Asian Values and the Human Rights Basis of Professional Ethics*

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Engineering programs in Sri Lanka, like others that were long ago modelled on the British system, are analysis-intensive and weak on liberal studies components such as ethics, although Britain herself has now adopted broader educational goals for engineering education. This paper describes our attempts to include professional ethics in the engineering curriculum in Sri Lanka. We make the case that 'Asian values' in the narrow technical sense in which the term is defined in the literature for Southeast Asia is equally applicable to South Asia. In particular, two of these common Asian values militate against the ethical norms frequently encountered in a Western class. First, there is really little support in Sri Lankan or South Asian culture for keeping religion out of public life. The religious ethos where multiculturalism is understood to be polytheistic favors a Hindu/Buddhist celebration of religion involving all gods at public functions which is then passed off as multiculturalism. Second, there is strong loyalty to the family and clan and obedience to elders that works against administrative impartiality. We therefore use in our teaching a legislatively and democratically evolved and socially accepted system of international human rights law as the proper basis for justifying ethics. Though human rights exhibits some cultural conflicts with Asian values, it is neutral with respect to the parties to the civil war in Sri Lanka.

INTRODUCTION

WE UPHOLD multiculturalism as the only way in which we believe Sri Lanka can survive as a state if it is not to be divided as a result of the ongoing conflict. We therefore studiously avoid drawing from any culture in teaching ethics and use human rights as the culturally neutral basis for ethics. Therefore, multiculturalism is endorsed not by drawing from all cultures but in refusing to draw from any culture and leaving culture to be practiced in our private lives.

In line with the trend in education towards hands-on active, experiential learning, we point to ethical issues that are usefully raised in class and Sri Lankan students are familiar with and find engaging.

THE BRITISH EDUCATIONAL SYSTEM IN SRI LANKA

The modern Sri Lankan educational system was set up by evangelical Christian missionaries and can be traced to the act of the British Parliament in 1809 that enforced religious neutrality in the colonies. Up to then missionary activity was prohibited by the mercantile interests that dominated the colonial scene. They sought to avoid conflict with the local population with a view to promoting trade. In fact in the first year of British rule late in the 18th century 300 Hindu temples were constructed by the colonial authorities in Jaffna, the cultural capital of the Tamils of Sri Lanka.

Religious neutrality opened up Sri Lanka to missionary activity from Britain (Church Missionary Society, Methodist and later Society for the Propagation of the Gospel) and America (Congregationalists from New England). Their model drew heavily from the public school/elite university paradigm. The system was meant to churn out civil servants for the colonial empire. Accordingly leading families sent their children to school and a small fraction went on to collegiate education which began in Sri Lanka in 1823 at the Batticotta Seminary set up by the America Ceylon Mission. By the 1890s, some of the leading schools were termed colleges, since they were preparing students for the first-year examination in Arts of University of Madras and University of Calcutta.

Under this scheme, since it was the leading families that sent their children for studies, by high school the students had fairly strong writing skills and education had a broad base, often including at once algebra, Christianity/Bible, Latin, Greek, geometry, geography, history, natural philosophy, and elements of mental and moral science and one of Tamil or Sinhalese, the two local languages. By the time these students went to university, with their education through their upper class home and boarding school, they had had a broad education and university had to deal only with narrow specialties. The British model of university-level engineering education served well.

With independence in 1948, however, free (non-fee-levying) Central Schools were established and

access to education liberalized. The elite nature of the boarding schools could no longer be maintained. Students today no longer come to university with the old broad-based training. Universities had to give what the upper class home and the elite boarding school had given before. The British model no longer works. But the system has not changed. For example, in the engineering program at the University of Peradeniya, of the approximately 24 year-long courses, only one, Industrial Engineering, involves non-mathematical analysis. That is, from the last 2 years of high school, the GCE Advanced Level, engineering students do mathematical analysis and little else.

Worse still is that in the process of giving easier access to higher education, instruction in school was made compulsorily in the mother-tongue in which few text books are available. This shortage being even more acute at university level, university education in 4-year honors-degree programs like engineering switches to English while in the 3-year degree programs education continues in the mother-tongue with no proper books. These latter graduates usually cannot function in English and do not have most international literature in the English language available to them, while the 'honours degree' students rarely master English in the short 4 years at university and tend to lose touch with their mother tongue by not using it professionally.

In quantitative terms, a survey of the Graduate Record Examination (GRE) scores of engineering graduates from University of Peradeniya (who through national competition were the best from the high schools) showed that of those who took the GRE—with normalized scores from 0 to 800—most got upwards of 750 in the quantitative component and below 400 in the verbal component. The student ranked No. 1 in the class of 320 students that graduated in November 2001 got 800 and 240 in the quantitative and verbal components respectively. He would therefore not be eligible for graduate admission with financial aid in a US program that a student of his calibre should be able to win. As we saw it, the country and its educational system had failed that student.

We saw a crisis and felt the need to introduce courses with a strong liberal arts component that would challenge and develop students' writing and communications skills. To overcome a conservative faculty's world view that saw anything non-mathematical as eroding the high standards of the faculty, we decided that ethics taught under a course entitled 'The Software Engineer and Society' was something that could get through the approval process. It would be approved because it fulfilled professional accreditation requirements but would also meet the need to train and test verbal communications skills. Importantly, the subject of human rights is a required topic of instruction under human rights obligations taken on by the Sri Lankan government through international treaties. In fact the

Dakar Framework and the Copenhagen Declaration (both widely available from many sources on the Internet) obligate all states party to them to teach human rights in all their educational programs beginning with primary school.

TEACHING ETHICS AND THE INADEQUACY OF THE PRESENT BASES FOR ETHICS

There is little controversy over teaching professional ethics in US or Western European universities. There religion is left out of professional activity in secular universities, although religiously affiliated colleges may legitimately connect ethics to the tenets of their religion. In this article we examine teaching a religiously neutral vision of professional ethics in Sri Lanka and the challenges it poses. We note that in Sri Lanka no private universities are permitted; all universities are state run. Under treaty obligations devolving upon the Sri Lankan government and its agencies through international human rights covenants, we as teachers in a state university are duty bound to advance a religiously neutral vision of ethics.

The teaching of ethics to engineering students is normative in countries that are signatories to the so-called 'Washington Accords' (Australia, Canada, Hong Kong, Ireland, New Zealand, South Africa, the UK and the US) and Japan. In certifying their engineering programs, all agree to use an equivalent of the US accreditation standards for education programs for engineers, the standards of the Accreditation Board for Engineering and Technology, or the ABET standards. These ABET standards include attention to ethics. However, these standards are far more broad-based than suggested by this limited list of countries because many countries of the British Commonwealth including Sri Lanka seek accreditation of their degrees from Britain's Council of Engineering Institutions with a view to upholding the standards of local degrees, and, flowing from colonial practice, have built-in salary incentives to engineers who acquire corporate membership (conferring the 'Chartered Engineer' status) in these British professional institutions subscribing to the ABET standards. In addition, ABET has a program under which universities outside their geographic domain of influence may ask for accreditation. For example, under this scheme, two engineering curricula in the Netherlands (Electrical Engineering and Aerospace Engineering at Delft University of Technology) have on request been evaluated by ABET and are deemed to be 'substantially equivalent' to accredited US degrees, which according to their website means 'comparable in program content and educational experience, but such programs may not be absolutely identical in format or method of delivery. It implies reasonable confidence that the program

has prepared its graduates to begin professional practice at the entry level.'

Together therefore, these professional societies and accrediting agencies advocate the need for teaching ethics and will not easily recognize degrees that do not have a component on ethics as it relates to one's obligations to society and professional responsibility. At the same time, it is conceded in Western secular universities that the curriculum must not be biased towards one culture or religion.

As such it is important for ethics to be separated from religion although ethical judgments are influenced by religious beliefs (with few exceptions). Ethical axioms are not always culturally neutral. For example, in Hindu law if one belongs to the caste of thieves, then it is right for one to steal. That is, righteousness lies in doing one's caste duties. Similarly, Hindu law allows a soldier to rape in war and carry off women [1], although the average Hindu brought up under the modern penal code would regard it as wrong. These stark differences (between ancient texts subscribed to as true without having read them and what a person so subscribing to those texts actually believes) are too sensitive to discuss in Sri Lanka; so it is simply accepted in Sri Lanka's engineering faculties without debate that the teaching of ethics must be kept separate from religion. This has also meant that the teaching of ethics is generally avoided. There is really no wide consensus for teaching professional ethics as it is understood in the West and any attempts at teaching professional ethics are watered down versions designed to meet the requirements of Western professional societies for registration. Thus the syllabus is more likely to contain concrete topics like the legal responsibilities of an engineer rather than professional responsibility. Historically therefore the British professional societies such as the Institution of Electrical Engineers have faulted the University of Peradeniya for lack of a non-technical component in its engineering curriculum and at one time recognized the degree but asked graduates to sit the examination paper involving the engineer's role in society of the Council of Engineering Institutions' papers required for admission as a graduate member when the degree is not recognized for professional admission. That is, the Sri Lankan engineering degree was deemed deficient only in the area involving the engineer and society.

For teaching purposes we draw from no religious system. This is not to say that we as individuals have no culture or specific religious faith, but rather that as a collective scientific community we do not endorse or draw from particular religions or cultures. Such a milieu is necessary for the promotion of learning and the free exchange of ideas; indeed, for the unfettered practice of science. Using the Sri Lankan experience where Buddhism officially receives state patronage and monks are fed and educated at public expense, we have already examined the deleterious effects of religious practices being brought into science and how when science is approached with cultural agendas, even history is re-written [2]. For purposes here, we take it as an axiom that the teaching of professional ethics must not draw on any religion; that religion must be kept out of all shared professional activity.

Today's non-religious ethical bases

Without a religious framework, then, what is professional ethics based on? The subject of ethics has grown in importance in recent years. For example, from 1996 to 1999, 42 papers in the American Society of Engineering Education's Annual Proceedings were devoted to teaching ethics [3]. Even as its importance has grown, professional organizations and ethicists have recently worried about its basis. Ethical guidelines are today justified in a combination of non-religious bases [4]:

- *Utilitarian basis:* This claims that an act is good when it produces the maximum good for most people. While providing a good working basis for multicultural ethics, it fails in certain situations such as in the application to nuclear power plants—they do produce cheap electricity for most people but can have catastrophic effects on those living close by. Further in the Sri Lankan context we wish to avoid drawing from all cultures since it would end up in drawing from the dominant culture.
- *Duty basis:* This assumes that everyone has certain duties to others. The problem is in agreeing on these duties and ethicists speak of *prima facie* duties that all rational reflective persons can agree on. The limitations are clear since not all rational reflective persons will always agree on things and it becomes values based.
- *Virtue basis:* While the other three provide mechanisms for decision-making, the assumption here is that virtuous persons make good decisions. The focus is on character. The weakness is in defining a universal standard for virtue and therefore gets uncomfortably close to religion.
- *Rights basis:* This assumes that an act is acceptable when the rights of others are respected. The problem is how to proceed when two rights are at odds with each other.

We note that looking for an external justification is not the only way to teach ethics. In particular, it is not the way in which many respected USA ethics teachers have argued that ethics works [5]. Therefore we do not claim that these four bases are the only possibilities. In our case, in an Asian context, particularly a Sri Lankan context where the ongoing civil war involves assertion of various identity markers (religion and language especially, besides geography) over others, we are mainly interested in a basis that does not lean towards any religion and is culturally neutral and therefore

acceptable. We seek to find a basis that is widely (perhaps even universally) acceptable. What we seek to avoid is a tilt towards one religion and the explosive social consequences that flow from such a tilt. We therefore steadfastly refuse to draw from any religion or culture.

It is seen that all the above listed four bases either have problems or appeal to some form of religious tenet (particularly duties and virtues). We settled on human rights [6] as a religiously neutral basis. It is in some ways like the rights basis but quite different in that human rights, though a subclass of rights, is much more about seeking to make every individual comfortable.

ASIAN VALUES AND CULTURAL NEUTRALITY—DEFINITIONS

Before getting into human rights as a basis, to avoid any confusion with terminology we will define here what we mean by the term 'Asian values' [7–10] and multiculturalism. Asia has many cultures and a broad set of values associated with each. By 'Asian values' we do not mean a broad set of values applicable to Southeast Asia and the Far East (for there cannot be such a broad set, given the regional disparities). Asian values refers to a narrow set which includes [10]:

a) a stress on the community rather than the individual;
b) the privileging of order and harmony over personal freedom;
c) a refusal to compartmentalize religion separate from other spheres of life;
d) an emphasis on savings and thrift;
e) an insistence on hard work;
f) respect for political leadership;
g) a belief that government and business need not be natural adversaries;
h) an emphasis on family loyalty which includes respect for elders.

We feel free to apply it to Sri Lanka because the subset of values defined as Asian values broadly apply here also, although lacking the Confucian basis for items (f) and (h), but replaced by alternative religious codes on the caste system and divine kingship. All these therefore apply very strongly to South Asia as well, especially clan loyalty and respect for elders and bringing religion into everything we do—the two items that concern us here the most as taken up below.

We as teachers subscribe to multiculturalism in the narrow sense of allowing all cultures to thrive in freedom while keeping academic and administrative decisions culturally neutral. In our teaching therefore multiculturalism is fostered not by drawing from all cultures but by favoring none, especially the local cultures in conflict. That is the only route possible in Sri Lanka, given the ethnic conflict. Indeed, even without it, we would attempt to be culturally neutral since in a country where there is a numerical majority and a numerical minority, drawing equally from both would be difficult.

HUMAN RIGHTS BASIS OF PROFESSIONAL ETHICS

We introduce our students to the subject of human rights [1, 2, 6], rights that deal with the rights of the individual, as the basis for professional ethics. Human rights are now increasingly defined through a body of laws and international covenants. Importantly, they emerge through social consensus in evolving laws by the agency of a democratically elected parliament and a duly constituted government signing international covenants to make them part of the laws by which their actions are governed. These laws are religiously neutral and the outcome of a democratic process. In this sense, the basis of ethics is easily agreed upon by different cultures. They are today widely accepted in Sri Lanka because, through the advocacy of international donor agencies and Western governments, human rights advocacy is seen widely as necessary for a civilized society and an effective means of resolving the ethnic conflicts in Sri Lanka.

In fact when these writers first taught human rights to engineering students in the year 2001, serious charges were filed at the Council of the University of Peradeniya, its highest executive body. It was alleged that politically sensitive topics were being taught without authorization. Disciplinary action was called for by senior dons— by 4 of the 8 persons holding professorial chairs in the engineering faculty—showing how the authority of elders can be used under Asian values to send a chilling signal to those who exercise independence. What had been taught was strictly within the approved syllabus and approached thoughtfully and responsibly and met with student approbation. The charges have been dismissed after due enquiry by the Council and broad-based nontechnical teaching was endorsed. Today the Senate of University of Peradeniya, the highest academic authority in a university modeled on the British system, has approved the establishment of a University Centre for the Study of Human Rights and it has been urged that every first-year student take a course on human rights. A reason for this seminal change in attitudes is that in 2001 the Sri Lankan civil war was at a stalemate and the human rights obligations of the government were seen as holding back the effective prosecution of the war against the rebels, the Tamil Tigers. Only Tamils wanted human rights to prevent army atrocities. But at the time of this writing, a ceasefire has been in force for a year, peace negotiations are on, and human rights enforcement is seen as the only way of checking the activities of the rebels in extorting money from the civilian population and conscripting underage children.

Human rights therefore have wide acceptance—by the majority Sinhalese to check the Tamil rebels and the minority Tamils to check the government.

However, human rights and indeed the Roman-Dutch legal system, which Sri Lanka inherited while a Dutch colony and still operates, are premised on the Judeo-Christian vision of the equality of all men and European Protestant individualism. In fact, as pointed out, the idea of equality would run counter to Hindu law. But emphasizing these non-neutral roots of the equality of all persons is counter-productive (shifting here to a pragmatic argument from the theoretical basis adopted so far) and does not help anyone. We need to emphasize the egalitarian roots of the legal system as something that evolves through social consensus; in exactly the same way in which we accept the legal system under which we operate as an outcome of democratic governance rather than as our colonial heritage or any religious axiom on the equality of all men.

Our purpose here is to describe our experience in teaching professional ethics in that context. We will in subsequent sections deal specifically with the objections to human rights as antithetical to Asian values [7–9].

Elsewhere we have described our method for teaching human rights [11]. Here we are dealing with human rights as the basis for professional ethics. The body of human rights laws provides the easiest of the bases to justify. But as pointed out by Jordon, Elmore and Napper [4], using rights as a basis runs into problems when the rights are at odds with each other, as in the right of an individual to peace against neighbor's to play loud music. Some institutions (e.g., the University of Pennsylvania) have been very proactive in demonstrating their commitment to human rights by dismissing an academic who had publicly espoused racist causes saying that such an academic cannot be trusted to be equally fair to all his students. The issue was reported extensively in the *Philadelphia Inquirer* in 1985/86. Even though there may be no evidence of wrongdoing, hostility to a section of the students takes away from the integrity of the lesson delivery and examination systems that underpin the quality of credentials from a university. It is a classic case where two rights are up against each other—the right to dignity and fair treatment of the student and the right to political expression of the academic.

Using human rights as a body of law justifying ethics addresses that problem. The hierarchy of rights is usefully invoked to get around the problem of conflicting rights. In law, especially human rights law, there is indeed a hierarchy of rights. For instance, the right to life in the UN Convention on Civil and Political Rights is unquestionably higher than the right to vacations with pay in the UN Convention on Economic, Social and Cultural Rights. This hierarchy will get more clearly defined legally as the courts give judgments and establish

precedents. The courts in Sri Lanka have earned recognition as a legitimate moral as well as legal authority. Although law enforcement through the police and army has been weak, the judiciary has shown exceptional independence in some cases (although it too has had its shameful moments). In sum, civil society has accepted the moral authority of courts and in Sri Lanka's divided society where anarchy prevails and there is consensus in few things, the authority of the judiciary is widely accepted. After basing ethical norms on the wide international and domestic consensus on human rights, it is possible, as a pragmatic measure, to use the authority of the courts to continue to resolve questions on the hierarchy of rights and to proceed to use human rights as a basis for professional ethics.

CONFLICT OF HUMAN RIGHTS WITH ASIAN VALUES

Objections to the use of human rights in Asia and Sri Lanka in particular come from saying that the present order is the 'Western narrative' and that Asian values are not compatible with human rights [12]. Lee Kuan Yew of Singapore and Mahathir Mohammed of Malaysia have been the most vocal and visible advocates of Asian values, the former particularly reflectively. The idea of a separate set of Asian values that militate against human rights [8, 9] flows from the belief that in Asian thought:

1. There is a general reluctance to compartmentalize religion from other spheres so that religion comes into regular public life. For example, in Sri Lanka, the opening ceremony of every public building is at an auspicious time and accompanied by religious chanting;
2. There is strong loyalty to family that might take away from loyalty to the ethical norms by which we serve the organization to which we belong. In Sri Lanka for example, it is widely conceded that many high level appointments, including the Vice Chancellorship (the highest executive position in a university), are based on party affiliations and that high officials unethically appoint their relatives to lucrative posts and find government scholarships for their children, ignoring better qualified students.

Either of these two Asian values would militate against our norms of ethical behavior within a professional organization. These two Asian values have been studied and written about [7–10, 12] mainly in the context of East and Southeast Asia. But as stated above, the situations apply equally to South Asia where like in the rest of East Asia and Southeast Asia, there is no compulsion felt to leave religion out of public things or to not favor one's family and clan in decision-making as impartial executives.

For example, in the US where the authors have

lived and worked, voluntarily attending a private occasion such as at church, if we, as Episcopalians knelt down and kissed the ring of a bishop as we sometimes would in Sri Lanka, the US bishop would be aghast and embarrassed. On the other hand, now working in Sri Lanka, when we attend a public function at a supposedly secular state university by compulsion of our office, our Vice Chancellor would prostrate himself before an officiating Buddhist monk, and the peer-pressure to follow suit is immense when we follow behind the Vice Chancellor and the monk looks at us in expectation. Leaving aside the ethics of how fair this expectation is to non-Buddhists, the point is that in Asia there is no pressure to keep religion out of public life. When the issue is taken up, the example of Britain is cited to argue that having a state religion is not incompatible with democracy; and the influence of Britain is felt so strongly in the Commonwealth that such arguments hold sway.

We will now give three examples from personal knowledge of how Asian values intrude into university life in ways unimaginable in the West:

- A US don on sabbatical contract in Southeast Asia had been offered housing at local $250 a month by mistake whereas the rate had been upgraded to $1000. Upon being charged $1000 he wrote to the Director of Personnel to say there was a contractual obligation to rent at $250. In response the academic's Department Head called up the US don and gave him the advice 'It is not the done thing to expose the mistakes of one's *superiors*' [verbatim, emphasis ours]. The context in which the advice was given was deliberately ambiguous as to whether it was a warning not to push matters or a friendly ethical admonition. The don dropped the matter.
- Again turning to the country in Southeast Asia where political authority is unquestioningly obeyed, the minister for education directed the universities early in 1993 to switch from the programmatic model of British universities with year-end examinations to the flexible course unit system. The Senate, the highest academic authority of that university, that had just recently rejected the idea, generated minutes to suggest that the Senate had already decided on this and pretended to be fully in tune with the minister's ideas. The minister himself, based on the authors' experience living there, would have wanted compliance but not such generation of minutes. Indeed the university community there is rarely interfered with except in cases of overt political activity. What happened was not coercion but a case of four of the Asian values mentioned being voluntarily played out together: 'stress on the community over the individual,' 'the privileging of order and harmony over personal freedom,' 'respect for political leadership,' and 'emphasis on respect for elders.' A Sri Lankan expatriate on the Senate who questioned the concoction of minutes had disciplinary action initiated and staved it off only because the university did not want the minister to learn what the Senate had done and the image of disharmony was antithetical to Asian value of projecting order.

- The BJP Government in India has tried to elevate Vedic Science to the status of being a subject in the university curriculum, as part of its campaign to create a Hindu India. According to the *Skeptical Inquirer*, 'India's University Grants Commission (UGC) has recommended [the] teaching of astrology and ancient Vedic Sciences at the undergraduate and postgraduate levels' [13]. In May 2001, several distinguished members of the Indian Academy of Sciences signed an open letter in the *Madras Hindu* (an international India-based daily) in protest. This shows that while there are forces that seek to make university education further particular religious and cultural values, there are also distinguished Asians of no mean accomplishment who strongly back a scientific outlook.

Similarly, because of loyalties to one's community, there is no support in Sri Lanka to bring problems and abuses to light. Professional societies like the Institute of Electrical and Electronic Engineers, the IEEE, in the US [14] have well-developed codes of ethics that advise their members on raising ethical concerns within an organization and even 'whistle blowing'—taking concerns outside the organization—when it is in the public interest. The IEEE also cautions members of the consequences. The British Computer Society (BCS) has well-developed and lengthy guidelines on whistle blowing [15]. But in Asian society, complaining against a superior or telling on one's friends is simply bad because of the Asian values of clan loyalty, harmony and order. Recently there was a widely publicized train accident in Sri Lanka where engines with faulty brakes had been repeatedly used with many knowing about it. Similarly, the country had been without power for up to 6 hours a day because of bungling at the Ceylon Electricity Board and questionable purchasing. In both matters, only when the crises were upon us did the facts come to light as those involved tried to blame others. In Sri Lanka's flawed democracy, the press is biased towards one political party or the other but free. At this point the anti-governing-party press took over and came out with leaked documents and investigative reports. But there is still no debate (at the time of writing) on whistle blowing within the Institution of Engineers (Sri Lanka) despite debate being called for and the anonymous leaking as described being a fact of life. This leaves the ethical state of the whistle blower who leaks documents undefined and even illegal by the standards of government rules. To the official professional associations, whistle blowing is simply anathema and not respectable. Public interest therefore effectively comes second after

order, harmony, and the interests of elders managing corporations.

The problem of innovating in a university is also attributable to Asian values. Many Asian universities from the British Commonwealth have been set up on the Western liberal model. As far as definitions and regulations go there is little difference between these universities and British universities. But practice is very different. For example, in a Western university, an individual academic would be given a free hand with what he teaches. Although syllabi need to be approved by some higher body, what the teacher wants to teach is usually approved, while officially under the same system, the practice in Asia is very different. An academic proposing to teach one thing might find that what is approved is something that he never intended teaching. This is because of the Asian value of respect for elders and letting them exercise unaccountable authority. (To be fair, there are some reasons for this. Because of the brain drain, many academic departments are short-staffed and it is not always advisable to leave major decisions unmonitored in the hands of staff members who might be incompetent. On the other hand, as a result of this monitoring, the properly qualified faculty members have to submit to seniors who exercise authority without any competence).

For these reasons, syllabi are difficult to modify and programs almost impossible to modernize. Although it is long since many British universities moved away from year-end examinations, universities modeled on the same British universities are stuck with them. At this faculty, although all staff members agreed that a senior design project is a useful exercise for engineering students, the proposal for the design project was rejected because the regulations lay down an end-of-the-year 3-hour examination that will not work for all the different projects that would be undertaken. Modifying the regulations or scaling down a discipline that is out of fashion (like power engineering) is seen as disrespecting the elders who set up the program.

The other Asian value, respect for authority, sometimes turns out surprisingly to be a redeeming feature in these circumstances. Under a directive from the President, all universities in Sri Lanka are now moving to a flexible course unit system with emphasis on project work—in contrast to the West where such a directive would be seen as unwarranted interference in academic freedom. Here, no one protested; there was immediate obedience.

We therefore see that while there are real differences between the East and West in attitudes as amply demonstrated in the literature, the two dominant differences—family loyalty and wanting religion in every public activity—have undesirable consequences incompatible with a modern organization.

On the other hand, the system of Asian values while strong, shows signs of giving way in the face of the modern world. There is a growing body of leaders publicly speaking up against these values

and countering them. We have seen that there are strong Asian exponents of liberal values as the members of the Indian National Academy of Sciences. In fact, just as Senior Minister Lee of Singapore has espoused and stated the cause of Asian values, he himself has been a no-nonsense businessman putting down culture where it interfered with modern progress (as when he uprooted cemeteries and violated Confucian respect for the dead to make way for high-rises). At the same time, President Lee of Taiwan has been an unwavering libertarian and a strong anti-thesis of Senior Minister Lee in this matter. We have also seen that in Sri Lanka, human rights now has wide social acceptance as a way out of the ethnic conflict. Indeed, under the International Covenant on the Rights of the Child, the most widely accepted international human rights treaty that only the US and Somalia are yet to sign (the latter only because it has no government to sign it), the Sri Lankan government is teaching human rights to school children and using human rights treaties to enforce school attendance in conflict zones with the assistance of organizations like Save the Children (UK). Families that have experienced the benefits of the new human rights order are themselves becoming strong advocates of human rights. A Children's Parliament held by Save the Children (UK) in Sri Lanka has shown how children can articulate their basic rights and effectively participate in decisions concerning them. Human rights awareness today is widespread in Sri Lanka because of these activities.

Thus it is incorrect to say that in Asia there is no support for human rights because of Asian values, although there are conflicts between them. Although there are conflicts and as a result human rights are not fully culturally neutral, human rights and the liberal perspective underlying them are neutral with respect to the cultural clashes that are tearing Sri Lanka apart. A consensus on this limited cultural neutrality is rapidly emerging in Sri Lanka. There is in fact a growing consensus in favor of human rights as reflected by increased advocacy in its favor by civil society and the growing body of domestic law underwriting the Government of Sri Lanka's human rights treaty obligations. We base ourselves therefore on this to justify the use of human rights as a basis for professional ethics.

ASIAN VALUES AGAINST A LIBERAL EDUCATION FOR ENGINEERS

Because of the various ways in which Asian values work, proposals for change are not easily accepted. Besides, proposals to teach human rights would be met with suspicion—would another try to make a case for his community against mine? Proposals to teach ethics also—would religion be taught? The Asian value of clan loyalty, it would seem, leads to the suspicion that everyone will

exercise clan loyalty and therefore no one can be trusted with teaching such sensitive subjects.

It is therefore very difficult to introduce non-technical material, especially culturally sensitive material. At the Engineering Faculty at Peradeniya therefore, for example, all courses are within the Faculty and focus on mathematics, science, and engineering (as did the British programs of 50 years ago on which the curriculum was modeled). There is no pressure to impart a liberal education by having 20–33% of the requirements from the humanities as in a typical US degree or indeed a modern British degree. Although several studies and advisors from industry have advised teaching communication skills, their ideas have never been implemented because of the bias that such subjects are 'soft' and one of the excuses is that there is no one qualified to teach them; and naturally so because all the cadre positions are set assuming that only mathematics, science and engineering will be taught. As remarked, advice on design projects-based teaching also remained unimplemented for a long time because of the regulations.

The same ethos of not rejecting the wisdom of the elders who went before us, with its accompanying conservatism, has made it impossible to implement the strongly felt need to have a liberal component because it is liberal studies rather than equations that we think make a person. Sri Lanka's civil war fed a growing fascist mind-set on both sides of the communal division. It is a mindset that sees technically educated persons as superior to those doing 'soft' subjects. Because university seats in engineering are coveted and only a few get in, the pride that results is conducive to an intolerant ethos. Those doing liberal studies are seen as inferior to those doing the sciences, especially engineering. Besides, we observed that our students made excellent analysts but judged that they would not communicate their ideas in a competitive organizational environment. We saw that the system trained engineers for research rather than for the mundane corporate work that most would end up in, with heavy demands on communications skills. These skills are acquired through courses that require verbal rather than mathematical analysis. We saw these considerations as urgently pushing us towards a slight lessening of the mathematical analysis of the curriculum to give limited space to liberal studies.

The Sri Lankan President's advisors saw the importance of these changes and accordingly the President directed that we change from year-long courses to a flexible course unit system where students may pick courses from outside faculties and universities and have multiple evaluation methods for grading purposes. But the system is little changed. Under the leadership of senior academic staff, many old year-long courses have each been broken up into two semester-long courses. The large number of compulsory courses specified leaves little room for following liberal studies outside the engineering faculty. Continuous assessment is based on tests rather than essays and homework, arguing that students will copy those things and vitiate the rigor of the engineering degree. As a result, according to a study we did, our first year Tamil students who are in the new course unit system are now so busy with continuous assessment tests that they do not participate in the rich drama and other cultural activities of the Tamil Cultural Society as do their seniors who are still in the old year-long courses with one end-of-year examination each. It would appear therefore that, as a result of the Asian value of following our elders, the presidential reforms have had the opposite effect of what was intended.

PRACTICAL MEASURES AS CUES FOR DISCUSSION

How then does one, given these obstacles, get around them? How does one teach professional ethics and human rights, on which there is no wide consensus among academics? We have made only limited inroads, partly through lectures and partly through practice.

Practice based on our ethical judgment as teachers was then used to start discussions in lectures. This captivated students. One such example is the equality of women. In Asian values, elders are almost invariably men. The Asian value of order and harmony allots a place for women. When one of us set up a new program in computer science under engineering, we made special efforts to make women comfortable in a male dominated engineering environment where only 15% of students were women and only 3 out of 70 or so senior academic staff are women [16]. We gave women members of the computer laboratories first choice in booking terminals so as to avoid their having to walk back after dark. Through instructions to the teachers, guidelines of the New England Consortium for Undergraduate Science Education (NECUSE) were followed in teaching so as to include women consciously [17]. We made every effort to advocate a rights-based perspective of equality among our students. These changes were then openly discussed in class so as to involve students directly in the underlying ethical ideas and practices.

The special arrangements made to accommodate women raise questions among students. Their questions serve as a cue for discussion in class. This process of teaching ethics engages them and leaves a lasting impact on their minds. This process of engaging students in a topic before taking up the topic for formal discussion was used with affirmative action and teacher evaluations.

Affirmative action for women in science and engineering

Equality of persons is an assumption in human rights. However, paraphrasing an Indian Supreme Court ruling, to treat people equally, should one

treat unequal people equally? Are men and women equal—physically? socially? If not, how does one apply ethical standards of equal treatment? How is affirmative action for women ethically different from preferential university admissions for Sri Lankan students from schools in backward areas? Is affirmative action ethical if it is imposed by the majority to favor its own members over high-performing minorities?

In Sri Lanka, affirmative action on behalf of students from backward areas for university admissions is widely accepted. This is then used as a starting point to show how women too need to be treated differently to treat them equally.

A related but sensitive topic that we did not broach involves the practice called standardization that prevailed in the 1970s and early 1980s and produced most managerial level persons in Sri Lanka today. Because it is communally sensitive it needs a team of teachers from the different communities before putting it to the students. Prior to 1970, minority Tamils (constituting 18% of the population) were securing close to 50% of the professional university seats in competitive admissions examinations. Under that practice of standardization, Tamil, and majority Sinhalese averages and standard deviations were equated before awarding grades at the GCE Advanced Levels, the entrance examination for universities [18]. Thus if the Tamil average is 60% and the Sinhalese average is 50%, a Tamil's 60% and a Sinhalese's 50% would be altered to something like 55. Under this, it was possible for a Sinhalese with 55% in Physics to get the grade of A while a Tamil with 90% got a B. Now that this method of selection has been abolished, we hope it would be possible for a responsible teacher-team to address the topic.

Teacher evaluations

Human rights runs up against administrative discretion such as in selecting a person for a job from an interview. This conflict between discretionary authority and rights forms the core of many Sri Lankan human rights cases. An issue is how our administrative decisions can be made transparent and accountable. This touches on how we teachers assign grades. In the old scheme we had examinations. But today we have factors like class participation, projects etc. where the grade can measure a variety of performance indices. But this makes grading more subjective. Under the International Covenant on the Rights of the Child, children need to be involved in decisions concerning them. Then even more so, university students. In communally divided Sri Lankan society where many university teachers have been accused of communal bias in grading while the accused counter-charge communal victimization, it is even more important to emphasize transparency and rights so that students have confidence in the system.

We therefore, after getting a consensus within the department of computer sciences over which we had some control, introduced teacher evaluation for the first time. As customary in the USA, students did the survey. This led to several discussions with students. Should teachers who pride themselves in their rigorous and objective standards in categorizing their students as First Class, Second Class (Upper Division), etc., refuse to be categorized themselves as good teachers and bad teachers? Is a student who says his teacher is bad, violating the Asian value of respect for elders? Is there any valid basis for saying teachers ought not to be compared? Is there an ethical basis for academic freedom and if so, is it infringed by teacher evaluations?

In Sri Lanka official teacher evaluations have been resisted saying they would a) lead to teachers giving all A's to get good evaluations and b) effectively be an unethical comparison of staff. This is changing only because of directives from political authorities. Eliciting student opinion through these discussions involves them in their own affairs, besides being informative and necessary to us as teachers.

DISCUSSION POINTS

The previous section dealt with issues raised after introducing a practice to engage students and spark off debate. Since it is not always possible to introduce a new practice, discussing real everyday situations is an alternative way of teaching professional ethics by engaging students. It poses issues in engaging terms rather than abstractly. Ethics must apply to real life. In the process of teaching with close-to-home case studies, risks are taken, mistakes made and people offended, but as teachers we feel that without addressing real everyday issues, ethics cannot be acculturated and absorbed into all that we routinely do.

While every instructor ought to choose topics that are relevant to his students, we give here a sampling from the Sri Lankan situation familiar to our students as examples of what issues might profitably be raised. Each issue is followed by a little background information applying to the Sri Lankan scene.

Religion

In a rights-based approach, if even one person is forced into a religious practice that all the others, however many they might be, want, it is wrong. This raises issues for Sri Lanka. Is it right to use public resources to support religion? Is it right at public functions to thrust Buddhism or Hinduism on Christians and Muslims who would see their participation in other religious festivals as wrong? If state resources are to be used to support one religion, is it all right to spend on all the religions of the country in proportion to the adherents of each? If no religious ceremony is to be allowed at state functions, how does one, say, accommodate

the needs of those who believe in auspicious times and would not like to work in a building not safely constructed under religious law? If a building is opened at an inauspicious time, are we violating the religious rights of those who believe in auspicious times?

In background, Sri Lanka is predominantly Buddhist with constitutional patronage for Buddhism. Some 66% of the population are Buddhist and with the Hindus, the polytheistic segment comes to about 82% leaving the balance 18% evenly split between the monotheistic Muslims and Christians. Thus although the Sri Lankan civil war is based on linguistic identities differentiating Tamil speakers from Sinhalese speakers, there has been little objection from Hindu Tamils to Buddhism being the state religion. As a result, all official functions have Buddhist chants and the Engineering Faculty's new building had an official foundation stone laying at the auspicious time of 6:02 AM.

Hazing (ragging)

The Asian values of harmony and respect for elders militate against the legal responsibility to give evidence in a crime. Thus when soldiers shoot Tamil civilians, fellow soldiers who were observers will not come forward to give evidence. Similarly, when Tamil militants conscript children, the Tamil public will not give evidence. This situation ties up to the ethics of whistle blowing where the community is like the organization whose misdeeds are brought to light in the interests of the public. But in Sri Lanka people who give evidence against their own side are widely seen as traitors. The personal interests of the individual who is driven by his conscience to whistle blow and the civic responsibility to give evidence are important ethical topics.

However, given the ethnic tensions, these topics cannot be broached directly. We suggest broaching them by first taking up hazing which can then be used to draw in the topic of going against one's own community and whistle blowing. Issues we raise are: Does hazing promote a healthy relationship between seniors and freshmen as claimed or is it unethical in violating the rights of the freshman? Is it all right to engage in the innocuous aspects of hazing even when the law declares it to be a crime? Should one report a friend engaging in innocuous hazing even when the law declares non-reporting to be a crime? What should one do when a close friend engages in cruel hazing? What do you think of whistle blowing? Your friends force a freshman to do 100 push-ups (just as they have done to so many other freshmen) and the freshman dies because of a previously unknown congenital heart condition. Do you report your friends? When a senior person orders a cover up, are we obligated to comply? Even if a refusal to comply means personal loss such as loss of career?

Hazing or ragging is a serious issue in Sri Lanka and often a harrowing experience to new students. Although token sentiments against it have been expressed by administrators, little was done because many saw it as a way of getting friendly with seniors. But that idealized vision hid stark realities like the experience in late 1970 of one of the authors at what is now the University of Moratuwa. The very discussion of this would be seen as letting the university and the country down and raises the ethics of whistle blowing. At that university, hazing involved sadistic acts of a physical, sexual and emotional nature. But four years ago a student from this faculty died after being forced to do a large number of push-ups. Authorities tried to hush up the details of how widespread the problem was. In one episode at the time, a student gave an interview to a TV station that even a staff member had engaged in ragging him. He was called up for an enquiry under a former dean, reminded that the former dean would be the freshman's teacher for the next four years and then asked to retract the statement which the freshman immediately did. But today, having successfully graduated and four years after the event, he suffers from loss of self-esteem for having cooperated in the cover-up

Following the student's death, parliament had to pass into law a bill that made ragging a crime. Although some were charged in the incident, most of those involved have fled the country and some of the accused claimed that they simply watched as push-ups were done. The law runs its course slowly and ineffectively, and ragging continues in equally gruesome form with a student in advanced pregnancy recently being asked to run in the grounds before dawn. She lodged a complaint but the husband fearing vindictiveness got her to withdraw it. Even though it is now mandatory under the Bill to report all complaints of ragging and harassment at universities to civil authorities under the criminal procedures act, it is not always done. Formal complaints have been suppressed to maintain the good image of the university.

Bribery

This topic is useful in bringing out the relationships between professional responsibility and the Asian value of loyalty to authority particularly when the government is seen as illegitimate. It bears directly on the human rights of individuals who need to bribe to have what is rightfully theirs. The following issues are all usefully raised. Is bribery wrong? Is stealing from a friend 'more wrong' than stealing from an institution? How does one ethically do business where unless you give a kickback you can never win a contract? In discussing bribery, is the African Human Rights Charter's notion of 'community rights' superior to the European notion of individual human rights? Is it ethical to tell a businessman whose only livelihood is his business, that it is better for him to shut down than to be in business by getting contracts that are possible only through kickbacks?

In Sri Lanka, because of the colonial experience,

many who are very upright in their personal dealings, feel free to steal from the government. A mother arranging marriage for her son would proudly declare his emoluments as so much 'including kick backs'. Tamil areas of Sri Lanka where government is seen as alien and oppressive, bring up new issues on the ethics of cheating a government which is often seen as illegitimate and to which one feels no loyalty.

Transparency and accountability

If the law gives decision-making authority to one entity, can that entity ethically claim the right to that authority without interference? Or should decisions made by virtue of that authority be subject to review? In most cases in Sri Lanka those denied their rights do not go to court because it is a) expensive or b) inconvenient, or c) go against the values of his society or d) dangerous because of possible repercussions from bosses. In these circumstances is it ethical for an employer or university to deny a right on the assumption that the employee or student will not go to court?

In Sri Lanka until very recently the norm was that 'the Crown can do no wrong'. Thus the government could not be sued. Government administrators appointed and promoted as they wanted for years and suddenly when their decisions are subject to judicial review under the new legacy of human rights, they often cite the Act that gives them the authority and do not believe that they are doing wrong in exercising their authority as they see fit. As a result the Supreme Court of Sri Lanka under the new human rights laws has had to reverse or nullify several executive decisions based on 'abuse of discretion', including promotions of senior police officers by the Inspector General of Police!

Sri Lankan academics too have thought that the right to grade students is exclusive and not subject to review in view of their 'academic freedom'. However, students have recently successfully sued for a re-scrutiny of their examination answer books for mistakes or vindictiveness in grading. When the topic came up at the Senate, most staff members agreed that re-scrutiny is a good idea because of the mistakes we all make (including a case where a staff member had turned in grades without even looking at the answer scripts). But re-scrutiny was disallowed in all cases because it would be practically impossible in view of the large numbers sitting the external examinations (that is, examinations of students who are enrolled for the degree but are not entitled to instruction like the full-time students). Thus while a student cannot get a re-scrutiny from the university, he can force it through the courts.

Ethics of scientific writing and embellishing results, résumés and proposals to make them attractive

Is it wrong to publish the same paper in more than one journal or present it at more than one conference? Is it a violation of academic freedom for an organization to require approval of papers prior to publication? Who decides on the authors to be listed in a publication and the order in which their names appear—the authors themselves, the project supervisor or the manager of the organization? Should the name of the professor who conceived and supervised a project be first in a paper or the name of the students who executed the project and why? Is it ethical for academics who conduct examinations under strict conditions and take a dim view of student cheating, to be lax in evaluating themselves for promotions, making informal agreements to cite and list each other in their papers? What are the substantive differences between the two situations of the students and the teachers? In presenting results in a paper, a résumé for a job or a proposal for funding a project, when does 'attractive' presentation of facts become unethical? Are we obligated to speak up when colleagues violate ethical norms on these matters?

An incident in a Southeast Asian country presents a strange dimension to Asian values and may be used to introduce these issues. The electrical engineering department there, in collaboration with a commercial publisher, had been publishing an engineering journal for a year. When the journal had just 20 or so subscriptions after 1 year, the publisher backed out. Subscribers were told the journal was closed. The department head then proposed to the department that 'a last issue' of the defunct journal be printed with papers from a conference the department had organized. The 100 or so PhDs had, according to the manner of Asian values, no comment. The Head then pleaded that people should speak up meaning probably that he should be supported. A person who was attending his first department meeting responded that 'it would not be right' if subscribers are not going to get copies. With no further discussion the plan was dropped but the person who spoke up had a senior don dropping in to say, 'Just because you are *asked* to comment you do not *have* to comment'.

In Sri Lanka, in the matter of professorial promotions, a country-wide marking scheme is prescribed. In practice, Vice Chancellors and Deans have been known to ask potential selection committee members if they are comfortable promoting the candidate before appointing such persons to selection committees and marks are lavishly awarded beyond the marking scheme arguing on the grounds of rewarding those who have served under difficult circumstances without fleeing to the West. The ethical down-side is that those not in favor with the authorities have the standards strictly applied.

CONCLUSIONS

Human rights has been used as a religiously neutral basis for teaching professional ethics. Its origins in a legislative process with political

consensus have been used to distance human rights from religion and cast ethics as religiously neutral. Conflicts between Asian values and human rights, though real, are resolved in favor of the human rights framework because of the growing consensus on human rights in Sri Lanka. Despite the conflict between Asian values and human rights, human rights are neutral with respect to the cultural clashes that are tearing Sri Lanka apart. But the real cultural differences between East and West in attitudes to order, harmony, the role of religion and respect for elders remain and the difficulties these differences pose to the teaching of professional ethics continue. We believe we have identified real ethical issues that are profitably raised in a Sri Lankan class to give a hands-on experiential flavor.

REFERENCES

1. G. Buhler, The Laws of Manu, in F. Max Muller (ed.), *Sacred Books of the East Translated by various Oriental Scholars*, Vol. XXV, Oxford at the Clarendon Press (1886).
2. S. Ratnajeevan H. Hoole and C. W. Thamotharampillai, *Tamil Revivalist: The Man Behind the Legend of Tamil Nationalism*, Colombo: International Centre for Ethnic Studies (1997).
3. D. R. Haws, Ethics instruction in engineering education: a (mini) meta-analysis, *ASEE J. Eng. Educ.*, **90**(2) (2001) pp. 223–229.
4. W. Jordan, B. Elmore and S. Napper, Using moral theories to evaluate engineering codes of conduct, *Proc. Annual Conf. American Society of Engineering Education*, Montreal, 2002, Liberal Education Division, Session 3261.
5. Caroline Whitbeck, *Ethics in Engineering Practice and Research*, New York: Cambridge University Press (1998).
6. Thomas Burgenthal, *International Human Rights in a Nutshell*, 2nd Ed., West Publishing Co., St. Paul MN (1995).
7. Amartya Sen, Human rights and Asian values: what Lee Kuan Yew and Le Peng don't understand about Asia, *The New Republic*, **217**(2–3) July 14, 1997.
8. Michael Davis, ed., *Human Rights and Chinese Values*, Oxford University Press, Oxford (1995).
9. Xiaorong Li, Asian values and the Universality of Human Rights, *Institute for Philosophy and Public Policy*, Volume 16, No. 2, Spring 1996.
10. Anthony Milner, What happened to Asian values? *Education News Publications*, Faculty of Asian Studies, Australian National University, 2002.
11. S. R. H. Hoole, Human rights in the engineering curriculum, *Int. J. Eng. Educ.*, **18**(6) 2002, pp. 618–626.
12. W. M. Theodore de Bary, *Asian Values and Human Rights*, Harvard University Press, Cambridge MA, 1998.
13. *Skeptical Inquirer*, **26**(1) 1 Jan. 2002, p. 5.
14. IEEE Ethics Committee, *Draft Guidelines for Engineers Dissenting on Ethical Grounds*, IEEE (1996). Downloaded 26 May 2002
15. BCS Ethics Committee, Report on 'whistle-blowing' in the contexts of BCS members and the IS environments. http://www.bcs.org.uk/ethics/whistle.htm, downloaded on 25 May 2002.
16. D. Hoole and S. R. H. Hoole, Sri Lanka: Women in Engineering, *Society of Women Engineers*, **47**(6) Oct/Nov 2001, pp. 51–57.
17. The New England Consortium for Undergraduate Science Education NECUSE., *Achieving Gender Equity in Science Classrooms: A Guide for Faculty*, Rhode Island: Office of the Dean of the College, Brown University (1996).
18. C. R. de Silva, Weightage in University Admissions, *Modern Ceylon Studies*, **5**(2) 1974, p. 158.

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