Medical Ethics
PHIL 335
Winter Term 2015

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 **8:30 - 9:50 pm** in **302 GER**.
Discussion sections will meet on **Friday** with Gus Skorburg. Here is the schedule.

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<thead>
<tr>
<th>CRN</th>
<th>TIME</th>
<th>LOCATION</th>
<th>INSTRUCTOR</th>
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<tbody>
<tr>
<td>25934</td>
<td>1000-1050</td>
<td>122 MCK</td>
<td>Skorburg G</td>
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<tr>
<td>25935</td>
<td>1100-1150</td>
<td>112 WIL</td>
<td>Skorburg G</td>
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</tbody>
</table>
3. Office Hours and Contact Information

Office: 250 B Susan Campbell Hall
Email: nmorar@uoregon.edu
Office Hours: MON 10:00 am - 12:00 pm

GTF: Gus Skorburg
Office: 161 Susan Campbell Hall
Email: jskorbur@uoregon.edu
Office Hours: MON 12:00 pm - 2:00 pm and by appointment.

4. Course Requirements and Grading

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

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>100-93:</td>
<td>A</td>
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<tr>
<td>92-90:</td>
<td>A-</td>
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<tr>
<td>89-87:</td>
<td>B+</td>
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<tr>
<td>86-83:</td>
<td>B</td>
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<tr>
<td>82-80:</td>
<td>B-</td>
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<td>79-77:</td>
<td>C+</td>
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<td>76-73:</td>
<td>C</td>
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<td>72-70:</td>
<td>C-</td>
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<td>69-60:</td>
<td>D</td>
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<tr>
<td>59-0:</td>
<td>F</td>
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Final grades will be determined by in class participation/attendance, 5 quizzes, a midterm and a final paper. They will be weighted as follows:

<table>
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<tr>
<th>Component</th>
<th>Weight</th>
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<tbody>
<tr>
<td>Attendance/Class participation</td>
<td>10%</td>
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<tr>
<td>5 Quizzes</td>
<td>20%</td>
</tr>
<tr>
<td>Midterm Exam (paper)</td>
<td>30%</td>
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<tr>
<td>Final Paper Exam (paper)</td>
<td>40%</td>
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**Participation and Attendance (Discussion Section).** You are expected to participate actively in this class, which includes attending class (both lectures & discussion sections), reading all assigned material prior to class, and participating productively and professionally in discussion sections. Missing more than one discussion section FOR ANY REASON will result in a 1/3 of a full grade reduction (e.g. from A to A-). An additional full grade reduction will be made for each additional missed class after the second (e.g. from A to B). Three late arrivals for class will count as one absence. Discussion is crucial to this class, and all instructors will do their best to make you feel at ease and welcome to contribute to the class conversations. 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:** On a number of occasions throughout the course, quizzes will be given either at the beginning or end of the course lecture. These quizzes will be unannounced and will cover the assigned reading for that class period and material covered in the previous lectures. The best way to prepare for these quizzes is to read all assigned materials carefully and review notes from the previous lectures before arriving for class. All quizzes will be counted in calculating your final grade (20%). *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 any of the two exams will result in an automatic failure in the course (grade F).*

Grading rubric for exam essays (midterm and final):
A = Excellent. No mistakes, well-written, and distinctive in some way or other.
B = Good. No significant mistakes, well-written, but not distinctive in any way.
C = Okay. Some errors, but a basic grasp of the material.
D = Poor. Several errors. A tenuous grasp of the material.
F = Failing. Problematic on all fronts indicating either no real grasp of the material or a complete lack of effort.

**5. Learning Outcomes**

This course has a number of learning outcomes. The instructors are interested in working with you to develop a series of more general skills that you will need during your college education and even after graduation. These include the ability to:

- Explain and summarize different approaches to medical ethics.
- Articulate and evaluate philosophical arguments
- Develop reading skills (from philosophical texts to science oriented texts)
- Develop communication and argumentation skills (especially in your discussion sections)
- Develop writing skills and learn how to manage your thinking-process in a limited amount of time.

**6. Course Policies**

**Incompletes and extensions** will be given *only* in the event of documented emergencies.
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.

Sexual Violence: The UO is committed to providing an environment free of all forms of discrimination and sexual harassment, including sexual assault, domestic and dating violence and gender-based stalking. If you (or someone you know) has experienced or experiences gender-based violence (intimate partner violence, attempted or completed sexual assault, harassment, coercion, stalking, etc.), know that you are not alone. UO has staff members trained to support survivors in navigating campus life, accessing health and counseling services, providing academic and housing accommodations, helping with legal protective orders, and more.

Please be aware that all UO employees are required reporters. This means that if you tell me about a situation, I may have to report the information to my supervisor or the Office of Affirmative Action and Equal Opportunity. Although I have to report the situation, you will still have options about how your case will be handled, including whether or not you wish to pursue a formal complaint. Our goal is to make sure you are aware of the range of options available to you and have access to the resources you need.

If you wish to speak to someone confidentially, you can call 541-346-SAFE, UO’s 24h hotline, to be connected to a confidential counselor to discuss your options. You can also visit the SAFE website at safe.uoregon.edu

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

Academic Misconduct: 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 given to the university authorities. For more on the University of Oregon policy on plagiarism, see the following website:

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

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:

The Internet Encyclopedia of Philosophy - http://www.iep.utm.edu/

6. Website

All the information about this course and other comments or events related to the class will be posted on the course website, which can be reached via Professor Morar’s homepage:

http://pages.uoregon.edu/nmorar/Nicolae_Morar/Phil335Win15.html

7. Textbook & Readings

Required Texts:

  We are using the 1st edition – you can easily find copies on http://www.bookfinder.com/

  A copy of our textbook will be on reserve at the Knight Library.

- 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:
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.

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<tbody>
<tr>
<td></td>
<td>Session 2.</td>
<td>Chapter 2. <em>Bioethics and Moral Theories</em> V 30-48 [BB]</td>
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<tr>
<th>Week 2: Paternalism, Autonomy, and Informed Consent</th>
<th>Session 1. Paternalism and Autonomy</th>
<th>Paternalism and Patient Autonomy V 51-63</th>
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<tr>
<td></td>
<td>G. Dworkin, “Paternalism,” V 63-73</td>
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<td>Session 2. Informed Consent V 144-149</td>
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<td></td>
<td>J. Katz, “Informed Consent—Must It Remain a Fairy Tale?” V 159-168</td>
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<td>Kant, “On a Supposed Right to Lie from Altruistic Motives,” V 121-122</td>
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<td>Cullen and Klein, “Respect for Patients, Physicians, and the Truth,” V 122-129</td>
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<td></td>
<td>J. Savulescu and R. W. Momeyer, “Should Informed Consent Be Based on Rational Beliefs?” V 175-183 (recommended)</td>
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<tr>
<th>Week 3: Abortion</th>
<th>1/19 Martin Luther King, Jr. Day – No Class</th>
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<tr>
<td></td>
<td>Session 2. Abortion. V 253-268</td>
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<td>J. English, “Abortion and the Concept of a Person,” V 310-316 (recommended)</td>
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<th>Week 4: Abortion, Cognitive Disability, and Moral Status,</th>
<th>Session 1. <em>Arguments Against Abortion</em></th>
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<td>J. T. Noonan, Jr., “An Almost Absolute Value in History,” V 301-305</td>
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<td>Strong, “A critique of the best secular argument against abortion” [BB] (recommended)</td>
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<td>Session 2. V 460-475 (recommended)</td>
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<td></td>
<td>Singer, “Speciesism and Moral Status” [BB]</td>
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<td></td>
<td>McMahan, “Cognitive Disability and Cognitive Enhancement” [BB]</td>
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<td>E.F. Kittay, “The Personal is Philosophical is Political” [BB] (recommended)</td>
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<td></td>
<td>McMahan, “The Morality of Screening for Disability” V 491-495 (recommended)</td>
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<tr>
<td>Midterm Exam</td>
<td>Midterm Exam Questions will be posted on BB on Friday, January 30th.</td>
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| Week 5: Human Cloning, Stem Cells, Biotechnologies & Human Nature | **Session 1. Emotions in Bioethics V 354-372**  
L. Kass, “The Wisdom of Repugnance” [BB]  
Kelly, “Disgust and Normative Ethics” [BB]  
R. Lewontin, “The Confusion over Cloning” [BB] *(recommended)*  
**Session 2. The Argument from Human Nature**  
Habermas, *The Future of Human Nature* pp.16-37 [BB]  
Morar, “An Empirically Informed Critique of Habermas’ Argument from Human Nature” [BB]  
Bostrom, “In Defense of Posthuman Dignity” [BB] *(recommended)*  
**Midterm DUE.**  
Midterm Papers are due on Friday, February 6th before 4:00pm  
(Main Phil Office – SCH 211) |
|---|---|
| Week 6: Genetic Enhancement and (Human) Nature | **Session 1. The “Wisdom of Nature” Argument**  
**Session 2. Darwinian Metaphysics**  
Okasha, “Darwinian Metaphysics” [BB]  
Lewontin, *Triple Helix* [excerpts] [BB]  
Kitcher, “Battling the Undead: How (and how not to) resist Genetic Determinism” [BB] *(recommended)* |
| Week 7: Biology & Bioethics | **Session 1. For a Principle of Minimal Biological Realism in Bioethics**  
Flanagan, *The Principle of Minimal Psychological Realism* [BB]  
Daniels, “Can anyone really be talking about ethically modifying human nature?” [BB]  
**Session 2. Beyond Human Nature – Symbiotic Bioethics**  
S. Gilbert et al, “A Symbiotic View of Life: We Have Never Been Individuals” [BB]  
Schneider & Winslow, “Parts & Wholes: The Human Microbiome, Ecological Ontology, and the Challenges to Community” [BB] *(recommended)* |
### Week 8:  
**Active and Passive Euthanasia**  

| Session 1 | Invited Guest – Physician, PeaceHealth, OR  
|-----------|------------------------------------------------|
| **Session 2.** Invited Guest from Compassion and Choices of Oregon  
| Euthanasia and Physician Assisted Suicide - V 526-542  
| *New York Times* [BB]  
| Movie: *How to Die in Oregon* (available on reserve Knight Library)  
| Videos about the Maynard case available at  
| http://www.thebrittanyfund.org/category/videos/  
| Additional readings proposed by our invited guests will be posted on BB. |

| Session 1 | Euthanasia and Physician Assisted Suicide - V 526-542  
| J. Rachels, “Active and Passive Euthanasia,” V 580-584  
| D. Brock, “Voluntary Active Euthanasia,” V 545-556  
| Session 2. Invited Guest: John Holmes, Director of Ethics, PeaceHealth  
| 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  
| Englehardt, “Rights to Health Care…” V 652-660 (recommended)  
| **Final Exam Questions** will be posted on BB on Friday, March 6th. |

### Week 9:  
**Active and Passive Euthanasia**  

| Session 1 | Euthanasia and Physician Assisted Suicide - V 526-542  
| 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  
| **Final Exam Questions** will be posted on BB on Friday, March 6th. |

### Week 10:  
**Health, Health Care, and Justice**  

| Session 1 | Health Care, Multiculturalism and Allocation  
| 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  
| John Harris, QALYfying the Value of Life, V 675-682 (recommended)  
| Session 2. 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  
| Passamani, “Clinical Trials: Are They Ethical?” V 238-242 (recommended)  
| **Final Exam DUE**  
| Final Papers are due on Friday, March 13th before 4:00pm  
| (Main Phil Office – SCH 211) |