

Education and Training

An innovative South African-based Master's Programme to train bioethics and medical law experts

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In modern society we regularly witness rapid progress in scientific research and its medical applications. Advances in science and technology, combined with restrictions on resource allocation, present many ethical challenges and issues that raise questions about these scientific endeavours and the impact that they will have on us as a society. For example, developments in life-sustaining interventions have compelled us to revisit our traditional understanding of when life ends, in other words when someone can be said to be dead. These sorts of questions are therefore not the exclusive domain of those involved in healthcare practice and research.

In order to meet the challenges raised by developments in science and technology and in line with recommendations from South Africa's Truth and Reconciliation Commission and in recognition of the increasingly changing environment within which complex ethical decisions need to be made, the Steve Biko Centre for Bioethics, Faculty of Health Sciences, University of the Witwatersrand, has since 2004 offered a Master's of Science in Medicine (MScMed) in Bioethics and Health Law as a postgraduate degree programme. The programme ultimately aims to train bioethics and medical law experts to display skill and proficiency in the fields of bioethics and health law and apply this knowledge in their personal and professional lives.

Master's Programme in Bioethics and Health Law

A fundamental goal of the programme is to equip learners with skills to meet the challenges presented by developments in science and medicine and to analyse the range of ethical and legal problems that arise in health practice, research and policy development and to propose management that is acceptable ethically and/or within the constraints of the law.

At the end of the programme, learners must display ability to:

- identify bioethical and legal issues arising in healthcare and research
- interpret guidelines and policy related to bioethics, including research-related activities and the law
- apply diverse knowledge in bioethics and health law to development of appropriate solutions of normative problems in healthcare delivery, biomedical and medicolegal research
- analyse bioethical and legal issues present in healthcare, the environment, and clinical research
- conceptually distinguish between ethics and the law

- assess ethical and legal concepts relative to contemporary life and suggest and evaluate new theories or principles
- critically evaluate social issues through rigid assessment of available options and justifying the same through critical reasoning content analysis
- formulate guidelines and approaches to social issues based on sound theory and principles, which are ethically acceptable, and within the constraints of the law.

Programme structure

The programme includes a coursework component consisting of 6 units or modules (4 core or compulsory units and 2 elective units) and a research report component and is offered on a part-time and a full-time basis to qualifying applicants.

The units that comprise the coursework component are offered by block release, and learners are required to attend week-long classes at the university premises. The programme is structured so that, whereas the compulsory units provide foundational knowledge, the elective units continue to build on that knowledge while adding new legal and bioethical concepts and principles specific to their relative themes.

Upon successful completion of the coursework component learners may embark on their research reports, as a necessary component for the award of the degree. A crucial objective of the programme is the development and practice of ethical reasoning skills. Learners may pursue a purely philosophical enquiry for their research projects or undertake research surveying some aspect of the moral life, provided that such research will provide information useful for ethical and/or legal analysis and which will be subjected to ethical and/or legal analysis.

Coursework content

The four compulsory units, which must be completed or undertaken simultaneously with two elective units, are:

- **Introduction to bioethics**, which aims to provide a foundational understanding of the relationship between concepts, logic and argumentation and fallacies of reasoning that may then be applied across all other units as well as in daily life. The unit is designed to enable learners to analyse and evaluate issues in bioethics within the context of a solid ethical framework.
- **Introduction to health law**, which aims to provide a solid legal grounding for decision-making in the area of health law. Instruction on relevant statutory law and common law principles is provided and specific issues such as medical mal-

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practice and medical negligence, end of life issues, informed consent, confidentiality and privacy are addressed in this unit.

- **Environmental bioethics and law**, which provides learners with an overview of environmental ethical positions (eco-philosophy) and examines legal approaches to environmental protection and conservation from the perspectives of international and national law, hospital management and policy.
- **Research ethics**, which introduces and explains a number of topical ethical issues in research ethics, including what constitutes unethical research, standards of care in a study, authorship guidelines and plagiarism. The role and modus operandi of research ethics committees (RECs) are outlined, and clearly articulated standards of good clinical practice in research relevant to local realities and contexts are provided. These include obtaining valid informed consent considering specific subgroups, standards of care for trial participants, access to study medications following completion of a clinical trial, issues pertaining to incentives affecting researchers and participants, releasing and publishing research results and the implementation of research findings.

Learners can choose two of a range of elective units offered within the programme. These are: Clinical ethics, reproductive health: Ethics and law, HIV/AIDS: Ethics and law, Genetics: Ethics and law, Health and human rights and Policy, public health, resource allocation: Ethics and the law.

Teaching and learning methods

A variety of teaching and learning methods are utilised in the programme in addition to conventional lectures and course-directed readings to simulate interest among learners and to enhance the learning experience. Methods used include case studies, debate, role-play and the use of film and documentaries to convey

information and generate discussion on topical issues relevant to the African context and to allow for framing of otherwise abstract ideas. Additionally learners are invited to attend and participate in seminars hosted by the centre to further enhance their knowledge.

Because a fundamental requirement of good bioethical reasoning is knowledge of the 'facts', learners are also familiarised with relevant scholarly information and discussions in the disciplines of science, social science and law in the course of the programme. Guest lecturers, from within and outside the university, who are regarded as experts in their specific disciplines, often teach in the programme.

In aiming to ensure that the content and materials is appropriate to the specific cultural context, learners are invited to provide feedback and evaluation on these aspects.

Target audience

Because educating healthcare practitioners alone is not sufficient for ethical values and practice to materialise in society, the programme targets a broad range of individuals, including academics, lawyers, social scientists and members of RECs from across the African continent.

Conclusion

Because of biological research and its applications in fields such as access to drug treatment for HIV/AIDS, organ transplantation, abortion and genetic engineering, it is important for health professionals and the general public to be aware of current bioethical debates. Bioethics and health law education will therefore continually be needed to ensure that people are trained to consider the ethical and legal implications of scientific and technological advances and ensure the development of ethical policies in South Africa and internationally.