

PHIL 335: Medical Ethics

Spring 2015 CRN:

MW 12-150

Instructor: Megan M. Burke
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Office: Knight Library 412
Office Hours: W 2-4pm

Course Description:

When it comes to medicinal practices and healthcare, the stakes are high. *Who will live? Who will die? Who will decide?* These are questions that center on issues of both moral principle and real world consequences. Some of the toughest decisions doctors, patients, and hospitals have to make are about more personal matters like whether to provide specific controversial treatments and what weight to give to patient autonomy. These are issues that mark lives deeply and sometimes end them, which makes such medical issues both ethical and political ones. This course will examine some of the ethical issues faced by Western medical professionals, various ethical decisions we make as a society that affect medical practice, and the fundamental moral principles, and ethical values that underlie our view of the place of medical practices in our lives. We will also examine how normative expectations of gender, sexuality, race, and class come to impact the decisions made in and practices of Western medicine. Taken together, we will consider how all of these discussions allow us to think through the politics of life today.

Learning Outcomes:

At the end of this course, students are expected to:

1. Learn and understand moral frameworks and in what way they can be applied to medical contexts, issues, and questions
2. Understand key issues in Western medical ethics
3. Know how to reasonably analyze and evaluate arguments and ethical claims
4. Know how to identify biopolitical issues and questions

Required Texts: L. Vaughn, Ed. *Bioethics-Principles, Issues, and Cases*

Additional readings are on Blackboard. You must have a hard copy of each reading in class.

Assignments and Evaluations: This is a discussion and writing intensive class. You will be graded to a standard of merit, not a curve (i.e. it's possible for everyone to get an A or a D!)

1. **Citizenship (20%).** This is about forming a philosophical community over the course of the term, and giving you credit for the critical, in-depth reading you are required to do. Citizenship means being present in class as well as being active and engaged. Students who earn high grades for citizenship typically miss few, if any, class periods, always come prepared with reading completed and notes and questions on the day's topics. As part of your citizenship grade, you will take up to 2 reading quizzes each week. These quizzes are closed book and will be given at the beginning of class. Missing 2 or more quizzes and/or bombing many quizzes will result in at least a B grade. If you do not come to class with your course

- readings on a regular basis, your grade will be negatively impacted. In other words, attendance is necessary and come prepared! Further grading criteria for citizenship will be provided.
2. **Midterm Take Home Exam (30%)** This will be a short answer/long essay exam due in-class on the Monday of Week 5. Questions will be distributed in Week 4.
 3. **Short Paper (20%)** Prompt Distributed in Week 8. Due in Week 9.
 4. **Final Paper (30%)** Prompts to be distributed in Week 9. Due during finals week.

Grading

The following rubric reflects the general standards of the Philosophy Department at the University of Oregon, which I will follow in the evaluations of your papers for this course:

- 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.

What counts as “excellent” depends on the nature and level of the class. Given our course, “errors” refer to fundamental misunderstandings of the text, general sloppiness, and not giving serious consideration into your work.

Citizenship Grading

- A- Exceptional:** To achieve an A the expectations are that student has perfect attendance in discussion section and near perfect attendance at lecture (2 absences), she/he/they are clearly prepared for each class, consistently contributes to and brings the conversation to a deeper level, without dominating the discussion to such an extent that it inhibits participation by other students.
- B- Very Good.** To achieve a B, expectations are that the student will have very good attendance at lectures (no more than 3 absences) and are prepared for class. Takes a very active role in discussion section and remarks are consistently helpful and on topic.
- C- Good.** To achieve a C expectations are that the student will have good attendance (4 or more absences) and is mostly prepared for class. Participates in discussions, but not consistently.
- D-Poor.** To achieve a D expectations are that the student will miss no more than four classes. Participates in discussions sporadically.
- F-Failing.** Misses more than four lectures and/or is not a positive contributor to discussions.

Course Policies:

- **Classroom Community.** This course will be taught in active dialogue. That is, while I will lecture to provide adequate background information and textual clarification, I expect every student to participate in thoughtful textual analysis and classroom discussion. All students are expected and required to agree to a code of responsibility and confidentiality with regard to any personal information shared in this class. I expect all students to conduct themselves in a respectful and sensitive manner so as to promote an atmosphere of openness and trust. There is a no tolerance policy for hate or disrespect with regard to anyone’s sexuality, gender, race, ethnicity, etc.

- **Attendance is mandatory.** Habitual lateness or leaving early will count as being absent.
- **Computers and Cell Phones may not be used in class.** This is a strict policy.
- **Assignments.** You must complete ALL assignments to pass the class. Late assignments are not accepted unless you have an excused absence.
- **Plagiarism will not be tolerated.** I closely follow the university's policies on academic honesty, cheating, fabrication, helping others cheat, or plagiarism. Any of these offenses results in a failing grade and being reported to the University authorities.
- **Disability Policy.** Please let me know in the first week of class if you require academic accommodations based on a disability registered with Disability Services. If you have a barrier to learning (registered or not), I will be happy to discuss this with you.

Class Schedule:

Please note that I reserve the right to change the schedule as necessary. Any changes will be announced in class and via e-mail. You are responsible for being aware of any changes, even if you have missed class

Section 1: Moral Reasoning

Week 1

M: *Moral Reasoning in Bioethics* (pgs 3-30)

W: *Bioethics and Moral Theories* (pgs 30-48)

Week 2 **Paternalism, Autonomy, and Consent**

M: Paternalism and Patient Autonomy (pgs 51-63)

G. Dworkin, "Paternalism" (pgs 63-73)

W: Informed Consent (pgs 144-149)

J. Katz, "Informed Consent—Must It Remain a Fairy Tale?" (pgs 159-168)

J. Savulescu and R. W. Momeyer, "Should Informed Consent Be Based on Rational Beliefs?" (pgs 175-183)

Week 3 **Capacities and Patient Care**

M: Peter Singer, "Speciesism and Moral Status"

Agnieszka Jaworksa, "Caring and Full Moral Status Redux"

W: Eva Kittay, "The Personal is Philosophical is Political..."

McMahan, "The Morality of Screening for Disability" (pgs 491-495)

Week 4 **Power and Patient Care**

M: VR Randall, "Slavery, Segregation and Racism: Trusting the Health Care System Ain't Always Easy--An African American Perspective on Bioethics" (BB)

Dorothy Roberts, "Reconstructing the Patient: Starting with Women of Color" (BB)

W: GR Bauer, Hammond R, et al "I Don't Think This Is Theoretical; This Is Our Lives": How Erasure Impacts Health Care for Transgender People" (BB)

Week 5 **Abortion**

M: JJ Thomson, "A Defense of Abortion" (pgs 269-279)
MA Warren "On the Moral and Legal Status of Abortion (pgs 291-301)
JT Noonan, Jr, "An Almost Absolute Value in History" (pgs 301-305)
D. Marquis, "Why Abortion is Immoral" (pgs 279-291)
R: Judith Arcana, "Abortion is a Motherhood Issue" (BB)
Jane English, "Abortion and the Concept of a Person" (pgs 310-316)

Week 6 **HIV/AIDS**

M: Jeffrey Weeks, "AIDS and the Regulation of Sexuality" (BB)
Clip from Documentary: *We Were Here*
W: Faden, Kass, and McGraw, "Women as Vessels and Vectors: Lessons from the HIV Epidemic" (BB)
Clip from Documentary: *Positive Youth*

Week 7 **Medical Practices and Intersex/Transgender Bodies**

M: Anne Fausto-Sterling, "Of Gender and Genitals: The Use and Abuse of the Modern Intersexual" (BB)
Elizabeth Reis, excerpts fro *Bodies in Doubt* (BB)
W: Benjamin Singer, Singer, "From the Medical Gaze to Sublime Mutations: The Ethics of (Re)Viewing Non-normative Body Images" (BB)

Week 8 **Euthanasia and Experimenting with Human Subjects**

M: *Euthanasia and Physician Assisted Suicide* (pgs. 526-542)
J. Rachels, "Active and Passive Euthanasia," (pgs. 580-584)
D. Brock, "Voluntary Active Euthanasia," (pgs. 545-556)
W: The Nuremberg Code (1946) (pgs. 213-214)
The Belmont Report (1979) (pgs. 217-220)
Hellman & Hellman, "Of Mice but Not Men" (pgs 226-231)
Freedman, "A Response to Purported Ethical Difficulty with RCTs Involving Cancer Patients," (pgs. 231-235)

Week 9 **Health Care and Justice**

M: Memorial Day Holiday- No Class
W: N. Daniels, "Is There a Right to Health Care and, if So, What Does It Encompass?" (pgs. 627-634)
Buchanan, "The Right to a Decent Minimum of Health Care," (pgs. 634-640)

Week 10 **Biopolitics- The Politics of Life**

M: Foucault, Right of Death and Power over Life (BB)
Foucault, From Man as body to Man as species (*Society Must be Defended*, 17 March, 1976) (BB)
W: Rabinow & Rose, Biopower Today (BB)