

***Dr. Wandile Ganya Discusses Applying Moral Philosophy to
Emerging Technologies and Public Health***

Camille Castelyn and Wandile Ganya

Camille Castelyn 0:04

Welcome to Voices in Bioethics Podcast. I'm Camille Castelyn and it's my great pleasure to welcome Wandile Ganya. Wandile is a part time lecturer at Stellenbosch University Center for Medical Ethics and Law in South Africa. He presently holds an internal medicine registrar in the Department of Medicine at the University of Cape Town, and he's also a fledgling painter and a published poet. His latest anthology is titled *A Dark Wood: Poetical Sketches on Life and Being in the World*. He dedicated this to his twin brother Wanele. Wandile, welcome.

Wandile Ganya 0:42

Thank you. Thank you, thank you

Camille Castelyn 0:45

Yeah, what a diversity of talents and we certainly have a global bioethics perspective here with us today. So, you wrote an article on child's ability for decision making and to give consent, and you asked whether a 12-year-old had sufficient maturity to consent to medical treatment, you spoke about whether this capacity should be based on the principle of autonomy or sufficient maturity or rather on a communitarian viewpoint by which the whole family can and should be part of the decision-making process. Do you think this is distinctly different from a Western prioritization of autonomy? And what do you think we can learn from that perspective?

Wandile Ganya 1:31

Thank you for the question. That article was written a while back. To catch up the viewers or the audience. Let me first say so in the South African context, in the legal context is that a 12-year-old can legally consent to medical treatment without being accompanied or requiring the consent of his or her parent or guardian. Now that's

medical treatment, it's a bit different for surgical treatment. And hence, the motivation for the article itself was because the child is thought to have individual autonomy. And hence, the argument then was, what is the place for the family in the community in an Afro-communitarian context? What is the role of the family in decision making? And the reason for bringing that question up is to really challenge the theoretic-ethical status quo, to say, yes, the individual does matter. But there are ways in which to secure the needs, and what are usually termed the basic moral priorities of the child, or of a person, whether it's a child or adult, without having to solicit the idea of individual autonomy. And that natural way of securing the need basic moral priorities of the person is how we naturally live with one another, that is in within our sociality in our community. Where one is owed moral duties by another within that moral community.

Camille Castelyn 3:27

So basically, you are referring to your most research focus as well, which is Ubuntu right? And maybe you can just give us a quick summary, as well. For our listeners, what do you understand under the concept of Ubuntu?

Wandile Ganya 3:41

Yes, so well the Afro-communitarian idea, in essence refers to Ubuntu. Ubuntu is one of the African philosophical notions that firstly, the word itself refers to humanism, and it's derived from the Zulu tribal languages in Southern Africa. And the very notion of Ubuntu, can be easily captured by the phrase I am, because we are because we are therefore I am. Alternatively in the Xhosa that says, "umuntu ngumuntu ngabantu", a person is a person through other persons. And immediately what one understands from those two phrases is what I've just alluded to, was that my personhood is the individual is because of the community itself. And that is, to become a person, I ought to or need to be cognized in the context of the community of others, and not as an individual entity,

Camille Castelyn 4:53

So would one say that children then are not considered as a full person if we have to put it like that, not yet, in the sense of the word in decision making capacity then.

Wandile Ganya 5:06

So, in traditional African philosophy, I'd say, yes, the child would not be considered a full person. But although their basic moral priorities are recognized within the context, but aren't recognized as a full person per say, yes.

Camille Castelyn 5:25

So, if we say that child is not a fully-fledged person, I think what you're also trying to say is that the child should also be heard, but that they should also be protected in a sense, maybe you can just expand on that.

Wandile Ganya 5:40

Yes. So, the idea that a child is not a full person is actually derived from a traditional African philosophical view that personhood is rather perceptual idea that comes in gradations. And one philosopher, African philosopher that espouses that view actually is Gyekye a philosopher, but what I meant here, or is that an Afro-communitarian ideology, a child has the most important thing is not of necessity, that individual rights, but the duty is owed to the person or the individual behind the community, and hence, the individual is protected due by the community due to the rights or obligations owed to them. And not, as I said, of this necessity, by the rights owed to them.

Camille Castelyn 6:40

Great, that's interesting. And how does that play out practically? Is it something that is easily applicable in the South African contexts or not necessarily.

Wandile Ganya 6:51

So, in the South African context it is quite interesting, because we do have, on the one hand, the legal system that espouses, individual autonomy or rights, and on the other hand, you still have this communitarian ideology, where there are instances, even in the clinical context, where you find these two ideas clashing. And even for the bioethical community, they find this quite difficult to navigate through particularly when, say the child of legal capacity to consent. And they also subscribe to the idea that they are from this sort of community, and they cannot consent to medical treatment. So, it is a bit of a difficult one to be quite honest, to navigate through, but hence the need to have a broader discourse on this cross-cultural horizon.

Camille Castelyn 7:47

Yeah, so I think for a lot of our listeners, that sounds very radical, but I think in the South African, and African context, often we see in our clinical ethics consult how important the family is, and how often decisions cannot be made, without considering the context and the people surrounding that person, which I actually think is very valuable, something that one could actually add, to the Western perspective, would you agree?

Wandile Ganya 8:18

Yes, indeed, I do agree. And that's why the article was written. It's one among many, to be quite honest, I'm not the only proponent of that view. There's a wealth of literature around that challenging that norm of the importance of individual autonomy versus the importance of the family or the community in general.

Camille Castelyn 8:39

Okay, no, fantastic. I think it is important to also make the diversity of voices heard. Yeah, I think that's very valuable as well. Your most recent research focuses on specifically then on Ubuntu, and how it can be applied to emerging technologies, such as precision medicine embryo like structures and AI. And then you submitted an article about the moral status of the embryo and how this distinctly African notion of Ubuntu can be applied to this age-old conundrum. Can you tell us a bit more about that, please?

Wandile Ganya 9:19

Okay. So, the article itself is really focuses on the idea of moral status, how do we conceive of moral status within the African philosophical context? So, what I posit in the piece is that there are two ways to conceive of moral status and one is either a property grounded account. That is, one has moral status when when they have the rationality or conscious awareness. That's one predominant way of conceiving of moral status. And then within then ask the question, how else would we, can we conceive immoral status and particularly in within the context of Ubuntu? And the reason why that I find that an important question is, as you alluded to the fact that my concern is with emergent technologies such as AI, or humanoid or artificial moral agents, and how ought we to treat embryo like structures, for example, is a property based account doesn't fully recognize or cognize such entities, and particularly the point is even driven, when you consider say Extra Terrestrial beings or even animals and the ecosystem, property based account of moral status doesn't fully acknowledge or account for such species or entities. Now, however, an account based on what I call a de facto moral friend, which is derived from the idea of Ubuntu that is, one is immediately given, I owe, or we owe, an entity, say p, moral duties, not because of any intrinsic property, but because we have duties towards p as a de facto moral friend. That's essentially that. And I do go into a bit of detail why I think that is the case within an Afro-communitarian approach in the article itself, but in essence, that's what I detail.

Camille Castelyn 11:35

Okay, no, very interesting. I think that definitely is an interesting notion. And do you think that it can be applied in not only this moral status, but also in a wider context? And what do you hope to like contribute to that field also if we think of a cross cultural discourse between the Global North and the Global South and how, yeah, we can learn from each other differently from the Western perspective as well as a different perspective?

Wandile Ganya 12:06

I'm glad you raised that question. So firstly, this view that I posit, as I said, it is when one reads the literature on moral status, there is a dearth of this perspective, and which I find quite surprising given that it's such a pervasive idea within Ubuntu oriented thinking or thinkers. And quite a natural way of thinking even in traditional African societies, if I allude to a bit of social anthropology, now, or African social anthropology, to it speaks to that very fact that it seems like the Global North and Global South have been going about academic, philosophical, or ethical discourse in two different ways. And there is a need for that cross cultural discourse to happen. And by far, I'd say the global south has, by large subsumed much of what the Global North has to say about ethics. But there's been almost scant regard for what the Global South can contribute to the global bioethical discourse. And hence, I think, in part that has to do with our colonial history. But I think there is need for that cross cultural discourse in here, how we can conceive ethics or bioethics differently. And as we encounter emergent technologies or emergent problems, within our grand scheme of bioethics, where we find that our old ways of thinking haven't really been quite useful or have rather failed.

Camille Castelyn 13:52

Yeah, yes, definitely. And we see how quick technology is also developing and the ethical and legal impact just can't keep up with that. So it is, like you said, we need to have discussions and use new different creative ways to think about these issues. So that's really great. If you add that as well. I was wondering about one of your interests as well concerning like AI and Ubuntu, maybe you can tell us a bit more about that. If there's something you'd like to add regarding that.

Wandile Ganya 14:23

My main interest mainly with AI is the question of what sort of ethics ought we to use or employ, say, for example, when most of the debate has been, at least in my mind has been happening around self-driving cars, for example, but not only that, within AI in healthcare, and one easiest and most I find them quite useful ethics to espouse is an African virtue ethics which would be derived from the idea of Ubuntu espousing virtues such as friendliness, benevolence, And broadly in other regarding virtues and duties towards others. And then that's where we'll be looking at the literature on AI. That's where one can add more value using the idea of Ubuntu. And that is espoused in the African virtue ethics and seeing how thinking along those lines can lead some of the intractable problems that present literature finds itself at least from an ethics point of view.

Camille Castelyn 15:30

Okay, yeah, that's great. So, I wonder like, I don't know if you've read Yuval Harari's, book, 21 Lessons for 21st

Century. And there he says that everyone wants to drive an altruistic car that's programmed to be altruistic to protect the driver. But everyone wants everyone else to drive a utilitarian car which protects the people outside the car. So, I wonder how would a self-driving car that has a Ubuntu philosophy be programmed?

Wandile Ganya 16:03

Yeah, yeah. You've you've posited in a quite an interesting, interesting manner. It's certainly a good point for discussion. Maybe I'll have to flesh it out in the form of an article.

Camille Castelyn 16:19

That sounds good yeah. And then I wanted to ask, you're also, as I understand, a medical doctor, and maybe there's an interesting clinical ethics case or consult that comes to mind that you would like to share? Because I know our listeners always, a story is always interesting but if not, that's not a problem.

Wandile Ganya 16:40

Well, classic or quite a common encounter we find is, I think I was at an internship when I was working in surgery, when I was in rural KwaZulu Natal, South Africa, where this patient presented with, essentially, she needed, it was a septic leg, and she needed amputation. And at this point, she said she cannot and would not even consider consenting before she has consulted with her family. And she certainly did not want to give consent for surgery.

And not because she didn't think of herself capable, but she was at absolutely good decisional capacity, but because, as she put it as well, this is not just a respect toward others, but others have a stake when it comes to her health. And that's essentially how they make decision as a community. And not just as an individual. And it is quite always we find these sorts of circumstances or situations into one who's not oppressed him to this way of thinking might immediately say, but this lady has absolutely good decisional capacity and individual autonomy and insisting that she needs to discuss the issue with family or community does not make any sense. And it always, for me drives the point that when we enforce this idea of individual autonomy in say in a community context where the individual autonomy does not weigh greater than, say, the community, it is really an, call it an ethical injustice, to enforce or to impose an ethical system that is not germane to that society or that community. And hence the need for us to broaden our understanding of ethics, not just from an individual point of view, but also from a community point of view. And that is the essence of why I'm advocating the idea of Ubuntu as well.

Camille Castelyn 18:56

Okay, interesting. Thank you. And then lastly, can you tell us a bit more about why you became a medical doctor, as you say the community is important to you? And to what degree that decision had to do with your upbringing

and family? You grew up in a rural part of South Africa Khayelitsha if I'm not mistaken, please correct me if I'm wrong.

Wandile Ganya 19:18

That's correct. So certainly, it actually quite was. I never wanted to become a medical doctor. I never thought in my wildest dreams. I always thought quite interesting enough that I'd be a physicist. So, the real change came when there was quite a lot of illness and sickness in the family, including my own brother as well. And I think that was the turning point for me. Then I decided to commit my life and ambitions toward helping others whether it is through healing people or, as I would put it, healing the community that raised me or by writing or research, which is what I'm presently doing. So yeah, that's what made me change, actually. And I've enjoyed it since.

Camille Castelyn 20:13

That's fantastic. And yeah, it's interesting. Our life journey takes us onto different paths. And I hope your brother is also doing better now.

Wandile Ganya 20:24

Yes, yes, yes. That was a while back, he's also a medical doctor.

Camille Castelyn 20:29

Oh, wow fantastic. Okay. So, I'm also interested, whether you would say that this notion of Ubuntu is at all relevant to the COVID-19 pandemic that we are currently living in. And where we often hear the debate that the individual's rights is opposed to that of the community, especially if we think of vaccines, and whether that should be mandatory or not. How do you think an African philosophy Ubuntu, of Ubuntu could maybe help us in this regard?

Wandile Ganya 21:03

Ah wonderful, thank you for raising that subject as well. I think this brings my earlier point to greater clarity, actually, where you'll find that this constant clash between individual autonomy or individual rights versus the societal good, or the good of the community, particularly in COVID times where states have imposed severe

restrictions to individual freedom, individual rights, or autonomy over preferring rather to secure the public good. And it is exactly the same the sort of setting where an Ubuntu ethic comes into play where protecting the good of the community, or the social good, wherein in the individual himself or herself then will find by securing the public good. The individual finds protection within that system.

Camille Castelyn 22:01

Interesting. Yeah, no. So, thank you very much for spending time with us today. Yeah, we look forward to seeing what else you accomplish. And thank you for being with us today.