

file: class-580.3

Spring 2002

PHI 580/480: ETHICS AND RISK

Professor: Dr. Kristin Shrader-Frechette

Class Time: Wednesday, 3-5:30

Classroom: 200 Malloy

Website: <http://www.nd.edu/~kshrader/courses>

To help the professor learn everyone's name, quickly, please sit in the same spot for every class.

Place of Office Hours: Malloy 211 (sign-up sheet available on office door)

Professor's Office Hours: Tuesday, Thursday: 3:15-3:45 p.m.; Wednesday 2:00-3:00 p.m.;
or any other day and time, by prior appointment

Course Goals: to understand the ethical issues raised by harm and probability of harm (risk);
to evaluate the ethical and epistemological assumptions underlying alternative
accounts of acceptable risk;
to rethink concepts of consent, equality, compensation, responsibility, due
process.

Course Requirements: active analysis in each class; 4 (3 short) analytical papers; 2 in-class
presentations.

Course Texts: Thomson, Rights, Restitution, and Risk (optional)
Shrader-Frechette, Risk and Rationality (optional)
Rescher, Risk (optional)
(plus articles on reserve in library; classic articles are taken from journals such
as Ethics, Monists, and Journal of Philosophy; please xerox your own
copies.

Basis for Determining Course Grade:

75 percent, 4 papers, as specified later in syllabus

25 percent, in-class (verbal) analysis of books and articles: be prepared to analyze at every
class.

Final Grade: Students who wish to receive their grades immediately and/or to know how
professor computed grades should turn in a stamped, self-addressed envelope on
the last day of class.

Films in DeBartolo: NOVA, "A Plague on Our Children," 2 hours.

Films in Hesburgh: Films for the Humanities: "Chernobyl: Taste of Wormwood," 1 hour.
History Channel: "Declassified Human Experimentation," 1 hour.
Turning Point: "Coverup at Ground Zero," 1 hour.

Grading Procedures: (1) Please come to office hours, or make an appointment by signing sheet
on professor's door, or see Dr. Shrader-Frechette at class. She
typically will not be answering e-mail quickly, because she is
overwhelmed by hundreds of messages. Be sure to ask questions (on
previous material) at beginning of each class.

- (2) On all assignments of any kind, the professor presupposes correct grammar and spelling. Students will lose points for all errors of spelling or grammar, as well as for logical, conceptual, or factual errors made in any course work. Students also will lose points for not adhering to the paper format.

Late papers: Because of the importance of treating everyone equally, the professor will accept no late papers unless the student notifies the professor, before the day and time of the deadline, about personal/ family sickness or family death. If students must miss class because of something such as an athletic competition, they should turn in papers early, at the last class before they leave, or they should send paper to class with another student.

Format for Four Papers: Turn in two copies of each paper to professor, but also bring copies of all 3 short papers for every member of class.

Outline for

Final Paper: The maximum length for this paper is 3 pages (1-2 pages of text and one page of references). The text of this paper should begin with a comprehensive, concise, clear statement of the article/position of the philosopher you are discussing. This statement should be a maximum of 150 words, should be like an abstract in a journal, and should set the stage for your later arguments pro or con. After this statement, the paper should contain only 10 clear, concise, meaty argument-sentences. These 10 sentences should include, in order, the student's thesis, first argument for the thesis, objection to the first argument, response to the first objection, second argument for the thesis, objection to the second argument, response to the second objection, third argument for the thesis, objection to the third argument, and response to the third argument. Students can refer to these 10 sentences as T, A1, O1, R1, A2, O2, R2, A3, O3, R3. The form for each of the sentences should be: "Person X is arguably correct/incorrect/incomplete . . . in holding/assuming, ignoring . . . because Z." Follow format of paper distributed with the syllabus. Paper 1 should be of this form, that is, original, analytic, and not a research paper. Include 5-10 references on page 3 of paper and be sure to use citation format for Philosophy of Science. Use only professional references, and make sure they are the best and the latest on the topic. Single space within sentences; double space between sentences. Do not exceed the page-length limitation.

Final Paper: Students should use same format (or multiples of it) as for paper 1, but they should expand paper to 8 pages, by adding text, argument, and analysis to the "bones" of the arguments as in Outline for final paper. Students can choose their own topics. A paragraph or more should be added to develop/defend each of the 9 sentences of paper.

In-class

paper: Two are required; use same format as for outline for final paper.

Methods of

Analysis: Use the 5 logical criteria (assumptions, consistency, completeness, coherence, consequences) and be sure to avoid all logical fallacies.

Outline of Lectures and Assignments

DATE	TOPIC	ASSIGNMENT DUE TODAY
1-16-02	1A. Overview of course: importance, key questions, syllabus 1B. Using the 5 logical criteria and avoiding logical fallacies 1C. Ethics and Risk, Altham 1D. Decision Theory and Risk 1E. Rational Risk Behavior 1F. Magnus on Preference, Rationality, and Risk	1. Read Altham article and Magnus article.
1-23-02	2A. Utilitarians and Egalitarians 2B. Rawls on Risk 2C. Harsanyi on Risk	2. Read Harsanyi and Rawls articles. Turn in human-experimentation video sheet.
1-30-02	3A. Dworkin, Nozick, Rawls, Thomson, Finnis, Locke on rights 3B. MacIntyre and KS-F on rights Paper 3: Golding on Rights: * _____ *Paper 3: Miller Against Rights: *Pro Miller _____ *Con Miller _____	3. Read MacIntyre, KS-F and Miller articles on rights. (Thomson, ch. 4 is good background.) Turn in "Turning Point" video sheet.

Outline of Lectures and Assignments

DATE	TOPIC	ASSIGNMENT DUE TODAY
2-6-02	4A. Brandt, Golding, McCarthy on Rights. 4B. Scheffler's Framework for Rights and Risks Paper 3: Brandt on Rights: _____ Paper 3: McCarthy For Rights: Pro McCarthy _____ Con McCarthy _____	4. Read any two: Golding, Brandt, or McCarthy. (Thomson, ch. 10 is good background.) Turn in NOVA video sheet.
2-13-02	5A. The human rights tradition: Railton, Schwartz and Handl. 5B. Welfare rights as human rights. Paper 3: Is McKerlie right about risk and rights? * _____ Paper 3: Is Golding right in his view of welfare rights? * _____	5. Read Golding and McKerlie. Turn in Chernobyl video sheet.
2-20-02	6A. The Cancer Wars: Epstein vs. Ames. 6B. Is there a right not to be caused to get cancer? 6C. Commensurability and Equal Protection: Moeller, Stan, Rasmussen, and Consistency Paper 3: Is Gewirth correct? * _____	6. Read Gewirth article. Turn in outline for final paper.

Outline of Lectures and Assignments

DATE	TOPIC	ASSIGNMENT DUE TODAY
2-27-02	7A. Responsibility, Risk, and Causation. 7B. Are probabilities grounds for claims of harm? Paper 3: The Sindell decision is ethically defensible regarding ethical responsibility *Pro _____ *Con _____	7. Read Thomson chs. 12-13; Schaffner ch. 10.
3-06-02	8A. Collective responsibility and risk. 8B. Mellema on risk and responsibility. Paper 3: Accepting Mellema on risk: *Pro _____ *Con _____	8. Read Mellema article.
3-08-02	DEFICIENCY REPORTS DUE	
3-13-02	SPRING BREAK	SPRING BREAK
3-20-02	9A. Why Aristotle is right. 9B. Pro and Con Risk-Benefit Analysis 9C. Evaluate MacIntyre, Dreyfus, Shrader-Frechette Paper 3: Is a de minimis risk standard ethically defensible? *Pro _____ *Con _____	9. Read MacIntyre, KS-F articles.

Outline of Lectures and Assignments

DATE	TOPIC	ASSIGNMENT DUE TODAY
3-22-02	LAST DAY TO DROP	
3-27-02	10A. Parfit and Feinberg on risk. 10B. Parfit and Utilitarian Puzzles Paper 3: Is Parfit right about risks to future persons? *Pro _____ *Con _____	10. Read Parfit, KS-F articles.
4-3-02	11A. Paternalism and Risk. 11A. Is the current risk paradigm correct? 11C. The 1983 and 1996 standards. Paper 3: Is Thomson right about risk/money redistribution? *Pro _____ *Con _____ Is Thomson right about compensation? *Pro _____ *Con _____	11. Read Ch. 5 on compensation; ch. 4 on redistribution. Both are in Thomson.
4-10-02	12A. Risk and Consent; 12B. Libertarian vs. Welfare Views; Paper 3: Is prerogative or discretionary power, under the Constitution, ethical? *Pro _____ *Con _____	12. Read MacLean article. Turn in final paper.

Outline of Lectures and Assignments

DATE	TOPIC	ASSIGNMENT DUE TODAY
4-17-02	13A. Epistemic and Ethical Rationality. 13B. Type I vs. Type II Risks. 13C. Risk and Burdens of Proof. 13D. Framing. Paper 3: Are liability limits, in risky situations, ethical? *Pro _____ *Con _____	13. Read Cranor, KS-F.
4-24-02	14A. Risk and Tort Law. 14B. Risk and Negligence. Paper 3: Is Baram/Simons right? *Pro _____ *Con _____	14. Read Thomson ch. 10, Baram, Simon.
5-1-02	15A. Is it supererogatory to reduce risks of distant others? 15B. How much collective responsibility do we bear?	15. Read Singer, Unger, and KS-F on isolationist strategy.