

**BIOE 590: From Quinlan to Schiavo: The Philosophical and Legal
Issues in Death & Dying**
Summer 2007

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This course will focus on the philosophical and legal issues surrounding the bioethical area of end-of-life. We will examine the most significant legal cases of the last few decades, from Quinlan to Schiavo. We will then look at the philosophical literature on death and the process of dying, including the right to die, the doctrine of double effect, the distinction between withholding and withdrawing life support, and the duty to die. Finally, we will explore theoretical questions such as: Is there such a thing as a “good death”?; and, What makes a death tragic?

Class will meet Wednesdays **OR** Thursdays, 4:30-6:30pm in the classroom on the third floor of 3401 Market St. (the Center for Bioethics).

Course Material: The readings can be found on UPenn’s Blackboard site.

Assignments: There will be one take-home exam due **Thursday, August 2, 3:00pm**. Please deliver in hard copy or via attachments to Ms. Robin Hartley (DO NOT SEND ME ATTACHMENT FILES DIRECTLY): mbepaper@mail.med.upenn.edu

SCHEDULE:

I. Legal Issues in End-of-Life

May 23/24: Introduction

Merrick, “Death and Dying: The American Experience” &
Cantor, “Twenty Five Years After Quinlan”

May 30/31: Legal Cases:

Quinlan
Bouvia
Cruzan
Wendland

II. Philosophical Issues: Why Is Death Bad?

June 6/7: The Epicurean View & Nagel's Response

Lucretius, *On Nature*

Nagel, "Death"

June 13/14: Kamm Responds to Nagel

Kamm, "Why Is Death Bad?" &

Kamm, "The Asymmetry Problem"

June 20/2: The Stoic View

Cousans, "Facing Death Like a Stoic"

June 27/28: Why the Stoics Get It Wrong

Williams, "The Makropolis Case" &

Nussbaum, "Mortal Immortals"

July 4/5: NO CLASS

III. Philosophical Issues: Right to Die, Refusal of Treatment, & Duty to Die

July 11/12: Suffering

Cassel, "The Nature of Suffering and the Goals of Medicine" &

Battin, "The Least Worst Death"

July 18/19: The Right to Die

Brandt, "The Morality and Rationality of Suicide" &

Kamm, "A Right to Choose Death"

July 25/26: Against the Right to Die

Velleman, "Against the Right to Die" &

Kass, "Is There a Right to Die?"

Aug. 1/2: Withholding Treatment in Children: The Engelhardt/Robertson Debate

Engelhardt, "Ethical Issues in Aiding the Death of Young Children"

Robertson, "Involuntary Euthanasia of Defective Newborns"

Aug. 8/9: The Duty to Die

Hardwig, "Is There a Duty to Die?"