

Philosophy 30015, Section 001: Medicine and Morality
Part I: Syllabus Material Unique to PHIL 30015

Fall 2024
T 5:30-8:15
Bowman 224

Professor: Dr. Deborah Barnbaum
Office: Bowman 320J
Phone: 672-0267
email: dbarnbau@kent.edu
Office Hours: M 3:30-5:30, T 2:30-5:30, and by appointment

Course Content: This course will focus on three ethical issues of current interest in medicine. The first issue we will examine is the use of genetic technologies. What is eugenics, and how does the history of eugenics in the US affect our thinking about the use of genetic technologies? What is the most just use of genetic technologies? The second issue in medicine we will examine is organ donation. How do we know when or if a person can be eligible to give organs after death? Is presumed consent a morally permissible way to increase the number of organ donors? The last issue we will look at is assisted suicide. What are the different types of assisted suicide? Are there any acts of assisted suicide that are morally permissible? Is there a difference between killing someone, and letting the person die?

Learning Outcomes: Students will be able to identify three major moral normative theories and methods of presenting, explaining, and evaluating philosophical arguments; and apply both the moral normative theories and philosophical argumentation to three current biomedical ethics issues.

Texts:

All course readings listed on the syllabus will be available on Canvas. There may be hand-outs made available during the course of the semester, some of which may be available via Canvas. Any intellectual property displayed or distributed to students during this course (including but not limited to PowerPoint presentations, notes, quizzes, examinations) by the professor remains the intellectual property of the professor. This means that students may not distribute, publish, or provide such intellectual property to any other person or entity for any reason, commercial or otherwise, without the express written permission of the professor. Additionally, students may not distribute or publish recordings and/or links to live classroom presentations, lectures, and/or class discussions.

Technological Requirements (in the unlikely event the course is conducted remotely during a portion of the semester):

Students should have remote access (wifi connection) and a computer or phone that have a microphone and speaker that will allow them to see what is on the screen, listen to, and participate in, discussion. Students may, but are not required, to have a camera that will enable them to be seen by the classroom. If the course moves online, so too will office hours.

Course Requirements:

Your grade will be based on your performance in the following:

Assignment:	Value Towards Final Grade:
Midterm #1	25%
Midterm #2	25%
Final	25%
Class Participation	25%

There is no "extra-credit".

Midterms and final. Both of the midterms as well as the final will be in-class essay exams. Students should bring blue-books for all exams. The essay prompts will include passages from the readings and questions occasioned by those readings. Students will be required to explain the philosophical significance of the argument and/or passage with as much detail as possible, integrating the reading material with the class lectures and discussion. The dates of each exam are included below, in the class schedule. You cannot pass the course unless you take each of the exams. Make-up exams after the exam has been administered will only be permissible with a documented medical excuse. All other make-up exams must be taken *prior* to the official date of the exam, with the proper documentation.

Class participation. Since this is a comparatively small, seminar-sized upper-division course, class participation is of utmost importance. Class participation includes asking questions, answering questions, participating in group activities, and engaging members of the class in constructive debate about the issues presented in class. You cannot participate in class unless you both read the materials assigned for each day and attend class. I will keep track of attendance and participation and use that towards calculating participation grades. Class attendance as a determination of performance in the class participation component of your final grade will be determined "on a curve". If you miss class for any reason it is recommended you get notes from two other students.

Class Management

Since this is an ethics class, it is expected that students will be discussing significant issues about which there may be strong disagreements. Agreement isn't necessary, but respectful debate and discussion are. Please be aware that since this is a class about ethical questions in medicine that topics discussed in this class are likely to include: abortion, death, disability and ablism, genetic engineering, justice and injustice in medicine and society in general, lying and truth-telling, medically assisted dying, medical research, medical surrogacy, suicide, and terminal illnesses, among others. Students are asked to do the readings ahead of each class so that they can be aware of concerning material prior to each class session and can communicate with the professor accordingly.

Class Schedule: (subject to change during the course of the semester, with appropriate notice by the Professor):

GENETICS

August 20: Introduction to ethical theory and its implications for genetic decisionmaking

Buchanan, et al, Appendix 2

Buchanan, et al, Chapter 1

August 27: More review of ethical theory, wide reflective equilibrium vs. foundationalism

Buchanan, et al, Appendix 2

Buchanan, et al, Chapter I

Johnson, Farrell, Parens, "Supporting Women's Autonomy in Prenatal Testing"

September 3: Eugenics and public health models of genetic decision-making: The Carrie Buck case

Buchanan, et al, Chapter II

Watch Lynchburg video on Canvas

Villarosa, "The Long Shadow of Eugenics in America"

September 10: Five theses why eugenics is morally wrong, justice as a response

Buchanan, et al, Chapter II

Buchanan, et al, Chapter III

September 17: Compensation vs. resource egalitarianism, genetic vs. social barriers to equality.

Buchanan, et al, Chapter III

Lyon, "Bioethics Panels Open Door Slightly to Germline Gene Editing"

**September 24: Midterm and Introduction to Organ Donation Discussion
Midterm I**

ORGAN DONATION

October 1: Defining 'death'

Veatch, "Would a Reasonable Person Now Accept the 1968 Harvard Brain Death Report: A Short History of Brain Death"

Bernat, "A Conceptual Justification for Brain Death"

Truog, "The 50-Year Legacy of the Harvard Report on Brain Death"

Truog, "The Unsuccessful Effort to Revise the UDDA"

Kim, "The Ship of Theseus"

October 8: The DCDD debate, and do organ donors have to be dead?

Boucek, et al, "Pediatric Heart Transplantation after Declaration of Cardiocirculatory Death"

Bernat, "The Boundaries of Organ Donation after Circulatory Death"; Veatch, "Donating Hearts after Cardiac Death -- Reversing the Irreversible"

Truog and Miller, "The Dead Donor Rule and Organ Transplantation"

Magnus, "A Defense of the Dead Donor Rule"

Rodríguez-Arias, "The Dead Donor Rule as Policy Indoctrination"

October 15: Presumed consent as a means of organ procurement

Futterman, "Presumed Consent: The Solution to the Critical Organ Donor Shortage?"

Veatch and Pitt, "The Myth of Presumed Consent: Ethical Problems in New Organ Procurement Strategies"

October 22: Presumed consent, continued; Jarvis's social contract solution and Pascal's Wager

Veatch and Pitt, "The Myth of Presumed Consent: Ethical Problems in New Organ Procurement Strategies"
Jarvis, "A Modest Proposal to Increase Availability of Donor Organs"

**October 29: Midterm
Midterm II**

ASSISTED SUICIDE

November 5: Conceptual distinctions: euthanasia, voluntary vs. nonvoluntary euthanasia, and the tragedy of Jahi McMath

Truog, "Lessons from the Case of Jahi McMath"

Goodwin, "Revisiting Death: Implicit Bias and the Case of Jahi McMath"

November 12: Killing vs. letting die

Rachels, "Active and Passive Euthanasia"

Trappey, "Please Doc, Take it All This Time"

November 19: The doctrine of double effect (DDE, also known as the Rule of Double Effect, or RDE)

Foot, "The Problem of Abortion and the Doctrine of Double Effect"

Quinn, "Actions, Intentions and Consequences: The Doctrine of Doing and Allowing"

Ball, et al, "Voluntary Euthanasia – Implications for Organ Donation"

November 26: The Role of intentions, the role of consequences

Steinbock, "The Intentional Termination of Life"

Bennett, "Whatever the Consequences"

December 3: The Oregon Death with Dignity Act, MAiD in Canada

Li, et al, "Medical Assistance in Dying – Implementing a Hospital-Based Program in Canada"

Rosenbaum, "Altruism *in Extremis* – The Evolving Ethics of Organ Donation"

Final Exam Period: Tuesday, December 10, 5:45-8:00

**Part II: Syllabus Material Common to the College of Arts and Sciences
and/or Kent State University
(in alphabetical order)**

Academic Complaints: The Philosophy Department Grievance Procedure for handling student grievances is in conformity with the Student Academic Complaint Policy and Procedures set down as University Policy 3342-16 in the University Policy Register. For information concerning the details of the grievance procedure, please see the departmental chairperson.

Academic Dishonesty: University policy 3342-3-01.8 deals with the problem of academic dishonesty, cheating, and plagiarism. None of these will be tolerated in this class. The sanctions provided in this policy will be used to deal with any violations. If you have any questions, please

read the policy at

http://www.kent.edu/policyreg/policydetails.cfm?custome1_datapageid_1976529=2037779

and/or ask.

Attendance: The university policy regarding attendance, 3-01.2 can be found at:

<http://www.kent.edu/policyreg/administrative-policy-regarding-class-attendance-and-class-absence>

Diversity, Equity, and Inclusion Statement: Kent State University is committed to the creation and maintenance of equitable and inclusive learning spaces. This course is a learning environment where all will be treated with respect and dignity, and where all individuals will have an equitable opportunity to succeed. The diversity that each student brings to this course is viewed as a strength and a benefit. Dimensions of diversity and their intersections include but are not limited to: race, ethnicity, national origin, primary language, age, gender identity and expression, sexual orientation, religious affiliation, mental and physical abilities, socio-economic status, family/caregiver status, and veteran status.

Land Acknowledgment Statement: We acknowledge that the lands of Kent State University were the previous homes of people who were removed from this area without their consent by the colonial practices of the United States government. Before removal, these groups created networks that extended from Wyoming to the Florida Coast and Appalachia and to the northern reaches of Lake Superior. These societies included people of the Shawnee, Seneca-Cayuga, Delaware, Wyandots, Ottawa and Miami. We honor their lives – both past and present – and strive to move beyond remembrance toward reflection and responsibility through honest accounts of the past and the development of cultural knowledge and community.

Registration Deadlines: The official registration deadlines for this course can be found by doing a Detailed Class Search of the Schedule of Classes. University policy requires all students to be officially registered in each class they are attending. Students who are not officially registered for a course by published deadlines should not be attending classes and will not receive credit or a grade for the course. Each student must confirm enrollment by checking his/her class schedule (using Student Tools in FlashLine) prior to the deadline indicated. Registration errors must be corrected prior to the deadline.

Religion Accommodations in Compliance with H.B. 353: The University welcomes individuals from all different faiths, philosophies, religious traditions, and other systems of belief, and supports their respective practices. In compliance with University policy and the Ohio Revised Code, the University permits students to request class absences for up to three (3) days, per term, in order to participate in organized activities conducted under the auspices of a religious denomination, church, or other religious or spiritual organization. Students will not be penalized as a result of any of these excused absences.

The request for excusal must be made, in writing, during the first fourteen (14) days of the semester and include the date(s) of each proposed absence or request for alternative religious accommodation. The request must clearly state that the proposed absence is to participate in religious activities. The request must also provide the particular accommodation(s) you desire.

You will be notified by me if your request is approved, or, if it is approved with modification. I will work with you in an effort to arrange a mutually agreeable alternative arrangement. For more information regarding this Policy you may contact the Student Ombuds (ombuds@kent.edu).

Students with Disabilities: Kent State University is committed to inclusive and accessible education experiences for all students. University Policy 3342-3-01.3 requires that students with disabilities be provided reasonable accommodations to ensure equal access to course content. Students with disabilities are encouraged to connect with Student Accessibility Services as early as possible to establish accommodations. If you anticipate or experience academic barriers based on a disability (including mental health, chronic medical conditions, or injuries), please let me know immediately. Student Accessibility Services (SAS) Contact Information: University Library, Suite 100; sas@kent.edu ; 330-672-3391; VP 330-968-0490 ; www.kent.edu/sas