian civilization or tradition that may seem static or stagnant, even hide-bound, keeps changing, though ever so slowly, rarely through a radical departure, among a people who greatly value their sense of rootedness in their history. The pride with which Indians say "we are an ancient civilization" bespeaks the respect in which they hold the past. They look to that tradition for inspiration and guidance but always are open to subtle adaptations.

An important feature of Indian tradition is that it is non-canonical. In offering a preface to my book "Health and Medicine in the Hindu Tradition" (1989), Professor Martin Marty, the celebrated protestant theologian and historian exclaimed "where is the canon?" In fact there are no fixed, abiding commandments that all Hindus must follow. The Hindu story is one of slow movement away from a center; through interaction with local traditions and circumstances they make locally appropriate and accommodative changes in their practices. There is no central authority, no law-giving church, no priesthood that is the final arbiter or interpreter, no single book and no messiah. Wherever you look, diversity is the rule.

Religion

Hinduism speaks in many voices and has many centers. Since no one God became preeminent, monotheism did not prevail and a singular explanation of the origin or coherence of life never became dogma throughout India. Moreover, unlike Greece and the Middle East, neither did patriarchy prevail. Instead, what emerged was a comingling of the Indo-European patriarchy and the native Indian matriarchy, and again true to the diversity of all things Indian, the proportions of this comingling varied from region to region in India. Thus multiple gods and goddesses were worshipped, each a dominant force within a particular sphere of activity, locale, and time frame. The religion itself has remained, in theology as well as liturgy, nondogmatic and noncanonical, and no central organizing institution has emerged to make up for the absence of a single prophet or a unifying text. Hindu ethos and praxis are variable in the same locale and penetrate local traditions with subtle variations.

Adding to the complexity and variety in the religions of India are two other old religions that mark the period of transition around 500 B.C.E. when the Upanishadic revolt within the older Vedic sacrificial tradition reached its climax. Buddhism and Jainism arose in India around the same time. Gautama Buddha (Buddhism) and Mahavira (Jainism) were princes and, as non-Brahmins, were in a position to challenge ritualistic religion involving animal sacrifice and the attendant social order that divided people into a hierarchy. Both religions championed the cause of ahimsa (nonviolence), and both rejected the notion of social class. They sought an egalitarian society in which people were taught the path to salvation without the ministrations of Brahmin priests who wielded the authority of the proto-Hindu scriptures, the *Vedas*. Both preached an ascetic ethic through a life of austerity, avoidance of pleasure seeking, and the courting of suffering through reduction of one's bodily needs.

Buddhism and Jainism championed the cause of ahimsa (nonviolence), and rejected the notion of social class

Jainism emphasized the many-sidedness of truth, that no one point of view of approach allowed a full appreciation of the truth, that in fact absolute truth or knowledge was impossible, and hence that there was no place for dogma. In matters of conduct, the Jain faith extolled five virtues 1) nonviolence, 2) truth-speaking, 3) not stealing, 4) chastity, and 5) nonattachment to worldly things. Mahatma Gandhi derived many of his ideals from these tenets.

Buddhism had a profound impact on Indian history. This atheistic philosophy regards suffering as central to life; the fact of death annihilates the value of the pleasures of life. Buddhism views everything as caught in a web of transformation. Since ignorance veils the true reality, once one is removed from the unknowing state, one can enter *Nirvana* (literally the blowing out of air, or extinction of a candle). In its ethics, Buddhism conceived of compassion and nonviolence as the heart of its teachings. Both of these heterodox systems retained the Hindu theory of karma (the doctrine that every action generates automatic and inexorable consequences).

At later stages Islam, Christianity, and Sikhism spread in India, following the gradients of caste and regional differences. Christianity had spread to India from the early centuries of the Christian era mainly through missionary work hastened by tactical identification with the religion of the ruling class. Islam also spread through the efforts of missionary Muslim clergy, but forced conversion by the ruling class was a significant contribution to massive change. On the other hand, the spread of the Sikhism in the 15th century and later was essentially regional, mainly in the Punjab, an area that had been militarized by centuries of foreign incursions through the Northwest frontier. Each of these three faiths offered dignity and equality to all under a common umbrella.

Before we return again to a review of more recent social reform movements, it may be important to have a brief overview of the various inequalities that give rise to different kinds of vulnerabilities among different populations.

Sources of Vulnerabilities

Social and the religious forces and strivings in India are confluent and hard to tease out. Nevertheless, the organization of society and the place and tasks of its members clearly derive their sanction from religion. *Dharma*, or the "Law" governing adherence to the pursuit of *virtue*, is the overarching principle of Hindu life, and within it are contained the additional two goals of life: artha, or pursuit of a means of livelihood, and kama, the quest for pleasure. For each

person, the tasks of adhering to virtuous conduct throughout life, the acquisition of a means of livelihood, and the seeking of pleasure, are determined by the caste one is born into; status, age, and gender give rise to hierarchies of power, access, etc. These constraints apply not only to behaviors in the religious sphere, vis-à-vis God, but also to relationships with others, including husband-wife, parent-child, teacher-pupil etc. Each relationship mandates mutual obligations according to the Law. These are hierarchical and not reciprocal, hence vulnerable to exploitation and oppression because of the status (and, in practice, power) gradient.

The fourth aim of life, *Moksha*, liberation or deliverance, is in a different category from the other three. Although release from the bondage of work (karma) and the cycles of birth and death is encompassed within the idea of the Law[2], *Moksha* is essentially otherworldly, and so forms an end in itself.

The status of women in the Hindu culture was subordinate to that of men, although they are essential for the completion of men and the discharge of men's debts to Gods, sages, and forefathers via their role in the acquisition of progeny (particularly sons). Women, in general, were seen as undeserving of Vedic learning, respect, or admiration. As wives they were regarded as inferior, easily given to sexual excitement, and the draining of a man's energies. They were said to be prone to lapses in virtue thus causing strife in their relationships within the family. As mothers, however, they were exalted, instruments of generational continuity, nurturing, and thus entitled to respect for their maternal functions.

Fear of the power of the sexuality of women was a prominent factor in the practice of prepubertal marriages and in the isolation of women within the home. The early social reform movements focused on these inequities and cruelties against women, from the custom of urging self-immolation by a widow on the funeral pyre of her dead husband to the practice of child marriages and physical abuse of women by their "entitled" husbands.

Sources of Strength and Protection

The Hindu kinship organization, as we saw earlier, can be a source of vulnerability but this is often overshadowed by the extent of the protection it provides persons in the network and the cohesion it lends to the organization. This kinship organization is marked by resilient connectedness (a part of the interrelationship of all things). In creating order in the social organization not only is hierarchy maintained but also a system of mutual obligations, responsibility, and loyalty, making the network resilient in the face of life stresses.

This strong sense of solidarity protects all stages of dependence. Mutual obligation and support become values that take the place of Western individual autonomy. In the west, particularly in the U.S., the negativity associated with dependence has increased the vulnerability of the sick and disabled, who are experienced as parasitic. The elderly and the poor, the disabled and dependent—in other words, all needy people—are seen as unproductive. In the Indian world in general, and the Hindu in particular, the elderly get a great deal of respect and deference in virtue of their higher status in age hierarchy and become themselves the protectors of the young, women, and children. The weak and the disabled are seen as deserving protection. The otherwise unproductive have a right, and are entitled to support and succor. Given that connectedness is so highly prized, all unnecessary discord within the family is avoided and that which cannot be avoided is easily glossed over. Collaboration, or at least getting along as opposed to competitiveness, is promoted from childhood onwards. Family becomes a strong nexus bringing under its fold and taming all manner of individual interests, especially those that are mutually exclusive or harmful to cohesiveness, and thus promotes a vision of welfare of the unit over that of the individual. Family as a rich social support network that boosts individual resilience against disease also protects against natural calamities and disasters. On a larger scale, caste net-

works perform a similar function although in somewhat less personal way. The Hindu tradition of philanthropy tends to focus on caste networks, but also provides for donations to the poor, the sick, socially dependent, and the needy. Compassion and mercy shape these attitudes and activities. Unlike the Western tradition where almost all college going children leave home, in India if at all possible they remain at home. In the early days of university education which in most instances involved sending a child, particularly a son away to college, affordable housing was often provided by caste-based dormitories. Castes also provided for financial assistance to their members.

Charitable trusts created and operate clinics, hospitals, and orphanages that catered to particular caste networks, but are based on more general Hindu principles. *Caraksamhita*, the oldest Sanskrit medical text, declares that the motivation to pursue the medical profession must not stem from any form of self-gratification, but only from compassion towards all living organisms.

Social reform movements that eased transition into a successively more modern world derived their inspiration not only from Western ideas of liberalism but also from native and traditional Hindu and Buddhist attitudes towards suffering, particularly compassion and mercy. It also is an aim of *dharma* to protect the weak and the helpless and is obligatory for a ruler.

Social Divisions in the Hindu Culture

The division of the social order into four classes is perhaps the most distinguishing and most notorious feature of the Hindu tradition. According to the RigVeda (X-90), the four classes were created from the body of the primeval person, a cosmic giant (Purusha). In actuality, skin color played a part in this division since the immigrating/invading Indo-Europeans were white and unlike the original inhabitants, the Harappans, the people of the Indus. The invaders achieved military superiority over the natives, regarding them first as slaves or slave-like, and later accorded them a lower rank in the social order.

By the time of the literature of the Law books (Dharmashastras), the four normative classes of *Brahmins* (priests, scholars, teachers who knew and had mastered the sacred lore), *Kshatriyas* (rulers and warriors), *Vaishyas* (traders, bankers, agriculturalists), and *Shudras* (toilers and menial workers) had became fixed. This original division of the society appears to have provided a schema for a division of work; the lowest designation was conferred on the dark-skinned natives who were consigned to do manual and menial labor. Untouchability, a later development, derived from states of permanent pollution the members of the lowest class suffered from contact with such substances as dead bodies, human waste, and animal products. This contact placed such polluted people outside the system. For Mahatma Gandhi, this was by far the most shameful aspect of the Indian tradition, and he worked mightily to reform the system.

The division of the social order into four classes is perhaps the most notorious feature of the Hindu tradition

The modern division of Indian society into castes is often erroneously thought of as identical with these four classes, but it is not. The Indian word *jati*, or caste, is cognate to Latin *genera*, and similarly denotes a group of people sharing common characteristics, for instance occupation and ancestry. Jatis are governed by the rules of endogamy (marrying within the limits of one's caste), and commensality (eating together). Strict adherence to rules of marriage on the part of the group preserved the boundaries of the caste, and rules about exchanges of cooked food reinforced notions of purity and hierarchy between castes, thereby stressing the inherent "nature" of a person be-

longing to a particular caste. A peculiarity of the system was that the caste system conferred a place in hierarchy, usually rigid and fixed by birth, but allowing some upward or downward mobility by virtue of special achievements or failures, rarely by an individual but usually involving the whole jati.

The differentiation into castes was further accented by *guna* theory, by which certain qualities (gunas, literally "strands") inherent in particular castes were further accentuated or altered by occupational tasks, foods ingested, activity undertaken, transactions entered into, etc. Three gunas are found in all material substances; goodness (*sattva*), vitality (*rajas*), and inertia or darkness (*tamas*). In the four-fold Varna (class) system, the Brahmins are regarded as *sattva* dominant, the Kshatriyas as *rajas* dominant; the vaishyas are regarded as having mixed dominance; and the Shudras are regarded as *tamas* dominant. In the development of Hindu thought, a person's dharma was derived from his caste and the accompanying *gunas*. When the religious text *Bhagavad Gita* declared that death in pursuit of one's *dharma* was preferable to following someone else's, it invoked the *guna* theory of the inherent differences in individuals within the caste of individuals, another feature that accorded higher or lower status.

In India the division of the social order into classes has accentuated the vulnerabilities of different populations

From any vantage point the situation of the Untouchables, the depressed and backward "classes," and the tribals (people living on the periphery, in forests and not yet encompassed by a "Sanskritized" or mainstream Hindu religious tradition) was the most precarious. There was no dignity in being an Untouchable or a tribal, neither was there redemption. Thus the Untouchables and the tribals were natural targets for the Christian missionaries in their efforts at conversion, and many Indians found in the new religion not only help for their social and economic state but an alternative to a life of indignity. It was natural, then, that the Hindu reformists were keenly attuned to the problem of the "backward classes" in particular and the caste in general. Mahatma Gandhi's interest in diminishing the prejudice against the *Harijans* (the Untouchables), the Children of God as he designated them, may be one of his most lasting contributions to Indian society.

As the ancient law givers tried to organize the social order, they introduced a system of hierarchies between classes of people, and also along lines of age and gender, that led to iniquitous distribution of power and skewed interpersonal transactions through domination and exploitation. The vulnerabilities of different populations, of different genders and ages, are thus systemically built into the order and have, over the centuries, emerged as the soft under belly of the civilization.

Two other groups of people stand out as vulnerable to many forms of inequities and discrimination. First are the so called tribals, or the scheduled tribes (as enumerated in a schedule of the constitutions) who have lived on the periphery of the Hindu society, away from established civilization, mostly in the forest, have only until recently been food gatherers and have been outside the Hindu religious fold. The second groups are the religious minorities of the Muslims and Christians. Many from among these groups, unevenly spread all over India, are religious converts from the backward castes, the untouchables and the scheduled tribes, who carry a stigma to begin with. The prejudice against either of these two groups, though not recent, has hardened and intensified. Muslims have become suspect in terms of their loyalty to the Indian state since the partition of India into mostly Hindu and mostly Muslim states, and both Christians and Muslims have become targets ever since the rise of a virulent form of Hindu fundamentalism. Conversion from Hinduism to either of these faiths is experienced as an at-

tack on Hindu pride. The converts may in fact have found a life of religious dignity and their conversion may have led to improvement in their living condition, but by and large their lot has been poor. At the same time there have been social movements to address these vulnerabilities. In the last about 200 years the pace of these reform movements has quickened, especially in face of European missions and in emulation of them.

The Raj

The era of colonial occupation in India by European powers began with the landing of Vasco da Gama on the southwestern coast of India in 1498. Da Gama had come looking only for "Christians and Spices", but he inadvertently opened the floodgates of the Indian markets not only to the Portuguese, but also to the Dutch, French, and English merchants who established a political foothold in different parts of the country over the next century.

It cannot be overemphasized that, save for short periods of military conquests, India never was a cohesive society or nation. There was a certain geographic and historical identity, but even with regard to religion it was not a homogeneous unit. Fragmented into a myriad of small and big states politically, and into rigid hierarchic order socially, people as a whole held diverse perspectives and their aims were sometimes mutually antagonistic. Political and social exploitation was the rule in a highly stratified society, where most of the privileges were reserved for a small minority of the political and cultural elite. To a vast number of people making only a subsistence living, with any number of masters, neither the British nor the Moguls before them were different from other oppressors. Nevertheless, by the end of the 18th century the British successfully established their rule over large parts of India; they subdued local uprisings, extended protection to local princes in return for their hegemony, and achieved total military superiority. By the end of the 18th century, the British East India Company had conquered most of India. The company brought the entire country under central control and a single administration for the first time in Indian history.

Reform Movements

When a new era began with the administrative relationship between the Western rulers and their elite Eastern subjects, a more direct collision between the two cultures also erupted. The European religious establishment began to view their mission in India as one of converting the heathen to the "Word". The chronicles of the missionaries described Indian natives as people who were savage, primitive, heathen, and debauched. Both in India and in England, the British elite took upon itself the task of civilizing India[3]. The East India Company in its turn began to redefine their mission as that of "introducing" Western ideas and institutions. To dispense justice and maintain order, Western notions and institutions of law and justice were established, thus undermining and devaluing native institutions. United in its mission, a well-orchestrated bureaucracy wielded enormous power all over the urban and rural centers of population and penetrated the Indian social fabric. The Indian elite, in awe of their new masters, began to identify with the new culture, and by identification with the values of their formal masters, viewed their own culture as deficient. Native institutions of learning, of healing, of justice and administration thus gave way to the imported variety; the British began discharging their "white man's burden" in earnest. In 1835 the English language was introduced as a medium of instruction in place of the vernacular in Indian schools, and, for the first time, colleges using the English language were founded. The purpose was twofold: 1) to supply the British Raj with an army of clerks to supply the infrastructure of the bureaucracy and 2) to educate Indians in Western ideas, thus un-

dermining the ancient culture they wished to replace. Heretofore, many Indians had studied English privately and had even traveled to England to establish their credentials as sophisticates among the alien rulers, but now an attempt to infiltrate the Indian culture began on a larger scale. English manners and attitudes were emulated enthusiastically by the "upper crust" of Indian society. From within the ranks of this emerging class of Indian intellectuals versed in English manners and tastes arose not only a critique of Indian traditions, but also an attempt to confront inherent contradictions of a Raj, with all its complexities and faults.

Raja Rammohan Roy (1744-1833), from Bengal, was one of the first among the Indian scholars to lead the new movement for assimilation with Western practices. The British had initially established its seat of power in Calcutta, the major city of Bengal on the eastern shore, and hence had early on made its impact on this province. Rammohan Roy, after an exhaustive study of both the Western and Eastern traditions and religions, attempted to meld the best of each tradition. He championed the cause of education in English for Indians while urging the inclusion of Indians into the higher echelons of the British army. He was also a staunch advocate of freedom of the press, and a variety of other causes important to Indians such as attaining more welfare for the peasants especially protection from exploiting landlords. He attacked the injustices of the judicial system established by the British. Foremost among the reforms he advocated was the drive to abolish the tradition of *Suttee* (the British spelling of the Indian word sati), the practice of self-immolation by a widow on the funeral pyre of her husband. He met with intense opposition from Orthodox Hindus but was ultimately successful when in 1829 the British banned the infamous practice most prominently practiced at the time in Bengal[4]. Critical as he was of the Indian conditions and traditions, he ushered in an era of proud Indian voices who were not only seeking to reform the Indian society but also calling attention to the deficiencies and injustices of the Raj as well.

The social reform movements attacked the infamous practice of self-immolation by a widow on the funeral pyre of her dead husband

Other criticisms were directed to the caste-ridden and divided Hindu society, which did not offer to all its members' equal access to God, most glaringly to the Untouchables, who could not gain access to the Hindu temples. The Hindu leaders responded to these criticisms by forming social and religious units that assimilated the teachings of other religions, especially Christianity and Islam. Rejecting elaborate Hindu rituals dominated by the Brahminical order, societies were formed to integrate Hindu teachings and practices with those of the new religions. In 1828 Rammohan Roy helped establish in Calcutta a society called *Brahmo Sabha*, which took the form of an assembly of worshipers that rejected traditional Hindu temple worship. The new movement had a substantial following among the Bengali elite over the next three decades and was later organized as the *Bharmo Samaj*, an organization devoted to social transformation.

A similar movement was organized in Bombay in 1849, the *Prarthana Samaj*, the name deriving from the gathering for prayers, akin to Sunday church services. The avowed purpose of these religious societies was to strive for social reforms, including advocating widow remarriages, assisting in the organization of night schools for adult education, and the establishment of orphanages. Those societies had as one of their goals the uplifting of the depressed classes throughout India. In all of the activities, the Indian societies were in competition with the Christian missionaries so as to be identified as the agents for social change throughout the country.

A more fundamentalist thrust came from the *Arya Samaj* movement founded by Dayanand Sarswati (1824/3), which sought to assert the primacy of the Vedas - the ancient Hindu scriptures - in religious discourse. The *Arya Samaj* maintained that all the wisdom found in later tradition and in other world religions could be found in the Hindu scriptures. It was an attempt at raising the self-worth of the Indian people, wounded from the insults first from the Islamic conquest and the later humiliation at the hands of the Western Christian missionaries and rulers. Appealing to the nascent nationalism, which they hoped to enhance, the leaders of the movement preached the splendors of unadulterated Hinduism of the earliest Indo-Aryan tradition. Vedas, the earliest religious speculations of the ancient poets and philosophers that had been taken by the Hindu tradition to be divinely inspired gave the movement an all-India appeal. Emphasizing monotheism and decrying image worship, the movement set out to purify the Hindu soul and society and pushed for social reforms. In harmony with other societies in India, the *Arya Samaj* rejected the restrictions of the caste system and championed and argued for choices for women both in matters of education and marriage[5].

The Theosophical movement, another religious-social movement in India espousing freedom from ancient strictures and bringing together different religious ideologies and tenets in a socially open and inclusive manner emphasizing reflection over ritual, made its imprint on the national scene in India in the late 19th century. Madame Blavastky, one of its cofounders, came to India in 1879 and immediately became a part of the Hindu religious revival movements. Another person important in the religious revival in India, Annie Bessant, joined the Theosophical Society in 1889 and settled in India to participate in its religious and political rejuvenation. She was elected President of the Indian National Congress in 1917. The efforts of the Indian leaders of the Theosophical movement led to many legal reforms, including legitimizing marriages of widows and legislating for an acceptable age of consent for marriage[6].

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In the mid-19th century, religion and social reform movements formed in India both in emulation of and in opposition to the values of the teachings of the British Empire which had colonized India since the eighteenth century. These movements were of value in enhancing the flagging self-regard of the Indians, so flagrantly disregarded by the British colonists. The various societies, in their attempts to rejuvenate and modify the ancient traditions, provided an infusion of worth to the Indians. Yet another contribution of these reform societies and movements was to till the soil for later political seeding - circa 1915- when Gandhi returned to India and began the march to Swaraj (Freedom) from the British Raj.

Revolt and the New Rulers

The British colonists experienced little difficulty in establishing their control over the Indian states and principalities in a subcontinent that never had a central political administration and certainly had never had a cultural or religious center, diversity in all matters being the rule for India. A central feature of the British colonization was the impact they were able to make on the institutions indigenous to the many diverse subcultures in India. In various professional media -law, medicine, communications networks, and the transportation systems - attacks were made on Indian strategies and tactics, rooted in centuries of tradition,

paving a way for the strategies and tactics of the British.

Thus the practice of law and the dispensation of justice underwent dramatic changes with the impositions of the British "masters". Never again did the country return to tradition-bound practices of settling disagreement and other legal matters through caste based adjudicating and interpreting caste specific beliefs and practices. In fact, the law - British style - became a highly admired profession that was considered an important avenue to success by many segments of the Indian culture. It had been held out as an important avenue to success by many segments of the Indian culture, for example for the young Mohandas Gandhi, important enough for him to journey to England and leave his mother, wife, and child. The Nehrus, Motilal and Jawaharlal, were highly respected members of the law profession in India; they practiced "British" law as luminaries in their subculture, thus endorsing the British ways. The Western medical profession was similarly respected and rapidly displaced traditional Indian medical practices.

For Gandhi the major goal was independence of India but equally important to him was the essential restoration of dignity of all Indians

Once again, the traditional could not withstand the attacks of the "modern" approaches. The traditional practices of the professions were vulnerable to the incursions of the new, "superior" ones and were easily replaced. Each of these movements marked a certain transition in Indian tradition, its ethos and its practices.

Another outcome of the sociological and ultimately psychological invasion of India was its impact on the under classes. As we have noted, those of the upper classes in India who could take advantage of the "improvements" offered by the British did so while the poor and the illiterate were increasingly left behind, ultimately enlarging the division between the haves and the have-nots in the country. The under classes had no place in the new society that was forming; indeed for many decades, their lot was worsened by the "improvements" throughout the land.

Mahatma Gandhi returned to India from South Africa in 1915 and within a span of a few years became not only a political but also a spiritual leader of India. His major goal was independence but equally important to him was the essential restoration of dignity of all Indians, women along side men, untouchables along side the Brahmin, the rural masses along side the urban elite. He most famously championed the cause of the untouchables, and although it cannot be said that that untouchability has been eradicated, the clock cannot be turned back on the status of the untouchables. Unfortunately because of the strong protection afforded by the constitution and the vagaries of electoral politics although the lot of the untouchables and other backward classes has improved greatly and they feel empowered, the status of the work itself has not changed, and certain tasks remain in the exclusive domain of these former backward classes. Another Gandhian idea, that of "trusteeship", aimed to mediate between the capitalist and labor classes. Gandhi wanted the owners of the means of production to become trustees of their estates rather than owners. He tried to skirt the ideas of socialism at the same time appealing to the conscience of the entrepreneurial classes to assume the responsibility of the well being of their work forces. The idea was aimed at the economic order, such that traditional values of caste and kinship organization could be brought to bear upon modern political and economic transactions. This was one of a few ideas that Gandhi tried to advance that went nowhere.

But the spirit with which he imbued the independence movement, the inspiration both from within the tradition and from ideas of

Western (particularly Christian) liberation with which he tried to inform the new independent state of India and the western looking leadership that he had mentored saw to it that the first task of the state was to address these inequalities that bred vulnerabilities among the people of India.

After Independence

Not too long after independence in 1947 famine was gone as the result of a democratic distribution system, and in another short while smallpox was eradicated as well, thus eliminating two great scourges to which the Indian population had been vulnerable. With a new constitution, India launched upon a drive to level the playing fields for scheduled tribes and scheduled castes, particularly the untouchables. New irrigation projects focused on the need for feeding millions of India's poor, and an invigorated health care delivery system with emphases on primary care was a sea change for the rural masses. Over a few decades significant reductions in infant and maternal morbidity and mortality were achieved. Female literacy and employment led to a reduction in birth rate, but a rapidly expanding young population put new demands on the system.

In the last three decades the economy has been growing rapidly and with that more resources have become available to focus on immunization, disease prevention, and availability of safe drinking water. Multiple forces have incrementally changed the status of the rural masses in India. In the nineties, India opened its economy, accelerated its growth, and globalization as well as the age of information has lifted significant numbers of rural and urban masses from the onerous burden of poverty. The Indian pharmaceutical industry has blossomed, becoming a supplier of all manner of drugs not only to Indians but also to other third world countries. India is opening up as a place for medical tourism with its state of the art modern hospital available to those who can afford it.

Access to health care still remains a major ethical problem. Maldistribution of health care professionals is even worse than in the Western world, and is a far cry from providing for the needs of millions of urban, rural, and remote populations. On top of any other vulnerability acquired as a result of India's stratified social structure, the burden of poverty is simply backbreaking. Deprivation of every known human need is the norm still for several million Indians.

Bioethical Challenges for the 21st Century

As is clear from even a cursory examination of the post-independence changes, it is clear that most changes have been inspired by Western liberal values, particularly those imbedded in democratic governance with universal franchise. The challenges come from the resultant conflict between these rapidly changing aspirations of the people and customs and practices rooted in traditional value systems.

First let us examine the issue of autonomy, not only in health care decisions as the agenda of the present conference provides, but also in life in general. As a hierarchical society, India is also a patronage society. The young are expected to defer to the old; in return, it is incumbent on the elderly to protect the young. As the upper castes dominate and expect services from the lower ones, they must provide, however meagerly, for those who serve them. Women must obey their fathers and husbands, but in turn their well-being must be a priority for the family. This is not as idyllic as it may seem because not only does practice violate these principles day in and day out, but their dependent and servile status deprives the young, women, and the lower castes of the autonomy to make decisions for themselves. Young people who are encouraged by education, information, and liberal values to make their own career as well as marital decisions, often confront the older more conservative wishes of their elders. As for health care, it has not quite yet dawned on the

larger Indian population that these decisions should be made by individuals autonomously. As Anthropologist McKim Marriott (1990) has pointed out Hindu persons are not understood to be individuals but rather "dividuals"[7]. The skin is not the boundary of their self or personhood and interpersonal transactions are governed by dynamics of high and low, hot and cold, heavy and light, etc., thus making the Hindu person permeable. Thus it is assumed that elders in case of the young (as one would treat preadolescent children in the West) and men in case of women will make health care decisions. Formal consent is not even an issue, and often not only the young but adult females and lower caste persons are treated without consent and sometimes under false pretenses and duress. The idea of informed consent is practically unknown. Indian tradition values the ideal of a support system far more than it does Western notions of individual autonomy.

It is routine for a physician to withhold an adverse prognosis from the patient, especially when this is the wish of the family. The Western idea of the person's body being his/her fortress like a home is alien in India (homes too are open and the traditional word for a guest is "atithi", meaning the date whose arrival is unknown). To force an injectable drug on a person is more common than the exception. Hospitalization of the mentally ill takes place against their will without resort to the court of law. Unregulated sectors of pharmaceutical research are allegedly beset with the same problems of consent.

Poverty also makes informed consent and the idea of justice and beneficence problematic. The poor are forced to sell their organs, and sometimes their children into bondage, servitude, or prostitution. A few instances of abuse of domestic help (called and treated as servants in India) have been reported even among Indian diplomats serving abroad, not to speak of plentiful examples in India.

Modern laws ushered in by India's constitution do not embody the values of all people and legal redresses are not so easily available. It is said, not in jest, that a civil case filed against someone may get resolved in the lifetimes of one's grandchildren. A major source of corrective influence is thus essentially absent. Older institutions, like caste-based jury-like panels do exist, and do address some of these problems in the closed context of a particular caste or village, but these are fragmenting in a rapidly urbanizing India. In some instances these bodies have revolted against the rapid advance of democratic values and taken matters into their own hands, particularly when it is a matter of marital decisions of the young that go against established norms of a caste society.

Modern technology has also thrown up a particularly bothersome challenge, that of sex-selection. There is an overwhelming preference for male children, with females seen as being burdens on their parents, children who grow up only to make someone else's home and that too at a major parental cost. Combined with prenatal diagnosis of gender, the wish to have male children has made female fetal abortions a matter of national alarm. Again, in some states of India laws have been enacted banning the practice of gender diagnosis, but since abortion itself is legal, the laws against it have had little preventive effectiveness.

In addition, medical technology has given rise to an unregulated marketplace for surrogate motherhood, with it its legal and emotional complications, both among some Indians and many outsiders troubled by childlessness.

Conclusion

The values espoused by this conference are essentially Western. Although India as a political entity has embraced Western liberal values of adult and universal franchise and democratic governance, it can hardly be said that the values inherent in these social and political institutions have anywhere near completely permeated into the Hindu society and psyche. Clearly, there are winners and losers in electoral politics and the ten-

dency is to sway elections by traditional connections if not outright through corruption. Laws are far from being able to provide a structure that can contain conflict ant there are not adequate resources yet to redress man-made inequities and vulnerabilities. In spite of significant progress in the health delivery system, the benefits of the modern era are yet to reach millions.

In conclusion, transplantation of values is not an easy process. Tradition conflicts with modernity and gives way only with difficulty.

There are more apparent losers in a traditional society than there are winners, but the last sixty years have seen only a further determination on the part of India's leaders and some of its people to strengthen these new values.

NOTE

* This article is taken from the paper presented at the Workshop on Human Vulnerability held at the Pontifical Athenaeum Regina Apostolorum, Rome, October 9-11, 2011. The author writes from the perspective of the Hindu tradition.

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