

# Medical Ethics, PHIL-UA-50, Summer Session II 2013

7/26/2013

Instructor: Daniel Waxman  
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Office: 5 Washington Place, 514  
Office Hours: Monday 11.05am or by appointment  
Class Times: M T W Th 9.30 – 11.05 am  
Location: Silver Center, 504

## 1. Course Description

This course provides an introduction to some of the central problems of medical ethics. Many of these problems are the subject of deep controversies in public life. Our aim is to identify and analyze the main philosophical arguments and positions behind the views advanced in these controversies. The homework and in-class discussion will help you develop your analytical skills and your ability to formulate and evaluate arguments. After a brief introduction to philosophical approaches to ethics and some relevant background material, we will explore ethical questions surrounding the badness of death, abortion, genetic selection and reproductive choice, medical autonomy, euthanasia and physician-assisted suicide, organ sales, the commodification of health care and the allocation of scarce health care resources, human enhancement, and the possibility of attaining immortality.

## 2. Evaluation and Assignments

Assessment will be based on:

1. Two short (approximately 10 minute) in-class presentations, each summarizing and evaluating an assigned paper. (20% of the total grade, i.e. 10% per presentation). This will involve presenting the author's main position and supporting argumentation, evaluating the argument, and leading a short discussion. You should prepare a short (max 2 pages) handout for each presentation.
2. Two papers, each 6-8 pages in length, the first due at the end of Week 2 and the second due at the end of Week 5. (70% of the total grade, i.e. 35% per paper). I will give you a list of potential topics in due course; if you prefer, you can choose your own (on the condition that you consult with me first).
3. Class participation. (10% of the total grade).

I'll be available to talk with you about your presentations/paper in advance, and I strongly encourage you to take me up on this. Late papers will be marked down a full letter-grade immediately, and an additional letter-grade for every further 24 hour delay.

Obviously, plagiarism is strictly forbidden. Anyone who is found to have committed plagiarism will receive an F grade in the course and the matter will be referred to the office of the relevant dean for consideration of further disciplinary action. A more detailed description of the College of Arts and Science's policies concerning cheating and plagiarism can be found at <http://cas.nyu.edu/page/academicintegrity>.

### **3. Class Requirements**

#### **Attendance**

You should attend all of the classes; failure to do so without a valid excuse will negatively affect your attendance and participation grade. If you can't attend a class session for whatever reason, please let me know (in advance if possible).

#### **Classes, Reading, and Class Participation**

As far as I'm concerned, the classes have two goals: (1) to supply relevant background information for the readings and to place them in a larger philosophical context; and (2) to teach you the skill of identifying, analyzing, and assessing the central claims and arguments in philosophical texts. The best way of learning this skill is through practice, so the classes will be substantially devoted to discussion. This makes it even more critical than usual that you actually do the reading: if not, informed discussion will be impossible. The material we'll be looking at will often be difficult and demanding (don't worry if there are parts you don't understand the first time around!) and you should read each paper at least twice. You may find it helpful to read Jim Pryor's guides on how to read and write philosophy papers, which I'll put up on NYU Classes.

### **4. Schedule of Topics and Readings**

I'll put PDFs of all the readings below on NYU Classes at least a week in advance (with the exception of the first week). There is no required text.

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#### **Week 1. Intro, Death, and Abortion**

- Monday, July 8 – Intro
- Tuesday, July 9 – Is Death Bad?  
Selection from Lucretius, "On the Nature of Things"  
Thomas Nagel, "Death", in *Mortal Questions*, Cambridge University Press, pp.1-10.
- Wednesday, July 10 – Overview of the Abortion Debate  
Jonathan Glover, *Causing Deaths and Saving Lives*, Chapters 9, 10, 11

- Thursday, July 11 – Abortion and Infanticide  
Michael Tooley, “Abortion and Infanticide”

### **Week 2. Abortion (cont.) and Euthanasia**

- Monday, July 15 – A Woman’s Right to Choose?  
Judith Jarvis Thomson, “A Defense of Abortion”
- Tuesday, July 16 - Abortion and the Wrongness of Killing  
Don Marquis, “Why Abortion is Immoral”
- Wednesday, July 17 – The Permissibility of Voluntary Euthanasia  
Frances Kamm, “A Right to Choose Death?”  
James Rachels, “Active and Passive Euthanasia”
- Thursday, July 18 – Rights and Choice  
David Velleman, “Against the Right to Die”

### **Week 3. Consent, Autonomy, and Paternalism**

- Monday, July 22 – Informed Consent  
Ruth Faden and Tom Beauchamp, “The Concept of Informed Consent”,  
Onora O’Neill, “Some Limits of Informed Consent”
- Tuesday, July 23 – Decision Making  
Dan Brock, “Patient Competence and Surrogate Decision-Making”
- Wednesday, July 24 – Autonomy  
Selection from Onoro O’Neill, “Autonomy and Trust in Bioethics”
- Thursday, July 25 – Paternalism  
Alan Goldman “The Refutation of Medical Paternalism”  
Gerald Dworkin, “Paternalism”

### **Week 4. Organ Sales and Commodification**

- Monday, July 29 – The Permissibility of Organ Sales  
Janet Radcliffe Richards, “Nephrarious Goings On: Kidney Sales and Moral Argument”
- Tuesday, July 30 – Exploitation and Organ Sales  
Deborah Satz, “The Moral Limits of Markets: the Case of Human Kidneys”  
Kate Greasley, “A Legal Market in Organs: the Problem of Exploitation”
- Wednesday, July 31 – Against Commodification  
Elizabeth Anderson, “Is Women’s Labor a Commodity?”

- Thursday, August 1 – For Commodification  
Richard Arneson, “Commodification and Commercial Surrogacy”  
Ruth Macklin, “What is Wrong with Commodification?” (optional)

### **Week 5. Health Care and the Fair Allocation of Scarce Resources**

- Monday, August 5 – In Favour of the Right to Health Care  
Norman Daniels, “Is there a Right to Health Care and, if so, What Does it Encompass?”  
Selection from John Rawls, “A Theory of Justice”
- Tuesday, August 6 – Against the Right to Health Care  
Allen Buchanan, “The Right to a Decent Minimum of Health Care?”  
Selection from Robert Nozick, “Anarchy, State and Utopia”
- Wednesday, August 7 – Rationing  
Norman Daniels, “Rationing Fairly: Programmatic Considerations”  
John Broome, “Fairness versus Doing the Most Good”
- Thursday, August 8 – the US Healthcare System and Justice  
Allen Buchanan, “Privatisation and Just Healthcare”  
John Cochrane, “After the ACA: Freeing the Market for Health Care”

### **Week 6. Bio-Enhancement and Transhumanism**

- Monday, August 12 – Genetic Selection  
Michael Sandel, “The Case Against Perfection”  
Julian Savulescu, “Procreative Beneficence: Why We Should Select the Best Children”  
Jonathan Glover “Disability and Genetic Choice” (optional)
- Tuesday, August 13 – Is Immortality Worth Having?  
Bernard Williams, “The Makropulos Case: Reflections on the Tedium of Immortality”  
Nick Bostrom, “The Fable of the Dragon-Tyrant”
- Wednesday, August 14 – In Favour of Enhancement  
Nick Bostrom, “Why I Want to be a Posthuman When I Grow Up”  
Allan Buchanan “Human Nature and Enhancement”
- Thursday, August 15 – Problems for Enhancement  
Frances Kamm, “What is and is not Wrong with Enhancement?”  
James Wilson, “Transhumanism and Moral Equality”