

HARVARD PH.D. PROGRAM IN HEALTH POLICY

ETHICS CONCENTRATION

2011-2012

The ethics concentration integrates quantitative, qualitative, and normative approaches to the analysis of ethical issues in health policy and clinical practice. Increasingly, the investigation of ethical issues in medicine and health policy has not only drawn on normative ethics and political philosophy, but has included empirical research concerning attitudes and practices in clinical and broader institutional settings. A grasp of normative theories and tools is important because ethical principles and approaches underlie, explicitly or implicitly, the formulation of particular health policies at both the macro and micro level. Students in this track will focus on developing skills in a range of disciplines, with the goal of evaluating how ethical and socio-cultural values shape – and should shape – health policies as well as clinical and public health practices. Students with a strong background in ethics and political philosophy will have a chance to deepen that understanding and apply it to issues in health policy, while at the same time acquiring necessary quantitative skills. Students with degrees or training in related fields, such as law or medicine or public health, will acquire both normative and quantitative skills needed for research and teaching in ethics and health policy.

Research in health policy and ethics would include such topics as: policies for the allocation of scarce resources to individuals (e.g., human organs for transplantation, newly developed drugs, hospital beds) and across categories of patients (treatment vs prevention for HIV/AIDS, or for HIV/AIDS vs malaria); policies for care at the beginning and end of life; evaluation of informed consent protocols and their effectiveness; issues of equity in the evaluation of policies determining access to health services and the reduction of risk factors; policies responding to cross-cultural variation in ethical norms; ways in which health professionals are educated; policies regarding the balance between the individual and the collective (e.g., in bio-terrorism, epidemic control, etc.). While not abandoning the concerns of traditional work in bioethics, the program aims to produce students who are interested in the ethics of population health. Accordingly, all students in this track will develop core skills for the conduct of both normative analysis and empirical research in ethics.

- **REQUIRED COURSES**
- **FACULTY ADVISORY COMMITTEE**
- **COURSE DESCRIPTION**

REQUIRED COURSES:

Students in the ethics concentration must satisfy the requirements listed below. If students have had prior courses or training that would make any of these courses redundant and wish to be waived from some part of the requirement, they should discuss the situation with their advisors. In general, students are advised to take the most advanced courses they are prepared to handle in each required category. Students may petition to substitute alternative courses that cover the required course contents. Particularly those students without a substantial background in philosophy and ethics are encouraged to take as many courses as possible within the philosophy department. It is the responsibility of students and their advisors to construct a program that strengthens areas of weakness in preparation for both the general exams and the concentration exams, but the program allows considerable leeway, through careful selection of electives, to concentrate on more advanced normative work or to build strength in other methodologies and areas of expertise. Recent courses not offered in the current year are listed as suggestive of the types of courses students are intended to choose.

Any future changes in the core requirements of the Ph.D. in Health Policy supersede the requirements listed below.

Moral and Political Philosophy

Students are required to take four one-semester courses from among the following. Where students have weaker preparation in ethics and political philosophy, they may take one or two of these courses at the 100 level, but where possible, they should be in graduate sections of these courses taught by the professor.

GSAS:

Philosophy 129. Kant’s <i>Critique of Pure Reason</i>	Masrou (Spring) MW(F) 11-12
Philosophy 168. Kant’s Ethical Theory	Sussman (Spring) TuTh 11-12
Philosophy 172x. Topics in Moral Philosophy: Theories of the Good	Scanlon (Fall) Th 2-4
Philosophy 178q. Equality and Liberty	Scanlon (Spring) MW 1-2
Philosophy 275. The Moral Sentiments: Seminar	Sussman (Spring) W 4-6
Philosophy 278. Nonconsequentialist Ethical Theory: Seminar	Kamm (Spring) W 6-8
Philosophy 279z. Punishment and Social Justice: Seminar	Scanlon (Fall) Tu 2-4
Philosophy 311. Workshop in Moral and Political Philosophy	Berker, Lavin (Fall) M 4-6
Philosophy 311. Workshop in Moral and Political Philosophy	Korsgaard, Scanlon (Spring) M 4-6
Economics 1017. A Libertarian Perspective on Econ & Social Policy	Miron (Spring) TuTh 10-11:30
Government 1061. The History of Modern Political Philosophy	Rosenblum (Spring) TuTh 11-12
Government 2080. Topics in Political Philosophy	Mansfield (Fall) W 4-6
Government 2088. Ethical Foundations of Political Thought	Rosen, Beerbohm (Fall) Th 2-4
Government 2094. Kant and Kantianism	Riley (Spring) Tu 2-4
Government 2340a. Proseminar on Inequality and Social Policy	Iversen, Edin (Fall) W 2-4

HKS:

DPI-216. Democratic Theory	Mansbridge (Spring) TBD
DPI-220. Political Philosophy for Public Policy	Applbaum (Spring) W 4:10-6

Not offered 2011-12

GSAS:

Philosophy 172. The History of Modern Moral Philosophy	Korsgaard [Expected 2012-13]
Philosophy 174. Recent Ethical Theory	Korsgaard [Expected 2012-13]
Philosophy 178. Equality and Democracy	Scanlon [Expected 2012-13]
Philosophy 179. Race and Social Justice	Shelby [Expected 2012-13]
Government 1052. History and Freedom in German Idealism	Rosen [Expected 2012-13]
Government 1082. What is Property?	Nelson [Expected 2012-13]
Government 2030. Political Concepts: Field Seminar	Thompson [Expected 2012-13]
Government 2077. Thomas Hobbes	Tuck [Expected 2012-13]
Government 2096. Topics in Political Philosophy	Rosen, Scanlon [Expected 2012-13]
Economics 2057. Rationality and Choice	Sen [Expected 2013-14]
Economics 2085. Economics of Inequality and Poverty	Sen [Expected 2013-14]

HLS:

LAW-97333A. Rawls & Constitutionalism	Michelman
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Alternative course options may be substituted, subject to consultation with and consent from the concentration chair. If students enter the program with a very strong background in philosophy, especially in ethics and political philosophy, they may elect to substitute an appropriate course in bioethics, law, or health ethics, with consent of their advisors, for one in moral and political philosophy.

Bioethics, Law, and Health Care Ethics

Students are required to take the equivalent of two one-semester courses from among the following. Note that the HSPH courses are only half-semester courses. Students are strongly recommended to take two courses from among these HSPH courses: ID 292, GHP 293, and ID 513. Students are encouraged to select at least two courses from among the ID and GHP offerings below.

GSAS:

Government 1093. Ethics, Biotechnology, and the Future of Human Nature Sandel and Melton (Spring) M 2-4
Government 2034. Ethics, Economics, and Law Sandel (Fall) M 1-3
Government 2576. Racial and Ethnic Politics in the United States Hochschild, Gay (Spring) M 2-4

HLS:

LAW-38320A. Health Law Barnes (Fall) MTuW 10:20-11:40
LAW-39371A. International Reproductive/Sexual Health Rights: Reading Group Roseman (Spring) M 5-7
LAW-45620A. Bioethics in Theory, and its Transformation in Legal Practice Taylor (Spring) TBD
LAW-94530A. Health Law and Policy Workshop: Seminar A Elhauge, Cohen (Fall) M 5-7
LAW-94530A. Health Law and Policy Workshop: Seminar B Elhauge, Cohen (Spring) M 5-7

HSPH:

GHP 288. Issues in Health and Human Rights Marks (Fall 2) TuTh 3:30-5:20
GHP 293. Individual and Social Responsibility for Health Wikler (Fall 2) MW 8:30-10:20
HPM 213. Public Health Law Mello (Spring 1) TuTh 1:30-3:20
ID 250. Ethical Basis of the Practice of Public Health Roberts (Fall 1) MW 8:30-10:20
ID 250. Ethical Basis of the Practice of Public Health Wikler (Spring 1) MW 10:30-12:20
ID 292. Justice and Resource Allocation Daniels (Spring 2) TuTh 10:30-12:20

HKS:

DPI-201A. The Responsibilities of Public Action Risse (Fall) MW 2:40-4
DPI-201C. The Responsibilities of Public Action Applbaum (Fall) MW 2:40-4
IGA-304. Human Rights and International Politics Risse (Spring) TBD
IGA-515. Bioethics, Law and the Life Sciences Jasanoff (Spring) TBD
IGA-953/Hist. Sci 285a. Science, Power and Politics I Jasanoff (Fall) W 2:10-4

Not offered 2011-12

HLS:

LAW-92642A. Economic Analysis of Health Care Law and Policy Frakes
LAW-96715A. Reproductive Technology and Genetics: Legal and Ethical Issues Cohen

HSPH:

GHP 214. Health, Human Rights, and the International System Marks
GHP 265. Ethical Issues in International Health Research Cash, Wikler
ID 513: Ethics and Health Disparities Daniels

HKS:

DPI-204. Seminar in Bioethics Kamm
IGA-954/Hist. Sci 285b. Science, Power and Politics II Jasanoff (Usually Spring)

Further work in bioethics and health care ethics is included in the seminar and reading course requirements for this concentration.

First-Year Reading Seminar

This reading course (Health Policy 3010) meets as a seminar every other week for the whole year and is a forum for students to lead discussion on a range of topics in ethics and health policy that bear on their research interests. Attendance in Health Policy 3010 in both fall and spring semester is required for first-year students.

Second-Year Reading Seminar

This reading course (Health Policy 3015) meets over the whole year every other week, and is co-led by faculty associated with the Ethics Concentration. It covers material in normative theory as applied to topics in health policy and strengthens preparation for the concentration exam. Students and fellows in other ethics or health related programs, including post-docs with an interest in ethics and health policy may join this seminar. Attendance in Health Policy 3015 in both fall and spring semester is required for second-year students.

ADVISORY COMMITTEE:

Norman Daniels, Chair, Mary B. Saltonstall Professor of Population Ethics and Professor of Ethics and Population Health, Department of Global Health and Population, Harvard School of Public Health

Arthur Applbaum, Adams Professor of Political Leadership and Democratic Values and Professor of Ethics and Public Policy, Harvard Kennedy School

Allan M. Brandt, Dean of the Graduate School of Arts and Sciences, Professor of the History of Science, Department of History of Science, Faculty of Arts and Sciences, and Amalie Moses Kass Professor of the History of Medicine, Harvard Medical School

Dan W. Brock, Frances Glessner Lee Professor of Medical Ethics, Department of Global Health and Social Medicine, Harvard Medical School

I. Glenn Cohen, Assistant Professor of Law, Harvard Law School

Frances Kamm, Professor of Philosophy and Public Policy, Harvard Kennedy School, and Professor of Philosophy, Department of Philosophy, Faculty of Arts and Sciences

Lisa Lehmann, Assistant Professor of Medicine and Medical Ethics, Harvard Medical School

Thomas M. Scanlon, Alford Professor of Natural Religion, Moral Philosophy, and Civil Polity, Faculty of Arts and Sciences

David Stevenson, Associate Professor of Health Policy, Department of Health Care Policy, Harvard Medical School

Daniel Wikler, Mary B. Saltonstall Professor of Population Ethics and Professor of Ethics and Population Health, Department of Global Health and Population, Harvard School of Public Health

COURSE DESCRIPTIONS

Moral and Political Philosophy

Philosophy 129: Kant's Critique of Pure Reason

Catalog Number: 0614

Farid Masrouf

Half course (spring term). M., W., (F.), at 11. EXAM GROUP: 4

Kant's *Critique of Pure Reason* is one of the most important works in the history of philosophy. Our goal is to understand its central doctrines and their significance. Kant's views on human knowledge; the role of mind in the production of experience; space and time; self-knowledge and its role in experience; causation; freedom of the will; the persistence of the soul after death; the status of metaphysics; and the relationship between appearance and reality.

Philosophy 168. Kant's Ethical Theory

Catalog Number: 8361

David G. Sussman

Half course (spring term). Tu., Th., at 11. EXAM GROUP: 13

A study of Kant's moral philosophy, based primarily on the *Groundwork of Metaphysics of Morals*, the *Critique of Practical Reason*, and *The Metaphysics of Morals*.

Note: This course, when taken for a letter grade, meets the General Education requirement for Ethical Reasoning or the Core area requirement for Moral Reasoning.

Philosophy 172x. Topics in Moral Philosophy: Theories of the Good: Proseminar - (New Course)

Catalog Number: 22694

Thomas M. Scanlon, Jr.

Half course (fall term). Th., 2–4. EXAM GROUP: 16, 17

Recent work on theories of the good, including both theories of individual well being and of value more generally.

Philosophy 178q. Equality and Liberty - (New Course)

Catalog Number: 77839

Thomas M. Scanlon, Jr.

Half course (spring term). M., W., at 1. EXAM GROUP: 6

Arguments for equality, conceptions of liberty, and the relations between the two.

Philosophy 275. The Moral Sentiments: Seminar - (New Course)

Catalog Number: 35223

David G. Sussman

Half course (spring term). W., 4–6. EXAM GROUP: 9

This course examines the nature of disgust, shame, and guilt, with particular attention to what place, if any, these emotions still deserve in our moral lives.

Philosophy 278. Nonconsequentialist Ethical Theory: Seminar - (New Course)

Catalog Number: 28309

Frances Kamm

Half course (spring term). W., 6–8 p.m.

Harming and benefiting people. Possible topics include: the permissibility of redirecting threats; torture; harming some as a means of helping others; ways to allocate aid; whether creating people harms or benefits them.

Note: Offered jointly with the Kennedy School of Government as DPI-209.

Philosophy 279z. Punishment and Social Justice: Seminar - (New Course)

Catalog Number: 47039

Thomas M. Scanlon, Jr. and Tommie Shelby

Half course (fall term). Tu., 2–4. EXAM GROUP: 16, 17

The seminar will examine theories of punishment in the larger context of social justice questions. Some consideration will be given to recent empirical research on the relationship between crime, inequality, and

incarceration in the United States.

Philosophy 311. Workshop in Moral and Political Philosophy

Catalog Number: 5370

Selim Berker 5514 (fall term only), Christine M. Korsgaard 2994 (spring term only), Douglas Lavin 5091 (fall term only), and Thomas M. Scanlon, Jr. 7986 (spring term only)

Half course (fall term; repeated spring term). M., 4–6. EXAM GROUP: Fall: 9

A forum for the presentation and discussion of work in progress by students in moral and political philosophy. Open only to graduate students in the Philosophy Department or by invitation of the instructors.

Economics 1017. A Libertarian Perspective on Economic and Social Policy

Catalog Number: 1197 Enrollment: Limited to 200.

Jeffrey A. Miron

Half course (spring term). Tu., Th., 10–11:30. EXAM GROUP: 12, 13

Analyses the libertarian perspective on economic and social policy. This perspective differs from both liberal and conservative views, arguing for minimal government in most arenas. Policies addressed include drug prohibition, gun control, public education, abortion rights, gay marriage, income redistribution, and campaign finance regulation. *Prerequisite:* Social Analysis 10, or Economics 10 (fall term) and concurrent enrollment in Economics 10 (spring term).

Government 1061. The History of Modern Political Philosophy

Catalog Number: 5035

Nancy Lipton Rosenblum

Half course (spring term). Tu., Th., at 11. EXAM GROUP: 13

Political philosophy from Machiavelli to Nietzsche, with attention to the rise and complex history of the idea of modernity.

Note: This course, when taken for a letter grade, meets the General Education requirement for Ethical Reasoning or the Core area requirement for Moral Reasoning. This course fulfills the requirement that one of the eight General Education courses also engages substantially with Study of the Past.

Government 2080. Topics in Political Philosophy

Catalog Number: 4345 Enrollment: Limited to 20.

Harvey C. Mansfield

Half course (fall term). W., 4–6. EXAM GROUP: 9

Plato

Note: Open to qualified undergraduates.

Government 2088. Ethical Foundations of Political Thought

Catalog Number: 2378

Michael E. Rosen and Eric Beerbohm

Half course (fall term). Th., 2–4. EXAM GROUP: 16, 17

This class will cover areas of contemporary moral philosophy (for instance, utilitarianism, freedom, the nature of value, consent, well-being and desert) that are of particular relevance to political theorists.

Government 2094. Kant and Kantianism

Catalog Number: 55223

Patrick T. Riley

Half course (spring term). Tu., 2–4. EXAM GROUP: 16, 17

The main political, moral, legal and historical works of Kant (including the three Critiques), plus Kant-interpretations of Hegel, Marx, Nietzsche, Rawls, Arendt, Korsgaard, Nora O'Neill, etc.

Government 2340a. Proseminar on Inequality and Social Policy I - (New Course)

Catalog Number: 93024

Torben Iversen and Kathryn Edin (Kennedy School)

Half course (fall term). W., 2–4.

Considers effects of varied political activities on creating or reducing inequality in U.S., and at effects of inequality

on political activity and policy choices. Examines electoral participation, social movements, lawmaking, etc. on policies like education, ERA, welfare.

Note: Offered jointly with the Kennedy School as SUP 92.

DPI-216. Democratic Theory

HKS

Jane Mansbridge

Half course (spring term). Meeting Time: TBD

This course traces the evolution of Western democratic theory from the ancient Greeks to the present, with particular emphasis on the institutions that influenced and were in turn influenced by these evolving theories. Readings from Aristotle and Hobbes through Habermas and Foucault, with one foray into Islamic thought. The course has two aims: to give an appreciation of the history behind the ideas that shaped today's democracies and to pose critical normative questions for today.

DPI-220. Political Philosophy for Public Policy

HKS

Arthur Applbaum

Half course (spring term), W 4:10-6

This course will explore normative concepts and arguments about freedom and responsibility that underpin a range of public policy issues. Topics will be chosen from the following: accounts of individual responsibility in social welfare and health policy, theories of criminal justice and punishment, fairness in taxation, autonomy in international development, and the normative foundations of economic reasoning.

Prerequisite: one course in ethics, moral philosophy, political philosophy, or political theory.

Courses not offered in 2011-2012

Philosophy 172. The History of Modern Moral Philosophy

Catalog Number: 5184

Christine M. Korsgaard

Half course (fall term). Hours to be arranged.

A study of the development of modern moral philosophy from its origins in the natural law theories of Hobbes and Pufendorf to the emergence of the two most influential theories of the modern period, utilitarianism and Kantianism, in the works of Bentham and Kant. Selections from the works of Hobbes, Clarke, Butler, Hutcheson, Hume, Smith, Price, and others.

Note: Expected to be given in 2012–13. This course, when taken for a letter grade, meets the General Education requirement for Ethical Reasoning or the Core area requirement of Moral Reasoning.

Philosophy 174. Recent Ethical Theory

Catalog Number: 3266

Christine M. Korsgaard

Half course (spring term). Hours to be arranged.

A study of some major recent philosophical theories of ethics, chosen from among the works of Blackburn, Darwall, Gibbard, Korsgaard, Nagel, Scanlon, Thompson, and others.

Note: Expected to be given in 2012–13. This course, when taken for a letter grade, meets the General Education requirement for Ethical Reasoning or the Core area requirement of Moral Reasoning.

Philosophy 178. Equality and Democracy

Catalog Number: 7653

Thomas M. Scanlon, Jr.

Half course (spring term). Hours to be arranged.

When is economic inequality morally objectionable, and why? What kind of equality is required by just political institutions? A critical examination of some answers to these questions offered by contemporary philosophers, with special attention to the work of John Rawls.

Note: Expected to be given in 2012–13. This course, when taken for letter grade, meets the General Education requirement for Ethical Reasoning or the Core area requirement for Moral Reasoning.

Philosophy 179. Race and Social Justice

Catalog Number: 6665

Tommie Shelby

Half course (fall term). Hours to be arranged.

Critically examines recent philosophical work on questions of racial justice: What is racism? What makes racial discrimination wrong? Are reparations owed for past racial injustices? Is racial profiling ever justified? Under what conditions should we regard racial disparities (e.g., in wealth or employment) as unjust? Should government foster racial integration in schools and neighborhoods? Is affirmative action unfair? Is a just society a "color-blind" society?

Note: Expected to be given in 2012–13. This course, when taken for letter grade, meets the General Education requirement for Ethical Reasoning or the Core area requirement for Moral Reasoning.

Government 1052. History and Freedom in German Idealism

Catalog Number: 3628

Michael E. Rosen

Half course (fall term). Hours to be arranged.

The high period of German Idealism (from 1781, the date of the publication of Kant's Critique of Pure Reason, to the death of Hegel in 1831) is one of the most revolutionary in the history of philosophy. We shall study the period using the central ideas of history and freedom as our guide and trace how modern ideas regarding freedom, the self, and the historical character of knowledge have their origins in the Idealists' thought.

Note: Expected to be given in 2012–13.

Government 1082. What is Property?

Catalog Number: 2723

Eric M. Nelson

Half course (fall term). Hours to be arranged.

This course will investigate the major theories of property in the Western political tradition and address such key questions as: How do we come to own things? What claims do others have on the things we own? Is the community the ultimate owner of all goods? Do property rights really exist, and, if so, what is their source? Readings will include the Bible, Plato, Aristotle, Cicero, More, Harrington, Locke, Marx, and Nozick.

Note: Expected to be given in 2012–13. This course, when taken for a letter grade, meets the Core area requirement for Moral Reasoning.

Government 2030. Political Concepts: Field Seminar

Catalog Number: 0551 Enrollment: Limited to graduate students in Government

Dennis F. Thompson

Half course (fall term). Hours to be arranged.

Reading and discussion of rival accounts of the basic concepts of political thinking.

Note: Expected to be given in 2012–13.

Government 2077. Thomas Hobbes

Catalog Number: 51629

Richard Tuck

Half course (spring term). Hours to be arranged.

Investigates the philosophy of Thomas Hobbes: his metaphysics, physics, ethics, and political theory. A wide range of his writings are studied, and placed in their historical context.

Note: Expected to be given in 2012–13.

Government 2096. Topics in Political Philosophy

Catalog Number: 88503

Michael E. Rosen and Thomas M. Scanlon, Jr.

Half course (fall term). Hours to be arranged.

Central questions in political philosophy, focusing on the scope, content and normative role of justice. Readings mainly from contemporary sources.

Note: Expected to be given in 2012–13.

Economics 2057. Rationality and Choice

Catalog Number: 3755 Enrollment: Limited to 25.

Amartya Sen

Half course (spring term). Hours to be arranged.

The course involves critical examination of alternative approaches to rationality, which is a central concept in economics, politics and the other social sciences, moral and political philosophy, and legal theory, including law and economics.

Note: Expected to be given in 2013–14.

Economics 2085. Economics of Inequality and Poverty

Catalog Number: 16767 Enrollment: Limited to 25.

Amartya Sen

Half course (fall term). Hours to be arranged.

A general course on the evaluation and axiomatic measurement of inequality and poverty, and on the analysis of contemporary economic problems in that light.

Note: Expected to be given in 2013–14.

LAW-97333A. Rawls and Constitutionalism

Frank L Michelman

2 classroom credits (spring term) Tu, 5:00-7:00

Ideas of constitutionalism and constitutional law figure centrally in the political-philosophical writings of John Rawls, and debates surrounding them. These writings engage a number of major questions regarding the functions, aims, design, prescriptive contents, interpretation, and application of written constitutions. Readings will be drawn from Rawls's writings and those of critics and commentators.

Written work is required for course credit. Students will have a choice between submitting five short (5-6 pages) reflection papers over the course of the semester, or preparing a single 25-30 page paper for submission by the end of the semester. Those choosing the latter option must clear their topic with the instructor before the end of the add-drop period.

Bioethics, Law, and Health Care Ethics

Government 1093. Ethics, Biotechnology, and the Future of Human Nature

Catalog Number: 4613 Enrollment: May be limited.

Michael J. Sandel and Douglas A. Melton

Half course (spring term). M., 2–4. EXAM GROUP: 7, 8

Explores the moral, political, and scientific implications of new developments in biotechnology. Does science give us the power to alter human nature? If so, how should we exercise this power? The course examines the science and ethics of stem cell research, human cloning, sex selection, genetic engineering, eugenics, genetic discrimination, and human-animal hybrids.

Note: May not be taken concurrently with LS 60. May not be taken for credit if LS 60 has already been taken. Moral Reasoning 22 (Justice) is recommended as background. This course, when taken for a letter grade, meets the General Education requirement in Ethical Reasoning or the Core area requirement for Moral Reasoning.

Government 2034. Ethics Economics, and Law

Catalog Number: 4652

Michael J. Sandel

Half course (fall term). M., 1–3. EXAM GROUP: 6, 7

Explores controversies about the use of markets and market reasoning in areas such as organ sales, procreation, environmental regulation, immigration policy, military service, voting, health care, education, and criminal justice. The seminar will examine arguments for and against cost-benefit analysis, the monetary valuation of life and the risk of death, and the use of economic reasoning in public policy and law.

Note: Offered jointly with the Law School as LAW - 93375A. Meets at the Law School. Open to GSAS students with permission of the instructor.

Government 2576. Racial and Ethnic Politics in the United States

Catalog Number: 7260

Jennifer L. Hochschild and Claudine Gay

Half course (spring term). M., 2–4. EXAM GROUP: 7, 8

The course begins with the history and structure of the classic Black-White binary, then addresses ways in which it must be rethought to include other groups, mainly Asians and Latinos. Issues include racialization, immigrant incorporation, political coalitions and conflict, racial mixture, and links between race, class, gender, and ideology. Focuses on the United States but includes comparisons with Europe, Latin America, and South Africa.

LAW-38320A. Health Law

Mark Barnes

Half course (Fall term, Block C) M, Tu, W 10:20-11:40

This course will cover the full range of topics that are traditionally referred to as "health law," including the physician-patient relationship, informed consent, privacy and confidentiality, medical malpractice, regulation of health professions, regulation of health facilities, health care financing (including a survey of Medicare, Medicaid and private medical insurance law), proposals for health care reform, regulation of drugs and devices, and if time permits, end-of-life decision-making and reproductive health. Health law will be viewed as the principles that govern and influence the interaction of patients and health care providers, and we will also consider the evolution of health care law over time, as it reflects the development of medicine as a profession and the emergence of the modern hospital during the first decades of the twentieth century. Readings will include a traditional casebook, as well as materials documenting the modern history of medicine, public health, and health care finance.

LAW-39371A. International Reproductive/Sexual Health Rights: Reading Group

Mindy Jane Roseman

Half course (Spring term, Block H) M 5:00 - 7:00

Sex and reproduction are deeply personal activities, yet infused with public purpose. As such, they help constitute as well as undermine the public/private divide that legal and rights discourses often police. Internationally and nationally, individuals and civil society have staked out rights claims along this territory; courts and international human rights bodies, and until very recently main stream human rights organizations, have rejected as well as recognized these claims. Some of these institutions still continue to do so. This reading course will examine how

these claims have been formulated, and critically assess the "value added" of human rights in the areas of sex and reproduction. We will pay attention to gender and other categories of social analysis, as well as the orientation towards "health." The objective of the reading group is to lay a foundational basis for thinking about and practicing in this broad and protean field.

LAW-45620A. Bioethics in Theory, and its Transformation in Legal Practice

Patrick Taylor

Spring Term, TBD

This seminar will compare the relationship between bioethical reasoning and the formation of legal rules and standards as bioethical questions play out in five contexts: litigated key cases; reports of government-chartered bioethics task forces and commissions; statutes; executive action; and institutional ethics committees. Using both primary and secondary materials, we will conduct this comparison across three adjacent biomedical topics in which new biotechnology transformed medical practice, which in turn drove new and complex ethical issues for individuals and society. Each topic gave rise to distinct legal challenges and resolutions, although they involve overlapping bioethical rationales:

-surrogate decision-making for withdrawal of life-sustaining treatment from incapacitated adults;

-parents' rights to order the withdrawal of life-sustaining treatment, or to decline to authorize life-saving surgical and medical treatment, for microcephalic infants, and neonates with Down's Syndrome, spina bifida, duodenal atresia, tracheoesophageal fistulas, and similar congenital impairments;

-pediatric organ donation after cardiac death.

The first two weeks of the course will be devoted to bioethics' history and the fundamentals of its distinctive methods. The remainder will be divided among the three topics, with legal history and analysis, and more advanced bioethical analysis, appropriate to each topic.

Using trial records, appellate briefs (including amicus briefs); case decisions; reports of national bioethics commissions, the New York Task Force on Life and the Law, and hospital-based ethics committees; statutes; federal regulatory documentation; and executive orders and initiatives (ranging from the Obama executive order to fund embryonic stem cell research, to the Reagan "Baby Doe" directives to the Departments of Justice and HHS, interpreting the Rehabilitation Act of 1973, to prevent hospital withdrawals of life-sustaining care, and require treatment for impaired newborns) -we will look at how bioethically-rooted legal rules are created, contrasting the parties involved, the range of perspectives discussed, the sources and variety of empirical data, the form and effect of public debate, the nature of deliberation, the logic, and the breadth, precision and stability of the resolution.

LAW-94530A. Health Law and Policy Workshop: Seminar

Einer Elhauge and I. Glenn Cohen

Full course (Fall/Spring term, Block H) M 5:00 - 7:00

This seminar will feature the presentation and discussion of cutting edge scholarship on health law, health policy, biotechnology and bioethics. Students must submit brief written comments on a number of the papers.

Note: Because the papers are different every term, students can take the class as many times as they wish.

GHP 288. Issues in Health and Human Rights

Dr. S. Marks

Quarter Course (Fall 2) Tu, Th 3:30-5:20

2.5 credits Lectures, case studies. Two 2-hour sessions each week.

The aim of this course is to introduce students to the application of the human rights framework to a wide range of critical areas of public health. Through lectures, cases and guest speakers, students will become familiar with the human rights perspective as applied to selected public health policies, programs and interventions. The course clarifies how human rights approaches complement and differ from those of bioethics and public health ethics.

Among the issues to be considered from a human rights perspective are the bioethics and human rights as reflected in the Nuremberg code, torture prevention and treatment, infectious diseases: violence prevention and responses, genetic manipulation, access to affordable drugs, community-based health management and financing, child labor, aging, and tobacco control. Course requirements are active participation in class discussion (20%) and a term paper (80%).

GHP 293. Individual and Social Responsibility for Health

Dr. D. Wikler

Quarter course (Fall 2) M, W 8:30 – 10:20

2.5 credits Lectures, case studies. Two 2-hour sessions each week.

The concept of responsibility for health plays a key role in health policy, but it is rarely articulated or evaluated. In this course, students will consider alternative understandings of assignments of responsibility for health to individuals, the state, the family, communities, nonprofit and for-profit firms, and other entities. They will identify their occurrences in health policy debates, assess the cogency of their use in ethical arguments in health policy, and trace the policy consequences of their normative analyses. The course will also serve as an introduction to ethical perspectives on public health.

HPM 213. Public Health Law

M. Mello

Quarter course (Spring 1) Tu,Th 1:30-3:20

This course examines the many ways in which the law impacts the public health. Among the questions explored are: What authority does the government have to regulate in the interest of public health? How are individual rights balanced against this authority? What are the promises and pitfalls of using laws and litigation to achieve public health goals? The course investigates these issues as they operate a range of specific contexts in public health and medical care, including the control and prevention of HIV/AIDS and other communicable diseases, tobacco regulation, rights to have and refuse medical care, reproductive health, and lawsuits against tobacco and gun companies. The course emphasizes constitutional law, but also touches on criminal law, tort law and intellectual property law. Instruction is through interactive lectures with a significant amount of class discussion. Most classes will revolve around two to three legal cases. The previous year's syllabus is available on the course website.

Course Note: No previous background in law is needed.

ID 250. Ethical Basis of the Practice of Public Health

Dr. M. Roberts

Quarter Course (Fall 1) M, W 8:30-10:20

Evaluation: Exams plus one term project (case study term paper, in-class debate, or tutorial)

Provides students with a broad overview of some of the main philosophical and moral ideas that are used as a basis for resolving debates of public health policy. Helps students develop their own capacities to analyze, criticize, evaluate, and construct policy-oriented arguments. The practice of public health require moral reflection and argument for a number of reasons. Public health measures often make demands on the public, such as changes in lifestyles or restrictions of liberties, and these must be justified. Practitioners of public health frequently face ethical dilemmas, both in framing policy and in practice in the field, whose optimal resolution is uncertain. The work of public health practitioners is sometimes challenged on moral grounds, which must be examined and, when appropriate, countered. The resources for moral argument and justification in public health are found in moral philosophy and philosophical theories of justice; and also in history, the social sciences, and in the science of public health itself. Students in this course will survey some of the principle philosophical approaches in addressing a number of ethical controversies in contemporary public health. Issues and concepts discussed in the course will be drawn from this list:

- Definitions of health
- Ethical issues in health measurement: DALYs and QALYs
- Ethical norms in public health and clinical medicine
- Moral epistemology and the rational foundation of moral norms
- Ethics and human rights
- Ethical relativism
- Consequentialist and deontological ethical theories
- Contractualist and rival theories of distributive justice
- State coercion and paternalism in public health
- Individual and social responsibility for health
- Ethics and emergency humanitarian interventions
- Ethical issues in health resource allocation
- Health disparities and inequalities
- Ethical issues in international health research involving human subjects
- Ethics of public health communication
- Ethical integrity of practioners: conflict of interest and corruption

ID 250. Ethical Basis of the Practice of Public Health

Dr. D. Wikler

Quarter course (Spring 1) M, W 10:30-12:20

Evaluation: Exams plus one term project (case study term paper, in-class debate, or tutorial)

Provides students with a broad overview of some of the main philosophical and moral ideas that are used as a basis for resolving debates of public health policy. Helps students develop their own capacities to analyze, criticize, evaluate, and construct policy-oriented arguments. The practice of public health require moral reflection and argument for a number of reasons. Public health measures often make demands on the public, such as changes in lifestyles or restrictions of liberties, and these must be justified. Practitioners of public health frequently face ethical dilemmas, both in framing policy and in practice in the field, whose optimal resolution is uncertain. The work of public health practitioners is sometimes challenged on moral grounds, which must be examined and, when appropriate, countered. The resources for moral argument and justification in public health are found in moral philosophy and philosophical theories of justice; and also in history, the social sciences, and in the science of public health itself. Students in this course will survey some of the principle philosophical approaches in addressing a number of ethical controversies in contemporary public health. Issues and concepts discussed in the course will be drawn from this list:

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- Individual and social responsibility for health
- Ethics and emergency humanitarian interventions
- Ethical issues in health resource allocation
- Health disparities and inequalities
- Ethical issues in international health research involving human subjects
- Ethics of public health communication
- Ethical integrity of practioners: conflict of interest and corruption

ID 292. Justice and Resource Allocation

Dr. N. Daniels

Quarter course (Spring 2) Tu, Th 10:30 – 12:20

This course explores the ethical issues, especially issues of distributive justice, raised by health and health care resource allocation methodologies and decisions. We begin with examination of distributive issues raised by measures of summary population health and their extensions into cost effectiveness analysis, paying special attention to the strengths and weaknesses of the underlying welfare economic and utilitarian assumptions. Philosophical and empirical efforts to clarify our beliefs about these distributive issues and our commitments to them will also be discussed. We then turn to recent efforts to make health inequalities and inequities a focus of priority in resource allocation, examining both conceptual and moral issues raised by different approaches to such inequalities and by the fact that the distribution of health is so significantly affected by non-health sector factors. We take up two problems of cross-cutting interest, the different concern shown for identified versus statistical victims, and emerging issues about intergenerational equity concerning the elderly and young. Finally, we turn to fair decision process as a way of resolving disputes about allocation. The goal of the course is to equip students with the ethical basis for addressing resource allocation issues in practical public health contexts, and throughout the course there is a focus real cases where controversy surrounds such decisions.

DPI-201 A or C. The Responsibilities of Public Action

Mattias Risse (section A)

Arthur Applbaum (section C)

Half course (fall term). MW 2:40-4:00

This course is a philosophical examination of the responsibilities of public policymakers in a democracy. The course

asks two questions: (1) What should governments do? (2) What should political actors do? The first question requires consideration of public principles that guide good, just, and legitimate public policy. The second question requires consideration of the many and often competing obligations that should guide political actors inside and outside government, particularly when there is disagreement about what is good, just, and legitimate public policy. Discussions and assignments focus on applications of theoretical concepts from scholarly readings in philosophy and political theory to practical issues of public policy and policymaker responsibility.

IGA-304. Human Rights and International Politics

HKS

Mathias Risse

Half Course (spring term) Meeting Time: TBD

This course is an introduction to human rights and their role in international politics. The goal is to provide students with basic human rights literacy and to position them to participate in the many policy debates that turn on human rights issues. Addresses such questions as “why do we have human rights? How have such rights come to be acknowledged? Do human rights treaties and rhetoric make a difference or are they simply window dressing? Who has duties and responsibilities to realize human right?” Topics include the Israeli-Palestinian conflict, the Kosovo intervention, terrorism, torture, counter-terrorism and the role of NGOs and transnational corporations in the realization of human rights. Readings range from case studies to historical, legal, philosophical and social-scientific readings. Emphasis is placed on human rights as an ethical and political framework for public policy rather than as a system of international law.

IGA-515 / History of Science 253. Bioethics, Law, and the Life Sciences

Sheila Jasanoff

Half course (spring term), TBD

(Previously offered as IGA 325)

Developments in the life sciences and biotechnology have thrown into question existing policy approaches and instruments dealing with intellectual property, reproduction, health, informed consent, and privacy. They are reconstituting concepts of the self and its boundaries, kinship, and legal rights and obligations of people in relation to their governing institutions. Through reading primary materials and relevant secondary literatures, this course seeks to identify and explore salient ethical, legal, and policy issues — and possible solutions — associated with these developments.

IGA-953 / History of Science 285a. Science, Power, Politics I

Sheila Jasanoff

Half course (fall term) W 2:10-4

(Previously offered as IGS-313)

This seminar introduces students to the major contributions of the field of science and technology studies (STS) to the analysis of politics and policy making in democratic societies. The objective is to deepen students understanding of the ways in which science and technology participate in the creation of social and political order. The seminar is devoted to reading and analyzing works by scholars in STS and related fields who have addressed such topics as the nature and role of scientific authority, sciences relations with the state, science and democracy, scientific and technical controversies, and citizenship in technological societies.

Note: This seminar is usually paired with an advanced research seminar (IGA-954) in the spring semester, but IGA-954 will not be offered in 2011-12.

Courses Not Offered in 2011-2012

LAW-92642A. Economic Analysis of Health Care Law & Policy: Seminar

Michael Frakes

Half course (spring term, Block J) W 5:00 - 7:00

This seminar will explore how economic analysis (both theoretical and empirical) shapes our understanding of health care law and policy, focusing on an evaluation of the economic justifications for the regulation of the health care industry. Through a series of readings from the legal, economic and medical literatures, we will discuss the informational and other limitations of the private health care market and evaluate the rationales behind legal or regulatory interventions. We will explore interventions considered to date along with various proposals for future

reforms. In addition, we will consider the role of the state in serving more general redistributive goals. Topics will include: cost-containment and provider/patient incentives, health insurance and financing (including the interaction between health insurance and the labor market), quality of care and medical malpractice, competition in health care markets, and risky behaviors (e.g., smoking). A background in economics is not necessary.

LAW-96715A. Reproductive Technology and Genetics: Legal and Ethical Issues: Seminar

I. Glenn Cohen

Half course (Spring term, Block I) Tu 5:00 - 7:00

Should individuals be able to sell reproductive materials like sperm and ova, or reproductive services like surrogacy? Should the law require individuals diagnosed with diseases like Huntington's disease to disclose to family members that they too are at risk for the disease? Should prenatal sex selection be a crime? Should federal funds be used for stem cell research? Should law enforcement be able to bank DNA samples collected from suspects and perpetrators? Should doctors be able to patent cell lines developed from their patients' bodies?

Since Watson and Crick's discovery of the double helix structure of DNA in 1953, and the 1978 birth of Louis Brown, the first child conceived through in vitro fertilization, pressing questions like these have propagated. In this course we will cut across doctrinal categories to examine how well the law and medical ethics have kept up, and plot directions for fruitful development.

Topics covered may include: * Prenatal genetic screening and sex selection * Genetic enhancement * The sale of sperm and ova and access to reproductive technology * Surrogacy * Cloning * Preembryo disposition disputes * Wrongful birth, wrongful conception, and wrongful life torts * The parentage and anonymity of gamete donors. * Imposition of criminal liability on mothers and third parties for harm to fetuses * The use of genetic information by insurers and employers * The collection of genetic information by the state and the criminal justice system * Biobanking * Chimeras (human-animal hybrids) * The stem cell controversy * The patenting of genes and their derivatives * Research ethics issues involving fetuses and embryos * Pharmacogenomics and Race

Note: There will be no exam. Evaluation will be by written work and participation.

GHP 214. Health, Human Rights, and the International System

Dr. S. Marks

Quarter course (Fall 2) Tu 3:30 - 6:20

This course is designed to provide an overview of the way international institutions deal with health and human rights issues. Focus will be on the responses of the United Nations system, including the World Health Organization (WHO), regional organizations, and non-state actors to some of the pressing issues of health from a human rights perspective. Issues to be explored include: mother-to-child transmission of HIV and ARV drug pricing in Africa; traditional practices, such as female genital cutting (FGC); forced sterilization and rights of indigenous people in Latin America; accountability for mass violations of human rights; health of child workers; and international tobacco control. Among the international institutions to be examined are the WHO, UNAIDS, the World Trade Organization (WTO), UNESCO, the Council of Europe, the Organization of American States, the World Bank, and the International Criminal Court (ICC). The principal teaching method is simulation of actual cases, in which students prepare and present positions of various protagonists, based on research into those positions. The ultimate aim of the course is to prepare students to work for and interact professionally with international institutions to advance the health and human rights objectives, whether through governmental, intergovernmental or nongovernmental processes.

GHP 265. Ethical Issues in International Health Research

Dr. R. Cash, Dr. D. Wikler

Quarter course (Fall 1) W 5:30 - 7:20

2.5 credits Seminar. One 3-hour session each week.

This course is designed to expose students to the key ethical issues that may be encountered in the course of conducting international health research. Using case presentations and discussion-based class sessions, students will have the opportunity to begin developing their own tools for dealing with these important issues in an applied context.

ID 513. Ethics and Health Disparities

Dr. Norman Daniels

Quarter course (Spring 1) 2.5 credits Lectures, case studies. Two 2-hour sessions each week.

When is an inequality in health status an injustice or inequity? This course examines various aspects of this issue,

bringing appropriate perspectives from ethical theories (utilitarian, libertarian, liberal egalitarian, feminist) to bear on case studies revealing a range of important health disparities. Four main cases will be discussed, each focusing on a central type of health disparity: U.S. racial disparities, class disparities, gender disparities in a developing country setting, and global health inequalities. Key questions to be pursued in each case include: when is an inequality in health between this type of demographic variable unjust? When is a policy that produces, or fails to address, such an inequality race- or gender- or class-biased in a morally objectionable way? What ethical issues are raised by different methods of measuring health inequalities? How does ascription of responsibility for health affect the fairness of health inequalities? What kind of obligations exist to address health inequalities across national boundaries? What ethical issues are raised by policy approaches to addressing health inequalities and giving priority to reducing them?

DPI-204. Seminar in Bioethics

Frances Kamm

Half course (Not offered 2011-2012)

Examines issues in bioethics and aspects of normative ethical theory bearing on them. Topics are to be selected from the following: aggregation and the distribution of scarce resources; discrimination and disability; death and assisted suicide; abortion; the moral status of the embryo; and genetic modification and enhancement. Includes readings from contemporary philosophical sources. Prerequisite: At least one course in ethics.

Also offered by the Law School as HLS 90335A, but not offered 2011-12.

IGA-954 / History of Science 285b. Science, Power, Politics II

Sheila Jasanoff

Half course (Usually Spring term)

(Previously offered as IGA-314)

This is the second semester of a two-semester graduate seminar. The bulk of the semester will be devoted to reading and critically analyzing papers written by the seminar participants. Students are expected to do original research and to analyze it using the conceptual tools they acquired in IGA-953 (or its equivalent).

IGA-954 may be taken only with the instructor's permission. Also offered by the History of Science Department as HistSci 285b, but not offered in 2011-12.

Winter Workshop

GHP 268. Field Experience in Health and Human Rights

Dr. S. Marks

Eighth course (Winter Session) 1.25 credits Seminars, field work

In this course, students will acquire the basic skills in applying a human rights framework to health issues in a professional work environment. Depending on their field placement, they may learn about operational skills in settings where health and human rights are practiced or about organizing a study to investigate human rights conditions affecting health. Each student will be expected to identify an organization with which they would like to work for the Winter Session period and secure a placement within that organization. Students are expected to attend a short preparatory workshop in the Fall 2 quarter. Participants will study materials pertinent to their placement and project before heading to the field assignment. After completion of their field work, each student is required to hand in a 10-page paper to be graded by the course instructor on a pass/fail basis.

Course Note: Enrollment limited to 15; contract with department required; attend a short workshop in Fall 2; pass/fail option only. Applications must be completed by October 9 and participants will be notified by October 20.

First-Year Reading Seminar

***Health Policy 3010. First-Year Graduate Reading Course: Ethics**

Catalog Number: 9241

Norman Daniels (Public Health) 4722

Examines issues in ethics and health policy, including a basic account of justice and health; ethical critique of maximization methodologies, including cost-effectiveness analysis; individual and social responsibility for health; and other topics.

Second-Year Reading Seminar

***Health Policy 3015. Second-Year Graduate Reading Course: Ethics**

Catalog Number: 4380

Norman Daniels (Public Health) 4722

Student-led course reviews basic issues in ethics, political philosophy, and their bearing on health policy and is important preparation for the qualifying examinations.