

# HISTORY OF BIOETHICS

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In 1970 a new word was coined, designating a new discipline, located somewhere at the intersection of medicine, theology, politics, the life sciences, law and moral philosophy. The emergence of bioethics was the outcome of a number of different historical developments, including social movements, technological developments, the setting of legal precedents, the breaking of medical scandals, changes to the institutions of medicine, new ways of saving and prolonging life, and the appearance of new diseases. The course brings together all these different strands to weave a portrait of birth, illness, healing and death in our technologically-driven age.

The social, political and technological upheavals that produced the new discipline raised some of the core questions of moral philosophy. Starting in the late 1960s, medical paternalism and the utilitarian thinking that underpinned it were subjected to a sustained challenge from many different quarters, including the discourse of civil rights, Kantian notions of autonomy, feminist critiques of medicalization and a Christian ethic based on the sanctity of human life. The aim of the course is to enable students to understand the way in which contemporary bioethical debates emerge as the outcome of historical processes.

## COURSE REQUIREMENTS

*40% of the grade will be based on the quality of your class participation, including postings to the discussion board on the WebCT site sent before class based on the readings. These should be one or two paragraphs long and each student should post one per week starting in second week and excluding the last week of the quarter (eight in total).*

*10% of the grade will be based on a short, easy quiz, which we will do in class towards the end of term.*

*50% will be for the final paper: 10-15 pages double-spaced on a topic of your choice related to the course materials. The essay should demonstrate a grasp of the historical roots of contemporary bioethical debates.*

## Outline of major events

- 1947 Nuremberg Doctors' Trial and the Nuremberg Code
- 1948 Universal Declaration of Human Rights adopted by the UN
- 1951 Clinical trial of oral contraceptives begun
- 1953 Elucidation of the double helical structure of DNA
- 1954 Salk Polio Vaccine trials
- 1960 Contraceptive Pill approved by FDA
- 1960 Invention of the Scribner shunt
- 1961 Convening of the Seattle Admission's and Policy Committee
- 1961 Publication of Rachel Carson's *Silent Spring*
- 1961 Revelation of the side effects of Thalidomide
- 1962 Kefauver-Harris amendments to the Food, Drugs and Cosmetics Act of 1938
- 1964 Declaration of Helsinki published by the World Health Organization
- 1965 Medicare Act
- 1965 Griswold Versus Connecticut legalizes access to contraception by married couples
- 1966 Publication of Henry K. Beecher's 'Ethics and Clinical Research' in the NEJM
- 1967 First heart transplant
- 1968 Harvard Committee's report 'Definition of Irreversible Coma'
- 1972 Revelation of the Tuskegee Syphilis Experiment
- 1973 American Hospital Association adopts a Patients' Bill of Rights
- 1973 Roe versus Wade decision
- 1975 Asilomar meeting on recombinant DNA technology
- 1976 Karen Quinlan decision
- 1976 Founding of Genentech
- 1978 Publication of the Belmont Report
- 1978 Declaration of Alma Ata
- 1980 Diamond v. Chakravarty case
- 1981 First reported cases of G.R.I.D., later named AIDS
- 1984 John Moore case
- 1987 Founding of ACTUP
- 1988 Eli Lilly release Prozac
- 1994 Oregon Death with Dignity Act
- 1997 Birth of 'Dolly', the cloned sheep
- 2000 Publication of the rough draft of the Human Genome
- 2001 Terri Schiavo case
- 2001 George W. Bush announces stem cell policy
- 2006 Launching of No Lie MRI
- 2007 Sperm sorting offered by clinic in Virginia
- 2008 Health care access on the agenda for the election

HISC 116: History of Bioethics  
**OUTLINE OF CLASSES AND READINGS**  
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**FRIDAY 9/26: Introduction to the course**

The Hippocratic Oath

**First week: the moral laboratory**

**MONDAY 9/29: Utilitarian medicine**

Thomas Southwood-Smith (1832) *Uses of the Dead to the Living*, pp. 1-5, 48-54.

**WEDNESDAY 10/1: 'National Socialism is Applied Biology'**

Robert Baker and Laurence McCullough (2007) 'Medical Ethics' Appropriation of Moral Philosophy: the Case of the Sympathetic and the Unsympathetic Physician, *Kennedy Institute of Ethics Journal*, vol.17, No.1: 3-22, pp.12-18.

**FRIDAY 10/3: Kantianism**

No reading

**Second week: The voluntary consent of the human subject, 1947 to 1965**

**MONDAY 10/6: The Nuremberg Trials**

Andrew Ivy (1947) 'Nazi War Crimes of a Medical Nature' and 'The Nuremberg Code' in Stanley Reiser, Arthur Dyck and William Curran (eds.) (1977), *Ethics in Medicine*, pp. 267-273.

**WEDNESDAY 10/8: Victors' justice?**

The Nuremberg Code

**FRIDAY 10/10: A code for barbarians?**

David J. Rothman (1991) 'The Gilded Age of Research' in *Strangers at the Bedside: a History of How Law and Bioethics Transformed Medical Decision Making* New York: Basic Books, pp.30-69.

**Third Week: 'Playing God', 1953-1962**

**MONDAY 10/13: Brave New World**

Jean Rostand (1959) *Can man be modified?* New York, Basic Books, pp.9-35.

**WEDNESDAY 10/15: Prolongation of Life**

Pope Pius XII 'the Prolongation of Life' in Stanley Reiser, Arthur Dyck and William Curran (eds.) (1977) *Ethics in Medicine*, pp. 501-503

**FRIDAY 10/17: Who Shall Live?**

Shana Alexander (1962) 'They decide who lives who lives, who dies: medical miracle puts burden on small committee' *Life* 53: 102-25.

**Fourth week: the birth of bioethics, 1961-1966**

**MONDAY 10/20: Thalidomide**

Helen Taussig 'Thalidomide and Phocomelia' in *Pediatrics* 1962, 30, 654-659

**WEDNESDAY 10/22: Concentration camps for dogs**

No reading

**FRIDAY 10/24: Blowing the Whistle**

Henry Beecher (1966) *New England Journal of Medicine*, vol. 274, pp. 1354-1360, reprinted in *Ethics in Medicine*, pp. 288-293

**Fifth week: Life, death, and the 'right to privacy,' 1968-1973**

**MONDAY 10/27: Brain death**

Harvard Medical School, 'A definition of Irreversible Coma' in *Ethics in Medicine*, pp. 504-507.

**WEDNESDAY 10/29: Roe versus Wade**

The Roe vs. Wade Decision in Stanley Reiser, Arthur Dyck and William Curran (eds.) (1977) *Ethics in Medicine*, pp. 401-415.

**FRIDAY 10/31: Karen Quinlan**

Supreme Court of New Jersey *In the Matter of Karen Quinlan*, reprinted in *Ethics in Medicine*, pp. 517-528.

**Sixth Week: informed consent revolution, 1973-1979**

**MONDAY 11/3: Patients' Bill of Rights**

American Hospital Association, *Statement on a Patient's Bill of Rights* (1973), in *Ethics in Medicine*, pp. 148-9.

**WEDNESDAY 11/5: Tuskegee syphilis study**

*Final Report of the Tuskegee Syphilis Study ad hoc Advisory Panel* (1973) US Public Health Panel, reprinted in *Ethics in Medicine*, pp. 316-322.

**FRIDAY 11/7: The Belmont Report**

'The Belmont Report', in Albert Jonsen, Robert Veatch and LeRoy Walters (eds.) *Source Book in Bioethics: a Documentary History*. Washington DC: Georgetown University Press, pp. 22-28.

**Seventh week: the end of bioethics and the impact of AIDS, 1978 to 2000**

**MONDAY 11/10: From protection to access**

Peter S. Arno and Karyn L. Feiden (1992) *Against the Odds: the story of AIDS drug development, politics and profits*, New York: Harper Collins, pp. 83-109.

**WEDNESDAY 11/12: Bioethics on its head**

Carol Levine 'AIDS and the Ethics of Human Subject Research' in Frederic Reamer (1991) *AIDS and Ethics* New York, Columbia University Press, pp. 77-104.

**FRIDAY 11/14: Alternative medicine**

Stephen Kunitz and Jerrold Levy (1997) 'Dances with Doctors: Navajo Encounters with the Indian Health Service' in Andrew Cunningham and Bridie Andrews (eds.) *Western Medicine as Contested Knowledge*, Manchester, Manchester University Press, pp. 94-123

**Eighth week: profit, consumer rights and medical choice, 1976 to 2000**

**MONDAY 11/17: Ownership of life**

Jerry Menikoff (2001) *Law and Bioethics, an introduction* Georgetown, Georgetown University Press, pp. 404-417.

**WEDNESDAY 11/19: The pursuit of perfection**

Peter D. Kramer (1993) *Listening to Prozac* London, Penguin Books pp.ix-xix.

**FRIDAY 11/21: Biology of human difference**

John Karter (2003) 'Race and Ethnicity: vital constructs for diabetes research' *Diabetes Care* 26:7, pp. 2189-2193

**Ninth week: the politics of personhood, 1990-2008**

**MONDAY 11/24: A Culture of Life**

In the circuit court for Pinellas County, Florida, Probate Division; Re: the Guardianship of Teresa Marie Schiavo, incapacitated.

**WEDNESDAY 11/26: Neuroethics**

The Committee on Science and Law of the Bar Association of The City of New York, (2005) *Are Your Thoughts Your Own?: "Neuro-privacy" and the Legal Implications of Brain Imaging*, 60 CBA Record 407, 408

**FRIDAY 11/28: Thanksgiving, no class**

**Tenth week: health disparities 1978 to 2008**

**Mar 10<sup>th</sup> Access the world**

'Declaration of Alma Ata' accessed 11/08/07 at [http://www.who.int/hpr/NPH/docs/declaration\\_almaata.pdf](http://www.who.int/hpr/NPH/docs/declaration_almaata.pdf)

**Mar 12<sup>th</sup> Access US**

Discussion of the government's plans for health reform, no reading

**Mar 14<sup>th</sup> Quiz and conclusion**