

## Philosophy 131

### Midterm review

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*When this handout says “common sense says” or “it seems” or “people thought that...” it does not mean that you have to agree with this. It just means that, if you disagree, you have to treat this as an obvious objection.*

### Well-being

- Common sense says: quite often, the fact that  $x$  overall harms people's well-being makes  $x$  wrong, and, quite often, the fact that  $y$  overall benefits people's well-being makes  $y$  permissible.
- But, there are many examples where the option that creates the most well-being seems wrong to almost everyone; e.g.:
  - Lying to protect people from hurtful truths.
  - Cheating (when one can get away with it).
  - Euthanizing competent people who have (and will continue to have) bad lives, against their will.
- Arguably, some people who are substantially demented can have overall positive well-being (even if it is less than it would be were they not demented).
- Question: does denying someone euthanasia who consented to it in the past harm their *past* well-being?
- It seems like people can have, in the long-term, overall positive well-being even if their parents violated relatively serious obligations to them.
  - If you are thinking about this, it's worth looking at psychological research on well-being; some research suggests that most people (in developed countries) have, in the long-term overall positive well-being more or less no matter what.
  - That research might be relevant to whether some parents can reasonably expect that their child will have positive well-being even if they (the parent) violate their obligations.
- What is the connection between well-being and autonomy?
  - One reading of Harris: well-being is important because we need well-being to exercise our autonomy.
  - Woien: autonomy is important because we get more well-being when we satisfy our autonomously chosen preferences than when we satisfy less-autonomously-chosen preferences.
  - Hardwig (roughly): sometimes it is important to autonomously choose to sacrifice our well-being (e.g. when we are living good lives now, but know that later on we won't be able to satisfy the duty to die).

### Obligations to other people

- Cassidy: parents have special obligations to their children, and people should not become parents if they can't live up to enough of those obligations.
  - Lots of people in class agreed that, if the violations were serious enough, this might be true.
  - Cassidy does not think that excellent parents have to satisfy every special obligation, or do everything possible for their children (since no parent can do that).
  - Connection to Hardwig: Hardwig thinks that you can have an obligation to die now because later on you won't be able to satisfy your obligation to die. So, he

## Philosophy 131

### Midterm review

---

- seems to think (roughly) that you have an obligation to do x now in order to not violate your future obligations.
- Connection to Liao: Liao thinks parents have special obligations to love their children (could it be wrong to have children if one couldn't fulfill this obligation, but will fulfill all others?)
    - Liao seems to connect the obligation largely to the effect on child's well-being; does this maybe disagree with Cassidy (since she thinks it's not ok to be a competent parent, even though that is somewhat good for the child's well-being)?
  - Cassidy's view seems to potentially be relevant to special obligations of doctors to their patients, and obligations of people to their relatives (e.g. to euthanize or not euthanize them).
  - Hardwig: we can have a duty to die, in part to protect those we love from suffering.
    - Is this a special obligation? If so, what creates it?
      - Most plausibly, is this an obligation to those we *do* love, or those we *should* love (or to someone else)?
        - Think about people who are demented, and no longer recognize/love their relatives.
        - Think about the obligations of young children, who do not yet have emotional ties to their relatives.
        - Think about the obligations of parents who do not love their children (anymore).
      - What if our life is extremely harmful to strangers? (If the duty to die is a special obligation to our loved ones, why shouldn't the well-being of strangers matter?)
  - Liao: We have an obligation to love our children.
    - Is this just because it benefits their well-being, or for some other reason as well?
      - What would Cassidy say about that?
    - And others as well?
      - Is inducing love for a child like inducing love for one's self?
        - Children can't consent...
    - Think about the connection to Hardwig and the duty to die: if it is owed to those we *should* love, then to whom do we owe an obligation of love?
      - Could we have a duty to die in order to prevent ourselves from becoming demented and being unable to love certain people? (This is Hardwig plus Liao plus Cassidy)
    - Things to consider:
      - Is inducing love deceptive?
      - Does naturalness matter? (It doesn't always seem morally relevant, why here?)
  - Miller: certain obligations may unjustly affect certain groups more than others (e.g. women more than men).
    - If there are duties to die, these could end up "discriminating" against women (in contemporary American society).
    - Might parental obligations also "discriminate" against women (in contemporary American society)?

### **Consent**

- Pain and sickness can sometimes rob a person of autonomy/competence/ability-to-be-informed. So, sometimes very sick people may not be able to give morally relevant consent to treatment or euthanasia.
  - It seems surprising to say that the people who might benefit the most from euthanasia can't be permissibly euthanized even if they ask for it.
- Harris on autonomy:
  - Autonomy is important because it allows us to make our life our own, to shape our lives and our selves.
    - Competence and autonomy seem linked.
  - Can people with cognitive impairments (e.g. dementia) do this?
    - If so, then maybe the standards for competence and MRC may be surprisingly low, on his view.
- Woien:
  - It is permissible to euthanize people who refuse euthanasia, if they are not competent and, when competent, gave MRC to euthanasia.
- Retroactive or hypothetical consent:
  - Unborn children can't consent to being parented. People in comas can't consent to any medical treatment. The demented can't (morally relevantly) consent to certain treatments.
  - But, arguably, a child would retroactively consent to having been born to competent parents, or would have consented to being born if we could have asked them.
    - There is something plausible about the claim that this might matter sometimes to what is wrong or permissible.
    - But:
      - We considered counterexamples to the conditional: If A would give morally relevant consent to x after x is done, then it is permissible to do x to A without prior consent.
      - There are also counterexamples to the conditional: If A would give MRC to x if A were competent, then it is permissible to do x to A even if they currently do not consent.
      - See also Harris' argument that the notion of retroactive or hypothetical consent is basically just a fiction.

### **Balancing considerations**

- Consent, well-being, and obligations come into conflict:
  - Sometimes A does not consent to, or refuses, an action that is in A's best interests.
  - Sometimes people choose to do things that are not in their interests.
  - Fulfilling one's obligations is sometimes not in one's own interests.
  - Certain obligations to others do not serve their interests (see above).
  - Fulfilling our obligations to some people might hinder our obligations to others (e.g. helping a patient may harm their family).

## Philosophy 131

### Midterm review

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- Note: people sometimes want to say that obligations restrict our freedom or autonomy, but this seems false: a person who is not free is *unable* to do certain things; a person who is obligated to do  $x$  is still *able* to not do  $x$ .
- Think about when one of these (well-being, obligations, consent) is more important than others.
  - Sometimes it seems consent is more important than well-being, but not always (it may seem wrong to keep a demented adult alive against their will, but permissible to keep a young child alive against their will).
  - Sometimes it seems permissible to, e.g., lie to protect people's well being (if you had to lie to save a friend's life, it would be permissible to do so), but other times wrong (it might seem wrong to deceive a friend about something important to them in order to protect their feelings).
  - Sometimes our obligations to our loved ones are more important than to strangers, but not always (e.g. many claim that it is permissible to steal from strangers to feed your family, but it doesn't always seem permissible to kill strangers to feed your family).