

*Yale University
School of Medicine
Department of Epidemiology and Public Health*

HPA 546A
“ETHICAL ISSUES IN PUBLIC HEALTH”
Course Syllabus
Fall, 2009
Mondays 1:00 p.m.–2:50 p.m.
LEPH Room 103

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Course Description

Public health policy is always the product of controversy. Scientific considerations blend with political and ethical conflicts in public health. Questions of autonomy, liberty, individual rights, power, coercion, justice, discrimination, stigma, community and the common good are central to public health policy and practice. This seminar will explore (Part I) how paradigms of political/moral discourse—libertarian liberalism, contractarian rights theory, egalitarian liberalism, utilitarianism, and communitarianism—intersect with paradigms of public health legitimacy and practice—the statist/ “police powers” model, the human rights model, and the civic model. The seminar will then discuss (Part II) the “application” of ethics and political theory to selected public health issues, such as: the social determinants of illness, the social construction of the experience of illness, infectious disease control and emergency planning, health promotion and behavior modification, justice and access to health care, public health genomics, and climate change.

Course Objectives

Upon successful completion of this course students will: (1) understand the theoretical basis for ethical and political controversies in public health policy and practice; (2) comprehend professional ethical norms and standards in public health; (3) critically evaluate the theoretical foundations and principles of public health ethics; (4) critically and systematically apply ethical theories and principles to practical decisionmaking issues in public health policy and practice, and (5) be able to demonstrate skills of ethical reasoning and decisionmaking in written form and in verbal argumentation.

Course Requirements

Students will write three papers and make at least one class presentation.

Two of the papers will be short analytic papers (6-8 pp.) one on the pros and cons of utilitarianism as an ethical theory based on a discussion of a novel, Charles Dickens, *Hard Times*, and the second on the moral and human questions raised by a public health emergency based on a discussion of a novel. For this paper the student may select either Albert Camus, *The*

Plague or José Saramago, *Blindness*. Not both. Each of these novels is readily available in an inexpensive paperback edition.

The third paper will be a somewhat longer paper on the ethical aspects of a selected public health policy or practice issue, such as those selected for class discussion in the course (see below) or on a topic of the student's choosing, in consultation with the instructor.

Students will also be asked to prepare oral presentations for various class sessions. These presentations will be provide short summaries and pose critical questions about selected assigned readings for the course.

Finally, class attendance and active participation in seminar discussion are very important parts of the educational goals of this course, and will be taken seriously. There will be no exams.

The course grade will be based on a combination of the paper grades (~70%) and class participation (~30%), including the class presentation(s), which will not be graded separately.

Course Readings

Course readings will be drawn principally from the books listed below, and from material that can be downloaded from the course website [cited as YC*V2 Resources]. These materials include the manuscript of my new book, *Civic Health*.

From the web you should access: B. Jennings, J. Kahn, A. Mastroianni, and L. Parker, eds., *Ethics and Public Health: Model Curriculum* (Washington: Association of Schools of Public Health, 2003) [Hereafter cited as EPHMC]. Available at <http://www.asph.org/document.cfm?page=782>

Two books should be purchased:

(1) Lawrence O. Gostin, ed. *Public Health Law and Ethics: A Reader* [Available from Amazon.com for approximately \$35.00 paperback. Ships in 1-2 days.]

(2) Stephen Holland, *Public Health Ethics* [Available from Amazon.com for approximately \$25.00 paperback. Ships in 24 hours.]

(Used copies of these books can also be purchased through Amazon.com for considerably reduced prices.)

Course Schedule and Reading Assignments

September 14 Overview of the Course

Readings: G. Hardin, "The Tragedy of the Commons," [YC*v2 Resources]
 G. Hardin, "Extensions of The Tragedy of the Commons," [YC*v2 Resources]
 W. Adams, et al. "Managing Tragedies: Understanding Conflict over Common Pool Resources," [YC*v2 Resources]
 Holland, *Public Health Ethics*, pp. vi-7.
 M. Boylan, "The Moral Imperative to Maintain Public Health" [YC*v2 Resources]

Part I: Conceptual Landscape for Ethics and Public Health

September 21 Normative Frameworks in Public Health

Readings: Holland, *Public Health Ethics*, pp. 7-59.
 Gostin, *Public Health Law and Ethics*, pp. 1-67.
 "Ten Things to Know about Health" [YC*v2 Resources]

Readings for presentation:
 R. Bayer and A. L. Fairchild, "The Genesis of Public Health Ethics," [YC*v2 Resources]
 Jennings, *Civic Health*, pp. 19-43 [YC*v2 Resources]

September 28 Three Models of Public Health: Statist, Human Rights, and Civic

Readings: L. Gostin, "Tradition, Profession, and Values in Public Health," in EPHMC, Mod 1.

 Gostin, *Public Health Law and Ethics*, pp. 161-229 (Statist)
 Gostin, *Public Health Law and Ethics*, pp. 95-126 (Human Rights)
 Gostin, *Public Health Law and Ethics*, pp. 67-81 (Civic)

Readings for presentation:
 Jennings, *Civic Health*, pp. 1-17 [YC*v2 Resources]
 J. Nickel, "Human Rights," [YC*v2 Resources]
 A. Cudd, "Contractarianism," [YC*v2 Resources]

October 5 Utilitarianism and Liberalism: The Millian Paradigm

Readings: John Stuart Mill, *On Liberty*, chs. 1, 4,5, [YC*v2 Resources]
 John Stuart Mill, *Utilitarianism*, chs. 1-2 [YC*v2 Resources]

Readings for presentation:

Jennings, *Civic Health*, pp. 94-117 [YC*v2 Resources]

October 12 Community and the Common Good

Readings Jennings, *Civic Health*, pp. 66-92; 118-175 [YC*v2 Resources]

Readings for presentation:

D. Beauchamp, "Community: The Neglected Tradition of Public Health" in Gostin, *Public Health Law and Ethics*, pp. 69-76

Norman Daniels, Bruce P. Kennedy, and Ichiro Kawachi, "Justice is Good for Our Health," in Gostin, *Public Health Law and Ethics*, pp. 82-94

D. Bell, "Communitarianism," [YC*v2 Resources]

FIRST PAPER on *Hard Times* DUE—October 16

Part II: Ethics and Tragic Choices in Public Health

October 19 Surveillance and Privacy

Gostin, *Public Health Law and Ethics*, pp. 295-334.

Holland, *Public Health Ethics*, pp. 160-188

October 26 Controlling Infectious Disease: Individual Rights and the Common Good—
Vaccination, Social Distancing, and Quarantine

Readings: Gostin, *Public Health Law and Ethics*, 295-328
Gostin, *Public Health Law and Ethics*, pp. 377-83; 390-414
Holland, *Public Health Ethics*, 135-159.

Reading for presentation:

R. Bayer, "Ethics and Infectious Disease Control" EPHMC, Module 5

November 2 Health Promotion and Behavior Modification

Readings: Gostin, *Public Health Law and Ethics*, pp. 335-376
Holland, *Public Health Ethics*, pp. 87-134

Reading for presentation:

David Leonhardt, "Fat Tax," New York Times Magazine, August 16, 2009.
[YC*v2 Resources]

November 9 No class

SECOND PAPER on *The Plague or Blindness* DUE November 13

November 16 Looming Issues in Public Health Ethics

Public Health Genomics

Readings: Gostin, *Public Health Law and Ethics*, pp. 467-486
Jennings, *Civic Health*, pp. 233-276 [YC*v2 Resources]

Emergency Planning

Readings: Gostin, *Public Health Law and Ethics*, pp. 456-468
Jennings, *Civic Health*, pp. 277-297 [YC*v2 Resources]

Climate Change/Environmental Problems

Readings: Gostin, *Public Health Law and Ethics*, pp. 447-455.
Kristin Schrader-Frechette, "Ethical Issues in Environmental and Occupational Health," EPHMC, Module 7.
D. Resnik and G. Roman, "Health Justice, and the Environment," [YC*v2 Resources]
J. Hasselmann, et al. "The Challenge of Long Term Climate Change" [YC*v2 Resources]
T. Deitz, et al. "The Struggle to Govern the Commons," [YC*v2 Resources]

November 23 Fall Recess; No class

November 30 Health System Reform

Readings: M. Garland and J. Stull, "Public Health and Health System Reform, EPHMC, Module 9
Crowley, *Connecting American Values with Health Reform* [YC*v2 Resources]
Jennings, *Civic Health*, pp. 298-336 [YC*v2 Resources]

Reading for Presentation

Peter Singer, "Why We Must Ration Health Care," New York Times Magazine, July 19, 2009. [YC*v2 Resources] or access at
http://www.nytimes.com/2009/07/19/magazine/19healthcare-t.html?_r=3&ref=magazine&pagewanted=print

December 7 Reading Period Begins

THIRD PAPER DUE—December 18