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Office hours:  
Tue 10:30-11:30  
Fri 9:00-10:00

## *Philosophy 255: Medical Ethics*

SYLLABUS  
SPRING 2014

*Through a reading of both theoretical literature and case studies, we will examine a range of topics in the debates over medical ethics: issues of genetics, reproduction, death and dying, medical research and experimentation, involuntary psychiatric hospitalization and treatment, informed consent, confidentiality, and paternalism. On the theoretical side, we will look at competing frameworks philosophers have proposed as models for understanding and resolving issues of medical ethics and study basic concepts with which all such theories grapple (autonomy, nonmaleficence, beneficence, justice). On the practical side, we will examine the ways these theories and concepts are applied to actual cases and consider the relationships between philosophical-ethical reasoning and social, religious, and legal concerns.*

### **TEXTS**

- Tom L. Beauchamp and James F. Childress. *Principles of Biomedical Ethics*, 7th edition. Oxford: Oxford University Press, 2013.
- All other readings are on ReservesDirect. Be sure to download and print them out well in advance.

### **PAPERS**

- *Paper one*: 5-7 pages. First draft due March 17 . Please include all notes, outlines and drafts of the paper, as well as a 1-2 page “self-reflection” describing what you did from the time you began the paper to its completion. Revised paper due Wednesday, March 31. Include a cover letter describing the revision process.
- *Paper two*: 12-15 pages. First draft due Friday, May 9. Revised paper due Friday, May 23.
- *Instructions for writing your papers*: see pp. 6-7 below.
- *Extensions policy*: extensions for papers must be requested a week before the due date; I am reluctant to grant them except under very trying circumstances.
- *Incomplete policy*: I do not give incompletes at the end of the semester except in emergency situations.

### **EXPECTATIONS**

Attendance, arrival on time for class, being prepared to talk about the readings, regular participation in class discussions, preparation for and participation in the

formal debates, attendance at the writing lab classes, and handing in work on time are all important and will factor into your final grade.

***SOME USEFUL WEB SITES***

- The Journal of Medical Ethics: <http://jme.bmj.com>
- MedWeb Plus: <http://www.medwebplus.com/>
- Bioethics: Journal Articles On-Line:  
<http://wings.buffalo.edu/faculty/research/bioethics/journal.html>
- The New England Journal of Medicine: <http://www.nejm.org/content/index.asp>
- On-Line Full Text Articles Relating to Euthanasia:  
[http://www.acusd.edu/ethics/euthanasia.html#On-Line\\_Full\\_Text\\_Articles](http://www.acusd.edu/ethics/euthanasia.html#On-Line_Full_Text_Articles)
- Human Genome Project Information: Ethical, Legal, and Social Issues:  
[http://www.ornl.gov/TechResources/Human\\_Genome/resource/elsi.html](http://www.ornl.gov/TechResources/Human_Genome/resource/elsi.html)

***READINGS***

**I. INTRODUCTION: MEDICINE, MORALITY, AND ETHICAL THEORY**

- Jan 27      Course introduction.
- Jan 29      *Moral Norms*: Beauchamp and Childress, *Principles of Biomedical Ethics*, Chapter One, 1-25.
- Feb 3      *Moral Theories*: Beauchamp and Childress, Chapter Nine, 351-384.

**II. INFORMED CONSENT AND THE RIGHT TO REFUSE TREATMENT**

- Feb 5, 10    *The concept of autonomy and the question of informed consent*: Beauchamp and Childress, Chapter Four, 101-141.
- Feb 12      Alan Meisel and Mark Kuczewski, "Legal and Ethical Myths About Informed Consent," *Archives of Internal Medicine* 156 (1996): 2521-2526.
- Consent cases*: Robert M. Veatch, "Consent and the Right to Refuse Treatment," in Veatch, *Case Studies in Medical Ethics* (Cambridge: Harvard University Press, 1980), Chapter 12, 290-316.

**III. NONMALEFICENCE, KILLING AND LETTING DIE, AND THE QUESTION OF WHO SHOULD DECIDE**

- Feb 17, 19    *The concept of nonmaleficence; killing and letting die; physician-assisted suicide; proxy decision makers*: Beauchamp and Childress, Chapter Five, 140-192.

Feb 24, 26 *Supreme court physician assisted suicide cases: (1) Vacco v. Quill, 117 S. Ct. 2293 (1997); (2) Washington v. Glucksberg, 117 S. Ct. 2258, 138 L. Ed. 2d 772 (1997).*

Mar 3, 5 *Kevorkian, Bouvia, Collums, Cruzan, and Quinlan: Ronald Munson, Intervention and Reflection: Basic Issues in Medical Ethics, 5<sup>th</sup> edition (New York: Wadsworth, 1996), Chapter 3, "Euthanasia," 148-59, 195-98.*

George J. Annas, "The Bell Tolls for a Constitutional Right to Physician-Assisted Suicide," *New England Journal of Medicine* 337 (1997): 1098-1103.

David Orentlicher, "The Supreme Court and Physician-Assisted Suicide: Rejecting Assisted Suicide but Embracing Euthanasia," *New England Journal of Medicine* 337 (1997): 1236-1239.

Marcia Angell, "Euthanasia in the Netherlands: Good News or Bad?" *New England Journal of Medicine* 335.22 (1996).

Franklin Miller and Diane Meier, "Voluntary Death: A Comparison of Terminal Dehydration and Physician-Assisted Suicide," *Annals of Internal Medicine* 128 (1998): 559-562.

Mar 6 (THURSDAY). Writing lab. 7:00 p.m. Olin 202. Attendance is required

Mar 10 DEBATE 1  
Teams A and B. *Resolved: Vacco v. Quill was decided correctly.*

Mar 12 DEBATE 2  
Teams C and D. *Resolved: Walshington v. Glucksberg was decided correctly.*

#### IV. PATERNALISM

Mar 17 *Beneficence and paternalism: Beauchamp and Childress, Chapter Six, 214-226. [\*\*\* ADD 214-229 \*\*\*]*

***PAPER # 1 FIRST DRAFT DUE.*** *Remember to include all notes and "self reflection."*

Mar 19 *Paternalism cases: Terrence F. Ackerman and Carson Strong, A Casebook of Medical Ethics (Oxford: Oxford University Press, 1989), Chapter 1, 3-14, 19-42: Ambivalence toward electroconvulsive therapy; treatment refusal in the medical ICU; an uncooperative leukemia patient; rehabilitation of a dependent patient; a family's refusal of blood*

*transfusions for a mother and her son; deciding whether to discharge a suicidal patient; request for sex-reassignment surgery; divulging information concerning an infant's condition; commentary.*

Mar 24, 26 *NO CLASS: Spring break*

## V. CONFIDENTIALITY

Mar 31 *Medical Confidentiality: Beauchamp and Childress, Chapter Eight, 316-324.*

Mark Siegler, "Confidentiality in Medicine — A Decrepit Concept," *New England Journal of Medicine* 307.24 (1982): 518-21; reprint from Munson, *Intervention and Reflection*, 298-301.

Decision in the *Tarasoff* Case: *The Supreme Court of California, Tarasoff v. Regents of the University of California*, 131 *California Reporter* 14 (1976); reprint from Munson, *Intervention and Reflection*, 301-307.

***PAPER # 1 FINAL DRAFT DUE.*** Remember to include cover letter.

## VI. RESEARCH, EXPERIMENTATION, AND HUMAN SUBJECTS

Ap 2, 7 *The cold-war radiation experiments; the Willowbrook hepatitis experiments; the Detroit psychosurgery case: Munson, Intervention and Reflection, Chapter 6, 323-27, 332-34.*

Stephen Goldby, Saul Krugman, M. H. Pappworth, and Geoffrey Edsall, "The Willowbrook Letters: Criticism and Defense," *The Lancet* (April 10, May 8, June 5, July 10, 1971); reprint from Munson, *Intervention and Reflection*, 373-77.

Paul Ramsey, "Judgment on Willowbrook," in Ramsey, *The Patient as Person* (New Haven: Yale University Press, 1970); reprint from Munson, *Intervention and Reflection*, 377-81.

Decision in *Canterbury v. Spence*, *Circuit Judge Spottswood W. Robinson III*, United States Court of Appeals, 464 *Federal Reporter*, 2<sup>nd</sup> Series, 772 (1972); reprint from Munson, *Intervention and Reflection*, 381-85.

Joseph Sanders, "Ethical Dilemmas in Covert and Deceptive Psychological Research," in Hiller, *Medical Ethics and the Law*, Chapter 19, 403-20.

Ap 9 ***Video: The Deadly Deception***, Nova 1993 (60"): The Tuskegee syphilis study.

Ap 14 DEBATE 3  
Teams A and C. *Resolved: The Tuskegee study was conducted ethically.*

<b>VII. ISSUES OF GENETICS</b>
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Ap 16, 21 "Genetics: intervention, control, and research": Munson, *Intervention and Reflection*, Chapter 7, 423-55.

Ap 23 Laura M. Purdy, "Genetics and Reproductive Risk: Can Having Children Be Immoral?" reprint from Munson, *Intervention and Reflection*, 455-61.

Leon R. Kass, "Implications of Prenatal Diagnosis for the Human Right to Life," in Hilton, et al., eds., *Ethical Issues in Human Genetics: Genetic Counseling and the Use of Genetic Knowledge* (New York: Plenum Press, 1973), 186-99; reprint from Munson, *Intervention and Reflection*, 461-69.

*The genome project*: Daniel J. Kevles, "Social and Ethical Issues in the Human Genome Project," *National Forum*, the Phi Kappa Phi Journal 73.2 (1993): 18-21; reprint from Munson, *Intervention and Reflection*, 469-73.

Ap 28 *NO CLASS: Advising day*

Ap 29 (TUESDAY). Writing lab. 7:00 p.m. Olin 202. Attendance is required.

Ap 30 *Germ-line gene therapy*: Ronald Munson and Lawrence H. Davis, "Germ-Line Gene Therapy and the Medical Imperative," *Kennedy Institute of Ethics Journal* 2.2 (1992): 137-58; reprint from Munson, *Intervention and Reflection*, 473-83.

May 5 DEBATE 4  
TEAMS B AND D. *Resolved: Having children can be immoral.*

May 9 **PAPER # 2 FIRST DRAFT DUE.**

May 7, 12 *NO CLASSES: Board week*

May 14, 19 *NO CLASSES: Completion days*

FRI, May 23 **PAPER # 2 FINAL DRAFT DUE.** *Do not email me the paper. Best is to bring it to my office (Aspinwall 101).*

*Instructions for writing papers for this course*

1. Give yourself time to write a really good paper. It takes more than three hours the night before it is due to write a thorough and well-argued paper. Spend time on your writing process: do your research, read and re-read, take notes, do early exploratory free writes to discover what you want to say, sketch outlines, begin writing without concern for style or even complete coherence, resketch your outlines, do more provisional writing, write a full draft, revise, edit, proofread and polish. The more time you spend on your paper, the more likely it is to be well thought out and clearly written, the more you will learn, and the more likely you will be making a valuable gift to your reader. A dedication to *revision*, challenging yourself to re-seeing what you've written on a conceptual level (emphatically not to be confused with editing), is the single most important virtue you can bring to your writing.
2. Write about what interests you. If you don't really care about the topic, it's likely the reader won't either.
3. Provide a good frame for your essay that orients your reader by giving a context for your argument. Don't leap immediately into introducing a thesis and beginning your argument. Briefly give the reader some background on the problem you are discussing and explain its importance.
4. Be sure that you have a clear thesis statement, that is, a statement of what the argument of your paper is (what you will be trying to demonstrate – something that others might reasonably disagree with). A good thesis pushes the boundaries of the obvious and uncontroversial.
5. Organize your paper around presenting evidence to support your thesis. When you use quotations from a text as evidence, be sure that you don't allow them to speak for themselves: you need to analyze them so that the reader understands their significance. Be careful not to take quotes out of their context.
6. Structure your essay in a clear progression so that one idea leads into another, and each idea or argument supports the larger thesis of the paper. Don't meander randomly between ideas.
7. Take the time to really develop key points. A paper isn't a race to the finish line.
8. The paper should involve analysis of ideas, not just exposition. Avoid floating above the text in generalities; really dig down into the details, complexities, and subtleties of the text.
9. You should consider counter-evidence to your thesis: don't make things too easy for yourself. Be critical of your own position: take counter-arguments seriously.

Imagine what a skeptical (and intelligent) reader might say about your paper and be open to acknowledging weaker points in your position.

10. Be attuned to ambiguity in the text(s) and don't try to force the text to say something just because it would nicely support your thesis. Be sure to provide the context for quotes.
11. Be fair to the author(s) you write about. Write in the spirit of Gaston Bachelard: "Let us begin with admiration. Then, later, we shall see whether or not it will be necessary to organize our disappointments" (*The Poetics of Space*). The text is not an enemy to be defeated. Even when you have serious criticisms, they should be made in the spirit of friendship. Being dismissive, pretentious, or arrogant in your tone is not a sign of sophistication; rather, it seriously undermines your credibility.
12. Be sure to define key terms, complex ideas and concepts. Invoking Kant's "transcendental unity of apperception" without ever saying what this means is not a good idea.
13. Conclusions should go beyond a mere restatement of your arguments. Address the broader implications and relevance of your work. Why should we care about what you are arguing? What are the stakes? Why does it matter?
14. Proofread! Grammar is important. Substance (content) is not divorced from style (form). A paper with too many errors of grammar and sentence structure not only lessens the force of your argument and analysis, but is not fun to read, and will detract from your grade. If you are insecure about your command of grammar, seek help. Never hand in a paper that isn't grammatically sound.
15. Use an exactly correct citation method (for this course, the MLA style). Be sure to cite references not only for direct quotes but for all paraphrase or summary of texts (otherwise, technically it's plagiarism).