

Philosophy 228/228W
Public Health Ethics

Fall 2019
 Goergen 108, TR 9:40-10:55

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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:

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.

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. 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 last assignment will be a final examination on December 18, 4:00-7:00. On the exam, you will be expected to write three long essays, selected from a list of questions I will give you before the end of classes.

The course grade is divided into 520 points, apportioned as shown:

First paper	Oct 3	120 points
Second paper	Nov 26	120 points
Final exam	Dec 18	120 points
Presentations		30 points each (total: 60)
Participation		100 points

Students who get 487 points will get an A in the class (not A-, but A). A B requires 435 points; a C, 383 points.

Writing students: Students taking the course for upper-level writing credit will do most of the assignment with the rest of the class. So, they will be graded on class participation as above, and they will write the two papers and the final examination with the rest of the class and worth the same number of points. But writing students will also be required to complete two other kinds of assignments.

Reflection papers. Three 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 9:00 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 the 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). Each rewrite will be worth 100 points.

The total number of points for the writing students will be 750 points, and an A will require 702 points, apportioned as follows:

First paper	Oct 3	120 points
First rewrite	Oct 20	100 points
Second paper	Nov 26	120 points
Second rewrite	Dec 12	100 points
Final exam	Dec 18	120 points
Presentations		30 points each (total: 60)
Reaction papers		10 points each (total: 30)
Participation		100 points

Academic honesty: The Honor Pledge will be required on the papers and on the final 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 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. 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 29 Introduction
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
- Sep 3-5 *Group 3 reflections due Sep 2*
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
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
S Chapman, P Alpers, K Agho, M Jones, "Australia's 1996 Gun Reform: Faster Falls in Firearm Deaths, Firearms Suicides, and a Decade without Mass Shootings," *Injury Prevention* 21 (2015): 355-62
E Michael Leweicki 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
Michael Ulrish, "A Public Health Approach to Gun Violence, Legally Speaking," *Journal of Law, Medicine, and Ethics* 47S (2019): 112-15

II. Public goods and collective goods

- Sep 10-12 *Group 1 reflections due Sep 9*
Russell Hardin, "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 17-19 *Group 2 reflections due Sep 16*
 Case study 2: Vaccinations
 CDC Vaccine information (for reference only)
 Datagraphic: "Why the Decade of Vaccines?" *Health Affairs* 35 (2016): 188-89
 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
 Barbara Loe Fisher, "In the Wake of Vaccines"
 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) Nicholas Paumgarten, "The Message of Measles," *The New Yorker*, 2 September 2019

Sep 24 • *Presentations on vaccines*

III. Public health and individualism

- Sep 26- *Group 3 reflections due Sep 25*
 Oct 1 John Stuart Mill, *On Liberty*, chs. 1, 3-5 (pp. 1-14, 53-113)
- Oct 3 • *First papers due, 11:00 a.m. (No class)*
- Oct 8-10 *Group 1 reflections due Oct 7*
 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
 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 15 *Fall break, No class*
- Oct 17-22 *Group 2 reflections due, due Oct 16*
 Case study 3: Obesity
 CDC on obesity in children
 Daniel Callahan, "Obesity: Changing an Elusive Epidemic," *Hastings Center Report* 43.1 (2013): 34-40
 Jonathan Herington, Angus Dawson, and Heather Draper, "Obesity, Liberty, and Public Health Emergencies," *Hastings Center Report* 44.6 (2014): 26-35
 Mark Votruba, "Trans Fats, the Rational Consumer, and the Role of Government," *Virtual Mentor* 12 (2010): 804-11
 Anne Barnhill, Katherine King, Nancy Kass, and Ruth Faden, "The Value of Unhealthy Eating and the Ethics of Healthy Eating Policies," *Kennedy Institute of Ethics Journal* 24 (2014): 187-217
 Desiree Abu-Odeh, "Fat Stigma and Public Health: A Theoretical Framework and Ethical Analysis," *Kennedy Institute of Ethics Journal* 24 (2014): 247-65.

IV. Health care justice

- Oct 24 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), 375-410
 Norman Daniels, "Justice, Health, and Healthcare," *American Journal of Bioethics* 1.2 (2001): 2-16
- Oct 29-31 *Group 3 reflections due Oct 28*
 Madison Powers and Ruth Faden, *Social Justice*, chs. 2-5 (pp 15-141)
- Nov 5-7 *Group 1 reflections due Nov 4*
 Case Study 5: 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)
 Sarah Thomson, et al., eds., *International Profiles of Health Care Systems 2013* (for reference)
- Nov 12-14 • *Presentations on universal health care*

V. Global health justice

- Nov 19-21 *Group 2 reflections due Nov 18*
 Thomas Nagel, "The Problem of Global Justice," *Philosophy and Public Affairs* 33 (2005): 113-47
 Joseph Millum, "Global Bioethics and Political Theory," in *Global Justice and Bioethics*, ed. Joseph Millum and Ezekiel Emanuel (Oxford: Oxford University Press, 2012), 17-42
 Declaration of Alma Ata (1978)
 Paul Farmer and Nicole Gastineau, "Rethinking Health and Human Rights," *Journal of Law, Medicine, and Ethics* 30 (2002): 655-66
 Govind Prasad and Ezekiel Emanuel, "The Case for Resource Sensitivity: Why it is Ethical to Provide Cheaper, Less Effective Treatments in Global Health," *Hastings Center Report* 47.5 (2017): 17-24
Due date for second paper for Writing students who want the paper returned by Thanksgiving, Nov 22, 9 a.m.
- Nov 26 • *Second papers due (No class), 11:00 a.m.*
 Nov 28 *Thanksgiving break (No class)*
- Dec 3-5-10 *Extra credit reflection due Dec 2*
 Lisa Fuller, "International NGO Health Programs in a Non-ideal World: Imperialism, Respect, and Procedural Justice," in , in *Global Justice and Bioethics*, ed. Joseph Millum and Ezekiel Emanuel (Oxford: Oxford University Press, 2012), 213-40
 Sharon Friel, Colin Butler and Anthony McMichael, "Climate Change and Health: Risks and Inequities," in *Global Health and Global Health Ethics*, ed. Solomon Benatar and Gillian Brock (Cambridge: Cambridge University Press, 2011). 198-209
 Case study 5: Responding to epidemics
 Wendy Parmet, "JS Mill and the American Law of Quarantine," *Public Health Ethics* 1 (2008): 210-22
 World Health Organization, *Ethical Considerations in Developing a Public Health Response to Pandemic Influenza* (2007), chs. 3-4 (pp. 5-11)
 Lawrence Gostin, Ronald Bayer, and Amy Fairchild, "Ethical and Legal Challenges Posed by Severe Acute Respiratory Syndrome," *JAMA* 290 (2003): 3229-37
 MO Folayan, BG Haire, and B Brown, "Critical Role of Ethics in Clinical Management and Public Health Response to the West Africa Ebola
 Euzebiusz Jamrozik, et al., "Ethical Aspects of Malaria Control and Research," *Malaria Journal* 14 (2015): 518-25
- Dec 18 • *Final examination, 4:00-6:30 p.m., Goergen 108*