

# **Cultural Barriers in the New Media Technology Era: Comparisons of Medical Practices between Malaysia and the United Kingdom.**

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## **Abstract**

The application of new media in medical world is considered as a positive practice. However, it is still not fully accepted by many countries because it's influenced by the local culture. Basically, culture is influenced by the religious belief of the people. From this study, we can see a lot of similarities between United Kingdom and Malaysia in historical aspect but there was a vast difference in cultural practice. Although the advancement in technology narrowing the gap between these two countries, the barriers still exist in the form of cultural and religious practice especially in certain areas, for example in medical field. Qualitative approach was used in this research which was in-depth interviews with medical practitioners from both of these countries. From the interviews, medical practitioners on both sides had used technology in day to day running of medical facilities. However, the differences were very clear in certain areas of ethical concern such as abortion, infertility management for example sperm bank and surrogate mother. The findings of the study clearly showed that technology was able to act as a bridge between any countries and nations but limited by cultural and religious belief of its people.

## **Introduction**

Sophistication of communications technology has created a borderless world. So, people are free to share knowledge and expertise. Similarly, this is the case in the medical field. The development of the medical world cannot escape from the use of ICT systems, because every day many new diseases findings were reported by the World Health Association (WHO). So, to understand and be aware of this problem it is important to share information using information technology. This study highlights the equality in medical practice with the presence of **EP** in the ICT system used. Since medical field is placed under the category of science and technology, the practice is no different throughout the world according to the rules and ethics that apply worldwide. The similarities and differences that exist in medical practice in Malaysia and the UK are examined, here. Apart from other factors, the equality of medical practice in the UK and Malaysia is certainly due to the presence of ICT. Apart from ICT factors, other factors that are considered leading to the equality of medical practice in Malaysia and the UK is in terms of

background history, education systems and programs that involve the exchange of students who take the medical field between these two countries.

Historically, Malaysia is one of the countries that had been under the reign of the British government. The effect being that the rule of the education system of Malaysia follows the system that has been planned by the British government. Thus, many students are sent to study in the United Kingdom, including those taking medicine. This is one of the government's efforts to increase the number of medical expertise benefitting education in the UK. In addition, many experts in the medical field have been brought to Malaysia to improve the standard and quality of medical care in Malaysia. In fact, at present, many medical doctors from Malaysia have worked in the UK to gain experience which is considered important when they return to work in Malaysia. Thus, exposure to similar work systems and educational background facilitates processes in medical practice. What is certain is the presence of the technological system creates similar medical systems in practice between these two countries.

In this research, interviews are carried out with doctors who work in Malaysia and the United Kingdom. Interviewees include Respondents M and S (medical doctors from Malaysia), Respondents P and Q (medical doctors from United Kingdom) who are in high position in both countries. The purpose of these interviews is to understand the practical view of the practitioner in handling issues related to law and ethics in hospitals.

Respondent S states that new media is, indeed, a great help to the staff at the hospital in particular. This is because every day, for example, the medical officer will liaise with the patient. Therefore, everything done by the doctor in the process of treatment is under control both legally and ethically. Thus, each person is able to refer to ethics and the law lay down by the government. Use of new media is extremely helpful to staff who work at the hospital. Within only a few seconds, all the rules and regulations set forth can be read and understood. This process is very simple compared to conventional media which is all stored in a special book. Next, respondents P and Q also acknowledge that use of new media is very helpful to staff who work at the hospital. This is because all the ethics and rules that need to be followed are held in the hospital's own website. With the computer facilities provided to employees along with the internet, all information associated with the rules and ethics are available at the touch of one's fingertips.

### **Medical Practices**

The medical field is, indeed, often associated with the profession of doctors who work in hospitals and clinics. Medicine itself was originally a branch of life sciences relating to maintaining ideal levels of health care. In other words, medicine is a science to prevent and treat various types of diseases suffered by humans. Medical practice should incorporate the basic sciences, art, intuition, application of knowledge of medical science and clinical considerations for determining the measures to be taken to care for each patient treated. Leadership in hospitals is not only shown by doctors, but other staff such as nurses, medical assistants, and administrative personnel, whether officer based or connected as a primary assistant. To strengthen the services provided, every employee who works in the administration must give their full commitment in order to satisfy customers and improve service quality. In carrying out its duties and providing services to patients, all staff working in the hospital must follow ethical

and regulatory requirements. In general, regardless of any medicine that is done, basic rules and ethics are to be followed by the staff.

To enhance the quality of medicine in the modern era, the use of new media is very important. The presence of new media is considered an important means for the government in general, and hospitals in particular, to disseminate information - new information - to the hospitals' own staff and the community today. In this issue, use of new media is considered to explain, in more detail, the issues that exist in the medical field. When discussing medical issues and the community, the debate is often related to issues involving the question of culture, religion and ethics to be observed by hospital staff. Until now, the media are also often used as a means of communication by hospitals and the community to discuss the case of ethical issues involving conflict of hospital staff, where there is a problem that involves a conflict of culture and faith practices in one country. Interviews conducted on five hospital staff members from the two countries showed clearly the differences of the cultural and ethical aspects in patient care duties.

### *Abortion*

In this section, the discussion starts with the issue of abortion. This is because abortion is an issue that has very clear differences in terms of its implementation in the United Kingdom and Malaysia. Basically, the definition of abortion, according to the Dorland's Illustrated Medical Dictionary (2000), is "premature expulsion from the uterus of the products of conception (of the embryo, or of a nonviable foetus)". In the United Kingdom, Northern Ireland has more limited circumstances on views and legality of abortion compared to England, Scotland and Wales. In those countries, termination of a pregnancy is legal in the circumstances set out in the Abortion Act 1967. According to The Abortion Act 1967 (Department of Health, 1995), as cited by the British Medical Association Ethics Department (2004 p.242), conditions that allow a lawful termination of pregnancy at any gestational age in which if two registered medical practitioners are of the opinion:

- a. that the pregnancy has not exceeded its twenty-fourth week and the continuance of the pregnancy would involve risk of injury to the physical or mental health of the pregnant woman or any existing children and the risk is greater than if the pregnancy were terminated; or
- b. to prevent grave permanent injury to her physical or mental health by termination of the pregnancy; or
- c. that the continuance of the pregnancy will involve greater risk to her life compared to if the pregnancy were terminated; or
- d. That if the child were born, there is a risk that he would suffer from physical or mental abnormalities as to be seriously handicapped.

The Abortion Act 1967 was amended in 1990 to remove the pre-existing links with the Infant Life Preservation Act 1929 which made destruction of the life of a child capable of being born alive after 28 weeks of gestation illegal. This amendment makes it possible for pregnancy termination under sections 1(1) (b), 1(1) (d) to be carried out at any gestational age. However, in Malaysia, the position on abortion is governed by The Malaysian Penal Code where abortion is a

crime and this is similar to the Islamic criminal law position (Nor Adila et al., 2009). Nor Adila et al. mention that the only exception in this instance permitting abortion is when the continuance of the pregnancy may risk the health of the pregnant woman. Adila et al. also cite that Shaloot (1988) states if termination of pregnancy should be done, it must be carried out prior to 120 days from the start of conception as, according to the hadith or saying of the Prophet, foetus in mother's womb is 'infused with soul' at that time.

Respondent 'S' said:

"Abortion is a huge mistake in terms of medical ethics in Malaysia. Course of action may lead to abortion and her mother and doctors involved could be charged in criminal court for murder. Thus, any case involving abortion cases should be reviewed and investigated her background and reason for abortion to be done. Once the hospital is satisfied with the explanation given by the patient then the abortion would be done".

This means that, in Malaysia, the ethical issue of abortion is indeed a very serious matter. If the matter was undertaken lightly it would involve police investigation. Furthermore, Respondent 'P' explains:

"in the United Kingdom the issue of ethics is also emphasized in the career of a medical doctor. Although, unnecessary abortion should be avoided, it still can be done if the pregnancy is less than 23 weeks. This is to prevent the existence of other problems such as abortions performed in places with people that are not qualified medically or by various other means, possibly being done by couples who do not wish to continue the pregnancy. If this happens, it is harmful to the mother and her life might be threatened".

Although ethics and the law have been established in both countries in tackling the problem of abortion, in terms of implementation differences still exist. In Malaysia, for instance, abortion is considered a crime for couples who are not willing to accept the birth of a baby, while in the United Kingdom it can still be considered if the couple is not willing to continue with the pregnancy. Thus ethics and law remain and their implementation will be made to suit the situation and place.

From the interviews, the British government shows that if they did not tighten the measures to prevent abortion, negative impacts would have happened as a result. If the government is investigating the source of the problem, the issues relating to the prohibition of abortion is one of the sources. In Islam, abortion is considered as a big sin, however, the government should also consider the long-term impact on more people abandoning new born babies. Thus, the relationship between the two issues should encourage more in-depth research in Malaysia. The presence of new media has certainly helped the government in issues involving abortion. In Malaysia, as is well known, the act of abortion is prohibited except on grounds due to health. This issues lead to the problem of illegal abortion carried out by teenagers who are not married; which it is definitely a health hazard. With new media the government will be able to distribute

news and information to the community associated with these cases, easily informing them of the effects that occur due to acts of abortion.

Respondent P stated that, at present, the role of the hospital in the community informs the public about the adverse consequences when aborting a baby. This is because new media is able to provide information and actual situations that occur when abortions are performed. With the internet, all the information, along with animated images can be shown clearly to the public. The destruction of the foetus can be shown clearly and be more easily understood. Animated images create a deeper impression among the public. Respondent 'P' also added that if used earlier, conventional media can also help, but the effect obtained is somewhat less effective than the results from the impact of technology in production. This is because the idea of pain is difficult to internalize when using words alone. Through animation new media audiences will have better understanding and may be able to imagine “the feeling of pain” when watching it together. Apart from the picture of pain experienced by the individual during the process of abortion, its illegal actions will be punished in the community. Although abortion can be undertaken in private clinics the impact will also be felt by the individuals involved. This is because, in a society such as Malaysia, whether from Chinese, Malay or Indian, the act of pregnancy before marriage is a wrongdoing and will receive negative feedback from the community.

Apart from undertaking abortions in hospitals and private clinics, an abortion can be performed at medical centres by people traditionally called midwives. Usually in Malaysia, if a couple wishes to undertake the process of abortion, whether in government or private medical centres, all identities are recorded and stored. For those who are still in school, usually the hospital will contact the school or parents before undertaking abortion. In this case in order to remain anonymous a person may choose to go to a traditional medical centre in the village that does not have complete equipment. Therefore, many victims die when undergoing abortion in traditional centres. Respondent 'V' explained that in the Malay community, for example, if a girl is not married but is pregnant, it is considered as a matter of great shame to their families. The community will begin to look down on the parents and all the family members. At this point, a situation experienced by the individual is also felt by the whole family. These cases often appear in the media to give lessons to individuals who do not understand the effects of sex before marriage, resulting in pregnancy. Although the punishment is non-physical, it has also a strong mental effect.

In addition, restrictions on abortion also create another problem when a child is born. If the infant is female, problems that will arise when the baby later wishes to marry. In Islam, a woman to be married should be given away by her natural father. This situation creates a large problem when a woman is to be married. In Islam, a guardian can be authorized, however it must be proved, before the saints, that the natural father is confirmed dead or it is certified that he cannot be contacted. Under these circumstances it is usually assumed that the child is illegitimate, or that there is a conflict regarding her background. This gives a poor image, indicating that her parents were unmarried. This scenario is often displayed in the mass media in Malaysia to provide teaching, advice and explain the situation of unhealthy activities performed by youths that lead to the occurrence of cases of pregnancy before marriage. Today, many agencies or organizations which are under the tutelage of the government and private sector organise a lot of programs that provide awareness to youths and adults in Malaysia of the need to maintain dignity and avoid doing things that have negative impacts.

Furthermore, in Malay culture, a woman's chastity before marriage is emphasized. Thus, a girl is required to maintain the purity of her honour or her status as a virgin. If a girl has sex before marriage then it is no longer sacred and honour has been lost. In the Malay community in Malaysia, a man wishing to marry a woman assumes their partner is still a virgin unless they marry a widow. If a woman is trying to cheat their future husband there will be conflicts after they are married that would eventually create a problem of divorce. Consequently, there arise many other problems that will put more pressure on the woman's family. Although this may not be brought to court the community punishes the family. Sex, followed by abortion will have a big effect on the woman herself and her family. It is quite clear to a woman and her family that she should keep her dignity and sanctity. Therefore, each family provides advice to their children early in childhood. Although not a severe punishment from the legal aspect, the impact of the punishment of the community is enormous. The situation is regarded as a lesson to the girl, including her own family members. According to the Respondent 'L', for pregnant teenagers outside marriage, often they will be placed in homes of special protection. This is to prevent them from doing things that are not healthy that in the end causes them to act to commit suicide. Respondent Q, states that, in the United Kingdom, abortion was also brought under control although it is not like in Malaysia. However, the introduction of new media is helping the hospital really highlight the reality of abortion when the action is performed. This means the hospital will no longer need to provide a more detailed explanation to couples who want an abortion. Now, what is seen is that most people already know more clearly the effects that somebody will face after the act of abortion is performed.

### *The Control of Fertility*

The issues related of the control of fertility are interesting to be discussed in both Malaysia and the United Kingdom. In the United Kingdom, objections to sterilization usually focus on the aspect of irreversible interference with the ability to reproduce (Mason & Smith 1991). Technology involved in assisted reproduction has been developed out of concern for individuals or couples who are having problems with impaired fertility. This includes in vitro fertilization (IVF), embryo transfer (ET), gamete intra-fallopian transfer (GIFT) as well as other procedures involving gametes and embryos. Although it is beneficial in helping couples who are unable to have children naturally, it is acknowledged that assisted reproduction also raises concerns in views of moral and social implications. Respondent P (United Kingdom) said:

"The proliferation of medical technology is indeed a very good response from people in the United Kingdom. Besides government hospitals, there are also private medical agencies offering not only fertility treatment but also a package of birth of twins. From the social aspect, this treatment method has certainly helped some couples who wanted multiple births. In the long-term, as well, such a birth is a positive social aspect as a family will be able to survive longer and achieve happiness if they have children."

Respondent S (Malaysia) added:

"The sanctity of marriage is strongly highlighted by a belief among the society in Malaysia. So, access to assisted reproductive technology must be offered only to married couples. Thus,

couples or individuals who come for treatment have to confirm proof of marriage and the failure to show any valid documents will not be considered. Thus, single mothers or lesbian couples are not allowed to get treatment.”

Respondent P (United Kingdom) said:

"In the United Kingdom, there are no limits and constraints to any couple or individual to make treatment of fertility. This treatment also allows for single parents, members of lesbian couples and women who are past reproductive age getting pregnant by using donated gametes. This is because according to The Human Fertilisation and Embryology Act, it does not exclude any category of patient from treatment but focuses on the clinic's assessment of the prospective patient's ability to meet the needs of a child. This also reflects the society's acceptance of a broad range of family relationships other than the 'traditional' concept of a family. Also, consent for the storage and use of gametes or embryos in assisted reproduction must be taken in writing and the procedures must be clearly explained to the parties involved. On the other hand, this is allowed in the United Kingdom as long as it has been given consent to do so by the person who the genetic material has been obtained from ".

Respondent S (Malaysia) explains:

“Furthermore, in the event that the married couples in Malaysia, who consented to participate in the assisted reproductive treatment getting separated, divorced or one of them is becoming deceased, the surviving partner or next of kin cannot use the stored gamete and it must be destroyed. Eggs, embryos and sperms donated to treat human sub-fertility in others with the help of assisted reproduction technology is also prohibited in Malaysia as these procedures involve religious and cultural sensitivities as opposed to practice in the United Kingdom where the use of donated sperm, acolytes or embryos provide the opportunity for ‘unconventional’ family relationship such as single parents and homosexual couples. In surrogate arrangements, a woman agrees to become pregnant and bear a child for another person and to surrender it at birth. This type of practice is not acceptable in Malaysia because of its moral, social, religious and legal dilemmas from such practice”. Respondent Q (United Kingdom) said that, from the point of view of the British Medical Association (BMA), surrogacy is considered as a treatment of last resort for a couple to have children where it is impossible for medical reasons for the intended mother to carry the child herself.

The results show that the facility of fertility treatment is allowed to be carried out for both countries, but depends on the permission given by the government hospital. Also, any decision of the medical doctor is undertaken according to cultural practices and religious practices of the two countries respectively. For this, the role of the media to convey information to the population becomes very important. In reality, not many people come to the hospital for treatment of infertility. This is because it may not involve the treatment of chronic diseases. With the information released by the health ministries of both countries through the medium of new media, the public becomes more informed about the issues that are required. Interests and needs of the function of new media in disseminating information relating to the control of fertility were also agreed by the hospital staff who took part in the interview.

Respondent 'S' states that in Malaysia, not many couples come to the hospital to ask for nourishment treatment because they are less aware of the treatment provided by hospitals, although, some do know but they have too little information about the treatments available. However, now, with new media, everything becomes easier. The health ministry's website or the hospital site itself already has available information that would explain the control of the issue of fertility and the audience need only click to gain as much information as needed. Apart from the hospital's website or the health ministry's website, there are also other websites which provide information to the public. What is certain is that all the information is already filtering through the MMC to control the validity of the information released. With regard to the United Kingdom, Respondent Q also described that the introduction of new media facilitates the work of a doctor. This is because when people come to see the doctor, apart from the consultation, the physician can also download and print information contained on the hospital website. In addition to the explanation given, the patient can read the printed copy provided. For an educated audience, many of them will gain much information directly through the website without the need to meet and make an appointment with the doctor.

Furthermore, Respondent P adds, other than a written description, there are also web sites that use animation methods to ensure the public understand the issue of fertility control, including the use of the medium called YouTube. Floods of information are, indeed, very good but they also have to go through vetting of the General Medical Council (GMC) of the United Kingdom. This is to prevent publication of information that is not accurate and could be harmful to consumers.

### *Sperm Bank*

Sperm banks have long existed in the United Kingdom, the United States and European countries. However sperm banks are new and unfamiliar to people in Malaysia. Apart from using the technique of fertility, sperm banks today are considered another way of solving problems for a couple, single mother and lesbian to get a child. In Malaysia, the existence of sperm banks has yet to be clear. It is very hard to find any website which sells sperm online. This is because the cultural values in Malaysia still do not allow sperm for sale as business. Besides, there is no clear authority on how the business of sperm is allowed to operate in Malaysia. This is because sperm trading is considered contrary to the religion professed by the people of Malaysia that leads to the emergence of errors in terms of ethics.

However, the situation is very different in the United Kingdom. Purchase and donation of sperm can be obtained easily. Sale of sperm is a commercial business that is in great demand. Through Internet web sites, we will find many of agencies that offer the package as desired.

Respondent Q (United Kingdom) said:

"In Britain, there is the existence of sperm banks. This means that anyone can donate their sperm or buy at sperm banks. Things are often done when couples are experiencing fertility problems or who had been married but were unable to conceive. Besides, the sperm bank is also a focus for lesbian couples or single parents who want to have a child. Thus the sperm bank of course is needed today."

Respondent P (United Kingdom) added:

"in the United Kingdom, where couples who need or want to donate sperm, just click on the relevant website and the website will display all relevant agencies together with the detailed information that offers a place for the sale of sperm and sperm donation. All the websites have complete information and contact details. Each partner can choose the sperm according to sex, the physical body, academic background, or anything based on what the customer wants. If the sperm fits with the criteria they just click on selection and purchase online". That is so easy with the modern technology today. By simply using a finger tip, all our wishes will be achieved, not only for clothing items, furniture and food but also easy and inexpensive sperm obtained online.

Respondent S explains:

"In Malaysia, the concept of the sperm bank does not exist and this is consistent with the basic ethics practiced in Malaysia, the action and to get sperm donated from another person is not allowed. Thus a business which involves sperm is considered a business that is still banned. Although banned, the business is still operating without a valid business license. So far the government has not issued any circular to allow the sale of donated sperm or actions to sperm banks ".

The results from interviews show that new media can be seen as very important in securing the donation of sperm and marketing to those who need it. The two countries can be distinguished by the permission granted by the government. In Malaysia, the sperms bank has never existed. So, the public will get the information regarding the sperms bank via the internet. In the United Kingdom, which involves the donation business, buying and selling can be done via the internet or new media. Also, through online, users can choose and obtain the background characteristics of the owner of the sperm.

### *Surrogate Mother*

Furthermore, the concept of the surrogate mother is available in the world of medical technology to help couples who experience infertility problems. Basically the seeds of the man and woman are fertilized outside the womb; all the seeds that have been fertilized are inserted into the womb of another woman. This means that another woman will give birth to another pair's fertilization results.

Respondent S explains:

"Surrogate Mother to date has not been allowed freely in Malaysia. Surrogate process is only allowed if the spouse who does not need other people to have children is made in fertilization outside the womb. Surrogate basically done when a problem is often less active sperm, women have a problem or damage to fallopian tube closure of the channel and anything that involves a problem that involves both husband and wife. Although the process is fertilized outside the womb, after the fertilization process is successfully done, and then it will be placed back into the womb of another woman who was also called surrogate mother. The basic concept is indeed contrary to the ethics of surrogate and cultural life in Malaysia. Thus, in the field of medical technology, known as the surrogate mother is not allowed by the government to do in Malaysia. "

Respondent P explains:

"In the United Kingdom the concept of surrogate mother is indeed a method of medical technology with a very good response among couples who have problems in getting children. When the seed of the husband and wife is successfully fertilized it is then inserted into the womb of another woman who is willing to be a surrogate mother. Thus, the baby will be born through the natural process of birth. Thus, this technology, so far, does not pose any problems to the government".

In terms of using new media, in Malaysia, the role played is more of information only, while in the United Kingdom, couples are allowed to consider the use of a surrogate mother. Apart from getting the service at a government hospital, couples also have access to private hospitals. Hence more resources are derived from new media in making any decision or choice.

### *Chaperone*

Chaperones are basically created in the medical system to provide assurance and moral support to patients that they are safe and comfortable. This is because in certain circumstances, patients and doctors will be less comfortable when in a room with the lights dimmed where the patient and the doctor are too close. Apart from that, chaperones also ensure that patients do not feel hesitant to accept a doctor. In addition, the presence of chaperones also proves the doctor understands the problems and the feelings of the patient receiving treatment. In addition, in the

medical world, the existence of chaperones is considered an important point in the rescue of the doctor treating the patient. This is because, in the event of complaints from patients that may involve questions of ethics, the chaperones are among those eligible to give any details on what happened when the treatment was carried out.

Respondent S explains:

"In Malaysia, the concept has been practiced; indeed, a male doctor examining a female patient should be done along with a female nurse. The presence of a nurse who acts as the opposite sex is a witness that there is no problem in terms of sexual harassment during the treatment process carried out between male doctors and female patients. This is also consistent with the cultural community in women when the relationships of men and women have certain limitations, especially for the Moslems. In this case, if there are complaints from patients that they had experienced sexual harassment while getting medical examination or treatment of a male doctor, the female nurses who were present at that time will bear witness to the validity of the complaints that have been made. "

Respondent P added:

"In the United Kingdom, chaperones, of course, also have been long-established including the concept of ethics as discussed. In the United Kingdom, chaperones not only involve the difference in sex between male doctors and female patients but also when the treatment is also practiced in the doctors and patients of the same sex. This is because the relationships, marriage, a relationship involving partners are openly accepted. Therefore, to avoid any problems related to sexual harassment, the concept of same sex chaperones will also be done".

Both have the same opinion even though there is little difference. The equation we see progresses in terms of chaperones already being implemented in practice in hospitals within Malaysia and the United Kingdom. The difference is how these concepts are practiced. In Malaysia, respondent S stated that chaperones involved only patients with a doctor of the opposite sex while in the United Kingdom chaperones are used, regardless of sex. In the future probably the same thing will be practiced in Malaysia.

In this issue, the needs of the media are seen as the source informing the user associated with the rights available to the patient. With the disclosure of information relating to chaperones in electronic media, patients and hospital staff will be more aware and sensitive to their rights.

The result of meetings and interviews with several medical doctors from both countries would also have provided several new findings related to the study conducted in the two countries concerned. The findings of this study show the difference in the system that exists.

What have we seen are that these differences are due to the existence of different cultural and religious value adopted. In these discussions, it was also concluded that the emergence of new media is very helpful and supportive to the career of a doctor, whether in Malaysia or in United Kingdom. One of the purpose of the utilisation of new media is to create a more knowledgeable society. Although sharing the basic make-up of medical practices, there is still many differences observed. As a conclusion, there are four main differences in medical ethics practiced; rules for abortion, the control of fertility, sperm bank and surrogate mother. The differences existed because of the influence of cultures in daily life.