

Philosophy 279 – Biomedical Ethics

Course Objectives

This course will provide a systematic survey of some important ethical issues in medicine, showing how an understanding of these questions depends on their being properly framed within moral philosophy. Its focus is not on the entire interdisciplinary field of bioethics, but only on that part of it concerned with moral controversies in medicine and the principles of medical ethics that may help us think more clearly about them. Accordingly, the course will look first at the development of professional ethics in the history of medicine and then at medical ethics as an application of moral philosophy, considering some normative ethical theories that purport to provide guidance in practical situations and criteria of moral assessment. It will then suggest ways of applying these methods to reasoning about nine current controversies in medical ethics.

Expected Outcome

Students will become conversant with some of the important literature in medical ethics and learn how to think critically and systematically about moral problems in medicine.

Level of Course in the Curriculum

This will be a sophomore-level course. The rationale is that it should be an upper-division course, but not so advanced that it would be inaccessible to students curious about the subject. Students who have taken PHIL 201 (Introduction to Ethics and Social Philosophy) will be at a considerable advantage in this course, so it is recommended that they take that course first, but it is not a prerequisite.

Textbook and Required Reading

Most of the readings for this course will be selected from Ronald Munson's book, *Intervention and Reflection: Basic Issues in Medical Ethics, 9th Edition* (Wadsworth, 2011), which is available in the campus bookstore. Most of the assigned readings listed below are selections from this book. Some other readings listed here are hand-outs which will be provided by the instructor.

Topical Course Outline and Reading Assignments

- I. (Session 1) Introduction. What is Biomedical Ethics?
- II. (Session 2) A Practical Moral Dilemma: Should We Use the Pernkopf *Anatomy*? pp. 40-41.

III. Some Sources for Thinking about Medical Ethics.

- 1. (Session 3) Professional Ethics in the History of Medicine
- 2. Medical Ethics as a Subdiscipline of Moral Philosophy

- a. Three Types of Normative Ethical Theory.

- (Session 4) Consequentialism. *Read* “Basic Ethical Theories: Utilitarianism,” pp. 742-750.

- (Session 5) Deontological Ethics. *Read* “Kant’s Ethics” and “Ross’s Ethics,” pp. 750-759.

- (Session 6) Virtue Ethics: A Thomist Adaptation. *Read* “‘Natural Law’ Ethics,” pp. 764-769.

- b. Five Fundamental Moral Principles in Medical Ethics.

- (Session 7) *Read* “Major Moral Principles: Nonmaleficence, Beneficence, and Utility,” pp. 769-774.

- (Session 8) *Read* “Distributive Justice and Autonomy,” pp. 774-781.

IV. (Session 9) **Mid-term Examination**

V. Applications of Biomedical Ethics: Some Major Moral Controversies in Medicine.

- 1. Abortion

- (Session 10) *Read* “When Abortion Was Illegal: Mrs. Sherry Finkbine and the Thalidomide Tragedy,” pp. 572-573; “Briefing Session,” pp. 548-554; Baruch Brody, “Opposition to Abortion: A Human Rights Approach” [hand-out]; and Mary Anne Warren, “On the Moral and Legal Status of Abortion” pp. 586-594.

- (Session 11) Discussion of Decision Scenarios [to be assigned], pp. 617-621.

- 2. Patient Autonomy

- (Session 12) *Read* “Autonomy,” “Paternalism,” and “Informed Consent and Medical Treatment,” pp. 102-108; Alexander Morgan Capron, “Punishing Mothers,” pp. 143-147; and John A. Robertson and Joseph D. Schulman, “Pregnancy and Prenatal Harm to Offspring,” pp. 147-152.

- (Session 13) Discussion of Decision Scenarios 2 & 3, pp. 170-171.

3. Must Doctors Always Tell the Truth?
(Session 14) *Read* “Truth Telling in Medicine,” and “Dignity and Consent,” pp.108-110; Mack Lipkin, “On Telling Patients the Truth,” pp.152-154; Susan Cullen and Margaret Klein, “Respect for Patients, Physicians, and the Truth,” pp. 154-161.
(Session 15) Discussion of Decision Scenario 4, pp. 171-172.
4. The Duty of Confidentiality
(Session 16) *Read* “Confidentiality (Privacy)” and “Ethical Theories: Autonomy, Truth Telling, Confidentiality,”pp.110-116; Mark Siegler, “Confidentiality in Medicine – A Decrepit Concept,”pp. 161-164; and Supreme Court of California, “Decision in the *Tarasoff* Case,”pp. 164-169.
(Session 17) Discussion of Decision Scenario 7, p.173.
5. Medical Futility
(Session 18) Persistent Vegetative States. *Read* “Karen Quinlan: The Debate Begins;” “Briefing Session” and “Social Context” feature on the Oregon law; and The *Cruzan* case.
(Session 19) Discussion of Decision Scenarios [to be assigned].
6. Physician-Assistance in Dying
(Session 20) Voluntary Euthanasia. *Read* James Rachels, “Active and Passive Euthanasia;” and Daniel Callahan, “When Self-Determination Runs Amok.”
(Session 21) Discussion of Decision Scenarios [to be assigned].
7. Is There a Right to Genetic Knowledge?
(Session 22) *Read* Genetic Intervention: Screening, Counseling, and Diagnosis, 277-288; Robert Wachbroit, “Disowning Knowledge: Issues in Genetic Testing,” 355-359.
8. Race Issues in Medicine
(Session 23) *Read* Case Presentation: Bad Blood, Bad Faith: The Tuskegee Syphilis Study, 212; Briefing Session, 215; African Americans and Health Care, 215-219; Patricia A, King, “The Dangers of Difference: The Legacy of the Tuskegee Syphilis Study,” 238-241; Annette Dula, “Bioethics: The Need for a Dialogue with African Americans,” 258-264.
9. Allocating Scarce Medical Resources
(Session 24) *Read* “Briefing Session;” “Social Context: Acquiring and Allocating Transplant Organs;” Nicholas Rescher, “The Allocation of Exotic Medical Lifesaving Therapy;” and Carl Cohen, Martin Benjamin, *et al.*, “Alcoholics and Liver Transplantation.”

(Session 25) The Elfrick Case. Discussion of Decision Scenarios [to be assigned].
(Session 26 *Read* Michael Kinsley, "Take My Kidney, Please."
(Session 27) Discussion of Decision Scenarios 3 & 4.

VI. (Session 28) Review for Final Exam **[ALL ASSIGNED PAPERS DUE TODAY]**

VII. **Final Examination** [date TBA]

Method of Instruction

Each topic is introduced by a brief lecture, with the rest of the class session given over to discussion as needed. Second and successive sessions on a topic are devoted to open discussion.

Evaluation Methods and Course Requirements

Philosophy 279 will be presented as a series of lectures, seminar presentations, and discussions organized around a program of directed readings. These will include some selections on ethical theory and some contemporary essays by philosophers, physicians, legal scholars, and other writers who argue for positions on controversial issues in biomedical ethics. Lectures in the first part of the course will be focused largely on ethical principles in medicine and elements of theory in moral philosophy, with the rest of the semester devoted entirely to discussions of the applications of theory to practical moral dilemmas in medicine. The aim will be to see how normative ethical theories can be understood to inform the most important principles of professional ethics and enable us to think *systematically* about these problems, with an eye toward resolving them in actual cases.

Because the assigned readings are of central importance, and because the problems discussed in the course presuppose a familiarity with the elements of ethical theory dealt with at the very beginning, it is crucial that students follow the schedule of readings as prescribed here and attend class regularly. The seminar presentations and discussions will focus on topics that are intended to be provocative and controversial, with the aim of encouraging debate.

A student's grade for this course will be determined on the basis of her or his performance on two essay examinations and an assigned paper, with each of these three elements counted as 33.33% of the total score. The semester grade may be further adjusted to take into account the student's oral contributions in class discussions and overall attentiveness and seriousness about her or his work. Any missed examination will be counted as an F, with no make-up permitted unless the instructor is presented with written documentation of the alleged justification of an exception.

Papers should be five to ten pages in length and focused on a topic clearly related to the subject matter of the course. All paper topics must be approved in advance by the instructor. Papers are due on the last day of class, and *any paper submitted later than that will not be accepted. There are no exceptions to this rule.*

Students are expected to do their own work and not attempt to present as theirs something that was actually written by someone else. *Any plagiarism or other dishonesty in examinations or in assigned papers will be treated as an offense of the most serious kind. It will result in a grade of F for that assignment, with no make-up permitted.*

Resources Required for the Course: Personnel, Financial, Physical

The course requires an instructor who is a philosopher (that is, who holds at least one advanced degree in philosophy from an accredited institution) and who has expertise in the interdisciplinary field of biomedical ethics; thus appropriate remuneration in accordance with rank must be budgeted for. The course also requires a “smart classroom” with capacity for either overhead camera or computer projector, and for PowerPoint presentations. Some instructors will want to use videos, so video projection capacity must be available as well.

Getting in Touch

Students are strongly encouraged to consult with the instructor if they encounter special difficulty with the assigned material, or if they have any questions about the subject. Regular office hours will be scheduled for this purpose, during which the instructor will always be available for consultation, with no appointment necessary.

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