

Phil 4335: Biomedical Ethics

Spring 2016
Marquette University

Section 101: MW 2:00-3:15 (Marquette Hall 105)

Instructor: Robert K. Whitaker

Office Hours: Monday & Wednesday: 12:00-1:30; or by appointment (Marquette Hall 410)

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Course Description

This course introduces students to moral issues that arise in the practice of health care and modern medicine. The primary goal of the course is to help students become better equipped to make reasoned judgments about certain ethical issues that may arise in healthcare practice and policy formation. We will explore a wide variety of topics including experimentation on human subjects, informed consent, autonomy and paternalism, euthanasia, and physician-assisted suicide.

Required Text

§ *Ethical Issues in Modern Medicine* (**seventh edition**), edited by Bonnie Steinbock, John D. Arras, and Alex John London, McGraw Hill Publishing Company.

Course Objectives and Assessment

By the end of the course:

- (1) Students will understand and be able to explain the main principles of bioethics and will be able to apply these principles to ethical issues that arise in the practice of modern medicine.
- (2) Students will be able to evaluate the strengths and weaknesses of opposing positions on some of the most central ethical issues that arise in medical research and clinical encounters.
- (3) Students will be able to take and defend a position on at least one of the issues that we cover and be able to address significant objections to the position.

These objectives will be assessed via two written exams, a paper, reading responses, and class discussion.

Course Requirements

Course Composition:

Midterm Exam	25%
Paper	30%
Final Exam	30%
Participation	15%

The grading scale is as follows:

A	94 – 100	C	70 – 75.9
AB	88 – 93.9	CD	64 – 69.9
B	82 – 87.9	D	58 – 63.9
BC	76 – 81.9	F	... – 57.9

Midterm Exam: There will be a midterm exam on **Monday, March 7**. The exam will include multiple choice, short answer, and essay questions.

Final Exam: There will be a (non-comprehensive) final exam on **Wednesday, May 11 from 10:30 am - 12:30 pm**. The exam will include multiple choice, short answer, short essay, and a longer essay.

Paper: The paper will take the form of a case analysis, using a real or hypothetical ethical dilemma as a starting point. Detailed instructions for the analysis will be posted on D2L well in advance of the due date. The paper is **due in the D2L dropbox Monday, April 11, by 11:59 pm**.

Specifications: 4-6 pages in length, double-spaced, 12-point Times New Roman font, with 1-inch margins, correct grammar, and Chicago (or Turabian) citation.

Participation: Class participation involves three things: 1. reading responses (see below), 2. class involvement, and 3. at least one 1-on-1 meeting with me. **Class involvement:** your involvement is essential to the success of this class and to your success in this class. This means that a) active listening and note-taking, b) open questioning, and c) creative discussion are expected of you. Note that all of these things require attendance; thus, if your attendance drops below the required minimum (see below), your participation grade will suffer. Class involvement constitutes **4%** of your final grade. **Individual meeting:** you are responsible for meeting with me at least once during office hours (or by appointment) **before April 22**. This meeting may be in relation to your paper, but this is not necessary. Stopping by for a 10-15 minute chat about confusions you might have had in class or anything related to the topic of the course fulfills this requirement. Please do not procrastinate, as I cannot guarantee extra office hours by appointment. The individual meeting constitutes **1%** of your final grade.

Reading Responses: You will be responsible for submitting **10** reading responses to D2L under the 'Discussions' link. Reading responses are worth 10 points each for a total of 100 points, and constitute **10%** of your final course grade. The purpose of these posts is to generate class discussion on the basis of the reading. Reading responses should be crafted as follows:

Content: The goal of a reading response is to raise a point for class discussion **based on the reading for the day**. This might be:

- a question
- a point of confusion or need for clarification
- a suggestion for how to interpret a text or how to resolve an issue we've been grappling with

- an insight prompted by the text that might advance our thinking as a class about the issue under investigation

Structure: The reading response should be **two paragraphs** in length:

- The first paragraph should briefly summarize the part of the reading on which you are focusing.
- The second paragraph should contain a brief explication of your point for discussion. In this paragraph you need to either pose a question or set of questions about the reading, or take a position of either agreement or disagreement with a part of the reading and explain your reasons, or identify aspects of the reading that are confusing or challenging and indicate why, try out a possible interpretation, etc.

Evaluation: In order to receive the full 10 points, a reading response must:

- be two paragraphs in length (no more or less)
- demonstrate serious engagement with the reading for class. For example, it is not sufficient to merely write a summary.
- contain no serious grammatical errors, typos, etc. (In other words, proofread!)

Procedure for Submitting: You may choose when to submit your reading response with the following qualifications:

- (1) **The response must be submitted no less than 24 hours prior to the class in which we cover the reading you discuss (i.e. 2 pm on Sunday or Tuesday).** The reason for this is that I will integrate your reactions into my lecture and use your questions and comments to help guide our discussions. **I will not accept responses submitted after this deadline and there are no “make-up” responses. This is non-negotiable.**
- (2) You may submit **only one reading response per relevant class**, and only on dates with assigned readings.
- (3) In order for your reading response to count, **you must attend the class for which it is submitted.**

Extra Credit: I have included several **recommended readings** in the schedule. These are clearly marked as “Recommended” and appear in a slightly smaller font size. You are not required to read these for class, but if you choose, you may read one and write a short (2 paragraphs) response summarizing the main argument of the article, and critically engaging with it. These should be similar in style to a normal reading response, and each will be worth a maximum of **1 final percentage point**. You may write up to **three** extra credit reading responses during the semester. These may be turned in any time prior to the last day of class, though you may **only turn in one at a time, and no more than 2 in a single week** (this is to prevent everyone turning in all of their extra credit responses on the last day of class).

Grading: Grading rubrics for the paper and reading responses will be posted on D2L.

Writing: Good writing is a basic skill in any professional field, and I expect you to put in the necessary effort to make sure that your paper, reading responses, and exam essays are lucid and well organized. **A ‘Tips for Writing Philosophy Papers’ document will be posted on D2L.** Please use it. If you need additional help with this, the Ott Memorial Writing Center, located on the second floor of Raynor

Library, offers comprehensive guidance in writing for the entire Marquette community. In one-on-one sessions, tutors assist writers in identifying topics, revising, and creating final drafts. Appointments can be made by calling (414) 288-5542 or visiting <https://marquette.mywconline.com/>.

Attendance: Attendance is required. From the University Attendance Policy:

“Students are responsible for attending all class meetings for courses in which they are registered. Any absence, regardless of the reason, prevents students from getting the full benefit of the course and as such, no distinction is made between excused and unexcused absences, with the following exceptions:

1. Absences resulting from legal obligations (such as jury duty).
2. Absences due to religious observances.
3. Absences resulting from university sanctioned activities and related travel.”

For a 2 day/week course such as this, any absences beyond **five** may result in withdrawal from the course. Please discuss any planned absences with me long in advance. For more info, see: <http://bulletin.marquette.edu/undergrad/academicregulations/#attendance>.

Late Policy: A ½ letter grade will be deducted from the student’s assignment grade for each late day (including weekends). For example, a student who has earned a ‘B’ on a paper but who has turned it in a day late may only receive a ‘BC’.

Cell Phones and Computers: Unless a legitimate reason is provided, cell phones and computers are to be off and put away for the duration of the class. Texting, or any other form of electronic communication, is strictly prohibited. Use of phones, computers, tablets, etc., will lower your participation grade.

Academic Dishonesty: The College of Arts and Sciences and the Philosophy Department policies on academic dishonesty will be enforced. *Ignorance is not an excuse.* Please refer to these policies for more details or contact me with particular questions in order to avoid any problems. The College’s policies can be found in the Undergraduate Bulletin and online here:

<http://bulletin.marquette.edu/undergrad/academicregulations/#academichonestypolicy>

More information on what counts as academic dishonesty as well as tips on how to avoid it can be found here: <http://libguides.marquette.edu/plagiarism>

*A useful, but not foolproof, rule of thumb: When in doubt, err on the side of over-citing.

In this course you will be required to submit written assignments in electronic form to a plagiarism detection website called Turnitin (this is done automatically via the D2L dropbox). Your assignments become a permanent part of the Turnitin database, but will not be used for any other purpose than checking for plagiarism.

Disabilities: Students with physical or learning disabilities wishing to have special accommodations should contact me as soon as possible. All discussions are confidential, and I will do anything I can to assist you. In addition, the Office of Disability Services is available to assist you. They can be reached by phone at (414)

288-1645 or online here: <http://www.marquette.edu/disability-services/>.

Food and Drink: Please do everything possible to avoid bringing food into the classroom. However, in the exceptional case, choose being engaged in class while eating a snack over not eating and being unable to focus. Beverages in closed containers are welcome.

Conduct: Disagreement is a basic feature of philosophy and all other academic discourse. In this class, we will be discussing important and controversial issues. We will be engaging in discussions which challenge some of our most deeply held beliefs, and disagreement is sure to arise. For this reason, it is vital for each student, and myself, to always conduct ourselves with the utmost generosity and sensitivity toward our fellow students and our authors. I reserve the right to steer discussions in whatever way I deem most appropriate to the day's lesson, and I will not tolerate rude, disrespectful, or offensive comments. If you are unsure whether something you plan to say or do could possibly be offensive, always talk to me before sharing it with the class.

Reading: The reading for this course is difficult. Despite this, it is crucial that you keep up with the reading schedule and engage the material (especially since the lectures, discussions, exams, and written assignments are all based on the readings). This means setting aside adequate time to engage the material *before class*. I have tried to keep the assigned readings to a length that allows you to wrestle with the ideas without getting overwhelmed.

Tentative Schedule

Introduction		
Week 1 (1/18 - 1/20)	NO CLASS: MARTIN LUTHER KING JR. DAY	
	Intro to course	
Paternalism and Medical Models/Health Care		
Week 2 (1/25 - 1/27)	The Hippocratic Oath	61
	Goldman: "The Refutation of Medical Paternalism"	62-70
	Ackerman: "Why Doctors Should Intervene"	73-77
	Emanuel and Emanuel: "Four Models of the Physician-Patient Relationship"	78-86
	Daniels: "Equal Opportunity and Health Care"	200-202
	"Social Determinants of Health: The Solid Facts"	213-222
	Daniels: "Justice, Health, and Healthcare"	231-234
	Sreenivasan: "Opportunity Is Not the Key"	235-236
Origins of U.S. Research Ethics		
Week 3 (2/1 - 2/3)	Catch-up	
	Brandt: "Racism and Research: The Case of the Tuskegee Syphilis Study"	753-763
	Rothman and Rothman: "The Willowbrook Hepatitis Studies"	749-753
	In-class film: <i>In the Shadow of the Reich: Nazi Medicine</i>	
Origins of U.S. Research Ethics (Continued) & Randomized Clinical Trials		
Week 4 (2/8 - 2/10)	"The Nuremberg Code"	739-740
	"The Belmont Report: Ethical Principles and Guidelines for the Protection of Human Subjects of Research"	764-770
	Hellman and Hellman: "Of Mice but Not Men: Problems of the Randomized Clinical Trial"	774-778
	Freedman: "A Response to a Purported Ethical Difficulty with Randomized Clinical Trials Involving Cancer Patients"	779-782
Decisional Capacity and the Right to Refuse Treatment		
Week 5 (2/15 - 2/17)	Scheman: "Narrative, Complexity, and Context: Autonomy as an Epistemic Virtue" (D2L)	
	Burton: "A Chronicle: Dax's Case as It Happened"	379-383
Informed Consent and Truth-Telling		
Week 6 (2/22 - 2/24)	<i>Star Trek: Next Generation</i> : "Ethics"	
	Buchanan and Brock: "Deciding for Others: Competency"	368-378
	Arras: "Antihypertensives and the Risk of Temporary Impotence: A Case Study in Informed Consent"	87-88
	Blackhall, et al: "Bioethics in a Different Tongue: The Case of Truth-Telling"	101-109

Informed Consent and Truth-Telling (Continued)		
Week 7 (2/29 - 3/2)	<i>Wit</i> (in-class film; reading TBA)	
	<i>Wit</i> (in-class film; no additional reading) and Discussion	
Choosing for Once-Competent Patients		
Week 8 (3/7 - 3/9)	*Midterm Exam	
	Wolfson: "Erring on the Side of Theresa Schiavo: Reflections of the Special Guardian ad Litem" U.S. Bishops' Pro-Life Committee: "Nutrition and Hydration: Moral and Pastoral Reflections"	405-409 429-435
Choosing for Once-Competent Patients (Continued)		
Week 9 (3/14 - 3/16)	Dresser and Robertson, "Quality of Life and Non-Treatment Decisions for Incompetent Patients: A Critique of the Orthodox Approach"	436-447
	Lindemann, "Holding on to Edmund: The Relational Work of Identity" (D2L) "A Life-or-Death Situation" <i>NY Times</i> article (D2L) In-class video clip: "Life Without Memory: The Case of Clive Wearing" In-class video: Bill Moyers' "On Our Own Terms, Part 3: A Death of One's Own"	
Week 10 (3/21 - 3/23)	NO CLASS: SPRING BREAK	
Definition of Death		
Week 11 (3/28 - 3/30)	NO CLASS: EASTER BREAK	
	The Karen Quinlan Case, (D2L) Bernat: "The Whole-Brain Concept of Death Remains Optimum Public Policy"	348-355
Definition of Death (Continued) & Physician-Assisted Death		
Week 12 (4/4 - 4/6)	McMahan: "An Alternative to Brain Death"	356-360
	Arras: "Physician-Assisted Suicide: A Tragic View" Quill: "Death and Dignity: A Case of Individualized Decision Making" "On Love and Dignity and Dying" from <i>The Jesuit Post</i> (D2L)	477-483 473-476
The Morality of Abortion		
Week 13 (4/11 - 4/13)	John Paul II: "The Unspeakable Crime of Abortion" Marquis: "Why Abortion Is Immoral" *Critical Paper Due	545-547 547-555
	Thomson: "A Defense of Abortion"	567-575
Assisted Reproduction		
Week 14 (4/18 - 4/20)	Robertson: "The Presumptive Primacy of Procreative Liberty" Vatican: "Instruction on Respect for Human Life in Its Origin and on the Dignity of Procreation"	599-609 609-618
	Murray: "What Are Families For? Getting to an Ethics of Reproductive Technology"	618-623

Emerging Technologies

Week 15 (4/25 - 4/27)	Pinker: "The Designer Baby Myth"	845-847
	Rothstein: "Applications of Behavioral Genetics: Outpacing the Science?"	848-856
	Glannon: "Neuroethics"	856-869

Organ Transplantation

Week 16 (5/2 - 5/4)	Radcliffe-Richards, et al.: "The Case for Allowing Kidney Sales"	297-300
	Erin & Harris: "An Ethical Market in Human Organs"	300-301
	Joralemon & Cox: "Body Values: The Case Against Compensating for Transplant Organs"	301-307
	Kaplan: "A Quiet Revolution in Organ Transplants"	D2L
Fung & Kerridge: "Gene Editing Could Open Up Animal Organ Transplants into Humans"		
Cha: "Inequality in U.S. Organ Transplants: Researchers Detail How the Wealthy Game the System"		

Final Exam

Week 17 (5/9 - 5/13)	Wednesday, 5/11, 10:30 am - 12:30 pm	