

GEORGE MASON UNIVERSITY

Department of Philosophy

BIOETHICS

PHIL 309-004

Spring 2023

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Time:

Tues & Thurs

12:00 pm - 1:15 pm

Room:

Planetary Hall 126

Office Hours:

Tues & Thurs

9:15 am - 10:15 am Horizon Hall, Department of Philosophy, Room 6262

Course Description:

This course serves as an introduction to the field of Bioethics understood as the philosophical response to moral complexities and value conflicts arising primarily from the provision of health care, but also those related to bioscientific advances, social considerations in public health, and the development and use of associated biotechnology.

Course Objectives:

- I. Explore philosophical methods for addressing contemporary problems of moral significance involving bioscience, health care, and related technology.
- II. Develop an ability to critically examine normative arguments as well as form one's own logically sound positions regarding areas of philosophical debate within Bioethics.
- III. Demonstrate a conceptual, theoretical, and discursive understanding of an array of core topics appropriate to bioethical inquiry, with a particular focus on clinical practice.

Course Requirements:

Attendance

Students are expected to attend every class meeting. Absences will be excused if students are able to provide satisfactory reasoning and/or relevant documentation (e.g., a physician's note) for their absence, preferably ahead of time. Students with 4 or more unexcused absences will not pass the course.

Reading

Our main texts will be *Bioethics: An Introduction* by Marianne Talbot (Cambridge University Press, 2012), henceforth "MTB," as well as *Clinical Ethics* by Albert Jonsen, Mark Siegler, and William J. Winslade (McGraw-Hill, 9th Edition, 2022), henceforth "Jonsen et al."

As a guiding text, MTB focuses largely on Bioethics when defined as *the ethics of biotechnologies*. As such, it does well in covering most of the areas in which related scientific advances have called for moral examination. However, we will also use the additional Jonsen text in order to lend an adequate focus to questions and problems specific to the applied area of clinical medicine. Other relevant philosophical

concepts, theories, and arguments will be introduced at various points throughout the semester for the purpose of expanding class discussion.

Evaluations

Participation

Students are expected to participate in class discussion by asking questions, participating in class activities, and/or offering commentary or viewpoints related to the material. Participation in class discussion is a significant component of the course and thus counts for 20% of your final grade. That being said, regular attendance, completing assignments, demonstrated knowledge of assigned readings, and honest engagement in discussion are straightforward ways of satisfying this percentage.

Midterm Paper

Students will be expected to develop a midterm thesis that engages argumentatively with some aspect of a topic covered in class. Ample time will be spent in class discussing how to write a paper in philosophy. Paper formatting: 3-5 pages, Times New Roman, 12-point font, 1-inch margins, double-spaced. Since this is a course in the humanities, students are expected to use the Chicago Manual of Style: https://www.chicagomanualofstyle.org/tools_citationguide.html Unexcused late papers will be penalized a full letter grade for each day passed their due date. The midterm paper will count toward 30% of your final grade.

Final Work Presentation

Students will give a 7-minute presentation followed by 3 minutes of Q&A engagement (10 minutes, total) on the topic and thesis they have chosen for their final papers (below). These presentations are designed to offer students an opportunity for the sharing of well-formed ideas, public speaking, as well as peer review and instructor feedback for their final papers. NOTE: Reading directly from a written paper does not count as a presentation, although some written notes can be used to guide your presentation. Students are to present their work via either PowerPoint, Prezi, or another form of presentation software. In addition to the talk itself, presentations are to be submitted electronically to the instructor on the day of the presentation. The presentation will be graded separately from the final paper and will count for 20% of your final grade.

Final Paper

Students will be expected to develop a final thesis that engages argumentatively with some aspect of a topic covered in class. Ample time will be spent in class discussing how to write a paper in philosophy. Paper formatting: 5-7 pages, Times New Roman, 12-point font, 1-inch margins, double-spaced. Since this is a course in the humanities, students are expected to use the Chicago Manual of Style: https://www.chicagomanualofstyle.org/tools_citationguide.html Unexcused late papers will be penalized a full letter grade for each day passed their due date. The final paper will count toward 30% of your final grade.

Course Schedule

1.24.23 – 5.4.23

Week 1:

1.24: Introduction to course and review of syllabus

1.26: MTB Chapter 2: Ethics in general: ethics, action, and freedom: *Ethics and rules, Ethics and truth, Theorising about ethics, Knowledge of right and wrong* (pgs. 11-15)

Week 2:

1.31: MTB Chapter 2: Ethics in general: ethics, action, and freedom: *Ethics, intentional action and free will, Free will and determinism, Ethics and religion* (pgs. 15-20)

2.2: MTB Chapter 4: Ethical theories: virtue, duty, and happiness: *Virtue ethics, Virtues as dispositions, Virtue ethics and epistemology* (pgs. 32-37)

Week 3:

2.7: MTB Chapter 4: Ethical theories: virtue, duty, and happiness: *Deontology, Consequentialism* (37-46)

2.9: John Arras and Jennifer Flynn “Theory and Bioethics” Section 2: *What is the Nature of Applied Ethics?* Section 3: *Bioethics and High-Moral Theory*, and Section 4: *The Move to Mid-Level Theorizing: A Principles-Centered Approach* <https://plato.stanford.edu/entries/theory-bioethics/>; Jonsen et al.: The Four Topics (the “Four Box Model”), and Ethical Reasoning in Clinical Ethics (pgs. 3-7)

Week 4:

2.14: MTB Chapter 5: The nature of argument (pg. 51), Common fallacies (pg. 61 Box 5.8); Ethics, argument and charity (pg. 68); Film & Discussion: [How to Argue - Philosophical Reasoning: Crash Course Philosophy #2 - YouTube](#)

2.16: Jonsen et al.: Medical Indications: *Definition of Medical Indication, The Ethical Principles of Beneficence and Nonmaleficence, Benefit-Risk Ratio, A Clinical Approach to Beneficence and Nonmaleficence, What is the Patient’s Medical Problem, Distinctions Regarding Diagnosis and Treatment, Four Typical Cases, What Are the Goals of Treatment* 1.0.0-1.0.9 (pgs. 11-20)

Week 5:

2.21: Jonsen et al.: Indicated and Nonindicated Medical Interventions: *In What Circumstances Are Medical Treatments Not Indicated, The Dying Patient, The Terminal Patient, Incurable Patients With Progressive, Lethal Disease* 1.1.1-1.1.4 (pgs. 20-26)

2.23: **NO CLASS** (American Philosophical Association Conference)

Week 6:

2.28: Jonsen et al.: Clinical Judgment and Clinical Uncertainty: *What Are the Probabilities of Success of Various Treatment Options, Non-beneficial Treatments* 1.2.1-1.2.2 (pgs. 26-33)

93.2: MTB Chapter 6: It’s not natural (pgs. 72-74), It’s disgusting (pgs. 76-77), It’s too risky (79-81), It’s a matter of opinion (pgs. 85-86 – stop at “Sam believes the earth is round.”); Jonsen et al.: Conscientious Objection 2.5.5 (pgs. 110-111)

Week 7:

3.7: Jonsen et al.: Cardiopulmonary Resuscitation and Orders not to Resuscitate: *Medical Indications and Contradictions for CPR, Patient Choice of DNAR, DNAR Orders Without or Contrary to Consent, Documentation of DNAR Orders, DNAR Portability, Physician Orders for Life Sustaining Treatment (POLST), Slow Codes and Partial Codes, DNAR Orders in the Operating Room* 1.3.1-1.3.8 (pgs. 33-46)

3.9: Jonsen et al.: Medical Error (pgs. 46-47), Determination of Death (pgs. 47-51), MTB Chapter 13: Death and killing: the quality and value of life: *The ‘standard’ of death* (pgs. 224-227).

Week 8: SPRING BREAK

Week 9:

3.21: MTB Chapter 13: Death and killing: the quality and value of life: *Death versus ‘quality of life’ judgements* (pgs. 227-229), *The intrinsic value of life, The slippery slope to involuntary euthanasia* (pgs. 232-233); Jonsen et al.: Medically Assisted Dying: *Is Medically Assisted Dying Ethically or Legally Permissible, Euthanasia, Physician Assisted Dying, Ethical Arguments, Physician Response to Request for Assistance in Dying* 3.5.0-3.5.5 (pgs. 158-164)

3.23: Jonsen et al.: Preferences of Patients: *The Principle of Respect for Autonomy, Clinical Significance of Patient Preferences, Legal Significance of Patient Preferences: Self-Determination, Psychological Significance of Patient Preferences* 2.0.0-2.0.4 (pgs. 53-58)

Week 10:**3.28: MIDTERM PAPERS DUE in CLASS**

3.30: Jonsen et al.: Informed Consent: *Has the Patient Been Informed of Benefits and Risks of Diagnostic and Treatment Recommendations, Understood This Information, and Given Consent, Definition and Standards of Disclosure 2.1.0-2.1.2* (pgs. 58-61), *Comprehension, Documentation, Difficulties With Informed Consent, Truthful Communication 2.1.4-2.1.7* (pgs. 63-67)

Week 11:

4.4: Jonsen et al.: Decisional Capacity: *Is the Patient Mentally Capable and Legally Competent or Is There Evidence of Incapacity, Definition of Decisional Capacity, Determining Decisional Capacity, Evaluating Decisional Capacity in Relation to the Need for Intervention: The Sliding Scale Criterion, Denial, Delirium, Confusion, and Waxing and Waning Capacity 2.2.0-2.2.5* (pgs. 73-82)

4.6: Jonsen et al.: Decisional Capacity: *If Mentally Capable, What Preferences About Treatment Is the Patient Stating, Competent Refusal of Treatment by Persons with Capacity to Choose, Refusals Due to Religious Beliefs and Cultural Diversity 2.2.6-2.2.8* (pgs. 82 -89)

Week 12:

4.11: Jonsen et al.: Decision-Making for the Mentally Incapacitated Patient: *If Incapacitated, Has the Patient Expressed Prior Preferences, Advance Care Planning, The Durable Power of Attorney for Health Care, Documentation of Advance Care Planning: Advance Directives 2.3.0-2.3.4* (pgs. 89-97)

4.13: Jonsen et al.: Decision-Making for the Mentally Incapacitated Patient: *Surrogate Decision Makers, Who Is the Appropriate Surrogate to Make Decisions for the Incapacitated Patient, The Standards for Surrogate Decisions, Implied Consent, Decisions for Patients Who Lack Surrogates (Unrepresented Patients), Consent of Minors, Statutory Authority to Treat 2.4.0-2.4.6* (pgs. 97-104)

Week 13:

4.18: Jonsen et al.: Quality of Life: *The Ethical Principle of Beneficence as Satisfaction, Meaning of Quality of Life, Examples of Quality-of-Life Considerations in Clinical Care 3.0.0-3.0.3* (pgs. 115-118), *Profoundly Diminished Quality of Life 3.3.3* (pgs. 139-143)

4.20: Jonsen et al.: Pain Relief for the Terminally Ill Patient: *Are There Plans to Provide Pain Relief and Provide Comfort After a Decision Has Been Made to Forego Life-sustaining Treatment, The Principle of Double Effect, Palliative Sedation 3.4.0-3.4.3* (pgs. 152-158), Film & Discussion: [Perspectives on Death: Crash Course Philosophy #17 - YouTube](#)

Week 14:

4.25: Jonsen et al.: Suicide: *What Is the Ethical and Legal Status of Suicide, Treatment of Attempted or Suspected Suicides, Suicide and Refusal of Treatment, Legal Status of Suicide 3.6.0-3.6.4* (pgs. 166-168); Film & Discussion: [Sarco – Assisted Suicide Pod \(exitinternational.net\)](#)

4.27: PRESENTATIONS I

Week 15:

5.2: PRESENTATIONS II

5.4: PRESENTATIONS III

Week 16:

5.9: Reading Day

5.11: **FINAL PAPERS DUE**

Grading

A+ (100-97) A (96-94) A- (93-90)
B+ (89-87) B (86-84) B- (83-80)
C+ (79-77) C (76-74) C- (73-70)
D+ (69-67) D (66-64) D- (63-60)
F (59-0)

Integration Requirements

Philosophy 309 (Bioethics) is considered a synthesis course at George Mason University. As such, it satisfies 3 of the 9 credits required by the Integration component of the Mason Core curriculum: [Mason Core < George Mason University \(gmu.edu\)](#) The purpose of a synthesis course is to provide students with the opportunity to synthesize the knowledge, skills and values gained from the Mason Core curriculum. Synthesis courses strive to expand students' ability to master new content, think critically, and develop life-long learning skills across the disciplines. While it is not feasible to design courses that cover "all" areas of general education, synthesis courses function as a careful alignment of disciplinary goals with a range of Mason Core learning outcomes.

Learning Outcomes for Synthesis:

Upon completing a synthesis course, students will be able to:

- I. Communicate effectively in both oral and written forms, applying appropriate rhetorical standards (e.g., audience adaptation, language, argument, organization, evidence, etc.)
- II. Using perspectives from two or more disciplines, connect issues in a given field to wider intellectual, community or societal concerns
- III. Apply critical thinking skills to:
 - a. Evaluate the quality, credibility and limitations of an argument or a solution using appropriate evidence or resources, OR,
 - b. Judge the quality or value of an idea, work, or principle based on appropriate analytics and standards

Academic Integrity

George Mason University students are committed to an Honor Code that is summarized in the following statement: *To promote a stronger sense of mutual responsibility, respect, trust, and fairness among all members of the George Mason University Community and with the desire for greater academic and personal achievement, we, the student members of the university community, have set forth this Honor Code: Student Members of the George Mason University community pledge not to cheat, plagiarize, steal, or lie in matters related to academic work.* In this course, students discovered to have committed plagiarism on any submitted assignment will receive 0% credit for that assignment and further academic measures will be considered based on the severity of the code violation. If you are experiencing difficulty, for whatever reason, in either understanding or completing an assignment, please reach out to the course instructor and/or inquire about academic support via Student Support Resources (below). Full information regarding academic integrity and Mason's Honor Code can be found here: [Office of Academic Integrity \(gmu.edu\)](#)

Electronic Devices

Electronic devices such as laptops and tablets are allowed in class only for the purpose of note-taking or referencing electronic copies of assigned readings. Other uses are not permitted, and students will be asked standardly to turn off and store all devices. Cell phone use is strictly prohibited; phones should be silenced completely and placed out of sight. Violations of any aspect of this policy can significantly affect a student's participation grade.

Disability Services

Disability Services at George Mason University is committed to upholding the letter and spirit of the laws that ensure equal treatment of people with disabilities. Under the administration of University Life, Disability Services implements and coordinates reasonable accommodations and disability-related services that afford equal access to university programs and activities. Students can begin the registration process with Disability Services at any time during their enrollment at George Mason University. If you are seeking accommodations, please visit <http://ds.gmu.edu/> for detailed information about the Disability Services registration process. Disability Services is located in Student Union Building I (SUB I), Suite 2500. Email: ods@gmu.edu | Phone: (703) 993-2474

Diversity and Inclusion

This class seeks to create a learning environment that fosters respect for people across identities. We welcome and value individuals and their differences, including *gender expression and identity, race, economic status, sex, sexuality, ethnicity, national origin, first language, religion, age and ability*. We encourage all members of the learning environment to engage with the material personally, but to also be open to exploring and learning from experiences different than their own.

COVID-19

In relation to COVID-19, George Mason University currently enforces *no particular policy in terms of students wearing masks on campus or in classrooms*. Therefore, the choice to do so remains at students' discretion. The following link can provide helpful information related to safety measures taken by the university: [Safe Return to Campus | George Mason University \(gmu.edu\)](#)

Sexual and Interpersonal Forms of Violence

George Mason University is committed to providing a learning, living and working environment that is free from discrimination and a campus that is free of sexual misconduct and other acts of interpersonal violence in order to promote community well-being and student success. We encourage students and employees who believe that they have been sexually harassed, sexually assaulted or subjected to sexual or interpersonal misconduct to seek assistance and support. [University Policy 1202: Sexual Harassment and Misconduct](#) speaks to the specifics of Mason's process, the resources, and the options available to students and employees. The policy can be found here: [Sexual and Gender-Based Misconduct and Other Forms of Interpersonal Violence – University Policy \(gmu.edu\)](#)

Privacy

Student Privacy is governed by the [Family Educational Rights and Privacy Act \(FERPA\)](#). Mason's privacy standards not only regard personal information about students, but also course materials that can identify students, as well as certain aspects of electronic communication: All course materials posted to Blackboard or another course site are private to this class; by federal law, any materials that identify specific students (via their name, voice, or image) must not be shared with anyone not enrolled in this class. Students *must use their Mason email account* to receive important University information, including communications related to this class. I will not respond to messages sent from or send messages to a non-Mason email address.

Student Support Resources

George Mason University offers a broad and significant array of student support services. These services include Counseling and Psychological Services, Disability Services, Learning Services, Student Health, a University Writing Center, and many more. To view the full list of resources available to you as a student, please see: [Student Support Resources on Campus - Stearns Center for Teaching and Learning \(gmu.edu\)](#)