BIOETHICS AND BIOTECHNOLOGY S2010 STUDY SHEET FOR THE MIDTERM EXAM:
All questions for the midterm will come from this study sheet, but may be slightly revised from the versions you
find here. The exam will include five question groups. Within each group, questions will be somewhat related to
each other. You will be asked to write brief (8-10 minute) responses to one of the questions in each group (five
responses total). You do not need to bring anything to the exam except a pen and your brain. Good luck!

MIDTERM EXAM DATE: 12 March.
NO CLASS ON 10 MARCH.

TERMS: I may include terms for definition on the final exam. The following terms are fair game.
Utilitarianism, Kant’s humanity imperative, Universal law formulation of Kant’s categorical imperative, Maximin
reasoning, Precautionary Principle, utilitarianism, Rawls’s difference principle, principle of paternalism, principle of
moralism, Mill’s harm principle, Rawls’s equal liberty principle, volente non fit inuria,

“Ethics.” from the Internet Encyclopedia of Philosophy
1) Explain what utilitarianism is, and very briefly explain what would be relevant to a utilitarian who wanted to
evaluate the institution of patents.
2) Clearly state the “universality formulation” (I might ask for the ‘Humanity formulation’ instead) of Kant’s
categorical imperative, and explain how one might apply it.
3) What are ‘prima facie’ duties? Explain how one might deliberate about moral questions using a system of prima
facie duties like the one Ross recommends.

The Ashley Treatment

Mill On Liberty:
1) What is Mill’s “one principle” that explains the rightful boundary of government coercion of individuals? Briefly
explain why laws prohibiting prostitution or drug use might violate Mill’s principle.
2) What is paternalism? Give an example of a paternalistic law, and explain why Mill would object to such a law.
3) What is ‘moralism’? Give an example of a moralistic law, and explain why Mill would object to such a law.

Griswold v. CT
1) Describe the facts of the Griswold case, including an account of the statute under review, the infraction that
brought the case to court, and the court’s ruling.
2) What is the relationship between the “right of privacy” which the court uses in this case, and the underlying
constitutional rights the court uses to derive this right?
3) What are “penumbral” rights? What does it mean to say that the right to privacy falls within the penumbrum of
rights guaranteed in the Bill of Rights?
**Rawls Theory of Justice**

1) What is the ‘original position,’ and why does Rawls regard it as an appropriate perspective from which to choose principles of justice?

2) What is the “Equal Liberty Principle?” Why might one think that this principle implies Mill’s harm principle?

3) Explain the “principle of Equal opportunity” as it appears in Rawls’ theory of justice. Does this principle imply that people should have equal opportunities for genetic enhancements?

4) Explain the Difference Principle. Why does Rawls regard inequalities as justified when the difference principle is satisfied?

**Radin, “Market Inalienability”**

1) Explain the concept of “market inalienability.” On Radin’s view, what should guide us as we decide which items should be regarded as alienable in market terms?

2) How, according to Radin, is the notion of market inalienability linked to underlying conceptions of (i) personhood, and (ii) individual liberty?

3) Explain and critically evaluate Radin’s view of surrogate motherhood.

4) Explain and critically evaluate Radin’s account of “baby selling,” and discuss whether the arguments she offers apply to the sale of human ova.

**Anderson: “Is Women’s Labor a Commodity?”**

1) Explain and briefly evaluate Anderson’s reasons for regarding surrogacy contracts as intrinsically degrading for women who hire themselves out as surrogates.

2) Explain and briefly evaluate Anderson’s reasons for regarding surrogacy contracts as intrinsically exploitative for women who hire themselves out as surrogates. Focus especially on her claim that these contracts exploit attitudes that women “have formed under social conditions inconsistent with genuine autonomy.”

3) Explain and briefly evaluate Anderson’s reasons for regarding surrogacy contracts as intrinsically exploitative for women who hire themselves out as surrogates.

**Wolf**

1) Briefly explain and evaluate Wolf’s argument in favor of a regulated commercial market for transplant organs.

2) Wolf distinguishes between two different kinds of ‘exploitation.’ Explain each of them, and use them in evaluating the claim that “A market for transplant organs would be exploitative, since those who would have a motive to sell would be the poor and the powerless.”

**Kahn & Mastroianni, “Creating a Stem Cell Donor.”**

1) Explain the Molly Nash case, and identify the key ethical issues that are raised by the case.

2) Explain how a modern traditionalist (in Robertson’s sense) would evaluate the Nash’s right to use PGD to insure that their child would be donor-matched with their existing child.
Robertson, “Procreative Liberty in an Age of Genomics” & “Procreative Liberty and Harm”

1) Explain Robertson’s account of “strict traditionalism.” Is Robertson’s account of this view an accurate representation of Leon Kass’s view as presented in “The Wisdom of Repugnance?”
2) Explain Robertson’s account of the “radical liberty” view, and its implications for the case where parents wish to use PGD and genetic engineering to insure that their child would have green photosynthetic skin.
3) Explain “modern traditionalism” and the reasoning procedure this position recommends for determining whether the right of reproductive liberty supports parental claims to use genetic engineering to influence the traits their children will have.
4) On Robertson’s view, what would the right of reproductive liberty imply for a racist couple who wanted to insure that their child would look ‘aryan?’
5) What are Robertson’s grounds for thinking that a Modern Traditionalist could resist the view that the right of procreative liberty includes the right of fertile people to clone themselves?
6) Explain and critically evaluate Robertson’s view about wrongful life actions.

Sunstein:
1) Briefly explain the argument for the claim that the right to reproductive liberty includes a right to reproduce by cloning.
2) Briefly explain the argument for the claim that the right to reproductive liberty does not include a right to reproduce by cloning.

Shiffrin, “Wrongful Life.”

1) Explain the three reasons Shiffrin cites to explain why wrongful life actions are preferable, from the perspective of parents and children, from “wrongful birth” or “wrongful conception” actions.
2) Briefly explain and evaluate Feinberg’s view that ‘wrongful life’ actions are inappropriate because they would be like “holding a rescuer liable for injuries he caused to an endangered person.”
3) Explain and briefly evaluate Shiffrin’s response to Feinberg’s view of wrongful life actions.
4) Explain and briefly evaluate Shiffrin’s reasons for holding that procreation, under relevant circumstances, can be a wrong that harms the child who is created.

Sandel:
1) Critically explain and examine Sandel’s discussion of the “autonomy argument” against the use of human reproductive cloning.
2) Sandel considers and rejects the argument that the use of medical or genetic technologies to enhance a person’s normal capabilities would be unfair to others. Critically explain the argument, and Sandel’s response to it.
3) Sandel argues that we are better off if we don’t need to regard ourselves as responsible for the way we are. Explain an critically evaluate his discussion of this claim, and his use of this claim as a reason against the use of medical or genetic enhancements.

Kass:
1) Explain and critically evaluate Kass’s view about the significance of “repugnance” for regulatory legislation. (Note: ‘Critically evaluate’ does not mean that you have to argue that Kass is wrong!)
2) In some parts of his paper, Kass employs an ‘argument from naturalness’ in support of a ban on human reproductive cloning. Explain and evaluate this argument and Kass’s use of it.