

Christopher Eng

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PHIL314 Biomedical Ethics

Midterm:

Section 1: Ethical Frameworks - Liberty

One of the biggest questions when it comes to biomedical ethics is drawing the line on one's autonomy when it comes to medical care. In "On Liberty" John Stuart Mill makes his case on where he stands regarding the delicate balance between one's autonomy and can be useful when applied to a biomedical context. Firstly we must understand where Mill stands when it comes to the rights of an individual's liberties. Mill separates two types of liberties, those being civil and social liberties. Mill sees civil liberty as the protection of individuals from the interference of the government or other individuals in their private pursuits, opinions, and actions. Mill views it as the freedom from external coercion, and Mill believes it is essential for the development of individuality and the pursuit of happiness. Social liberty, on the other hand, refers to the collective power of the community in their collective action.

Autonomy, in Mill's view, refers to an individual's ability to act and make decisions according to their own will, preferences, and beliefs, free from external coercion or interference. Mill believes that the state can only interfere with an individual's freedoms if those actions are causing harm to others. Mill believes that achieving a balance between individual rights and the exercise of authority's power can be accomplished through enabling individuals to verify and safeguard themselves against authorities that may not prioritize their well-being. This is achieved by empowering individuals to assert

themselves against authority and attain autonomy. Furthermore, a system of checks and balances must be implemented on the authority to restrain its excessive power. And also the opposite where the state might be able to take a more involved approach, for instance, there might be a limit on autonomy if the individual is not of sound mind to make their own decisions in their best interests.

When applying Mills' ideals to the context of biomedical ethics it seems pretty clear that Mill would be in favor of individual autonomy in medical decision-making. Intervention by higher authorities, according to Mill, should be limited in order to protect the patient's right to make informed choices about their own health and medical treatments, as long as these decisions do not harm others or oneself. Examples of government intervention that would be permitted under Mill would be in the cases of a public health crisis like COVID-19 where the rights of the individual might matter less as there is a danger to the general public, but in most cases the final decisions regarding medical care should be left up to the individual or community that will be receiving that care. I believe that Mill's advocacy for individual freedom and minimal state intervention can support the topics we covered like principles of patient autonomy, informed consent, and the right to refuse medical treatment. While also acknowledging that situations may arise where public interests and the welfare of others need to be considered in order to abide by the do no harm principle.

Section II: Applied Theory - Case 1: Woman gives birth in Colorado Jail

When analyzing the case as described in the article “Woman gave birth alone in dirty Denver jail cell because ‘nobody cared,’ lawsuit claims” from the perspective of John Stuart Mill and Sarah Clark Miller, I believe that they would both argue, albeit for different reasons, that the prison was in the wrong in their treatment of the women giving birth. I think that Mill would argue that due to the prison causing this woman and her child potential harm by imprisoning them and not allowing them to choose their own care that would violate his ideals that individual liberties and thus would strongly oppose the lack of options given to the women seen in the video. Miller believes that humans have an inherent unique dignity based on our ability to perform ethical behaviors through our relationship with others, and by the prison not ethically treating this woman well and as an individual the prison is not respecting her dignity and thus, I believe that Miller would strongly oppose the lack of action taken by the prison.