

CENTRE FOR APPLIED ETHICS

ANNUAL REPORT 2009

1. ABOUT THE CENTRE

The Centre for Applied Ethics (CAE) is an interdisciplinary research, teaching, and service institution of the University of Stellenbosch, based in the Philosophy Department, and, with respect to the Tygerberg Division of the Centre for Bio-ethics, also in the Faculty of Health Sciences. It reports to the Faculty Boards of Arts and Social Sciences and Health Sciences. The Centre does work on its own, but also accommodates three units, viz. the Unit for Bioethics (with divisions on the Stellenbosch Campus and at Tygerberg), the Unit for Environmental Ethics and the Unit for Business Ethics and Public Integrity.

The first part of this report deals with the general activities of the Centre as such. The reports of the different Units of the Centre follow this report. The report therefore has the following sub-divisions:

General report of the CAE: pp. 1-5

Report of the Unit for Bio-Ethics: Stellenbosch Division: pp. 6-11

Report of the Unit for Bioethics: Tygerberg Division: pp. 12-18

Report of the Unit for Environmental Ethics: pp. 19-25

Report of the Unit for Business Ethics and Public Integrity: pp. 26-29

2. GOVERNING BODY

Proff. A.J. Leysens (Representative of the Centre for International and Comparative Politics, *Chair*), HJ Kotzé (Dean), A.A. van Niekerk (Director of the Centre and Head: Unit for Bioethics), J. Kinghorn (Representative of the Centre for Knowledge Management and Decision-making), J.P. Hattingh (Head: Unit for Environmental Ethics), S. van der Berg (Representative of the Faculty of Economic and Management Sciences) W.P. Pienaar (Representative of the Faculty of Health Sciences), C. Walker (Representative of the Depts. of Psychology, Sociology, Geography and Environmental Studies, and Social Work), K. Moodley (Head: Unit for Bioethics – Tygerberg Division), ms. M Woermann (Representative: Unit for Business Ethics and Public Integrity), dr. Hannes Loots, representative of the Medi-Clinic Corporation, a key sponsor of the Centre and mr Daniel Malan, representative of the Unit for Corporate Governance in Africa, situated in the US Business School.

At the annual general meeting of the Centre on 24 June 2009, it was decided to recommend to the Faculty Board that the term of office of non-ex officio members of this governing board be extended for another three years.

3. RESEARCH

(NB Only activities are here reported that are not dealt with in the reports of the different Units of the Centre. See also reports of the Units)

3.1 Publications and other research outputs

3.1.1 Books

Malachowski, A. *The New Pragmatism*. Acumen: Durham & Princeton University Press: Princeton, NJ, 161 pp.

3.1.2 Book Chapters

1. Van Niekerk, AA. What is a university?, in: P Fourie (ed.): *Let's talk about varsity*. Stellenbosch: Gabbema Books, 2009: 25-36.
2. Van Niekerk, AA. Social sciences, philosophy and theology, in P Fourie (ed.): *Let's talk about varsity*. Stellenbosch: Gabbema Books, 2009: 57-61.

3.1.3 Other Publications (indicative of community service/interaction rendered by the Centre)

1. Van Niekerk, AA. Hy het 'n diens gelewer (Obituary for JL de Villiers). *By* (Supplement to *Die Burger*), 23 May 2009: 4. [He rendered a service]
2. Van Niekerk, AA. Transformeer in geregtigheid. *Die Burger* (Forum article), 13 June 2009: 15 [Transform in justice]
3. Van Niekerk, AA. Die volheid van sy lewe (Martin Versfeld's centenary), *Die Burger* (Art page), 11 August 2009 [The fullness of his life].

3.1.4 Presentations

At international events:

Van Niekerk, AA. *Ethics from and African Perspective*. Special Guest Lecture at Launch of 2009-10 Erasmus Mundus Program in Applied Ethics, University of Linköping, Sweden, 4 September 2009.

At national conferences and other presentations:

1. Van Niekerk, AA. *Analise van 2009 verkiesing*. Stellenbosch Sakekamer, 28 April 2009.
2. Van Niekerk, AA. *Can more business ethics teaching halt corruption in business and the public sector?* Third Annual South African Public Sector Anti-Corruption Conference. 26 August 2009, Birchwood Executive Hotel & OR Tambo Conference Centre, Johannesburg.
3. Van Niekerk, AA. *The efficacy of teaching ethics to employees*. Second Procurement Prevention Techniques Workshop. 27 August 2009, Birchwood Executive Hotel & OR Tambo Conference Centre, Johannesburg.

4. COMMUNITY INTERACTION

The Director participated in a number of radio programs on ethically related matters. These included the hour long talk show *Praat Saam* (RSG; Host: Freek Robinson) on the ethics of stem cell research (9 February) and on Religious faith in the 21st century (25 May), as well as a *Monitor* (RSG) interview on designer babies, an interview on SAFM about lying politicians, and an hour long program (Kruis en Dwars, RSG) on images of God (9 August).

5. OTHER GENERAL ACTIVITIES OF THE CENTRE

5.1 Teaching:

In 2009, the Centre accommodated the bi-annual presentation of the specialization programs of the MPhil Program in Applied Ethics. A significant number of students of previous years also completed their programs – see reports of the Units. For the specialization programmes (in biomedical, business and environmental ethics respectively), a multi-disciplinary offering is made as far as possible. In the Biomedical Ethics specialization group, prof. Marcel Verweij of Utrecht, prof. Thad Metz of Wits and prof. Willem Landman of EthicSA offered special guest lectures.

5.2 Participation in Erasmus Mundus Program in Applied Ethics of Utrecht, Linköping and Trondheim:

This program, which was established in 2007, was significantly expanded in the course of 2008 and 2009. In January and February, a cohort of European and other international Erasmus Mundus students attended the environmental ethics lecture series offered to Stellenbosch students in the MPhil (Environmental Management) Program offered by prof. Hattingh and others, and partook in an independent research project that were designed for them. Several lecturers from the participant European universities visited Stellenbosch in the course of 2009, delivered lectures and undertook research (For more details, see 4.3 below).

Prof. van Niekerk was also invited to attend the meetings of the governing body of this program which were held in Linköping, Sweden, at the beginning of September, and to also offer a special guest lecture during the inaugural series of lectures. During the same trip he had talks with proff. Verweij and Duewell in Utrecht about further possibilities for co-operation.

5.3 Visitors in 2009:

A number of eminent academics visited the Centre in the course of 2009. Most renowned of these was prof. Daniel Dennett, arguably one of the best known philosophers in the world. The Centre was co-sponsor of his trip to South Africa, and the lecture that he delivered on 1 April 2009 was one of the best attended events in Stellenbosch for a long time.

Visits were also made by prof. Marcel Verweij of Utrecht, prof. May Thorseth of Trondheim and prof. Harrie Kunneman of the Humanistic University in Utrecht.

5.4 Relationship with the Ethics Institute of South Africa (EthicSA):

A very fruitful and mutually rewarding relationship exists between the Centre and the Ethics Institute of South Africa (EthicSA). Its CEO, prof. Willem Landman, is a professor extraordinaire in the Centre, and very involved in our post-graduate work. The Director is currently Chairperson of the Institute's Board of Directors. In that capacity he is very closely involved with the planning, management and evaluation of EthicSA's activities.

5.5 Personnel matters:

In the course of 2009, prof. Alan Malachowski, former professor of philosophy at East Anglia University who is currently living in South Africa (Kleinmond) was invited to become a fellow of the Centre, and he duly accepted the invitation. He is currently, under the auspices of the Centre, doing research for a book on financial ethics that is almost completed. A research grant was made to him by the Centre, and he also has an office in the Centre.

6. REPRESENTATION ON ETHICS COMMITTEES

Personnel of the Centre serve as members of a variety of ethics committees/institutional review boards at Stellenbosch University and elsewhere.

These committees, and the relevant representatives, are the following:

- The Ethics Committee of the Medical Research Council (MRC) (AA van Niekerk)
- The Ethics Committee for Research on Animals of the MRC (JP Hattingh)

- The Ethics Committee of Subcommittee A (Humanities & Social Sciences) of Stellenbosch University's Research Committee (JP Hattingh, chair)
- The Ethiucs Committee of the CSIR (JP Hattingh, chair)

Prof. van Niekerk was, in the course of 2009, elected to and also elected as chairperson of the newly created Senate Research Ethics Committee (SREC), the body that appoints, accredits and oversees all the ethics committees currently operative in the various faculties of the university.

FINANCES

The financial statements of the Centre for 2009 have been approved by the Governing Body and were recommended to the Faculty Committee and Board.

Prof. AJ Leysens
Chair: Governing Body

Prof. AA van Niekerk
Director: Centre for Applied Ethics

UNIT FOR BIOETHICS: STELLENBOSCH DIVISION

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GENERAL REMARKS

Sponsorship: The Unit greatly benefits from the generous grant (R100 000 per year for two years) of the Medi-Clinic Corporation to the Unit. This significant occurrence underscores and maintains the very fruitful mutual co-operation between the Unit and that organization. We thank Medi-Clinic not only for their generosity, but for their proven commitment to ethics in the complex field of health care.

1. RESEARCH

1.1 Completed and current research projects

- 1.1.1 *Undue inducements within the framework of concern about benefit sharing in terms of research outputs in the developing world.* Work on this project came to its conclusion in the course of 2009. A paper on the topic, co-authored with Garder Arnason of Manchester University, was published in a special edition of the ISI accredited journal *Cambridge Quarterly of Healthcare Ethics*, in the course of 2009; see publications
- 1.1.2 *Ethical problems related to newer developments in genetic reproductive technologies* (AA van Niekerk, S Hall).
- 1.1.3 *The social functions of bioethics in South Africa.* (AA van Niekerk & SR Benatar). Proff. Van Niekerk and Benatar of UCT have been invited by prof. Catherine Meiser of the University of California, Berkeley, to participate in a comprehensive research project on the achievements and social functions of bioethics across the globe. Oxford University Press will publish a volume on this topic (*Bioethics across the globe*) in the course in 2010, and van Niekerk and Benatar's chapter for this volume has been accepted after stringent peer review.
- 1.1.4 *Injection risks and HIV transmission in the Republic of South Africa.* This research project, for which prof. van Niekerk co-operated with an American and a South African colleague (Savanna Reid and Suraya Dawad), has made good progress and two publications have been completed; see publications.

1.2 Research outputs

1.2.1 Articles in scientific journals (*asterisk indicates subsidy accreditation)

1. De Roubaix JAM. Beneficence, Non-Maleficence, Distributive Justice and Respect for Patient Autonomy: reconcilable ends in aesthetic surgery? Accepted for publication in *Journal of Plastic, Reconstructive and Aesthetic Surgery**.
2. Van Niekerk, AA & Arnason, G. Undue fear of inducements in developing countries, *Cambridge Quarterly of Healthcare Ethics**, 18, 2009: 122-129.
3. Van Niekerk, AA & Reid, S. Injection risks and HIV transmission in the Republic of South Africa (with Savanna Reid), *International Journal of STD & AIDS**, 20, 2009: 816-819.
4. Van Niekerk, AA, Reid, S & Dawad, S. Iatrogenic HIV in South Africa: evidence, estimates, and moral perspectives, accepted for publication in *South African Family Practice**. (ISI Journal)

1.2.4 Popular articles (as indication of community interaction)

1. Van Niekerk, AA. Wetenskap en politiek slegte bedmaats, *Die Burger* (Forum article), 10 February 2009: 11 [Science and Politics bad bed partners]
2. Van Niekerk, AA. Maak MIV-toets roetinesaak, *Die Burger* (Forum article), 30 September 2009: 15. [Make HIV test routine matter].

1.2.5 Papers read at international conferences and meetings

1. Van Niekerk, AA. *Principles of global distributive justice in view of the North-South disparities*. Annual Conference of the European Association of Centres of Medical Ethics, 10-11 September 2009, Venice, Italy.
2. Reid, S & Van Niekerk, AA. *Injection risks and HIV transmission in the Republic of South Africa* (Presented by Savanna Reid). Tenth Annual Safe Injection Global Network of the World Health Organization (WHO), 1 December 2009, Geneva, Switzerland.

1.2.2 Papers delivered at national scientific conferences and/or other meetings

1. Van Niekerk, AA. *Principlism as approach in bioethical decision-making*. Three hour MscMed (Bioethics and Health Law)-seminar, Steve Biko Centre for Health Care Ethics, Wits Medical School, Johannesburg, 21 January 2009.
2. Van Niekerk, AA. *The ethics of stem cell research*. Faculty Lecture, Wits Medical School, 22 January 2009

3. Van Niekerk, AA. *Moral challenges in the prevention and management of HIV/AIDS in (South) Africa*. Symposium on US HIV/AIDS Research, Stellenbosch (STIAS), 7 May 2009.
4. Van Niekerk, AA. *Morele vraagstukke in die jongste stamselnavorsing*. Nuusfees, Stellenbosch, 15 August 2009. [Moral issues in the latest stem cell research]
5. Van Niekerk, AA. *Geassisteerde dood in 'n demokrasie*. Lecture at LLM Program, Law Faculty, Stellenbosch, 17 August 2009. [Assisted death in a democracy]
6. Van Niekerk, AA. *The ethics of genetic enhancement*. Staff Colloquium, Psychology Department, Stellenbosch University, 25 August 2009.
7. Van Niekerk, AA. *Principlism in Bioethics: assumptions and critique*. Faculty Seminar, Faculty of Health Sciences, Tygerberg, 28 August 2009.
8. Van Niekerk, AA. *Ethical issues in the latest developments in stem cell research*. Boschfees, Stellenbosch Universiteit, 12 December 2009.

2. TEACHING

- 2.1 The Unit takes, first and foremost, responsibility for the post-graduate teaching of bioethics in the MPhil (Applied Ethics) Program, as well as for the doctoral program in Bioethics. This specialization program was offered in 2009.
- 2.2 Prof. Van Niekerk has, as in previous years, been closely involved with IRENSA (International Research Ethics Network for South Africa) and serves on the Executive Committee of this organisation, which is internationally funded by the Fogarty Foundation of the National Institutes of Health in the USA. In that capacity he also acts as regular lecturer (and external examiner) in the presentation of the Postgraduate Diploma in Research Ethics at the University of Cape Town. In 2009, he offered two day long seminars on consequentialism and virtue ethics.
- 2.3 Prof. van Niekerk also acts as external examiner for the masters students in the SARETI (South African Research Ethics Training Initiative) program of the Universities of Kwazulu-Natal and Pretoria. This is also a Fogarty Foundation funded program that trains potential and current members of research ethics committees in Africa.
- 2.4 Prof. Van Niekerk annually teaches a module on ethical issues relating to HIV/AIDS in the Postgraduate Diploma and MPhil programmes of the Centre for AIDS Management in the Workplace in the Faculty of Economic and Management Sciences. The lectures for this program are currently offered at a summer and/or winter school, as well as via satellite transmission.

2.5 In the general report of the Centre, mention was made of our involvement in the Erasmus Mundus Program of Utrecht, Linköping and Trondheim in the course of 2009. This involvement is set to expand considerably in the near future, and will be reported on next year.

3. POSTGRADUATE SUPERVISION

Several postgraduate students were involved in, or are still conducting research on topics that are of direct interest to the activities of this Unit. The details are as follows:

3.1 Completed Doctoral Dissertation

Moore, W: *Patient autonomy and evidence-based patient choice: philosophical and ethical perspectives*. 340 pp. DPhil. March 2010. Promoter: Prof. AA van Niekerk.

3.2 Completed Masters Theses

1. Anthony, J: *The limits to some justified infringements of patient autonomy in a South African medical context*, 140 pp. MPhil, December 2009. Supervisor: Prof. AA van Niekerk.
2. Bester, JC: *A theory of morality: perspectives on the moral philosophy of CS Lewis*. 116 pp. MPhil, December 2009. Supervisor: Prof. AA van Niekerk.
3. Claassens, M: *Responsibility in health care*. 94 pp. MPhil, March 2010. Supervisor: Prof. AA van Niekerk.
4. Hayes, K: *Logical extensions of the responsibility to protect*, 156 pp. MPhil, December 2009. Supervisor: Prof. AA van Niekerk.
5. Hendriks, MJ: *The SA Mental Health Act: a critical and ethical appraisal*. 49 pp. MPhil, December 2009. Supervisor: Prof. AA van Niekerk.
6. Kirkcaldy, H: Two articles: 1. *Understanding impairment in the context of psychology* (Mark: 70%)) 2. *Psychology as a scarce resource* MPhil, March 2010. Supervisor: Prof. AA van Niekerk.
7. Koali, SJ: *A critical investigation of the notion of patient competency*. 85 pp. MPhil, December 2009. Supervisor: Prof. AA van Niekerk.
8. Muade, EN: *Stigma as an impediment to the treatment of HIV/AIDS in South Africa*. 68 pp. MPhil, December 2009. Supervisor: Prof. AA van Niekerk.
9. Vlok, A: *“Out of Africa”: the problem of doctors’ migration from the developing to the developed world*. 107pp. March 2010. Supervisor: Prof. AA van Niekerk.

3.3 Doctoral projects in progress

1. Gardner, JB: *Moral responsibility for prenatal harm to children: the case of Fetal Alcohol Syndrome*. PhD. Promoter: Prof. AA van Niekerk.
2. Gerber, B: *Identity and discourse: a critical philosophical investigation of the influence of the intellectual self-image of the medical profession on communicatively effective care to patients*. PhD. Promoter: Prof. AA van Niekerk.
3. Hall, S: *Genetic enhancement and harm: philosophical and ethical perspectives*. PhD. Promoter: Prof. AA van Niekerk.
4. Hayes, K: *Individuals' moral obligations to disadvantaged children*. PhD. Promoter: Prof. AA van Niekerk.
5. Horn, L: *Virtue ethics and public health policy for HIV/AIDS in South Africa: a critical exploration*. PhD. Promoter: Prof. AA van Niekerk.
6. Niemand, H: *The autonomy of culture? A critical philosophical study*. PhD. Promoter: Prof. AA van Niekerk.
7. Rossouw, T: *Identity, personhood and power: a critical analysis of the Principle of Respect for Autonomy and the idea of informed consent, and their implementation in an androgynous and multicultural society*. DPhil. Promoter: Prof. AA van Niekerk.
8. Tlhapane, MS: *Principlism and AIDS: a study in applied ethics*. DPhil. Promoter: Prof. AA van Niekerk.
9. Venter, M: *Abduction in clinical diagnosis: an epistemological assessment of medical reasoning*. PhD. Promoter: Prof. AA van Niekerk.

3.4 Masters projects in progress

1. Franken, L. *Evil, modernity and morality*. MA. Supervisor: Prof. AA van Niekerk.
2. Loselo, R. *HIV/AIDS: access to care in view of the SA constitution*. MPhil. Supervisor: Prof. AA van Niekerk.
3. Mafanya, A. *Informed consent and the practice of medicine in the Eastern Cape*. Supervisor: Prof. AA van Niekerk.
4. Nkosi, M. *Moral problems related to the fluoridisation of water for human consumption*. MPhil. Supervisor: Prof. K Moodley.
5. Photo, M. *The effects of the SA Choice of Termination of Pregnancy Act on health care workers in South Africa*. MPhil. Supervisor: Prof. AA van Niekerk.

6. Spies, F. *Moral problems related to property rights*. MA. Supervisor: Prof. AA van Niekerk.
7. Van Heerden, C. *Moral perspectives on the exploitation of children in Africa*. MPhil. Supervisor: Prof. AA van Niekerk.

2. SERVICE DELIVERY

2.1 Prof. van Niekerk serves as a director (one of 25) of the International Association of Bioethics (IAB), the largest and best known bioethics academic association in the world. He was subsequently also elected as a member of the scientific committee that plans and reviews the scientific merit of all contributions to the 10th IAB World Congress that will take place in Singapore in July 2010.

2.2 Prof. van Niekerk continues to be a director of Stellenbosch Hospice and to serve on the ethics committee of the Hospice's Board of Directors. Very fruitful interaction that has been of much value to both parties has since taken place.

2.3 Prof. Van Niekerk is a member of and participates in the activities of the following (ethics) committees and boards:

- The Ethics Committee of the Medical Research Council
- Editorial Boards of the *SA Journal of Philosophy*, *Developing World Bioethics*, the *SA Journal for Higher Education* and *Philosophy, Ethics and Humanities in Medicine*.
- He also serves as associate editor (for Africa and the developing world) of a new ISI accredited journal *Public Health Ethics*, published by Oxford University Press.

2.5 Prof. Landman is a co-editor of *Developing World Bioethics*, an ISI accredited, highly visibly journal for bioethics in the developing world, published by Blackwell in Oxford.

AA van Niekerk
(Head: Unit for Bioethics)
28 June 2010

UNIT FOR BIOETHICS: TYGERBERG DIVISION

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TEACHING

Undergraduate Program:

MBCHB5

Ethics Module

The undergraduate teaching program in medical ethics was offered to 5th year medical students in March 2009 for the 7th time since its inception.

157 students enjoyed 2 stimulating weeks of interactive problem based ethics. The tutors on the module were Keymanthri Moodley, Willie Pienaar and Sharon Kling. Three additional lecturers were invited to assist with tutorials and marking – Dr A Bawoodien, Dr Nico Nortje and Dr Mariam Navsa. The invited lecturer on Medical Law was Anita Kleinsmidt.

The module test was presented using **WEB CT** for the 3rd time this year. The exam comprised short modified essay questions. The marks ranged from 40% to 80% with an average of 62%. 2 students failed the module and had to repeat the module in 2010.

MBCHB 1

Medical Ethics Lectures – Theme 3 in Health in Context Module

15 lectures were presented to the first year health science students on ethics, law and human rights in May 2009. A range of topics was discussed and included:

1. Introduction to Philosophy
2. Medical Ethics – An Introduction
3. Medical Law – An Introduction
4. The Four Principles
5. Moral Theories
6. Scientific Integrity
7. Constitution, Law and Professional Bodies
8. Patient Rights
9. Impaired students

The team was led by Prof Moodley.

307 students wrote a **WEB CT** test – the marks ranged from 38% to 82% with an average of 73%.

Postgraduate Program

Postgraduate teaching:

1. BSc (Hons) Morphological Sciences – second intake on this program – Dept of Anatomical Pathology
2. MPhil (Family Med) UCT – Ethics module course consultant - capacity development of 2 tutors at UCT – Dr Mariam Navsa and Dr Beverley Schweitzer – assistance with curriculum development and module presentation over 12 weeks to 10 postgraduate students.
3. MCur (Nursing) Introduction to Research Ethics, Dept of Nursing, University of Stellenbosch
4. BSc (Hons) Underwater Medicine – An Introduction to Research Ethics, Dept of Community Health, University of Stellenbosch
6. Short Course in Research Methodology – Research Ethics - An Introduction, Dept of Pathology, University of Stellenbosch
7. M Fam Med – An introduction to Bioethics, Dept of Family Medicine, University of Stellenbosch

PRESENTATIONS (Bioethics Unit)

National Presentations:

2009

- 23 January – Good Clinical Practice (GCP) Training in South Africa: REC perspective. SACRA Meeting, Pfizer, Sandton
- 6 August – Ethics of Medical Advisory Services, Arabella Sheraton Kleinmond, Medical Advisors Group of South Africa

Local Presentations:

2009

- 21 January – Introduction to Bioethics, MFam Med Program, Dept of Family Medicine, University of Stellenbosch

- 27 January – Ethics in the Dental Consultation, School of Dentistry, University of Western Cape
- 5 February - Research Ethics - an Introduction, Underwater Medicine, Dept of Community Health, US
- 17 February - Rehabilitation Ethics, Masters students, Centre for Rehabilitation, University of Stellenbosch.
- 15 April – Clinical Governance and Corporate Ethics in Primary Health Care, South African Medical Association
- 21 April – The National Health Act: Ethical and legal implications for medical practice, Kraaifontein Medicross
- 4 May – Health Care Ethics: An Overview. GP Refresher Course, University of Stellenbosch
- 9 May – Is Ethics Important in Health Care? Private Practice GPs, GlaxoSmith Kline CPD Meeting, Nitida Estate, Durbanville
- 9 May - The Ethics of Choice in Health Care, Annual Congress, South African Academy of Family Practice, River Club, Rondebosch
- 11 June – Introduction to Research Ethics in Nursing, Masters in Nursing, Faculty of Health Sciences, University of Stellenbosch.
- 30 June – Ethics in Healthcare Kraaifontein Medicross
- 22 July – Ethics of HIV Preventive Research and RECs in SA – MPhil Applied Ethics, Centre for Applied Ethics, University of Stellenbosch
- 3 September – Research Ethics and GCP - An introduction, MSc(Epidemiology), Faculty of Health Sciences, Tygerberg
- 18 September – Ethics and Genetics, Genetics Workshop, Faculty of Health Sciences.
- 29 October – Genetic Complexity and Ethics, Ethics Discussion Group, Faculty of Health Sciences, Tygerberg
- 30 October 2009 – Plastic Surgery – National Health Act and its implications for clinical practice, Dept of Plastic Surgery, Tygerberg

PUBLICATIONS

PROF K. MOODLEY

BOOKS

Moodley K, Naidoo S. *Ethics for the Dental Team*. Pretoria: Van Schaik, 2009, 136 pp.

BOOK CHAPTER

Moodley K Informed Consent. *SA Clinical Nurse Practitioners Manual*. Pretoria: Van Schaik, 2009.

NEWSLETTER

The *SAREC Newsletter* Vol. 6 No 1 was circulated to all Research Ethics Committees in SA in November 2009.

INTERNATIONAL APPOINTMENTS OF PROF. MOODLEY - 2009:

1. Member: National Institutes of Health (NIH), Division of AIDS (DAIDS) Preventive Research Data Safety and Monitoring Board (DSMB), Bethesda, USA
Meeting: 3 December 2009
2. Member EDCTP (European and Developing Countries Clinical Trial Partnership) – Protocol Review Committee – The Hague, Netherlands.
Meeting: 26 August 2009

WORKSHOPS/SEMINARS ATTENDED:

International:

- Food and Drug Administration (FDA) – Paediatric Research - Washington DC, United States

Local:

- 20 April 2009– Leadership Development Program, Faculty of Health Sciences.
- 25, 26 August 2009 – IRENSA –International Research Ethics Network of SA – UCT

RESEARCH ACTIVITIES:

1. Principal Investigator: A Randomized 32 week double blind parallel-group, multicentre study to compare the efficacy and safety of initiating treatment with combination (aliskiren/amlodipine) therapy in comparison with the sequential add-on treatment strategies in patients with essential hypertension. Protocol CSPA100A2307

2. Principal Investigator: Paediatric HIV Disclosure Study – Tygerberg
Co investigators: Landon Myer and Des Fransman – School of Public Health, UCT, Prof Mark Cotton, dept of Paediatrics and Kidcru paediatric HIV Clinic Tygerberg, Prof Leslie Swartz and Prof SA Kagee, Dept of Psychology, University of Stellenbosch.
Phase 1,2 and 3 complete. Interviews from phase 3 have been analysed. In preparation for publication.

CLINICAL ETHICS COMMITTEE WORK - 2009

TYGERBERG

Meetings attended:

3 February, 31 March, 22 May

NETCARE

Meetings Attended:

3 April, 12 November

SUPERVISION

Postgraduate Students - 2009

- PROMOTER

Diploma in International Health Research Ethics – IRENSA program, University of Cape Town

Dissertation: Clinical Photography in Dentistry – Ethical Challenges
Prof Sudeshni Naidoo, Graduated 2009.

- CO-PROMOTER:

Masters in Human Nutrition – University of Stellenbosch.

Thesis: Knowledge, beliefs and practices of dieticians and doctors in South Africa on the use of the internet in healthcare – A pilot study

Baheya Najaar, Dept of Human Nutrition, Faculty of Health Sciences, University of Stellenbosch. Graduated 2009

ONGOING POSTGRADUATE STUDENTS:

MPhil (Health Sciences Education) - University of Stellenbosch

Thesis: Teaching and assessment of clinical ethics and professionalism on ward rounds to undergraduate medical students at Stellenbosch University.

Candidate: Dr Louis Heyns, Dept of Paediatrics, Faculty of Health Sciences, Stellenbosch University. Supervisor: Prof. K Moodley.

Masters in Philosophy (Applied Ethics) – University of Stellenbosch

Thesis: Water Fluoridation: Harm or Benefit

Candidate: Moya Nkhosi, Centre for Applied Ethics, Dept of Philosophy, University of Stellenbosch . Supervisor: Prof. K Moodley.

Masters in Medicine (Plastic Surgery) – University of Stellenbosch

Thesis: Development of a Patient information Leaflet and Consent Form for Breast Reduction in Plastic Surgery in compliance with the National Health Act No 61 of 2003.

Candidate: Dr Liesl Do Toit, Dept of Plastic Surgery, University of Stellenbosch.
Supervisor: Prof. K Moodley.

DPhil – Applied Ethics – University of Stellenbosch

Dissertation: Reviewing the theory and practice of professional nursing ethics education in Namibia and South Africa.

Mrs E.J. de Villiers

Centre for Applied Ethics, Dept of Philosophy, University of Stellenbosch.

Supervisor: Prof. K Moodley.

THIRD INCOME STREAM –funds 30% of Bioethics Unit Personnel Costs & consumes 30% of time of unit staff ****:

Good Clinical Practice (GCP) Training Courses – both basic and refresher courses were presented. These courses in responsible research and technical issues related to research are deemed compulsory by the Medicines Control Council (MCC) for all investigators involved in clinical trial research.

2009: 5 courses were offered and **157** investigators, site co-ordinators and research ethics committee members were trained.

ERECCA program

Number of delegates registered: 49

Number of delegates completed: 16

SERVICE DELIVERY

Ethics Hotmail and Ethics Hotline – queries on ethical issues from general practitioners and other health care providers are answered either via e-mail or telephonically by the Unit. The number of queries received increased substantially over the past year. Details available on request within the limits of confidentiality.

SAREC Newsletter - was circulated November 2009 to all research ethics committees (RECs) in SA. The newsletter keeps REC members updated in terms of new guidelines and developments in the field of Research Ethics.

Tygerberg Ethics Discussion Group: To promote the teaching of medical ethics as a “golden thread” throughout all disciplines in the faculty, the capacity development program: TRAIN-THE-TRAINERS continued during 2009. Faculty members from a wide range of different disciplines attended monthly meetings where case studies were discussed and formal lectures were also presented. **With the new HPCSA regulations of 5/30 CPD points for Ethics these talks are gaining in popularity.**

Topics for 2009:

- Teaching Ethics in the Faculty of Health Sciences -Prof K. Moodley
- Clinical Ethics Committees – Dr Sharon Kling
- Difficult Clinical Decision-Making: A Case Study – Prof W. Pienaar
- A Critical Appraisal of the “Principlist” approach to Bioethics - Prof Anton Van Niekerk
- Genetic Research and Ethical Complexity – Prof K. Moodley

Prof. K Moodley

Head: Tygerberg Division of Unit for Bioethics

UNIT FOR ENVIRONMENTAL ETHICS

ANNUAL REPORT 2009

1. Research

1.1 Research Outputs

1.1.1 Publications, Papers and Presentations

HATTINGH, JP. (2009) Sustainable development in the Arctic: A view from environmental ethics. Book chapter in: *Climate change and Arctic sustainable development: Scientific, social, cultural and educational challenges*. Peter Bates (ed.) UNESCO Publishing, Paris, pp. 258-266. (Also translated in French as *Le développement durable en Arctique du point de vue de l'éthique environnementale*. Book chapter in *Développement durable de la région Arctique face au changement climatique: défis scientifiques, sociaux, culturels et éducatifs*, also from UNESCO Publishing, Paris, 2009, pp. 288-297.)

HATTINGH JP, Apressyan, R, Tollemache, N, Crowley, J and Mukherjee, S. 2009 *Report by the World Commission on the Ethics Of Scientific Knowledge and Technology (COMEST) on the ethical implications of global climate change.* UNESCO Document 35 C/INF.31
13 October 2009.

1.1.2 Papers and presentations

HATTINGH, JP. Towards an ethics of climate change: Weathering a perfect moral storm? Paper presented at the Annual Conference of the Philosophical Society of Southern Africa, Hogsback 19-21 January 2009.

HATTINGH, JP. Sustainable development in the Arctic: A view from environmental ethics. Keynote address at the UNESCO Conference on *Climate change and Arctic sustainable development: Scientific, social, cultural and educational challenges*. Monaco, 3-6 March 2009.

HATTINGH, JP. Teaching environmental ethics: my experience in South Africa. Paper presented at a UNESCO Workshop on the Teaching of Environmental Ethics in Africa. Lomé, Togo, 26-28 March 2009.

HATTINGH, J. Ethical implications of scientific uncertainty in the context of climate change and sustainable development. Paper presented on invitation at a conference jointly organized by UNESCO and SIFEE (Le Secrétariat international francophone pour l'évaluation environnementale) on the theme of *Climate Change and Environmental Assessment*, Niamey, Niger, 26-29 May 2009.

HATTINGH, JP. Presentation on the draft report of COMEST on the ethics of climate change. The 6th Ordinary Session of the World Commission on the Ethics of Scientific Knowledge and Technology (COMEST). Bangkok, Thailand, 15-19 June 2009.

HATTINGH, JP. Research ethics is no monkey business. Seminar on research ethics with respect to animals, presented for *SC Networking Initiative*, Department of Meat Production, Stellenbosch University, Stellenbosch, 9 September 2009.

HATTINGH, JP. Ethical considerations in food safety, or: What does it mean to be a professional in food science and technology? Invited paper presented at *The SAAFoST Food Safety Symposium*, Stellenbosch, 15 September 2010.

HATTINGH, JP. Climate ethics and justice: A few preliminary remarks. Invited paper, UNESCO International Seminar on Climate Change Education, 27-29 July 2009 at UNESCO, Paris.

HATTINGH, JP. Thinking through (some) of the ethical issues related to climate change. Lunch hour lecture, Ethics Institute, Utrecht University, Utrecht, 8 December 2009.

1.2 Current Research

1.2.2 Collaborative Research funded by the University of Stellenbosch

Theme: Towards new strategies to implement ecologically sustainable development in the public and private sector.

Principal researcher: Ms. Leanne Seeliger

Supervisor: Prof. Johan Hattingh

Partner Institution: Cape Peninsula University of Technology

This is a Collaborative Research Project funded Subcommittee A of the University of Stellenbosch's. Funding of R200 000 for two years (2008 and 2009) was allocated to this project. The research aims to develop a management approach, based on the insights of Norton's concept of adaptive management, that can help to ensure the successful implementation of sustainable development in the public and private sector.

Given its interdisciplinary focus, this research also aims to promote interdepartmental and inter-university research capacity in environmental management philosophy. The third aim of this research is to develop environmental management capacity within local and provincial public institutions. The first part of this research, comprising of a theoretical desk-top study was concluded in 2008 with the doctoral thesis of Ms. Leanne Seeliger

as output. The field work part of this research, consisting of a series of interviews with stakeholders of the Stellenbosch waste dump, as well as two wine farms of Distell, was completed during 2009, and the researchers are now in the phase of writing up the results.

OTHER ACTIVITIES

1.2 Doctoral Projects Completed

AUDOIN, MA. *Environmental assessment and the sustainability argument: Moving towards a new approach to project-based decision-making in South Africa*. Completed doctoral thesis; degree awarded in December 2009.

SEELIGER, L. *On the value of environmental pragmatism in economic decision-making: With special reference to the work of Bryan Norton*. Completed doctoral thesis; degree awarded at Stellenbosch University in March 2009.

1.3 Ongoing Doctoral Projects

BAUGHAN H. *Technology and practical reason in technology education policy - a philosophical study*. D.Phil. Supervisor: Prof. JP Hattingh.

LONG SS. *The formulation of an environmental ethic for civil engineers in South Africa*. D.Phil. Supervisor: Prof. JP Hattingh.

NAIR, N. *Development as complex system. Towards a radical reconceptualization of development thinking*. Ph.D. Supervisor: Prof. JP Hattingh. Co-supervisor: Prof. F.P. Cilliers.

2.3 Completed Master's Projects

HOFMEYR, HM. *Poverty, spirits and community: Explorations in contextual philosophy*. MA (Philosophy). Supervisor: Prof. JP Hattingh. Degree awarded in March 2009.

OBERHOLZER, E. *Debates around the shortcomings of CPAs and the search for the ideal land holding institution for the rural poor in South Africa. Rhetorics based on semantics or substance?* M.Phil. (Applied Ethics). Supervisor: Prof. JP Hattingh. Degree awarded in December 2009.

2.4 Ongoing Master's Projects

ESSER, P.J. The Möbius model of sustainability. M.Phil. (Applied Ethics). Supervisor: Prof. JP Hattingh.

NAUDE P. The use and management of the Olifants River System. An ethical perspective, with special focus on the Mpumalanga and Northern Province Lowveld Region. M.Phil. (Applied Ethics). Supervisor: Prof. JP Hattingh.

2.5 Teaching at the Cape Peninsula University of Technology

During 2009, Unit for Environmental Ethics consultant Dr. Leanne Seeliger taught a course in environmental ethics for students in environmental management at the Cape Peninsula University of Technology (BTech Students) in the Department of Environmental Management and Occupational Studies.

Dr. Seeliger also taught first year environmental management students Critical Thinking and Logic for the first semester and first year environmental management extended programme students the same course for the entire year.

2.6 M.Phil in Environmental Management

Prof. Hattingh is member of an interfaculty Programme Committee that has launched a Mphil Programme in Environmental Management in January 2001. Departments participating in the programme are Philosophy (Environmental Ethics), Geology, Geography and Environmental Studies, Public and Development Administration, Public Law, and Conservation Ecology. Since December 2002 a steady stream of students graduated from this program.

Within the framework of this programme Prof. Hattingh takes responsibility for a module in Environmental Ethics. He also supervises students doing their research projects on themes in Environmental Ethics.

2.7 M.Phil. in Sustainable Development

In February 2003 the Sustainability Institute under the leadership of Prof. Mark Swilling and Ms. Eve Annecke launched an innovative MPhil Programme in Sustainable Development in collaboration with the Department of Public and Development Management of the University of Stellenbosch. Having been part of the team planning the Programme, Prof. Hattingh is currently one of the co-teachers in the module on Leadership and Ethics for Sustainable Development.

2.8 Activities around UNESCO's COMEST

1. COMEST is The World Commission on the Ethics of Science and Technology, and falls under UNESCO's Division for the Ethics of Science. COMEST consists of 18 members that are selected to be representative of the world community on the one hand, and expertise in the ethics of various fields on the other hand. Members are appointed to COMEST in collaboration with the official delegations of member countries of UNESCO and their countries' Ministries of Science and Technology. COMEST advises the General Assembly of UNESCO on ethical issues, and conduct, on request, research for the General Assembly on ethical issues. At the beginning of 2004, Prof. Hattingh was appointed as member of COMEST for a period of 4 years. On the recommendation of the South African Government, Prof. Hattingh has been invited by COMEST to serve for another term of four years, i.e. from 2008 – 2011.
2. During 2005 Prof. Hattingh was appointed as Rapporteur in the Executive Board of COMEST. He is currently still serving in this capacity.
3. During a meeting of the Bureau of COMEST that was held in May, 2008, Prof. Hattingh was invited to Chair a Working Group on Environmental Ethics consisting of 3 COMEST members, as was invited by the President of COMEST to take the lead in preparing a report on The ethical implications of climate change. This working group had its first meeting in Nakhabino in Moscow in July 2008, and presented a first draft of its report at an Extraordinary Session of COMEST that was held in November 2008 in Paris. This report was finalized during the course of the first part of 2009, and was adopted at the Sixth Ordinary Session of COMEST that was held from 16 – 19 June 2009 in Kuala Lumpur, Malaysia.
4. A summary of the Report referred to in section 3 above was used in October 2009 as a background information document for discussions in the General Conference of UNESCO on the topic of the Ethics of Climate Change. During this Conference, a resolution was adopted to mandate COMEST to do a study on the advisability of a Universal Declaration of Ethical Principles with regards to Climate Change. This study will be executed during the first half of 2010, and a report on this study will be presented to the Director-General of UNESCO in July 2010.

2.9 Networks and related activities

1. Close collaboration between the Unit for Environmental Ethics and the Division for Cross Cutting Technologies of the CSIR, especially on environmental issues, was continued in 2009.
2. Close collaboration with Prof. Willem Landman, Director of the Ethics Institute of South Africa located in Pretoria, was continued during 2009, particularly on joint projects and service on the terrain of applied ethics.

3. Close cooperation with Dr. Workineh Kelbessa of the Department of Philosophy at University of Addis Ababa, Ethiopia continued during 2009. Dr. Kelbessa collaborated in the research for Prof. Hattingh's NRF project on the concept of sustainability.
4. Close cooperation with Prof. Bob Jickling, Associate Professor, Faculty of Education, Lakehead University, Thunder Bay, Ontario (Canada) was established during 2008 with a view to contributing to an international publication on the teaching of Environmental Ethics. This was continued during 2010.
5. During December 2010 Prof. Hattingh was invited by Prof. Anastasia Nikopoulou, Dean of the School of Humanities, University of Cyprus, to a workshop in Nicosia, Cyprus where the foundation was laid for funding proposals for a Summer School and a Master's Programme on Sustainable Development that will be made available to students from countries in the Middle-East.
6. The presentation of a module in Environmental Ethics for students participating in the Erasmus Mundus Programme of which the Universities of Utrecht (in the Netherlands), Trondheim (in Norway) and Linköping (in Sweden) was continued in January and February 2009. Participating students have expressed great appreciation for this three-week programme.

2.10 Membership of Editorial Boards

Prof. Hattingh currently serves on the Editorial Board of the following journals:

Southern African Journal of Environmental Education (co-editor of the section on Environmental Ethics)

Journal of Agricultural and Environmental Ethics (member of Editorial Board, since 2007).

2.11 Ethics Committee for Research on Animals (ECRA)

Prof. Hattingh is member of the Ethics Committee for Research on Animals of the Medical Research Council (MRC) and helps this committee to review research proposals in which experimental animals are involved. This committee has about four meetings per year.

2.12 Ethics Committee for Research on Animals (ECRA)

During 2009, Prof. Hattingh was invited by the Board of the CSIR to serve as first Chair of its newly established Research Ethics Committee.

2.13 Erasmus Mundus Scholarship

Prof. Hattingh was invited to visit the Ethics Institute of the University of Utrecht as an Erasmus Mundus Scholar for the period of November 2009 – January 2010. During this time he taught a number of seminars within the Master's module on Nature and Animal Ethics of the Department of Philosophy of Utrecht University, and participated in the other seminars that formed part of this module.

Johan Hattingh

12 June 2010

UNIT FOR BUSINESS ETHICS AND PUBLIC INTEGRITY

ANNUAL REPORT 2009

1. RESEARCH:

1.1 Papers read at international conferences

Hattingh, J.P. (2009) 'Rethinking corporate citizenship in Africa.' Presented at the Annual BEN-Africa Conference, Accra, Ghana, August 2009.

Woermann, M. (2009) 'Corporate identity, responsibility, and the ethics of complexity.' Presented at the Annual Dutch Conference in Practical Philosophy, Amersfoort, the Netherlands, October 2009.

1.2. Papers read at national conferences

Woermann, M. (2009) 'Re-evaluating the tale in normative business ethics: the case for a deconstructive ethics.' Presented at the Philosophical Society of Southern Africa Conference, Hogsback, January 2009.

1.3 Other

Woermann, M. (2009) 'Corporate identity, responsibility, and the ethics of complexity.' Seminar presented at the Centre for Research into Sustainability, Royal Holloway, University of London, 28 October 2009.

1.4 Forthcoming publications

Woermann, M. (2009) 'Corporate identity, responsibility and the ethics of complexity' in Cilliers, P. & Preiser, R. (eds.) Complexity, Difference and Identity. Springer. Forthcoming.

Book review / Business Ethics as Practice: Ethics as the Everyday Business of Business. Author: Mollie Painer-Morland (2008) Cambridge University Press. Review by Woermann M. in African Journal of Business Ethics, Forthcoming.

Woermann, M. & Hattingh, J.P. (2009) 'Guidelines for teaching Business Ethics: comparing experiences from South African universities', South African Journal of Accounting Research, Revise and Resubmit.

2. TEACHING:

2.1 The main task of the Unit is to take responsibility for the post-graduate teaching of business ethics in the MPhil (Applied Ethics) Programme. 2009 marked the second year of the 2008 intake in the MPhil programme.

The second year entails specialisation work in the field of business ethics. Prominent business ethics themes that were addressed include: issues pertaining to business ethics and its basis, corporations and corporate social responsibility, sustainability, leadership ethics, the ethics of technology, whistle-blowing, affirmative action and black economic empowerment, poverty and development, business and HIV/AIDS, corruption, and fair competition. Seven students partook in this specialised programme, of which two have already submitted their final dissertations. The specialisation programme is primarily lectured by Ms. Minka Woermann, although Dr. Alan Malachowski, Prof. Thad Metz, and Mr. Eduard Grebe also contributed to the programme.

- 2.2** Prof. Hattingh and Ms. Woermann continued to co-teach two undergraduate modules in business ethics during the first semester. These modules were taught to approximately 380 BAccounting second year students and approximately 250 BCom third year students. Prof Hattingh also taught a professional ethics module to the BAccounting students during the second semester.
- 2.3** Ms. Woermann also participated as a business ethics guest lecturer in the Masters programme in Arts and NGO Management at EDHEC business school, Lille, France (17 – 18 November 2009).

3. POSTGRADUATE SUPERVISION:

3.1 Completed Masters projects

Paris, G. (St. Augustine's College): *Ethics and the auditing profession: A critical analysis*, MPhil (50% thesis). Supervisor: Ms. M. Woermann.

3.2. Masters projects submitted for March 2010 graduation

Mufara, P.J.: *Business ethics in contract farming: the case of smallholder contracts to grow Jatropha for biodiesel by three large companies in Zambia*, MPhil. Supervisor: Ms. M. Woermann.

Ndlovu, M.: *An evaluation of the moral basis for prohibiting insider trading*. MPhil. Supervisor: Ms. M. Woermann.

3.3. Doctoral projects in progress

Woermann, M: *Critical complexity: deconstruction, complexity theory and the ethics of business*. DPhil. Supervisor: Prof. FP Cilliers.

3.4. Masters projects in progress

Hodgson, N: *How does virtuous leadership contribute to retail sustainability?* MPhil. Supervisor: Ms. M. Woermann.

Horwitz, J: *The ethics of outsourcing labour in business*. MPhil. Supervisor: Ms. M. Woermann.

Messenheimer, F: *Why do school leaders fail? A case for transformational leadership*. MPhil. Supervisor: Ms. M. Woermann.

Mpekansambo, L: *Limits of Virtue Theory in Business Ethics*. MPhil. Supervisor: Ms. M. Woermann.

Naidoo, D: *The ethics of billing*. Mphil. Supervisor: Ms. M. Woermann.

Van Der Merwe, H: *The relation between successful, sustainable, profitable business and ethical leadership*. Mphil. Supervisor: Dr. A. Malachowski.

4. SERVICE DELIVERY

4.1. Organisation of the Business Ethics Network (BEN) Africa Conference

Prof. Hattingh (in his capacity as President of BEN-Africa) and Mr. Daniel Malan (in his capacity as Secretary General of BEN-Africa) were charged with the responsibility of organising the 9th Annual Ben-Africa Conference, held on 3-5 August in Accra, Ghana. The keynote address was delivered by Mr A T Konu (Registrar of the University of Ghana). Although the conference was small, the proceedings were successful.

5. OTHER

5.1. Study leave abroad

Ms. Woermann received an HB and MJ Thom bursary, which is awarded to lecturers who are busy with extensive research. This afforded her the opportunity to work for an uninterrupted six months on her doctoral dissertation. During this time, she was also a visitor at Royal Holloway, University of London, and was able to build networks with international business ethicists.

5.1. Appointments

5.1.1. Ms. Woermann was appointed as Head of the Unit for Business Ethics and Public Integrity. She is primarily responsible for students specialising in Business Ethics in the MPhil (Applied Ethics) Programme.

5.1.2. Prof. Hattingh was appointed to serve on the Governing Body of the Unit for Corporate Governance in Africa, Stellenbosch Business School.

Ms M Woermann
Head: Unit for Business Ethics and Public Integrity
20 June 2010