

Yale University  
School of Medicine  
Department of Epidemiology and Public Health

HPA 546A  
**“ETHICAL ISSUES IN PUBLIC HEALTH”**  
**Course Syllabus**  
Fall, 2011  
Mondays 1:00 p.m.–2:50 p.m.  
LEPH Room 115

Bruce Jennings  
Phone: 914.231.7200  
Fax: 914.231.7201  
e-mail: bruce.jennings@yale.edu

### **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 a discussion of ethical issues raised by Richard Wilkinson and Kate Pickett, *The Spirit Level: Why Greater Equality Makes Societies Stronger*.

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 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.

*Note that class will not be held on September 19 and October 31. Please use this time to catch up on assigned reading or to work on your next paper.*

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].

Five books should be purchased:

(1) Lawrence O. Gostin, ed. *Public Health Law and Ethics: A Reader* 2d revised and updated ed. (Berkeley: University of California Press, 2010). [ISBN 978-0-520-26192-1. List price \$45.00 paperback. Available from Amazon.com for approximately \$40.00 paperback. Ships in 1-2 days.]

(2) Stephen Holland, *Public Health Ethics*. (Malden, MA: Polity Press, 2007). [ISBN 978-07456-3303-9. List price \$24.95 paperback. Available from Amazon.com for approximately \$24.95. Ships in 24 hours.]

(3) Michael Sandel, *Justice: What's the Right Thing to Do?* (New York: Farrar, Strauss and Giroux, 2010.) [ISBN-13: 978-0374532505. List price \$15.00, paperback. Available from Amazon.com for approximately \$10.00.]

(4) Richard Wilkinson and Kate Pickett, *The Spirit Level: Why Greater Equality Makes Societies Stronger* (New York: Bloomsbury Press, Reprint edition, 2011.) (ISBN-13: 978-1608193417. List price \$18.00, paperback. Available from Amazon.com for approximately \$12.00.)

(4) Charles Dickens, *Hard Times*, (New York: Oxford University Press 2008) (Oxford World's Classics Paperback) List price \$7.95. [ISBN-13: 978-0199536276.] Available from Amazon.com for \$7.95. Many other paperback editions are available, but this one has a good introduction

and notes.

(New and used copies of these books can also be purchased through Amazon.com related sellers for considerably reduced prices.)

## Course Schedule and Reading Assignments

### September 12      **Overview of the Course**

**Readings:** G. Hardin, "The Tragedy of the Commons," [YC\*v2 Resources] (Also in Gostin, pp. 365-369)  
 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]  
 "Ten Things to Know about Health" [YC\*v2 Resources]  
 Nuffield Council, *Public Health: Ethical Issues*, 1-10 [YC\*v2 Resources]  
 Holland, *Public Health Ethics*, pp. vi-7  
 Sandel, *Justice*, pp. 3-31  
 M. Boylan, "The Moral Imperative to Maintain Public Health" [YC\*v2 Resources]

Part I: Conceptual Landscape for Ethics and Public Health

### September 19      **No Class**

### September 26      **Normative Frameworks in Public Health**

**Readings:** Holland, *Public Health Ethics*, pp. 7-59.  
 Gostin, *Public Health Law and Ethics*, pp. 1-22; 59-96.  
 R. Bayer and A. L. Fairchild, "The Genesis of Public Health Ethics," [YC\*v2 Resources (selections in Gostin, pp. 65-70)]  
 Jennings, "Frameworks for Ethics in Public Health" [YC\*v2 Resources]

### October 3              **Three Models of Public Health: Statist, Human Rights, and Civic**

**Readings:** Gostin, *Public Health Law and Ethics*, pp. 23-58; pp. 135-167; 233-281  
 J. Nickel, "Human Rights," [YC\*v2 Resources]  
 A. Cudd, "Contractarianism," [YC\*v2 Resources]  
 Jennings, "Civic Professionalism and Civic Health" [YC\*v2 Resources]

### October 10            **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]  
 Sandel, *Justice*, 31-166  
 Nuffield Council, *Public Health: Ethical Issues*, 11-28; 29-41 [YC\*v2 Resources]  
 Jennings, "Public Health and Liberty" [YC\*v2 Resources]

### October 17            **Community and the Common Good**

- Readings** Sandel, *Justice*, pp 185-207; 244-270  
 Gostin, *Public Health Law and Ethics*, 23-58  
 Jennings, “Public Health and Civic Republicanism” [YC\*v2 Resources]  
 D. Bell, “Communitarianism,” [YC\*v2 Resources]  
 D. Beauchamp, “Community: The Neglected Tradition of Public Health” in  
 Gostin, *Public Health Law and Ethics*, pp. 29-34  
 Nuffield Council, *Public Health: Ethical Issues*, 119-140 [YC\*v2 Resources]

**FIRST PAPER on *Hard Times* DUE—October 21**

Part II: Ethical Aspects of Public Health Policies and Practice

**October 24 Ethical Implications of the Social Determinants of Health**

Richard Wilkinson and Kate Pickett, *The Spirit Level*, pp. 3-88; 173-267.  
 Norman Daniels, Bruce P. Kennedy, and Ichiro Kawachi, “Justice is Good for Our  
 Health,” in Gostin, *Public Health Law and Ethics*, pp. 35-40

**October 31 No Class**

**November 7 Controlling Infectious Disease: Individual Rights and the Common  
 Good—Vaccination, Social Distancing, and Quarantine**

**Readings:** Gostin, *Public Health Law and Ethics*, 369-428  
 Holland, *Public Health Ethics*, 135-159.

**November 14 Health Promotion and Behavior Modification**

**Readings:** Gostin, *Public Health Law and Ethics*, pp. 323-364  
 Holland, *Public Health Ethics*, pp. 87-134  
 Nuffield Council, *Public Health: Ethical Issues*, 79-118 [YC\*v2 Resources]  
 Richard Wilkinson and Kate Pickett, *The Spirit Level*, pp. 89-103; 119-145.

**November 21 Fall Recess; No class**

**SECOND PAPER on *The Spirit Level* DUE November 18**

**November 28 Climate Change/Environmental Problems**

**Readings:** H. Frumkin and AJ McMichael, Climate Change and Public Health [YC\*v2  
 Resources]  
 D. Resnik and G. Roman, “Health Justice, and the Environment,” [YC\*V2

Resources]

T. Deitz, et al. "The Struggle to Govern the Commons," [YC\*v2 Resources]  
Gostin, *Public Health Law and Ethics*, pp. 433-448; 481-92

B. Jennings and J. Arras, *Public Health Emergency Preparedness and Response:  
An Ethical Framework* [YC\*v2 Resources]

Recommended: NIEHS, *A Human Health Perspective on Climate Change* [YC\*v2  
Resources]

*December 5 Reading Period Begins*

**THIRD PAPER DUE—December 16**