

Medical Ethics

PHIL 335
Winter Term 2013
Instructor: Nicolae Morar

Syllabus

1. Course Description

The French writer Albert Camus opens one of his major writings, *The Myth of Sisyphus*, as follows: “There is but one truly serious philosophical problem, and that is suicide. Judging whether life is or is not worth living amounts to answering the fundamental question of philosophy. All the rest...comes afterwards.” In a biomedical society like ours, the value of life (and our relation to it) becomes one of the most relevant factors for understanding who we are as human beings. The goal of this course is to provide the essential elements for students to assess future difficult life situations in a critical manner.

From the question of informed consent to the very recent debate on health care, this course spans some of the most important social questions of our time: Could an embryo be called a *person*? Is abortion immoral? In a more secular society, are there arguments concerning the morality of abortion (pro and con) that make no appeal to a transcendent form of goodness (God)? Would it be moral to use embryos for the production of basic materials, such as stem cells, for medical research? Is there any moral difference between active and passive euthanasia? Should we experiment on human beings? If so, what are the necessary conditions to ensure the moral permissibility of such procedures? Lastly, do we, as members of an advanced society, have a right to health care? These moral concerns are at the heart of our social contract. Students will develop the philosophical skills to analyze and to evaluate conflicting positions on complex moral issues. In this class, we are not merely interested in what certain people believe, but also, and more to the point, whether the reasons they give for their beliefs are good ones.

The study of Medical Ethics, by the very nature of its subject, concepts, issues, and manner of inquiry promotes open inquiry from a variety of perspectives. In the contemporary context, emerging biomedical technologies, policies, and practices raise some of the most pressing and significant philosophical challenges that we face as a society, returning us to the perennial philosophical question of “the good life.” In analyzing the legal, moral, and philosophical debates that shape current public discourse on a series of controversial topics, this course trains students to approach complex moral issues with analytical precision, moral concern, and reflective judgment. This involves carefully attending to a range of theoretical positions in dialogue with concrete situations and particular contexts.

2. Class Meetings

Class will meet **Monday** and **Wednesday** from **2:00 - 3:50 pm** in **112 WIL**.

3. Office Hours and Contact Information

Office: **332 PLC**

Email: nmorar@uoregon.edu

Office Hours: **MW 1:00 – 2:00 pm & by appointment**

4. Course Requirements and Grading

Grades on papers and exams will be given on the standard 0-100 point grading scale:

100-93:	A
92-90:	A-
89-87:	B+
86-83:	B
82-80:	B-
79-77:	C+
76-73:	C
72-70:	C-
69-60:	D
59-0:	F

Final grades will be determined by in class participation/attendance, 5 quizzes, a midterm and a final paper. They will be weighted as follows:

Attendance/Class participation	10%
5 Quizzes	20%
Midterm Exam (paper)	30%
Final Paper Exam (paper)	40%

Class Participation and Attendance. You are expected to participate actively in this class, which includes attending class, reading all assigned material prior to class, and participating productively and professionally in class discussions. Missing TWO classes FOR ANY REASON will result in a full grade reduction. An additional full grade reduction will be made for each additional missed class after the third. Three late arrivals for class will count as one absence. Discussion is crucial to this class, and I will do my best to make you feel at ease and welcome to contribute to the class conversation. Please feel free to contribute any question, objection, or other thought about the topic at hand when such occurs to you. Although no relevant remark is out of bounds in this class, you will be expected to treat all members of the class respectfully and professionally. The quality and quantity of your participation in the class discussion will be evaluated in assigning 10% of your final grade. Obviously, failure to attend class will negatively affect your participation grade.

Quizzes - at any time (without prior notification), you can receive a quiz either at the beginning or end of the course lecture. The best way to prepare for quizzes is to read all assigned materials carefully (and, of course, when they are due in class). Since some quizzes may be “open text,” you are encouraged to bring copies of the assigned readings to class. **No makeup quizzes will be given for any reason.**

One Midterm and One Final Paper Exam: Midterm and Final Papers will be 5 – 6 pages (double spaced, Times New Roman 12, standard margins) and paper topics will be posted 1 week before they are due. EMAILED AND ELECTRONICALLY SUBMITTED PAPERS WILL NOT BE ACCEPTED. Papers not turned in the day they are due are LATE, and will lose one letter grade for each calendar day that they are late.

If you are absent on an exam day, you *must* (1) have contacted me in advance to tell me of the absence, and (2) return with a written excuse (i.e. medical), in order to be permitted to make up the exam. **Failure to complete the two exams for this course will result in failure in the course.**

5. Course Policies

Emergencies: In the event of a major campus emergency, course requirements, deadlines and grading percentages are subject to changes that may be necessitated by a revised semester calendar or other circumstances.

Disability: If you have a documented disability, please contact me in advance. If you need accommodations in this class, I will work with the Disability Services to find a solution for you.

Plagiarism: With the advent of the internet, plagiarism has become an increasingly serious problem at universities around the country, particularly in classes like this one, where papers determine a substantial part of the grade.

In order to avoid plagiarizing from a source, both direct quotations *and paraphrases or summaries* of material found in traditional print media or on the internet must be acknowledged. If you have any questions about how this definition will be interpreted, please do not hesitate to discuss the matter with me.

Plagiarism and cheating on exams undermines the integrity of the academic community. When undetected, it gives the perpetrator an unfair advantage over students who are graded on the basis of their own work. In this class we will do our best to detect plagiarism and cheating. Students who are aware of violations by others should bring this to my attention. This is the right thing to do. It is also in your own self-interest.

There will be zero tolerance for plagiarism in this course. Plagiarized papers will receive a 0, the student will automatically fail the course, and their name will be handed given to the university authorities. For more on the University of Oregon’s policy on plagiarism, see the following website:

<http://libweb.uoregon.edu/guides/plagiarism/students/>

With each paper assignment, a handful of students may be selected at random to submit their papers to TurnItIn, an online service that maintains an enormous database of papers that it uses to check for instances of plagiarism.

External Sources: Using sources not listed on the syllabus in researching and writing your papers is fine, as long as they are both to the point, and are properly cited. And at all times, when in doubt, *cite your sources!* It is the best way to avoid being accused of plagiarism.

This is probably the best place to make this point, too: Wikipedia can be valuable for getting a very broad grasp of positions and debates, but when it gets into details, especially on philosophic topics, it is very often horrible – sketchy, convoluted, misinformed, and often simply wrong. If you wish to consult online resources, I suggest you use some of the other, much better sites. Most prominent is the Stanford Encyclopedia of Philosophy, but others are useful as well:

Stanford Encyclopedia of Philosophy <http://plato.stanford.edu/>
The Internet Encyclopedia of Philosophy <http://www.iep.utm.edu/>

6. Website

Information, comments, and some readings will be posted on the course website, which can be reached via Professor Morar's homepage:

http://pages.uoregon.edu/nmorar/Nicolae_Morar/Phil335Win13.html

7. Texts

Required Texts:

- L. Vaughn, Ed., *Bioethics – Principles, Issues, and Cases* – hereafter as **V**
Oxford University Press, 2010 ISBN: 978-0-19-518282-8
[we are using the 1st edition]
- Additional required readings will be posted on Blackboard [BB].

Supplemental readings will be posted on the course website as the term progresses.

Other Useful (recommended but not required) readings:

T. Beauchamp and J. Childress, *Principles of Biomedical Ethics* (6th ed.), Oxford U Press
B. Steinbock, A. London, & J. Arras, *Ethical Issues in Modern Medicine*, (2008), McGraw-Hill

8. Topics and Readings

Here is a tentative schedule of topics and readings. Amendments and alterations will be announced in class as we go and on the webpage. Since reminders and other information

will frequently be posted on the course website, *make sure you check the website on a fairly regular basis.*

<p>Week 1: Moral Reasoning: Utilitarianism and Deontological Approaches</p>	<p>Session 1. Chapter 1. <i>Moral Reasoning in Bioethics</i> V 3-30 [BB]</p> <p>Session 2. Chapter 2. <i>Bioethics and Moral Theories</i> V 30-48 [BB]</p>
<p>Week 2: Paternalism, Autonomy, and Informed Consent</p>	<p>Session 1. Paternalism and Autonomy Paternalism and Patient Autonomy V 51-63 G. Dworkin, “Paternalism,” V 63-73</p> <p>Session 2. Informed Consent V 144-149 J. Katz, “Informed Consent—Must It Remain a Fairy Tale?” V 159-168 Kant, “On a Supposed Right to Lie from Altruistic Motives,” V 121-122 Cullen and Klein, “Respect for Patients, Physicians, and the Truth,” V 122-129</p> <p>J. Savulescu and R. W. Momeyer, “Should Informed Consent Be Based on Rational Beliefs?” V 175-183 (<i>recommended</i>)</p>
<p>Week 3: Abortion</p> <p>Session 1 – 1/21 Martin Luther King Holiday – No Class</p>	<p>Session 2 (1/23) - Abortion. V 253-268</p> <p>J. J. Thomson, “A Defense of Abortion,” V 269-279 M. A. Warren, “On the Moral and Legal Status of Abortion,” V 291-301 J. T. Noonan, Jr., “An Almost Absolute Value in History,” V 301-305 D. Marquis, “Why Abortion is Immoral,” V 279-291</p> <p>J. English, “Abortion and the Concept of a Person,” V 310-316 (<i>recommended</i>) Strong, “A critique of the best secular argument against abortion” [BB] (<i>recommended</i>)</p>
<p>Week 4: Cognitive Disability, Moral Status, and Genetic Enhancement</p> <p>Midterm</p>	<p>Session 1. V 460-475 (<i>recommended</i>) Singer, “Speciesism and Moral Status” [BB] Jaworska, “Caring and Full Moral Status Redux” [BB]</p> <p>Session 2. V 460-475 (<i>recommended</i>) McMahan, “Cognitive Disability and Cognitive Enhancement” [BB] E.F. Kittay, “The Personal is Philosophical is Political” [BB]</p> <p>McMahan, “The Morality of Screening for Disability” V 491-495 (<i>recommended</i>)</p> <p>Midterm Questions will be posted on BB on Friday, February 1st.</p>

<p>Week 5: Human Cloning, Stem Cells, Biotechnologies & Human Nature</p> <p>Midterm DUE.</p>	<p>Session 1. Emotions in Bioethics V 354-372 L. Kass, “The Wisdom of Repugnance” [BB] Kelly, “Disgust and Normative Ethics” [BB]</p> <p>R. Lewontin, “The Confusion over Cloning” [BB] (<i>recommended</i>) D. W. Brock, “Cloning Human Beings: An Assessment...” V 441-452 (<i>recommended</i>)</p> <p>Session 2. <i>The Argument from Human Nature</i> Habermas, “The Future of Human Nature” pp.16-37 [BB] Morar, “An Empirically Informed Critique of Habermas’ Argument from Human Nature” [BB]</p> <p>Bostrom, “In Defense of Posthuman Dignity” [BB] (<i>recommended</i>)</p> <p>Midterm Papers are due on Friday, February 8th before 4:00pm (Main Phil Office – PLC)</p>
<p>Week 6: Genetic Enhancement and (Human) Nature</p>	<p>Session 1. <i>The Argument from Human Nature</i> Buchannan, “Human Nature and the Natural” <i>Beyond Humanity?</i> [BB] Buchannan, “Moral Status and Enhancement” <i>Beyond Humanity?</i> [BB]</p> <p>Session 2. <i>The “Wisdom of Nature” Argument</i> Bostrom & Sandberg, “The Wisdom of Nature: An Evolutionary Heuristic for Human Enhancement” [BB]</p> <p>Powell & Buchannan, “Breaking Evolution’s Chain: The Prospects of Deliberate Genetic Modification” [BB] (<i>recommended</i>)</p>
<p>Week 7: Biology & Bioethics: the Limits of Normative Claims</p>	<p>Session 1. <i>Darwinian Metaphysics</i> Okasha, Darwinian Metaphysics [BB] Lewontin, Triple Helix [excerpts] [BB]</p> <p>Kitcher, Battling the Undead: How (and how not to) resist Genetic Determinism [BB] (<i>recommended</i>)</p> <p>Session 2. <i>For a Principle of Minimal Biological Realism in Bioethics</i> Flanagan, The Principle of Minimal Psychological Realism [BB] Daniels, “Can anyone really be talking about ethically modifying human nature?” [BB]</p>

<p>Week 8: Active and Passive Euthanasia</p>	<p>Session 1. <i>Invited Guest from Compassion and Choices of Oregon</i> Session 2. <i>Invited Guest from Physicians for Compassionate Care</i></p> <p><i>Euthanasia and Physician Assisted Suicide - V 526-542</i> J. Rachels, “Active and Passive Euthanasia,” V 580-584 D. Brock, “Voluntary Active Euthanasia,” V 545-556 Movie: <i>How to Die in Oregon</i> (available on reserve Knight Library)</p> <p>Additional readings proposed by our invited guests will be posted on BB.</p>
<p>Week 9: Experimenting with Human Subjects</p> <p>Health, Health Care, and Justice</p> <p>Final Exam</p>	<p>Session 1. V 193-213 (especially, 193-208) The Nuremberg Code (1946) V 213-214 The Belmont Report (1979) V 217-220 Hellman & Hellman, “Of Mice but Not Men” V 226-231 Freedman, “A Response to Purported Ethical Difficulty with RCTs Involving Cancer Patients,” V 231-235</p> <p>Passamani, “Clinical Trials: Are They Ethical?” V 238-242 (<i>recommended</i>)</p> <p>Session 2. <i>Right to Healthcare</i> N. Daniels, “Is There a Right to Health Care and, if So, What Does It Encompass?” V 627-634 Buchanan, “The Right to a Decent Minimum of Health Care,” V 634-640</p> <p>Englehardt, “Rights to Health Care...” V 652-660 (<i>recommended</i>)</p> <p>Final Exam Questions will be posted on BB on Friday, March 8th.</p>
<p>Week 10: Medicine, Genetics and the Politics of Life</p> <p>Final Exam</p>	<p>Session 1. <i>Health Care, Multiculturalism and Allocation</i> J. Blustein, Multiculturalism and Just Health Care V 640-652 N. Daniels, Rationing Fairly: Programmatic Considerations, V 660-666 Rescher, The Allocation of Exotic Medical Lifesaving Therapy, V 666-675</p> <p>John Harris, QALYfying the Value of Life, V 675-682 (<i>recommended</i>)</p> <p>Session 2. <i>Biopower – Politics of Life</i> Foucault, Right of Death and Power over Life [BB] Foucault, From Man as body to Man as species (<i>Society Must be Defended</i>, 17 March, 1976) [BB] Rabinow & Rose, Biopower Today [BB]</p> <p>Final Papers are due on Friday, March 15th before 4:00pm (Main Phil Office – PLC)</p>