

PHIL 335

MEDICAL ETHICS

WINTER 2017

Instructor: Joshua August Skorburg

Meets: T,R 10:00 - 11:50 AM, FEN 105

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Office Hours: Wednesday 8:00-10:00 AM in SCH 158A, or by appointment

COURSE DESCRIPTION

From questions about the permissibility of human subjects research to the ongoing debate about health care, this course surveys some of the most important social questions of our time: Is an embryo a person? How do our answers to this question inform our views about abortion? Or stem cell research? Is there any moral difference between active and passive euthanasia? Should we experiment on human beings? Do we, as members of an advanced society, have a right to health care? In this class, you will develop a baseline knowledge about issues in biomedical ethics, and you will develop the tools to analyze and evaluate conflicting positions on complex moral issues. In this class, we are not merely interested in what certain people believe, but rather, whether the reasons they give for their beliefs are good ones.

MORE SPECIFICALLY

We will study the legal, moral, and philosophical debates surrounding emerging biomedical technologies, policies, and practices. The course begins with a (very) brief introduction to philosophical methodology and then takes up applied and theoretical questions about abortion, autonomy, confidentiality, consent, research, enhancement, reproduction, euthanasia, and healthcare. The study of biomedical ethics, by its very nature, promotes open inquiry from a variety of perspectives. In this course, you will learn how to approach complex ethical 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.

LEARNING OUTCOMES

After taking this course, you should be able to: recognize and identify moral arguments (and non-arguments), analyze and evaluate moral arguments (and non-arguments), recognize and identify fallacies in moral reasoning, formulate original and coherent moral arguments in a variety of media, and most importantly, actively participate in respectful and critical public discourse about contemporary moral problems. As an upper-division philosophy offering, the course should sharpen your ability to think carefully, read critically, and write clearly.

READING

Required Text: Vaughn, L. (2016). *Bioethics – Principles, Issues, and Cases*. 3rd Edition. Oxford University Press. ISBN: 9780190250102. Additional and recommended materials will be posted on Canvas, and noted in the schedule below.

ASSESSMENT

This is an upper-level undergraduate course in philosophy, so I have two main goals for you: to establish a baseline of knowledge about issues in biomedical ethics, and to develop the ability to critically and meaningfully engage with philosophical arguments. To that end, I will assign two exams and two papers. The breakdown of the value of assignments is as follows:

Exams	35%
Papers	35%
Attendance/participation	30%

EXAMS

There will be two in-class exams, each worth 17.5% of your final grade. The exams will be based on all material covered up until that point. They will involve both short answers and a few longer essay-style questions.

TERM PAPERS

You will write two short term papers (~5 double spaced pages) on a topic I will assign. Each paper will be worth 17.5% of your final grade. Paper prompts, writing strategies, grading criteria, etc., will be discussed in class in advance of the due dates.

ATTENDANCE/PARTICIPATION

Philosophy happens through discussion. It is therefore of the utmost importance that you attend class and participate. I will keep track of attendance by way of 10 randomly assigned attendance quizzes throughout the term. The quizzes will be given at the beginning of the class period. There will be no make-up quizzes given. Excused absences will be granted for documented emergencies, or matters discussed with me **AHEAD** of time.

In addition to showing up, you need to be prepared to participate. This includes **showing up on time, actively speaking or listening, paying attention** to what the other students have to say, **taking notes, asking questions**, etc. And of course it includes **not** sleeping, texting, snapchatting, emailing, tweeting, facebooking, instagraming, yikyaking, etc.

Participation also includes **weekly responses**: you are required to e-mail me a response by 10 PM every Wednesday evening. The subject line of your email **MUST** read "PHIL 335 Weekly Response." These responses should be between 100 and 200 words. The content of the response is up to you, but all responses should deal with the reading assigned for that week and/or the discussion in class. You may want to choose a sentence or paragraph you found especially provocative, difficult, or remarkable, then explain why you found it so. Alternatively, you may want to argue that one of the authors is right or wrong in making some particular claim. Or you may wish to connect two passages in the reading that illuminate each other. You may even just pick a passage and ask questions about it. You may also highlight points that arose in class discussion that you think warrant further discussion. Given the current political climate, you will likely find plenty of relevant material in the news, and I encourage you to engage with it, when appropriate. Your

responses will guide what we address in class, and I will sometimes quote from them, so please take them seriously.

CRITERIA

What kind of paper deserves an “A,” “B,” etc.?

The following rubric reflects the general standards of the Philosophy Department at the University of Oregon:

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 - OK. 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.

Grading Scale:

A = 100-93%	B+ = 89-87%	C+ = 79-77%	D+ = 69-67%	F = 59%
A- = 92-90%	B = 86-83%	C = 76-73%	D = 66-63%	and below
	B- = 82-80%	C- = 72-70%	D- = 62-60%	

ACCESSIBILITY

Any student needing accommodation based on the impact of a disability should contact me privately to discuss specific needs. Students with documented disabilities should contact the Accessible Education Center (online: <http://aec.uoregon.edu>)

ACADEMIC DISHONESTY

From the University Policy on Academic Misconduct: “Plagiarism” means using the ideas or writings of another as one’s own. It includes, but is not limited to: (a) The use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement; and (b) The unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

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 fully acknowledged. If you have any questions about how this definition will be interpreted, ***please do not hesitate to discuss the matter with me.*** Also, you can look to the UO Libraries Student Guide to Plagiarism: <http://library.uoregon.edu/guides/plagiarism/students/index.html>

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 I will do my 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’s policy on plagiarism, see the following website: <http://libweb.uoregon.edu/guides/plagiarism/students/>

ELECTRONICS

You are all adults, and I trust that you can make the best decision for you about how to take notes in this class. For some of you that will mean old-fashioned paper and pen. For others, that will mean a laptop, tablet, or other electronic device. (For what its worth, a recent study indicates that taking notes by hand (as opposed to on a laptop) is more effective for the kinds of tasks you'll encounter in this course: <http://www.psychologicalscience.org/index.php/news/releases/take-notes-by-hand-for-better-long-term-comprehension.html>)

Here's the deal: by using your electronic devices in class, you hereby consent that at any time during class, you are willing to send me a copy of the notes you have taken on that electronic device. Your ability to do so (or not do so) will be reflected in your participation grade. If you can't agree to these terms, you can't use electronic devices in class.

COMMUNICATION and EXPECTATION

I WILL DO MY BEST TO CREATE AN OPEN, SAFE, AND PRODUCTIVE ENVIRONMENT TO ENCOURAGE CRITICAL THINKING AND DEBATE THROUGHOUT THE COURSE. I WILL TREAT EVERYONE FAIRLY AND WITH RESPECT. IN RETURN, I EXPECT YOU TO DO YOUR BEST TO TREAT EVERYONE FAIRLY AND WITH RESPECT. I WANT ALL OF US TO HOLD EACH OTHER ACCOUNTABLE. FOR THIS, COMMUNICATION IS KEY. PLEASE COME AND TALK TO ME IF ANYTHING IS BOTHERING YOU. THE SUBJECT MATTER WILL AT TIMES BE SENSITIVE AND THE DISCUSSIONS MAY BE HEATED – AND THIS IS FINE, AS LONG AS WE DON'T STOP COMMUNICATING. YOU CAN EXPECT ME TO ARRIVE PREPARED AND ON TIME FOR CLASS. I WILL EXPECT YOU TO ARRIVE PREPARED AND ON TIME FOR CLASS. YOU CAN EXPECT ME TO REPLY PROMPTLY TO E-MAILS, AND I WILL EXPECT THE SAME OF YOU.

SCHEDULE OF READINGS AND ASSIGNMENTS (SUBJECT TO CHANGE). ALL PAGE REFERENCES ARE TO THE THIRD EDITION OF VAUGHN'S *BIOETHICS*.

Week & Theme	Assignment
Week 1: Moral Reasoning	T: Vaughn, “Chapter 1. Moral Reasoning in Bioethics” (pp. 3-33).
	R: Vaughn, “Chapter 2. Bioethics and Moral Theories” (pp. 34-53); <i>Recommended:</i> R. Macklin, “Ethical Relativism in a Multicultural Society” (pp. 180-190).
Week 2: Abortion	T: M.A. Warren, “On the Moral and Legal Status of Abortion” (pp. 352-363); J.T. Noonan, “An Almost Absolute Value in History” (pp. 348-352); <i>Recommended:</i> Vaughn, “Chapter 7. Abortion” (pp. 309-325).
	R: J.J. Thomson, “A Defense of Abortion” (pp. 326-335); D. Marquis, “Why Abortion is Immoral (pp. 336-348); <i>Recommended:</i> M. Le Nabat, “Is Abortion Candy?” [pdf on Canvas]
Week 3: Autonomy and Paternalism	T: Exam One
	R: Vaughn, “Chapter 3. Paternalism and Patient Autonomy” (pp. 81-93); Dworkin, “Paternalism” (pp. 94-103); <i>Recommended:</i> Nudges Blog [link on Canvas]
Week 4: Truth-Telling and Confidentiality	T: D. Thomaasma, “Telling the Truth to Patients” (pp. 155-159); M. Lipkin, “On Telling Patients the Truth” (pp. 159-161); S.K. Schwartz, “Is it ever OK to Lie to Patients?” (pp. 161-164); S. Cullen & M. Klein, “Respect for Patients, Physicians, and the Truth” (pp. 164-172). <i>Recommended:</i> Vaughn, “Chapter 4. Truth-Telling and Confidentiality” (pp. 144-154).
	R: J. Rachels, “Why Privacy is Important” (pp. 172-177); M. Siegler, “Confidentiality in Medicine” (pp. 177-180); Supreme Court of California, “Tarasoff v. Regents” (pp. 191-195).
Week 5: Informed Consent	T: Vaughn, “Chapter 5. Informed Consent” (pp. 196-208); R. Faden & T. Beauchamp, “The Concept of Informed Consent” (pp. 208-222).
	R: H. Brody, “Transparency” (pp. 223-229); R.J. Levine “Some Challenges to the Western Model” (pp. 229-235); <i>Recommended:</i> N. Twilley, “Can Hypothermia Save Gunshot Victims?” [pdf on Canvas].
	Sun., Feb 12: Paper One Due by 10:00PM

Week 6: Human Subjects Research	T: Vaughn, “Chapter 6. Human Research” (pp. 239-259)
	R: A.M. Brandt, “Racism and Research” (pp. 285-297); M. Angell “Ethics of Clinical Research in the Third World” (pp. 287-301); B. Brody, “Ethical Issues in Clinical Trials in Developing Countries” (pp. 301-305); <i>Recommended: “Nuremberg Code (pp. 259-260); “Declaration of Helsinki” (pp 260-263; “The Belmont Report” (p. 263-266).</i>
Week 7: Genetic Enhancement	T: Vaughn, “Chapter 9. Genetic Choices” (pp. 539-560); J. Savulescu, “Genetic Interventions and Enhancements” (pp. 605-613).
	R: EXAM TWO
Week 8: Reproductive Technologies	T: P. Singer “IVF: The Simple Choice” (pp. 429-432); Roman Catholic Church “Respect for Life and Dignity of Procreation” (pp. 456-465); E. Anderson, “Is Women’s Labor a Commodity?” (pp. 483-494).
	R: L. Kass, “The Wisdom of Repugnance” (pp. 504-519); <i>Recommended: Vaughn, “Chapter 8. Reproductive Technology” (pp. 409-428).</i>
Week 9: Euthanasia	T: Vaughn, “Chapter 10. Euthanasia and Physician-Assisted Suicide” (pp. 625-641); D. Callahan, “When Self-Determination Runs Amok” (pp. 658-652); J.D. Arras, “A Tragic View” (pp. 663-677); <i>Recommended: J. Rachels “Active and Passive Euthanasia” (pp. 678-682); Dworkin et al., “Philosophers’ Brief” (pp. 693-701).</i>
	R: “How to Die in Oregon” [film shown in class]
Week 10: Health Care	T: N. Daniels, “Is There a Right to Healthcare?” (pp. 736-742); A.E. Buchanan “The Right to a Decent Minimum” (pp. 743-748); H.T. Engelhardt, “Rights to Healthcare: Frustrations” (pp. 749-757).
	Course Outro; <i>Recommended: Radiolab, “Playing God”</i> [podcast available on Canvas]
Finals Week	Mon, Mar 20: PAPER 2 DUE by 10:00AM