

Kinesiology 393: Health Ethics, Fall 2011
Instructor: Professor John M. Charles
Class Meetings: TR 11-12.20, Morton 302
Office Hours: 10-11 daily in Adair Hall 400 or by appointment
Contact Information: email – jmchar@wm.edu, phone-757 221 2773

Course Description

The course is an introduction to health-related ethical problems and the nature of ethical decision-making in which emphasis will be placed upon applied ethical problem solving of personal, public and environmental health issues. It is designed for Kinesiology and Health Sciences, Pre-meds and Public Health minors and Environmental Science/Policy. This course fulfills the Kinesiology major writing requirement and meets the GER7 General Education Requirement criteria of introducing and questioning basic norms and values and of fostering critical thinking. More specifically, the purpose of GER 7 is to introduce students to important and influential approaches to philosophical, religious, or social thought and to cultivate reasoned analysis and judgment, by meeting the following expectations for student learning:

- Students will address some fundamental questions about what is good, worthwhile, valuable, desirable, holy, sacred, right, just, true, beautiful and the like in philosophical, religious or social thought.
- Students will identify and justify philosophical, religious or social norms and values.
- Students will engage in active critical analysis of evaluative or ethical theories, concepts and methods of reasoning and deliberation in philosophical, religious or social thought.

Questions that relate to Health Ethics to be addressed during the semester include:

- Drawing from cross-cultural wisdom of the past, the nature of society today and from informed predictions of the future, what do we mean by health and ethics?
- What are some of the CONCERNS we face as we endeavor to make ethical decisions, where CONCERNS include Calloused Oblivious Negativity, Cultural Ethical Relativity and Nihilistic Skepticism?
- How can we become ethically DECIDED using Debate Essence, Codes, Identifying with Detectors and Editing with Deflectors?
- How can time-proven ethical approaches help with the detection of the most moral solution to a particular case study when DETECTORS include Deontological Ethics, Teleological Ethics, Communitarian ethics, Traditional virtue ethics, Omni-feminist ethics, Rights-based and Social contract approaches?
- How might situational factors such as personality, predicament and purpose tend to deflect the course of action away from a particular ethical conclusion, when DEFLECTORS include Demography, Education, Feelings, Legacy, Expectations, Conventionality, Truthfulness, Outcome, Reality and Significance?
- How to incorporate experiential learning into our classroom where we go beyond studying ethics to doing ethics in a CASE STUDY where we will Clarify the issue, Analyze and Synthesize theory and Enact the best solution in a Scholarly Treatise to Understand and Define You (your principles and position in this case)

Course Requirements and Evaluation

The requirements are comprehensive in that they include individual and group projects, written and oral assignments. Evaluation focuses not only on the end-product, but also on the process; on preparation and presentation. The process for every assignment is on-going until the end of the course. Grades for all of the verbal and written assignments (except the mid-term exam) are incremental throughout the semester. You may continue to work to improve your performance until the last day of class, for instance by participating fully in the discussion period of debates even after you have completed your own. Students are encouraged to visit the professor, preferably during his office hours, to discuss their progress throughout the semester.

Verbal assignments (30%)

1. **Group Powerpoint presentation** of one of DETECTORS. Students meet as a group and work together on the complete package – consequently part of this grade is earned on the basis of how the team performs as a unit. Each individual will also earn a part of the grade for individual excellence in presenting one of the following aspects of the DETECTOR: theoretical overview, strengths that make it a useful approach to ethical analysis, weaknesses that detract from its explanatory power and examples of how it might be used in a personal or public health ethics case study. Finally, the group will get a portion of this grade apportioned after they reconvene near the end of the semester to revisit their DETECTOR and to upgrade the group powerpoint. The purpose of this review is to show heightened understanding of underlying concepts and to apply it to an environmental health case study (10%)
2. **Two Partner** presentations, firstly of CONCERNS as they relate to a specific current case study chosen from either personal, public or environmental health and secondly of professional ethical codes and their shortcomings (10%)
3. **Two Debates** chosen from the topics listed in the syllabus. The format for the debate is 2 teams (which do not collaborate with each other), consisting of 2 members (who do collaborate closely). Each debate team will meet to discuss the prompt in detail, discuss strategy (both offense and defense), to decide who will make the initial presentation for the team and who will second that argument by reinforcing key arguments and disagreeing with the opposition. The first speaker on each team is responsible for making all of the arguments pro or con in a prepared, but not read statement (5 minutes). The second speaker has the task of highlighting the main points, defending those that were attacked (damage control) and pointing out the shortcomings of the arguments from the first speaker of the opposing team (5 minutes). After these first four presentations, the floor is opened to points of information (not questions, but statements from the audience) that will allow the teams to consolidate their positions, followed by a final statement from each team (1 minute). The audience votes and explains why they were persuaded to vote the way they did – what arguments they liked, did not like, would have liked to have heard. Grades will be awarded for unimpeachable logic, persuasiveness, charisma and wit, clear thesis and strong sequencing of supportive

arguments. Points will be given for clear and well-researched opening statements that address the basic ethical question of 5-8 minutes length that are presented as persuasive positions, but will be deducted if they do not fit in that time frame, or if the statement is read as a prepared script. Particular debate skills that will be evaluated are clarity in defining each word of the prompt to make your point and in establishing your burden of proof (ie persuading the audience what you have to do to win the debate), listening and responding to points made by your opponents and to points of information raised by the audience **(10%)**

Written assignment (30%): Personal CASE STUDY.

This case study is the culmination of the class in that you will transcend theory to show your understanding of the ethical skills we have been studying throughout the semester in practice. Given that you will be spending much time researching and writing this case study, I encourage you to select a topic that is meaningful to you now and that might be helpful in your future. In order to help structure your time, I suggest you take these steps: **Step 1:** Research and select a case study that is **real** and **interesting**, in which **you are a personal stakeholder** and where **you are currently making an ethical decision**. This case may be reactive (a situation you are facing that you have to react to at this time), or proactive (an issue you want to address because it has clear identifiable personal impact). Start to think about this topic early in the course and discuss it with your professor if you are uncertain – the extent to which this choice meets the four criteria in the first sentence above will strongly influence the grade you can receive for this assignment.

Step 2: Clarify how this case study meets the above criteria in a 2-page first-person narrative that clearly lays out the ethical dilemma you have chosen by **Fall Break**.

Step 3: Analyze ethical options using DETECTORS by **Thanksgiving**. You should use at least 8 of the resources that have been put on reserve in Swem Library for this purpose. Engage all DETECTORS, but show why some have more explanatory power than others.

Step 4: Synthesize the best option using the most appropriate DETECTORS approaches and pertinent DEFLECTORS that are having most effect upon your decision and action.

Step 5: Enact the ethical decision. This action will usually take the form of a document, perhaps a letter, to an individual who can most influence the outcome of the dilemma. It should be preceded by a discussion of possible recipients and a rationale for your final selection. In order to earn Kinesiology Department Writing Credit, drafts of the document that is submitted before Thanksgiving (step 3 above) may need to be rewritten to meet the standards of the discipline. The final paper in its entirety is due the last day of classes.

Points will be detracted if your paper does not include full citations using APA format, is not typed double-spaced and submitted on time via email using Word.

Examination: Mid-term (10%) and Final (30%)

Readings

The required texts are Fadiman, A., 1998, *The Spirit Catches You and You Fall Down*, Farrar, Straus and Giroux and Charles, J. M., 2009, *Health Ethics*, Stipes (Swem reserve).

Read widely from the list below (and other scholarly sources you discover) to prepare for

class discussion and to conduct research for your paper and verbal assignments. You will receive recognition in your grade for skilful selection and use of the philosophy in these sources, but be penalized if you do not use at least 8 of these sources in your case study.

The following books are available as Reserve Items for KINE393 in SWEM library:

R724 .E788 1995

Ethical issues in modern medicine / John D. Arras, Bonnie Ste / Arras, John.
It is strongly recommended that you purchase this book if you are pre-med.

HQ1061 .A4555 1991

Aging and ethics: philosophical problems in / Jecker, Nancy Ann Silbergeld.

B187 .M55 S67 1993

Animal minds and human morals: the origins of the West/ Sorabji, Richard.

B832 .A55 2004

Animal pragmatism: rethinking human-nonhuman relations/ McKenna, Erin, 1965-

GE42 .G83 2003

Boundaries: a casebook in environmental ethics / Chr / Gudorf, Christine E.

GE42 .E18 1995

Earth ethics: environmental ethics, animal rights, and p / Sterba, James P.

K3585 .E58 2004

Environmental ethics and law / edited by / Goldstein, Robert J. (Robert Jay)

GE42 .E58 2005

Environmental ethics: readings in theory and application / Pojman, Louis P.

BJ1611.2 .B34 2002

Ethical ambition: living a life of meaning and worth / D / Bell, Derrick A.

GE42 .N47 2003

Ethics and sustainability: sustainable development / Newton, Lisa H., 1939-

RA564.8 .W49 1993

Ethics and the elderly / Mark R. Wicclair. / Wicclair, Mark R.

Law, Ethics and the practice of public health/ Nieburg, Phillip

R724 .B394 1993

First, do no harm / Lisa Belkin. / Belkin, Lisa, 1960-

HM671 .N87 2006

Frontiers of justice: disability, national / Nussbaum, Martha Craven, 1947-

R733 .C646 2003

Future medicine: ethical dilemmas, regulatory challenge / Cohen, Michael H.

TP248.65 .F66 G453 2004

Genetically engineered foods / Nancy Harris, book edi / Harris, Nancy, 1952-

GV362 .C49 2002

Introduction to humans moving: a guide to philosophy in action/ Charles, John M.

R725.3 .M435 2001

Medicine and the ethics of care / Diana Fritz Cates / Cates, Diana Fritz.

BJ1025 .P67 2000

The moral life: an introductory reader in ethics and lit / Pojman, Louis P.

GF21 .S795 2004

Nature, environment and society / Philip W. Sutton. / Sutton, Philip W.

RA652 .N49 1999

New ethics for the public's health / edited by Dan E. Be / Beauchamp, Dan E.

SB959 .C3

Silent spring. Drawings by Lois and Louis Darli / Carson, Rachel, 1907-1964.

Course videos, most particularly The Mystery of Chi, Sicko, Ethics in America and RX

Course Syllabus

Introduction to Ethical Decision-Making

Thursday, August 26. Course Introduction

The course outline will be discussed, with a particular emphasis upon assignments and course expectations.

Tuesday, August 30. Introduction to Health and Ethical Methodology (pp. 1-43)

A preview of the focus of this class, using a powerpoint to be presented by the instructor. Some of the topics to be introduced in this session will be the meaning of Health, the study of Ethics, the process of **CRISIS** ethical decision-making and resolution of a **CASE STUDY** using **DETECTORS** and **DEFLECTORS** in the face of **CONCERNS**.

Thursday, September 1. Ethical CONCERNS Considered.

Discussion of moral calluses in theory and practice in health and society and confrontation with cultural complexities in excerpts from The Mystery of Chi

Tuesday, September 6. Cultural Relativity and Nihilism

Discussion of the ethical problem of cultural relativity as they are represented in The Spirit Catches You and You Fall Down. Analysis of nihilism in society. Partner presentations of CONCERNS in ethical case studies (6-8 minutes per group) begin.

Thursday September 8. Partner presentations of CONCERNS in case studies.

Conclusion of partner presentations and review of main points of CONCERN.

Tuesday September 13. Deontological Ethics (46, 67-82, 109-118, 147-156) and Teleological Ethics (pp 47-49, 82-86, 118-122, 156-160) powerpoint presentations

Discussion of the role and focus of time-proven ethical decision-making theories that are represented in the DETECTORS followed by student groups presenting deontological and teleological decision-making approaches and applying them to case studies chosen from personal, public and environmental health.

Thursday, September 15. Communitarian ethics (49-52, 86-93, 122-127, 160-164), Traditional virtue ethics (52-54, 93-96, 127-133, 160-164) and Omni-feminist ethics (54-57, 96-99, 133-137, 168-175)

This class will feature powerpoint presentations of communitarian, traditional virtue and omni-feminist ethics and personal, public and environmental health case studies.

Tuesday, September 20. Legal Moralism Rights-based ethics (57-59, 99-103, 137-142, 175-180) and Social contract theory (59-62, 103-109, 142-147, 180-185) and Deflector Analysis (63-66)

Students will present their powerpoints that analyze and apply rights-based approaches and social contract theory to personal, public and environmental case studies. Discussion of the features and impact of DEFLECTORS in case study analysis.

Thursday, September 22. Using ethical codes to guide moral conduct (review 35-45)

Partner presentation of the basic tenets of a professional ethical code of conduct and the limitations of an ethical code as a guide to moral conduct (to be accompanied by a 1-page handout for each class member: summary of code on front and shortcomings on back (5 minutes each group).

Medical Ethics: Personal Health and Aging; Disease and Doctors

Tuesday, September 27. Ethics in America: Does Doctor Know Best?

The first debate will focus on the problems of using the principle of honesty to reach a moral decision after watching excerpts from an Ethics in America video.

Debate: That physicians should always tell the truth.

Thursday, September 29 Unwritten codes of conduct

Given the shortcomings of ethical codes as guides to moral conduct, what other moral compass should guide ethical behavior? Analysis of “first do no harm” as a moral

guideline in the context of beneficence versus non-maleficence and the sanctity of life versus the quality of life.

Debate: That physicians should feel morally justified in helping patients to die with dignity through physician-assisted suicide when it is requested.

Tuesday, October 4. Moral Duty and Life Promotion

This class probes the moral obligation of the health practitioner regarding such issues as informed consent, confidentiality and conflicting professional roles and responsibilities.

Debate: That a physician is morally justified in breaching confidentiality with a patient on the grounds of having a “duty to warn” loved ones.

Thursday, October 6. Mid-term exam

Fall Break: October 8-11

Thursday, October 13. Moral Duty and Disease Prevention

Proactive and reactive moral roles and responsibilities in personal, public and environmental health professions.

Debate: That we should be trying to create a health care system that is more concerned with proactive health promotion than reactive disease treatment.

Tuesday, October 18. Lifestyle Choices, Personal Responsibility and Health Care

Focus on lifestyle, equality and health policy, personal lifestyle choice and responsibility for ill-health (obesity, cancer and liver disease) and review The Obesity Paradox from A Global Health Challenge? Who Plays God? segment on allocation of organ transplants.

Debate: That if an individual chooses to smoke, society should not be obligated to provide a second lung transplant.

Thursday October 20. Ethical Dimensions of Nutrition

Preventing disease and promoting health through nutrition. Review of Super Size Me and a discussion of the ethics of the American way of life it represents.

Debate: That we should have the right to eat what we want without government restriction.

Public Health Ethics

Tuesday, October 25. Justice and Access to Public Health Care

“Sicko” – analysis and synthesis of the Michael Moore video with particular emphasis upon cultural relativity, nihilism, capitalism and socialism.

Thursday, October 27. Health Care Delivery models for the U.S.

Analysis of an ethical framework for access to health care in the US and in the field of international public health, the allocation of health care in this country and globally.

Debate: That we should support the current health care legislation for ethical reasons, including that it promotes social justice. .

Tuesday, November 1. Moral Maturity, the Veil of Ignorance and Public Health

Issues addressed in this class session include the following questions: what should be the relationship of public health practice to the community and the responsibility of the community for its own health? Discussion of how the veil of ignorance (Rawls) could help a community to make ethical choices.

Debate: That a community should not be able to impose fluoride in the drinking water upon any citizen who objects to that practice

Thursday, November 3. Public Responsibility and Health Care

This class is an introduction to public health ethics in a world-wide context through a review of A Global Health Challenge (RX for Survival video). The concept of moral maturity, as defined by Kohlberg will lead to analysis of how safe we are in a global community that is faced by such issues as water pollution and universal vaccinations.

Debate: That it is ethical to totally isolate, quarantine and avoid contact with a small rural community in a third world country that has been stricken by a killer plague that is highly contagious and for which there is no cure, even if this course of action will result in the death of inhabitants.

Tuesday, November 8. Public Health and the challenges of the future

A discussion of ethical problems posed by the advances of genetic understanding, including human/animal hybrid research.

Debate: That genetic testing should be permitted as a part of job screening and that results should become a part of the medical record of the applicant.

Thursday, November 10. Public Health on a global scale

The focus of this class is the ethical responsibility of the public health system in America to cater to diverse populations with different traditions and expectations.

Debate: That medical training should incorporate required training in ethics and cross-cultural awareness of how immigrant patients, such as the Hmong, conceptualize health and disease.

Environmental Health Ethics

Tuesday, November 15. Environmental health and the treatment of the earth

The class will start with a review of recent Environmental Ethics history dating back to the publication of Rachel Carson's Silent Spring and will culminate in a discussion of our obligation to our environment here and in developing third world countries.

Debate: That it is always reasonable to restrict development in order to preserve endangered species.

Thursday, November 17. Developing a Land Ethic

Earth on Edge (Moyers) or Food Inc will provide evidence that the class will use to synthesize a global land ethic, one that is applicable within and beyond the United States of America.

Tuesday, November 22. Animal Rights/Human Wrongs

The PETA production of an Animal Rights video will be the stimulus for discussion of the moral obligation of mankind to the animal kingdom
Debate: That sport hunting is unethical if it entails inflicting pain on animals for pleasure.

Thanksgiving: November 23-27

Tuesday, November 29. Animal Research

Analysis of the moral parameters of animal research. Start the DETECTORS powerpoints
Debate: With the exception of critical medical research, it is ethical to conduct research on animals that should not be conducted on human subjects.

Thursday, December 1. DETECTORS Powerpoint presentations revisited and final review of the class and preview of the final exam

Final Exam: Friday, December 9, 2-5pm