PHIL 305- Biomedical Ethics, Kalamazoo College (Spring 2018)

Professor: Dr. Max Cherem E-mail: Max.Cherem@kzoo.edu
Schedule: M/W/F 11.55-1.10pm UL#306 Office hours: T&TH, 9.30-11.30 (arrive by 11.15), HH #202

Course Description:
This course focuses on a variety of ethical issues brought about by modern medical technology and practice. We start by surveying the normative frameworks used by contemporary medical ethicists, paying particular emphasis to the main principles of medical ethics and the special nature of the relationship between doctors and patients. We then attempt to apply the principles of medical ethics and insights about the doctor-patient relationship to controversial contemporary issues such as abortion, physician assisted death/suicide, euthanasia, the limits of doctor-patient confidentiality, the determination of organ transplant recipients, the determination of patient competence, and surrogacy contracts (among other issues). The class will often use short narrative case studies and longer court cases to highlight the complex nature of these issues. The course aims to emphasize that these issues are controversial precisely because good arguments can be made on either side, and to give students the analytical and evaluative frameworks to make their own judgments.

General objectives:
By the end of this course students should be able to:
1.) Charitably summarize the main arguments for and against a particular bioethical issues and medical practices,
2.) Analyze issues within bioethics using the traditional frameworks and principles of bioethics,
3.) Articulate their own carefully considered, logically sound arguments on bioethical issues & medical practices,
4.) Respectfully and charitably engage with views far different than their own.

Your expectations: This syllabus lets you know my expectations. I am also interested in knowing about you and what your expectations for class are. Please fill out the note card on your desk with the following:
(1.) Name, year, major (if known) and relevant interests—academic or otherwise.
(2.) Prior experience in philosophy, political science, formal logic, mock trial, pre-law or debate (if any).
(3.) (Most importantly) Your expectations for this class.

Grading breakdown:
- Participation and attendance: 10%
- 2 short summaries (550 words each) throughout the term: 30% (each worth 15%)
- Optional reading response: 5%
- Midterm paper: 25%
- Final paper: 30%

Participation & Attendance: jointly make up 10% of your grade. Attendance is a necessary yet not sufficient condition for participation (you can’t participate unless you attend, but attending doesn’t mean you are participating). If you miss 3 days without extenuating, documented reasons you will automatically lose this 15%. Think about it: class runs for 10 weeks, 3 times a week. Missing 3 days is 10% of the class! Not only are you missing out on material, you are potentially taking opportunities away from peers (if you don’t know the material then that is 1 less person who may make an insightful contribution in class or with whom a peer can talk in order to come to a better understanding). E-mail me if you miss class. Even if you miss 3 classes unexcused you should continue attending, as there is no realistic way to do well on written assignments without participating in discussion and lecture. As for participation: you need to be an active participant to get full points (contribute to in-class discussion, answer questions, respectfully critique / respond to / build on points made by authors or peers, etc). This means you should always come to class having carefully and thoroughly read the readings. Apart from lecture we will use structured questions and class discussion to analyze the readings; both methods require familiarity with the text and active questioning based on that familiarity.

2 short summary pieces: You will be responsible for two short summary pieces (550 words or less). These will be graded with conventional letter grades and will receive written comments. I will ask you to summarize a certain issue from the readings. I am looking to see that you can clearly and accurately represent an author’s position. I will assign short summary topics as we go along. There will be 3 opportunities for you to write a short summary but you only need to complete 2. You may attempt all 3 and take the highest 2 grades (but, the 3rd try will not receive written comments).

Midterm and final papers: For the midterm and the final I will provide at least 2 topics that you may choose from. You will receive these assignments via email. If you would like to verbally discuss your ideas before you turn in an assignment I am happy to do so during office hours. I do not review written drafts ahead of time. This is for a variety of pedagogical reasons largely related to trying to create fair terms of evaluation vis-à-vis your peers.
I brief “optional” reading response: You may ask yourself: “How can a response to an optional reading be a required assignment??” Doesn’t that fly in the face of the meaning of the word optional?” Well, yes and no. Here’s the deal: for most weeks we will have optional readings that are related to the issues we are talking about for that week / session (these are contained in your coursepack or books). So, 99% of these optional readings are indeed optional. But, you must choose 1 throughout the quarter to read and respond to it (You can even choose a reading in the coursepack that is not explicitly mentioned on the syllabus—they’re all good!). The parameters of this assignment are quite open: you should (briefly) explain why you find the reading interesting, summarize the reading, and then identify 1 or more questions, criticisms or areas of further investigation that you have after reading it. It should be 1-2 pages. The purpose of this assignment is to invite you to see that, just like with any other class, we are only beginning to scratch the surface of a huge body of knowledge within 10-weeks. I hope you find a topic that really interests you and that this perhaps motivates you to continue independent study, reading or other initiatives outside of both class and college—in the form of service learning, volunteer work, an internship, independent reading, applying to professional or graduate school, etc. Oh, and despite the fact that this assignment is quite open in terms of structure, it shouldn’t be viewed as a blow-off assignment. It accounts for 5% of your grade so please approach it seriously.

Writing: Philosophical writing and thinking are different from the writing and thinking you do for other classes. Philosophical writing focuses on clarity, succinctness and the construction of sound arguments. In many ways it is similar to the type of writing and thinking that you would encounter as a law student. For guidance please read Jim Pryor’s online essay “How to Write a Philosophy Paper”. When writing you need to express yourself very clearly, as I can only grade what you write on the page. Even if you know a theory or argument well in your head, I can only grade what you write (there is no way to evaluate what someone intends to write but fails to clearly express). Philosophical thinking is concerned with the argumentative clarity, coherence and defensibility of a particular position. You will be graded on how well you defend your views (whatever they are) not the particular view / position you take. That being said, there are better and worse ways to construct arguments, so please read the Pryor essay (be forewarned: his tone / writing style can be annoying): http://www.jimpryor.net/teaching/guidelines/writing.html. As a helpful rule you might keep in mind a quote by the philosopher John Searle: “In general, I feel if you can’t say it clearly you don’t understand it yourself”. I can only grade what you write. Make sure you write what you mean and that you do so clearly. One way to do this is to let a friend read your writing and see if they understand it. You can also set up an appointment at the writing center. But, keep in mind that it is not a “one-stop shop” that will simply fix all the mistakes in a particular assignment for you so that you can get a better grade. The center’s main purpose is to help develop your writing skills by giving sustained feedback over the course of 4 years. I write fairly detailed comments on each student’s paper so as to explain why you have earned a certain grade. Comments are meant to help you identify your strengths and weaknesses and to do better on the next paper. If you ever feel that my comments show that I have misunderstood what you wrote then please meet with me and we’ll go over the paper.

Reading: This course has difficult reading. Read the readings before class on the day for which they are listed below (except the 1st day). You will need to thoroughly and carefully read (not skim) all assigned readings. You will need to read some assignments 2 or 3 times to fully understand them. Many students find that philosophy texts take more time to read than other types of texts. I do not want anyone to fall behind, so please make sure you set aside enough time in your spring schedule to properly do the readings. Always come to office hours to discuss issues you don’t understand.

Questions to aid reading and discussion: 1-2 times a week I email questions that go with the readings for our next meeting. These will be emailed 12-24 hours in advance of class. You should do the reading even if you do not yet have the questions (you will not receive them for every session). You should merely view them as something extra provided as an aid for your understanding (finding the answers to them is absolutely not a substitute for reading closely and carefully). Even when we do use these questions in class we will not get to every question. I encourage you to think about questions we do not get to and re-read the material with them in mind. Doing so will help you on assignments.

Plagiarism and academic integrity: I do not tolerate plagiarism or other violations of academic integrity. Any instance of plagiarism (no matter how small or unintentional) will automatically result in at least a failure of the assignment (depending on the assignment and your past performance this may result in failure of the course) and will be reported to the dean of student affairs. It is your responsibility to familiarize yourself with the college’s policies. For the college policies on plagiarism and academic integrity see: https://reason.kzoo.edu/studev/stuconduct/ (especially, but not only, art.1, sect.17 & 18 and art. 3, B1) and https://reason.kzoo.edu/studev/policies/dishonest/. If, after reading the college policies, you have questions about what constitutes either plagiarism or academic integrity then please ask.
Turning in work: Assignments are counted down 1/3 of a grade (A to A-) for each day (or part of a day) they are late. You will receive assignments via email. The due date/time and hand-in procedure will be in the email attachment.

Extensions: Extensions will not normally be granted. However, please let me know if you feel there are extenuating circumstances that merit an extension (death in the family, documented illness, documented accommodation, etc.).

Accommodations: If you need accommodations (due to learning, physical, emotional or other disabilities) let me know in the 1st week so we can start certifying the accommodation; policy: http://reason.kzoo.edu/studev/disabilities/

Laptops and phones: This class requires engaged discussion. A distraction-free environment where people can focus on the material is crucial. Because laptops produce a variety of distractions (email, Facebook, E-bay, etc) they are not allowed. Turn off or silence your phones before class. Do not text during class.

Required Texts:
- Coursepack (CP) containing all other readings (available at Kalamazoo College Bookstore).

Week 1: Introduction to ethical theory and the principles of biomedical ethics.
Monday, April 2nd
Introductory lecture to Biomedical Ethics. No reading for our first session—but please take careful notes!

Wednesday, April 4th [NOTE: The readings in first week and a half are subject to slight alteration; check email!]
CP: Card, “Introduction to Ethical Theory”. (pgs. 51-94 in coursepack)

Friday, April 6th
CBE: First part of “Ethical Theory and Bioethics”, 1-22 (devoted to fundamental problems and ethical frameworks).

Week 2: Introduction to ethical theory and the principles of biomedical ethics continued.
Monday, April 9th
CBE: Second part of “Ethical Theory and Bioethics”, 22-33 (devoted to principles, law and the balancing of liberties). NOTE: Our text combines beneficence & non-maleficence (do no harm) [see 24]. This choice is sometimes contested!

Wednesday, April 11th
CP: Dworkin, “Paternalism”

Friday, April 13th (2 readings)

Week 3: Doctor-patient relationship: confidentiality, disclosure, informed consent, refusal of treatment
Monday, April 16th (2 readings)
Writing: Short summary assignment assigned via email (due next week Monday in class)

Wednesday, April 18th (3 readings)
AND CP: Fleck & Angell “Please Don’t Tell! A Case About HIV and Confidentiality”.

Friday, April 20th (3 readings)

Week 4: Technological intervention to have children, starting on the issue of abortion.
Monday, April 23rd (3 readings)


**Optional reading:** CP: Purdy, LM “Can Having Children be Immoral?” OR CBE: “Carrie Buck’s Daughter”, 210-214 OR “The Case Against Kids: Is Procreation Immoral?” New Yorker book review of 3 recent books from the April issue of 2014; photocopies available on request. The views summarized in this reading lend themselves to being misunderstood…but they are interesting and I’m happy to talk about them in office hours.

**Wednesday, April 25th** (5 SHORT readings)

**MIDTERM:** Midterm paper assigned via email—due in about a week. See email for details.

**Friday, April 27th** (3 readings)

#### Week 5: Abortion continued

**Monday, April 30th** (3 readings)

**Wednesday, May 2nd** (2 readings)
CBE: “A Defense of Abortion”, 353-362

**Optional:** Wertz & Fletcher “Fatal Knowledge? Prenatal Diagnosis and Sex Selection”.

**Friday, May 4th** (4 readings)

**Writing:** Short summary assigned (due next Friday in class).

#### Week 6: End of life issues: Physician Assisted Death / Suicide and Euthanasia

**Monday, May 7th** (2 readings)

**Optional Reading:** CBE: “Voluntary Active Euthanasia”, 437-445.

**Wednesday, May 9th**
CP: Callahan, Daniel. “A Case Against Euthanasia” [despite the title, this article is also broadly against PAS/D]

**Friday, May 11th** (3 readings)

#### Week 7: Organ donation and procurement

**Monday, May 14th** (3 readings)

**Optional Reading:** CBE: “Hope Versus efficiency in Organ Allocation”, 511-515.

**Wednesday, May 16th** (2 readings)
CBE: “Nephrarious Goings On: Kidney Sales and Moral Arguments”, 532-544 AND “Keeping an Eye on the Global Traffic in Human Organs”, 545-549. [Note: the title of the first article is a pun/joke by the author—not a typo!]

**Friday, May 18th** (2 readings)
Optional Reading: CBE: UNHCHR statement, 565-566
Writing: Short summary prompt assigned via email (due next week Friday).

Week 8: Healthcare and Issues of Just Distribution
Monday, May 21st (2 readings)

Wednesday, May 23rd (2 readings)
CBE: “The Necessity of Rationing Health Care”, 609-615 AND “Priority to the Worse Off in Health-Care Resource Prioritization”, 616-623

Friday, May 25th (2 readings)
CP: Angell, “The Doctor as Double Agent” AND Daniels “Why Saying No to Patients in the United States is so Hard”

Week 9: Distribution issues continued.
Monday, May 28th NO CLASSES (Memorial Day)
Writing: Final paper is assigned (Due date in email—see registrar’s exam schedule online)
Wednesday, May 30th (2 readings)

Friday, June 1st (2 readings)

Week 10: What is Public health? What are some ethical issues involved in it?
Monday, May 29th NO CLASS (Memorial Day)

Wednesday, May 31st (3 readings)

Friday, June 2nd
NOTE: Because of DOGL, I have inserted this as a “cushion day” in the Syllabus. Whenever DOGL occurs, you should then move every subsequent reading down one session on the syllabus (thereby filling this last session).