



PHILOS 515/MED HIS 515
Public Health Ethics

Spring 2022

Grainger 1190

Mondays and Wednesdays, 2:30-3:45

Richard Dees, Ph.D.

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Hours: TW 1:00-2:00

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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—not the least of which is our ongoing experiences with Covid-19.

Credits: 3

How credit hours are met: This class meets for 75 minutes twice a week. The expectation is that students will do 3-4 hours of work outside class for each class meeting.

Course designation: Humanites, Advanced

Requisites: Junior standing

Instructional mode: In person

Learning objectives: At the end of the course, students should be more able to

1. Understand the important concepts of ethics that are used in public health settings
2. Evaluate ethical arguments in health policy
3. Participate respectfully in discussions about controversial health policies

Canvas website for course: <https://canvas.wisc.edu/courses/294443>

Required Texts:

John Stuart Mill, *On Liberty* (Hackett)

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

Readings on Canvas

Assignments:

The grade in the class is determined out of a possible total of 520 points, divided between the assignments as indicated.

Class participation (100 points) 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 *every week*. But contributing to the discussion meaningfully will count more than merely posting something.

Group presentations (two, each worth 30 points). There 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 in some form. Each group will collectively present the facts, discuss the ethical alternatives, and argue for a particular solution.

Papers (three, each worth 120 points) Written essays 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.

Grading scale: A:	481 points
AB:	455 points
B:	429 points
BC:	403 points
C:	364 points
D:	312 points

Schedule of readings and assignments

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

I. Introduction

Jan 26	Zinzi Bailey, et al., “Structural Racism and Health Inequities in the USA: Evidence and Interventions,” <i>The Lancet</i> 389 (2017): 1453-63
Jan 31 - Feb 2	Marcel Verweij and Angus Dawson, “The Meaning of ‘Public’ in ‘Public Health,’” in <i>Ethics, Prevention, and Public Health</i> , 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

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 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

II. Public goods and collective goods

Feb 7-9 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

(Optional) L. Chad Horne, "Public Health, Public Goods, and Market Failure," *Public Health Ethics* 12 (2019): 287-92

Feb 14-16 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

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) 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

Feb 21 • *Presentations on vaccines due*

III. Public health and individualism

- Feb 23-28 John Stuart Mill, *On Liberty*, chs. 1, 3-5 (pp. 1-14, 53-113)
- Mar 2 • *First papers due, 3:45 pm (No class)*
- Mar 7-9 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
- Mar 14-16 *Spring break*
- Mar 21 Case study 3: Obesity
CDC on obesity in children
Daniel Callahan, "Obesity: Changing an Elusive Epidemic," *Hastings Center Report* 43.1 (2013): 34-40
Carissa Véliz, et al., "Sugar, Taxes, and Choice," *Hastings Center Report* 49.6 (2019): 22-31.
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

- Mar 23-28 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
- Mar 30-Apr 4 Madison Powers and Ruth Faden, *Social Justice*, chs. 2-5.2 (pp 15-117)
- Apr 6 • *Second paper due, 3:45 pm (No class)*
- Apr 11-13 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]

Apr 18 • *Group presentations on universal health care due*

V. Global health justice

Apr 20-25 *Group B reflections due Nov 15, 8 pm*
 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
 Lisa Fuller, "International NGO Health Programs in a Non-ideal World: Imperialism, Respect, and Procedural Justice," in *Global Justice and Bioethics*, ed. Joseph Millum and Ezekiel Emanuel (Oxford: Oxford University Press, 2012), 213-40.

VI. Epidemics

Apr 27-
 May 2-4 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
 Amy Fairchild, Lawrence Gostin, and Ronald Bayer, "Vexing, Veiled, and Inequitable: Social Distance and the 'Rights' Divide in the Age of Covid-19," *American Journal of Bioethics* 20.7 (2020): 55-61
 Hon-Lam Li, Nancy Jecker, and Roger Yat-Nork Chung, "Reopening Economics during the Covid-19 Pandemic: Reasoning about Value Tradeoffs," *American Journal of Bioethics* 20.7 (2020): 136-38
 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

May 6

• *Final paper due, 5:00 p.m.*

University Policies and Resources

Teaching & Learning Data Transparency Statement

The privacy and security of faculty, staff and students' personal information is a top priority for UW-Madison. The university carefully evaluates and vets all campus-supported digital tools used to support teaching and learning, to help support success through [learning analytics](#), and to enable proctoring capabilities. View the university's full [teaching and learning data transparency statement](#).

Privacy of Student Records & the Use of Audio Recorded Lectures Statement

Lecture materials and recordings for this course are protected intellectual property at UW-Madison. Students in this course may use the materials and recordings for their personal use related to participation in this class. Students may also take notes solely for their personal use. If a lecture is not already recorded, you are not authorized to record my lectures without my permission unless you are considered by the university to be a qualified student with a disability requiring accommodation. [Regent Policy Document 4-1] Students may not copy or have lecture materials and recordings outside of class, including posting on internet sites or selling to commercial entities. Students are also prohibited from providing or selling their personal notes to anyone else or being paid for taking notes by any person or commercial firm without the instructor's express written permission. Unauthorized use of these copyrighted lecture materials and recordings constitutes copyright infringement and may be addressed under the university's policies, UWS Chapters 14 and 17, governing student academic and non-academic misconduct.

Course Evaluations

Students will be provided with an opportunity to evaluate this course and your learning experience. Student participation is an integral component of this course, and your confidential feedback is important to me. I strongly encourage you to participate in the course evaluation.

UW-Madison uses a digital course evaluation survey tool called [AEFIS](#). For this course, you will receive an official email two weeks prior to the end of the semester, notifying you that your course evaluation is available. In the email you will receive a link to log into the course evaluation with your NetID. Evaluations are anonymous. Your participation is an integral component of this course, and your feedback is important to me. I strongly encourage you to participate in the course evaluation.

Students' Rules, [Rights & Responsibilities](#)

Diversity & Inclusion Statement

[Diversity](#) is a source of strength, creativity, and innovation for UW-Madison. We value the contributions of each person and respect the profound ways their identity, culture, background, experience, status, abilities, and opinion enrich the university community. We commit ourselves to the pursuit of excellence in teaching, research, outreach, and diversity as inextricably linked goals. The University of Wisconsin-Madison fulfills its public mission by creating a welcoming and inclusive community for people from every background – people who as students, faculty, and staff serve Wisconsin and the world.

Academic Integrity Statement

By virtue of enrollment, each student agrees to uphold the high academic standards of the University of Wisconsin-Madison; academic misconduct is behavior that negatively impacts the integrity of the institution. Cheating, fabrication, plagiarism, unauthorized collaboration, and helping others commit these previously listed acts are examples of misconduct which may result in disciplinary action. Examples of disciplinary action include, but is not limited to, failure on the assignment/course, written reprimand, disciplinary probation, suspension, or expulsion.

Accommodations for Students with Disabilities Statement

The University of Wisconsin-Madison supports the right of all enrolled students to a full and equal educational opportunity. The Americans with Disabilities Act (ADA), Wisconsin State Statute (36.12), and UW-Madison policy (Faculty Document 1071) require that students with disabilities be reasonably accommodated in instruction and campus life. Reasonable accommodations for students with disabilities is a shared faculty and student responsibility. Students are expected to inform faculty [me] of their need for instructional accommodations by the end of the third week of the semester, or as soon as possible after a disability has been incurred or recognized. Faculty [I], will work either directly with the student [you] or in coordination with the McBurney Center to identify and provide reasonable instructional accommodations. Disability information, including instructional accommodations as part of a student's educational record, is confidential and protected under FERPA. (See: [McBurney Disability Resource Center](#))

Academic Calendar & Religious Observances

I will make every effort to accommodate religious observances that require you to miss class. However, please let me know ahead of time.

University Resources

The University provides many resources to help students achieve academic success. Please make use of them

- *[University Health Services](#)*
- *[Undergraduate Academic Advising and Career Services](#)*
- *[Office of the Registrar](#)*
- *[Office of Student Financial Aid](#)*
- *[Dean of Students Office](#)*