

**PHL 453: Ethical Issues in Global Public Health  
Spring 2008**

**Instructor:**

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Office hours by appointment. Email is always available, and it's the best way to set up an appointment.

**Text Books:**

Required:

Kidder, Tracy, *Mountains beyond Mountains*. Random House, 2004.  
Koggel, Christine. *Moral Issues in Global Perspective, Vol 1: Moral and Political Theory*

Recommended:

Rachels, James, *Elements of Moral Philosophy*. Any edition. Many are available cheaply on the web.

**Course Description:**

Most people in the world are poor, and most of those are sick: Illness and poverty cause and reinforce one another. This course looks at the moral and ethical issues that this suffering, and responses to it, present. Much of our discussion will focus on poorer countries, but the United States too will be our concern, both because of the significant poverty here, and because we are affected by what happens elsewhere – germs, for instance, do not respect political boundaries. While we will focus on health-related issues, these are embedded in larger issues: having enough to eat strengthens one's immune system; safe drinking water prevents many diseases; education encourages health-promoting behaviors. The course will focus more on public health than on the health care of individuals, and on policy rather than clinical scenarios, but there is no bright line separating these areas.

We will draw upon research from several different disciplines besides philosophy; the course is intended for a wide audience.

**Goals**

The goals of the course are to help students become familiar with the ethical issues above, understand what current scholarship has to say about them, and learn how to analyze

them from a philosophical perspective. Students will also learn to work cooperatively with other students in order to consider and evaluate diverse perspectives.

## Organization

After an introduction to the global burden of disease, the nature of public health, and some basics in ethical theory, the course will be organized around central ethical concepts:

- (1) Autonomy and utility (cardinal but competing values) Subtopics include
  - liberty of movement and the perceived need to quarantine those with infectious disease
  - freedom of speech and family planning funding
  - market freedoms; the tobacco and pharmaceutical industries; the exchange of organs
  - autonomy (the right to choose how one lives) and public health attempts to change behavior
- (2) Human rights. Our primary example will be research on human subjects, especially in poorer countries.
- (3) Justice. Examples include
  - when medication and other health resources are limited (as they always are), who should get them? Who should decide?
  - should rich countries hire health care professionals from poor ones?
  - should rich countries give medical care to migrants from poorer countries?
- (4) *Eudaimonia*, or what it means to live a full human life. Subtopics include
  - the relationship between human health and environmental protection
  - disabilities
  - virtue, or better, character
  - the role of democracy

**Requirements:** Thirty percent of your final grade is earned through preparing for and attending class; 40% from short papers; 30% from your final. Details follow.

### Attendance

15%

*The quality of class discussion depends on the community of inquiry we develop, the basic prerequisite for which is simply everyone's being there, prepared (hence the Angel submission requirement; see below). Once in class, listen, reflect, and speak up!*

14 classes:	4.0
13	3.5
12	3.0

–etc.–

**Weekly Angel submission****15%****Week 1: Introduce yourself**

*Due by Monday Jan 19. Who are you? What do you bring to the course to enrich it? This might be experience abroad, other courses you've taken, medical knowledge, web skills, acquaintance with poverty, whatever.*

**Weeks 2-15 "Question paragraph." (3-5 sentences)**

*Due each Monday, 7:00 am. From the week's assigned reading, what point(s) would you like class discussion to address, and why? Something that needs clarification, or that seems to be mistaken, or is especially important? Why?*

*Weekly Angel submissions will be graded "1", "2", or "3". The ordinary grade will be "2". Paragraphs showing close reading of several assigned texts, or in other ways unusually good, will earn a "3." "1" is reserved for obviously perfunctory efforts.*

<i>A total of</i>	<i>28 points:</i>	<i>4.0</i>
	<i>26 points:</i>	<i>3.5</i>
	<i>24 points:</i>	<i>3.0</i>
	<i>22 points:</i>	<i>2.5</i>
	<i>-- etc --</i>	

**Three short papers (chosen from 5 or 6 possibilities offered)****40%**

*500 words. Each question will be assigned a week before it is due. Typically you will be asked to work with a concept: clarify and apply it. If you do more than three papers, the lowest grade will be dropped.*

**Rough draft of final essay, including essay exchange in class April 28.****10%**

*The rough draft will be graded, but graded as a rough draft. (For instance, a 3.5 on the rough draft would be equivalent to about a 2.0 if it were handed in as a final paper.) If you do not participate in the essay exchange, without a serious and documented excuse, you will receive no credit.*

**Revised final essay****20%**

*Approximately 3000 words. A position paper, in which you take a position on a substantive question, support that position with reasons, consider objections, and respond to them.*

## **WEEK ONE: INTRODUCTION**

**Global health (some facts); public health (the concept); moral reasoning (a skill)**

### **In Class Video:**

“Rx for Survival,” Program 5: “Back to Basics”

### **Recommended viewing:**

<http://video.google.com/videoplay?docid=4237353244338529080>

## **WEEK TWO: MORAL REASONING; UTILITARIANISM IN PARTICULAR**

### ***Required Reading***

Kidder, Part I, “Dokte Paul”

Fletcher, Faith E., Paul Ndebele, and Maureen C. Kelley, “Infant Feeding and HIV in Sub-Saharan Africa: What Lies Beneath the Dilemma?” *Theoretical Medicine and Bioethics* Vol 29 (2008):307-330..

Koggel, Introduction pp. 1-3 and “Utilitarianism,” pp. 15-22

### ***Recommended***

Rachels, “The Utilitarian Approach,” (chapter 6 in the fifth edition)

“Utilitarianism” in the encyclopedias and glossaries listed in Angel under the Resources tab.

## **WEEK THREE: ETHICS IN PUBLIC HEALTH**

### ***Required***

"Principles of the Ethical Practice of Public Health," American Public Health Association. New Orleans: Public Health Leadership Society. 2003. (Google title)

Kass, N. "Toward an Ethics of Public Health." *American Journal of Public Health*. 91:11 (November 2001) 1776-1782

Childress, J., et al. "Public Health Ethics: Mapping the Terrain." *Journal of Law, Medicine, and Ethics*. 30:2 (Summer 2002), 170-8

Kidder, *Mountains Beyond Mountains*, Part II: "The Tin Roofs of Cange."

"Deontological Ethics" in Wikipedia, especially the introduction and subsections 1.2 (Kant) and 1.3 (Ross)

### ***Recommended***

Rachels, "The Debate Over Utilitarianism," "Are There Absolute Moral Rules?" and "Kant and Respect for Persons" (chapters 7, 8, & 9 in the fifth edition).

Koggel, pp. 4-14.

*These are the words of Immanuel Kant, one of the most influential ethical theorist of the past 50 years. It's dense, challenging reading, but I do hope you give it a try. You might prefer to read some of the secondary literature first, for instance the chapters from Rachels given just above, or treatment in Wikipedia or Routledge.*

"Deontological Ethics," in *Routledge Encyclopedia of Philosophy* (through the library's e-resources page). First two paragraphs.

## **WEEK FOUR: RELATIVISM & CULTURAL DIFFERENCE (gender; democracy)**

### ***Required***

Nussbaum, Martha, "In Defense of Universal Values," excerpted from chapter 1 of *Women and Human Development: The Capabilities Approach*. NY: Cambridge University Press, 2000, pp. 34-70. (PDF)

Ntarangwi, Mwenda "I Have Changed my mind now": U.S. Students' Responses to Female Genital Cutting in Africa." *Africa Today* Vol 53, Iss 4, pp. 86 ff (PDF)

*This is a teacher's point of view; she is an anthropologist. What are her own normative commitments, if any? What does she mean by "anthropological analyses"?*

Linton, Ralph, "Universal Ethical Principles: An Anthropological View." In *Moral Principles of Action*, Ruth Nanda Ashen, ed. NY: Harper and Brothers 1952. (PDF)

*This was written more than fifty years ago. I asked an anthropology professor about its validity today; she responded "the Linton article is old, but it is still cited as an early example of ethical work. People have moved on from here, noting that things are more complex, etc., but I don't think that people have actually said that he's wrong. So, it can be seen as sort of a baseline."*

### ***Recommended***

Rachels, "The Challenge of Cultural Relativism," Ch. 2 in the fifth edition.

In Koggel (required text for course) pp. 23-49

Egbeke Aja, "Changing Moral Values in Africa: An Essay in Ethical Relativism"

V.F. Cordova, "The We and the I"

*This is a thoughtful article, not completely clear, but quite suggestive.*

### **WEEK FIVE: LIBERTY AND THE CONTROL OF DISEASE**

(Freedom of speech in federally funded programs; mandatory vaccination; quarantine)

#### ***Required Reading:***

*The first five articles are quite short. They concern quarantine and other coercive or restrictive measures for controlling infectious disease. The diseases include TB and SARS. (Sudden Acute Respiratory Syndrome, which struck in the spring of 2003. Toronto was hit hard.)*

*The article by Dare is the longest and the one to which we will pay close textual attention. Please bring it to class in hard copy.*

Upshur, R. E. G., "Principles for the Justification of Public Health Intervention," *Canadian Journal of Public Health*, Mar/Apr 2002; Vol 93, No 2.

Coker, Richard, "Detention and Mandatory Treatment for Tuberculosis Patients in Russia," *The Lancet*, Aug 4, 2001 Vol 358, No 9279, pp 349-50.

Gostin, Lawrence O; Ronald Bayer, and Amy L. Fairchild, "Ethical and Legal Challenges Posed by Severe Acute Respiratory Syndrome," *JAMA* Dec 24/31, 2003, pp. 3229-3237.

Parinet, Wendy E., "Legal Power and Legal Rights - Isolation and Quarantine in the Case of Drug-Resistant Tuberculosis," *New England Journal of Medicine*, Vol. 357, No 5, 433ff.

Annas, George J, "Control of Tuberculosis--The Law and the Public's Health," *New England Journal of Medicine*, Feb 25, 1993.

*An old article, but valuable for the way to describes possible means for controlling disease spread. Our legal system, with its network of federal and state powers, is complex.*

Dare, Tim, "Mass Immunisation Programmes: Some Philosophical Issues," *Bioethics*, Vol 12, No 2, 1998

### ***Recommended***

Lerner, Barron H, "Temporarily Detained: Tuberculous Alcoholics in Seattle, 1949 through 1960," *American Journal of Public Health* Vol. 86, No. 2 (February 1996) 257ff.

*A case history of the way in which public health power can gradually become oppressive.*

Mounier-Jack, Sandra; Richard J Coker, "How Prepared is Europe for Pandemic Influenza?" *The Lancet*; Vol. 367, No. 9520 (Apr 29-May 5, 2006) pp. 1405ff

*The US needs to get in the habit of looking at what Canada and Europe do. Here's a start.*

Dugger, Celia, "South Africa Confines the Ill to Fight Severe TB," *New York Times* March 25, 2008.

*Another country, another set of choices.*

### **WEEK SIX: LIBERTY: CAPITALISM AND CHOICE (corporations; the organ trade)**

Our topic for the next few weeks is the the moral dimensions of capitalism. We begin with a particular question -- should organs be for sale? We will have a chance to see how different disciplines and professions approach this question. Our guest speaker, Prof. Ann Mongoven, has her degree in Religious Studies, and so will focus on myth, symbol, and ritual; she will also draw on theyear she spent in Japan, and the cultural differences she found there.

After the break, we will take a step backward and look at the moral foundations of capitalism, and the moral obligations of businesses. That theme will continue next week.

### ***Required Reading***

Velasquez, Manuel G. "The Business System" from *Business Ethics: Concepts and Cases*, 2nd edition. This is long, but readable; it's from a textbook, and so aimed at readers like you.

*Note that very cheap copies of this classic textbook are available online. The cheap ones are earlier editions, but the overview of business economics in the chapters we will read have not changed much.*

Ohnuki -Tierney, Emiko. "Brain Death and Organ Transplantation: Cultural Bases of Medical Technology." *Current Anthropology* 35 no. 3 (June 1994) 233-54.

Nancy Scheper-Hughes, "The Global Traffic in Human Organs" *Current Anthropology* Vol 41, No. 2 (April 2000)

Ross, Lainie, et al., "Sounding Board: Ethics of a Paired Kidney Exchange Program" *New*

*England Journal of Medicine*, Volume 336:1752-1755; June 12, 1997, No 24.  
*Articles in medical journals are very condensed.*

Radcliffe-Richards, Janet, "The Case for Allowing Kidney Sales," *Lancet* June 27, 1998  
*She's a philosopher, and aims at a clear, rational argument, made particularly concise for this venue.*

### ***Recommended***

Cohen, Eric, "Organs for Sale," *Public Interest* Spring 2003  
*Detailed, critical (and therefore useful) book review. The book he discusses is summarized below by Kaserman.*

Corwin, Julie A., "World: The Risks, Benefits of a Free Market in Organs," Radio Free Europe/Radio Liberty  
*Journalism, at its best balanced and informative*

Kaserman, David L., and A. H. Barnett, "How to Save Thousands of Lives Each Year." *Consumers' Research Magazine*, Vol 85, No. 7 (July 2002): 10-29.  
*Summary of the book criticized by Eric Cohen, above. As economists they aim for clear logic, and clearly defined terms, explicit presuppositions.*

*The Corporation: The Pathological Pursuit of Profit.* Joel Bakan. NY: The Free Press 2004  
*We will watch part of the film based on this book next week.*

Kristof, Nicholas D. "Psst! Sell Your Kidney?" *New York Times*, Nov 12, 2002.  
*An "op-ed" piece (opinion column or editorial), aimed at provocation and persuasion, through argument and anecdote. Not aimed at balance, but often thought-provoking.*

### **WEEK SEVEN: CORPORATIONS (pharmaceutical companies in particular)**

*This week we will be considering the moral nature of corporations, and one business in particular, pharmaceuticals. We will see a film made from the book, *The Corporation*. Summaries are included in the readings below.*

*A second Velasquez reading will be our theoretical background. We use the resources of law (including tax law) to encourage corporations. Why? What good do we expect them to accomplish for society? American corporate law requires corporations to seek FIRST the welfare of their stockholders - to maximize their returns. So, do criticisms of pharmaceutical companies (and next week, tobacco companies) have any moral ground to stand on? Don't they have to obey the law?*



*Readings about the pharmaceutical industry focus on TRIPs, a treaty which makes it difficult for countries to make generic versions of patented drugs. (Generics are a lot cheaper, right?) As you read this, notice in particular what social good patent laws are intended to produce.*

### **Required**

Velasquez, Manuel G. "Ethics in the Marketplace," from *Business Ethics: Concepts and Cases*, 2nd edition.

Mueller, Janice M., "Taking TRIPs to India - Novartis, Patent Law, and Access to Medicines," *New England Journal of Medicine* Feb 8, 2007 PDF

Wikipedia: "Agreement on Trade-Related Aspects of Intellectual Property Rights" (all)

Oxfam, "Patents versus Patients: Five Years After the Doha Declaration" PDF online at [http://www.oxfam.org.uk/resources/policy/health/bp95\\_patents.html](http://www.oxfam.org.uk/resources/policy/health/bp95_patents.html)

*This is long, but written so that it can be usefully skimmed if that is necessary. Notice especially the summary on pp. 2-4; the clear section headlines (each begins on a new page); and the frequent boxes, giving examples.*

Joel Bakan, "Business as Usual," from *The Corporation*. PDF

### **Recommended**

A. O. Scott, "Giving Corporations the Psychoanalytic Treatment," *The New York Times* June 30, 2004

*A good review will summarize a book in some detail, and then evaluate it fairly, backing up its evaluation with reasons. Both Scott and Devlin (below) do that. Note that they are writing for different audiences.*

Richard F. Devlin, review of *The Corporation* (book, and movie), *Canadian Business Law Journal*, Vol. 40 (2004) pp. 450-454.

Medicine for Malaria [http://www.mmv.org/rubrique.php3?id\\_rubrique=15](http://www.mmv.org/rubrique.php3?id_rubrique=15)

*Comment: a non-profit trying to sidestep TRIPS*

One World Health: A nonprofit pharmaceutical company <http://www.oneworldhealth.org/>

*Another non-profit trying to sidestep TRIPS*

Westerhaus, Michael, and Arachu Castro, "How Do Intellectual Property Law and International Trade Agreements Affect Access to Antiretroviral Therapy?" *Public Library of Science Open Access*. August 2006 Vol 3, #8, e332 [www.plosmedicine.org](http://www.plosmedicine.org)

Caruso, Denise, "Someone (Other Than You) May Own Your Genes," *New York Times* January 28, 2007. (Online)

## **WEEK EIGHT: CORPORATIONS, TOBACCO COMPANIES IN PARTICULAR**

*This week we will look at the tobacco industry, which raises familiar issues: first, the tension within public health between individual liberty and the public good; second, issues of business ethics.*

*But we will begin with the final "chapter" of the film "The Corporation," and a look back at the Velasquez readings. We'll do an exercise like the one we did in class last week: a list of terms, teams of two or three students, one team to each term. The terms are listed below. Maybe we'll have a contest; maybe there'll be more jelly doughnuts??*

*And then we will focus on the argumentation in the Goodin and Sullum articles. Please bring hard copy to class.*

### ***Required research***

*Learn the meaning of the following terms. Dig back into the Velasquez and other earlier readings, BUT ALSO consult the various encyclopedias and glossaries under the "Resources" tab, concerning both philosophy and economics. And consider how they might be related to global public health.*

externalities  
free riding  
public goods  
commons  
liberal (watch out!)

*AND be prepared to summarize the following activities:*

tobacco company strategies  
public health counter-strategies

### ***Required readings***

*The first four of the following readings describe the strategies used by tobacco companies, abroad (1-3) and at home (4). The fifth (a set of PowerPoint presentations) describes the efforts of public health to combat tobacco use. The last two are philosophical arguments about the ethics of the public health strategies.*

Aditama, Tjandra, "Philip Morris Comes to Indonesia: What Does a Company Get for \$5 Billion?" *Multinational Monitor*, May/June 2005; Vol 26, No 5/6; pp. 26ff. Online.

White, Ann and Robert Weissman, "The Hand-Off to Big Tobacco," *Multinational Monitor*, Sept 2002; Vol 23, No 9, pp. 13ff. Online.

Gilmore, Anna and Martin McKee, "How the East Was Won: BAT and Big Tobacco's Conquest of the Former Soviet Union." *Multinational Monitor* May/Jun 2005; vol 26, No 5/6; pp 9ff. Online.

Warner, Kenneth "In The Land Of The Smoke Drinkers" *Health Affairs*; Jan/Feb 2008; 27, 1; pg. 296. Review of Allan Brandt's *The Cigarette Century*. Online

Global Tobacco Control, "Taxation," "Overall," and "Advertising." These are training modules from the Johns Hopkins School of Public Health, the oldest and one of the most prestigious such schools in the country. The presentation is in PowerPoint format. PDFs.

\*Robert E. Goodin, *No Smoking: The Ethical Issues* 1989 excerpts PDF\*

\*Jacob Sullum, *For Your Own Good: The Anti-Smoking Crusade and the Tyranny of Public Health* 1998 excerpts PDF\*

### ***Recommended readings and film***

"The Insider;" a film starring Russell Crowe.

*True story of Jeffrey Wigand, tobacco company scientist and whistle-blower.*

Ronald Bayer and Jonathan D. Moreno, "Health Promotion: Ethical and Social Dilemmas of Government Policy," *Health Affairs* 5[2]: Summer 1986, pp. 72-85. Online.

[http://www.economist.com/world/international/displayStory.cfm?story\\_id=12678335&source=html#textfeature](http://www.economist.com/world/international/displayStory.cfm?story_id=12678335&source=html#textfeature)

*(Tobacco firms want the right to participate in global efforts to limit the lethal consequences of nicotine addiction--but 160 governments say no)*

Delpo, Marianne C. "Tobacco Abroad: Legal and Ethical Implications of Marketing Dangerous United States Products Overseas." *Business and Society Review*, Vol 104, No. 2, pp 147-162.

## WEEK NINE: RESEARCH ON HUMAN SUBJECTS

*Our topic this week is research on human subjects, particularly in developing countries, but also the increasing set of "career guinea pigs" in the United States.*

*Readings 1 and 2 are the basics of research ethics, as we understand them today. Reading 3 is the federal regulation that makes those basics concrete. Readings 4 and 5 are about paid research participants in the United States. Reading 6 gives a fine-tuned analysis of coercion, a concept we've been using loosely, but that will still elude simple definition.*

*The recommended readings include the concept of human rights, basic to the protection of research subjects, but also to many of our other topics. Rights in this sense (as opposed, say, to constitutional rights) are moral claims based on one's nature as a human being, claims that by definition outweigh utility. For that reason, utilitarians cannot directly endorse them.*

*We also read more about Paul Farmer, and the strategies he uses to get the best care for the poor. Ideally we'll finally really TALK about him as well.*

### ***Required***

Marshall, Patricia, "Public Health Research and Practice in International Settings: Special Ethical Concerns" <http://www.asph.org/UserFiles/Module3.pdf>

*Focus especially on "Ethical Requirements for International Public Health Research," pp. 93-94 and on the Case Study, pp. 97ff.*

*This module was developed by the Association of Schools of Public Health. You might browse the site to see what other ethical issues they believe should be addressed.*

Emanuel, Wendler, and Grady, "What Makes Clinical Research Ethical"

"45 CFR 46" (Or, Volume 45, section 46 of Code of Federal Regulations  
<http://www.hhs.gov/ohrp/humansubjects/guidance/45cfr46.htm>

*This is the basic regulatory law for all research on human subjects funded by the US government. It's meant to be referred to rather than simply read. Read enough to get the flavor, but focus on these two sections:*

§46.111 Criteria for IRB approval of research.

§46.116 General requirements for informed consent.

Elliott, Carl, and Roberto Abadie. "Exploiting a Research Underclass in Phase 1 Clinical Trials," *The New England Journal of Medicine*. Boston: May 29, 2008. Vol. 358, Iss. 22; p. 2316

Elliott, Carl, "Guinea-Pigging," *The New Yorker*, January 7, 2008.

"Coercion," in the *Routledge Encyclopedia of Philosophy*

*Mountains Beyond Mountains*, Part III, "Medicos Aventureros"

### ***Recommended***

"Human Rights," in the *Routledge Encyclopedia of Philosophy*

"Rights," in the *Stanford Encyclopedia of Philosophy* (open access)  
<http://plato.stanford.edu/>

Wikipedia, or other source, for basic information on the Nazi Doctors and on the Tuskegee Syphilis Study. (The Center owns a video, "Deadly Deception," first aired on Frontline, about the Tuskegee Syphilis Study.)

## **WEEK TEN JUSTICE AT HOME (Theory; America's poor; migrants)**

*This week we begin looking at questions of distributive justice: put crudely, if there is not enough of something - and there rarely is --how do we decide who gets what?*

*(As the country once again considers universal health care/insurance, keep a basic fact in mind: no country, not even the U.S., can afford to provide every beneficial medical treatment to everyone who needs it. So we will have to make hard choices. We now let pocketbooks, geography, and luck do the allocation.)*

*Reading 1 is theory; readings 2, 3, and 4 deal with the practical question of fairness in access to health care. These are essentially individualistic approaches, treating the common good as the result of adding up individual situations. Readings 5 and 6 are broader, and consider public (intrinsically shared) goods, more pertinent to public health. Finally, reading 7 addresses a practical question: should pandemic flu strike, there would not be enough vaccine. Who should get it? Please bring reading 7 to class..*

### ***Required***

Rawls, one page summary of Theory of Justice PDF

*Also see treatments in the Stanford Encyclopedia (online) and the Routledge (through library's e-resources)*

*John Rawls' Theory of Justice was the most influential work of social philosophy in the twentieth century. Almost all discussions of justice now stem from it (sometimes in disagreement, of course).*

Norman Daniels, "Equal Opportunity and Health Care," PDF

*Daniels follows Rawls, and considers the implications of Theory of Justice in health care.*

H. Tristram Engelhardt, "Freedom and Moral Diversity: The Moral Failures of Health Care in the Welfare State." *Social Philosophy and Policy*, Vol 14, No. 2, Summer 1997, 180-196.

*Engelhardt is the most prominent libertarian writing in health care ethics. He opposes a Rawlsian framework.*

The President's Commission, "An Ethical Framework for Access to Health Care." Excerpt. PDF.

*From one of the two most important commissions in the history of bioethics, whose full title was "The President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research." The report was released a quarter century ago. Since the time of that report the proportion of Americans with any kind of health insurance, public or private, has significantly decreased.*

*You can learn more about it in Wikipedia; or you might find it interesting to skim more of the report itself, online at*

[http://www.bioethics.gov/reports/past\\_commissions/securing\\_access.pdf](http://www.bioethics.gov/reports/past_commissions/securing_access.pdf)

Dan E. Beauchamp, "Public Health as Social Justice," *Inquiry*, Vol. XIII, March 1976. PDF

*Beauchamp writes from a specifically public health perspective, and explicitly rejects market approaches to providing health care or insurance.*

Marchand, Wikler, and Landesman, "Class, Health, and Justice," *The Milbank Quarterly*, Vol. 76, No. 3, 1998.

*Much more than health care goes into one's state of health. The field of public health is by definition interested in the broader social determinants of health.*

Wawter, Gervais, and Garrett, "Allocating Pandemic Influenza Vaccines in Minnesota: Recommendations of the Pandemic Influenza Ethics Work Group," *Vaccine* 25 (2007) 6522-6536.

*If pandemic flu like that of 1918 should strike again, vaccine will at first be in short supply. This Minnesota workgroup drafted a plan, making conceptions of justice concrete.*

## **WEEK ELEVEN: JUSTICE ACROSS BORDERS (Theory; hiring health care professionals from poor countries; allocating scarce medications and equipment)**

*There are many readings, most of them short. Put your most serious energy into the first set, which is theoretical. Please bring the Dwyer article to class.*

### ***On justice***

John Rawls's Law of Peoples as summarized in Wikipedia

\*Dwyer, James, "Global Health and Justice," *Bioethics*, Vol. 19, No 5-6 (2005):461-486.

"Global Justice, recent work on" in the *Routledge Encyclopedia*, parts 2 (consequentialist account) and 3 (contractarian account). The other sections are also worth reading.

### ***On treating migrants and refugees***

Dwyer J. "Illegal Immigrants, Health Care, and Social Responsibility." *Hastings Center Report* 2004; 34 (1): 34-41.

Ziv, Tal Ann, and Bernard Lo, "Denial of Care to Illegal Immigrants: Proposition 187 in California," *New England Journal of Medicine* Vol. 332, No 16 (April 20, 1995): 1095-1098.

### ***On hiring health care professionals from abroad***

"An Exodus of African Nurses Puts Infants and the Ill in Peril," Celia W. Dugger *New York Times* July 12, 2004 (Online: enter title in search bar of nytimes.com)

Singh et al, "The Ethics of Nurse Poaching from the Developing World," *Nursing Ethics* 2003, vol 10, No. 6, pp. 667-671.

McIntosh, Tom, Renee Torgerson, and Nathan Klassen, "The Ethical Recruitment of Internationally Educated Health Professionals: Lessons from Abroad and Options for Canada." *Canadian Policy Research Institute*, January 2007 (Google the title)

### ***On helping the sick poor in other countries***

Pogge, Thomas W., "Responsibilities for Poverty-Related Ill Health." *Ethics and International Affairs*, Vol 16, No. 2, (2002) pp. 71-79.

### ***Recommended***

Dwyer J. "Babel, Justice, and Democracy: Reflections on a Shortage of Interpreters at a Public Hospital." *Hastings Center Report* 2001; 31 (2): 31-6.

Paul Farmer, "The Major Infectious Diseases in the World- to Treat or Not to Treat? *NEJM* 345 (2001):208-210.

*Farmer's position, succinctly put.*

Singer, P. (1972) 'Famine, Affluence, and Morality', *Philosophy and Public Affairs* 1 (3): 229-43.

*Seminal discussion of global poverty and defence of strong duties to aid the needy.*

Gold MR, Stevenson D, Fryback DG. "HALYs and QALYs and DALYs, Oh My: Similarities and Differences in Summary Measures of Population Health." *Annual Review of Public Health*, 23:115-34. 2002.

*Further thoughts about cost-benefit analysis.*

Nuyen, A.T., "Confucianism, Globalisation and the Idea of Universalism," in Koggel, pp. 148ff. Held, Virginia, "Care and Justice in the Global Context," in Koggel, pp. 137ff.

## **WEEK TWELVE: EUDAIMONIA: JUSTICE AND FULLNESS OF LIFE (Aristotle; neglected diseases, which damage but do not kill)**

*Justice, says Aristotle, means treating equals equally. But no two people are identical. So what kind of equality, and what kind of differences, matter? See the PowerPoint for last week, for our discussion of how different thinkers have answered that question. Rawls says we have an equal right to the basic primary goods (money, opportunity, and whatever in the culture is necessary for self-respect).*

*This week we look at two contemporary philosophers (Nussbaum and Sen) who enrich and expand Rawls. They begin with this insight: each person has different needs; so an equal amount of, say, money is not of equal use to everyone. Suppose, for example, that two single parents get the same salary. The money will not go as far for the one with a child needing hours of home therapy every day. So equality of resources can't be exactly what justice is about.*

*Amartya Sen and Martha Nussbaum suggest that justice is about the chance to live a full human life: to use one's mind, to work productively, to have children, to love others, and so on. Everyone deserves a chance to do these things if they so choose. What justice demands is an equal chance at these things (in their language, "equal capability sets").*

*Their work draws from Aristotle's concept of eudaimonia: the exercise of one's capacities in a life that affords them scope.*

*Our two practical topics will be gender (women are often kept from developing their full capacities) and neglected diseases (many of whom cripple and disfigure rather than kill).*

### **Required reading:**

"Eudaimonia," in the Routledge online Encyclopedia of Philosophy



*(Something basic about Sen. I've been unable to find anything brief and readable for you; can you google, or otherwise search, and find something for the rest of us?)*

Nussbaum, Martha, *Women & Human Development* pp. 70-82. (We did the first part of this chapter, "In Defense of Universal Values," in Week 4). PDF

Hicks, Douglas A., "Gender, Discrimination, and Capability," *Journal of Religious Ethics*, Vol. 30, No. 1, pp. 137-154. PDF

*New York Times* series on neglected diseases. (Type titles into the search bar at nytimes.com)

"Dose of Tenacity Wears Down a Horrific Disease," (guinea worm), 3/26/06 By Donald G. McNeil

"Preventable Disease Blinds Poor in Third World," (trachoma) 3/31/06 By Celia Dugger

"Beyond Swollen Limbs, a Disease's Hidden Agony," (lymphatic filiarisis) 4/9/06 By Donald G. McNeil

"Mothers of Nepal Vanquish a Killer of Children," (measles) 4/30/06 By Celia Dugger

Craft, Naomi, "Women's Health: Life Span: Conception to Adolescence" *BMJ* (British Medical Journal) Vol 315 (Nov 8, 1997) 1227-1230

*google the article title, within quotation marks*

### ***Recommended***

Amartya Sen, "Equality of What?" Tanner Lectures 1979.

*PDF available on the web: just google it. But just in case, here it is:*

*[http://hdr.undp.org/docs/training/oxford/readings/2004/Sen%20\(1992\)%20%27Equality%20of%20what%27.pdf](http://hdr.undp.org/docs/training/oxford/readings/2004/Sen%20(1992)%20%27Equality%20of%20what%27.pdf)*

Drugs for Neglected Diseases Initiative: <http://www.dndi.org/>

A non-profit organization which has just announced a partnership with GlaxoSmithKline to develop drugs for neglected diseases.

Read about the Aravind Eye Hospital in Madurai, India.

<http://www.schwabfound.org/schwabentrepreneurs.htm?schwabid=2326>

*Think about: the role of the private sector in poor countries; two-tier services; Dr. V's bullying his family into commitment; his wanting to imitate the McDonald's model, but not for profit.*

Read (parts of) Book 1 of Aristotle's *Nicomachean Ethics*.

*It's very short, but dense. What we have of Aristotle's is student notes, and you know how condense those would be. Be sure you've checked out "eudaimonia" in the Routledge Encyclopedia first, so that you're not misled by the word "happiness."*

[http://www.constitution.org/ari/ethic\\_00.htm](http://www.constitution.org/ari/ethic_00.htm)

Sen, Amartya, "Missing Women - Revisited" *BMJ (British Medical Journal)* Dec 6, 2003; Vol. 327, pp 1297ff. Available electronically.

*Reduction in female mortality has been counterbalanced by sex selective abortions.*

### **WEEK THIRTEEN: DEMOCRACY AND FULLNESS OF LIFE (Forms of government and their impact on health)**

*"Man is by nature a political animal," wrote Aristotle. Today that sounds cynical; we think of politics as, at best, manipulative jockeying for power. But Aristotle expressed a deeper truth: we are social. We live well only with others, and any complex society requires a government. To quote Aristotle again, early in the *Nicomachean Ethics* he writes that "even if the end is the same for a single man and for a state, that of the state seems . . . something greater and more complete. . . Though it is worth while to attain the end merely for one man, it is finer and more godlike to attain it for a nation or for city-states." Originally the works we now separate as the *Ethics* and the *Politics* were a single work.*

*Democracy is arguably a good in itself, a proper expression of our nature as rational and self-governing. Often it also protects and promotes the capabilities that Sen and Nussbaum argue make a full life, eudaimonia, possible. But not inevitably; the details matter - as always. Our readings this week talk about the kinds of democracy that contribute to health.*

#### ***Required***

Massing, Michael, "Does Democracy Avert Famine?" *New York Times* March 1, 2003.

Safaei, Jalil, "Is Democracy Good for Health?" *International Journal of Health Services* Vol 36, No 4 (2006) pp. 767-86.

*This is a highly technical article, so we will focus almost solely on the "Conceptual Framework" section, pp. 770-773.*

Rob Stein, "Research Links Poor Kids' Stress, Brain Impairment," *Washington Post*, April 6, 2009.

Kidder, *Mountains Beyond Mountains*, Part IV: "A Light Month for Travel"

*Farmer travels to Cuba and Russia, neither one a real democracy. One deals well, one terribly, with infectious disease.*

Navarro, Vicente and Leiyu Shi, "The Political Context of Social Inequalities and Health,"

*International Journal of Health Services*, Vol. 31, No 1 (2001) pp. 1-21.

*This essay will repay close reading. It might help to start with the abstract, then note the section headings and read the "Conclusion (p. 20)". You can ignore the charts.*

Powers, Madison and Ruth Facen, "Social Justice, Inequality, and Systematic Disadvantage," excerpt from their *Social Justice: L The Moral Foundations of Public Health and Health Policy*.

NY: Oxford University Press, 2006.

*These two leaders of public health ethics in the United States apply the capabilities approach to public health concerns.*

"Unnatural Causes: Is Inequality Making Us Sick?"

*Read the transcripts of Episodes 1, 6, and 7 of this video. I hope to have the episodes themselves available later this week. Here's the URL; a button for transcripts is in the left hand column of the screen.*

[http://www.unnaturalcauses.org/episode\\_descriptions.php?page=1](http://www.unnaturalcauses.org/episode_descriptions.php?page=1)

### ***Recommended***

Putnam, Robert, "Bowling Alone," *Journal of Democracy* Vol 6, No 1 (1995) pp. 65-78.

*Putnam argues that the social cohesiveness of 100 years ago is much lessened in today's America, and he worries about its effect on the common good. He later (2000) published a book of the same title, developing these ideas.*

Li, Chenyang, "Confucian Value and Democratic Value," in Koggel, pp. 184ff.

Sen, Amartya, "Democracy and Its Global Roots: Why Democratization is Not the Same as Westernization," in Koggel, pp. 208ff.

*for those who worry that democracy is a Western value and should not be "imposed" elsewhere*

Kleinman, Arthur and Peter Benson, "Power and Human Rights: The Political, Moral and Global context of Health and Social Reform," *Hastings Center Report*, Vol 34:2 (Mar/Apr 2004) pp.

44-45

*An anthropologist looks at Paul Farmer's arguments.*

## **WEEK FOURTEEN: ENVIRONMENTAL AND PUBLIC HEALTH ETHICS (The DDT controversy; zoonotic disease)**

*Rudolf Virchow, the nineteenth century pioneer of public health: "politics is public health in the most profound sense." Many today say the same of environmental causes. And just as democracy is both instrumental in bringing about eudaimonia, and intrinsically part of eudaimonia, so is a healthy environment. (Remember Martha Nussbaum's claim that relating to the non-human world is one of the basic human functionings?) But just as in the case of politics, connections between the environment and health are complex; sometimes the good of one seems to conflict with the good of the other.*

*"Virtue" is a technical word in philosophy, deriving from a Greek word for strength. That word is sometimes translated as "character." An excellent character both brings about eudaimonia (courage, patience, compassion have good results) and is part of it (patient, compassionate people have inner peace). Two old sayings capture this: "Virtue is its own reward" and one good example is the fact that "a coward dies a thousand deaths, a brave man only once."*

*Our practical issues this week include DDT and other pesticides; the environmental impact of health care itself; and whether Paul Farmer's almost superhuman dedication should be considered virtuous.*

### ***Required readings***

"Virtue" in Wikipedia,

Kidder, *Mountains Beyond Mountains*, Part V: "O for the P"

*Farmer is a great man, but fully human and therefore flawed. Do you think some of his characteristics count as virtues? If so, which, and why?*

Beaglehole, Robert and Ruth Bonita, "Global Environmental Changes," from *Public Health at the Crossroads: Achievements and Prospects*, Second Edition. Cambridge 2004, pp. 68-72.

Andre, Judith, "Disease," for the *Encyclopedia of Environmental Ethics*. (Farmington Hills, MI: Gale Publishing Group) 2008

Rosenberg, Tina, "What the World Needs Now is DDT," *New York Times* April 11, 2004

Karaim, Reed, "Not so Fast with the DDT," *American Scholar* Vol. 74, No 3 (Summer 2005)

Jameton, Andrew, Jessica Pierce, and Paul Carrick, "Conflicts Between Individual Health and Nature Preservation," *Cambridge Quarterly of Healthcare Ethics* (1999), 8, 97-117.

Motavalli, "Connecting the Dots: The Emerging Science of Conservation Medicine . . ." *E: The Environmental Magazine* Vol 15, NO 6 (Nov/Dec 2004) pp. 26ff.

"India's Waterways A Toxic Stew of Pharmaceutical Chemicals Dumped from Big Pharma Factories," *Natural News*. <http://www.naturalnews.com/025415.html>

***Recommended***

Friedman, Thomas L, "(No) Drill, Baby, Drill," *New York Times* April 12, 2009.  
*How Costa Rica decided that economic growth and environmental protection feed one another.*

Carrick, "The Hidden Costs of Environmentally Responsible Health Care," *Perspectives in Biology and Medicine* Vol. 48, No 3 (Summer 2005). PDF  
*Summary and critical review of Pierce and Jameton's Ethics of Environmentally Responsible Health Care., Oxford 2004. (I highly recommend the book.)*

Wolf, Susan, "Moral Saints." *Journal of Philosophy*, Vol 79, August 1982 pp. 419-439.  
*Classic article. Wolf argues that a perfectly moral person would be quite unattractive, at least as Kant and Mill define moral ideals.*

Agrawal, Arun, and Maria Carmen Lemos. "'A Greener Revolution in the Making? Environmental Governance in the 21st Century'" *Environment*. Washington:Jun 2007. Vol. 49, Iss. 5, p. 36,38-45 (9 pp.)  
*Connects to our discussion last week of the relationship between forms of governance and health. Agrawal looks at the way various political and economic arrangements affect the environment.*

Agrawal, Arun and Elinor Ostrum "Collective Action, Property Rights, and Decentralization in Resource Use in India and Nepal" Arun Agrawal, Elinor Ostrom. *Politics & Society*. Dec 2001. Vol. 29, Iss. 4, p. 485-514

**WEEK FIFTEEN: ROUGH DRAFT OF FINAL ESSAY DUE IN CLASS**

**Class time will be spent reading one another's drafts and giving constructive criticism.**