

⌘ Ethics: Autonomy and Health ⌘

Spring 2014

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

Office Hours: MW, 4:45–5:45 pm and by appointment ♦ New North, 2nd floor lounge

****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 further 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 3:30–4:45 pm in the Intercultural Center, room 213**. Blackboard will be used for submitting assignments and accessing readings, but all other class materials and information will be on the course website:

<http://ethics-autonomy.weebly.com>

ASSIGNMENTS

Assignment	Weight	Deadline
Participation	15%	
Short Paper #1	15%	February 6 th @ 11:59 pm
Short Paper #2	15%	March 4 th @ 11:59 pm
Debate Contribution	15%	March 25 th @ 11:59 pm
Idea for Final Project		April 1 st @ 11:59 pm
Case Analysis	20%	April 12 th @ 11:59 pm
Final Project	20%	May 9 th @ 11:59 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://ethics-autonomy.weebly.com/class-blog.html>

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

Debate contribution. On March 26th, we will have an in-class debate on a topic related to the course material. You will work with a group of students to present a case for your side of the issue. The night before, you (each student) must submit 750 words on what you want to contribute to the debate. Some possible questions you can respond to as your contribution: What are the competing interests or

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obligations in this issue? How should the moral interests be weighed or understood? Based on your position, what is the most challenging aspect of resolving these ethical problems? What is a problem with one of the opposing views? Do not attempt to answer all of these questions in your paper. Focus on one particular ethical/philosophical aspect of the case that you will present with your team. Depth and thoughtfulness are more important than breadth. You should incorporate ideas, terms, or insights from course material. Your contribution should reference at least one class reading and at least one debate reading. Check the course websites for more detailed instructions. Submit to Blackboard.

Short papers. You are required to write two short (750 words) papers based on prompts that I provide on the course website. 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. Submit to Blackboard.

Case analysis. Using the ethics case work-up handout (separate document on course website), you need to methodically break down a clinical ethics case. Your analysis should conclude with a concrete recommendation for what the medical professionals should do to resolve the case. Put yourself in the shoes of a clinical ethicist called for guidance. The analysis should thoughtfully integrate at least two class readings and two outside readings. The case analysis should be 1,500 words and submitted to Blackboard. Check the course websites for more detailed instructions.

Final project. You should find a topic relevant to the course that excites you. The topic should be manageable; in other words, “autonomy of pediatric patients” 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 issue, 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. 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 April 1st what your idea is for this project (failure to do so will affect your participation grade). Your project can be in one of four formats: 1) a traditional term paper, 2) a website, 3) a videotaped scripted debate on the topic (uploaded to YouTube, Vimeo, or something similar) or 4) an extended Power Point/Prezi/Keynote (which you would not present). If you have another idea for a project format, you need to have it approved by me. Regardless of which format you choose, your project should be 1,800 words in length. You need to a) lay out the ethical issue, b) explain and analyze some published philosophical viewpoints related to the topic, c) carefully and precisely argue how you believe the problem should be understood or resolved, d) identify and analyze an implication for personal responsibility for specific moral actors, and e) provide a compelling objection to *your* position. If you have the space, I will give extra points for

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including a nicely reasoned response to the objection. Submit the paper, website content and link, video transcript and link, or Power Point/Prezi/Keynote PDF through Blackboard. Check the course website for more detailed instructions.

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>).

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.

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. Keep in mind that the deadline applies even if you have computer trouble.

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

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on how much you go over or under the word limit. Same goes with the reflection paper and final project.

Proper resources. All research materials should be appropriate for college-level assignments. This means that blogs (generally), Wikipedia, and other similar sites should not be used as the basis for any assignment. You need to cite all sources you consult or use. Contact me if you are unclear whether a particular source counts as proper.

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

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

Laptops. You are permitted to use your computer in class, but only for class purposes. If you become a laptop zombie in class, I will email you with a polite warning. Repeated abuses of your laptop privilege will result in my prohibiting you to bring it to class anymore.

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 his judgment of your work.

GEORGETOWN HONOR SYSTEM

Plagiarism. Any piece of work submitted to this class that bears your name is presumed to be your own original work that has not previously been submitted for credit in another course unless you obtain prior written approval to do so from your instructor. In all of your assignments, all borrowed words, ideas, and paraphrases from other individuals (published, printed, or expressed in any medium) must be properly attributed. Proper attribution requires that all sources you consult or use have been fully identified in a footnote, endnote, or bibliography. It is considered plagiarism and a violation of academic

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honesty to pay any person or any service for assignments, in whole or in part. If you are unclear about what constitutes plagiarism or how to give proper attribution, contact the instructor before any assignment is submitted.

Academic honesty. 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

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) 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

➤ *MODULE: PHILOSOPHICAL REFLECTIONS ON AUTONOMY*

WEEK ONE

Wednesday, January 8th

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Introduction to course

WEEK TWO

Monday, January 13th

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

“Paternalism” by Gerald Dworkin

Wednesday, January 15th

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

WEEK THREE

Monday, January 20th

No class: Martin Luther King, Jr. Day

Wednesday, January 22nd

Groundwork for the Metaphysics of Morals by Immanuel Kant (Sec. 1, Sec 3 [until end of pg. 69])

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

WEEK FOUR

Monday, January 27th

“Autonomy Refigured” by Catriona Mackenzie & Natalie Stoljar

Wednesday, January 29th

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

WEEK FIVE

Monday, February 3rd

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

Wednesday, February 5th

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

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◆ *Short paper #1 due Thursday, February 6th, @ 11:59 pm*

WEEK SIX

Monday, February 10th

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

Wednesday, February 12th

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

➤ *MODULE: AUTONOMY AS A PRINCIPLE IN BIOETHICS*

WEEK SEVEN

Monday, February 17th

No class: President's Day

Wednesday, February 19th

"Basic Ethical Principles" in *Belmont Report* (pgs. 4-10)

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

WEEK EIGHT

Monday, February 24th

"The Refutation of Medical Paternalism" by Alan Goldman

"Why Doctors Should Intervene" by Terrence F. Ackerman

Wednesday, February 26th

From Detached Concern to Empathy: Humanizing Medical Practice by Jodi Halpern (excerpts)

WEEK NINE

Monday, March 3rd

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“How Do Patients Know?” by Rebecca Kukla

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

◆ *Short paper #2 due Tuesday, March 4th, @ 11:59 pm*

Wednesday, March 5th

“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

WEEK TEN

No class: Spring Break

➤ *MODULE: INFORMED CONSENT*

WEEK ELEVEN

Monday, March 17th

“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, March 19th

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

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

WEEK TWELVE

Monday, March 24th

“Informed Consent: Theory and Policy” by Carson Strong

“The Battering of Informed Consent” by Michael Kottow

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

◆ *Debate contribution due Tuesday, March 25th, @ 11:59 pm*

Wednesday, March 26th

In-class debate

Debate materials:

“Opinion 2.211: Physician-Assisted Suicide” by the AMA

<http://www.ama-assn.org/ama/pub/physician-resources/medical-ethics/code-medical-ethics/opinion2211.page>

“Physician Assisted Death” by Timothy E. Quill and Jane Greenlaw

<http://www.thehastingscenter.org/Publications/BriefingBook/Detail.aspx?id=2202>

“Sunday Dialogue: Choosing How We Die”

http://www.nytimes.com/2013/03/31/opinion/sunday/sunday-dialogue-choosing-how-we-die.html?pagewanted=1&version&_r=1&action=click®ion=searchResults

“Why Do So Many Disability Groups Oppose Physician Assisted Suicide?” by James D. McGaughey

<http://www.ct.gov/opapd/cwp/view.asp?Q=519546&A=3683>

WEEK THIRTEEN

Monday, March 31st

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

◆ *Email final project idea to Laura by Tuesday, April 1st, @ 11:59 pm*

Wednesday, April 2nd

Autonomy and Trust in Bioethics by Onora O’Neill (pgs. 37-48, 151-164)

WEEK FOURTEEN

Monday, April 7th

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

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➤ *MODULE: DISABILITY AND MENTAL ILLNESS*

Wednesday, April 9th

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

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

◆ *Case analysis due Saturday, April 12th, @ 11:59 pm*

WEEK FIFTEEN

Monday, April 14th

“The Individualist Model of Autonomy and the Challenge of Disability” by Anita Ho

Wednesday, April 16th

“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

WEEK SIXTEEN

Monday, April 21st

No class: Easter Break

Wednesday, April 23rd

“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.

WEEK SEVENTEEN

Monday, April 28th

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

➤ **FINALS WEEK**

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- ◆ *Submit final project through Blackboard by May 9th @ 11:59 pm. No class meeting during this week.*