

Philosophy 471: Death and Dying

Instructor: Diana Buccafurni
Sam Houston State University
Spring 2008

TTh: 11:00-12:20PM, LDB 216
Section 03; 3 credits
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Office Hours: M-F, 1:00-2:00pm; By Appt.
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Course Description:

This course is an introduction to some of the philosophical issues in death and dying. More specifically, we will be focusing on some of the ethical implications and moral considerations relevant to end-of-life issues. The following is a list of some of the questions we will work through: 1) Is it morally permissible to commit suicide?; 2) Should dying patients be told the truth?; 3) Is terminating treatment that results in a patient's death the same as administering a lethal injection to hasten a patient's death?

This course is a *philosophy* course in death and dying. There are two features of this course that make this course a philosophy course in death and dying, as opposed to for example, a psychology course in death and dying. The first feature has to do with the questions on which we will focus. Our focus will be on the ethical aspects of end-of-life issues, where ethics is a branch of philosophy concerned with matters of morality. The second feature has to do with method. Philosophers are interested in truth. Therefore, one's views and beliefs must be justified with good reasons. If, for example, you believe it is morally permissible to commit suicide, from a philosopher's perspective, you should have good reasons to support your view. This course, then, will focus on arguments given in the end-of-life literature on a variety of views regarding ethical aspects of death and dying. Unlike a psychology course, then, this is not a course on grief, bereavement, or sociological aspects of death and dying.

Course Goals/Objectives: By the conclusion of this course, you should:

1. Be able to construct arguments, provide objections against arguments, and provide replies to those objections. This is the "skill" goal of the course.
2. Be familiar with various positions and arguments for those positions in the end-of-life literature. This is the "content" goal of the course.

Required Texts:

1. Beauchamp and Veatch, *Ethical Issues in Death and Dying*, 2nd ed., Prentice Hall, 1996.

Blackboard:

The syllabus and any handouts I give in class will be posted on Blackboard. You can access Blackboard via the SHSU homepage.

Course Requirements:

1. There will be four exams as announced on the syllabus. Exams 1, 2 and 3 will each count for 20% of your course grade. The final exam is cumulative and counts for 40% of your course grade. Exams will be multiple choice and short answer.
2. Regular, punctual attendance. I will take roll at the beginning of every class. You can miss up to three classes without being penalized. If you miss more than 3 classes, I will deduct 5% from your final grade (e.g., 84% becomes 79%). If you arrive late and miss roll, you will get marked as tardy. Two tardies equals an absence. Attending class means you are actively participating in class and you stay in class for the duration of the entire class period. See Academic Policy Statement 800401 for SHSU's position on attendance.

Grading:

The following is the grading scale that I will use to determine grades for this course. I will not deviate from this scale.

A	90-100%	Excellent, superior performance
B	80-89%	Above average, good performance
C	70-79%	Average performance
D	60-69%	Below average performance
F	59% and under	Failing

Course Policies:

- **Attendance.** You can miss up to three class sessions, without penalty. Use these wisely. I do not excuse absences, period. There is only one exception to this policy and that is for religious holidays as explained by the following university website: <http://www.shsu.edu/~vaf/www/aps/documents/861001.pdf>. Because I calculate absences at the end of the semester, please do not ask me how many absences you have accumulated. It is your responsibility to track your absences.
- **Grades.** Your grade will reflect your performance on exams, not on effort. There are no points for mere attendance and attendance is not considered a form of merit in this class. There are no opportunities for extra credit. No exams are dropped—every exam counts in the calculation of your final grade. I do not negotiate grades and I will abide by the grading scale above. If you have concerns about your grade or the course, please make an appointment to meet with me during office hours. I will not discuss these items during class, before class, or after class. I will not schedule an appointment to discuss your exam on the same day you receive the exam. If you have

a concern about an exam grade, you must meet with me before taking the next exam. In practice, this means that I will not discuss your grade on exam one after exam two takes place and so forth. I also do not discuss or distribute grades over email.

- **Success in this class.** You should come to class already having completed the readings. Because this is a 400-level course, I will assume you have already done the reading—I will not spoon-feed the material, but instead expect that students come to class with thoughtful comments about the readings. You should also participate in class, as this will allow you to evaluate the arguments we review. Finally, you should take notes. *I cannot emphasize enough just how integral good note taking is to doing well in this course*—good notes are necessary for doing well, though not sufficient for doing well. Handouts I provide in class of argument outlines are meant to supplement notes you take in class.
- **Make-ups.** You must attend the scheduled exam days. *Only cases of death, severe illness, or other extraordinary circumstances are satisfactory reasons for missing an exam. Unless you have one of the above circumstances, with documentation, you will not be allowed to take a make-up exam.* Unexcused absences for exams will be graded as a zero. If you do not have a documented, excused reason for missing an exam, then do not ask for an exception anyway—I will not grant the exception. I will not grant requests to take exams at alternative times to accommodate a personal issue unless it satisfies one of the excused reasons outlined above (e.g., weddings, divorce proceedings, and traffic court dates do not count as reasons that I will accommodate). Understand that you will receive a zero for an exam if you miss an exam for reasons other than the ones I have outlined.
- **Respect.** I create an environment of mutual respect in the classroom and I expect every student to maintain this environment. Disciplinary action results if a student does not adhere to standards of respectful classroom conduct. In terms of classroom conduct, this means adhering to the following:
 - o **Courtesy.** In class we will discuss the material with mutual respect and courtesy. Offensive language and jokes, verbal abuse, and personal attacks are not tolerated.
 - o **No side conversations.** This is disruptive and disrespectful to both me and your fellow classmates.
 - o **No active cell phones.** Power off cell phones before class begins. This means they are completely off, and not in vibrate mode. No text messaging in class.
 - o **Entering and leaving class.** If you know in advance that you have to arrive late to class, or leave class early, plan on not attending class that day as this is disruptive.

- **SHSU** has additional conduct requirements. Please familiarize yourself with these: <http://www.shsu.edu/students/guide/dean/codeofconduct.html>.

- **Academic Dishonesty.** I do not tolerate academic dishonesty. If I find that you are cheating on an exam, this will result, minimally, in automatic course grade of "F". See: <http://www.shsu.edu/administrative/faculty/sectionb.html#dishonesty>.

- **Disability Statement.** The Americans with Disabilities Act requires that reasonable accommodations be provided for students with physical, sensory, cognitive, systemic, learning and psychiatric disabilities. Please contact me at the beginning of the semester to discuss any necessary accommodations. The university's policy can be found at: http://www.shsu.edu/~vaf_www/aps/811006.pdf.

- **Roles: Mine and yours.** Your role is to come to class prepared to actively discuss the readings and participate in class. I am here to help you in any reasonable way that I can. I encourage you to make an appointment with me if you are having difficulty with the course material. I am more than happy to meet with you at a mutually agreeable time. The best way to reach me is through email.

Tentative Schedule*

(This schedule is subject to change as I see fit.)

Th	1/17	Introduction to course
T	1/22	Introduction to philosophy and logic

Suicide

Th	1/24	Introduction, 101-105; Velasquez, Defining Suicide, 106-112
T	1/29	Beauchamp, The Problem of Defining Suicide, 113-118
Th	1/31	Aquinas, Whether It Is Lawful to Kill Oneself, 119-121; Hume, Of Suicide, 122-126
T	2/5	Feinberg, Whose Life Is It Anyway?, 138-143
Th	2/7	Beauchamp and Childress, Moral Problems of Suicide Intervention, 127-130; Bloch, The Role of Law in Suicide Prevention: Beyond Civil Commitment—A Bystander's Duty to Report Suicide Threats, 131-137

Truthtelling with Dying Patients

T	2/12	Introduction, 64-68; Novack et al., Changes in Physicians' Attitudes Toward Telling the Cancer Patient, 69-75; Meyer, Truth and the Physician, 76-78; Sidgwick, The Classification of Duties—Veracity, 79-81
Th	2/14	Exam #1
T	2/19	Kant, On a Supposed Right to Tell Lies from Benevolent Motives, 85-86; Ross, Truth as a Prima Facie Duty, 87; Jackson, Telling the Truth, 88-94

Physician Assisted Suicide and Euthanasia

Th	2/21	Introduction, 151-155
T	2/26	Quill, Death and Dignity: A Case of Individualized Decision Making, 156-160; Pellegrino, Distortion of the Healing Relationship, 161-165
Th	2/28	Honorable David F. Breck, Circuit Judge, People of the State of Michigan v. Jack Kevorkian, 194-198; The Oregon Death with Dignity Act, 199-210
T	3/4	Ministry of Welfare, Health and Cultural Report: The Netherlands, The Rummelink Report: Medical Practice with Regard to Euthanasia and Related Medical Decisions in the Netherlands, 181-185

Forgoing Treatment and Causing Death

Th	3/6	Introduction, 211-215; Rachels, Active and Passive Euthanasia, 216-221;
T	3/11	No class—Spring Break
Th	3/13	No class—Spring Break
T	3/18	Beauchamp and Childress, Rachels on Active and Passive Euthanasia, 222-226; Brock, Cause of Death, 237-239
Th	3/20	Exam #2
T	3/25	Pellegrino, Intending to Kill and the Principle of Double Effect, 240-242
Th	3/27	Scalia, Concurring in United States Supreme Court, Cruzan v. Director, Missouri Dept. of Health, 227-229; President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, Deciding to Forego Life-Sustaining Treatment,

230-236

T 4/1 Bernat et al., Patient Refusal of Nutrition and Hydration: An Alternative to Physician-Assisted Suicide, or Voluntary Active Euthanasia, 243-252

Social Reasons for Limiting Terminal Care

Th 4/3 Introduction, 401-406; Brock, When is Patient Care not Costworthy?, 407-416; Harris, The Value of Life, 435-440

T 4/8 Callahan, Limiting Care for the Old, 441-443; Daniels, A Lifespan Approach to Health Care

Th 4/10 Veatch, How Age Should Matter: Justice as the Basis for Limiting Care to the Elderly, 447-456

T 4/15 Scitovsky and Capron, Medical Care at the End of Life: The Interaction of Ethics and Economics, 422-428; Lockwood, Quality of Life and Resource Allocation, 429-434

Th 4/17 **Exam #3**

Futile Treatment and Terminal Care

T 4/22 Introduction, 349-352; Youngner, Who Defines Futility?, 353-356

Th 4/24 Cranford and Gostin, Futility: A Concept in Search of a Definition, 357-361; State of Minnesota, District Court, Probate Court Division, County of Hennepin, Fourth Judicial District, In re: the Conservatorship for Helga M. Wanglie, 362-367

T 4/29 In the Matter of Baby K, 376-384

Th 5/1 Drane and Coulehan, The Concept of Futility: Patients Do Not Have a Right to Demand Medically Useless Treatment, 385-391

T 5/6 Veatch and Spicer, Futile Care: Physicians Should Not Be Allowed to Refuse to

Th 5/8 Treat
Course Wrap-Up

Th 5/15 **FINAL EXAM, 11:00-1:00PM**