PHCE-4720: Bioethics and Person
Dominican School of Philosophy and Theology

Fall 2019
Wednesdays, 9:40 AM—12:40 PM
DSPT 2

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Course Description and Objectives:

Bioethics, the application of moral reflection to the fields of medicine and biological scientific research, is a relatively new field of study. It wasn't until 1970 that the term "bioethics" began to be used with its present meaning. The discipline itself has radically changed since its beginning fifty years ago. Rapidly developing medical technologies, patient therapies, and pharmaceutics, combined with significant advancements in areas of scientific research from genetics and neurology to computer engineering, have created a host of new products and procedures. Though many of these new devices and techniques present health-care workers, research scientists, and patients with complex moral and legal realities, they are typically available long before their full ethical and societal implications have been sufficiently examined. Bioethics thus constitutes an urgent and ever-expanding discipline.

This course, an advanced ethics seminar intended for M.A. and Ph.D. students, will examine some of the most urgent contemporary issues and debates within bioethics. Given new medical and scientific technologies, how should we respond to human suffering, especially among the most vulnerable? How do we care for those at the beginning and end of their lives, given the intrinsic dignity of human persons? How do we reconcile apparent conflicts between promoting the common good and respecting individual autonomy? How are limited resources to be fairly and justly allocated? What contributions do philosophy (reason unaided by revelation) and theology (rationality supplemented by faith and revelation) bring to bioethical deliberation?

While the course will include a brief survey of the variety of ethical frameworks and theories used to answer such questions, it will focus on the Catholic moral tradition, particularly the
tradition of natural law, virtue ethics, and the implications of the concept of personhood. Class readings and discussions will seek to understand and evaluate morally challenging situations in light of this tradition. While there will be some biological and medical science involved, no background in these disciplines is required. Since this course is not an introductory ethics course, students are expected to already have studied some philosophical ethics or moral theology, either formally or informally; some knowledge of natural law and virtue ethics is strongly recommended.

By the end of the semester, students will have gained an understanding of the alternative ethical frameworks and theories available to bioethicists. Students will also have a grasp of the fundamental principles of Thomistic philosophy and moral theology by which those working within the Catholic moral tradition evaluate contemporary issues. More specifically, students will be able to:

- Identify the main features of the natural law tradition and St. Thomas Aquinas' account of the virtues;
- Describe the contributions that theologians and thinkers from religious traditions can contribute to public discourse on bioethical issues;
- Explain what the Catholic moral tradition means by the inherent dignity of human persons and the implications of this doctrine;
- Clearly explain key principles of ethical decision-making in bioethics, including cooperation with (and appropriation of) evil, extraordinary and ordinary means, the common good, reflective equilibrium, and the principle of double-effect;
- Describe important aspects of the patient-physician relationship, including confidentiality, truth-telling, and informed consent;
- Briefly summarize some of the contemporary debates within bioethics and the issues at stake within them, including artificial reproductive technologies, abortion, physician-assisted suicide, artificial nutrition and hydration, brain death, organ donation and transplantation, vaccination, embryo adoption, cloning, stem cells, gene therapy, artificial enhancement, and the just distribution of medical resources and services.

**Course Requirements:**

As an advanced seminar course, this class will focus primarily on the discussion of assigned texts and the pressing ethical issues they raise, although the instructor will provide background
material in lecture form from time to time. Students will be expected to carefully prepare assigned readings in order to actively participate in the conversation and raise thoughtful questions in class. Each week several students will be asked to introduce particular assigned readings and lead the class discussion by raising several substantive questions for discussion. Presentations and the careful preparation of assigned readings are meant to foster student capacities for self-direction and collaborative learning (DSPT Institutional Goals A3 and B1). Because this class is structured as a seminar, attendance and participation in the discussion is expected and essential. Absences will significantly affect a student’s final grade. Students with disabilities or whose first language is not English are encouraged to speak with the instructor about any special needs they might have.

Students will be evaluated according to the quality of their class participation and leadership of class discussions, and a final research paper of 15-20 pages. These assignments are designed to help students develop their own critical thinking on bioethical issues and fundamental concepts in ethics, and articulate their understanding of these topics both orally and in writing. They also offer students the opportunity to show their growth in the DSPT’s institutional goals of integrative thinking, self-direction, collaborative learning, and leadership (Institutional Goals A1-3 and B1). All sources in the final research paper should be cited using proper “Turabian” format (see Kate L. Turabian, *A Manual for Writers of Research Papers, Theses, and Dissertations*. Ninth Edition. Chicago: University of Chicago Press, 2018). Students should conscientiously avoid plagiarism, and are asked to consult the *DSPT Student Handbook* for the DSPT’s policies regarding academic honesty. A **paper proposal** consisting of a description of the student’s thesis, the methodology to be used, and the significance of the project, along with a preliminary bibliography of a minimum of 10 sources in Turabian format, should be submitted by **October 30**, and will be factored into the final grade for the research paper. The **final research paper** is due no later than **December 18, 2019**. Late papers will be accepted, but will be penalized 1/3 of a letter grade (e.g., from an A to A-) for each day past the date due.

**Grading:**
- Weekly Class Participation: 25%
- Class Presentations and Discussion Leadership: 25%
- Final Research Paper: 50%
Assigned Texts:


Weekly reading assignments will be taken from these assigned texts, as well as from readings posted on Moodle ([http://moodle.gtu.edu](http://moodle.gtu.edu)) or available (open source) on the internet.

Course Schedule:

9/4: Introduction to the Course

What is a Person?

Norris Clarke, S.J., *Person and Being*

Macklin, "Dignity is a Useless Concept" (2 pgs.)

short selections from Tooley, "Abortion and Infanticide" and

Singer, *Practical Ethics* (12 pgs.)

"The Human Person as Body-Soul Unity" (class handout)


Optional: White, "Personhood: An Essential Characteristic of the Human Species" (24 pgs.)

9/11: The Principles Approach to Bioethics

Beauchamp and Childress, *Principles of Biomedical Ethics*, Chs. 1, 5-6
9/18: Virtue and Natural Law

Aquinas, *Summa Theologiae* I-II, Q. 90 (all), Q. 91, a. 1-4, Q. 92, a.1, Q. 94 (all), Q. 95, a. 1-2, Q. 55-56 (all), (see, among others, https://dhspriory.org/thomas/summa/)

Sokolowski, "What Is Natural Law?" (23 pgs.)

Spaemann, "Consequentialism" (12 pgs.)

United Nations' Universal Declaration on Human Rights (1948) (8 pages)

Optional: Oderberg, "Why I Am Not a Consequentialist" (9 pgs.)


Maritain, "The Person and the Common Good" (37 pgs.)

Pius XII, "Address to an International Congress of Anesthesiologists, November 24, 1957" (6 pgs.)

Wildes, "Ordinary and Extraordinary Means and the Quality of Life" (13 pgs.)

Di Camillo, "Understanding Cooperation with Evil" (4 pgs.)

Kaveny, "Appropriation of Evil: Cooperation's Mirror Image" (35 pgs.)

Optional: Arras, "The Way We Reason Now: Reflective Equilibrium in Bioethics" (25 pgs.)


10/2: The Principle of Double-Effect (Guest Lecturer: Dr. Thomas A. Cavanaugh)

Cavanaugh, "Abuses of Double Effect, Anscombe’s Principle of Side Effects, and a (Sound) Account of Duplex Effectus" (26 pgs.)

Cavanaugh, *Double-Effect Reasoning: Doing Good and Avoiding Evil*, Chs. 3-4 (47 pgs.)

10/9: Ethics in a Theological Context and Conscience

Sulmasy, "What is Conscience and Why Is Respect For It So Important?" (22 pgs.)
Aquinas, *Summa Theologiae* I, Q. 79, a. 11-13 (see, among others, https://dhspriory.org/thomas/summa/)
Optional: May, "John Paul II's Encyclical Veritatis Splendor and Bioethics" (16 pgs.)

10/16: The Physician's Vocation and the Patient-Physician Relationship
Siegler, "Confidentiality in Medicine--A Decrepit Concept" (3 pgs.)
Kipnis, "A Defense of Unqualified Medical Confidentiality" (11 pgs.)
Cavanaugh, *Hippocrates' Oath and Asclepius' Snake* (especially chs. 3-4)
*Declaration of Geneva* (https://www.wma.net/policies-post/wma-declaration-of-geneva/) (2 pgs.)
Optional: USCCB, *Ethical and Religious Directives for Catholic Health Care Services*, Part 3 (5 pgs.)

10/23: No Class (Reading Week)

10/30: Patient Autonomy: Informed Consent, Truth-Telling, and Freedom
Spaeder, "The Moral Obligation to Vaccinate: Autonomy and the Common Good" (9 pgs.)
Petrini, "Ethical and legal aspects of refusal of blood transfusions by Jehovah's Witnesses" (7 pgs.)
Austriaco, "Requests for Elective Amputation" (2 pgs.)
The *Nuremberg Code* (2 pgs.)
*Declaration of Helsinki* (4 pgs.)
Pence, *Medical Ethics*, Ch. 9: Medical Research on Vulnerable Populations (21 pgs.)
Paterick, "Medical Informed Consent: General Considerations for Physicians" (6 pgs.)
Austriaco, "Presumed Consent for Organ Procurement: A Violation of Informed Consent?" (7 pgs.)
Novack, et al., "Changes in Physicians' Attitudes Toward Telling the Cancer Patient" (3 pgs.)
Optional: London, "Clinical Equipoise: Foundational Requirement or Fundamental Error?" (26 pgs.)
Optional: "Henrietta Lacks" (Encyclopedia Britannica Article) (2 pgs.)
   “Henrietta's Tumor”: http://www.radiolab.org/story/91716-henriettas-tumor/ (Listen to the audio recording)
   “HeLa Cells”: https://vimeo.com/9581140 (watch the video)
Optional: Review a Supreme Court Case: Buck vs. Bell (1927)
   (https://www.law.cornell.edu/supremecourt/text/274/200) (2 pgs.)

11/6: In-Vitro Fertilization, Surrogacy, Embryo Transfer and Adoption

Cataldo, "Reproductive Technologies" (15 pgs.)
Brown and Eberl, "Ethical Considerations in Defense of Embryo Adoption" (15 pgs.)
Pachelczyk, "On the Moral Objectionability of Human Embryo Adoption" (14 pgs.)
Optional: Accad, "Heterologous Embryo Transfer: Magisterial Answers and Metaphysical Questions" (7 pgs.)
11/13: Abortion
Thomson, "A Defense of Abortion" (20 pgs.)
Congregation for the Doctrine of the Faith, Declaration on Procured Abortion
Miklavcic and Flaman, "Personhood Status of the Human Zygote, Embryo, Fetus" (13 pgs.)
Haas, "Moral Theological Analysis of Direct Versus Indirect Abortion" (12 pgs.)
Optional: USCCB, Ethical and Religious Directives for Catholic Health Care Services, Part 4 (5 pgs.)
Optional: Pope John Paul II, Evangelium Vitae, §29-63 (24 pgs.)
Optional: Kaczor, The Edge of Life: Human Dignity and Contemporary Bioethics, Chs. 2-3 (59 pgs.)
Optional: Review the Supreme Court Decision: Roe v. Wade (1973)
(https://www.law.cornell.edu/supremecourt/text/410/113#writing-USSC_CR_0410_0113_ZD/) (42 pgs.)

11/20: Brain Death (Guest Lecturer: Dr. Michel Accad)
Readings TBD

11/27: Euthanasia, Physician-Assisted Suicide, and Artificial Nutrition and Hydration
Congregation for the Doctrine of the Faith, Declaration on Euthanasia
Sulmasy, et al., "Non-Faith-Based Arguments Against Physician-Assisted Suicide and Euthanasia" (9 pgs.)
selections from Kaveny, Law's Virtues: Fostering Autonomy and Solidarity in American Society, Ch. 6 (20 pgs.)
Verhagen, "The Groningen Protocol--Euthanasia in Severely Ill Newborns"
Hendin, et al., "Physician-Assisted Suicide and Euthanasia in the Netherlands" (3 pgs.)
Pope John Paul II, "Address to Participants of the International Congress on Life


Cataldo, "Pope John Paul II on Nutrition and Hydration: A Change of Catholic Teaching? (22 pgs.)

Optional: Keown, "Euthanasia in the Netherlands: Sliding Down the Slippery Slope" (41 pgs.)

Optional: USCCB, Ethical and Religious Directives for Catholic Health Care Services, Part 5 (4 pgs.)

Optional: Pope John Paul II, Evangelium Vitae, §64-105 (38 pgs.)


12/4: Organ Donation, Cloning, and Stem Cells


selections from Aristotle, Nicomachean Ethics, V (12 pgs.)

Pence, Medical Ethics, Ch. 11: Allocation of Transplantable Organs: The God Committee (23 pgs.)

Brudney, "Are Alcoholics Less Deserving of Liver Transplants?" (7 pgs.)

Transplantation Society and International Society of Nephrology, "The Declaration of Istanbul on Organ Trafficking and Transplant Tourism" (4 pgs.)

Gill and Sade, "Paying for Kidneys: The Case Against Prohibition" (23 pgs.)

Gardner, "Stem Cells and Regenerative Medicine: Principles, Prospects and Problems" (5 pgs.)


Optional: Robert and Baylis, "Crossing Species Boundaries" (10 pgs.)

Optional: Austriaco, "How to Navigate Species Boundaries: A Reply to The American Journal of Bioethics" (11 pgs.)


12/11: Gene Therapy, Gene Editing and Artificial Enhancement


Walter, "Human Germline Therapy: Proper Human Responsibility or Playing God?" (26 pgs.)

Paul Scherz, "The Mechanism and Applications of CRISPR-Cas9" (8 pgs.)

Kevin Fitzgerald, S.J., "Human Genome Editing: A Catholic Perspective" (15 pgs.)

Bostrom, "Human Genetic Enhancements—A Transhumanist Perspective" (13 pgs.)

Optional: "Living in a CRISPR World" (Austriaco): https://soundcloud.com/user-458215614/living-in-a-crispr-world/ (Listen to the Podcast)

12/18: Final Research Paper Due

N.B.: The instructor reserves the right to revise the course syllabus as the need arises.

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**Additional Resources**

The following is a list of supplemental and suggested readings. These are by no means required reading for the course, but may serve as an initial point of departure for further research into bioethical topics, theories, and contemporary issues.


The following journals are useful resources for research on bioethical issues from a Catholic perspective:

*The Linacre Quarterly*

*National Catholic Bioethics Quarterly*

*Ethics and Medics*

*Kennedy Institute of Ethics Journal*

*The Hasting Center Report*