



Presidenza del Consiglio dei Ministri
NATIONAL BIOETHICS COMMITTEE

**DIFFERENTIATED DIET AND INTERCULTURALITY.
BIOETHICAL GUIDELINES**

17th of March 2006

PRESENTATION

It is well-known how the issues of intercultural bioethics are complex and thorny and how, at the same time, they elicit not only doctrinal reflections and pragmatic stances, but also (and especially for some) curiosity and emotions, the kind of emotions we feel whenever we are confronted with rigorous intellectual honesty by the “other” and with the universe of practices and values that, if he/she is a member of a different culture, he/she inevitably carries. In several occasions, the National Bioethics Committee has come into contact, albeit indirectly, with significant intercultural issues: I like to remember, in particular, the 1998 reflection on *Circumcision*, when the NBC took an unequivocal position against femal genital mutilation. More subtle, although less pressing issues, still related to multicultural bioethics, were tackled by the Committee in its opinion entitled *Ritual Slaughter and Animal Suffering*, approved on the 19th of September 2003. The Opinion presented here comes from the reflection of a Working Group activated on the 19th of November 2004 and entrusted to the care of Prof. Sergio Belardinelli and Silvio Ferrari. Participating colleagues were Salvatore Amato, Luisa Battaglia, Maria Luisa Di Pietro, Laura Palazzani, Giancarlo Umani Ronchi. The Group also benefited from the active contribution of Patrizia Rosicarelli, from the Rome Town Council and Aldo Morrone, from the San Gallicano Hospital in Rome, whose competent availability has been fruitfully used by the Committee and we therefore thank them for their generous cooperation. The document prepared by the Working Group was submitted to the Committee, gathered in the plenary meeting of the 17th of March 2006 and was approved with a vote in favour by all of those present (there was one abstention, that of Prof. Mauro Barni). Approving this document, the Committee hopes that the issue of diet within institutions such as schools, hospitals, prisons, is duly taken seriously by the competent authorities; even if it does not belong to the category of the most divisive bioethical issues, such as the “big issues” pertaining to the life and death, which are obviously the ones that raise the interest of public opinion as a whole the most, it activates significant dilemmas of ethics and conscience, which would be simplistic and even naive to underestimate. The level of bioethical consciousness of a country and a society should be perceived starting from the sympathy we are able to raise also on matters that are only seemingly of a marginal nature, like the one presented in this text.

The President
Prof. Francesco D'Agostino

In a society where people of different faiths, ethnic origins and philosophical convictions coexist, the issue of diet takes on a certain relevance for cultural, religious and social reasons. Although the issue of diet choices involves a variety of spheres of human life, in the current historical moment it seems appropriate to focus on the food policies adopted by public institutions in our country, characterized by the growing presence of individuals who have eating habits that are different from the majority of the population. The choices made in this respect in schools, hospitals, prisons and army barracks constitute an important element in the process of fostering a harmonious coexistence devoid of tensions between people belonging to different ethnic, religious and cultural communities. It therefore does not surprise us that periodically controversies and disagreements arise with regards to the appropriateness of anticipating differentiated contents and times to supply food to students, prisoners, hospital patients, soldiers, because of their principles or religious beliefs: underlying these controversies are in fact different projects of integration.

In this context, it happens that the diet issue is used instrumentally, sacrificing people's concrete interests in order to give priority to one or other governmental strategy about immigrant communities in our country. To prevent this incorrect approach to alter the terms in which the issue of differentiated diet must be considered, it is appropriate to identify some general principles to serve as guide.

The first question is whether and why diet differences due to ethnic diversity and religious or philosophical beliefs deserve respect. The answer is tied to the link between food and culture: these differences express the identity of a person or a group of people, namely, the core principles and values from which you must move to integrate the differences between cultures, avoiding assimilation or separation, which can lead to uniform non-differentiation and discriminating marginalization. Respecting diet diversity usually does not come into conflict with the values and inalienable rights that must be respected by all members of a social community and therefore it is possible to move from a sympathetic approach to these diversities to assess how they can become a factor for mutual enrichment.

Which different diets deserve respect is the second question to ask. It is evident that an unmotivated aversion to a particular food is not a sufficient reason to request a differentiated "menu" in the canteen of a public institution; a better foundation would have a claim based on a traditional diet due to ethnic or geographic origin, which is potentially an element of wealth for the whole community and yet the case of dietary prescriptions based on religious or philosophical ideas is more meaningful in illustrating the personal and profound commitment to a certain vision of life and the world. Each of these hypotheses requires consideration and differentiated treatment.

With regards to this, the respect for the freedom of conscience and religion directly or indirectly guaranteed by our legal system provides a first indication in negative, because it forbids forcing someone directly or indirectly to swallow foods against their will. This means that, in public institutions, a person should never be put in front of a choice between eating or violating their religious or philosophical beliefs. But the guarantee of this minimal level is only the first step: in a truly intercultural bioethical perspective, it is in fact possible, remaining within affordable costs, to find paths that allow not only claiming the

right to maintain our food traditions, but also presenting them as an enriching element for the entire community.

NUTRITION AT SCHOOL

The characteristic feature of school is to be, together with the family, the main place where a person's educational process takes place.

The issue of a differentiated diet at school must therefore be placed in the context of nutritional education, which is not limited to teaching how to eat properly and in a way that is suited to the individual growth, but also includes the learning of the cultural meaning of food and nutrition, in which is implicit a way of relating to our history, the environment in which we live, the relationship with other members of the community we grew up in, the way in which we see our relationship with other living beings.

In a society characterized by the coexistence of multiple cultural identities, nutritional education also means educating about the diversity of traditions and food choices that, through the students and their families, are present in the school. In this perspective nutritional education means teaching and enriching our "food culture" by trying and appreciating foods and a diet that are typical of other ethnic, cultural and religious traditions or "styles" of eating dependent on choices that involve a person's entire life.

In particular, this approach to food diversity can tackle with more balance the issue of religious dietary laws, releasing it from all claims that it is simply about identity, which may exacerbate the differences preventing the mutual contact between different cultures. When there are no significant drawbacks, these provisions should be respected and, where possible, emphasised. Also to protect the freedom of religion, it seems appropriate that the availability of other foods (e.g. eggs or beans) (1) is always guaranteed to students, who for religious reasons do not eat certain foods (e.g. pork); and when possible and appropriate (and here comes into play the type of dietary requirement, the number of applicants, etc.) students must have the chance to consume food prepared according to the prescriptions of their religion, by setting up differentiated menus in school (2) or at least allowing these foods to be brought in by an outside caterer (at the expense of the student).

NUTRITION IN HOSPITAL

If the school's identifying feature is education, for hospital's is health: the purpose for which hospitals exist is to recover or, where this is not possible, be assisted in the state of illness.

The issue of nutrition must be examined in light of those objectives: but, within health facilities, it takes a broader focus that extends to taking medicines. In fact, the prescription of a particular food or medicine can be of great importance for the care of a patient: but it is possible that, for cultural or religious reasons, he/she refuses (more or less openly) to take the food or the medicine, thereby undermining the effectiveness of therapy; or it is possible that, while observing the doctor's prescription, the patient perceives it as an imposition inconsistent with his/her deepest convictions and lives in a state of tension that does not contribute to the success of the therapy. Patient's care requires in these cases the exploration of all the alternatives in an attempt to

identify therapeutic strategies that have, in that situation, the highest possibility of success.

To this end, it is first of all necessary to ensure that doctors and nurses have the training essential to correctly read the food requests - often manifested in implied or indirect form - of patients who come from very different religious or cultural contexts and are poorly understood by medical staff. Beyond the problems of communication and interpretation (in the broadest sense of the word) of the needs expressed by the patient, it is then about providing the training required to develop, for example, diets that take into account the religious or cultural requirements, to formulate therapies that concentrate the intake of medicines and food at certain times (e.g. the obligation of fasting during the day for Muslims during Ramadan) or are able to achieve their goals without consuming certain substances. In this perspective it is also appropriate to spread the knowledge of religious precepts that allow to shorten or stop fasting and eat foods normally forbidden: all religions, in fact, anticipate exemptions from complying with diet precepts in the case of illness, but not always these exceptions are known to patient. In this area, as in the communication with the patient, the work of cultural mediators and religious authorities belonging to the patient's community may be valuable.

A degree of organization of hospital services does not seem to be particularly complicated or expensive to extend the possibility of a differentiated diet, already anticipated for therapeutic reasons, to patients who have special dietary needs for religious or cultural reasons.

NUTRITION IN PRISON

A test of particular importance to recognize, with regards to respecting the dignity of every human being, the meaning of diet choices of a cultural and most of all religious character is made up of the rules relating to food for detainees.

The consideration of dietary needs arising from the traditions of a country or religious beliefs is, in fact, an element of focus on very personal aspects of our life: it constitutes, therefore, a model of interpersonal relationships marked by acceptance and mutual recognition, helping to strengthen, in all those involved, the authority of the fundamental rights in our legislation.

Allowing those affected by restrictions on personal freedom to be able - still - to eat following their conscience and without diminishing his/her culture, should not however be a pure formality, but be framed within a commitment designed to ensure that the individual concerned will examine consciously (also in relation to protection of his/her health) certain rules or traditions, capturing their authentic meaning and making them clear to others: without excluding, therefore, as long as there are no problems of conscience, an openness to know and share eating habits different from those familiar to him/her.

Therefore, it is about taking steps to ensure that respect for the abovementioned needs does not become a factor of exclusion or division, but of integration.

In this context, the reference expressed in Art. 11, paragraph 4, of the Italian Penitentiary Law (DPR No. 230/2002) to the duty to take into account the requirements of the different religious faiths in creating the menus, but only 'when possible' appears - in its generality - an understatement. This is also in

light of the importance attached to *religion* amongst the condemned or the prisoner's "treatment aspects" in art. 15, first paragraph, of the penitentiary law (Law No. 354/1975); also in light of the fact that prison has been for some time now, statistically, the most multi-ethnic place in our society. Therefore, certain details seem important, such as those in a Circular by the Department of Penitentiary Administration in November 2001, about the specific contents of menus that are respectful of religious needs and about the time to supply food with regards to complying with the requirements of the Islamic Ramadan: which is an unrenounceable link to the respect to be given, generally, to religious requirements about food.

With regards to the peculiar reality represented by the execution phase of a criminal penalty, the prescriptions under examination should therefore be considered as a factor relevant to the consolidation, by the prisoner, of all the necessary conditions to express his/her identity and for a mature management of him/herself and of his/her conduct, as well as for the purpose of being open to a type of respect and concern for the needs inherent to the dignity of any individual.

NUTRITION IN ARMY BARRACKS

Also in army barracks, as in prison, law and order issues prevent the individual from fulfilling his/her own food needs. As conscription is no longer mandatory, those same guarantees of protection expected in any other work relationship should apply. Again, however, the delicate function of social integration that the military service can have, forces us to guarantee respect for the individual's fundamental values and therefore of his/her most intimate religious and cultural beliefs.