

BIOETHICS

PHL281H1F

Fall 2013

Lecture: MW 1-2; Room: OI G162

Instructor: **T. J. Berry**

Office: JHB 411

E-mail: tj.berry@utoronto.ca

Office Hours: F 11-12 and by appointment

Tutorial leaders: Renata Axler, Jason DeRoche, Eric Mathison, Ljiljana Stanic

COURSE DESCRIPTION

Written more than 2300 years ago, the Hippocratic Oath is often cited as the fundamental document of medical ethics. Given the developments in medicine and ethics in the last 100 years, however, does the Hippocratic Oath still provide adequate guidance? In this course, we'll evaluate the basic tenets of the Oath to pin down the first principles of bioethics.

TEXTS

All reading materials are available on the course Blackboard site.

READING SCHEDULE

I. Cultural Relativism: "I swear by Apollo Physician..." (9, 11 Sept)

The Hippocratic Oath

Martha Nussbaum, "Human Capabilities, Female Human Beings"

Helen Epstein, "God and the Fight Against AIDS"

II. Ethical Theory: "In purity and holiness I will guard...my art."

A. Rule-Utilitarianism and Kantianism (16, 18 Sept)

John Stuart Mill, "What Utilitarianism Is"

Immanuel Kant, "The Categorical Imperative"

Arthur Caplan, "Can Applied Ethics be Effective in Health Care and Should it Strive to Be?"

David Boonin, "The Method"

III. The First Principle(s) of Medical Ethics: "I will come for the benefit of the sick..."

A. The Principle of Beneficence and Paternalism (23, 25 Sept)

AMA, "Principles of Medical Ethics (1980)"

Mack Lipkin, "On Lying to Patients"

Sissela Bok, "Lies to the Sick and Dying"

Jane Zembaty, "A Limited Defense of Paternalism in Medicine"

B. The Principle of Autonomy and Informed Consent (30 Sept, 2 Oct)

Canterbury v. Spence: Judge Spottswood W. Robinson III, "Majority Opinion"

IV. Confidentiality: "What I may see in the course of the treatment...I will keep to myself" (7 Oct)

Tarasoff v. Regents of the University of California: Tobriner, "Majority Opinion"; Clark, "Dissent"

MIDTERM EXAM IN CLASS ON 9 OCTOBER

THANKSGIVING – UNIVERSITY CLOSED ON 14 OCTOBER

V. Abortion: “I will not give to a woman an abortive remedy.”

A. Human Beings and Persons (16 Oct)

John T. Noonan Jr., “An Almost Absolute Value in History”

Mary Anne Warren, “On the Moral and Legal Status of Abortion”

B. The Wrongness of Killing (21, 23 Oct)

Don Marquis, “Why Abortion is Immoral”

ESSAY DUE AT TUTORIAL ON 1 NOVEMBER

C. Good Samaritanism and the Violinist (28, 30 Oct)

Judith Jarvis Thomson, “A Defense of Abortion”

D. Objections to Thomson (4, 6 Nov)

David Boonin, “The Duty to Save the Violinist”

FALL BREAK: NO LECTURE ON 11 NOVEMBER

VI. Bringing death about: “I will never give a deadly drug to anybody if asked for it, nor will I make a suggestion to this effect.”

A. Death (13 Nov)

Feldman, *The Enigma of Death*

Pojman, “What Is Death: the Crisis of Criteria”

B. Suicide (18 Nov)

Immanuel Kant, “Suicide”

R.B. Brant, “The Morality and Rationality of Suicide”

C. Euthanasia (20 Nov)

James Rachels, “Active and Passive Euthanasia”

Dan W. Brock, “Voluntary Active Euthanasia”

D. Physician-assisted Suicide (25 Nov)

Rawls, et. al., “Assisted Suicide: The Philosopher’s Brief”

The Oregon Death with Dignity Act

E. Feminist Opposition to PAS (27 Nov)

Susan M. Wolf, “A Feminist Critique of Physician-assisted Suicide”

Anonymous, “It’s Over, Debbie”

F. PAS and Fairness (3 Dec)

Rodriguez vs. British Columbia

FINAL EXAMINATION (As scheduled by FAS)

COURSE REQUIREMENTS

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| 1. Midterm exam (in class on 9 October) | Weight: 20% |
| 2. Essay (due at tutorial on 1 November) | Weight: 30%. |
| 3. Final exam (as scheduled by the University) | Weight: 40% |
| 4. Tutorial attendance and participation | Weight: 10% |

Late essays will be penalized in proportion to their lateness: a one-third grade fragment will be deducted for every day (or portion thereof) that they are late. For example, a B+ paper that is one day late will be penalized to a B. Essays must be handed in to your TA (in person), or they can be put in the course 'drop box' in the Philosophy Department (5th Floor, JHB.). *Note that neither I, nor your TA, will accept papers submitted by e-mail or by fax unless you have been granted special permission ahead of time.* Be sure to keep a copy of all assignments you have submitted.

In cases of suspected plagiarism, an oral defense of the assignment may be required. Plagiarism is a serious academic offense and penalties for plagiarism may include failure of the course and a note on your official transcript. Consult the arts and science guidelines in order to avoid plagiarism.

Tutorials are an important part of this course and you are required to attend and expected to contribute respectfully to tutorial discussions. The first tutorial sessions will be held on 20 September. Tutorials will **not** meet during the week of the midterm (11 October).

E-mail policy. First, all e-mail correspondence between students and the instructor and tutorial leaders must be conducted through University e-mail accounts. Second, the instructor and tutorial leaders cannot address substantive questions via e-mail; e-mail contact should be used merely to set up appointments and ask administrative questions. Third, because the tutorial leaders will hold office hours primarily in connection with the midterm, the essay, and the final, most e-mail inquiries should be directed to the instructor.