

PHIL 228/228W, SUST 228
Public Health Ethics

Fall 2023

Goergen 108, TR 9:40-10:55

Instructors:	Richard Dees, Ph.D.	TAs:	Xinlu Li	Zee Click
Office:	Lattimore 529		Lattimore 534	Lattimore 534
Hours:	Tu 11:00-1:00		W 11:55-1:55	Th 11:00-1:00
Email:	richard.dees @rochester.edu		Xli144 @ur.rochester.edu	zee.click @rochester.edu

Most health care ethics focuses on the individual decisions about treatments, but many ethical questions have implications for society at large. The demands that individual health decisions make on the system may create collective problems, and conversely, the needs of society may limit the freedoms that individuals think they should have. Public health ethics then, lie at the intersection of medicine, political philosophy, and public policy. This course will examine the values of health, social needs, and freedom through a systematic examination of situations in which these conflicts arise. We will examine the issues by looking at it through three levels: through theoretical readings in philosophy, through readings in the broad issues of public health, and by considering case studies.

Required Texts:

John Stuart Mill, *On Liberty* (Hackett)

Madison Powers and Ruth Faden, *Social Justice* (Oxford)

Readings on Blackboard

Course Requirements:

Regular section

Class participation is worth a significant portion of your grade. The class is based on student discussions, not on lectures. You are expected to come to class, and you are expected to come to class prepared to discuss the readings – if only to ask relevant questions about them. Most of your class participation grade is based on regular, substantive participation in class discussions. For the more shy, I will offer the opportunity to discuss some of the key issues on the discussion board. However, you are expected to participate substantively in one or the other or both every week. But contributing to the discussion meaningfully will count more than merely posting something.

Group projects and presentations will be two group activities at two designated times in the course. Each group will be given a problem to address and then to assemble a brief presentation to the class via VoiceThread. Each group will collectively present the facts, discuss the ethical alternatives, and argue for a particular solution.

In addition to these formal presentations, there will be a number of more informal group projects throughout the class. For all these group projects, students will be expected to work in their groups outside of class. Students are also encouraged to form their own study groups to explore together the issues raised in the class, and both instructors are willing to attend such meetings occasionally to discuss the issues and to answer questions.

Papers will constitute two of the three major assignments in the course. About 10-14 days before the paper is due, I will give you a several sets of questions, each of which will ask you to consider particular texts or a particular case or both. You will choose one set of questions and write a 6-8 page argumentative paper answering those questions. You will take a position on the issues, construct an argument supporting your position, and then consider and answer objections to it.

Final exam. The final for this class will be an in-person exam on December 20 from 4:00-7:00. Several weeks before the exam, I will provide a list of 6-9 questions. The final will consist of five of those questions, chosen at random. You will be expected to answer three. You will be allowed to bring some notes.

The course grade is divided into 535 points, apportioned as shown:

First paper	Oct 10	120 points
Second paper	Nov 14	120 points
Final exam	Dec 20	135 points
Presentations	Sep 27 & Dec 5	60 points (two at 30 pts each)
Participation		100 points

Students who get 501 points will get an A in the class (not A-, but A). A grade of a B requires 447 points; a C, 375 points.

Writing section

Students taking the course for upper-level writing credit will do all of the assignments that students in the regular section will do. So, they will be graded on class participation as above, and they will write the two papers, they will take final examination with the rest of the class, and each of those assignments will be worth the same number of points. But writing students will also be required to complete reflections papers and to do rewrites of the two papers.

Reflection papers. Four times during the term, you will be expected to write a brief one-page *reflection paper* to the week's reading, due the day before the first date listed for the assignment at 8:00 p.m. These papers should respond to some specific arguments or position in the readings by explaining why you agree or disagree with it. For these reflection papers, the writing students are divided into three groups, to which I will assign you in an email after the first day of class. Reflection papers will be submitted using the journal tool on Blackboard: Just click the "Reflections" button, and create a journal entry under your group's number and the date.

Rewrites. In addition, each student must rewrite each of two major papers for the class, *due two weeks after the original paper is returned*. The rewrite will be graded *as a rewrite* (so if you turn in the same paper, the grade is a 0). The rewrite should substantially rethink the paper, both in light of your further reflections about it and in light of the comments you receive from me. Each rewrite will be worth 100 points. The due dates for the rewrites listed below are approximate.

The total number of points for the writing students will be 775 points, and an A will require 711 points, apportioned as follows:

First paper	Oct 10	120 points
First rewrite	~Oct 31	100 points
Second paper	Nov 14	120 points
Second rewrite	~Dec 5	100 points
Final exam	Dec 20	135 points
Presentations	Sep 27 & Dec 5	60 points (two at 30 pts each)
Reflection papers		40 points (four reflections at 10 pts each)
Participation		100 points

Academic honesty

The Honor Pledge will be required on the papers and on the final exam for the course. I expect the work on these assignments to be your own; all quotations and *ideas from others* that are used in your work must be properly cited. The reflections papers for the writing students are more informal, so I do not expect rigorous citations or the Pledge, but I do expect the work to be your own. This is an ethics course, and I take a particularly dim view of violations of academic honesty. Note that the use of AI programs like ChatGPT constitutes a breach of academic honesty. Please consult the College's policy at www.rochester.edu/College/honesty/. If you have any questions, please do not hesitate to contact one of the instructors of this class.

Schedule of Readings

This schedule is tentative (especially for topics later in the course). However, any changes will be announced on Blackboard, and an up-to-date copy of the syllabus can always be found on Blackboard. All readings, except those in the required books for the class, are on Blackboard.

I. Introduction

Aug 31 Linda Villarosa, "Something about Being Black is Bad for Your Body and Your Baby," in *Under the Skin* (New York; Doubleday, 2022), 67-89
Zinzi Bailey, et al., "Structural Racism and Health Inequities in the USA: Evidence and Interventions," *The Lancet* 389 (2017): 1453-63

- Sep 5-7 *Group B reflections due Sep 4, 8 pm*
 Marcel Verweij and Angus Dawson, "The Meaning of 'Public' in 'Public Health,'" in *Ethics, Prevention, and Public Health*, ed. Angus Dawson and Marcel Verweij (Oxford: Oxford University Press, 2007), 13-29
 American Public Health Association, *Public Health Code of Ethics* (2019)
 James Childress, et al., "Public Health Ethics: Mapping the Terrain," *Journal of Law, Ethics, and Medicine* 30 (2002): 170-78
 Case study 1: Gun violence
 David Hemenway, "The Public Health Approach to Motor Vehicles, Tobacco, and Alcohol, with Applications to Firearm Policy," *Journal of Public Health Policy* 22 (2001): 381-402
 E Michael Lewicki and Sara Miller, "Suicide, Guns, and Public Policy," *American Journal of Public Health* 103 (2013): 27-31
 Samuel C Wheeler III, "Self-Defense: Rights and Coerced Risk-Acceptance," *Public Affairs Quarterly* 11 (1997): 431-43
 Hugh LaFollette, "Gun Control," *Ethics* 110 (2000): 263-81

II. Public goods and collective goods

- Sep 12-14 *Group C reflections due Sep 11, 8 pm*
 Russell Hardin and Garrett Cullity, "The Free Rider Problem," *Stanford Encyclopedia of Philosophy*
 Derek Parfit, "Practical Dilemmas," *Reasons and Persons* (Oxford: Oxford University Press, 1984), 53-66
 Jonny Anomaly, "Public Health and Public Goods," *Public Health Ethics* 4 (2011): 251-59
 (Optional) Richard Dees, "Public Health and Normative Public Goods," *Public Health Ethics* 11 (2018): 20-26
- Sep 19-21-26 *Group A reflections due Sep 18, 8 pm*
 Case study 2: Vaccinations
 CDC Vaccine information (for reference only)
 Angus Dawson, "Herd Protection as a Public Good: Vaccination and Our Obligations to Others," in *Ethics, Prevention, and Public Health*, ed. Angus Dawson and Marcel Verweij (Oxford: Oxford University Press, 2007), 160-78
 Robert F. Kennedy Jr, "Deadly Immunity," *Salon*, 16 June 2005
 Seth Mnookin, "How Robert F. Kennedy Jr, Distorted Vaccine Science," *Scientific American*, 11 January 2017.
 Robert Field and Arthur Caplan, "A Proposed Ethical Framework for Vaccine Mandates: Competing Values and the Case of HPV," *Kennedy Institute of Ethics Journal* 18 (2008): 111-24
 Mark Christopher Navin and Mark Aaron Largent, "Improving Nonmedical Exemption Policies: Three Case Studies," *Public Health Ethics* 10 (2017): 225-34

James Wilson, "The Ethics of Disease Eradication," *Vaccine* 32 (2014): 7179-83

(Optional) Alberto Giubilini and Julian Savulescu, "Vaccinations, Risks, and Freedom: The Seat Belt Analogy," *Public Health Ethics* 12 (2019): 237-49

(Optional) Justin Bernstein, "Anti-Vaxxers, Anti-Anti-Vaxxers, Fairness, and Anger," *Kennedy Institute of Ethics Journal* 31 (2021): 17-52

Sep 27 • *Presentations on vaccines due, 8:00 p.m.*
 Sep 28 *No class to allow for review of presentations*

III. Public health and individualism

Oct 3-5 *Group B reflections due Oct 2, 8 pm*
 John Stuart Mill, *On Liberty*, chs. 1, 3-5 (pp. 1-14, 53-113)

Oct 10 • *First papers due, 11:00 a.m. (No class)*

Oct 12 *Group C reflections due Oct 11, 8 pm*
 Gerald Dworkin, "Paternalism," *Stanford Encyclopedia of Philosophy*
 Richard Thaler and Cass Sunstein, "Libertarian Paternalism," *American Economic Review* 93 (2003): 175-79.
 Thomas Nys, "Paternalism in Public Health Care," *Public Health Ethics* 1 (2008): 64-72

Oct 17 *Fall break (No class)*

Oct 19 *Group A reflections due Oct 18, 8 pm*
 Sarah Conly, "Coercive Paternalism in Health Care: Against Freedom of Choice," *Public Health Ethics* 6 (2013): 241-45
 Frederick J. Zimmerman, "Public Health and Autonomy: A Critical Reappraisal," *Hastings Center Report* 47.6 (2017): 38-45

Oct 24-26 *Group B reflections due Oct 23, 8 pm*
 Case study 3: Smoking and vaping
 CDC smoking facts
 CDC on electronic cigarettes
 Robert Goodin, "No Smoking: The Ethical Issues," in *Public Health Ethics*, ed. Ronald Bayer, et al. (Oxford: Oxford University Press, 2007), 117-26
 Jacob Sullum, "For Your Own Good: The Anti-Smoking Crusade and the Tyranny of Public Health," in Bayer, et al. 2007, 127-33
 Norman J. Temple, "Why Prevention Can Increase Health-Care Spending," *European Journal of Public Health* 22 (2011): 618-19
 Kristin Voigt, "Smoking and Social Justice," *Public Health Ethics* 3 (2010): 91-106

Kalle Grill and Karen Voigt, "The Case for Banning Cigarettes," *Journal of Medical Ethics* 42 (2016): 293-301
 Nethanel Lipshitz, "Equality and the Complete Ban on the Sale of Cigarettes," *Kennedy Institute of Ethics Journal* 33 (2023): 91-113

IV. Health care justice

Oct 31-Nov 2 *Group C reflections due Oct 30, 8 pm*

H. Tristram Engelhardt, "Rights to Health Care, Social Justice, and Fairness in Health Care Allocations," in *The Foundations of Bioethics*, 2nd ed. (New York: Oxford University Press, 1996), 375-91, 398-410

Norman Daniels, "Justice, Health, and Healthcare," *American Journal of Bioethics* 1.2 (2001): 2-16

Nov 7-9 *Group A reflections due Nov 6, 8 pm*

Madison Powers and Ruth Faden, *Social Justice*, chs. 2.1-2.4, 3.1-5.2 (pp 15-32, 41-117)

Nov 14 • *Second papers due Nov 14, 11:00 a.m. (No class)*

Nov 16-21 *Group B reflections due Nov 15, 8 pm*

Case Study 4: Universal health care

Peter Singer, "Why We Must Ration Health Care," *New York Times Magazine*, 15 July 2009

Atul Gawande, "Overkill," *New Yorker*, 11 May 2015

Benedict Rumbold, Albert Weale, Annette Rid, James Wilson, and Peter Littlejohns, "Public Reasoning and Health-Care Priority Setting: The Case of NICE," *Kennedy Institute of Ethics Journal* 27 (2017): 107-34

Paul Menzel, "The Cultural Moral Right to a Basic Minimum of Accessible Health Care," *Kennedy Institute of Ethics Journal* 21 (2011): 79-96 (only)

Ezekiel Emanuel, *Which Country Has the World's Best Health Care?* (2020)
 [for reference]

Class by Zoom on Nov 21

Nov 23 *Thanksgiving break (No class)*

Nov 28 VI. Epidemics

Group C reflections due Nov 27, 8 pm

Case study 5: Responding to epidemics

World Health Organization, *Ethical Considerations in Developing a Public Health Response to Pandemic Influenza* (2007), chs. 3-4 (pp. 5-11)

Matthew Wynia, "Ethics and Public Health Emergencies: Restrictions on Liberty," *American Journal of Bioethics* 7.2 (2007): 1-5

Wendy Parmet, "JS Mill and the American Law of Quarantine," *Public Health Ethics* 1 (2008): 210-22

Ronald Bayer and Amy Fairchild, "Surveillance and Privacy," *Science* 290 (2000): 1898-99

- Nov 30 Finish universal health care discussion, work on group projects
- Dec 4 • *Group presentations on universal health care due, 8 pm*
- Dec 5 *No class to allow for review of presentations*
- Dec 7-12 *Group A reflections due Dec 6, 8 pm*
 Case study 6: Responding to coronavirus
 Kieran Oberman, "Freedom and Viruses," *Ethics* 132 (2022): 817-50
 Harald Schmidt, "Vaccine Rationing and the Urgency of Social Justice in the Covid-19 Response," *Hastings Center Report* 50.3 (2020): 46-49
 Sue Halpern, "The Peril of Not Vaccinating the World," *The New Yorker*, 3 June 2021
 Daniel Miller and Alvin Moss, "Rethinking the Ethics of the Covid-19 Pandemic Lockdowns," *Hastings Center Report* 53.4 (2023): 3-9
- Dec 20 • *Final examination, 4:00-7:00 p.m.*