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STUDY QUESTIONS FOR FADEN AND BEAUCHAMP, CHS. 1, 2, 5, 7-10

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**GOAL OF READING AND ANALYZING FADEN AND BEAUCHAMP:** TO SEE THE EXTENT TO WHICH ETHICALLY JUSTIFIED ACTIONS (PARTICULARLY BY PROFESSIONALS OR EXPERTS SUCH AS DOCTORS), AFFECTING OTHER PEOPLE, REQUIRE THE CONSENT OF THOSE AFFECTED AND TO INVESTIGATE THE NECESSARY AND SUFFICIENT CONDITIONS FOR LEGITIMATE USE OF PROFESSIONAL PATERNALISM (THAT IGNORES LAY CONSENT).

**CHAPTER 1: FOUNDATIONS IN MORAL THEORY**

WHAT ARE THE LEGAL AND MORAL FOUNDATIONS, RESPECTIVELY, FOR INFORMED CONSENT?

WHAT IS MORAL PHILOSOPHY (5)?

WHAT IS THE MOST FREQUENTLY MENTIONED PRINCIPLE ABOUT INFORMED CONSENT (7)?

WHAT ARE THE ELEMENTS OF THE PRINCIPLE OF BENEFICENCE (10)?

WHAT ARE RIGHTS, DUTIES, PRIMA FACIE RIGHTS (AND DUTIES) ?

**CHAPTER 2: FOUNDATIONS IN LEGAL THEORY**

WHICH TWO AREAS OF LAW ARE RELEVANT TO INFORMED CONSENT (23)?

WHAT ARE THE FOUR KEY ISSUES IN CASE LAW AND LEGAL LITERATURE ON INFORMED CONSENT (26) ?

DISTINGUISH BATTERY THEORY AND NEGLIGENCE THEORY (26-29).

WHAT ARE THE FIVE ELEMENTS OF INFORMED CONSENT ACTION IN NEGLIGENCE (29)?

EXPLAIN THE THREE DISCLOSURE STANDARDS (30FF.)

WHAT ARE THE FIVE RECOGNIZED EXCEPTIONS TO THE INFORMED-CONSENT REQUIREMENT (35)?

UNDER WHAT CIRCUMSTANCES IS INFORMED CONSENT PROTECTED AS A RIGHT TO PRIVACY (40-41)?

WHY ARE THERE FEW PRIVACY CASES IN THE AREA OF MEDICINE (41)?

**CHAPTER 5:  
THE DEVELOPMENT OF CONSENT REQUIREMENTS IN RESEARCH ETHICS**

WHAT WAS THE FIRST MAJOR CURB ON RESEARCH IN ANY NATION (153)?

WHAT DOES IT CLAIM IS THE PRIMARY CONSIDERATION IN RESEARCH (155)?

WHY WERE THE RICHTLINIEN SURPRISING (154)?

WHAT DOES THE HELSINKI CODE SAY ABOUT THERAPEUTIC RESEARCH (156)?

CRITICIZE BEECHER'S STAND ON CONSENT.

EXPLAIN AND EVALUATE (A) THE MOST CELEBRATED CASE OF RESEARCH ABUSE IN THE US, (B) THE JEWISH CHRONIC DISEASE HOSPITAL CASE, (C) THE WILLOBROOK CASE, (D) THE MILGRAM CASE, (E) WICHITA JURY CASE, (F) TEAROOM-TRADE CASE, (G) ZIMBARDO'S MOCK PRISON RESEARCH.

DISCUSS AND EVALUATE THE TWO MAIN FRAMES OF REFERENCE FOR RESEARCH ETHICS IN AMERICAN PSYCHOLOGY (185FF.).

**CHAPTER 7: THE CONCEPT OF AUTONOMY**

DISTINGUISH AUTONOMOUS ACTIONS AND AUTONOMOUS PERSONS AND EXPLAIN WHICH CATEGORIES ARE MORE APPROPRIATE UNDER WHICH CIRCUMSTANCES.

EXPLAIN AND EVALUATE THE TWO MODELS FOR PERSONAL AUTONOMY (237).

WHEN DOES X ACT AUTONOMOUSLY? EXPLAIN (238).

EXPLAIN THE DIFFERENCE BETWEEN FULL AND SUBSTANTIAL AUTONOMY (240FF.). WHICH IS MORE APPROPRIATE?

EXPLAIN, EXEMPLIFY, AND EVALUTE THE THREE CONDITIONS OF AUTONOMOUS ACTION, INCLUDING REID'S CLAIMS ABOUT INTENTIONALITY (241FF.).

EXPLAIN, EVALUATE, AND EXEMPLIFY THE RELATIONSHIP BETWEEN INTENTIONALITY AND PLANS.

WHAT IS FULL OR COMPLETE UNDERSTANDING (252)?

WHAT IS THE MOST IMPORTANT FORM OF UNDERSTANDING? WHY? (255).

EXPLAIN, EXEMPLIFY, AND EVALUATE THE FADEN/BEAUCHAMP VIEW OF COERCION, MANIPULATION, AND PERSUASION (258FF.).

MUST AUTONOMOUS ACTIONS BE CONSISTENT WITH A PERSON'S AUTHENTICALLY AND REFLECTIVELY ACCEPTED VALUES (262F.)? EXPLAIN AND EVALUATE FULLY.

## **CHAPTER 8: THE CONCEPTS OF INFORMED CONSENT AND COMPETENCE**

WHAT ARE THE FIVE ELEMENTS OF INFORMED CONSENT (274F.)?

EXPLAIN, EXEMPLIFY, AND EVALUATE THE FIRST AND SECOND SENSES OF INFORMED CONSENT (276 FF.).

WHAT COMPONENTS OF COMPETENCE INVOLVE NORMATIVE JUDGMENTS (290FF.)?

## **CHAPTER 9: UNDERSTANDING**

WHEN DOES X HAVE FULL, VERSUS SUBSTANTIAL, UNDERSTANDING (300 FF.)?

EXPLAIN, EXEMPLIFY, AND EVALUATE THE THREE DISCLOSURE STANDARDS IN INFORMED CONSENT LAW (305FF.).

WHAT ARE THE ETHICAL LIMITATIONS OF (A) A SUBJECT-CENTERED APPROACH, (B) A SHARED APPROACH, TO CONSENT AND UNDERSTANDING (308 FF.)?

WHAT IS THE MOST IMPORTANT SENSE OF UNDERSTANDING IN MOST CONSENT SITUATIONS (314 FF.)?

EXPLAIN, EXEMPLIFY, AND EVALUATE INFERENTIAL AND FORMULATION ERRORS IN UNDERSTANDING RISK (319 FF.).

## **CHAPTER 10: COERCION, MANIPULATION, AND PERSUASION**

EXPLAIN AND EXEMPLIFY THE THREE CRITICAL FEATURES OF COERCION, INCLUDING ARGUMENTS ABOUT THREATS AND OFFERS (339 FF.).

EVALUATE GERT'S AND NOZICK'S NOTIONS OF OFFERS AS COERCIVE (340 FF.)

ARE OFFERS EXAMPLES OF COERCION OR OF MANIPULATION (341 FF.)?

WHEN ARE THREATS COERCIVE (341 FF.)?

CAN COERCION BE NON-INTENTIONAL? EXPLAIN AND DEFEND YOUR ANSWER (344 FF.). ARE FADEN AND BEAUCHAMP CORRECT?

WHAT IS MANIPULATION? WHAT ARE THE TYPES OF MANIPULATION (354 F.)?

GIVE EXAMPLES OF INFORMATIONAL MANIPULATION (365 FF.).

WHAT CRITERION IS USEFUL FOR ANALYZING COERCION, OFFERS, AND THREATS (357 FF.)?

ARE FADEN AND BEAUCHAMP CORRECT THAT WELCOME OFFERS ARE COMPATIBLE WITH INFORMED CONSENT (360 FF.)

IS STUDENT PARTICIPATION IN FACULTY RESEARCH, IN ORDER TO GAIN EXTRA CREDIT FOR CLASSWORK, DEFENSIBLE ON GROUNDS OF INFORMED CONSENT (361 FF. )?

TO WHAT DEGREE DO (A) ROLE CONSTRAINTS, (B) CHARACTERISTICS OF PARTICULAR POPULATIONS, LIMIT INFORMED CONSENT (368 FF.)?