

Malnutrition : Science and ethics

PROTEIN-ENERGY Malnutrition (PEM), Iodine Deficiency Disorders (IDD), Vitamin A Deficiency (VAD) and Iron Deficiency Anemia (IDA) are the major problems of malnutrition in less developed countries, attacking more than half of the young child population. Malnutrition in any form is a problem in society with medical manifestations. The biochemical and medical complexities of malnutrition are dealt with by the science of human nutrition, while the problem of malnutrition in society requires a much broader approach, including economics, political science, behavioural science and others.

Like all other societal problems, malnutrition has a scientific and ethical aspect. Science deals with what "can" be done, while ethics deals with what "should" or "ought to" be done. It is a scientific fact that iodisation of salt increases the intake of iodine and reduces the risk of IDD. It is, however, an ethical question whether or not salt should be iodised. It is a scientific fact that early initiation of exclusive breastfeeding reduces morbidity and mortality among very young children. The extent to which manufacturers should be allowed to distribute free breast milk substitutes in hospitals is an ethical question.

Science and ethics are dialectically related. Scientific discoveries influence ethics,

e.g. the new discoveries in nuclear science pose some very difficult ethical challenges. Ethics, on the other hand, may influence science, e.g. the way human beings may be used for medical experimentation.

Theory and practice

Both science and ethics progress through the constant interaction between theory and practice. Theory has no meaning without practice and practice is "blind" without a theory. In science statements like, "one finds what one looks for" (T. Kuhn) and "nothing is more practical than a good theory" (A. Einstein) reflect the way theory influences practice. Testing theories in practical situations, often means that the theory needs to be revised *i.e.*, practice influences theory.

Theory \longleftrightarrow *practice*

In ethics two types of theories have dominated :

- (a) Goal-based (or teleological) theories;
- (b) Duty-based (or deontological) theories.

Goal-based theories, of which utilitarianism is the most common, stress the need to achieve goals, almost at any individual's cost. Duty-based theories, on the other hand, stress the process chosen to achieve certain goals. A key argument in this paper is that a third theory, a rights-based theory, combines elements of a goals-based and a duty-based theory and therefore provides a better guide for practice.

*Regional Director for South Asia, UNICEF.

Nutritional needs

Problems most often reflect current needs. The nutritional needs of young children have been known for a long time, even if details continue to be debated. These needs are expressed in quantified daily requirements of energy, protein and micro-nutrients. The definition of these requirements is a scientific task.

Unfulfilled needs pose an ethical challenge, depending on how serious the deficiency is judged.

Nutritional claims

When a need is recognised as being worthy of sympathy and serious consideration, this need becomes a claim. A need becomes a claim when people find it unethical not to do something about it.

Claims, however, are of different strengths. Some people may *claim* that young children should have their requirements of minimum intake of iodine fulfilled. This is no more than a descriptive statement. Nobody is identified as having the duty to fulfill this claim. Stating that children have a *claim* to adequate iodine intake is stronger, but still no duties are defined. Stating however, that children have a *claim* against their parents, the community or the government to get iodised salt every day, identifies clear duties. Parents, the community or the government are expected to do something. Such claims are called justified claims, valid claims or duty-claims.

The World Summit for Children (WSC) and the International Conference on Nutrition (ICN) specified and agreed on a set of nutritional goals (Appendix 1). These goals transformed well-known nutritional needs into *recognised claims*. Heads of Governments/States in the WSC and Governments in the ICN promised to achieve these quantified goals (objectives) before the year 2000.

Rights

Rights are more than claims. Rights are entitlements to something, even if they do not constitute valid claims against a particular individual or entity of society. Most often, however, rights imply obligations with the respondent clearly identified.

Human rights have been defined as rights which all persons equally have simply insofar as they are human. Gewirth (1984) defines human rights as "personally oriented, normatively necessary moral requirements." "Personally oriented" because they are requirements of distinct subject, and not related to utilitarian goals. "Normatively necessary," because they are morally mandatory and not a result of charity. "Moral requirements" refer to (a) necessary needs, (b) justified entitlements, and (c) claims on others.

An example from nutrition may clarify. Every child needs a minimum intake of iodine ("personally oriented"). Every child should get an adequate intake of iodine, or his/her mental development will be negatively affected ("normatively necessary"). This moral requirement constitutes (a) the fact that iodine is necessary ("necessary needs"), (b) that children have a right to optimal mental development ("justified entitlement"), and (c) that the governments have an obligation to ensure the availability of iodized salt ("claim on others").

Human rights are primarily claim-rights, because they imply correlative obligation to other persons or groups.

Eide *et. al* (1991) define these different aspects in the implementation of human rights: (1) to respect, (2) to protect, and (3) to fulfill. They also suggest that human rights need to be implemented at different levels of society, from individual/household to international levels. This approach is used by Jonsson (1993) to operationalise the implementation of nutrition as a human right.

The right to be free from Protein-Energy Malnutrition (PEM) has the corresponding goal of eradicating PEM. The correlative obligations at national level could be:

Respect : Respect the role of NGOs in their efforts to reduce PEM.

Protect : Protect individual mothers through legislation and enforcement of national legislation of the Code of Marketing of Breast Milk Substitutes.

Facilitate : Facilitate the preparation and regular up-dating of the WSC National Programme of Action and the ICN National Nutritional Plan of Action.

Fulfil : Provide basic services in health, agriculture, water and sanitation.

A fourth category, "facilitate" is used here. This category was defined by Himes (1992).

The Convention on the Rights of the Child (CRC) transformed children's needs, recognised as valid claims by the WSC and ICN into rights. All states that have ratified the CRC have promised to respect, protect, facilitate and fulfill those rights.

Goals, rights and duties

Rights imply duties or obligations. Rights also imply goals. Goals, however, do not imply rights. A goal is a necessary, but not a sufficient condition for a right. This means that human development goals, including nutritional goals, can be achieved without any rights.

Feinberg (1970) describes in a thought-experiment "Nowheresville", where most of the human goals were achieved but where there was no self-respect, no dignity, no rights. The full implementation of the CRC requires or implies the achievement of all WSC goals. On the other hand the achieve-

ment of the goals does not necessarily mean the full realisation of the CRC.

The challenge, therefore, is not only to achieve the WSC goals but to achieve them in such a way that the process required for the realisation of the CRC are strengthened and accelerated. Such a right's based approach combines elements from a goal-based strategy and a duty-based strategy. It constitutes a goal-driven, process-conditioning strategy.

"Should" versus "Can"

Kant stated that "ought implies 'can' --or it is otherwise Utopia." Rescher (1987) questions this statement and suggests a new interpretation of Kant. He argues that if "ought implies can", this logically means that "obligation implies capacity", which in turn is equivalent to "incapacity removes obligation." This, however, seems unacceptable. He qualifies this problem by two arguments.

- (a) "To all appearances, an obligation can persist despite an incapacity. We have to be prepared for the prospect of undischageable duties and unmeetable obligations."
- (b) "... incapacity does not actually defeat an obligation, it can, however, negate all blame for a failure to carry it out."

He suggests a distinction between the weaker mode of "should" and the stronger mode of "must".

Based on Rescher's analysis, a choice needs to be made between:

- (a) Absolutistic rules with "realistic" expectations, and
- (b) "Realistic" rules with absolutistic expectation.

In this sense "ought" does not imply "can", while "must" does. In the ideal world, "ought" implies "can", while in the real world only "must" implies "can".

Seen in this perspective the WSC goals represent "realistic" goals with absolute expectation *i.e.*, the goals *must* be achieved, and they *can* be achieved.

The full implementation of the CRC, on the other hand, should be interpreted as absolutistic with "realistic" expectations. Rights are not divisible and cannot be graded; they are absolute.

Many goals are absolutistic and not attainable. Rescher argues that it is completely rational to pursue unattainable goals. "Truth" has been the goal for scientific progress. As both Popper and Kuhn argued (and agreed for once !), this goal is not attainable. Science, however, can come closer and closer to the "truth" (cf. Popper's definition of "*verisimilitude*"). The same is true for democracy in political development. The CRC as a whole represent an unattainable goal, although many parts of the CRC can be defined in absolutistic goals, e.g. the WSC goals.

It is very important to pursue morally important goals, even if they are unattainable. By doing so, other attainable goals will be achieved faster. The promotion of the CRC contributes to the achievement of the WSC goals. (And the WSC goals are a necessary condition for the realisation of the CRC). Further aiming "too high" often gives a better end result than aiming lower. Finally, pursuing unattainable goals gives a clear direction and can often mobilise and create new resources.

Law and practice

Rights implies duties and obligations, but most often nobody can be punished if the obligation is not met. When a right becomes a law, the respondent is identified and if the law is violated the respondent can be punished through the judiciary system.

Practice, however, does not necessarily

follow from law. There is, therefore, a need to enforce a law. Several countries have laws against distribution of non-iodised salt or against aggressive marketing of breast milk substitutes, but their practices have not changed, because the laws have never been enforced.

A rights-based theory for practising a global development ethics

The World Summit for Children (WSC) Declaration and the Convention on the Rights of the Child (CRC) can be seen as "social contracts" between the heads of states and governments and the states themselves and the world's children.

More than 300 years ago, Thomas Hobbes (1651) defined in his *Leviathan* the concept of a "contract" as, "the mutual transferring of rights" and that "... he that is trusted to perform in time to come, being trusted, his performance is called keeping the promise." The challenge is now for leaders of governments to keep the promise they gave at the WSC and for states to keep the promise they made when they ratified the CRC.

Countries are used to being compared on their economic development. Now the time has come when countries should be compared for the way they take care of their children. Signing the WSC Declaration or the ICN Declaration or ratifying the CRC means an obligation to give "a first call on resources for children." Only the future will tell who will keep the promise.

Hobbes, however, also stated "...covenants without the sword, are but words, and of no strength to secure a man at all". What "sword" do we have? An immediate action that can be taken is to establish national monitoring systems for the gradual achievement of the WSC goals, which are necessary for the implementation of the CRC.

The WSC goals represent *Moral minima* (Goulet, 1988), supported by all major religions and political ideologies. A rights-based strategy aims at achieving such fundamental goals, but in such a way that their achievement becomes a right. This implies, for example, sustainability. Such a strategy will contribute to the development of a *non-ethnocentric global development ethics* (Crocker, 1991).

Gradually the information from monitoring systems will contribute to an increasing "global embarrassment" for those countries that have the resources but avoid

the necessary political choices to achieve the goals. This will contribute to an environment where it becomes "good politics" to ensure the rights of children and "bad politics" to deny children their rights.

In an increasingly democratic world more people will both know that the WSC goals *can* be achieved and think that they *should* be achieved. Ultimately this will not only influence what political leaders choose to do, but also why political leader are chosen.

APPENDIX 1: NUTRITIONAL GOALS

**World Summit for Children (WSC)
Goals**

- (i) Reduction of severe and moderate malnutrition among under- five children by half of 1990 levels;
- (ii) Reduction of the rate of low birth weight (less than 2.5 kg) to less than 10 per cent;
- (iii) Reduction of Iron Deficiency Anaemia in women by one-third of 1990 levels;
- (iv) Virtual elimination of Iodine Deficiency Disorders;
- (v) Virtual elimination of Vitamin A deficiency and its consequences, including blindness;
- (vi) Empowerment of all women to breastfeed their children exclusively for four to six months and to continue breastfeeding with complementary food well into the second year;
- (vii) Growth promotion and its regular monitoring to be institutionalised in all countries by the end of the 1990s;
- (viii) Dissemination of knowledge and supporting services to increase food production to enable household food security.

**International Conference on Nutritional
(ICN) – Additional Goals****Goals**

- (i) To end famine and famine-related deaths; and,
- (ii) To end starvation and nutritional deficiency diseases in communities afflicted by natural and man-made disasters.

REFERENCES

Crocker, D

Towards Development Ethics in *World Development*, 19(5) 457-83 (1991).

Eide, A., A. Oshaug & W.Barth Eide

Food Security and the Right to food in International Law and Development in *Transnational Law Land Contemporary Problems*, 1(2), Fall (1991).

Feinberg, J.

The Nature and Value of Rights in *The Journal of Value Inquiry*, 4,243-57 (1970).

Gewirth, A.

Epistemology of Human Rights in Human Riglus, Ellen Paul, Fred Miller and Jeffrey Paul (Eds.), Blackwell (1984).

Goulet, D.

Tasks and Methods in Development Ethics, *Cross Currents*, 38(2) (1988).

Himes, J.R.

Implementing the United Nations Convention on the Rights of the Child: Resource Mobilization and the obligations of State Parties, Innocenti Occasional Papers, CES 2 (1992).

Hobbes, T.

Leviathan (1651).

Kant, I.

The Metaphysical Principles of Virtue. James Ellington (Transl.), New York (1964).

Rescher, N.

Ethical Idealism. An inquiry into the Nature and Functions of Ideals, University of California Press (1987).

NEEDS

Ethics

(WSC)

CLAIMS

Duties

Ethics

(CRC)

RIGHTS

Obligations

Politics

(Legislation)

LAW

Politics

(Enforcement)

PRACTICE

**YOUNG CHILDREN
NEED IODINE**

**MANY HEALTH PROFESSIONALS
RECOGNISED THIS NEED
AS A VALID CLAIM**

**MANY DECLARATIONS AND CONVENTIONS
RECOGNISED FOOD AS A HUMAN RIGHT,
INCLUDING ACCEPTABLE QUALITY OF FOOD**

**SOME COUNTRIES HAVE
LEGISLATED FOR UNIVERSAL SALT IODISATION**

**SOME COUNTRIES ARE NOW
PRODUCING OR IMPORTING IODISED SALT ONLY**

**YOUNG CHILDREN NEED
EXCLUSIVE BREASTFEEDING**

**MANY PEDIATRICIANS RECOGNISED
THIS NEED AS A VALID CLAIM**

**THE INTERNATIONAL CODE ON THE MARKETING
OF BREAST MILK SUBSTITUTES DEFINED THIS CLAIM
AS A RIGHT**

**SEVERAL COUNTRIES HAVE
INTRODUCED NATIONAL CODE LEGISLATION**

**MANY (BUT NOT ALL) OF THESE
COUNTRIES HAVE STOPPED MARKETING
OF BREAST MILK SUBSTITUTES**

