

Topics in Bioethics: Justice in Healthcare

Instructors

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Readings

You should buy Onora O'Neill's *Autonomy and Trust in Bioethics*. We'll be reading that for the first few weeks. We have ordered extra copies to Shakespeare and Co., or you can buy a copy online.

Other readings will be posted on the course home page under 'Resources.'

We recommend that you always check the Stanford Encyclopedia of Philosophy for entries on the topic of the day. These entries are almost always excellent.

You are required to read (and reread) Jim Pryor's Guides to Reading and Writing Philosophy Papers. You can find them easily online.

Coursework

The work for the course will consist of weekly short writing exercises and two longer papers. The first paper will be 1500 words. For the second paper, you can turn in 1500 words on a different topic. Alternatively you may submit a 2500-3000 word essay developing the ideas in your first essay. The goal in these papers is clarity. If you can display a clear understanding of the specific thesis you are discussing and you discuss that thesis and only that thesis in a reasonably straightforward fashion, you can expect to do well. The first writing exercise will give you an idea about what this means. You should view each writing exercise as a practice run at writing clear, straightforward prose.

Grading

Your grade will be a function of five factors.

15% for class participation. This means genuine involvement, not mere presence.

20% for an in-class presentation. You should prepare to speak for half an hour and lead a critical discussion on your topic. You will decide in the first three weeks of the course on your presentation date.

20% for the short writing exercises. Before each Wednesday's class, you will need to post on the Course Forum a commentary or response to one of the readings from that Monday or Wednesday's class of no more than 300 words.

15% for your first paper of about 1500 words. We will read drafts, but we require that you give us sufficient advance warning. You are encouraged to talk to us during office hours for advice on writing the paper and help in honing your thesis. Also, you will have read Jim Pryor's guides for advice on how to write a successful research paper.

30% for your final paper. As mentioned above you have the option of rewriting your first paper. If you choose to do so your grade will reflect the relevant development of your ideas.

Policies

The course will adhere to throughout to all binding NYU policies, including with respect to attendance (<http://bulletin.cas.nyu.edu/page/academic.policies#ATTENDANCE>) and Academic Integrity (<http://bulletin.cas.nyu.edu/page/academic.policies#STANDARDS>).

Section One: Autonomy and Consent

We might change the readings around a little to reflect student interest and progress, but unless otherwise notified we will read the following:

Session One, 8 July: Autonomy – An Overview

- John Christman, 'Autonomy in Moral and Political Philosophy.'
- John Stuart Mill, *On Liberty* (selections)
- Onora O'Neill, *Autonomy and Trust in Bioethics* (Chapters 1,2)

Session Two, 10 July: Autonomy – The Very Idea

- Scanlon, Thomas The Significance of Choice (selections)
- Onora O'Neill, *Autonomy and Trust in Bioethics* (Chapter 4)
- Velleman, David, 'Against the right to die.' *Journal of Medicine and Philosophy* 17 (6):665–681.

Session Three, 15 July: Informed Consent

- Onora O'Neill, *Autonomy and Trust in Bioethics* (Chapter 7)
- Gerald Dworkin *The Theory and Practice of Autonomy* (Selections)
- Daniel Wikler, 'Persuasion and Coercion for Health: Ethical Issues in Government Efforts to Change Lifestyles,' *Milbank Quarterly* 56(3), 1978 306-317
- Schloendorff v. Societ of New York Hospital

Session Four, 17 July: Paternalism – Soft and Hard

- Joel Feinberg *Harm to Self* (selections)
- Alan Goldman 'The Refutation of Medical Paternalism'
- Gerald Dworkin 'Paternalism'

Session Five, 22 July: Other Problems for Autonomy and Consent: Feminist Critiques of the Possibility of Autonomy, and Problems from Genetics

- Onora O'Neill, *Autonomy and Trust in Bioethics* (Chapter 5)
- Anne Donchin, 'Autonomy and Interdependence: Quandaries in Genetic Decision Making,'
- Catriona Mackenzie, 'Relational Autonomy, Normative Authority and Perfectionism'

Section Two: Transhumanism

Session One, 24 July: Transhumanism, overview

- Watch Gattaca.
- Nick Bostrom, 'Transhumanist Values.'
- Ronald Sandler, *The Ethics of Species*, chapters six and seven (optional: also eight).

24 July: FIRST PAPERS DUE

Session Two, 29 July: Problems for Transhumanism

- Allen Buchanan, 'Human Nature and Enhancement'
- Frances Kamm, 'What is and is not wrong with enhancement.'
- James Wilson, 'Transhumanism and Moral Equality.'

Section Three: Health Inequality

Session One, 31 July: Justice

- Rawls – selections from *A Theory of Justice*
- Cohen – ‘On the Currency of Egalitarian Justice.’
- Nozick – selections from *Anarchy, State, and Utopia*

Session Two, 5 August: Tuskegee Case Study

- Allan M. Brandt, “Racism and Research: The Case of the Tuskegee Syphilis Experiment;”
- Susan Lederer, “The Tuskegee Syphilis Study in the Context of American Medical Research;”
- Thomas Pogge, “Testing Our Drugs on the Poor Abroad” in Jennifer S. Hawkins and Ezekiel J. Emanuel, *Exploitation and Developing Countries: The Ethics of Clinical Research*, 2008*

Session Three, 7 August: What’s wrong with health inequalities?

- Amartya Sen, ‘Why Health Equity’
- Frances Kamm, ‘Health and Equality of Opportunity.’
- Shlomi Segall, ‘Is Health (Really) Special? Health Policy between Rawlsian and Luck Egalitarian Justice.’

Session Four, 12 August: US Health Care and Privatisation

- Atul Gawande, ‘McAllen, Texas, and the high cost of healthcare.’
- Allen Buchanan, ‘Privatisation and Just Healthcare.’
- Avihay Dorfman & Alon Harel, ‘The Case Against Privatization.’

Session Five, 14 August: Is health care a human right?

- Universal Declaration of Human Rights
 - <http://www.un.org/Overview/rights.html>
- U.S. Patient Bill of Rights
 - http://www.patientstalk.info/AHA-Patient_Bill_of_Rights.htm
- George Annas, ‘Human Rights and Health – the Universal Declaration of Human Rights at 50.’
- Peter Singer, ‘Age and the allocation of scarce medical resources.’

14 August: FINAL PAPERS DUE