

Public Health & Personal Responsibility

Ryan Doody

October 16, 2014

Responsibility for Treatment

Should we force you to comply with certain medical treatments? If so, under what conditions? What about patients' right to autonomy?

P1 Harm Principle: You have the right to do whatever you'd like to do just so long as doing so doesn't harm anyone else.

P2 Refusing treatment doesn't harm anyone else.

P3 If you have a right to do something, it is morally permissible for you to do it.

C It is morally permissible for you to refuse treatment.

The Harm Principle is put forward by J.S. Mill in *On Liberty*.

Is this a good argument? Are there cases in which refusing treatment *does* harm others? What kinds of harm are relevant?

Personal Responsibility

Suppose that you have a medical condition that puts you in need of medical treatment. Furthermore, imagine that you engaged in certain activities that increased your risk of getting this medical condition. Are you responsible for it? If so, what does that mean for how you ought to be treated?

- CLIMBER VS HIKER. A climber breaks her leg by falling from a boulder. A hiker breaks her leg after tripping on a root. Should we give the hiker priority because *climbing* is riskier than *hiking*?
- LIGHTENING. A hill walker and a couch potato are both struck by lightning. Should we give the couch potato priority?
- LUNG CANCER. Two people need treatment for lung cancer, one is a smoker (the other is not). Should we think "*it's the smokers fault she got this way*"?
- OBESITY. Should insurance companies be allowed to charge the obese higher premiums on the grounds that "*it's their fault they got this way*"?

Two Arguments Against Responsibility

P1 Genetic Determinism: There is some gene G such that, given certain background environmental conditions, anyone with G will become an alcoholic.

P2 Fault: For any event E , and set of conditions C , you are not at fault for E if (1) C is causally sufficient for E and (2) you have no control over C .

P3 Alcoholics have no control over whether they have G or their background environmental conditions.

C Alcoholics are not responsible for their alcoholism.

Arguments borrowed from Professor Caspar Hare.

P1 Fault 2: You are at fault for E only if you know, or should know that E is a likely consequence of your free actions.

P2 Typically, an alcoholic's liver failure is not a result of his or her free actions.

C Typically, an alcoholic is not responsible for her liver failure.

Public Health: Outbreaks

Consider the current Ebola outbreak. Do we have the right to force people into quarantine? Are people who have contracted Ebola (by helping the victims of it) morally responsible for their disease? Should this affect the way we allocate our health care resources?