PHIL 3400: Biomedical Ethics
Stoner/Fall 2016

M/W 2:55-4:35, Whitby Hall 4

Instructor

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Office #11, deep beneath the chapel…

Office hour: Mondays, 4:40 – 5:40, and by appointment.

Course description

Nearly every aspect of medical practice is liable to present ethical questions. When, if ever, is it OK for caregivers to lie to patients? What research practices should we ban on ethical grounds, even when such a ban is likely to slow the progress of life-saving discoveries? Should caregivers ever help a patient die? Under what circumstances is it permissible for a caregiver to refuse to provide care? The tools philosophers use to discuss questions like these can help us all improve our ability to think through difficult issues and to discuss them with productively others. We will proceed by examining a series of controversies in biomedical ethics, using each topic as an opportunity to practice skills of reading, reflection, and discussion.

My learning objectives for you

In preparing this class, I've kept in mind two core academic skills and three philosophical techniques. My hope is that, at the end of the semester, you will be different in these five ways:

1. Academic skill: **"Deep" reading** of meaningful texts. You will be better at reading actively, as a colleague in dialogue with authors, engaged in a shared project of inquiry.
2. Academic skill: **Critical discussion** with peers. You will be better at exploring difficult and controversial subjects with peers; better at articulating and arguing for your own positions; better at understanding and critically evaluating alternative positions.
3. Philosophical technique: **conceptual clarification**. You will be better at noticing when a poorly defined concept is confusing an issue, and better at specifying concepts in productive ways.
4. Philosophical technique: **argument from principle** and...
5. Philosophical technique: **argument from analogy**. Many arguments in biomedical ethics take one of these two forms. You will develop expertise in recognizing, creating, and criticizing arguments in both of these forms.

Your learning objectives for you

Every course presents an opportunity for you to practice and improve areas of your own choosing. Some examples of the sorts of specific goals you might have in taking this course:

- Participate more effectively in full-class discussions
- Ask more/better questions during lectures
- Improve attention span during lectures
- Take more effective notes in a subject that isn't information-oriented
- Be more willing to ask the instructor for help
- Pursue more opportunities to study/collaborate with peers outside the classroom
- Effectively time-manage concurrent assignments
- Effectively chunk large projects into sub-tasks
- Establish distraction-free reading/study time
- Communicate more effectively through writing
- Notice (or create) connections between your courses
- Notice (or create) connections between course material and "outside" life
- Improve skill in tracking an argument thread through dialogic texts
- Improve skills in tracking complicated syntax in academic texts
- Get better at creating for yourself interest in topics that don't immediately grab your attention

This small fragment of the full list of possibilities is intended to jog your thinking about what you want out of this class. Take a few minutes to think about how you might use this class as an opportunity for practice. In what ways would you like to be able, at the end of the semester, to look back and notice that you've changed?

Your top three learning objectives:

1.

2.

3.

Required texts

I'll distribute all course materials, including required and recommended readings, via D2L.

Graded assignments

Weekly one-page papers:	150 points total
Argument exercises:	100 points total
Euthanasia paper:	200 points
Participation self-evaluation:	200 points
Group report and presentation:	200 points
Final exam:	150 points

Weekly one-page papers. Each week you will write a one-page paper. I will post the prompt on D2L on Thursday afternoons, and the papers are due at the beginning of class the following Monday. Short papers will not be accepted late for any reason. Your total score for the weekly writing assignments will be the sum of your ten best scores out of thirteen available assignments. (That is, I'll drop your lowest three scores.)

Argument exercises. In the first half of the semester, you'll turn in four short assignments that will ask you to demonstrate skill in offering and criticizing arguments from principle and analogy.

Final exam. An in-class essay exam. I'll hand out review questions ahead of the test and draw all test questions from the review sheet.

Euthanasia paper. A 4-page paper in which you will practice argument analysis skills by applying them to a fictional moral dilemma.

Group project/presentation. This is the centerpiece assignment for the semester. You will work with an assigned group to prepare a report and class presentation that introduces the class to a controversial issue in bioethics, and demonstrates the development of the argument analysis skills that are the focus of the course.

Participation self-evaluation. A three-page self-evaluation of, and reflection on, your contributions to the course, with special focus on your role in your group's project/presentation.

Grade Table

At the end of the semester, I will total up all your points and assign letter grades based on this table. These thresholds indicate firm cut-off points. For example, a total score of 864 points is a B, while a total score of 865 is a B+.

Letter Grade	Point threshold
A	935
A-	900
B+	865
B	835
B-	800
C+	765
C	735
C-	700
D	600
F	–

Course Calendar

Introduction and orientation

We have all grown up in cultures that teach us a variety of ways to avoid thinking about and discussing controversial issues. In this opening unit we will discuss some problems with these avoidance techniques, and introduce the general features of good moral reasoning and moral growth.

9/7:	Topic:	Welcome to biomedical ethics
9/12:	Topic:	The relationship between cultural practices and moral judgments
	Reading:	Midgley, “On Trying Out One's New Sword”
9/14:	Topic:	Natural and unnatural, moral and immoral
	Reading:	TBD
	Project:	Topic sign-up, and 15 minutes to meet with your group for planning
9/19:	Topic:	Religious texts and moral judgments
	Reading:	Rachels, “Ethics and the Bible”
		Genesis 38

9/21: Topic: Three features of good moral reasons
Reading: Hornby, from *High Fidelity*

9/26: Topic: Improving our own moral belief systems
Reading: Bennett, “The Conscience of Huckleberry Finn”

Euthanasia

Historically, there has been broad consensus in the USA that it is never morally permissible for caregivers to help their patients die. Over the last two decades, that consensus has weakened, and in 2016, California became the fourth state to allow physician-assisted death. When, if ever, is it morally permissible for a health-care professional to help a patient die? And what public policies best respect our moral judgments concerning individual cases of euthanasia?

9/28: Topic: The method of argument from principle

10/3: Topic: The morality of individual euthanasia decisions
Reading: Bennett, “Dead at Noon”
Rachels, “Active and Passive Euthanasia”
10/5: Topic: Toward an appropriate policy
Reading: Brock, “Voluntary Active Euthanasia”

Abortion

Few topics in bioethics are as prominent in public debates as the question of the moral permissibility of abortion. Using our tools of philosophical argumentation, we can make more progress in frank and open discussion than you might expect, based on the evidence of public political debates.

10/10: Topic: The method of argument from analogy
10/12: Topic: Thomson's defense of abortion
Reading: Thomson, “A Defense of Abortion”

10/17: Topic: Marquis against abortion
Reading: Marquis, “An Argument That Abortion Is Immoral”
10/19: Topic: Writing a philosophy paper
Reading: Clark, from *Whose Life Is It Anyway?*
Euthanasia paper prompt distributed in class

Practice with the argument forms

We now have in hand two forms of argument: argument from principle and argument from analogy. This week, we will practice using these forms of argument to explore two new topics. When, if ever, is it morally permissible for pharmacists to refuse to fill prescriptions they believe to be immoral? When, if ever, it is morally permissible for people to have sex with partners with dementia?

10/24: Topic: Conscience objections to providing care
Reading: Eva and Hugh LaFollette, “The Professional Conscience”
10/26: Topic: Alzheimer’s and consent
Reading: Steinbock, “Sex, Consent, and Dementia”

Disability

"Disability" is a word, and a concept, that is difficult to define. We'll spend the first week looking at some well-established views about what disabilities are, and what role they play in the lives of disabled people. We'll then put our conceptual clarification efforts to work by asking one new question--when is it permissible for hopeful parents to take steps to ensure that they have a disabled child?--and to revisit an earlier question--what policies ought to govern the availability of physician-assisted death?

10/31: Topic: What is a disability?
Reading: Shakespeare, "The Social Model of Disability"
11/2: Topic: What's bad about disability?
Reading: Johnson, "Unspeakable Conversations"
Euthanasia paper due in class

11/7: Topic: Selecting a deaf child
Reading: Davis, "Genetic Dilemmas and the Child's Right to an Open Future"
Project: 30 minutes to wrap up Milestone 2
11/9: Topic: Euthanasia revisited
Reading: Peace, "Comfort Care as Denial of Personhood"
Mayo and Gunderson, "Vitalism Revitalized"

Organ transplants

People who need organ transplants vastly outnumber available transplantable organs, making the issue of how to order the waitlist a question life-and-death. Should younger people be placed at the front of the queue? Should people who bear some responsibility for the failure of their own organs be moved to the back? We would face fewer tragic dilemmas, and fewer people would die early, if we could increase the supply of transplantable organs. One suggestion for increasing the supply is to change the laws to allow people to sell their organs to interested buyers. Is such a policy change morally permissible?

11/14: Topic: Allocating organs
Reading: Moss and Siegler, "Should Alcoholics Compete Equally for Livers?"
Cohen, "Alcoholics and Organ Transplantation"
11/16: Topic: Markets in organs
Reading: Matas, "The Case for Living Kidney Sales"
Kahn and Delmonico, "The Consequences of Public Policy to Buy and Sell Organs for Transplantation"

Rationing with QALYs

Dilemmas caused by scarcity of medical resources aren't limited to transplantable organs. Across the medical system, the number of potentially beneficial medical treatments outstrips the ability of any community or nation to pay for them. It is unavoidable, then, that some people will be denied treatments they would like to have. The Quality Adjusted Life Year is one of the key tools the National Health Service in the UK uses to decide which treatments to cover and which to deny. We will look at what QALYs are, why they are used to ration healthcare, and whether the use of QALYs discriminates against disabled people.

11/21: Topic: The need to ration

	Reading:	Singer, “Why We Must Ration Healthcare”
		Harris, “QALYfying the Value of Human Life”
11/23:	Topic:	Are QALYs a defensible means of rationing?
	Reading:	Amundson, “Disability, Ideology, and Quality of Life”
	Project:	30 minutes to wrap up Milestone 3

Research ethics: experiments on animals

Virtually all medical treatments are developed and tested using animal subjects. Animal testing often involves suffering and usually ends with the death of the animal. What distinguishes a morally permissible use of animals in research from impermissible abuse of animal subjects?

11/28:	Topic:	Animal research: the interests perspective
	Reading:	Singer, “All Animals Are Equal”
11/30:	Topic:	Animal research: the rights perspective
	Reading:	Cohen, “The Case for the Use of Animals in Biomedical Research”

Research ethics: informed consent

The history of medical research and testing on human subjects includes dark episodes that have become synonymous with moral failure. We’ll briefly discuss the lessons the medical community has taken away from atrocities committed in the name of medical research, both by Nazi doctors in concentration camps, and by American doctors in the Tuskegee Syphilis Study. What further changes to institutional norms and individual behavior are required to prevent continuing ethical failures, such as a recent high-profile case at the University of Minnesota?

12/5:	Topic:	Informed consent
	Reading:	Brandt, “Racism and Research”
		The Nuremberg Code
	Final exam review sheet handed out in class	
12/7:	Topic:	A tragic failure at the University of Minnesota
	Reading:	Elliott, “The Deadly Corruption of Clinical Trials”
	Project:	30 minutes to wrap up milestone 4

Final project presentations

12/12: Groups 1, 2, and 3
12/14: Groups 4, 5, and 6

Final exam

12/16: Final exam from 1:30 – 3:30

Course Policies

Accessibility. I want this course (in both content and assessment) to be accessible to all students regardless of impairments and disabilities. If you have a disability that I can better accommodate, please consider meeting with me to talk about it. Improvements to accessibility are improvements to the course, and students in future semesters will owe you a debt of gratitude (that will, of course, go

unpaid) for taking the time to give me your feedback on accessibility.

Testing accommodations require you to register with Disability Resources. Contact them in the O'Neill Learning Center, by email at oneill_center@stkate.edu or by phone at 651.690.6563.

Attendance. The active practice of critical reading and thinking skills, the development of which is the focus of the course, cannot be replicated alone in your room. The serious consideration of the positions of others, which is a necessary condition of friendly and productive philosophical discussion, is much better done when others are present for discussion. For these reasons, I will record attendance. You may miss three classes for any reason. (Things happen, I know.) Every additional unexcused absence will incur a 30-point penalty. If you believe there is good reason why I should make an exception in your case, please meet with me to discuss it.

Small group discussions. Guided, small-group discussions feature prominently in this course. Disagreement is a desirable feature of any serious philosophical discussion. Disagreement can be fruitful, and it can be fun, but it can also be frustrating. I expect you to be—always and without fail—respectful, thoughtful, and kind in discussion, even in the face of frustrating disagreements. This is not hard to do. If at any point you feel the temptation to sneer, or get angry or hurt, roll your eyes or raise your voice, take a moment to calm down. Then offer, as clearly and generously as you can, the reasons you disagree with the trend of the discussion.

Late work. You may turn in the euthanasia paper and your participation self-evaluation late at a penalty of 10 points per day late. Late argument exercises incur a 5-point penalty per day late. Weekly 1-page writing assignments may not be turned in late for any reason. The group presentation/report may not be turned in late, because you will be responsible for half an hour of your classmates' time on your assigned day.

Emailed papers. If you anticipate an excused absence on a day course material is due, please talk to me ahead of time to make arrangements to turn in your work via email. I will only accept emailed work if we've discussed it and I've approved it ahead of time.

Extra credit. There will be no extra credit! Keep up with the class as it happens.

Electronic Devices. Please do not use any electronics during lectures. No phones, no laptops, no tablets, no nothing. If you need to use a device in class (if you have a sick kid at home who might need to call you, for example) please let me know before class starts.

Scholastic Dishonesty. Do not copy another author's words, or paraphrase another author's ideas without citing your sources. Citations should be thorough enough to allow me to locate the passage you are quoting or paraphrasing. There is no shame in understanding, appreciating, and incorporating another writer's views, so long as you give credit where it's due. There is much shame in passing off someone else's work as your own.

If I discover you've plagiarized any part of any assignment, I'll record a zero for that assignment category and I'll file a report with the University. (To be clear: this means that if I find plagiarized material in a weekly 1-page paper, I'll record a zero not just for that one-pager, but for the entire weekly writing component of the semester grade.)