
Health and Justice - PHL 325J/H S 341

Spring 2022

Instructor: Nicole Smith
(pronouns: they/them/theirs)
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Lecture: MW 1 - 2 PM, WAG 214



*Simone Leigh:
"The Waiting Room"
(2016)*

Mass disparities exist in the health of humans across the globe. It may seem obvious from a moral point of view that if we can do something to alleviate the global and local disparities in health and access to healthcare, that we should do something about it. Once we scratch the surface of this apparent truism, however, we find a number of assumptions in need of defense. What would ground such an obligation after all? Do humans have a right to health? If so, do they also have a right to healthcare? It may seem that these two concepts are intertwined, but consider an analogy. Someone's right to life makes it impermissible to kill that person (unless you would be justified in doing so, say in a case of genuine self-defense). Nevertheless, the right to life plausibly does not entail that you are obligated to protect or preserve the life of everyone who has such a right. Similarly, if humans have a right to health, then it would be impermissible to undermine their health. But it is a different question whether individuals are obligated to protect and preserve the health of others by, for example, ensuring their access to healthcare. The course will evaluate different frameworks for characterizing health-related injustices given the challenges to rights-based approaches.

Required textbook

The Human Right to Health, Jonathan Wolff, W. W. Norton & Company, Inc., 2012 (available at the Co-op and online). (All other readings will be made available on Canvas).

Course requirements and grading policies

25% – weekly questions (completed outside of class before discussion sections)

15% – 3 quizzes (completed outside of class)

25% – first essay assignment (completed during class)

25% – second essay assignment (completed during class)

10% – discussion board assignments (completed during class)

Policies

Class recordings: Class recordings are reserved only for students in this class for educational purposes and are protected under FERPA. The recordings should not be shared outside the class in any form.

Makeup policy

Makeup assignments are reserved for medical reasons, personal or family emergencies, or related documented emergencies, and for observance of a religious holiday (for more information see: <http://www.utexas.edu/provost/policies/religious_holidays/>). I will do my best not to schedule assignments that interfere with religious observance, but if such a conflict arises please let me know as soon as possible so that we can make arrangements for you to make up the relevant assignment. Please contact Student Emergency Services in the event of a personal, medical, or family emergency, more information available here: <<https://deanofstudents.utexas.edu/emergency/>>

Students with disabilities

Please let me know if you experience any barriers to learning so I can work with you to ensure you have equal opportunity to participate fully in this course. If you are a student with a disability, or think you may have a disability, and need accommodations please contact Services for Students with Disabilities (SSD). Please refer to SSD's website for contact and more information: <http://diversity.utexas.edu/disability/>. If you are already registered with SSD, please deliver your Accommodation Letter to me as early as possible in the semester so we can discuss your approved accommodations and needs in this course.

Academic honesty

For more information on the university's official policy on academic honesty use the following link: <http://deanofstudents.utexas.edu/sjs/acint_student.php>.

Course flag

This course carries the Ethics flag. It is designed in part to equip you with the skills necessary for making ethical decisions in your adult and professional life. You will be introduced to theories, concepts, and methods that will enable you to apply ethical reasoning to real-life situations. You will be required to think critically about various ethical viewpoints, and, most importantly, to reevaluate your own ethical opinions.

Content alert

We cover topics that touch on death and violence (including sexual violence), which can be emotionally demanding and even triggering. Often we will be applying “cold” analytic thought and reasoning to issues that may very well be relevant to you personally. I invite you to address any questions or concerns you might have about this with me at the beginning of the semester.

Final grade scale policy

	100% to 94% = A	93% to 90% = A-
89% to 88% = B+	87% to 84% = B	83% to 80% = B-
79% to 78% = C+	77% to 74% = C	73% to 70% = C-
69% to 68% = D+	67% to 64% = D	63% to 60% = D-
59% and below = F		

Content alert

We cover topics that touch on suffering, death and violence directed toward marginalized groups. The material can be emotionally demanding and even triggering. Often we will be applying “cold” analytic thought and reasoning to issues that may very well be relevant to you personally. I welcome you to address any questions or concerns you might have about this with me at the beginning of the semester.

Course Schedule

*The required reading should be completed **before** class on the day it is assigned.*

Week 1: January 19th (note: this week’s meeting will be over Zoom)
Topic: Introduction to the course <i>What are we focusing on in this course and why?</i>
Wednesday: No required readings.
No discussion sections this week.

Week 2: January 24th - 28th (note: this week’s meetings will be over Zoom)
Topic: Philosophical argumentation <i>How do we identify, formulate, and evaluate philosophical arguments?</i>
Monday: Required reading: Jim Pryor “What is an argument?” (Canvas - Pages).
Wednesday: Required reading: Jim Pryor “Guidelines on reading philosophy” (Canvas - Pages).

Reminder: discussion sections before Wednesday's lecture.

Week 3: January 31st - February 4th

Topic: Mapping the concept of justice

What is justice?

Monday:

Required reading: David Miller "Justice," section 1 (Canvas - Pages).

Topic: Human rights

What are human rights and how is it possible for human rights to exist?

Wednesday:

Required reading: James Nickel "Human Rights," section 1 & 2.1 (Canvas - Pages).

Reminder: discussion sections before Wednesday's lecture.

Week 4: February 7th - 11th

Topic: The human right to health dilemma

How is a human right to health possible?

Monday:

Required reading: Jonathan Wolff "Introduction" and "Chapter 1: The Universal Declaration of Human Rights" (textbook).

Topic: Critics of the human right to health

What challenges do proponents of the human right to health face?

Wednesday:

Required reading: Jonathan Wolff "Chapter 2: The Human Right to Health and Its Critics" (textbook)

Reminder: discussion sections before Wednesday's lecture.

Week 5: February 14th - 18th

Topic: The awakening of the human right to health

What spurred advocacy for the idea that humans possess a right to health?

Monday:

Required reading: Jonathan Wolff "Chapter 3: HIV/AIDS and the human right to health" (textbook)

<p>Topic: Problems and prospects for the human right to health <i>What are the prospects for the human right to health on a global scale?</i></p>
<p>Wednesday: Required reading: Jonathan Wolff "Chapter 4: Problems and Prospects" and "Chapter 5: Where Next?" (textbook)</p>
<p>Reminder: discussion sections before Wednesday's lecture.</p>

<p>Week 6: February 21st - 25th</p>
<p>Monday: <i>No required readings. Review day.</i></p>
<p>Wednesday: <i>First in-class essay assignment.</i></p>
<p>Reminder: discussion sections before Wednesday's lecture.</p>

<p>Week 7: February 28th - March 4th</p>
<p>Topic: The concept of health <i>What is it to be healthy?</i></p>
<p>Monday: Required reading: Elselijn Kingma "What is it to be healthy?" (Canvas - Files).</p>
<p>Topic: The concept of mental illness and the diagnostic criteria for "gender identity disorder" <i>How do standard definitions of health stigmatize and create obstacles for trans* individuals to gain access to gender affirming surgeries?</i></p>
<p>Wednesday: Required reading: Dean Spade "Mutilating Gender" (Canvas - Pages).</p>
<p>Reminder: discussion sections before Wednesday's lecture.</p>

<p>Week 8: March 7th - 11th</p>
<p>Topic: COVID-19 and medical ethics <i>Are standard medical ethics codes responsible for some of the failures in the response to COVID-19?</i></p>
<p>Monday: Required reading: Alex John London "Self-Defeating Codes of Medical Ethics and How to Fix Them: Failures in the COVID-19 Response and Beyond" (Canvas - Files).</p>

Wednesday:

Required reading: Walter Veit, Rebecca Brown, & Brian D. Earp "In Science We Trust? Being Honest About the Limits of Medial Research During COVID-19" (Canvas - Files).

Reminder: discussion sections before Wednesday's lecture.

Week 9: March 14th - 18th (No classes - spring break)

Week 10: March 21st - 25th

Topic: Health disparities and racial equality

What is the cause of health disparities among racialized groups?

Monday:

Required reading: Dorothy Roberts "Debating the Cause of Health Disparities: Implications for Bioethics and Racial Equality" (Canvas - Files).

Wednesday:

Required reading: Re-read previous.

Reminder: discussion sections before Wednesday's lecture.

Week 11: March 28th - April 1st

Topic: Structural racism and health disparities

How do we utilize the social determinants of health framework to address structural racism?

Monday:

Required reading: Ruqaiijah Yearby "Structural Racism and Health Disparities: Reconfiguring the Social Determinants of Health Framework to Include the Root Cause" (Canvas - Files).

Wednesday:

Required reading: Re-read previous.

Reminder: discussion sections before Wednesday's lecture.

Week 12: April 4th - April 8th

Topic: Disability and health

How should we understand the relationship between disability, health, and well-being?

Monday:

Required reading: Wasserman et al. "Disability: Health, Well-Being, and Personal Relationships," section 1.1 - 1.3 (Canvas - Pages).

Wednesday:

Required reading: Wasserman et al. "Disability: Health, Well-Being, and Personal Relationships," section 2 (Canvas - Pages).

Reminder: discussion sections before Wednesday's lecture.

Week 13: April 11th - 15th

Topic: Epistemic injustice

What is epistemic injustice?

Monday:

Required reading: Rachel V. McKinnon "Epistemic Injustice" (Canvas - Files).

Topic: Ableism and epistemic injustice

Is medical error on the part of medical providers the result of epistemic injustice when the patient is disabled and the provider operates with ableist assumptions?

Wednesday:

Required reading: David M. Peña-Guzmán & Joel Michael Reynolds "The Harm of Ableism: Medical Error and Epistemic Injustice," pp. 205 - 216.

Reminder: discussion sections before Wednesday's lecture.

Week 14: April 18th - 22nd

Topic: Ableism and epistemic injustice (continued)

Monday:

Required reading: David M. Peña-Guzmán & Joel Michael Reynolds "The Harm of Ableism: Medical Error and Epistemic Injustice," pp. 216 - 225.

Wednesday:

Required reading: David M. Peña-Guzmán & Joel Michael Reynolds "The Harm of Ableism: Medical Error and Epistemic Injustice," pp. 225 - 231.

Reminder: discussion sections before Wednesday's lecture.

Week 15: April 25th - 29th

Monday:

Review day.

Wednesday:

Second in-class essay.

Week 16: May 2nd - 6th
Monday: No required reading. Discussion board assignment.
Wednesday: <i>No required readings. Wrapping up.</i>
No discussion sections this week.

**The instructor reserves the right to change the course schedule with appropriate notification to students.*