

## METHODS IN BIOETHICS

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Georgetown University  
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Spring 2005

### COURSE DESCRIPTION

This seminar emphasizes contemporary controversies about methodology, including the role of theory, principles, cultural systems, pragmatic goals, cases, and particular judgments. Specifically, the course will: (1) examine so-called theories of biomedical ethics, (2) analyze the place (if any) of principles in bioethical theory, (3) ask whether a framework of universal principles should be replaced by or augmented by a virtue theory, casuistry, communitarianism, rights theory, moral-rules theory, pragmatism, or the ethics of care, and (4) inquire into the status of multiculturalism, moral relativism, and retrospective moral judgments.

The format in class is that of seminar papers and discussion. Discussion will be directed at the broader dimensions of the theories and methods, rather than at details of textual analysis or applications to specific problems, topics, or areas of bioethics. Discussion is expected to involve a minimum of interpretation and a maximum of discussion of the issues.

### REQUIREMENTS

One classroom presentation is required of all class members, even if they are auditing the course. Two classroom reports are required of each graduate student taking the course for credit. Undergraduate students taking the course for credit will give only one classroom report.

The oral classroom presentation must be based on a written document exactly 2 1/2 pages long (5 minutes reading time). This document is to be distributed to all members of the class at the time of the student's presentation. The point of this document is *not* to exposit the texts or the issues, but rather to present a philosophical evaluation. Papers that are exclusively summative, expository, or interpretative are strongly discouraged. The specific topics for the class reports are provided below.

One term paper is required of all credit students. Specific topics will not be assigned to students for the term papers. Each student should make an individual proposal. The final papers must be no longer than 25 pages and no shorter than 15 pages (double-spaced). Papers not of this length will be returned for rewriting. Specific topics for term papers should be discussed early in the semester with the professor. A full draft manuscript of the term paper is due no later than April 15. The final paper is due one week before the end of the examination period.

### ORIGINALITY, STANDARDS OF WRITING, AND SCHOLARLY RESEARCH

Papers and class presentations must contain creative thought and writing. Mere summaries of the views of others are unacceptable. As for style, quality of argument,

organization, and the like, pretend that you are submitting the paper to a journal. Consult the Chicago or Oxford Manuals on matters of style and form. You are also expected to know the standards of research and publication in philosophy, how to read and study texts, and how to construct a philosophical argument. Deficiencies in these areas will affect the grades awarded to papers.

#### ATTENDANCE

Regular attendance is required. Auditors must make a firm commitment to attend all sessions throughout the semester.

#### TEXTS AND ABBREVIATIONS

T. Beauchamp & J. Childress, *Principles of Biomedical Ethics* (New York: Oxford, 5th edn. 2001). ISBN 0-19-514332-9: B-C.

B. Gert, C. M. Culver, and K. D. Clouser, *Bioethics: A Return to Fundamentals* (New York: Oxford, 1997). ISBN 0-19-511430-2: Gert.

Glenn McGee, ed., *Pragmatic Bioethics*, 2nd edn. (Cambridge: MIT Press, 2003). ISBN 0-19-514332-9: McGee.

[Suggested for possible purchase:]

L. W. Sumner and J. Boyle, *Philosophical Perspectives on Bioethics* (Toronto Press, 1996). ISBN 0-8020-7139-2: Sumner

Kevin Wildes, *Moral Acquaintances: Methodology in Bioethics* (Notre Dame: University of Notre Dame Press, 2000): Wildes

J. Sugarman and D. P. Sulmasy, eds., *Methods in Medical Ethics* (Washington: Georgetown, 2001): S-S.

[Expensive for purchase, but in KI Library]

Raanan Gillon and Ann Lloyd, eds., *Principles of Health Care Ethics* (London: John Wylie & Sons, 1994): Gillon

## TOPICS BY WEEK

### 1. What are the Problems of Theory and Method in Bioethics?

E. Pellegrino, "The Internal Morality of Clinical Medicine: A Paradigm for the Ethics of the Helping and Healing Professions," *Journal of Medicine and Philosophy* 26 (2001): 559-79.

R. Veatch, "The Impossibility of a Morality Internal to Medicine," *Journal of Medicine and Philosophy* 26 (2001): 621-42.

John D. Arras, "A Method in Search of a Purpose: The Internal Morality of Medicine," *Journal of Medicine and Philosophy* 26 (2001): 543-62.

Stephen L. Darwall, "Theories of Ethics," in R. G. Frey and Christopher Wellman, eds. *A Companion to Applied Ethics* (Blackwell, 2003), pp. 17-37.

B-C, "Criteria for Theory Construction," in B-C, Ch. 8 (5th edn.).

N. Daniels, "Wide Reflective Equilibrium in Practice," in L. W. Sumner and J. Boyle, *Philosophical Perspectives on Bioethics* (Toronto Press, 1996).

### 2. What Place for Principles?

B-C, Chs. 1-2 (5th edn.).

J. Arras, "Principles and Particularity: The Role of Cases in Bioethics," *Indiana Law Journal* 69 (1994): 983-1014.

E. Pellegrino, "The Four Principles and the Doctor-Patient Relationship: The Need for a Better Linkage," in Gillon and Lloyd.

K. Wildes, *Moral Acquaintances: Methodology in Bioethics* (Notre Dame: University of Notre Dame Press, 2000), Ch. 3.

### 3. Fundamentalism in Bioethics: the Common Morality as Fundamental

Bernard Gert, C. Culver, and K. D. Clouser, *Bioethics: A Return to Fundamentals*, Chapters 1-4, through p. 88.

K. Danner Clouser, "Common Morality as an Alternative to Principlism," *Kennedy Institute of Ethics Journal* 5, No. 3 (1995).

Tom L. Beauchamp, "A Defense of the Common Morality," *Kennedy Institute of Ethics Journal* 13 (2003): 259-74.

### 4. Specified Principlism

B-C, Ch. 9 (5th edn.) (also repeat ch. 1).

D. DeGrazia, "Moving Forward in Bioethical Theory: Theories, Cases, and Specified Principlism," *Journal of Medicine and Philosophy* 17 (1992): 511-539.

H. S. Richardson, "Specifying, Balancing, and Interpreting Bioethical Principles," *Journal of Medicine and Philosophy* 25 (2000): 285-307.

B. Gert, C. M. Culver, and K. D. Clouser, "Common Morality versus Specified Principlism: Reply to Richardson," *Journal of Medicine and Philosophy* 25 (2000): 308-22.

B. Gert, C. M. Culver, and K. D. Clouser, *Bioethics: A Return to Fundamentals*, pp. 88-91.

Also Suggested, but not Assigned: Henry S. Richardson, "Specifying Norms as a Way to Resolve Concrete Ethical Problems," *Philosophy and Public Affairs* 19 (Fall 1990): 279-310.

## 5. Casuistry

B-C, Ch. 9 (5th edn.), "Casuistry: Case-Based Reasoning."

A. Jonsen, "Casuistry: An Alternative or Complement to Principles?," *Kennedy Institute of Ethics Journal* 5, No. 3 (1995).

Carson Strong, "Specified Principlism: What Is It, and Does it Really Resolve Cases Better than Casuistry?" *Journal of Medicine and Philosophy* 25 (2000): 323-41 (followed by Replies by T. Beauchamp and A. Jonsen).

Mark Kuczewski, "Casuistry and Principlism: The Convergence of Method in Biomedical Ethics," *Theoretical Medicine and Bioethics* 19 (1998): 509-24.

Carson Strong, "Critiques of Casuistry and Why They Are Mistaken," *Theoretical Medicine and Bioethics* 20 (1999): 395-411.

## 6. Pragmatism and Bioethics

Glenn McGee, "Introduction," in McGee.

Jonathan Moreno, "Bioethics is a Naturalism," in McGee, pp. 11-16 only.

J.J. Fins, M.D. Bacchetta, and F.G. Miller, "Clinical Pragmatism: A Method of Moral Problem Solving," in McGee.

J.D. Arras, "Freestanding Pragmatism in Law and Bioethics," in McGee.

H.J. Saatkamp, "Genetics and Pragmatism," in McGee, pp. 166-79 only.

P.R. Wolpe and G. McGee, "'Expert Bioethics' as Professional Discourse: The Case of Stem Cells," in McGee, pp. 190-91 only.

M. Benjamin, "Pragmatism and the Determination of Death," in McGee, pp. 203-6 only.

Heike Schmidt-Felzmann, "Pragmatic Principles—Methodological Pragmatism in the Principle-Based Approach to Bioethics," *Journal of Medicine and Philosophy* 28 (2003): 581-96.

John D. Arras, "Rorty's Pragmatism and Bioethics," *Journal of Medicine and Philosophy* 28 (2003): 597-613.

## 7. The Ethics of Virtue

E. Pellegrino, "Toward a Virtue-Based Normative Ethics for the Health Professions," *Kennedy Institute of Ethics Journal* 5, No. 3 (1995).

B-C, Ch. 2 (5th edn.) on Character Ethics and Virtue-Based Theory.

A. V. Campbell, "The Virtues (and Vices) of the Four Principles," *Journal of Medical Ethics* 29 (Oct. 2003): 292-96.

L. Blum, "Moral Exemplars: Reflections on Schindler, the Trocmes, and Others," *Midwest Studies in Philosophy* 13 (1988): 196-221.

## **8. Ethics of Care**

Rosemarie Tong, "The Ethics of Care: A Feminist Virtue Ethics of Care for Healthcare Practitioners," *Journal of Medicine and Philosophy* 23 (1998): 131-52.

Alisa L. Carse, "The 'Voice of Care': Implications for Bioethical Education," *The Journal of Medicine and Philosophy* 16 (1991): 5-28.

Alisa L. Carse, "Impartial Principle and Moral Context: Securing a Place for the Particular in Ethical Theory," *Journal of Medicine and Philosophy* 23 (1998): 153-69.

Margaret Olivia Little, "Care: From Theory to Orientation and Back," *Journal of Medicine and Philosophy* 23 (1998): 190-209.

B-C, "Ethics of Care," in Ch. 8 (5th edn.).

## **9. Multiculturalism and the Role of Community and Traditions**

H. T. Engelhardt Jr., *Foundations of Bioethics* (New York: Oxford University Press, 1996), 2nd edn., Ch. 1 (pp. 1-31).

Nicholas A. Christakis, "Ethics are Local: Engaging Cross-Cultural Variation in the Ethics for Clinical Research," *Social Science and Medicine* 35 (1992): 1079-91.

Patricia Marshall & Barbara Koenig, "Accounting for Culture in a Globalized Bioethics," *Journal of Law, Medicine, & Ethics* 32 (2004): 352-66.

Daniel Callahan, "Individual Good and Common Good: A Communitarian Approach to Bioethics," *Perspectives in Biology and Medicine* 46 (2003): 496-507.

B-C, Ch. 8 (5th edn.), "Communitarianism: Community-Based Theory."

## **10. Relativism and Nonrelativism in Bioethics: Does Bioethics Have the Resources to Resist Relativism?**

R. Baker, "A Theory of International Bioethics: Multiculturalism, Postmodernism, and the Bankruptcy of Fundamentalism," *Kennedy Institute of Ethics Journal* 8 (September 1998a): 201-31.

R. Baker, "A Theory of International Bioethics: The Negotiable and the Non-Negotiable," *Kennedy Institute of Ethics Journal* 8 (September 1998b): 233-74. This second Baker article can be read selectively, but read carefully through p. 246.

R. Macklin, "A Defense of Fundamental Principles and Human Rights: A Reply to Robert Baker," *Kennedy Institute of Ethics Journal* 8 (1998): 403-22.

R. Macklin, *Against Relativism: Cultural Diversity and the Search for Ethical Universals in Medicine* (New York: Oxford University Press, 1999), pp. 4-27, 109-34.

Wayne Vaught, "A Moral Framework for Multicultural Education in Healthcare," *Theoretical Medicine and Bioethics* 24 (2003): 301-28.

Leigh Turner, "Zones of Consensus and Zones of Conflict: Questioning the 'Common Morality' Presumption in Bioethics," *Kennedy Institute of Ethics Journal* 13 (2003): 193-218.

R. Alta Charo, "Passing on the Right: Conservative Bioethics is Closer Than It Appears," *Journal of Law, Medicine, and Ethics* 32 (2004): 293-306.

### **11. Retrospective Moral Judgments in Bioethics: On What Basis?**

Advisory Committee on Human Radiation Experiments, *Final Report of the Advisory Committee on Human Radiation Experiments* (New York: Oxford University Press, 1996), Ch. 4.

A. Buchanan, "Judging the Past," *Hastings Center Report* 26 (May-June 1996): 25-30.

A. Buchanan, "The Controversy over Retrospective Moral Judgments," *Kennedy Institute of Ethics Journal* 6 (1996): 245-50.

T. Beauchamp, "Looking Back and Judging our Predecessors," *Kennedy Institute of Ethics Journal* 6 (1996): 251-70.