

# *❖ Bioethics: Autonomy and Health ❖*

Fall 2012

Instructor: Laura Guidry-Grimes ♦ Email: lkg8@georgetown.edu

Office Hours: MW, 3:45 pm – 4:45 pm and by appointment ♦ M: New North 212; W: New North 214

\*\*NOTE: SYLLABUS SUBJECT TO CHANGE. CHECK THE WEBSITE REGULARLY FOR UPDATES.

## OVERVIEW

‘Autonomy’ etymologically breaks down into ‘self-governance’, and it refers to the ability of persons to live their lives according to their own values and life plans. To respect autonomy, then, is to protect individuals against coercion, deception, and paternalism. In many cases it is morally justifiable (and even praiseworthy or obligatory) to interfere with a person against her will when it will benefit her or society at large; for example, forced drug rehabilitation for an addict and laws against smoking in public are considered morally legitimate by many who would otherwise champion people’s right to choose for themselves how to live their lives. This class will focus on the moral importance and limitations of autonomous decision-making in medical settings.

We will begin by looking at autonomy through the lens of different ethical theories in order to understand how one can conceptualize and balance this value against others. Since the Belmont Report, clinicians have placed a great deal of weight on the bioethical principle of respect for autonomy. We will look at the historical shift away from default paternalism and toward respect for autonomy in medical ethics, and we will discuss some of the classic objections to this principle. Different cultural contexts present challenges for the interpretation, specification, and application of this principle. In collectivist societies, for example, the family is considered to be the smallest autonomous unit.

The remainder of the course will be devoted to case studies that raise moral dilemmas related to patient autonomy. If a patient is suffering and in extreme pain, should clinicians respect refusals for treatment? How should this determination be made, and what are the moral costs involved either way? What if the patient is mentally ill or disabled? When is consent informed enough to be deemed autonomous?

## COURSE GOALS

- Develop critical thinking and writing skills, which for philosophy involves the following:
  - recognizing the parts of arguments
  - understanding how these parts work together to form a coherent argument
  - critiquing the steps, reasoning, consistency, or validity of the argument as a whole
  - inferring the implications of the argument, given your critique or other critiques that can be made
- Understand varying conceptions of autonomy in moral philosophy and bioethics

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- Learn the historical importance of autonomy as a principle in bioethics
- Identify the numerous challenges facing those who wish to employ this term, especially given cross-cultural contexts and wide-ranging capacities of patients and research subjects
- Apply conceptions of autonomy to real-world cases, especially as they arise in medicine
- Compare, contrast, and analyze different positions on how to define and utilize ‘autonomy’

## LOGISTICS

PHIL-106 will be meeting **Mondays and Wednesdays from 5:00–6:15 pm in Car Barn 303**. You can find class readings on Blackboard, but all other class materials and information will be on the course website:

<http://autonomy-and-health.weebly.com>

## ASSIGNMENTS

Assignment	Weight	Deadline
Participation	15%	
Idea for Final Project		October 2 <sup>nd</sup> , 11:59 pm
Short Paper #1	10%	September 27 <sup>th</sup> , 11:59 pm
Short Paper #2	15%	November 3 <sup>rd</sup> , 11:59 pm
Short Paper #3	15%	December 2 <sup>nd</sup> , 11:59 pm
Discussion Leadership	10%	(handout due at <b>8 pm</b> the <b>day before</b> your assigned day)
Final Project: Presentation	15%	(visual due before class begins on your assigned day)
Final Project: Paper	20%	December 17 <sup>th</sup> , 6 pm

## DESCRIPTION OF ASSIGNMENTS

**Participation.** You are expected to participate regularly and thoughtfully. You should demonstrate that you have read the required material, and you should also engage with your classmates. *If there are not enough people participating on a given day, I will give out a pop quiz.* In case you've been too quiet, you can improve your grade by contributing to the class blog on our website:

<http://autonomy-and-health.weebly.com/class-blog.html>

Blog posts cannot be fully substituted for in-class participation, however.

**Short writing assignments:** You are required to write three short (750 words) papers based on the prompt that I provide. The prompt can be on any readings that we have done up to that point. The point of these papers is to help you build your philosophical writing skills. You must submit to Blackboard Assignments.

**Discussion leadership:** Early in the semester you will choose one day in the term to lead discussion for about 20 minutes. You need to have a handout prepared for one reading (e.g., one chapter or article) for the day. The handout should connect the reading to other ideas or materials in the course, point out some potential problems with the argument, and list at least three thoughtful discussion questions. I will outline the argument, so you should *not* include this exposition in your handout. You must submit the handout to Blackboard (look under ‘Assignments’) by **8 PM the day before** your assigned date. Your classmates will be able to access your documents once you upload them.

**Final project.** You should find a topic relevant to the course that excites you. The topic should be manageable; in other words, “paternalism in the law” is not a manageable topic because it is too vast. Narrow in on a smaller topic that you can lay out and discuss critically. Once you find an alluring bioethical problem, you will need to research some of the necessary facts related to the topic, and you will also need to reflect on the relevant arguments that scholars have published. Then you need to make your own contribution to the debate. This project is meant to serve as a launching pad in case you wish to pursue it in the future for advocacy or scholarship purposes. You are free to take up any well-argued and well-researched position you find compelling. You need to email me by Tuesday, October 2<sup>nd</sup>, what your idea is for this project (failure to do so will affect your participation grade). The final project is split into two parts with different deadlines.

- 1) **Presentation:** You will choose a day on which to present your research and your argument. Tell us a) what the ethical problem is, b) how you think the problem should be understood or resolved, and c) what is most challenging about this issue. This presentation is an opportunity for you to get feedback from your peers and me in preparation for your final paper. You will have ten minutes to present and five minutes for Q&A. A visual is required, and it should be, for example, a Power Pont, Keynote, or a website. You will submit the presentation through Blackboard (look under ‘Assignments’) any time before your assigned day to present.
- 2) **Paper:** This paper must be on the same topic as your final presentation, though you are welcome to change your argument or stance on the issue. Your paper needs to a) lay out the ethical issue, b) explain and analyze some published viewpoints on the topic, c) carefully and precisely argue how you believe the problem should be understood or resolved, and c) provide a compelling objection to *your* position. If you have the space, I

will give extra points for including a nicely reasoned response to the objection. The final paper is due on December 17<sup>th</sup> by 6 pm (our final exam slot). You need to write 5–7 double-spaced pages in Times New Roman 12 point font, one inch margins on all sides. You need to submit it through Blackboard Assignments.

## CLASS MATERIALS

### REQUIRED:

Dworkin, Gerald. *The Theory and Practice of Autonomy*. New York: Cambridge University Press, 1988.

The rest of the required readings will be available on Blackboard (<http://campus.georgetown.edu>).

The Bioethics Research Library (Healy 102) also has several of the books on reserve, though you are not allowed to check out these books.

### RECOMMENDED:

Anthony Weston's *A Rulebook for Arguments*

## COURSE POLICIES

**Attendance and tardiness:** You are expected to attend class every day, and you should avoid tardiness. I will take roll daily. If you miss roll due to lateness, it is your responsibility to make sure that I have corrected the attendance sheet. If you need to miss class, you must e-mail me, preferably before the class meets. Keep in mind that sleeping in, fun local events, and work do not excuse you. You are only permitted two unexcused absences before points are deducted from your grade. You will lose one-third of a letter grade on your final grade for each unexcused absence after the first two (so ‘B+’ becomes a ‘B’ after one extra, ‘B+’ becomes a ‘B-’ after two extra). You must provide proper documentation for absences that you want excused. You only need to give me enough information for me to discern whether the excuse is legitimate and whether the documentation is adequate.

**Turning in assignments:** You will submit your discussion leadership and final presentation materials to Blackboard (see above). Keep in mind that the deadline applies even if you have computer trouble.

**Late assignments:** You must turn assignments in on time unless you are given permission to do otherwise. I will deduct a full letter grade for each day an assignment is late without a documented, legitimate excuse (e.g., an ‘A’ paper becomes a ‘B’ for one day late; an ‘A’ paper becomes a ‘C’ for two days late). It is conceivable that you will have multiple deadlines and stressors in the same week as you

have a deadline for this course, but this is not grounds for asking for an extension. In the case of piling deadlines, I recommend that you work out an earlier deadline for your assignment for this course. Except in extraordinary circumstances, I will not grant extensions when the assignment is due in less than 24 hours.

**Paper length.** You have 100-word leeway either way for papers. This means that your short papers must be between 650 and 850 words, or I'll deduct points. How many points are deducted will depend on how much you go over or under the word limit. Same goes with the final paper.

**Citations.** All of your work must be cited correctly, and you must include a bibliography. You can use any official method, such as MLA, APA, or Chicago. Points will be deducted for omissions, serious errors, and repeated mistakes.

**Cell phone use.** Your cell phones should be turned off when class begins.

**Drafts and outlines.** I will not look at drafts over e-mail or in office hours. However, you can bring in or send short outlines. I do not accept attachments, so you will need to copy and paste your text into the body of an email.

**Appealing grades.** It is within your rights as a student to ensure that your grades fairly reflect the quality of your work. If you believe you deserve a higher grade on an assignment, you need to send me a list of concrete reasons for appealing your grade. I will then take 24 hours to review your work, and I will either keep your grade as is or raise it. After you have completed this step, you can appeal to my teaching mentor if desired. My mentor can give you a higher *or a lower* grade, depending on her judgment of your work.

#### **GEORGETOWN HONOR SYSTEM**

As signatories to the Georgetown University Honor Pledge, and indeed simply as good scholars and citizens, you are required to uphold academic honesty in all aspects of this course. You are expected to be familiar with the letter and spirit of the Standards of Conduct outlines in the Georgetown Honor System and on the Honor Council website. As faculty, I too am obligated to uphold the Honor System and will report all suspected cases of academic dishonesty.

**Standards of Conduct:** <http://gervaseprograms.georgetown.edu/honor/system/53519.html>

#### **ACADEMIC RESOURCE CENTER AND ADA ACCOMMODATIONS**

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If you have a disability or believe you might and would like to receive accommodations in my course, then you should contact the Academic Resource Center ([arc@georgetown.edu](mailto:arc@georgetown.edu)) to register as a student with a disability or for an evaluation referral. You should do this at the beginning of the term. The Academic Resource Center is the campus office responsible for reviewing documentation provided by students with disabilities and for determining reasonable accommodation in accordance with the Americans with Disabilities Act (ADA) and University policies. The Center is located on the third floor of the Leavey Center, Suite 335. You may access their website at <http://ldss.georgetown.edu>.

### **WRITING CENTER**

Please consider taking advantage of the resources of the Writing Center. The Writing Center provides one-on-one peer tutoring focused on improving your writing skills. I encourage you to take your paper drafts to the Writing Center. Visit <http://writingcenter.georgetown.edu> for more information. You can also schedule an appointment with a Writing Center tutor online on the center's website.

### **DAILY BREAKDOWN OF READINGS & DEADLINES**

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#### ➤ *MODULE: PHILOSOPHICAL REFLECTIONS ON AUTONOMY*

#### **WEEK ONE**

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**Wednesday, August 29<sup>th</sup>**

*Introduction to course*

#### **WEEK TWO**

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**Monday, September 3<sup>rd</sup>**

*No class (Labor Day)*

**Wednesday, September 5<sup>th</sup>**

Course syllabus!

“Autonomy in Moral and Political Philosophy” by John Christman (pgs. 1–18)

“Paternalism” by Gerald Dworkin

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### WEEK THREE

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#### **Monday, September 10<sup>th</sup>**

*On Liberty* by J.S. Mill (ch. 1, ch. 3)

#### **Wednesday, September 12<sup>th</sup>**

*Groundwork for the Metaphysics of Morals* by Immanuel Kant (First Section, Ak 4.426–441, Third Section up to Ak 4.448)

“Kant’s Moral Philosophy” by Robert Johnson (pgs. 28–33)

### WEEK FOUR

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#### **Monday, September 17<sup>th</sup>**

“Autonomy Refigured” by Catriona Mackenzie & Natalie Stoljar

#### **Wednesday, September 19<sup>th</sup>**

“Autonomy, Social Disruption, and Women” by Marilyn Friedman

“Vulnerability, Agency, and Human Flourishing” by Alisa Carse

### WEEK FIVE

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#### **Monday, September 24<sup>th</sup>**

*The Theory and Practice of Autonomy* by Gerald Dworkin (pgs. 3–33)

#### **Wednesday, September 26<sup>th</sup>**

*The Theory and Practice of Autonomy* by Gerald Dworkin (pgs. 34–47)

- Short paper #1 due on Thursday, September 27<sup>th</sup> @ 11:59 pm. Submit to Blackboard Assignments.

### WEEK SIX

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#### **Monday, October 1<sup>st</sup>**

*The Theory and Practice of Autonomy* by Gerald Dworkin (pgs. 48–81)

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- Idea for final project due Tuesday, October 2<sup>nd</sup> @ 11:59 pm. Email Laura.

**Wednesday, October 3<sup>rd</sup>**

*Harm to Self* by Joel Feinberg (pgs. 27–51)



- *MODULE: AUTONOMY AS A PRINCIPLE IN BIOETHICS*

WEEK SEVEN

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**Monday, October 8<sup>th</sup>**

*No class (Columbus Day)*

**Wednesday, October 10<sup>th</sup>**

“Basic Ethical Principles” in *Belmont Report* (pgs. 4–10)

*Principles of Biomedical Ethics* by Tom Beauchamp & James Childress (pgs. 99–117)

WEEK EIGHT

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**Monday, October 15<sup>th</sup>**

“The Refutation of Medical Paternalism” by Alan Goldman

“Why Doctors Should Intervene” by Terrence F. Ackerman

**Wednesday, October 17<sup>th</sup>**

*Autonomy and Trust in Bioethics* by Onora O’Neill (pgs. 21–37, 73–95)

WEEK NINE

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**Monday, October 22<sup>nd</sup>**

“How Do Patients Know?” by Rebecca Kukla

“Four Models of the Physician–Patient Relationship” by Ezekiel J. Emanuel & Linda L. Emanuel

**Wednesday, October 24<sup>th</sup>**

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"Challenging the Bioethical Application of the Autonomy Principles within Multicultural Societies" by Andrew Fagan

"Self-Determination vs. Family-Determination: Two Incommensurable Principles of Autonomy" by Ruiping Fan

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➤ *MODULE: INFORMED CONSENT*

### WEEK TEN

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#### **Monday, October 29<sup>th</sup>**

"The Willowbrook Hepatitis Study" by David J. Rothman & Sheila M. Rothman

"Racism and Research: The Case of the Tuskegee Syphilis Study" by Allan M. Brandt

"Fifty Years Later: The Significance of the Nuremberg Code" by Evelyne Shuster

#### **Wednesday, October 31<sup>st</sup>**

"Informed Consent" in *Belmont Report* (pgs. 10–14)

*Principles of Biomedical Ethics* by Tom Beauchamp & James Childress (pgs. 117–148)

- Short paper #2 due on Saturday, November 3<sup>rd</sup> @ 11:59 pm. Submit to Blackboard Assignments.

### WEEK ELEVEN

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#### **Monday, November 5<sup>th</sup>**

"Informed Consent: Theory and Policy" by Carson Strong

"The Battering of Informed Consent" by Michael Kottow

"Patient Autonomy: A View from the Kitchen" by Rita M. Struhkamp

#### **Wednesday, November 7<sup>th</sup>**

*The Theory and Practice of Autonomy* by Gerald Dworkin (pgs. 85–120)

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### WEEK TWELVE

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#### **Monday, November 12<sup>th</sup>**

*Autonomy and Trust in Bioethics* by Onora O'Neill (pgs. 37–48, 151–164)

#### **Wednesday, November 14<sup>th</sup>**

*Harm to Self* by Joel Feinberg (pgs. 316–343)

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➤ *MODULE: DISABILITY AND MENTAL ILLNESS*

### WEEK THIRTEEN

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#### **Monday, November 19<sup>th</sup>**

“Lessons about Autonomy from the Experience of Disability” by Carolyn Ells

“Disability, Bioethics, and Human Rights” by Adrienne Asch (pgs. 297–299, 311–315)

#### **Wednesday, November 21<sup>st</sup>**

*No class (turkey emergency)*

### WEEK FOURTEEN

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#### **Monday, November 26<sup>th</sup>**

“Confronting Death Who Chooses, Who Controls?” by Dax Cowart & Robert Burt

“Refusing Life-Sustaining Treatment After Catastrophic Injury: Ethical Implications” by Tia Powell & Bruce Lowenstein

#### **Wednesday, November 28<sup>th</sup>**

“Cochlear Implants, Linguistic Rights, and ‘Open Future’ Arguments” by Patrick Kermit

“Ethical Dimensions of Paediatric Cochlear Implantation” by Rui Nunes

➤ Short paper #3 due on Sunday, December 2<sup>nd</sup> @ 11:59 pm. Submit to Blackboard Assignments.

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### WEEK FIFTEEN

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#### **Monday, December 3<sup>rd</sup>**

“Assessing Patients’ Capacities to Consent to Treatment” by Paul S. Appelbaum & Thomas Grisso

“The Ethics of Mandatory Community Treatment” by Mark R. Munetz et al.

#### **Wednesday, December 5<sup>th</sup>**

*Deciding for Others* by Allen Buchanan & Dan Brock (pgs. 311-331)

#### ➤ FINALS WEEK

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#### **Monday, December 17<sup>th</sup>**

Submit final paper through Blackboard Assignments by 6 pm. No class meeting.