

**Advanced Studies in Bioethics
Philosophy/Biomedical Ethics 370**

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Office Hours: Tuesday and Thursday 2:30 – 4:30

I. Texts:

Selected Photocopied Readings

II. Class Goals:

Advanced Studies in Bioethics provides us with an opportunity to focus on a few issues in Bioethics and explore them in detail. This term we will focus primarily on issues that surround death and dying. We will investigate questions about the definition of death, the freedom of individual patients to make choices about the manner of their death, how we should make decisions for individuals who are not competent, and physician-assisted suicide. These issues are interesting and important in their own right, but they also highlight classic philosophical questions. Consequently, our studies will highlight philosophical themes such as the nature of human freedom, the nature of well-being, and the nature of personal identity.

III. Grading:

Reflection Papers	50%
Term Paper	40%
Participation	10%

Reflection Papers: One of the major components of the class will be the completion of two short reflection papers (1-2 single spaced pages). Each reflection paper will be orally presented during class (you will not be graded on the presentation but we will use your paper to focus class discussion). ***An extra copy of your paper should be submitted to me at the beginning of class.*** Late papers will not be accepted. If you have a conflict with the date that you have signed up for you must find another student in class willing to trade with you.

When I grade your paper I will use the following criteria:

1. Organization and Clarity:

Your paper should have one clear, precise sentence for your thesis.

Your thesis should be the last sentence of your first paragraph.

Your thesis should clearly limit the scope of your discussion

Your thesis should be the organizing idea for your paper.

The introductory paragraph should provide a context making it easier for the reader/listener to understand the significance of your thesis.

The topic sentences of your supporting paragraphs should provide reasons why the reader/listener should accept your thesis.

The body of each supporting paragraph should provide reasons why the reader/listener should believe the topic sentence of that paragraph.

2. Description of the Text:

References to the text should be accurate and not mislead.

You should not overlook parts of the text that are relevant for your argument.

You should strive to make the ideas in the text as easy to understand as possible.

3. Argument:

Your paper should go beyond a mere description of the text by analyzing the plausibility of one or more arguments in the text. You may do this by criticizing arguments, siding with

one author against another, providing counter examples, or providing further support for an author's position.

Write to an audience of other undergraduate philosophy students. Because the members of your audience are diverse you should not presume that they hold specific religious or ideological views.

Term Paper: You are required to write one term paper that focuses on an issue in class. All of the criteria, with one exception, that are used to judge the reflection papers are also used to judge the term paper. The one exception is that the term paper should be written to a professional audience who might be familiar with works on the subject. To help you accomplish this, the assignment will be divided into a three step process:

1. The first step in completing this assignment is to pick a topic area (or normative question to address) and construct a bibliography. The bibliography may go to sources outside your readings, but if your topic is covered extensively by the course readings I won't require it. The topic may be an expansion of one of your reflection papers. You should give me your topic area and bibliography sometime during office hours *before* Feb 8 reading period.
2. The next step is to generate a thesis and general strategy for your argument – what are you going to argue for and how are you going to do it? I'll post a sign up sheet for appointments to have a conference during office hours. The time slots will be during 7th and 8th week.
3. Finally, you will write one paper, 5-6 single spaced pages, and deliver it to me by 11:30 Friday, March 16.

Class Participation: You are expected to come to class and participate in classroom discussion. Excellent participation may raise your final grade and poor participation (including excessive absences and a failure to participate in discussion) may lower your final grade.

IV. Schedule

A. Foundations

Week 1: Jan 3 – Jan 5

Wed: Introduction

Fri: *The Belmont Report*, Tom Beauchamp and James Childress, "Moral Norms" and "Moral Theories," *Principles of Biomedical Ethics*, 5th Edition (Oxford University Press, 2001).

Week 2: Jan 8 – Jan 12

Mon: Jonathan Baron, "Introduction," "Bioethics vs. Utilitarianism," "Utilitarianism and Decision Analysis," and "Death and the Value of Life."

Wed: Beauchamp and James Childress, "Method and Moral Justification," Madison Powers, "Bioethics as Politics: The Limits of Moral Expertise."

Fri: Albert Jonsen, Mark Siegler, and William Winslade, "Introduction," *Clinical Ethics*; Carson Strong, "Specified Principlism: What is it, and Does it Really Resolve Cases Better than Casuistry?"

Week 3: Jan 15 – Jan 19

Mon: *Martin Luther King, Jr. Day*

Wed: Ruth Macklin, "The New Conservatives in Bioethics: Who Are They and What Do They Seek?" Eric Cohen, "Conservative Bioethics & The Search for Wisdom."

B. Freedom and Paternalism

Fri: Gerald Dworkin, "Paternalism;" Joel Feinberg, "Legal Paternalism;" Patrick Boleyn-Fitzgerald, "Liberalism, Euthanasia, and the Right to be Eaten."

Week 4: Jan 22 – Jan 26

- Mon: I Brassington, "Body art and medical need;" William Saletan, "Among the Transhumanists;" M. J. McNamee, S. D. Edwards, "Transhumanism, medical technology and slippery slopes;" Jonathan Baron, "Going Against Nature."
- Wed: *Canterbury v. Spence*, Jay Katz, "Physicians and Patients: A History of Silence;" Ruth Faden and Tom Beauchamp, "The Concept of Informed Consent;" Rebecca Kula, "Conscientious Autonomy: Displacing Decisions in Health Care;" Case Study: Before He Wakes.
- Fri: Jennifer Hawkins and Ezekiel Emanuel, "Clarifying Confusions about Coercion" Jonathan Baron, "Coercion and Consent;" Case study: Beneficence Today, or Autonomy (Maybe) Tomorrow? Case study: Moral Priorities in a Teaching Hospital.

Week 5: Jan 29 – Feb 2

- Mon: Christopher Meyers, "Cruel Choices: Autonomy and Critical Care Decision-Making;" T. Vince, A. Petros, "Should children's autonomy be respected by telling them of their imminent death?" D. Godkin, "Should children's autonomy be respected by telling them of their imminent death?" Priscilla Alderson, Katy Sutcliffe, and Katherine Curtus, "Children's Competence to Consent to Medical Treatment."
- C. Competence and Identity**
- Wed: *State of Tennessee Department of Human Services v. Mary C. Northern*; Allen Buchanan and Dan Brock, "Deciding for Others: Competency;" T. Szasz, "Idiots, infants, and the insane': mental illness and legal incompetence;" P. L. Schneider, K. A. Bramstedt, "When psychiatry and bioethics disagree about patient decision making capacity (DMC);" Case: "Ain't Nobody Gonna Cut My Head!"
- Fri: Derek Parfit, "Divided Minds and the Nature of Persons;" Grant Gillett, "You Always Were a Bastard;" David Hershenov, "Do Dead Bodies Pose a Problem for Biological Approaches to Personal Identity?" Case: "The Forgetful Mourner."

Week 6: Feb 5 – Feb 9

- Mon: G. Gillett, "Cyborgs and moral identity;" A. Chatterjee, "The promise and predicament of cosmetic neurology;" B. A. Manninen, "Medicating the mind: a Kantian analysis of overprescribing psychoactive drugs."
- Wed: Adrian Owens, et. al., "Detecting Awareness in the Vegetative State," Lionel Naccache, "Is She Conscious?" William Saletan, "The Unspeakable," CNN.com, "Man's brain rewired itself after crash severed nerve connections," Joseph Fins and Nicholas Schiff, "Shades of Gray: New Insights into the Vegetative State;" Joseph Fins and Nicholas Schiff, "The Afterlife of Terri Schiavo;" Thomas Mappes, "Persistent Vegetative State, Prospective Thinking, and Advance Directives."
- Thurs: Topic area and bibliography due.
- Fri: *Reading Period*

D. Withholding and Withdrawing Care

Week 7: Feb 12 – Feb 16

- Mon: *Cruzan v. Director, Missouri Department of Health.*; Ronald Dworkin, "Life Past Reason," Rebecca Dresser, "Dworkin on Dementia: Elegant Theory, Questionable Policy;" Case study: "Say What You Mean and Mean What You Say: A Patient's Conflicting Preferences for Care."
- Wed: Angela Fagerlin and Carl Schneider, "Enough: The Failure of the Living Will;" Susan Hickman, Bernard Hammes, Alvin Moss, and Susan Tolle, "Hope for the Future Achieving the Original Intent of Advance Directives;" Ho Mun Chan, "Sharing Death and Dying: Advance Directives, Autonomy and the Family."
- Fri: Jay Wolfson, "Erring on the Side of Theresa Schiavo: Reflections of the Special Guardian ad Litem;" Rebecca Dresser, "Schiavo's Legacy: The Need for an Objective Standard" Eric Cassell, "The Schiavo Case: A Medical Perspective;" Carl E. Schneider, "Hard Cases and the Politics of Righteousness;" Alan Meisel, "The Role of Litigation in End of Life Care: A Reappraisal."

Week 8: Feb 19 – Feb 23

E. Defining and Evaluating Death

- Mon: Vincent Barry, "The Evil of Death;" Ben Bradley, "When Is Death Bad for the One Who Dies?"
- Wed: Report of the Ad hoc Committee of the Harvard Medical School to Examine the Definition of Brain Death, Steven Laureys, "Death, unconsciousness and the brain;" Margaret Lock, *Twice Dead: Organ Transplants and the Reinvention of Death*, pp. 130-166.
- Fri: Robert Veatch, "The Impending Collapse of the Whole-Brain Definition of Death;" Peter Singer, "Is the Sanctity of Life Ethic Terminally Ill?" David Hershenov, "The Problematic Role of 'Irreversibility' in the Definition of Death;" Baruch Brody, "How Much of the Brain Must be Dead?" Winston Chiong, "Brain Death without Definitions."

Week 9: Feb 26 – Mar 2

- Mon: J. M. Appel, "Defining death: when physicians and families differ;" Megan Crowley-Matoka and Robert Arnold, "The Dead Donor Rule: How Much Does the Public Care ... And How Much Should We Care?" Mark Wicclair and Michael DeVita, "Oversight of Research Involving the Dead."

F. Physician Assisted Suicide and Active Euthanasia

- Wed: John Hardwig, "Is There a Duty to Die?" Felicia Ackerman, "For Now Have I My Death: The 'Duty to Die' Versus The Duty to Help The Ill Stay Alive;" Martin Gunderson, "Being a Burden: Reflections on Refusing Medical Care"
- Fri: *Bouvia v. Superior Court*, *Washington v. Glucksberg*, Ronald Dworkin, "The Philosopher's Brief."

Week 10 Mar 5 – Mar 9

- Mon: Michael Tooley, "Euthanasia and Assisted Suicide;" John Arras, "Physician-Assisted Suicide: A Tragic View;" Margaret Battin, "Euthanasia: The Way We Do It, The Way They Do It;" Timothy Quill, Bernard Lo, and Dan Brock, "A Comparison of Voluntarily Stopping Eating and Drinking, Terminal Sedation, Physician-Assisted Suicide, and Voluntary Active Euthanasia."
- Wed: Henk Jochemsen and John Keown, "Voluntary Euthanasia under Control? Further Empirical Evidence from the Netherlands;" Johannes J. M. van Delden, "Slippery Slopes in Flat Countries—A Response;" Stephen Drake, "Euthanasia Is Out of Control in The Netherlands;" Eduard Verhagen and Pieter Sauer, "The Groningen Protocol – Euthanasia in Severely Ill Newborns;" A. B. Jotkowitz and S. Glick, "The Groningen protocol: another perspective;" Frank Chervenak, Laurence McCullough, and Birgit Arabin, "Why the Groningen Protocol Should be Rejected."
- Fri: B. Steinbock, "The case for physician assisted suicide: not (yet) proven;" E. Dahl, N. Levy, "The case for physician assisted suicide: how can it possibly be proven?" J. Coggon, "Arguing about physician-assisted suicide: a response to Steinbock"

Term Paper Due: 11:30 Friday, March 16.