

CENTRE FOR APPLIED ETHICS

ANNUAL REPORT 2004

1. Governing Body

Proff. C.J. Groenewald (Representative of the Depts. of Psychology, Sociology, Geography and Environmental Studies and Social Work, *Chairperson*), 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), A. Gouws (Respresentative of the Centre for International and Comparative Politics), J.P. Hattingh (Chair: Philosophy Dept. and 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) and K. Moodley (Head: Unit for Bioethic – Tygerberg Division).

2. General Activities of the Centre

(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 from p. 5)

2.1 Attendance of and Papers delivered to International and National Conferences

(Only activities reported that are not dealt with in the reports of the different Units of the Centre. See also reports of the Units from p. 5)

2.1.1 Papers at International Conferences

1. Van Niekerk, AA: *Contingency and universality in the Habermas-Rorty debate*, International Conference on Rationality and Relativism, Bloemfontein, 5-9 March 2004. (This paper has also been accepted for publication in the accredited journal *Acta Academica*, and will be published in 2005)

2.1.2 Papers at National Conferences and other Presentations

1. Van Niekerk, AA: *The ethics of business and the business of ethics*. Lecture at Business Seminar, Finfoocus Financial Advisers and Planners, Stellenbosch, 8 June 2004
2. Van Niekerk, AA: *In flight with the owls of Minerva: philosophy and business in partnership*. Full day workshop for Ask Africa, Pretoria, 22 October 2004.

2.2 Publications

(Only publications not reported about under Units)

2.2.1 Journal Articles

(Accredited journal articles are indicated with an asterisk*)

1. Cilliers, FP: Ethics and justice. *Journal for Humanistics*. 5(19), 2004: 19-26.
2. Malan, YH & Cilliers, FP: Gilligan and complexity: reinterpreting the 'ethics of care'. *Acta Academica**, 36(3), 2004: 1-20.
3. Wicomb, W & Cilliers, FP: Die soektog na die etiese moment in die teater. *South African Theatre Journal**, 18, 2004: 158-182. [The search for the ethical moment in theatre].

2.2.2 Book Chapters

1. Van Niekerk, AA: Democracy, science and the university, in Y. Waghid & L. le Grange (eds.): *Imaginaires on democratic education and change*. Pretoria & Stellenbosch: South African Association of Research and Development in Higher Education (SAARDHE) and the Dept. of Education Policy Studies (DEPS), Stellenbosch, 2004: 5-16.
2. Van Niekerk, AA: Testing social theories: validation, practice and reality, in: J. Schröter (ed.): *Konstruktion von Wirklichkeit: Geschichte als Sinnbildung und die Anfänge des Christentums*. Berlin: Walter de Gruyter, 2004. (Proceedings of International Conference on *Interpretations of Reality – epistemological presuppositions and validity claims of religious and philosophical models of interpretation*. Loccum, Germany, 4-6 October 2002).

2.2.3 Other Publications

1. Van Niekerk, AA: Britse filosoof kap IRL-geweld, sê gewapende stryd was geregverdig, Bylae tot *Die Burger*, 6 Maart 2004: 12. [British philosopher lashes out at IRA violence; says armed struggle was justified]
2. Van Niekerk, AA: We have to trust to survive: the appropriate response to a reliable promise, contribution to National Business Trust Barometer, *Finance Week*, 22-26 November 2004: 6-7

3. Other General Activities of the Centre

3.1 A new intake of the MPhil Program in Applied Ethics was welcomed in the Center in 2004 (17 students). This program is offered under the auspices of the Centre and is going well.

3.2 It is foreseen that the Unit for Business Ethics will be woken from its current dormant state in the course of 2005. In view of the recent appointment of a

new colleague in the field of Business Ethics, planning for the re-installment of this Unit in the Centre are making progress.

3.3 Two members of the Centre were closely involved with the finalization of Ethics Unit Standards in the workplace as approved by SAQA in 2004. Prof. Hattingh was a member of the Standards Generating Body (SGB) for Ethics, and prof. Van Niekerk a member of the National Standards Body for Social Sciences (NSB 07), and Chairperson of the Committee of Experts of the NSB which finally recommended these standards to the Authority.

3.4 In the course of 2004, the Centre was visited by

- dr. Andrew Nash, CEO of the Monthly Review Press in New York, a renowned publisher of books critical of capitalism and modern culture,
- prof. Fahrang Erfani of Villanova University in the USA (who lectured here), and
- Sir Anthony Kenny of Oxford University. Prof. Kenny is one of the world's most renowned philosophers. He has been Master of Balliol, Director the Rhodes Trust, Fellow of the British Academy and Pro Vice-Chancellor of Oxford University. Sir Anthony was invited by the Director to give a series of ethics-related lectures in the Centre. These lectures dealt mainly with the ethics of Aristotle, Aquinas and MacIntyre, on whose work he is a world acclaimed expert. Sir Anthony also gave public lectures at Stellenbosch, the Military Academy and UCT on the topic of "Just War and Just Rebellion". This lecture at Stellenbosch was the Centre's Prestige Lecture for 2004, and was attended by a full house and chaired by the Vice-Chancellor. Kenny was also consulted by prof. Brink on a range of matters related to university policy and management. His visit was made possible by a generous grant of the University.
- Prof. Rudolf Schuessler, Chair of the Department of Philosophy at the University of Bayreuth, Germany. His Department specializes in Business Ethics, teaching as they do a joint programme in Business Ethics with the Faculty of Management Sciences at the University of Baureuth. This visit led to a return visit of Prof. J.P. Hattingh to the Department of Philosophy at the University of Bayreuth where he delivered a lecture, as well as an accord making provision for student and staff exchanges, and also the possibility of joint research projects on common fields of interest.

3.5 Prof. Van Niekerk negotiated a generous financial contribution by the Medi-Clinic Corporation to the work of the Unit for Bioethics for the period 2004 – 2005, with possible renewal thereafter. The amount is R100 000 per year for two years. This grant establishes a fruitful period of interaction, co-operation and consultation between the Unit and Medi-Clinic, as is reflected in the report of the Unit for Bioethics. Special mention must be made of the role played in establishing this contact and facilitating this rapport by dr. Edwin Hertzog, CEO of Medi-Clinic, as well as dr. Deon Moulder and Ms. Clara Findlay. They are thanked very sincerely for making this occurrence possible.

- 3.6 COMGEST. COMGEST is The World Commission on the Ethics of Science and Technology, and falls under UNESCO's Division for the Ethics of Science. COMGEST 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 COMGEST in collaboration with the official delegations of member countries of UNESCO and their countries' Ministries of Science and Technology. COMGEST 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 COMGEST for a period of 4 years.
- 3.7 During November 2004 Prof. Hattingh was appointed by the Director General of UNESCO as member of the Panel of Judges for the Avicenna Prize that is awarded for excellence in the field of the Ethics of Science.
- 3.8 Members of the Centre were, as is customary, involved in a broad range of activities and consultations in the broad field of Applied Ethics – many in response to requests from the public at large. Two radio interviews with the Director in the RSG Pogram “Praad Saam” (on the topics of cloning and stem cells, as well as on when personal life begins) were, for example, done, and he also participated in the TV Program “The Big Question” on the issue of voluntary euthanasia.
- 3.9 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 not only a member of the Institute's Board of Directors, but also chairperson of that body. In that capacity he is very closely involved with the planning, management and evaluation of EthicSA's activities.
- 3.10 Prof. van Niekerk is a member of the Council of the Ethics Association of South Africa (ESSA).

4. Completed Post-Graduate Research Projects

(The following research projects, in the form of Masters Theses, were completed in 2004. Cf. the reports of the different Units for theses and dissertations specific to these Units.)

Masters Projects Completed

Thorburn, R: *The new company. Pre-emptive corporate ethics in a globalised business environment*. M.A. Supervisor: Prof. JP Hattingh.

Van Deventer, F: *Armoede in 'n postmodernistiese Afrika*. MA, 78pp. Supervisor: Prof. FP Cilliers. [Poverty in a postmodern Africa]

Unit for Bio-Ethics: Stellenbosch Division

See attached report (pp. 5-11)

Unit for Bioethics: Tygerberg Division

See attached report (pp. 12-17)

Unit for Environmental Ethics

See attached report (pp. 18-23)

Finances

The financial statements of the Centre for 2004 have been approved by the Governing Body and are recommended to the Faculty Committee and Board.

Prof. CJ Groenewald
Chair: Governing Body
28 June 2005

Prof. AA van Niekerk
Director

UNIT FOR BIOETHICS: STELLENBOSCH DIVISION

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1. RESEARCH

1.1 Completed and current research projects

1.1.1 *Bioethics and public health in South Africa, with special reference to moral problems related to HIV/AIDS and new genetic technologies.* Prof. Van Niekerk holds a comprehensive NRF research grant of about R800 000 for four years for research on this general topic. Some of the research projects mentioned below form part of this bigger program.

1.1.2 *Pain in phenomenological perspective* (A Olivier and AA van Niekerk). This project has been completed. However, research outputs were still published in the course of 2004 and 2005, as can be seen in the next section. The research is the outcome of the post-doctoral fellowship that dr. Abraham Olivier held with prof. Van Niekerk until June 2002.

1.1.3 *Ethical problems relating to HIV/AIDS in Africa* (AA van Niekerk and LM Kopelman [East Carolina University, USA]). This project was launched in 2000 as a sequel to Prof. Kopelman's visit to the Unit as Prof. Van Niekerk's research associate in 1999. In the course of 2004, this project was expanded to the compilation and editing of a comprehensive volume on this problematic by Van Niekerk and Kopelman. The contract for the book, *Ethics and AIDS in Africa*, published by New Africa Books/David Philip, Cape Town, was signed in 2004, and the peer-review and editing of the contributions were almost complete at the end of 2004. Apart from the editors' own contributions (that make up about a third of the book), contributions by the following team of researchers have been accepted and included in the volume:

- Richard E. Ashcroft, Reader in Biomedical Ethics and Head of the Medical Ethics Unit at Imperial College, London;
- Tony Barnett, ESRC Professorial Research Fellow at the Development Studies Institute, London School of Economics and founder of LSEAIDS;
- Solomon R. Benatar, Professor of Medicine, Director of the Bioethics Unit at the University of Cape Town and Visiting Professor of Medicine and Public Health Sciences, University of Toronto;
- Gavin George, Researcher at the Health Economics and HIV/AIDS Research Division of the University of Kwazulu-Natal;
- Keymanthri Moodley, Associate Professor of Family Medicine and Head of the Tygerberg Division of the Unit for Bioethics in the Centre for Applied Ethics, University of Stellenbosch;
- Nicoli Natrass, Professor of Economics and Director of the AIDS and Society Research Unit in the Centre for Social Science Research at the University of Cape Town;
- David B. Resnik, Bioethicist at the National Institute of Environmental Health Sciences, National Institutes of Health, Washington D.C.;

- Udo Schüklenk, Professor of Ethics and Public Policy and Head of the
- Centre for Ethics and Public Policy at Glasgow Caledonian University in the UK ;
- Catherine Slack, Clinical Psychologist and Project Co-ordinator of the HIV/AIDS Vaccines Ethics Group (HAVEG) at the University of Kwazulu-Natal;
- Melissa Stobie, Senior Lecturer in the School of Philosophy and Ethics at the University of Kwazulu-Natal;
- Ann Strode, Senior Lecturer in the Faculty of Law at the University of Kwazulu-Natal;
- Godfrey Tangwa, Associate Professor of Philosophy and Head of the Department of Philosophy at the University of Yaounde 1, Cameroon; and
- Alan Whiteside, Professor of Economics and Director of the Health Economics and HIV/AIDS Research Division at the University of Kwazulu-Natal

The volume will be published in the course of 2005, and will be the first of its kind in the literature. More will be reported about it next year.

- 1.1.4** *Ethical problems about newer developments in reproductive technology* (AA van Niekerk, M de Roubaix, L Crouse, D Sidler, N. Nortjé & L Dick – ongoing; cf. publications below).

Amongst others, a Doctoral dissertation (by M de Roubaix, to be awarded in April 2005) and a Masters thesis (by L Crouse) have been completed on topics related to this research project. Papers on the topic were also read at two international conferences. (See below)

- 1.1.5** *Moral responsibility and the problem of global drug resistance* (D Knapp van Bogaert and AA van Niekerk).

Dr. van Bogaert's doctoral dissertation on this issue was completed and awarded in the beginning of 2004 (see below)

- 1.1.6** *Medical research on human subjects in South Africa: a critical assessment of the work of research ethics committees* (K Moodley and AA van Niekerk).

Dr. Moodley's doctoral dissertation on this topic was completed and awarded at the end of 2004.

- 1.1.7** *Principles for Global Distributive Justice in view of the HIV/AIDS pandemic.* (AA van Niekerk)

Comprehensive research on this topic was done in relation to the work of and debate between John Rawls and Allen Buchanan. An article was produced that was published in an accredited journal; see below.

1.1.8 *Medical futility as an action guide in neonatal end-of-life decisions.* (D. Sidler & AA van Niekerk).

The MPhil thesis by Daniel Sidler on this topic was completed in 2004, and an article based on this work by Sidler and Van Niekerk has been submitted to an accredited international journal.

1.2 Research outputs

1.2.1 Papers delivered at international scientific congresses

1. Van Niekerk, AA: *The individual and the community in Africa within the perspective of genomic medicine.* International Conference on Genomics and Society: the Future Health of Africa, Cairo, 26-29 March 2004. (This conference was also attended by ms. Liezl Dick, prof. Van Niekerk's research assistant. Her attendance was made possible by a generous award by the conference organizers to students working in the field).
2. Van Niekerk, AA: *Three ethical issues in the development of genetic health policies in Africa.* Seventh World Congress of Bioethics, Sydney, Australia, 9-12 November 2004.
3. Van Niekerk, AA: *Ethics and professionalism in medical practice* (Key note address). Namibian Medical Conference, Swakopmund, 27 August 2004.
4. Van Niekerk, AA: *Shifts in the history of moral reflection in medicine.* Namibian Medical Conference, Swakopmund, 26 August 2004.

1.2.2 Papers delivered at national scientific congresses and other presentations

1. Van Niekerk, AA: *The ethics of advance directives.* Conference of Medi-Clinic Middle Management, Bellville, 25 June 2004.
2. Van Niekerk, AA: *Informed consent in dental practice: ethical issues.* Conference of the Dental Association of South Africa, Stellenbosch, 15 August 2004.
3. Van Niekerk, AA: *End-of-life issues in paediatric surgery.* Kidz 'n All: Combined Conference of the SA Paediatric Association, the SA Association of Paediatric Surgeons, the Allergy Society of SA, the Paediatric Neurology and Neurodevelopmental Association of SA and the SA Children's Cancer Group, Cape Town International Conference Centre, 17 August 2004.
4. Van Niekerk, AA: *Law and ethics in medicine in South Africa.* Academic Day of the South Western Districts Surgical Association. Fancourt Golf Estate, George, 18 September 2004.
5. Van Niekerk, AA: *The new genetic technologies: Frankenstein, Prometheus or Nirvana?.* Conference of the Disability Unit, UCT, Cape Town, 14 October 2004.
6. Van Niekerk, AA: *Ethical perspectives on end-of-life issues.* Medi-Clinic Conference for Specialists, Panorama Hospital, Parow, 22 November 2004.

7. Van Niekerk, AA: *Controversial current issues in Bioethics*. Conference of Medi-Clinic Top Management and Directors, Spier Estate, Stellenbosch, 24 November 2004.
8. Van Niekerk, AA: *Designer babies and Super-humans: Ethics, genetics and future reproductive health*. National Refresher Conference of the Dept. of Obstetrics and Gynaecology, UCT. Cape Town, 2 December 2004.

1.2.3 Published articles in scientific journals (accredited journals are indicated with an asterisk [*])

1. Olivier, A. The limits of the present: Husserl and Heidegger on temporal limitation. In: E. Orth & K. Lembeck (eds.): *Phenomenologische Forschungen/Phenomenological Studies*. Hamburg: Felix meiner Verlag, 2004: 133-148.
2. Van Niekerk, AA: Principles of global distributive justice in view of the AIDS pandemic: moving beyond Rawls and Buchanan., *South African Journal of Philosophy**, 23(2), 2004: 59-82.

1.2.4 Popular articles

1. Van Niekerk, AA. E-eiers: 'n etiese mynveld: Skenkings 'eties' as konteks geldloos is, *Die Burger*, 24 April 2004: 15 (Forum article). [E-eggs: an ethical minefield: donations 'ethical' if context is moneyless]

2. OTHER ACTIVITIES OF THE UNIT

- 2.1 Under 3.5 of the Report of the Centre in general, mention was made of the generous grant (R100 000 per year for two years) of the Medi-Clinic Corporation to the Unit. This significant occurrence introduces a period of fruitful mutual co-operation between the Unit and that organization. The extent to which this interaction has already taken root, is particularly reflected in 1.2.2 above.
- 2.2 The Heads of both Units were invited to participate in a seminar of HAVEG (the HIV/AIDS Vaccines Ethics Group) of the South African AIDS Vaccine Initiative (SAAVI) on the issue of the ethical-legal regulation of medical research in South Africa and its implications for HIV vaccine trials. This occurred on 22-23 July 2004 in Illovo, Kwazulu-Natal.
- 2.3 The Heads of both Units were also invited to participate in a seminar of the Medical Research Council on the possibility of creating an MNR Unit for Research Ethics. This occurred on 30 July 2004 in Durban.
- 2.4 Members of the Unit participate regularly in the fortnightly meetings of the multidisciplinary discussion group on bioethical issues of Prof. Solly Benatar (head of Internal Medicine, UCT) at Groote Schuur Hospital. At these meetings the latest literature is discussed and a case study from experience in practice during the preceding week is highlighted.

2.5 Prof. Van Niekerk is closely involved in 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 in the presentation of the Postgraduate Diploma in Research Ethics at the University of Cape Town.

2.6 Prof. Van Niekerk is also a member of the Management Committee of the Centre for HIV/AIDS Management in the Dept of Industrial Psychology, and teaches a module on ethical issues relating to HIV/AIDS in the Postgraduate Diploma and MPhil programmes of this Centre.

2.7 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
- The Ethics Committee for Research on Human Subjects of the Faculty of Health Sciences. This committee meets almost monthly and evaluates with the view to ethical clearance all research proposals of the Faculty of Health Sciences.
- Editorial Boards of the *SA Journal of Philosophy*, *Developing World Bioethics*, the *SA Journal for Higher Education* and *Philosophy, Ethics and Humanities in Medicine*.

3. POSTGRADUATE RESEARCH

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 MPhil theses (2004)

1. Sidler, D: *Medical futility as an action guide in neonatal end-of-life decisions*. MPhil, 82 pp. (April 2004). Supervisor: Prof. AA van Niekerk.
2. Crous, L: *Etiese perspektiewe op die gebruik van embrionale weefsel vir terapeutiese doeleindes*. MA, 104 pp. (December 2004). Supervisor: Prof. AA van Niekerk.

3.2 Completed DPhil dissertations (2004)

1. Knapp van Bogaert, D: *Earth, air, fire and water: moral responsibility and the problem of global drug resistance*. DPhil, 284 pp. (April 2004). Promotor: Prof. AA van Niekerk.
2. Moodley, K: *Medical research on human subjects in South Africa: a critical assessment of the work of research ethics committees*. DPhil, 255 pp. (December 2004). Promotor: Prof. AA van Niekerk.

3.3 Doctoral projects in progress

1. De Roubaix, M. *Value, utility and autonomy: a moral-critical analysis of utilitarian positions on the value of prenatal life*. DPhil.
2. Horn, L. *Virtue ethics and public health policy for HIV/AIDS in South Africa: a critical exploration*. DPhil.
3. Mahlati, MP. *Altruism and self-interest in medical practice: ethical perspectives on the South African situation*. DPhil.
4. Ngquba, M. *The ethics of physician-assisted suicide*. DPhil.
5. Nortjé, N. *The moral status of embryonic stem cell research in the South African context*. DPhil.
6. 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.
7. Stein, D. *Philosophy and psychopharmacology: a naturalist approach*. DPhil.
8. Tlhapane, MS. *Principlism and AIDS: a study in applied ethics*. DPhil.

(Prof. AA van Niekerk is acting as promotor in all of the above cases.)

3.4 Master's projects in progress

1. Breitenbach, M. *"Quality of Life": Conceptual analysis and ethical assessment*.
2. Coetzee, H-K. *Mediese etiek in privaatsektor-geneeskunde in Suid-Afrika*. MA.
3. De Bruyn J. *A comparison of South Africa and Uganda's management and implementation of the national response to the HIV/AIDS pandemic*. MPhil.
4. Dick, L. *Responsibility and the new genetics: Philosophical perspectives on the idea of "an ethics of responsibility" in relation to moral problems raised by new genetic technologies in the African context*. MA.
5. Du Toit, D. *Philosophical and moral perspectives on decision-making about the use of insecticides for infection-control and its relationship to infertility*. MPhil. Studieleier: Prof. AA van Niekerk.
6. Hendricks, M. *Health care in the market place: reconcilable values?* MPhil.
7. Kling S. *Ethical issues in the admittance of children with HIV/AIDS to intensive care units in South Africa*. MPhil.
8. Kunene, J. *Suffering and euthanasia: a critical assessment*. MPhil.

9. Loots, J. *Die versoenbaarheid van gesondheidsorg en die strewe na winsbejag*. MPhil.
10. Loselo, R. *HIV/AIDS: access to care in view of the SA constitution*. MPhil.
11. Mafanya, A. *Informed consent and the practice of medicine in the Eastern Cape*.
12. Photo, M. *The effects of the SA Choice of Termination of Pregnancy Act on health care workers in South Africa*. MPhil.
13. Schoeman, L. *Die praktyk van aktiewe genadedood: 'n krities-vergelykende studie*. MPhil.
14. Van Heerden, C. *Moral perspectives on the exploitation of children in Africa*. MPhil.

(Prof. AA van Niekerk is acting as supervisor in all of the above cases.)

AA van Niekerk
(Head: Stellenbosch Division, Unit for Bioethics)

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Bioethics Unit – Tygerberg Division

2004 proved to be a productive and challenging year for the Bioethics Unit at Tygerberg. The unit was run on a 50:50 basis with time-shared with the Department of Family Medicine. Dr Moodley was on sabbatical from May 2004 to October 2004 during which time she completed her DPhil in Applied Ethics. However, due to the lack of additional staff, she continued to run the Unit during this 6 month period.

1. TEACHING

1.1 Undergraduate Program

The undergraduate teaching program in medical ethics was offered to 5th year medical students in March 2004 for the second time since its inception. 169 students enjoyed 2 stimulating weeks of interactive problem based ethics. The tutors on the module were Keymanthri Moodley, Willie Pienaar, Lyn Horn, Malcolm de Roubaix. The invited lecturer on Medical Law was Prof Mo Dada, University of Kwa-Zulu Natal. Zain Douglas Stevens received the prize in Medical Ethics for 2003 in his 5th year. This was awarded in 2004 in his final year.

1.2 Postgraduate Program

A 12 week WebCT based course in ethics was taught on the Masters in Family Medicine Program (MFam Med) as part of the HIV and Women's Health Module. Approximately 40 national and international general practitioners were registered on the course. Each student submitted a case study report at the end of the 12-week block.

Tutors: Lyn Horn, Keymanthri Moodley, Theresa Rossouw, Marietjie de Villiers.

1.3 Short Courses

Good Clinical Practice (GCP) Training Courses – both basic and refresher courses were presented. These courses in research ethics and technical issues related to research are deemed compulsory by the Medicines Control Council (MCC) for all investigators involved in clinical trial research. During 2004, 7 courses were offered and 187 investigators, site co-ordinators and research ethics committee members were trained.

2. PRESENTATIONS

2.1 Presentations by Dr. Keymanthri Moodley

2.1.1 International Presentations:

- 3– 4 March: New Delhi, India – International AIDS Vaccine Initiative (IAVI): “The South African approach to Care and Treatment of HIV Vaccine Trial Volunteers.”
- 30th April: Gaborone, Botswana – Harvard HIV Think–Tank: “Ethical Issues in Trial Conduct”.
- 16th June: Boston, US – Harvard University, School of Public Health: “Informed Consent- Empirical Research from SA”
- 22nd June: New York, US, IAVI:”Informed Consent in HIV Vaccine Trials”
- 15th July: Bangkok, Thailand-14th International Aids Conference:”Paediatric HIV Disclosure in SA”
- 28th October: Nairobi, Kenya-IAVI: “Empirical Research in Informed Consent in Africa”
- 29th October: Entebbe, Uganda – IAVI: “Care of HIV Positive Trial Participants”

2.1.2 National Presentations

- 2004 - 17 August – Paediatric HIV Disclosure. South African Paediatric Association. Conference International Convention Centre, Cape Town
- 2004– 18 October – Clinical Trials and Informed Consent Biennial Lymphoma Conference – Constantiaberg Medi-Clinic, Cape Town

2.1.3 Local Presentations

- 2004 - 23 February - Basic Ethical Concepts in Research
Tygerberg Medical School
- 2004 - 21 March - Health & Human Rights Workshop,
Red Cross Children’s Hospital
- 2004 - 24 March - The Ethics of Cloning
Dept of Orthopaedics, Tygerberg
- 2004 - 25 March - The Evolution of Moral Thinking
Train-the Trainers, Tygerberg Medical Faculty
- 2004 - 29 April - GCP Training, Tygerberg Medical School
- 2004 - 21 May - GCP Refresher, Tygerberg Medical School

- 2004 - 1 July - Respect for Patient Autonomy
Train-the Trainers, Tygerberg Medical Faculty
- 2004 - 28 & 29 July - GCP Training, Tygerberg Medical School
- 2004 - 17 August – Paediatric HIV disclosure: Pilot research for the
- Development of SA guidelines – Kidz & All Conference - CTICC
- 2004 - 18 August – Informed Consent: Knowledge and perceptions
Of patients participating in randomized Influenza Vaccine Trials
Tygerberg Medical School
- 2004 - 28 September - Ethical Issues in HIV Vaccine trials on human
research. Department of Virology, Tygerberg Medical School
- 2004 – 3 December – Paediatric HIV Disclosure Study – presented to the
Community Health Services Organisation CHSO CPD group

2.1.4 A number of presentations on ethics-related matters were also done by dr. Lyn Horn and prof. Willie Pienaar in their capacity as fellows of the Unit.

3. PUBLICATIONS

3.1 The *SAREC Newsletter* was published by the Unit for the first time in 2004. It is the first electronic newsletter circulated to all Research Ethics Committees in SA in April and October 2004.

3.2 Journal articles

1. Moodley K: “Uniting the World against HIV/AIDS” *S African Family Practice Journal** 2004, 46(7): 34-35. (Accredited journal)
2. Horn L. “Ethical Issues Pertaining to Cardiology Clinical Trials” in *SA Heart*. June/July 2004.
3. Horn L. “Conflict of Interest in Research” & “Lay members on Research Ethics Committees”. *SAREC Newsletter* 2004

4. RESEARCH PROJECTS

1. *Medical research on human subjects in South Africa: A critical assessment of the work of research ethics committees*. This is the research for the DPhil (Philosophy) by dr. Moodley. (See 3.2 of report of Stellenbosch Division) The work was completed in October 2004.

2. *Paediatric HIV Disclosure Study – Tygerberg*. Principal Investigator: Dr. K. Moodley. Co investigators: Dr 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 complete – Paediatric Disclosure in South Africa: Perspectives of Caregivers on discussing HIV with infected children – presented at the international AIDS conference in Bangkok July 2004.

Phase 2 – ongoing – interviews with health care providers to elicit their perspectives on disclosure.

Phase 3 – planning stages – Dept of Psychology – will involve interview with children infected and non-infected.

3. Dr. Moodley also acted as Consultant for the International AIDS Vaccine Initiative (IAVI)-New York.

Brief: A proposal development for an empirical study of informed consent at potential sites for HIV vaccine development in East Africa.

4. SUPERVISION (by dr. K. Moodley)

4.1 Postgraduate Students

- Masters (Medical Technology)
Thesis:
An evaluation of the ethics review processes for clinical trials of smaller private and public institutional committees in SA
Janine Strugo. Pretoria Technicon. 2003 - current
- Masters in Family Medicine – University of Stellenbosch
Thesis:
Informed Consent - are patients adequately informed pre-operatively?
Empirical research at a district hospital in Mpumalanga, South Africa.
Dr Clive Mogajane – Mfam Med student. Dept of Family Medicine and Primary Care, School of Public Health, University of Stellenbosch. (In Progress)
- Diploma in Research Ethics - UCT
Thesis:
IRB's Monitoring Function: Guidelines for monitoring of clinical research by an IRB
Professor Lesley Burgess – TREAD Research Unit, Tygerberg Hospital and University of Stellenbosch. Student graduated 2004.

5. WORKSHOPS ATTENDED:

Dr. K. MOODLEY

- 10 September. Represented the Bioethics Unit and Committee for Pharmaceutical Trials at a meeting of Chairs of all South African academic ethics committees held at the University of the Witwatersrand.
- 22 September 2004 - Writing for Publication – Centre for Higher & Adult Education, University of Stellenbosch
- 22-24 November 2004 –Assessing and evaluating theses and dissertations – Centre for Higher & Adult Education, University of Stellenbosch

DR LYN HORN

- Debate and Capacity Building Forum. Ethical Legal Regulation of Research in South Africa: Implications for HIV Vaccine Trials. 22 and 23 July 2004
- 10 September. Represented the Pharmaceutical Trial Committee at a meeting of Chairs of all South African academic ethics committees held at the University of the Witwatersrand.

6. SERVICE DELIVERY

6.1 Good Clinical Practice (GCP) courses are offered by the Unit to promote capacity development in research training. Both basic courses and advanced courses are presented.

6.2 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.

6.3 The SAREC Newsletter was launched in April 2004. This is the first national newsletter in South Africa and is distributed electronically 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.

6.4 To promote the teaching of medical ethics as a “golden thread” throughout all disciplines in the faculty, a capacity development program: TRAIN-THE-TRAINERS was implemented from January 2004. Faculty members from a wide range of different disciplines attended monthly meetings where case studies were discussed and formal lectures were also presented.

7. GRANTS AWARDED

2004 – Medical Research Council of South Africa

A grant of R33 000 was awarded to dr. Moodley for a research project on HIV disclosure to children.

Prof. K. Moodley
Head: Unit for Bioethics: Tygerberg Division

UNIT FOR ENVIRONMENTAL ETHICS

ANNUAL REPORT 2004

1. Research

1.1 Research Outputs

1.1.1 Papers and presentations

- Seeliger L & Hattingh, JP. Going after unethical behaviour in environmental decision-making: Perspectives from an ethics survey in Cape Town and surrounds. **INAUGURAL ESSA CONFERENCE**, Rand Afrikaans University. 29 & 30 March 2004.
- Hattingh JP. On the contours of a research project on sustainable development: A view from applied ethics. **DEPARTMENT OF PHILOSOPHY, UNIVERSITY OF BAYREUTH**, Bayreuth, Germany. 19 May 2004.
- Hattingh JP. An overview of positions in conservation / environmental ethics. **WORKSHOP OF CONSERVATION ETHICS WORKING GROUP, ESSA**. Rand Afrikaans University. 24 July, 2004.
- Hattingh JP. Concepts and models of sustainable development: Problems and challenges. **JOHANNESBURG +2 CONFERENCE**. Sandton, 1 September 2004.
- Hattingh JP. The state of the art in environmental ethics as a practical enterprise: A view from the Johannesburg Documents. **PAPER READ AT A MEETING OF ENVIRONMENTAL ETHICS EXPERTS, UNESCO**, Parys. 23 – 24 September 2004.
- Hattingh JP. Polluters, poor people and plastic mountains. Worming away at dominant value assumptions about the generation and disposal of waste. **WASTECON 2004 CONFERENCE**, Sun City, 14 October 2004.
- Hattingh JP. On the contours of a research project on sustainable development: A view from applied ethics. **DEPARTMENT OF PHILOSOPHY**, University of North Texas, Denton, Texas. 23 November 2004.
- Seeliger, L and Hattingh JP. A series of presentations to stakeholders including government, ngos and consultants involved in environmental decision-making in Cape Town regarding the findings of the research of **An Opinion Survey of Ethical Concerns in the City of Cape Town and Surrounds**.
- Seeliger, L and Hattingh JP. Press release and press conference on **An Opinion Survey of Ethical Concerns in the City of Cape Town and**

Surrounds at the City of Cape Town offices where the findings of the research were released to the media. Articles appeared in the Cape Times, The Burger and The Eikestadnuus.

1.1.2 Publications, and articles accepted for publication

- Seeliger L. & Hattingh, JP. **AN OPINION SURVEY OF ETHICAL CONCERNS IN ENVIRONMENTAL DECISION-MAKING IN CAPE TOWN AND SURROUNDS: THE BASE LINE OF 2002**. Unit for Environmental Ethics. University of Stellenbosch. 2004. pp. 63
- Hattingh JP **CALTEX AND THE REMOVAL OF SULPHUR FROM DIESEL: A DISCUSSION OF VALUE ISSUES RELEVANT TO DECISION-MAKING ON THE PROPOSED INSTALLATION OF A NEW HYDROTREATMENT PLANT (HTP) AT CALTEX REFINERY, MILNERTON**. Unit for Environmental Ethics. University of Stellenbosch. 2004. pp. 41.
- Robin Attfield, Johan Hattingh & Manamela Matshabaphala, Sustainable development, sustainable livelihoods, and land reform in South Africa: a conceptual and ethical enquiry. **THIRD WORLD QUARTERLY**, Vol. 25, No. 2, pp. 405-421, 2004.
- Hattingh, JP. On the ethical analysis of value issues in public decision-making. **SOUTH AFRICAN JOURNAL OF PHILOSOPHY**. Vol. 23, No. 3, 2004. pp. 213 – 225.
- Hattingh, JP. Environmental philosophy and ethics: a critical overview of anthropocentric, ecocentric and radical value positions. Accepted for publication in C.P. Loubser (ed.), **ENVIRONMENTAL EDUCATION. SOME SOUTH AFRICAN PERSPECTIVES**. Van Schaik Publishers, 2005.
- Seeliger, L. **Centre for Applied Ethics newsletter**. This newsletter was distributed to members and associates of the centre to keep them updated to our activities.

1.2 Current Research

1.2.1 NRF project

A substantive award of R953 600 for the period of 2004 – 2007 was made to Prof. Hattingh for a research project on the topic of Refining Sustainable Development. The aims of this project is to establish why there is such a lack of implementation in the policy goals of sustainable development, and to make recommendations to overcome problems in this regard. The point of departure of this research is the hypothesis that there are serious problems in conceptualizing the goal of sustainable development, and that a good

understanding of these problems can help to address the lack of implementation. This research is still in its initial stages, but has already lead to substantive outcomes that are reported upon under the heading of Research Outputs.

2. OTHER ACTIVITIES

2.1 Ongoing Doctoral Projects

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

BERNARDO ET. *Die rol van gedragskodes in etiese bewusmaking in die staatsdiens, met spesifieke verwysing na die beskermingsdienste: 'n Ondersoek in die Applied Ethics*. 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.

MOKWENA BO. *Corporate citizenship and business profitability: A post-apartheid critique*. D.Phil. Supervisor: Prof. JP Hattingh.

PEACEY AH. *Foundations of public sector financial ethics mediation*. D.Phil. Supervisor: Prof. JP Hattingh. Mede-Supervisor: Prof. E Schwella.

SEELIGER L. *Developing an environmental ethic for economic policy in South Africa*. D.Phil. Supervisor: Prof. JP Hattingh.

2.3 Master's Projects Completed

DU TOIT C. *Critically analysing the roles of instrumental rationality and ecological rationality in environmental decision-making with the use of case studies in the Western Cape*. M.Phil. (Environmental Management). Supervisor: Prof. JP Hattingh.

MAHARAJH R. *Core values in decision-making by local government about a waste-reduction incinerator at Stormsrivier, Tstitsikamma. A case study in environmental ethics*. M.Phil. (Applied Ethics). Supervisor: Prof. JP Hattingh.

PAPU, B. *The role of cost-benefit analysis in environmental management in South Africa: An ethical analysis of the Coega case*. M.Phil. (Environmental Management). Supervisor: Prof. JP Hattingh.

SVANAKA S. *The impact of environmental rehabilitation initiatives on community life: A case study of ZIRRCO in Zimbabwe*. M. Dev. University of the North. Supervisor: Prof. JP Hattingh.

2.4 Ongoing Master's Projects

DU PLESSIS L. *Towards an environmental ethics for Africa: Learning from the indigenous knowledge of an East-African tribe.* M.A. (Applied Ethics). Supervisor: Prof. JP Hattingh.

GUBANCA AA. *Should corporate social responsibility extend to alleviation of poverty?* M.A. (Applied Ethics). Supervisor: Prof. JP Hattingh.

KUSCHEL B. *Ethics and the business enterprise: A case study with a view from Chile.* M.A. (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.

REYNEKE J. *Omgewing en ontwikkeling: 'n Filosofiese verkenning van 'n spanningsverhouding.* M.A. Supervisor: Prof. JP Hattingh.

2.5 Teaching at the University of the North (currently the University of Limpopo)

In 2004 Prof. Hattingh continued his involvement as visiting professor in the Faculty of Law and Management Sciences at the University of Limpopo (previously the University of the North). He is responsible for teaching M.Dev. 802 (Development Ethics), one of the core modules of a taught Master's Programme in Development Studies.

2.6 Teaching at the Cape Peninsula University of Technology

In 2004 on May 26 Ms Leanne Seeliger presented an environmental ethics lecture for the MTech students at Cape Peninsula Technikon.

2.7 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. Sixteen students were accepted into the programme then for the first time, and since then 16 students were given places in the Programme each year since. Departments participating in the programme are Philosophy (Environmental

Ethics), Geography and Environmental Studies, Public and Development Administration, Public Law, Economics and Conservation Ecology. Since December 2002 a steady stream of students graduated from this program. The viability of this programme is now a proven fact, that is borne out by the fact more students are turned away from the course each year than the number accepted.

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. [See entries under Master's projects completed.]

2.8 M.Phil. in Sustainable Development

In February 2003 the Spier 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. Currently there are about 90 students in the programme, with the first graduates expected to complete their studies in December 2005. 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.

2.9 Activities around UNESCO's COMGEST

Expert group on Environmental Ethics. During 2004 COMGEST convened a group of 10 international experts on Environmental Ethics to determine the state of the art in this field today. This group met in Paris in September 2004 and in November 2004 in New Orleans, USA to discuss 10 papers on this topic that will be published as a book during 2005. Prof. Hattingh was invited to become a member of this group.

2.10 Networks and further 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 2003.
2. Close collaboration with Prof. Willem Landman, Director of the Ethics Institute of South Africa located in Pretoria, was continued during 2004, particularly on joint projects and service on the terrain of applied ethics.

3. During May 2004 Prof. Hattingh paid a visit to the Department of Philosophy at the University of Bayreuth, Germany. A memorandum of cooperation was signed between the two Departments for students and staff members, and joint research projects in the field of Business and Environmental Ethics will be conducted when the opportunity arise and sufficient funding is available.
4. During October 2004 Prof. Hattingh paid a visit to the Department of Philosophy at the University of North Texas in Denton, Texas – which is one of the leading centres for Environmental Ethics in the world today. Very good contacts were forged with the staff members of this Department, and this may result in the near future in a formal accord of cooperation, staff and student exchanges, as well as joint teaching and research programmes in the field of Environmental Ethics.

2.11 Membership of Editorial Boards

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

1. Environmental Ethics (since 1996) [Published by the Department of Philosophy of the University of North Texas]
2. African Journal of Environmental Philosophy and Environmental Education (since 1999) [Nigerië]
3. Southern African Journal of Environmental Education (co-editor of the section on Environmental Ethics)

Johan Hattingh

10 June 2005