

## A THEORY OF BIOETHICS

This volume offers a carefully argued, compelling theory of bioethics while eliciting practical implications for a wide array of issues including medical assistance-in-dying, the right to health care, abortion, animal research, and the definition of death. The authors' dual value theory features mid-level principles, a distinctive model of moral status, a subjective account of well-being, and a cosmopolitan view of global justice. In addition to ethical theory, the book investigates the nature of harm and autonomous action, personal identity theory, and the "non-identity problem" associated with many procreative decisions. Readers new to particular topics will benefit from helpful introductions; specialists will appreciate in-depth theoretical explorations and a novel take on various practical issues; and all readers will benefit from the book's original synoptic vision of bioethics. This title is also available as Open Access on Cambridge Core.

DAVID DEGRAZIA is Elton Professor of Philosophy at George Washington University. In addition to several books, including *Taking Animals Seriously* (1996), *Human Identity and Bioethics* (2005), and *Creation Ethics* (2012), he has written numerous book chapters and journal articles on applied ethics, moral philosophy, and the philosophy of mind and cognitive sciences.

JOSEPH MILLUM is a bioethicist at the US National Institutes of Health. He is author of *The Moral Foundations of Parenthood* (2018) and coeditor of *Global Health Priority-setting* (2020). His research, which has appeared in journals including *The BMJ* and *Ethics*, focuses on consent, international research ethics, priority-setting for health care and research, and parenting.

Cambridge University Press  
978-1-316-51583-9 — A Theory of Bioethics  
David DeGrazia , Joseph Millum  
Frontmatter  
[More Information](#)

---

CAMBRIDGE

Cambridge University Press  
978-1-316-51583-9 — A Theory of Bioethics  
David DeGrazia , Joseph Millum  
Frontmatter  
[More Information](#)

---

# A THEORY OF BIOETHICS

DAVID DEGRAZIA

*George Washington University*

JOSEPH MILLUM

*National Institutes of Health*



CAMBRIDGE  
UNIVERSITY PRESS

Cambridge University Press  
 978-1-316-51583-9 — A Theory of Bioethics  
 David DeGrazia, Joseph Millum  
 Frontmatter  
[More Information](#)

**CAMBRIDGE**  
 UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom  
 One Liberty Plaza, 20th Floor, New York, NY 10006, USA  
 477 Williamstown Road, Port Melbourne, VIC 3207, Australia  
 314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre, New Delhi – 110025, India  
 103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of the University of Cambridge.  
 It furthers the University's mission by disseminating knowledge in the pursuit of  
 education, learning, and research at the highest international levels of excellence.

www.cambridge.org  
 Information on this title: www.cambridge.org/9781316515839  
 DOI: 10.1017/9781009026710

© David DeGrazia and Joseph Millum 2021

This work is in copyright. It is subject to statutory exceptions  
 and to the provisions of relevant licensing agreements; with the exception  
 of the Creative Commons version the link for which is provided below,  
 no reproduction of any part of this work may take place without the written  
 permission of Cambridge University Press.

An online version of this work is published at doi.org/10.1017/9781009026710 under a Creative  
 Commons Open Access license CC-BY-NC-ND 4.0 which permits re-use, distribution and repro-  
 duction in any medium for non-commercial purposes providing appropriate credit to the original work  
 is given. You may not distribute derivative works without permission. To view a copy of this license,  
 visit <https://creativecommons.org/licenses/by-nc-nd/4.0>

All versions of this work may contain content reproduced under license from third parties.  
 Permission to reproduce this third-party content must be obtained from these third-parties directly.

When citing this work, please include a reference to the DOI 10.1017/9781009026710

First published 2021

*A catalogue record for this publication is available from the British Library.*

*Library of Congress Cataloging-in-Publication Data*

NAMES: DeGrazia, David, author. | Millum, Joseph, author.  
 TITLE: A theory of bioethics / David DeGrazia, George Washington University,  
 Washington DC, Joseph Millum, National Institutes of Health, Bethesda.  
 DESCRIPTION: Cambridge ; New York, NY : Cambridge University Press, 2021. |  
 Includes bibliographical references and index.  
 IDENTIFIERS: LCCN 2021019754 | ISBN 9781316515839 (hardback) |  
 ISBN 9781009011747 (paperback) | ISBN 9781009026710 (epub)  
 SUBJECTS: LCSH: Bioethics. | BISAC: PHILOSOPHY / Ethics & Moral Philosophy |  
 PHILOSOPHY / Ethics & Moral Philosophy  
 CLASSIFICATION: LCC QH332 .D44 2021 | DDC 174.2–dc23  
 LC record available at <https://lccn.loc.gov/2021019754>

ISBN 978-1-316-51583-9 Hardback  
 ISBN 978-1-009-01174-7 Paperback

Cambridge University Press has no responsibility for the persistence or accuracy  
 of URLs for external or third-party internet websites referred to in this publication  
 and does not guarantee that any content on such websites is, or will remain,  
 accurate or appropriate.

Cambridge University Press  
978-1-316-51583-9 — A Theory of Bioethics  
David DeGrazia , Joseph Millum  
Frontmatter  
[More Information](#)

---

For Ellen O'Connor de Grazia and Danny Millum

Cambridge University Press  
978-1-316-51583-9 — A Theory of Bioethics  
David DeGrazia , Joseph Millum  
Frontmatter  
[More Information](#)

---

## *Contents*

<i>List of Figures</i>	<i>page</i> x
<i>Acknowledgments</i>	xi
1 Introduction	I
1.1 Why This Book?	I
1.2 Plan for the Book	4
2 Methodology	12
2.1 Introduction	12
2.2 The Method of Reflective Equilibrium	13
2.3 Alternative Methodologies	22
2.4 Reflective Equilibrium: Clarifications and Criticisms	25
2.5 Metaethics	29
3 Outline of the Dual Value Theory	34
3.1 Introduction	34
3.2 Fundamental Values, a Formal Principle, and Scope	35
3.3 Mid-level Principles	41
3.4 Other Ethical Theories and Concepts	51
4 Nonmaleficence and Negative Constraints	58
4.1 Introduction	58
4.2 What Is Harm?	60
4.3 Types of Harm and Preliminary Specifications of Nonmaleficence	66
4.4 The Right Not to Be Tortured	71
4.5 Permissible Risks in Pediatric Research	77
4.6 Medical Assistance-in-Dying	83
5 Autonomy	97
5.1 Introduction	97
5.2 The Nature and Value of Autonomy	98

viii	<i>Contents</i>	
5.3	Respect (and Disrespect) for Autonomy	102
5.4	Justifying Interference	112
5.5	Consent	118
5.6	Decision-Making for Others	127
5.7	The Right to Refuse Treatment	131
5.8	Direct-to-Consumer Marketing of Pharmaceuticals	134
6	Distributive Justice and Beneficence	138
6.1	Introduction	138
6.2	Just Institutions	140
6.3	Individuals and the Demands of Beneficence	154
6.4	Domestic Justice: The Right to Access Health Care	167
6.5	Global Injustice: Intellectual Property Laws and Pharmaceuticals	170
7	Moral Status	175
7.1	Introduction	175
7.2	The Concept of Moral Status	176
7.3	A Sketch of Our Account	177
7.4	Sentience as Necessary and Sufficient for Moral Status	178
7.5	Clarifying the Idea of Differences in Moral Status	187
7.6	Against Unequal Consideration	190
7.7	Defense of a Qualified Equal-Consideration Account	196
7.8	Embryonic Stem-Cell Research	204
7.9	Research with Rodent Subjects	206
7.10	Research Involving Great Apes	210
8	Well-Being	214
8.1	Introduction	214
8.2	Subjective Theories	215
8.3	Objective Theories	220
8.4	Three Challenges for Theories of Well-Being	221
8.5	Sketch of a Subjective Theory of Well-Being	224
8.6	Convergence among Plausible Theories	227
8.7	Disability in Relation to Well-Being	229
8.8	Making Decisions for Impaired Newborns	235
8.9	Irreversibly Unconscious Patients	243
9	Personal Identity Theory	248
9.1	Introduction	248
9.2	Person-Based Accounts and Their Difficulties	249



<i>Contents</i>		ix
9.3	The Biological Account	251
9.4	A Mind-Based Account	254
9.5	A Social Account	256
9.6	Our Approach to Personal Identity	259
9.7	Personal Identity and Human Enhancement	259
9.8	The Authority of Advance Directives in Cases of Severe Dementia	265
9.9	The Definition and Determination of Human Death	271
10	Creating Human Beings	279
10.1	Introduction	279
10.2	Procreative Autonomy	281
10.3	Evaluating Creation	288
10.4	Sex Selection	301
10.5	Zika and the Nonidentity Problem	304
	Concluding Thoughts	308
	<i>Recommended Further Readings</i>	310
	<i>Index</i>	312

*Figures*

3.1 The dual value theory

*page 56*

## *Acknowledgments*

In working on this book we have accumulated many debts of gratitude. David thanks Kathleen and Zoe for their love and support. He also thanks the Department of Philosophy at George Washington University and the Department of Bioethics at the National Institutes of Health (NIH), where he held a part-time position during work on this project, for their collegial, supportive work environments. Joe likewise thanks the Clinical Center Department of Bioethics at NIH for its encouragement and intellectually vibrant work environment.

Both of us are grateful to various people. Almost all chapters of *A Theory of Bioethics* were workshopped in the Department of Bioethics, greatly improving the argumentation, scholarship, and presentation of our ideas. Each of the following individuals helpfully commented on one or more draft chapters: Bernardo Aguilera, Jake Earl, Sophie Gibert, Frank Miller, Annette Rid, Ben Schwan, Robert Steel, Camila Strassle, Alex Voorhoeve, David Wasserman, and Dave Wendler. We are exceptionally grateful to David Benatar, who read the entire book for Cambridge University Press and provided us with a remarkable amount of helpful feedback. We also thank David Elliot for the cover design, Stephanie Sakson for copyediting, and Hilary Gaskin of Cambridge University Press for editorial oversight of this project. Meanwhile, we acknowledge a special debt to Christine Grady, Chief of the Department of Bioethics, for her extraordinary moral support for this project and for making it possible to publish the book in an open-access format.

*Disclaimer:* Work on this project was supported, in part, by intramural funds from the Clinical Center of NIH. The views we express in this book are our own and do not represent the views of the NIH, the Department of Health and Human Services, or any other US government agency.

Cambridge University Press  
978-1-316-51583-9 — A Theory of Bioethics  
David DeGrazia , Joseph Millum  
Frontmatter  
[More Information](#)

---