



Harvard University

The Edmond J. Safra Foundation
CENTER FOR ETHICS

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Edmond J. Safra Foundation
Center for Ethics**

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Report of the Director

Dennis F. Thompson

THOUSANDS OF STUDENTS HAVE TAKEN THE MOST WIDELY USED TEST OF MORAL DEVELOPMENT—the Defining Issues Test. More than 250 studies based on its results have been published. Teachers in several hundred colleges and universities have administered the test at least once. But until this year the faculty and fellows of the Ethics Center had not taken it. Many of us have been skeptical of its methodology. Besides, there is this, only slightly suppressed, thought: we *teach* ethics—we don't *have* to take ethics tests. And then there is the fear of humiliation: what if we did worse than our students? Even so, this year's Faculty Fellows, more courageous than their predecessors or perhaps just more foolhardy, agreed to expose themselves to the risks of this ethical examination. Despite our reservations about the test, we recognized the importance of trying to find systematic ways to assess the results of ethics teaching.

Developed at the University of Minnesota and loosely based on the Lawrence Kohlberg five-stage model of moral development, the test presents several short hypothetical scenarios, each involving a moral dilemma, and asks respondents to identify (from a list) the considerations they think relevant for resolving the dilemma and then to rate the considerations according to their relative importance. The more your answers show you are thinking at higher stages of moral development (for example, deciding on general principles rather than relying on authority), the higher your grade. Our testing process did not proceed without protest. Some of the test takers kept interrupting with objections to the questions. "I know what answer they want, but they are wrong—so should I give the right answer or the answer they think is right?" As you

might expect, such interruptions, however invigorating, did not expedite the process. At least one member of the seminar failed to finish the test in time.

Nevertheless, when the independently graded results arrived several weeks later, the average score of the seminar, I am proud to report, was well above the average of the 10,553 people who have taken the test over the years, including not only the PhDs but also the 7th graders.

(A secret ballot on a proposal to disclose individual scores failed to secure unanimous consent. That prevents me from revealing my own score to those of you who may be eager to offer congratulations.) As we were complimenting ourselves on our collective performance, we learned that the staff had also taken the test, and that their average score was higher than that of the seminar participants. Moreover, the highest individual score of all was received by one

of the staff. Although some might conclude that the staff instead of the fellows should be teaching ethics, I prefer to interpret these results as demonstrating the discerning judgment of the Director in selecting such ethically competent staff. One final note (which may or may not be a relevant consideration): the staff member who received the highest score is also a nationally recognized poker champion.

If our contributions to ethics testing, whether as givers or takers, have been modest, our contributions to ethics education, in both teaching and research, continue to be substantial. In addition to the regular seminars for the fellows and the lecture series (chronicled below), our fellows and faculty remain dedicated to promoting rigorous thinking



Mrs. Lily Safra meets with Dennis Thompson during her most recent visit to the Center



Amartya Sen and Mathias Risse finalize details on the conference on Equality and the New Global Order

about ethical issues across the University and beyond. They have been especially successful this year in creating new forms of collaboration with other programs and institutions.

For the first time, the Center offered grants directly to undergraduates in the College. (Earlier, under the program supported by the American Express Foundation, we awarded grants to faculty members who developed 45 courses in the College to address ethical issues in some 16 different departments.) The new program involves a competition for what we call the Lester Kissel Grants in Practical Ethics (named for one of our major benefactors). It is intended to encourage students to think and write seriously about ethical issues in activities they study or encounter during their summer break. Uncertain about what kind of proposals we might receive in this new venture, we were pleased, and somewhat surprised, with the quality and originality of the applications. As a result, we awarded more grants than we had originally intended. Six Kissel grantees are spending this summer working on projects ranging from a study of India’s market in human organs to an analysis of the role of luck in legal responsibility. Three of the students are carrying out their projects abroad. (A list of the grantees and description of their projects can be found in Appendix VII.) The program also occasioned the first of what we hope will become a frequent interaction between undergraduates and our fellows. As soon as the Kissel grants were

announced, one of our Faculty Fellows reached out to the grant recipient working on the Indian organ market and put him in touch with one of the leading experts on the subject who lives in the region.

The fledgling Program in Ethics and Health, based in the Medical area, took full flight in this its second year with its first group of postdoctoral fellows and a successful search for its first new assistant professor, who arrives next year. The core faculty of the Program, which is formally part of the Ethics Center, are all former Fellows of the Center (with the exception of Allan Brandt, who is a long-time Faculty Associate of the Center). Many of the faculty are actively involved in the Division of Medical Ethics in the Medical School, which under Dan Brock is overseeing a new ethics course for all MD students. The Program is working closely with the faculty in the Law School’s new Petrie-Flom Center for Health Law Policy, Biotechnology and Bioethics. (More information about the Program in Ethics and Health and the Petrie-Flom Center is presented below in the reports from the schools of Law, Medicine and Public Health.)

The remarkable three-day conference on “Equality and the New Global Order” in May was another successful collaboration—principally with Amartya Sen’s Project on Justice, Welfare and Economics, but also involving the Program in



Faculty Fellow Elizabeth Ashford provided commentary for the conference on Equality and the New Global Order

REPORT OF THE DIRECTOR

FACULTY FELLOWS SEMINAR



GRADUATE FELLOWS SEMINAR



Ethics and Health, the Weatherhead Center for International Affairs and others. The conference addressed the question of to what extent the value of equality should and can be realized in the new global order. Participants came from several countries, and most significantly (and unusually) from several disciplines—economics, philosophy and political science. The philosophers and the economists actually engaged with one another’s ideas; they did not simply declare their own methods to be superior, as is not uncommon in such interactions. In one notable session, President Larry Summers challenged the philosophers to provide principles for making the kind of difficult value choices he had faced in government in deciding how to allocate resources for foreign assistance. Faculty Associate and former Faculty Fellow Mathias Risse organized the conference (which is described in more detail in the report on the Kennedy School). A summary of the conference, by former Graduate Fellow Martin O’Neill, is posted on the Center’s website: www.ethics.harvard.edu.

The Center also collaborated with the Carr Center for Human Rights to sponsor an ongoing faculty seminar on “Intervention.” Arthur Applbaum and Michael Ignatieff presided over the discussions in previous years. This year, Arthur Applbaum chaired the series that included presentations by, among others, Stanley Hoffmann (“Intervention, Sovereignty and Human Rights”), J. Bryan Hehir (“The Principle of Nonintervention and the Policy of Nonproliferation”), Jack Goldsmith (“Democracy, Prudence, Intervention”), Martha Minow (“When Should Soldiers Disobey Orders?”), and Frances Kamm (“Terrorism and Several Moral Distinctions”).

We continue to work with other universities seeking to start ethics centers. In the case of Tulane University, not even Hurricane Katrina could stay the ethics couriers from the completion of their appointed project. I was invited to give the keynote address at the inaugural event of Tulane’s Center for Ethics and Public Affairs, which was scheduled to take place shortly after the storm hit. The Center moved temporarily to Washington and Lee University, and the event went on—with presentations by former Faculty Fellows Zeke Emanuel and Melissa Williams. The new Center has now returned to New Orleans, where at least ethics flourishes again. Emanuel and Williams were espe-

cially appropriate participants for an event marking the start of a new center. Emanuel created and heads a thriving bioethics department at the National Institutes of Health. Williams has led the efforts to create, and will direct, a new ethics center, modeled on



Zeke Emanuel

ours, opening this fall at the University of Toronto. We are trusting that no hurricane will interfere with her inaugural event next October when several former faculty fellows and I will speak. In May, I chaired an advisory council that was asked to evaluate the work of the Princeton University Center for Human Values, an institution almost as mature as ours. (The ubiquitous Zeke Emanuel is also a member of this Council.) Not surprisingly, the Princeton Center earned high marks. Stephen Macedo, the Director, is a former Senior Scholar in our Center, as is Amy Gutmann, the founding Director.

It was a bountiful year for ethical controversy, providing many opportunities for our faculty and fellows to contribute to the public debate. (We do not welcome scandals, disasters, or painful dilemmas, but they do keep us well employed.) Former fellows wrote in major media and appeared on talk shows to discuss a wide range of issues, most often on matters relating to healthcare. In the *New Yorker*, Lachlan Forrow questioned the increasingly common practice of inviting family members to witness attempted resuscitations in the hope that they would be more inclined to agree to end efforts to keep the patient alive. In the *Washington Post*, Alan Wertheimer and Zeke Emanuel criticized the criteria for distributing vaccine in the event of an Influenza pandemic, and proposed what they regard as fairer criteria. Another *Washington Post* article featured David Wendler (who will be a Faculty Fellow next year) and Emanuel (yes, again) whose proposals for surrogate decision making in end-of-life care have attracted wide attention. In the *Wall Street Journal*, Bob Truog commented on how doctors can learn better to give bad news to patients and their families. On a more cheerful subject (literally) closer to home, former Faculty Fellow Simon Keller addressed this question in a lecture that was featured

on local TV: why should you be nice to your parents? Not out of gratitude, but out of recognition of the mutual benefit family relationships can create. Parents everywhere can be grateful to Keller.

My own public interventions, in response to the lobbying and other scandals in Congress, gave me a chance to push once again a proposal for a semi-independent commission to regulate congressional ethics. A panel at the National Press Club, several national radio interviews, an Arco Forum event, a *Boston Globe* op-ed, and consultations with several members of Congress inexplicably failed to produce an ethical renaissance in Congress. But for the first time, a version of the proposal came to a vote in the Senate, where it garnered 30 ayes.

Among our most important links beyond Harvard are our former Faculty Fellows and Graduate Fellows and the work they produce. Most are teaching ethics in some form and, in many cases, leading ethics programs in colleges and universities throughout the United States and many other countries. The number and range of countries subject to our ethical invasion should make imperialists envious: Australia, Austria, Canada, Denmark, England, France, Germany, India, Israel, Italy, Norway, the Netherlands, Scotland, Spain, South Africa, and Switzerland. Through

these contacts and other institutional collaborations we are developing, the Center is reaching increasingly large numbers of students, faculty and future leaders of society.

Some of those associated with the Center do more than speak and write. This spring Yuli Tamir was named the Minister of Education, Culture and Sport in the Israeli government. She has already proposed a bold new program of financial aid, based in part on principles of equality she studied while at the Center in 1995-96. Former Graduate Fellow Samantha Power took a leave this year from the Kennedy School to serve as the foreign policy adviser to Senator Barack Obama. Her work on human rights while she was at the Center, some of which appeared in her Pulitzer Prize-winning book, is no doubt informing the advice she gives to the Senator.

Many other important activities (and more detail about those already mentioned) are described in the rest of this report. As always, the impressive achievements of the Graduate and Faculty Fellows constitute the core of the work of the Center. Their reports, attached as appendices, should not be missed. The reports from the Schools show that more ethics related activities are taking place throughout the University now, much of it stimulated by the Center and nearly all supported and often led by our Faculty Associates and former fellows.



Yuli Tamir



Faculty Fellows Seminar Members Back row, left to right: Elizabeth Ashford, Jeffrey Abramson, Renee Jones, Dan Philpott, Elisabetta Galeotti, Arthur Applbaum Front row, left to right: Maria Merritt, Thos Cochrane, Dennis Thompson

The Current Faculty Fellows

At the first meeting of the seminar, fellows were presented with autographed copies of the improbably bestselling book by academic philosopher Harry Frankfurt, entitled *On Bull*****. Along with the book came a plea from the Director: let us have none in the seminar. And sure enough, there was none—at least none from the fellows. The quality of the presentations and the ensuing discussion was unusually high, even as we covered issues

such as torture and corruption, topics that can produce more (justifiable) outrage than critical analysis.

The session on political ethics explicitly—and aptly—took up the question of bull****. You may wonder what the question is, but it turns out that to identify how this practice differs from deception and cognate vices, and why it may be even worse, is not so easy. The essence of bull****, Frankfurt shows, is a deliberate indifference to truth, which if indulged too often can eventually undermine the practitioner’s capacity to tell the truth in a way that lying does not. Liars at least acknowledge that it matters what is true. We ventured further into this murky territory. Prompted by our Senior Research Scholar from Italy, we examined the curiously neglected phenomenon that may be even more common in politics than bull****—self-deception in politics.

The seminar had begun as usual with role ethics, including our continuing though imperfect attempt to appreciate the dilemmas of lawyers, but more quickly than in past years we turned to the work in progress of two of the fellows. We also spent several weeks examining the theory and practice of justice beyond the state (including international distribution, foreign intervention and the claims of future generations). We could not have neglected religion even if we wished to, as one of our fellows is a critic of the standard liberal view that religious claims have no place in public reason and political life. The seminar found a productive balance between presentation of our own work and consideration of work that was new to all of us. For a complete list of the topics and readings in the seminar, see Appendix II.

The members of the seminar came from such exotic places as Italy, Scotland, Virginia, and Indiana. Their disciplinary backgrounds represented medicine, philosophy, political science, and law. The women outnumbered the men two to one (but we have no evidence that men are genetically challenged in ethics). Their areas of research covered moral and political philosophy, corporate governance, moral psychology and medical ethics, the role of religion in global politics, and ethical issues concerning states of consciousness. They left their beneficial marks on the Center not only in the seminars, but also in the many events at the Center and cosponsored activities throughout the University. In

addition, the seminar profited from the manifold talents of Jeffrey Abramson, the Louis Stulberg Distinguished Professor of Law and Politics at Brandeis University. He brought to the seminar a perceptive intelligence informed by his previous experience as a prosecutor as well as his own continuing work in political theory.

The fellows and senior scholars not only contributed to the intellectual life of the Center and wider University but made substantial progress on their own research. They will all continue to teach and write about ethical issues as they return to their home institutions, or take up new positions at other institutions.

Our enlightened British philosopher, **Elizabeth Ashford**, will return to St. Andrews, but only after she spends time at Oxford on another prestigious grant. She will develop further her attractive version of utilitarianism (a form that even Kantians cannot easily scorn). She took advantage of the many opportunities at Harvard to extend her knowledge of human rights, the chief area in which she is applying her theory.

The doctor in the house this year was **Thos Cochrane**, a neurologist at Brigham and Women’s Hospital. During the year he collaborated with Faculty Associate Bob Truog on papers on end-of-life decisions in neurologically devastated patients and on what seemed to us a sensible, but to some readers a controversial, piece on the Terri Schiavo case. More than many physicians, Cochrane is seriously interested in ethical theory and is neurologically disposed to participate at a high level in discussions on a wide range of philosophical issues. He will continue to play an important role in clinical ethics in the Harvard hospitals, as well as in the Division of Medical Ethics.

“I regard the seminar as fundamental for a period of research since it provides the opportunity to learn about subjects outside one’s specific field. The experience made me decide to change the subject of my courses for next year to introduce more practical issues.”

— **Elisabetta Galeotti**

Renee Jones, who teaches law at Boston College, was the skeptic in the house. But hers was always a constructive skepticism, which often led us to improve our own views by making them more relevant to practical questions. She advanced her own thinking (which will soon advance the thinking of her profession) on the problem of accountability in corporate governance. The year broadened her interests as it broadened those of her colleagues, leading to better understanding of general phenomena such as the interaction between informal norms and the explicit laws.

No fellow was more peripatetic than **Maria Merritt**, who this year was a valued contributor to a wide range of activities throughout the University especially in the area of international public health. Her interactions with our faculty and students in Public Health and the Division of Medical Ethics were by all accounts mutually beneficial. This active life evidently did not detract from her scholarly productivity: her writing and publication continued unabated. She credits her experience in the Center as contributing to a “redirection” of her career: she will move from a philosophy appointment at William and Mary to a new post at the Johns Hopkins University Bloomberg School of Public Health, where she will also be a core faculty member of their Berman Bioethics Institute.

As senior research scholar, **Elisabetta Galeotti** provided welcome advice to her junior colleagues, but she herself by her own account found that the year changed the way she will teach. She intends to introduce more practical issues in her moral philosophy courses next year at the University of Piemonte Orientale. The title and subtitle of a paper she wrote on toleration exemplifies this combination of theory and practice: “Relativism, Universalism, and Applied Ethics: The Case of Female Circumcision.” During the year she also completed two and a half chapters of her book on self-deception in politics (which thanks to her was, as indicated above, a salient topic in our seminar).

Dan Philpott, a political theorist from Notre Dame, is the Fellow (to whom I alluded above) who kept us honest on the subject of religion. His chief focus this year was on a project on reconciliation in transitional justice. He completed two chapters of a book in which he is developing a concept of “restorative justice” (which is

“My experience illustrates how the fellowship can advance not only the careers of individual fellows, but also, more importantly, through us, the academic mission of philosophically well-grounded professional ethics.”

— **Maria Merritt**

theologically inspired but secularly friendly). He combines a deep theoretical analysis with applications to cases of transitional justice in 15 countries (in some of which he has observed the process first hand). Next year, as an Alexander von Humboldt Foundation Research Fellow, Philpott will be in residence, successively, at the Hertie School of Governance and at the Wissenschaftszentrum Berlin, in Berlin, Germany.

As in previous years, the individual reports of the fellows offer the most instructive view of the intellectual life of the Center during the year (see Appendix I). The fellows were not only individually productive but (as they note in their reports) their productivity was stimulated and enhanced by their interactions with the other fellows as well as the Faculty Associates of the Center. New friendships were formed and, equally important, new intellectual collaborations took root.

The New Faculty Fellows

For next year’s class we received applications from faculty at 49 colleges and universities. Overseas applications came from 15 countries: Australia, Brazil, Canada, Croatia, England, France, Germany, Hungary, India, Italy, Netherlands, Norway, Poland, Russia, and Scotland. Applicants ranged in age from 26 to 59 years; the average age was 39. As in previous years, approximately half the applicants came from philosophy, followed by government, law, business, medicine, science and technology, and religion. A substantial number of applicants declared other fields of specialization (sometimes in addition to their primary field), including literature, women’s studies, and mathematics.

The range of disciplinary backgrounds of the successful applicants is again diverse: anthropology, biology, economics, law, medicine, philosophy, and political science all

make an appearance. Medicine is represented by **Rebecca Brendel**, a psychiatrist at Massachusetts General Hospital and an Instructor at Harvard Medical School. She is also a lawyer, and her research focuses on issues (such as confidentiality) that lie at the intersection of law and medicine. Another double-degree fellow (political science and law), **Corey Brettschneider** teaches at Brown University. One of his projects for the fellowship year involves showing how liberal conceptions of politics can better incorporate the concerns of feminists. Filling what might seem to have become (as Ashford moves on) the role of the house consequentialist is **Sarah Conly**, a philosopher from Bowdoin College. She will apply her effects-oriented theory to strategies for improving moral education. Yet another lawyer, **Jedediah Purdy**, Assistant Professor at Duke University and also a bestselling author, will further develop his “freedom-promoting approach to property.” An economist with competence in anthropology and philosophy, **Sanjay Reddy**, currently at Barnard College, Columbia University, is examining “realistically utopian economic institutions in the global order” (among other topics). **David Wendler**, a faculty member in the Department of Clinical Bioethics at the National Institutes of Health, is a philosopher and biologist. He will be writing about the ethics of conducting research with individuals who cannot give informed consent.

Joining the seminar for the year are two Senior Scholars. **Philip Pettit**, the Laurance S. Rockefeller University Professor of Politics and Human Values at Princeton, whose recent books include *Republicanism* and *A Theory of Freedom*, is currently working on a book entitled *Group Agents*. **Archon Fung**, Associate Professor of Public Policy at the Kennedy School of Government, has written on the impact of civic participation, public deliberation, and transparency on public and private governance. (Appendix V contains further information about next year’s fellows and senior scholars.)

The Faculty Fellows were selected by our University-wide Faculty Committee, which I chair. The other members are Arthur Applbaum (Kennedy School), Martha Minow (Law School), Tim Scanlon (Philosophy), Bob Truog (Medical School), Michael Sandel (Government), and Joe Badaracco (Business School).

The Edmond J. Safra Graduate Fellows

(Reported by Arthur Applbaum)

With my brief acting career playing the role of Dennis Thompson over, I returned this year to the directorship of the Graduate Fellowship program. Frances Kamm, Littauer Professor of Philosophy and Public Policy at the Kennedy School, joined us again as a seminar faculty member, but we had to make do without Michael Blake, former seminar faculty member and most recently acting director, who left us for a professorship at the University of Washington.

The five Edmond J. Safra Graduate Fellows and the two seminar faculty met for three hours each week in a seminar that ranged widely across topics in moral and political philosophy (see Appendix IV for the syllabus). In the fall, we concentrated on topics in moral philosophy of particular relevance to practical and professional ethics such as the morality of roles, the nature of moral dilemmas, and questions about responsibility. In the spring we followed a curriculum in political philosophy with a special emphasis on questions in international justice and legitimacy. As always, the fellows had ample opportunity to present their own work; but each also prepared and led sessions on topics outside of their fields of expertise. The reports of the fellows appear in Appendix III.

Christopher Furlong, a graduate student in the Philosophy Department, spent the year completing the prospectus for a very ambitious dissertation. Chris is worried about the way that evolutionary, psychological, and other naturalistic explanations of moral beliefs appear to explain them away, and so result in skepticism about moral and practical reason. His dissertation confronts these concerns and identifies

“My fellowship year has been one of the most intellectually stimulating and fulfilling experiences of my twelve years at Harvard. I leave with a sharpened set of analytic skills to help me in both my medical practice and research career.”

— Reshma Jagsi



Graduate Fellows Seminar Members Back row, left to right: Rahul Sagar, Reshma Jagsi, Frances Kamm, Arthur Applbaum, Christopher Furlong Front row, left to right: Vlad Perju, Anja Karnein, Paul Katsafanas

ways of diffusing this apparent tension between the scientific and moral worldviews. Chris led our discussions of moral dilemmas, of political legitimacy, and of publicity and transparency.

Reshma Jagsi, a Resident Physician in Radiation Oncology at the Massachusetts General Hospital, would have had a productive year even had she not given birth to her lovely daughter Sarina Elizabeth along the way. Reshma completed papers on the ethical implications of direct-to-patient advertising of medical treatment, and several empirical studies of the challenges that women face in publishing research in major medical journals and in securing maternity leave during their specialty training. She led our discussions of justice in the distribution of healthcare, of global distributive justice, and of the ethics of clinical trials in the developing world. Reshma leaves Harvard to join the medical faculty at the University of Michigan as an assistant professor of radiation oncology.

Anja Karnein is a recent graduate of the PhD program in Politics at Brandeis University. Her dissertation compared the bioethics of stem cell research in the U.S. and in Germany. At the Center, she wrote about biomedical practices that interfere with the natural lottery, such as genetic engineering, and was especially interested in Habermas's

claim that genetic manipulation is more destructive of individual freedom than unchosen environmental influences on children. Anja led our seminars on freedom and responsibility, on public reason and religious values, and on collective responsibility.

Paul Katsafanas, a PhD candidate in philosophy, wrote and presented three chapters of a very promising dissertation that challenges standard views about moral agency. He is developing a new account of the roles that self-awareness and unity of the self play in autonomous action. Drawing in part on Nietzsche, Paul argues that the kind of self-awareness that is both attainable and sufficient does not require awareness of all the causes of one's actions, but only awareness of what, if known, would change what the agent wants to do. Paul steered us through sessions on collective agency, on constitutionalism and democracy, and (with Anja) on collective responsibility.

Vlad Perju is an SJD candidate at the Law School who studies comparative constitutional law. This year Vlad published an article in *Constellations*, "Comparative Constitutionalism and the Making of a New World Order." A paper he presented in the seminar on the use of foreign law in domestic constitutional adjudication is forthcoming in a law review, and the seminar read another paper of his on the core and periphery distinction in constitutional balancing. Vlad led our discussions of doing and allowing, of the authority of international law, and of state foundations.

"The opportunity for discussions with a bright, diverse group of colleagues from medicine, government, political science and law was invaluable."

— Paul Katsafanas

"The variety of topics, the array of arguments and approaches, and the atmosphere of our discussions made this a unique experience."

— Vlad Perju

Rahul Sagar is a doctoral candidate in political theory in the Department of Government. His dissertation examines the justifications for, and consequences of, state secrecy in democratic societies. Rahul's insights into some of the paradoxes of democratic oversight of national security policy were a continuing source of enlightenment during our running lunchtime discussions of the war in Iraq, counter-terrorism, and pending Supreme Court cases. Rahul led our discussions of intention and foresight, of human rights and intervention, and (with Chris) of publicity and transparency.

The year ended with a visit to the graduate seminar by Mrs. Lily Safra, Advisory Council member and chair of the Edmond J. Safra Philanthropic Foundation. Lesser ethics centers might have been tempted to stage a performance for their chief benefactor, but the only concessions made in honor of our guest were culinary and oenological. Reshma, our resident physician, ably led the discussion of randomized drug trials in developing countries, which featured a paper by former Faculty Fellow Jennifer Hawkins. Mrs. Safra came prepared and held up well under our tough scrutiny, but she will need to return in the fall for further study with next year's fellows.

The incoming class of 2006-07 is as talented as the departing one. We have succeeded again in pulling together a cohort of eclectic scholars whose interests intersect in fruitful ways. One is a philosopher and medical student working on the morality of killing and letting die. A second philosopher is working on the limits to government regulation implicit in Kant's political philosophy, and a political theorist is studying Fichte's adaptation of Kant's idea of perpetual peace. A lawyer-anthropologist is writing about the role of human rights in the institutional culture of the World Bank, and another legal scholar will explore how U.N. Security Council actions change the international law of humanitarian intervention. See Appendix VI for more information about the new Graduate Fellows.

The Joint Seminars

One of the attractions of life in the Center is the commingling of scholars at different stages of their careers. We let most of the interactions happen informally, but several times during the year we organize joint seminars, which



Tal Ben-Shahar (left, former Graduate Fellow) joined Arthur Applbaum and Mrs. Lily Safra for a pre-seminar lunch in the spring

bring together the Faculty Fellows and Graduate Fellows for discussions with Center Faculty Associates and other scholars who are exploring dimensions of ethics.

This year the discussions provided the opportunity, in an intimate seminar setting, to hear and challenge the work in progress by a distinguished visiting professor, and three Harvard faculty (all Faculty Associates of the Center). In a session on "Market and Morals," Michael Sandel, the Anne T. and Robert M. Bass Professor of Government, ably defended some of the provocative arguments in his new book, *Public Philosophy*. Psychology Professor Marc Hauser returned to report on the progress of his research on universal moral grammar. Among the moral phenomena he is investigating empirically are responses to the celebrated "trolley problem." David Wilkins, the Kirkland and Ellis Professor of Law and former Faculty Fellow, reversed a conventional question of legal ethics in addressing the question: "Do Clients Have Ethical Obligations to Lawyers?" The visiting professor, Philippe van Parijs from the University of Louvain, presented his views about global justice in a session marked by especially constructive dialogue.

At the most timely joint seminar of the year, the well known Washington attorney, Robert S. Bennett, discussed the ethical issues raised by the case of Judith Miller, the

New York Times reporter jailed for refusing to disclose her sources to the special prosecutor investigating the leak of the name of a CIA agent. In his responses to the challenging questions, Bennett, who represented Miller in the case, drew on his experience defending other prominent public figures, including Bill Clinton, Dan Rostenkowski, Caspar Weinberger, and Clark Clifford. To broaden the discussion, we invited Anthony Lewis (former *New York Times* columnist), David Anable (former Managing Editor of the *Christian Science Monitor*), Charles Fried (former Solicitor General), Alex Jones (Director of the Shorenstein Center on the Press, Politics & Public Policy), and Tom Patterson (Bradlee Professor of Government and the Press at the Kennedy School).

The Public Lectures

Now in its 19th year, our popular public lecture series promotes philosophical reflection on some of the most challenging ethical issues in public life. The series continues to attract faculty and students from across the University, as well as members of the wider Boston community. Audience members engage directly with leading scholars and practitioners from many fields and professions. The events often serve as intellectual reunions of former Faculty Fellows, Graduate Fellows and Senior Scholars who return to participate in the dinner seminars that follow the lectures. The dinner seminars are well known in the academy, and the format has been emulated at centers at other universities. Summaries of the lectures, written by our fellows, are on the Center's website.

This year's speakers are as follows:

Anita L. Allen

Henry R. Silverman Professor of Law
University of Pennsylvania
"Morality and Mental Illness"

Rae Langton

Professor of Moral Philosophy
Massachusetts Institute of Technology
"Speaker's Freedom and Maker's Knowledge:
The Case of Pornography"

Atul Gawande

Assistant Professor, Department of Health Policy
and Management
Harvard School of Public Health
"The Excellent Execution: Why Physicians Participate
in Lethal Injection of Prisoners"

Philip Pettit

Laurance S. Rockefeller University Professor of Politics and
Human Values
Princeton University
"Responsibility Incorporated"

The Center also hosts, with the President's Office, the University Tanner Lectures on Human Values, which this year featured political scientist James Q. Wilson, formerly Professor of Government at Harvard, and now the Ronald Reagan Professor of Public Policy at Pepperdine University School of Public Policy. Some 800 people heard his two lectures on "Polarization in American." The first focused on politics and the second on religion. In an animated seminar on Friday, which attracted many students, Alan Wolfe, Professor of Political Science at Boston College, and Lizbeth Cohen, Howard Mumford Jones Professor of American Studies at Harvard, commented on the lecture. Nancy Rosenblum, chair of Harvard's Government Department, and Center Faculty Associate, ably moderated. Summaries of the lectures are available on the Center's website.



James Q. Wilson

In the 2006-07 academic year, the Tanner Lectures will be delivered on November 15 and 16 by Mary-Claire King, American Cancer Society Research Professor of Genetics and Medicine, University of Washington School of Medicine. Her topic is “Genomics, Race and Medicine.”

Future Plans

Next year, the Center celebrates its 20th anniversary. To mark the occasion, the lecture series will feature only former fellows, all now distinguished teachers and scholars in their own right. The year will culminate in a grand celebration on May 18th and 19th—with a major keynote address, a panel of former fellows, all open to the public, and a festive dinner for our friends and alumni. We expect that former fellows from many universities here and abroad will attend, as well as some past presidents and deans of Harvard and other universities. We are pleased that Amartya Sen has agreed to deliver the keynote address. In his teaching and writing, Professor Sen exemplifies at the highest level the kind of contributions that our fellows aspire to make. He will speak generally about the role of philosophy or theoretical reflection in addressing practical problems in public life, using examples from his own work, as well as others, that relate to the fields or professions of our many former fellows. A panel of former fellows (now eminent scholars and educational leaders) will offer comments on the theme of Sen’s lecture. Recognizing that our voluble alumni could not be silenced in any case, we will provide ample opportunity for discussion.

After dinner on Friday the podium will belong to Derek Bok, who as President took the first steps that led to the creation of the Center in 1987. His decision to return as interim president may not have been mainly motivated by a desire to preside over the Center’s anniversary celebration, but we think he could not have had a better reason. Present at the beginning, he can speak with authority not only about our past but more importantly about our future. But as we commemorate the two decades of achievement, we wish to look forward to many more.

One reason we can look forward with confidence is the extraordinary gift we received from the Edmond J. Safra Philanthropic Foundation in June 2004. Initiated by



During her visit in May, Mrs. Lily Safra presented gifts to the Edmond J. Safra Graduate Fellows

Lily Safra, the widow of Mr. Safra, the gift supports many of the core activities of the Center, including faculty and graduate student fellowships, faculty and curricular development, and interfaculty collaboration. Together with previous contributions (from the Foundation and also from the bequest of Lester Kissel), this gift is creating a substantial endowment that will support the Center’s mission in perpetuity. The work of the Center, we are now assured, will continue to have effect at least for as long as Harvard continues to exist.

Although the Center’s future is secure, we cannot cease fundraising efforts. We wish to do even more teaching, research and outreach, and that means we need even more resources. Our mission to encourage younger scholars, inspire new leaders of ethics in every profession, and strengthen cross-faculty collaboration at Harvard and other institutions is open-ended, and so therefore are our financial needs. A high priority is endowing the remaining four Faculty Fellowships. But the need for additional professorships for faculty specializing in ethics is also great. The Center benefits directly from the appointment of ethics faculty in the professional schools. The most recent of these are at the Kennedy School, the Medical School, and the School of Public Health. But Harvard needs more faculty and more resources to support research in ethics in the Center and in all the schools at Harvard. We work with all

the schools that are seeking funds for ethics, whether for faculty positions or curricular initiatives. The health of the Center depends on maintaining strong ethics activities in the schools.

Our Advisory Council members continue to help us in our endeavors, providing wise counsel across a range of questions and issues. Although the Council does not meet every year as a group, the members individually provide continuing advice to us. We are grateful for their support and strong interest in the Center's work.

The rest of this report chronicles the impressive achievements of the Fellows, the Center, and others active in ethics at Harvard and elsewhere. In the early years of the Center, I was able to write all the sections myself. I not only knew about, but was involved in almost every ethics-related activity at Harvard. One sign of the great progress the study of ethics has made at Harvard is that no one individual could now possibly know about, let alone participate in, even half of the activities now taking place at the University.

"The main mission of the Center is to advance teaching and research on ethical issues in public life, thereby helping to meet the growing need for teachers and scholars who address questions of moral choice in architecture, business, education, government, health, law, medicine, and other public callings. By bringing together those with competence in philosophical thought and those with experience in professional education, the Center promotes a perspective on ethics informed by both theory and practice."

— Dennis F. Thompson, Director

ETHICS IN THE SCHOOLS

When the Center began almost 20 years ago, few schools offered ethics courses and even fewer had faculty qualified to teach the courses. Today each school has its own courses, and its own faculty who specialize in ethics, and in virtually all of them there is a required ethics course for students in the core programs. Most of the ethics faculty have spent time in the Center in the past, and all find a friendly home away from home in the Center in the present.

Although several years ago the fellows gave me a jeweled crown emblazoned with the title "Ethics Czar," the Center does not try to oversee all of the activities in ethics at Harvard. Perhaps it could be said that we have been the breeding ground for an ethics insurgency that has spread throughout the University. Less subversively, we provide advice and encouragement, educational programs, and structures for interdisciplinary collaboration. We certainly have provided education for many of both senior and junior faculty now teaching in the schools. As a result of connections made through the Center, individuals and programs within each of the schools are increasingly collaborating in curricular development and research projects.

For an annual account of the work in each School, we rely on our faculty colleagues. They are providing the critical leadership that is making the study of ethics even more rewarding and exemplary than it has been in the past. Their remarkable achievements are described in the sections that follow.

Arts and Sciences

(based on reports from Tim Scanlon, Nancy Rosenblum and others)

The departments of Philosophy and Government continue to be the center of ethics-related teaching and research in the Faculty of Arts and Sciences, but several initiatives this year augur well for interdisciplinary teaching and research that engages faculty and students from other departments and other schools.

The **Philosophy Department** welcomed Selim Berker, a new Assistant Professor whose interests include moral philosophy. He is receiving his PhD from MIT. Two distinguished visiting professors contribute to the depart-

ment's offerings in ethics. Philippe van Parijs, professor on the faculty of economic, social and political sciences, Catholic University of Louvain, taught an undergraduate course in political philosophy and also joined Amartya Sen and MIT Professor Joshua Cohen in teaching a seminar on issues of global justice, which emphasized questions of linguistic justice. Derek Parfit, Senior Research Fellow at All Souls College, Oxford, gave a seminar with Tim Scanlon on practical reason and morality. In conjunction with her Mellon Distinguished Achievement Award (which she will hold from 2006-09), Christine Korsgaard is giving a series of year-long colloquia on moral theory, practical reasoning, and Kantian Ethics.

The Philosophy Department's **Workshop in Moral and Political Philosophy** continued to be very active, drawing on the large number of graduate students working in these areas. So many students wished to present material in the spring term that, even with weekly meetings scheduled, the Workshop had to be extended three meetings into the reading period in order to accommodate everyone.

Two graduate students who were Graduate Fellows in the Ethics Center secured excellent positions that will enable them to teach and write about ethics. Kyla Ebels Duggan will be an assistant professor at Northwestern University in the fall. Sara Olack is taking up a postdoctoral position at Johns Hopkins, focusing on biomedical ethics.

In the **Government Department**, former Faculty Fellow (1997-98) Sebastiano Maffettone of Libera Università Internazionale degli Studi Sociali Guido Carli (LUISS) in Rome spent the year as a visiting professor. He gave a well received seminar on human rights, and offered courses on Political Philosophy and Human Rights, and on Ethics and International Relations. Three new faculty will join the department next year: two junior theorists, **Eric Beerbohm** and **Michael Frazer**, from Princeton, and continental theorist, **Michael Rosen**, from Oxford.

The Department's activity that most often attracts Ethics Center fellows (along with graduate students from several departments) is the **Political Theory Colloquium**, coordinated by Ethics Center Faculty Associate Nancy Rosenblum, Senator Joseph S. Clark Professor of Ethics in



Philosophy faculty members Frances Kamm and Tim Scanlon

Politics and Government. The Colloquium is designed to bring leading scholars together for discussions in an intimate setting with graduate students and faculty colleagues. The format calls for a paper (usually a new work in progress) to be distributed in advance, a 30-minute presentation by the speaker, and commentaries by two graduate students. This is followed by an open discussion, a small reception, and dinner with the guest, the graduate student commentators, and faculty from the Government Department and others with a particular interest in the speaker and topic. The series draws faculty and graduate students from government, philosophy, history, and classics, the Law School and Kennedy School.

This year, the Colloquium hosted the following speakers: Istvan Hont (King's College, Cambridge); Iris Marion Young (University of Chicago); Blandine Kriegel (French High Council on Integration); Sebastiano Maffettone (LUISS); Nadia Urbinati (Columbia University); Josiah Ober (Princeton University); Lawrie Balfour (University of Virginia); Nancy Fraser (The New School); Steven Smith (Yale University); Charles Larmore (University of Chicago Law School); Arlene Saxonhouse (University of Michigan); and Sebastian Viguier (co-hosted by the Program on Constitutional Government).

One of the most prominent interdisciplinary activities this year was a series of faculty seminars, entitled "**Between Two Cultures**," which explored the ethical and social

aspects of scientific advances. The event was organized by Rothenberg Professor of English and American Literature and Language and Director of the Humanities Center Homi Bhabha; Bass Professor of Government Michael Sandel; and Cabot Professor of the Natural Sciences and Co-Director of the Harvard Stem Cell Institute Douglas Melton. The first session featured a presentation on cloning by Leon Kass, former chair of the President's Council on Bioethics. A lively discussion followed, moderated by Michael Sandel. More than 40 faculty members attended the event.

Another important interdisciplinary activity, now in its fifth year, is the **Project on Justice, Welfare, and Economics**. The Project fosters scholarly research on issues at the intersection of economics and the other social sciences, and law and ethics. It encourages new research and teaching in these areas and supports younger scholars whose work encompasses and integrates ethical, political and economic dimensions of human development. The Project has awarded 40 dissertation fellowships and 17 research grants to graduate students in the fields of anthropology, economics, government, sociology, philosophy, law, health policy, and history. For the new academic year, nine dissertation fellowships and three research grants have been awarded to graduate students. For the names and biographies of the students, see the website at www.wcfia.harvard.edu/jwe.

The Program's series of events foster a community of scholars whose research and knowledge connects the study of freedom, justice, and economics to human welfare and development. This year, grant recipients presented their work at six luncheon seminars. In addition, the Project hosted four dinner seminars with the following speakers and topics: Abhijit Banerjee (MIT) "On Aid Pessimism"; Dan Brock (Medical School) "Rationing in the Thai Health Care System: the Case of Renal Failure"; Cass Sunstein (University of Chicago) "Ideological Amplification: Judges, Juries, and Citizens"; and Allen Buchanan (Duke University) and Robert Keohane (Princeton University) "The Legitimacy of Global Governance Institutions." A successful conference, entitled "Precaution, Fear, and Rationality," was held in March.

The Project also cosponsored (with the Ethics Center and others) a May conference entitled, "Equality and the New Global Order." The program and papers are available at www.wcfia.harvard.edu/jwe.

Amartya Sen chairs the Project. Participating faculty include Philippe Aghion, Beatriz Armendariz, Jorge Domínguez, Benjamin Friedman, Jerry Green, Christine Jolls, James Kloppenberg, Michael Kremer, Jane Mansbridge, Frank Michelman, Martha Minow, Nancy Rosenblum, Alvin Roth, Tim Scanlon, Dennis Thompson, Laurence Tribe, and Richard Tuck.

Business

(based on a report from Joe Badaracco)

During the last academic year, the ethics effort at Harvard Business School continued to focus primarily on Leadership and Corporate Accountability (LCA). Introduced in January of 2004, the course is required for all first-year Master of Business Administration (MBA) students. The basic aim of the course is to give students a practical understanding of the responsibilities they will take on when they become business managers. The course has two main parts, each focused on a recurrent set of managerial choices or dilemmas. The first part concentrates on dilemmas that arise in dealing responsibly with a company's core constituencies. The second focuses on issues of organization and implementation.

The course has proven to be very successful. During the past academic year, LCA was one of the highest rated first-year courses. This year's version of the course was improved by a modified course structure, three new cases, and five new course notes. Some of these notes deal with basic aspects of managers' legal responsibilities, such as fiduciary relationships and employment at will. Students have indicated clearly that they value what they have learned about the basic legal obligations of managers.



Joe Badaracco



Lynn Sharp Paine

Professor Lynn Paine has served as course head and principal architect for the course. In her judgment, and that of the LCA teaching group, the course is now strong and well structured. This means it will not absorb as much time and attention in the near future as during

the last several years. As a result, the members of the teaching group will be able to devote considerably more time to other ethics initiatives at the School.

Perhaps the most important of these initiatives is resolving a very difficult organizational issue: determining whether the School should create a new unit (i.e., department) to support the LCA course and research in business ethics, give responsibility for these activities to an existing unit, or pursue some non-traditional alternative. Part of the reason for the initial success of the course was the intense work by seasoned faculty drawn from throughout the School. This model worked extremely well during the early, entrepreneurial phase of the course. But now we need to find another arrangement that will provide an ongoing, sustainable source of teachers and a stable academic environment for research. Resolving this organizational question will have a critical influence on the long-term sustainability of the course and the ethics effort at the School.

Despite the demands of the course, members of the School's ethics group were active in research and publishing. The brief descriptions below give a sense of the range and direction of these efforts. Some focused primarily on issues of organizational ethics, some on issues of character and responsible decision making by individuals, and others on pedagogy.

Professor Joshua Margolis published two book chapters from his research on how organizations can create hospitable environments for pursuing "the good" on multiple dimensions, and on the distinctive ethical challenges that individuals must navigate within organizations, especially in perform-or-else settings. Another piece of organizational research was a *Harvard Business Review* article by Professors

Rohit Deshpande, Joshua Margolis, and Lynn Paine entitled "Up to Code: Does Your Company's Conduct Meet World Class Standards?" This article is the first phase of a larger project on Global Business Standards.

Research on individual decision making led to the publication of *Questions of Character* by Professor Joe Badaracco. This book presents lessons for responsible leadership drawn from classic works of literature.

Finally, Senior Lecturer Sandra Sucher is under contract to complete two books that document her seminar version of an MBA elective entitled "The Moral Leader." One book is an instructor's manual and the other is a student textbook that provides background information and conceptual frameworks for students in the course. Professor Paine is also leading an effort by the entire LCA group to develop a complete set of teaching plans for the course cases and readings, which will enable teachers at other schools to offer versions of the course.

Design

(based on a report from Carl Sapers)

The Design School continues to expand and enhance the ethical instruction at the School. Dean Alan Altschuler has appointed a committee, chaired by Jerold Kayden, Frank Backus Williams Professor of Urban Planning and Design, to recommend changes to the School's curriculum. One of the recommendations is for a School-wide course on ethics. In the Professional Practice course (which is taken by all professional degree candidates in the second term of their second year) we have added a sixth exercise to those described in previous reports. The new exercise, entitled "Paying to Play," raises questions about donations as a way to obtain commissions. The students are asked to assess the appropriateness of various types of donations, ranging from charitable contributions to political campaign contributions.

In the fall, Carl Sapers delivered a public lecture exploring ethical issues. It was well attended by faculty and students in the Design School. The lecture focused on the use of "exercises," in which a narrative unfolds in four or five chapters. At the end of each chapter, students engage in lively discussion of the problems visible at that point in



Jerold Kayden

the narrative. Each successive chapter carries the story forward, amplifying or complicating the issues. The teacher's role is modest, involving only occasionally challenging a comment which seems irrelevant or a mistaken perception. The discussion belongs to the students and they are wonder-

fully able to perceive and argue from what they observe. The lecture was an effort to encourage colleagues to explore similar issues in their courses.

The relevant history of the ethics component was covered in detail in previous reports. The component originally included four exercises that confront the student with common problems arising in practice. Following the Business School's lead, the exercises are presented in short chapters composing a developing episode. A fifth exercise, "Claiming Credit," was added last year. It deals with an important issue of professional recognition, which is partly connected to compensation. The architectural profession has long been at the low end of professional compensation when compared with lawyers and physicians. Some say this fact alone explains the extraordinary interest that architects have in awards for their designs and for recognition by their peers, as if acknowledgement of their creative talent will compensate for low levels of remuneration. Whether or not this properly identifies the cause, there can be no doubt that architects, more than any other learned profession, cherish recognition by their professional colleagues, awards for their designs, and praise in the architectural press.

Senior architects seldom acknowledge the contributions that others may have made to a successful project and the tyro architect is often denied any recognition for the role he or she played in that success. Ambitious young architects often leave prematurely their employment because of seniors who refuse to share the glory; they give as their reason the fact that their advancement is blocked by the seniors' self-regard.

The American Institute of Architects in its disciplinary cases clearly tilts in the direction of senior architects when

a brave young architect challenges his or her employer. One exercise follows the conflict and provokes the student to understand the claims of both the senior and the junior, and to consider as well how significant the glory seeking should be in the student's own career. "Claiming Credit" explores a significant pathology in the architectural profession with which a student must be prepared to deal in the years ahead.

Divinity

(based on a report from Barbara Boles)

Dean William A. Graham notes in the introduction to the Divinity School catalogue that in the last decade, political and cultural events have made it crucial that the study of religion be conducted first with an eye toward scholarly excellence and historical depth, but also with attention to engaging the religious dimensions of human life in all arenas of a conflicted world. That goal makes ethics an important part of the mission of the School.

The School seeks to foster an awareness of personal ethical convictions, of the historical and cultural roots of those convictions, and of challenges arising for individuals and particularly for religious leaders, whether training to serve in ordained ministry or other professional capacities, as they learn about, and learn to appreciate, other belief systems. Inquiry at the Divinity School emphasizes the development not only of ethical values and moral norms, but also processes of moral decision making and action that are humane and effective. This inquiry is implicit in the School's curricular offerings, public lectures, and faculty seminars, as well as in the programs of the Women's Studies in Religion Program, the Program in Religion and Secondary Education, and the Summer Leadership Institute.

A number of courses focus on ethics in relation to theological questions, international relations, economics, medicine and research, education, interpersonal relations including gender and race relations, politics, and public policy. All the courses draw students not only from the School and the other schools in the Boston Theological Institute consortium, but also from the wider Harvard community. Among the courses that explicitly declare their focus on ethics or morality are: Harvey Cox's "Evil: An

Interdisciplinary Inquiry”; Arthur Dyck’s “Colloquium in Ethics”; M. Christian Green’s “Religion and Biomedical Ethics”; J. Bryan Hehir’s “Politics, Ethics and the use of Force”; Timothy Jackson’s “Introduction to Christian Ethics”; Julia Neuberger’s “Moral Questions about Disadvantaged Groups”; Konrad Raiser’s “Power, Law and Morality”; Preston Williams’s “Ethical and Religious Thought of Martin Luther King, Jr.”; and Tu Wei-Ming’s “Confucian Ethics.”

The senior ethics faculty—Preston Williams, Arthur Dyck, David Little and Ralph Potter—all retired in the last three years, although all of them continue to teach part-time at the School. Thus, we are in the process of rebuilding the ethics faculty. Hille Haker, who came in 2003 as Associate Professor of Ethics from the University of Tübingen and returned to Germany in spring 2005, continues to make important contributions as advisor, and in other capacities. This year, the School inaugurated a new Field Education site in Germany that Professor Haker helped set up. Thomas A. Lewis, who also came in 2003 as a split appointment between the School and the Faculty of Arts and Sciences, was on leave this past year. Jonathan Schofer accepted a new appointment to the Faculty in Comparative Ethics, joining the School in January 2006. Coming from the University of Wisconsin, he focuses on Jewish Rabbinic thought and ethics, including the ethical significance of the body, age and the anticipation of death.

Two other faculty members, whose teaching and research include substantial work in ethics, joined the School this year. Baber Johansen, Professor of Islamic Religious Studies, works particularly in Islamic legal issues, focusing on the role that religious and legal systems assign to laypeople and the influence on sacred norms. Michael Jackson, Distinguished Visiting Professor in World Religions, studies such topics as the politics of storytelling, the anthropology of events, violence, sociality and ritualization. Visiting Assistant Professor M. Christian Green of Emory University, who focuses on legal and family issues in ethics, will return for a third year next fall. The two William Henry Bloomberg Fellows at the School were Konrad Raiser, Professor Emeritus from Germany (fall semester), and Rabbi Julia Neuberger, DBE, the first

female Rabbi ordained in the United Kingdom (spring semester). Both focused on ethics in their teaching.

Two new endowed chairs were established this spring, both of which will enrich offerings in the area of ethics. The Richard Reinhold Niebuhr Professorship of Divinity is intended to address issues of Christian morality, ethics, and values in the contemporary interaction of religion and society. The second, the Ralph Waldo Emerson Unitarian Universalist Association Professorship of Divinity, will advance studies in liberal religion, with particular attention to Unitarian Universalism. Both of these searches will be initiated in the fall of 2006.

A number of faculty who receive both annual funds and special grants for research are currently exploring issues in ethics. A few examples:

From 2005 to 2008, **Sarah Coakley** is co-directing (with Martin Nowak, Center of Evolutionary Dynamics) a new \$2 million research project entitled “The Theology of Cooperation” on theology, evolutionary biology, and game theory, funded by the Templeton Foundation. The project will involve individual research, a lecture series, and courses taught by current and visiting faculty.

Donald Swearer, Director of the Center for the Study of World Religions, is conducting research in the area of Buddhist-Christian relations with a particular focus on comparative ethics.

Ronald Thiemann’s projects include a three-year effort sponsored by the Hauser Center, in which he will explore the relation of religion to emerging democracies in Eastern Europe. He is completing a book entitled *Prisoners of Conscience: Public Intellectuals in a Time of Crisis*.

Harvey Cox, with visiting Professor Jocelyn Cesari, received funding from the Harvard Provost’s Office for a project focusing on Religion and Globalization. They held a series of round-table discussions throughout the year, and will produce an article based on those discussions.

Before an overflow audience of faculty and students from around the University and other area schools, Dean Graham moderated a special panel on “Islam, the Press and the West” that discussed the ethical and religious issues

raised by the worldwide controversy over cartoons depicting the Prophet Mohammed. The panel members, representing the School and the Faculty of Arts and Sciences, were Leila Ahmed, Jocelyn Cesari, Shahab Ahmed, Michael Jackson, and Baber Johansen.

Other activities in the School that address ethical issues include the Women's Studies in Religion Program (which encourages critical scholarship on the interaction between religion and gender in the world religions), the Center for the Study of World Religions (which sponsored forums this year on topics such as "Ethics, Values and the Environment" and "Islam, Pluralism and Non-Violence"), the Seminar Series for Staff (which are intended to introduce staff members to various religious traditions and specialties within the study of religion), and student-sponsored events (which included a discussion of issues raised by pursuing ministry in cross cultural contexts).

Education

(based on a report from Catherine Z. Elgin)

Concern with ethics is central to education, for it is impossible to educate without at least implicitly answering Aristotle's question: "What is the good of man?" In recent years implicit answers have become explicit and subject to investigation and criticism throughout the School. The study of education inevitably leads to questions of equality, respect for individual differences, and the fair distribution of scarce resources. Issues of justice and equity underlie the study of educational policy. Moral development is a vital component of developmental psychology. Character and citizenship training are vital aspects of public education in a democracy. The tension between ethical imperatives and economic incentives in education raise difficult ethical issues. Because it is impossible to work effectively in education without confronting ethics, major ethical concerns thread through the work of almost all students and members of the faculty in the School. Only some of the ethics related activities can be mentioned here.

The **Moral and Social Development** group in the School has been active this year, most notably in Project Aspire. The Project is a collaborative partnership with the School's

Risk and Prevention Program, Judge Baker Children's Center, and Boston Public Schools. It seeks to promote social and moral development; foster a school climate where children feel part of a safe, respectful, caring community; and facilitate children's capacity to solve problems and manage conflict. Ongoing research connected with this Project looks at the developmental and cultural basis of children's growing awareness of issues such as racism, sexism, teasing and bullying.

Another important activity—**The Facing History and Ourselves Project**—also engages students and faculty interested in pursuing research in ethics and morality. Teachers and students with diverse backgrounds examine racism, prejudice, and anti-Semitism. Educators develop professional skills through in-depth training, individual support and classroom visits. In connection with these two projects, Robert Selman has brought together faculty, researchers and educational professionals concerned with moral development. Some have evolved into "moral think tanks." One such group includes Mary Casey and Rick Weissbourd in our School, and Martha Minow (Harvard Law), and Larry Blum (Professor of Philosophy and Education at the University of Massachusetts Boston). Weissbourd often recruits doctoral and masters students from the School to assist with his research on the moral development of adults working with urban adolescents. For the last several years, in addition to teaching Social and Moral Development, Mary Casey has worked with Blum at Cambridge Rindge and Latin High School on a history class on race and racism. Last fall the Graduate School of Education was a sponsor for the conference "Pursuing Human Dignity: The Legacy of Nuremberg for International Law, Human Rights, and Education." The School also hosted the annual meeting of the Association for Moral Education.

Faculty Research: Catherine Ayoub has developed a course on legal and ethical issues in child advocacy that draws students from the School, the Law School, and the School of Public Health. In the course, students study the legal requirements and sometimes diverging codes of ethics of the different professions engaged in child advocacy. Ayoub recently published a paper on the forensic assess-

ment of parenting in the context of child maltreatment allegations, in which she outlines the ethical standards and legal conditions that apply in such assessments.

For the last dozen years, Howard Gardner (who is also a Faculty Associate in the Ethics Center) has led a group of his colleagues in conducting “The Good Work Project,” a study of professional ethics at a time of rapid change and powerful market forces. The Project has produced a number of books and articles, several of which are available on the website (www.goodworkproject.org). A portion of the Summer 2005 issue of *Daedalus* was devoted to the Project. For the sixth year, Gardner has taught a seminar on Good Work. Gardner and colleagues are now preparing a book on the sense of responsibility displayed by the over 1,200 workers in nine fields whom they interviewed. In the future, the Project will proceed along three paths: (1) a study of good work in countries beyond the United States; (2) the preparation of educational materials for use in high schools and colleges; and (3) a set of studies focusing on trust, trustees, and trustworthiness.

Other faculty conducting ethics related research include Paul Harris, who is investigating how young children develop trust in testimony; and Tom Hehir who is working on issues of access and fair equality of opportunity for children with disabilities. Catherine Elgin published “Changing Core Values” in the *Newsletter for the Study of East Asian Civilizations* (Taiwan, September 2005).

Ethical issues are central to the International Education initiative. The School’s **Office of Global Education** supported several initiatives in ethics and civic education this year. In collaboration with the Oscar Arias Foundation for Peace, they organized a conference in Costa Rica on civic education and democratic citizenship. Several faculty members, including Julie Reuben, Fernando Reimers, Helen Haste, and Stone Wiske, participated. This spring, in collaboration with the University Committee on Human Rights, they sponsored an Askwith Forum on citizenship education and immigration in the U.S.

Much of Fernando Reimers’ scholarly work pertains to civic and democratic citizenship. He published “Teaching Global Values” in a collection on the goals of education, edited by Joel Cohen. Last fall, at the conference on the



Catherine Elgin and Howard Gardner

Legacies of Nuremberg, he spoke on civic and tolerance education. Reimers teaches a course on Education, Poverty and Inequality in Latin America. In response to the detention of university professors who were protesting the results of the Ethiopian election, Fernando Reimers chaired a panel on academic freedom in Ethiopia.

Democracy and citizenship are central values in American education, and equality and equity are crucial concerns. Under the auspices of **The Civil Rights Project**, Gary Orfield and Mindy Kornhaber co-edited *Raising Standards or Raising Barriers?* The book maintains that the current emphasis on high-stakes testing threatens to worsen America’s educational inequities. Mica Pollock is working on a book, *Toward Everyday Justice: Disputing Educational Discrimination in the New Civil Rights Era*, as well as studies of global youth and global justice. Mark Warren is working on studies on revitalizing American democracy and community life. John Diamond teaches a course on “Race, Class, and Educational Inequality.” Pat Graham’s recent book, *Schooling America*, concerns how, throughout the history of American education, the pendulum has swung between an emphasis on character development and an emphasis on cognitive development. Evidently no one knows how to establish a stable equilibrium between the two. Helen Haste teaches a course on “Education for Civic Responsibility.” Catherine Elgin has written on the ways in which Dewey’s positions on democracy, education and science intertwine.

Kennedy School of Government

(based on a report from Arthur Applbaum)

The Kennedy School is undergoing a significant curriculum review and reorganization plan. To no one's surprise, the faculty reaffirmed the importance of the required core Master of Public Policy ethics course, currently taught by Arthur Applbaum, Frances Kamm, Archon Fung, and Mathias Risse (all affiliated with the Ethics Center). In response to the perennial student wish that we reduce class size, this coming year the course will be offered in five somewhat smaller sections. Former Ethics Fellow Simon Keller, a philosophy professor at Boston University, will help fill the gap. But the effects of the reduced class size show even more clearly that the ethics faculty in the School is stretched. Michael Blake, a philosopher who played a key role in the School's curriculum, left last year, and has not been replaced.

Under the reorganization, the ethics faculty is now part of a new **Democratic Institutions and Politics** area. This has already led to fruitful connections with empirical political scientists, but we have not by any means dropped our mandate of being a resource on all things normative to the entire School. The core course faculty teamed up with the core statistics faculty in a class on racial profiling. Ethics was a major part of this year's Spring Exercise, a two-week integrative simulation preparing for an Avian flu epidemic.

Other courses in ethics and related fields at the School cover quite a bit of ground. Jane Mansbridge, who returned to the school from a fellowship at the Radcliffe Institute, offered a new course on democratic theory, ranging from Aristotle to the recent Islamic thinker Muhammed Asad. Ken Winston developed two new courses: "Ethics in Practice," an experimental ethics offering for our two-year Master of Public Administration students, and "When Cultures Meet: Working Across Boundaries," a seminar on professionalism for international development practitioners. Ken, who also offered "Ethics in Government" for our mid-career students and taught extensively in our international executive education programs, won the School's Manuel Carballo Award, our highest tribute for excellence in teaching.

In addition, students had the opportunity to take the following courses: Jacqueline Bhabha, "International Childhood, Rights, and Globalization"; Archon Fung, "Civic Engagement, Voice, and Effective Governance"; J. Bryan Hehir, "Politics and Ethics of Statecraft" and "Politics and Ethics of the Use of Force"; Michael Ignatieff, "Human Rights and International Politics"; Frances Kamm, "Proseminar in Bioethics"; Mathias Risse, "Justice"; Frederick Schauer, "Legal and Political Institutions in Development"; and Sarah Sewall, "Human Rights in U.S. Foreign Policy."



Mathias Risse

Our ethics group has infiltrated other faculties as well. Mansbridge and Kamm's courses were cross-listed in the Faculty of Arts and Sciences; Applbaum taught a freshman seminar on legitimacy and resistance from the Huguenots to Rawls; Risse taught a course on Marx, Nietzsche, and Freud in the Philosophy Department; and Schauer taught evidence in the Law School.

Michael Ignatieff's election to the Canadian Parliament has left open the directorship of the Carr Center for Human Rights Policy, and a search is underway to fill both the directorship and the newly created Ryan Family Chair in Human Rights.

Despite Ignatieff's mid-year departure, the Intervention Seminar, begun last year with Applbaum, soldiered forth, and the eight stimulating and at times provocative presentations were well-attended by faculty and students across the University. For a sampling of the presentations, see the introductory section of this report.

Also featured in the introductory section of this report is a highlight of the School's ethics programming this year—the superb three-day conference, "Equality and the New Global Order," organized by Mathias Risse, who is emerging as a leading figure in the philosophical literature on global justice. Risse assembled a roster of two dozen philosophers and empirical social scientists who engage on



Archon Fung

methods and substance across disciplines. The large and lively audience was treated to a rare intellectual event, from the introductory remarks by Amartya Sen to the challenging hypotheticals offered by Larry Summers, from an authoritative account of when global health inequalities are unjust by Norman Daniels, to an encyclopedic exposition of the connections between wealth and health by the development economist Angus Deaton. The conference agenda and a thorough report of the proceedings by former Graduate Fellow Martin O'Neill appear on the Center's website (www.ethics.harvard.edu).

Harvard Law School

(based on reporting from David Wilkins, Barbara Fain, and others)

This has been an exciting year for the School's continuing efforts to give ethics a prominent place in teaching and scholarship. The School's new **Center on Lawyers and the Professional Services Industry**, launched by David Wilkins (former Faculty Fellow in the Ethics Center, and now Kirkland & Ellis Professor of Law) continues to provide a forum for academics and leading practitioners to discuss the tremendous changes affecting lawyers and legal practice. In April, the Center brought together a group of leading lawyers from across the professional services industry to discuss how the Center can best contribute to understanding the ethical challenges currently facing large law firms and other related professional service organizations. Among those in attendance were Ken Chenault (CEO of American Express), Lew Kaden (Vice Chair of Citigroup), Robert Joffe and John Ettinger (Managing Partners of Cravath Swaine & Moore and Davis Polk & Wardwell, respectively), Robert Katz (former General Counsel of Goldman Sachs), Roger Kline (Senior Managing Director, McKinsey & Co.), and Avy Stein (co-founder of Willis Stein Partners). The group agreed to meet periodically to offer advice and support for the Center's efforts to conduct empirical research on the profession, to develop innovative new teaching materials and courses to prepare students for the ethical challenges

of building careers in today's competitive professional services environment, and to build new and more effective bridges between the academy and the profession.

The Center has made progress on each of the following goals. Our researchers are pursuing a number of projects that have already begun to shed light on the important ethical challenges facing the profession, including a quantitative and qualitative investigation into how corporations purchase legal services, a ten-year longitudinal study of lawyers' careers, and a project on the ethical issues raised by the outsourcing of legal services to India.

With respect to teaching, in addition to the usual complement of ethics-related courses taught at the School, Wilkins taught a seminar on "The Future(s) of the Large Law Firm," in which students wrote papers on a variety of ethical and strategic challenges facing today's global firms. To inaugurate its Senior Distinguished Fellows Program, the Center invited Benjamin Heineman, the former General Counsel of General Electric who is widely acknowledged to be one of the leading lawyers of his generation. In his first year as a Fellow, Heineman made guest appearances in several courses, supervised several student papers, made a major presentation to the School's curriculum committee about curricular reform, and began writing monographs on the ethical obligations of global companies with respect to corruption and on the emerging role of the general counsel as lawyer statesman.

Wilkins continued to speak and write extensively on issues related to legal ethics and the legal profession generally, including presenting a forthcoming paper on the evolving "joint venture" model between corporations and their outside law firms, and a chapter in a forthcoming Oxford University Press book on diversity issues in large law firms.

In the fall, the School and the Facing History and Ourselves Project (a collaboration with the Education School, described above) presented a conference entitled "Pursuing Human Dignity: The Legacies of Nuremberg for International Law, Human Rights, and Education." Participating were 350 lawyers, educators, students, historians, and members of the public. The conference also included prosecutors and a journalist who covered

the post-World War II International Military Tribunal at Nuremberg, with prosecutors of the International Criminal Court and International Criminal Court for the Former Yugoslavia. Martha Minow, who co-chaired the conference with Margot Strom, gave the keynote address on “What the Rule of Law Should Mean in Civics Education.” The conference, co-sponsored by the Association of Moral Educators, also included the premier of a dance “Small Dances about Big Ideas” by choreographer Liz Lerman; the premier of “Remembering Nuremberg,” a film by Rebecca Cohen; and a library exhibit with materials about the legal responses to 20th century genocides. Emerging from the conference are teaching materials for use in middle- and high school classrooms around the country.

In the spring, Minow gave the Raul Wallenberg Lecture at McGill University Faculty of Law. The talk was entitled, “Following Orders? Lessons from Nuremberg for Soldiers and Children.” She also lectured on “Should Religious Groups Ever Be Exempt from Civil Rights Laws?” at Princeton University, in part sponsored by the University Center for Human Values.

Faculty Associates and former fellows continued their teaching and research in ways that bring out ethical issues in subjects in many different areas of the law. Richard Fallon (with Dean Elena Kagan) co-taught the two-semester Public Law Workshop, which aims to introduce students who are interested in becoming law teachers to classic works, issues, and methodologies, many of which deal with fundamental moral questions. Heather Gerken published a major piece in the *Columbia Law Review* that proposes a new regulatory strategy for policing voting rights, one that eschews top-down regulation in favor of bottom-up experimentation. Although offered tenure in the School, she decided to accept a position at Yale. Carol Steiker continues to address ethical issues in her work on criminal justice. In a special issue of the *Stanford Law Review*, she published “No, Capital Punishment is Not Morally Required: Deterrence, Deontology, and the Death Penalty.” Steiker expanded her seminar on “Capital Punishment in America” and taught it as a large course to over 80 students in the spring term. Next year, Steiker will co-teach a new seminar jointly with Professor Sarah Coakley of the Divinity School, entitled “Justice and

Mercy in Jewish and Christian Tradition and American Criminal Law.”

This year marked the launch of the **Petrie-Flom Center for Health Law Policy, Biotechnology and Bioethics** at the School.

It is an interdisciplinary program dedicated to the scholarly research of important issues in these areas. The Center is led by Faculty Director Einer Elhauge and Executive Director Barbara Fain. A cornerstone of the Center is a fellowship program that sponsors research fellows at all stages of their academic and professional careers. The Program’s goals are to encourage the movement of top scholars into issues of health law policy, biotechnology, and bioethics, to support research that is likely to make a significant contribution to these fields, and to create a community of students, fellows and faculty around these areas of interest. In the past year, the Center designed a postgraduate/mid-career fellowship program to which it successfully recruited four individuals who are extraordinarily talented, both in terms of their academic records and early scholarly achievements.

The Center also developed a fellowship program to support the research efforts of students at the School and other Harvard graduate programs. Twenty student fellows have been accepted into the program for the next academic year. The Center’s first senior fellow, Frances Kamm (Ethics Center Associate and a professor in both the Philosophy Department and the Kennedy School) will work on a book on bioethics, and serve as a mentor to the Center’s other fellows.

Beginning in the fall of 2006, Einer Elhauge will lead a new interdisciplinary workshop on health policy and bioethics. Cutting edge scholarship in this area will regularly be presented, creating a forum for high-level interchange among Harvard faculty, students and fellows. Distinguished scholars working in areas relevant to health law policy, biotechnology and bioethics have agreed to present their work in progress during the fall term.



Martha Minow

In the spring, the Center sponsored several panel discussions that drew audiences from around the University and beyond. “Uncharted Territories: Bioethics, Biotechnology and the Supreme Court,” examined how the justices of the current Supreme Court might respond to emerging bioethics issues. Einer Elhauge moderated the panel, with participants John Robertson (University of Texas Law School), Dan Brock (Medical School), and Charles Fried (Law School). “Pandemics: Law, Ethics and Governance” took an interdisciplinary look at some of the issues surrounding pandemics. Presenters included Arthur Caplan (Director, Center for Bioethics, University of Pennsylvania), David Fidler (Indiana University School of Law), and Daniel Markovits (Yale Law School and former Graduate Fellow in the Ethics Center).

Finally, the Program collaborated with the Medical School to organize the first Cammann Interfaculty Retreat on Health Policy and Bioethics, a two-day meeting that took place in the Berkshires in June 2006. The retreat convened almost 30 faculty members from the Business School, Faculty of Arts and Sciences, Law School, Medical School, Kennedy School of Government, and School of Public Health. The purpose was to introduce faculty to the wide range of health policy and bioethics work taking place around the University and to begin to identify possible areas for interdisciplinary collaboration. Participant response suggests that the retreat exceeded these modest objectives.

Further information about the Petrie-Flom Center, including its fellowship program, academic workshop and scheduled events, is available at www.law.harvard.edu/programs/petrie-flom.

Medicine

(based on a report from Dan W. Brock)

The Medical School’s Division of Medical Ethics continued to build its programs with the several new faculty that joined the Division last year. It conducted a successful search for two new junior faculty: Sadath Sayeed, who holds an MD from the University of Iowa, a JD from the University of Michigan, and has just completed a neonatology fellowship at the University of California San Francisco; and Nir Eyal, who holds a PhD from

Oxford in Philosophy and has done postdoctoral work at the National Institutes of Health and at Princeton. They will join the Division beginning in 2006-07.

The Division again offered its selective, “Medical Ethics in Clinical Practice,” in both the fall and spring semesters. It was taught in the fall by Walter Robinson, and co-taught in the spring by Dan Brock and Robert Truog. (All are former Fellows in the Ethics Center.) The weekly sessions were case-based, and introduced the students to the core elements of ethical reasoning around issues such as truth-telling, confidentiality, genetic testing, rationing, professional boundaries, cultural differences, informed consent for treatment and research, and end-of-life care. In addition to required readings and class participation, each student wrote a term paper on a topic in bioethics.

Beyond formal classroom work, the Division seeks to expose undergraduates to issues in ethics. In the Social Medicine Forum, a year-long program that introduces first-year students to topics in social medicine, the Division presented two seminars. Dan Brock spoke on physician-assisted suicide and end-of-life issues and Allan Brandt spoke on “Cross Exam: Testifying in U.S. v Philip Morris” (an account of his testimony and analysis of the Federal RICO case against the tobacco industry). The Division also sponsors, under the direction of Lisa Lehmann (former Faculty Fellow in the Ethics Center) a longitudinal ethics track for interested students, with a variety of courses, clinical experiences, and research opportunities to pursue throughout their four years at the Medical School. Lehmann also directs the Division’s summer research program for students.

Planning for the School’s comprehensive curriculum reform moved closer to completion. The new curriculum will be phased in over a four-year period beginning with the new first-year class in 2006-07. The major change for the Division will be that our “selective,” now taken by 30-plus students, will become a required semester-long course for all new Harvard medical students in their first semester. The course will be taught in five or six independent sections in order to permit students to critically examine and discuss central medical ethics issues, and will address many of the issues now covered in our selective course. We con-

tinue to develop our plan to introduce new ethics teaching in subsequent years of the four-year curriculum.

The Division provides a number of programs that serve the continuing educational needs of health professionals and others both from within and outside of the Harvard system. The **Fellowship in Medical Ethics**, led by Mildred Z. Solomon, provides a year-long intensive training and research experience for health professionals. From a strong applicant pool, nine individuals were accepted for this year's fellowships. There are two primary components to the program. First, the weekly seminar explores a broad range of topics in medical ethics. Dr. Solomon provides continuity in the seminar, and faculty from both the Medical School and the School of Public Health teach sessions. Typical topics include research ethics, end-of-life issues, organ transplantation, informed consent and surrogate decision making, conflicts of interest, resource allocation, and underlying theoretical work in moral philosophy and theories of justice. Second, each fellow develops a research project that he or she pursues over the fellowship year, and that is intended to result in a publishable paper. Fellows have published papers based on their research projects in major medical journals, including the *Journal of the American Medical Association* and the *New England Journal of Medicine*.

While a few of the fellows come from some distance, the fellowship principally serves as a training program for members of the Harvard and greater Boston medical community. The fellowship is structured to permit physicians, nurses, and other health and academic professionals to integrate their fellowship work into their full-time professional commitments. Former fellows have taken leadership roles in developing ethics programs in virtually all of the University's affiliated healthcare institutions. They also staff medical ethics sections at other healthcare institutions, philosophy departments, and non-governmental organizations both in this country and abroad.

The **Medical Ethics Faculty Seminar**, directed again this year by Division faculty member Marcia Angell, brings together healthcare professionals from around the University for monthly presentations and discussions around a single theme. This year's topic was "The State

of Bioethics," and speakers included Daniel Callahan (Hastings Center); Norman Daniels (School of Public Health); Walter Robinson (Medical School); Christine Mitchell (Medical School); Jonathan Moreno (University of Virginia Medical School); R. Alta Charo (University of Wisconsin Law School); Stuart Youngner (Case Western University Medical School); Dan Brock (Medical School); and Daniel Wikler (School of Public Health). The Seminar draws between 30 and 50 participants for each meeting.

The **Harvard Ethics Consortium**, now in its 8th year, is a monthly meeting of the members of the ethics committees and ethics support services, ethics consultants, academic bioethicists, and fellows in medical ethics from throughout the Medical School's affiliated institutions. Robert Truog and Christine Mitchell facilitate the Consortium. The presentations addressed such issues as putting a live donor at risk in liver transplantations for an unrelated recipient; setting up a renal dialysis program in Cameroon; and stopping futile care in the face of family objections. Physicians, nurses, and other professional staff members describe cases for which they have sought ethics consultation within their hospital or healthcare facility. This is followed by analysis and commentary from an ethicist, faculty member, or staff member from a different Harvard institution. Between 40 and 60 staff and faculty from a variety of specialties and disciplines attend the Consortium, which provides an important forum for peer review of clinical ethics advice across the University's teaching hospitals.



Norman Daniels and Dan Brock

The Journal of Clinical Ethics publishes a regular feature entitled “Cases from the Harvard Ethics Consortium,” edited by Christine Mitchell and Robert Truog. Each quarterly issue contains several articles by participants in a selected case, including physicians, nurses, social workers, and the patient or family members, accompanied by commentary from an ethicist. These constitute the most in-depth descriptions of real, multi-perspective bioethics cases widely available for teaching clinical bioethics. They produce broad discussion within the field of bioethics, including at sessions of the American Society for Bioethics and Humanities, which is devoted to publishing Consortium cases. They have also generated widespread awareness of and interest in the University’s program in medical ethics. The editors have made exploratory inquiries to potential publishers of a bioethics casebook based on the Consortium.

In the spring of 2005, the Division initiated a **Harvard Bioethics Course** aimed at educating staff of the Harvard teaching hospitals and affiliated institutions, many of whom serve on hospital ethics committees and participate in ethics consultations. The course is designed to serve the needs of the Harvard-affiliated hospitals to educate and support these clinicians and staff members. While excellent courses exist, all require travel to other cities and charge significant registration fees. To better fit the schedules of participants, this year the course was given over three consecutive days in June 2006, covering background in ethical theory and in the many substantive issues that arise in ethics consultations. The course draws on faculty from the Division and includes colleagues active in ethics at the Medical School’s affiliated institutions. The enrollment reached 150, and reviews of the course participants were highly positive. We expect the Course will be offered annually with changes and improvements based on participants’ evaluations as well as on evolving concerns and controversies within clinical bioethics.

The **Harvard Ethics Leadership Council**, under the direction of Robert Truog and Christine Mitchell, was founded last year to enable all of the ethics programs and consultation services of the Harvard-affiliated hospitals to mutually benefit from interaction related to shared problems and missions. The Council undertook several projects

this year. First, a detailed description of the process of case consultation at all of the Harvard teaching hospitals was developed. Second, a project was begun to do a prospective analysis of actual cases done by each of the ethics committees over a six to twelve month period of time. Data instruments are being developed and funding sought for this project. Third, a National Institutes of Health grant proposal is being developed to evaluate the benefits and costs of ethics consultation, using the first two projects as background and pilot data. Fourth, Christine Mitchell is organizing a community-based ethics committee to serve as a resource for all of the Harvard teaching hospitals. It will be a truly independent sounding board for evaluating and providing advice on hospital policies, and perhaps even particular cases where the hospital-based ethics committee may have conflicts of interest.

The **Program in the Practice of Scientific Investigation** provides ethics training to postdoctoral research fellows who are concentrating on ethical issues that arise in the context of “wet bench” medical and biological research. The Program is taught on an intensive basis over a week and covers topics such as authorship of scientific papers, peer review, data interpretation and management, mentorship, inter- and intra-lab relationships, and conflicts of interest. These sessions fulfill the federal mandates for training in the responsible conduct of science.

The Program seeks to increase understanding of how established guidelines and ethical standards apply to actual research situations facing investigators. Using case-based discussions, the participants explore the underlying principles and ethical norms of scientific practice and examine situations in which those principles and norms can conflict with the everyday practice of science. Under the leadership of Dr. Walter Robinson, the Program has expanded beyond its original mission and now serves researchers from throughout the Medical School and affiliated hospitals.

For a second year, Dan Brock and Robert Truog organized and helped teach an eight-week ethics module for the Scholars in Clinical Science Program, a federally funded program for physicians who are preparing for careers in clinical research and who are training at Harvard-affiliated programs. The course covered the historical background

of the ethics of clinical research, international codes, informed consent, subject selection and recruitment, ethical issues in research design, conflicts of interest, and special issues related to genetic research and international research. In addition to required readings and class participation, each student wrote a term paper on a topic related to the course.

Together with the Ethics Center at Brigham and Women's Hospital (directed by Lisa Lehmann) and the Harvard Ethics and Health Program, the Division completed the first full year of a new monthly program at which Medical School faculty can present works in progress in medical ethics and receive feedback from a group of their colleagues. A number of sessions proved very interesting to attendees as well as extremely useful to presenters in providing feedback at a critical developmental stage of their ideas and papers.

To further medical ethics education at Harvard, the affiliated hospitals, and the community at large, the Division offers a series of diverse public programs, and maintains and distributes a calendar of all ethics-related events taking place in the wider Harvard system.

The **Medical Ethics Forum** brings together experts to address a topic of current interest, devoting the first hour to several speakers, and the second to audience participation. The first Forum this year, "The Politicization of Science," explored the troubling increase of political intrusions into the conduct of science and its use in public policy. The second Forum "In the Line of Duty: SARS and Physician Responsibility in Epidemics," explored the ethical dilemmas faced as this epidemic unfolded, with an eye to implications for a possible Avian flu pandemic.

The Division hosted two endowed lectures. The George W. Gay Lecture in Medical Ethics (the oldest endowed lecture at the School) given this year by Paul Farmer, on "Rich World, Poor World: Medical Ethics and Global Inequality"; and the Ackerman Lecture given by Atul Gawande, on "Saving Lives: Three Case Studies of Performance Improvement Versus Discovery: India, Iraq, and Cystic Fibrosis."

Ethics and Health Interfaculty Program

(based on reports from Dan W. Brock and Francesca A. Holinko)

During the academic year, the Program's activity centered on the development and implementation of the curriculum for the postdoctoral fellowship program, collaboration with visiting scholars, and building relationships with other ethics faculty and programs throughout the University. Several important initiatives continued throughout the year, including the Research in Progress Discussion Series and the Visiting Speaker Series. One of the new assistant professors (Nir Eyal), appointed to the Division, will work in the Ethics and Health Program.

The Program, formally a part of the Ethics Center, is directed by Dan W. Brock (Medical School) and a steering committee consisting of Allan Brandt (Arts and Sciences, Medical School), Norman Daniels (School of Public Health), Frances Kamm (Arts and Sciences, Kennedy School of Government), Robert Truog (Medical School) and Daniel Wikler (School of Public Health).

The Program began a collaborative relationship with the Petrie-Flom Center (described above in the section on the Law School). In June, members of the Ethics and Health Program participated in the first Cammann Interfaculty Retreat on Health Policy and Bioethics.

The Program also joined with the Ethics Center to sponsor a major, three-day conference entitled, "Equality and the New Global Order," which addressed issues of globalization and global justice. (See description in the introductory section.)

The Program hosted several visitors from abroad: Bertil Tungodden, Alexander Cappelen, and Ole Frithjof Norheim all from the Norwegian School of Economics. They worked with the Program faculty on issues in responsibility for health. Collaboration with these visiting scholars greatly enriched the Program, particularly for the postdoctoral fellows. Other visiting scholars included Alex John London, Department of Philosophy and the Center for the Advancement of Applied Ethics, Carnegie Mellon University, and M. Gregg Bloche, a Professor of Law at Georgetown University and Adjunct Professor at the Bloomberg School of Public Health, Johns Hopkins University. Also visiting was doctoral student, Sigurd

Lauridsen, Copenhagen University, who worked with Norman Daniels.

The postdoctoral fellowship program completed a successful first year. In February, the Ethics and Health faculty conducted a rigorous search for next year's fellows. Three will join the Program in the fall:

Samuel Kerstein (Columbia University) is Associate Professor of Philosophy at the University of Maryland, College Park. He is working on an elaboration and defense of the Kantian principle that persons must never be treated merely as means, but always as ends in themselves. Reflection on issues in medical ethics, such as proper uses of clinical data and the moral permissibility of offers to purchase organs for transplantation, informs Kerstein's efforts to reconstruct this principle. He is also investigating the principle's implications for issues such as the moral permissibility of abortion, embryonic stem cell research, and physician-assisted dying.

Gergely (Greg) Bognar received his PhD in Political Science from Central European University, Budapest, Hungary, where he is a Visiting Professor in the Department of Political Science. Bognar's research interests focus on theories and measurement of well-being. During his fellowship, he will work on the relation of welfare judgments and problems in population ethics.

Iwao Hirose received his PhD in Moral Philosophy from the University of St. Andrews in Scotland. He is a Donnelley junior research fellow in ethics at University College, Oxford, and a fellow at the Oxford Centre for Ethics and Philosophy of Law. His research interests include ethical theory, political philosophy, and philosophy of economics. During his fellowship, Dr. Hirose will work on issues of resource allocation.

Health Policy PhD Program

Under the direction of Norman Daniels, the ethics track of the Health Policy PhD interdisciplinary program has accepted three new candidates, to begin in September 2006. They are:

Erica Hemphill, University of Virginia

Candice Player, Harvard Law School (pursuing the new coordinated JD/PhD in Health Policy)

Susannah Rose, Memorial Sloan-Kettering Cancer Center, New York; M.S. in Bioethics from Albany Medical Center/Union College, '06

With the **Brigham and Women's Hospital Center for Bioethics**, the Program sponsors a seminar series on research in progress. This year's presenters included:

Norman Daniels (School of Public Health)
"International Health Inequalities and Global Justice"

Stephen D. Brown (Children's Hospital and Medical School)
"The Fetus as Patient: Principles and Problems"

Kenneth A. Richman (Massachusetts College of Pharmacy and Health Sciences)
"Street-Level Research Staff and the Responsible Conduct of Research"

Diane Paul (University of Massachusetts/Boston)
"Reproductive Rights and the Challenge of Maternal PKU"

Michael Nurok (Medical School and Brigham and Women's Hospital)
"Ethics, Values, and Action in Emergency Care at the End of Life"

Joanne Wolfe (Children's Hospital and Dana-Farber Cancer Institute)
"Research in Pediatric Palliative Care: Challenges and Lessons Learned"

Michelle Mello (School of Public Health)
"When Vaccination Has Victims: Ethical Obligations to Compensate Persons with Vaccine Injuries"

The Program also presented public lectures by noteworthy scholars in the field of ethics and health. They included:

Peter Singer (Princeton University)
"The Changing Ethics of Life and Death"

Paul Weindling (Oxford Brookes University)
“The Nuremberg Medical Trial and the Origins of Voluntary/Enlightened/Informed Consent”

Jeffrey S. Hoch (St. Michael’s Hospital, Toronto) and **Mira Johri** (University of Montreal)
“Addressing Vertical Equity Concerns in Decision Rules for Economic Evaluations”

Daniel M. Hausman (University of Wisconsin-Madison)
“The Injustice of Health Inequalities”

M. Gregg Bloche (Georgetown University)
“Neuroscience & National Security: Ethics, International Law, & Emerging Technologies of Interrogation”

Aubrey Blumsohn (University of Sheffield)
“Where Are My Data? Learning from Ethical Crises at the University-Pharmaceutical Interface”

In the fall, the Program held a highly successful conference entitled, “Ethical Issues in Population Health: Mapping a New Agenda.” The conference drew approximately 125 participants. Speakers and their topics included:

Dan Wikler
“What is Distinctive in a Population Focus? A Bird’s-eye Perspective on Bioethics”

Christopher Murray (School of Public Health)
“Society’s Responsibility for Health”

Allan Brandt
“Personal Responsibility for Health”

Dan Brock
“Priority-Setting and Cost-Effectiveness Analysis”

Jonathan Wolff (University College, London)
“Risks and the People Who Bear Them”

Larry Temkin (Rutgers University)
“Inequalities in Health”

Michael Marmot (University College, London)
“Social Determinants of Health”

Norman Daniels
“Health System Reform”

Frances Kamm
“What is and is Not Wrong with Enhancement?”

Julian Savulescu (Oxford University)
“Populations and Genes”

The Program is planning the second annual conference entitled “Responsibility for Health,” scheduled to take place in the spring of 2007. Topics will include: a liberal egalitarian approach to health; the social determinants of health inequalities; choice and responsibility in health; and why care about fairness in health? Public health cases to be presented at the conference will center on topics in tobacco and health, obesity, and HIV/AIDS. Further information about the conference will be available on the Ethics and Health Program website (www.peh.harvard.edu).

Public Health

(based on a report from Jinevra Howard)

Ethics continues to be a core aspect of research and teaching at the School of Public Health. During the academic year, we broadened our activities and extended our collaborations, both at the School and with the University, as well as with our colleagues around the globe.

The School offers core courses in ethics, which are required for all students. A broader ethics requirement allows students to choose among several courses. Once again we increased the number and scope of additional ethics course offerings, from ethics in public health practice to ethics in the delivery of healthcare services. Ethics also figures prominently in courses on health and human rights, covering such issues as concepts and methods, as well as complex humanitarian emergencies, and people in war. Other relevant courses include “Ethics and Health Disparities,” “Research Ethics” (both in the domestic and international arena), “Justice and Resource Allocation,” “Individual and Social Responsibility for Health,” and an ethics component in the Executive course on “Advanced Leadership Strategies for Healthcare.”

Public Health faculty constitute one third of the core committee of the new Program in Ethics and Health (www.peh.harvard.edu). In the fall, the Program held its inaugural conference, “Population-Level Bioethics:

Mapping an Agenda.” Dan Wikler was Committee chair for the conference. Speakers from the School included Norman Daniels, James Hammitt, William Hsiao, Christopher Murray, Milton Weinstein, and Wikler. Michael Marmot was among the other speakers from the U.S. and abroad. The Program also organized a year-long seminar for its postdoctoral students, and the students in the Health Policy PhD program. The range of topics was wide, and included Dan Brock’s work on ethical problems with cost effectiveness analysis, Wikler and Allan Brandt’s work on responsibility for health, and portions of Daniels’s recent manuscript “Just Health: A Population View.”

Daniels also led seminars in the Division of Medical Ethics and was a speaker at the conference on Equality and the New Global Order, co-sponsored by, among others, the Ethics Center and the Program on Justice, Economics and Welfare, which is chaired by Amartya Sen. In the spring of 2007, Daniels, at the invitation of the Petrie-Flom Center, will offer a new course at the Law School on “Ethics and Health Policy.”

The **Program on Ethical Issues in International Health Research**, which Richard Cash directs (www.hsph.harvard.edu/bioethics), offers courses, conducts workshops on research ethics at the School and abroad, and hosts three to four international fellows each academic year. The 2005-06 Fellows came from Sri Lanka, Hong Kong, and Shanghai, China. Cash and Wikler taught the weekly seminar, with a curriculum designed to expose participants to the key ethical issues that may be encountered while conducting international health research.

Among the more important ethics outreach activities of the School is a new project, directed by Richard Cash and Wikler under a National Institutes of Health grant that is intended to help build China’s capacity for ethical review of health research. It is conducted in collaboration with the World Health Organization, the Chinese Ministry of Health, and academic and professional colleagues in China. Training courses have been held in Shanghai, Beijing, and Wuhan. The teaching materials are in Chinese on CDs, along with a text co-authored by China’s leading bioethicist, Professor Qiu Ren-Zong. Former fellows from the School’s program have served as faculty and key per-



Dan Wikler spoke at the Spring conference on Equality and the New Global Order

sonnel for the workshops. We are assisting our Chinese colleagues in planning the biannual World Congress of the International Association of Bioethics, to be held in Beijing this year.

For the **Human Subjects Committee**, the year was marked by a change in leadership, continued work on two novel educational tools, and preparation of the School’s application for accreditation by the Association for the Accreditation of Human Research Protection Programs. In February, after many years of strong and wise leadership, Troy Brennan (former Faculty Fellow in the Ethics Center) stepped down as Chair of the Human Subjects Committee to become Chief Medical Officer at Aetna, Inc. To succeed him, Dean Barry Bloom appointed as co-chairs Dr. Ichiro Kawachi, Department of Society, Human Development and Health, and David Studdert, Department of Health Policy & Management.

Brennan’s departure also occasioned a change in the teaching of “Research Ethics,” the School’s course on the responsible conduct of research. The course was taught this year by Sarah Putney, an Instructor with Health Policy and Management. It once again attracted over 100 students and auditors.

In January the English version of the new Harvard Ethics Training in Human Research (HETHR), funded by a National Institutes of Health Human Subjects Enhancement grant (for which Provost Hyman is the Principal Investigator), went live (www.hethr.harvard.edu).

The team is working on four translations of the program (Arabic, Chinese, French and Spanish), with release planned online and on CD during the next academic year.

In collaboration with the World Health Organization, the Committee enhanced its web-based, country-specific, guide to rules on research ethics. Known as the Global Research Ethics Map (GREMap), the project is supported by the School. In Geneva, the project intern worked with ethics professionals on the first nine countries for inclusion in the summer 2006 release.

The School leadership and members of the Committee's administration worked to complete the application for accreditation of the School by the Association for the Accreditation of Human Research Protection Programs (AAHRPP).

One of the School's important collaborations is with the Human Subjects Committee of the World Health Organization in Geneva. At the First National Bioethics Conference in Mumbai, India, Cash and Wikler taught a course on ethical issues in international health research for the World Health Organization. With the assistance of the Human Subjects Committee faculty, students, and staff, Cash and Wikler are collaborating with World Health Organization staff to produce a casebook on ethical issues in international health research.

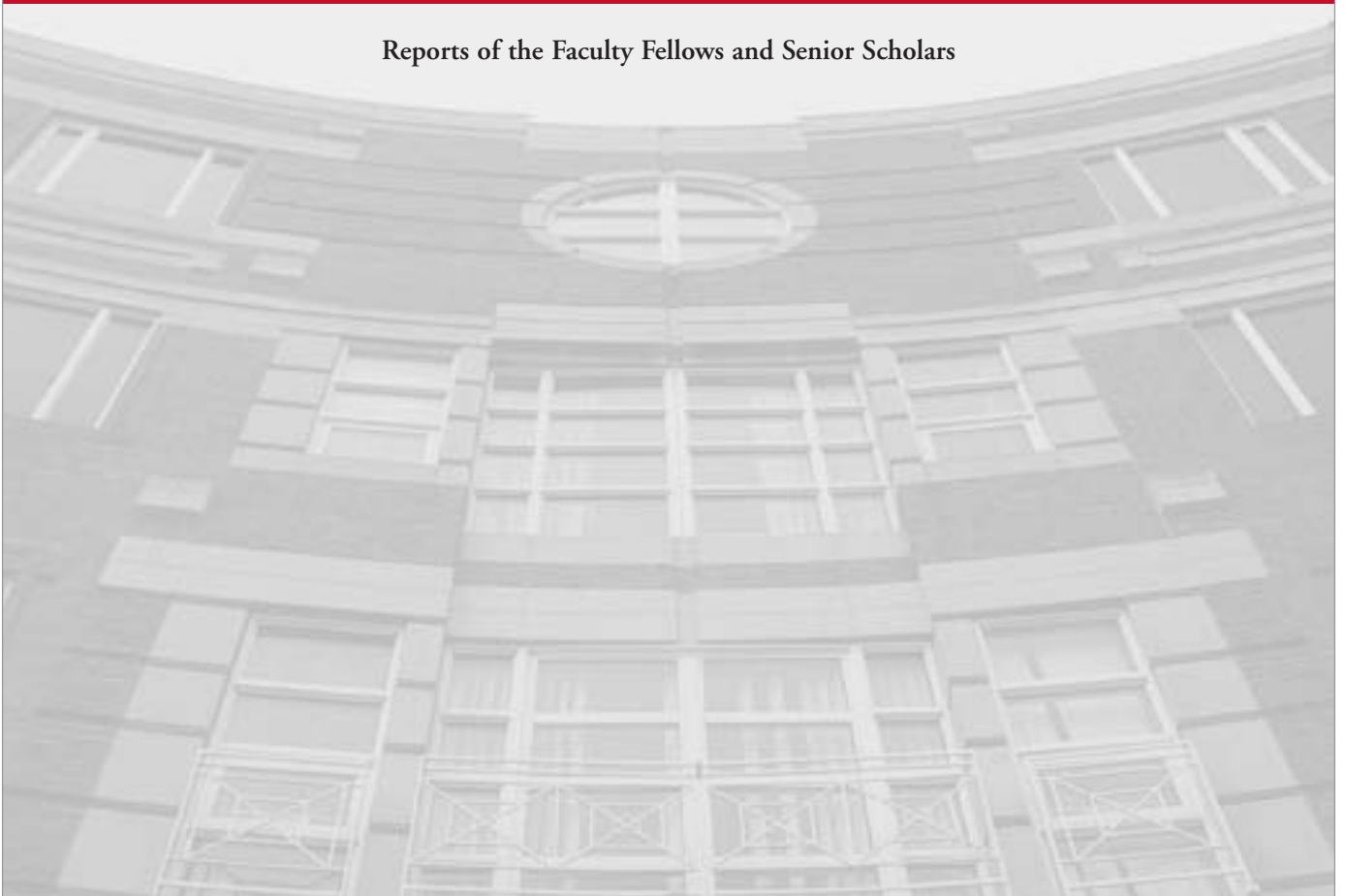
The School's ethics faculty continued in advisory and consultative roles for health policy both in the U.S. and abroad. Wikler addressed Institute of Medicine study panels on issues ranging from prison research to the health impact of lifestyle decisions. Daniels consults with the Mexico Ministry of Health in developing a fair deliberative process for a new national health insurance policy for the uninsured. Using his Benchmarks of Fairness for Health Sector Reform, Daniels has similar projects in Yunnan Province, China, and several Latin American countries.

With the collaboration of the World Health Organization, Wikler, Dan Brock, and Visiting Scholar Ole F. Norheim, consulted with Thailand's Ministry of Public Health to address a controversy over renal replacement therapy under Thailand's national health insurance plan. Wikler and other Harvard faculty helped further several World Health

Organization initiatives, including one related to the ethical issues facing health authorities preparing for a possible pandemic of Avian influenza. They also revised its international guidelines on organ transplantation, aimed at addressing the growing commercial trade in kidneys from living unrelated donors. Sarah Gruskin chaired the UNAIDS Reference Group on HIV and Human Rights. This 17 member distinguished group of experts advise on a broad range of HIV/AIDS related issues and human rights. Under Gruskin's direction, and with the assistance of Program Manager Shahira Ahmed, the Program on International Health and Human Rights served as the Secretariat from June 2002 to April 2006.

APPENDIX I

Reports of the Faculty Fellows and Senior Scholars



Jeffrey Abramson*Senior Scholar*

It was my privilege to participate as a Senior Scholar in the 2005-06 faculty fellows seminar. Five features of the seminar made each week's discussion come alive for me:

First, for this Senior Scholar at least, it made a difference to be in the presence of younger scholars still trying on and trying out new ideas. Anything I say on this score is bound to sound trite but I felt the freshness that comes when young but mature minds are still experimenting with arguments rather than necessarily defending writings already between covers.

Secondly, the seminar moved rather effortlessly from the practical to the theoretical and back again to the practical. Since much of my own prior writing is on questions of practical legal ethics, it was illuminating to consider concrete issues in light of broader philosophical concerns. Even when we were dealing with highly theoretical writings on topics such as the doctrine of double effect or the nature of collective responsibility, I marveled at the ability of my fellow seminar members to bring these writings to bear on particular cases.

Thirdly, we were a diverse group in terms of backgrounds (lawyers, doctors, law professors, in addition to moral and political philosophers). This added to the intellectual excitement generated by the constant discovery that different professions face similar ethical issues and dilemmas.

Fourthly, I have rarely sat in a faculty seminar where the leaders—Dennis Thompson and Arthur Applbaum—worked as hard as they did. They read every word of everyone's paper, came prepared with comments, criticisms and suggestions, and were simply unrivaled in their intellectual and social hospitality (and generosity) throughout the year.

Finally, the Center staff completed the welcome and I should thank Jean McVeigh, Magdalena Halford, and Stephanie Dant for being unfailingly willing to help a visitor in every way.

Elizabeth Ashford*Faculty Fellow*

My year at the Ethics Center has been a wonderful experience. The atmosphere could not have been more stimulating and supportive. I am extremely grateful to Dennis Thomson and Arthur Applbaum for their astute and very helpful comments on the seminar readings and on my research, and to the other faculty fellows, who were great colleagues, and to the members of staff for their help and continual good humor.

The weekly seminars provided a grounding in a broad range of topics and raised thought-provoking arguments. The participants raised highly perceptive and constructive arguments from a wide range of perspectives, and Dennis and Arthur gave us very clear and helpful guidance through the material.

The central focus of my research this year was to examine the most plausible formulation of utilitarianism, and to explore some of the strengths of a utilitarian account of human rights, and the possibility of integrating this account with that of Kantian contractualism. The motivation behind this research was the thought that while utilitarianism contains some powerful moral insights that raise important challenges to prevalent moral thinking, it has come to be formulated in a way that departs from the most plausible understanding of its key tenets, as a result of which it has come to be widely dismissed. I pursued an argument that the version of utilitarianism that has come to be prevalent relies on an impersonal understanding of the moral importance of welfare and of impartiality, but that the most plausible version takes the moral importance of welfare to be grounded on the moral importance of the particular individuals whose welfare it is. I then argued that this version of utilitarianism can provide a forceful account of human rights, one that challenges our traditional conception of the nature and extent of the duties such rights impose. I also argued that there is in fact considerable convergence between the utilitarian account of such duties and that of Kantian contractualism.

These arguments will form the core of a book I am writing on utilitarianism and its implications. They also enabled

me to finish polishing a paper on the appeal of Hume's formulation of utilitarianism, which came out in *Hume Studies* in April, and to write an article on some of the challenges utilitarianism raises to our traditional understanding of the duties imposed by the human right to basic necessities, which will shortly be published in the *Canadian Journal of Law and Jurisprudence*. In addition, I have begun an article on utilitarianism and global justice, which I plan to complete over the summer for a compilation on global justice.

The seminars in the philosophy department jointly run by Tim Scanlon and Derek Parfit, which largely focused on the relationship between utilitarianism and Kantian contractualism, were particularly inspiring for my research. My work on human rights was invigorated by a joint Harvard and MIT seminar on global justice (run by Joshua Cohen, Philippe van Parijs and Amartya Sen), and by numerous talks at Harvard and in the Boston area. I particularly enjoyed the interdisciplinary conference on Equality and the New Global Order, where I commented on Norman Daniels's paper on global health inequalities.

I also greatly enjoyed giving papers on my research on human rights to the Montreal Political Theory Workshop and the Philosophy Department and members of the Human Rights Institute at the University of Connecticut, and to the Philosophy Department and members of the College of Law at the University of Utah. In addition, my research on the formulation of utilitarianism benefited significantly from giving talks at McGill University and Dartmouth College, and at a work in progress seminar at MIT. I also enjoyed the ethics discussion group at Boston University, where I received extremely useful feedback on a presentation I gave of my Hume paper. Finally, seminars at the Harvard School of Public Health, and in particular some papers by Frances Kamm, helped spark an interest in the ethics of healthcare, which I intend to pursue.

I would like to express my warmest thanks to Dennis Thompson and Arthur Applbaum, and to the other fellows and the members of staff (in particular Jean McVeigh and Stephanie Dant) for their invaluable help.

Thomas "Thos" Cochrane

Edmond J. Safra Faculty Fellow

One way to think about the monetary value of something—including a year spent doing a fellowship—is to calculate what the monetary consequences of doing something else would have been. Economists refer to this as opportunity cost. What was the opportunity cost of my year at the Ethics Center? In strictly monetary terms, it was pretty high. If I had chosen to go into private practice as a neuromuscular specialist, let's just say that I would be on the 14th hole right about now (it being Wednesday at the time I write this), and my kids would definitely be attending Ivy League schools (because even if they didn't meet academic standards, I could always build the Polo team a new stable or something).

You can tell already that I valued the fellowship very highly, but we have not even calculated the intellectual and social opportunity cost! All this time, I could have been honing my skills and burnishing my reputation as a physician. I could have put in plenty of face time with my medical colleagues, and perhaps would have my name on a grant or two by now. It's clear that I chose to forego some valuable opportunities—another sign of my high valuation of the fellowship before I started.

Now the big question: was it worth it? The short answer is 'absolutely!' But I arrive at that answer only after calculating the benefits of the fellowship, and comparing them to the costs. The value of spending a year in the company of moral and political philosophers, and experts in legal ethics? Priceless. The value of having several uninterrupted, quiet days a week to work on projects in ethics? Priceless. The value of collaborating with, learning from, and becoming friends with such collegial and erudite people? Priceless. Let's stop there and make a quick calculation... hmm...carry the two...take the square root...okay got it! There's no question—my time at the Ethics Center was absolutely the best possible way I could have spent my year.

What did I accomplish? First, I published a bit. There was a piece in the *Archives of Internal Medicine* with Bob Truog about the "irrelevance of the artificial versus natural distinction" when it comes to end-of-life decisions in

neurologically devastated patients. (This piece generated a lovely bit of hate mail, and Bob and I provided an equally lovely rebuttal.) Next came a letter in the *Annals of Internal Medicine* about the Terri Schiavo case (another piece about irrelevance, this time of the argument over whether Ms. Schiavo was vegetative or minimally conscious). Next there was another letter, this time in the *New England Journal of Medicine*, again with Bob Truog and again about the irrelevance of the artificial versus natural distinction. At least one big project is nearing publication—about the ethics of patient access to study medications outside of study protocols. And finally, I am now working on a grant application to study treatment withdrawal decisions in the setting of uncertain neurological prognosis.

I taught a fair amount. Was this a distraction? Maybe so, but I enjoyed (and learned from) giving a series of lectures to the Brigham and Women's Hospital Chaplaincy Residency about the ethics of disordered consciousness. I also gave a series of lectures to the Partners Neurology Residents, about various neurologically-relevant ethics problems, and prepared a draft of an Ethics Curriculum for the residency. I have been invited to speak at the Harvard Bioethics Course about the ethics of disordered consciousness. Renee Jones and I participated in a panel on professional ethics at MIT's Sloan School of Management. Finally, along with several others at the Brigham and Women's Hospital, I was awarded the Dennis Thomson (not Dennis Thompson) Compassionate Care Scholarship Award for a project proposal to give a series of talks to the neonatal intensive care staff's night shift.

My most important achievements this year, however, have been deepening my appreciation of moral philosophy, professional and public ethics, and forming friendships with my fellow fellows and the faculty and staff at the Ethics Center. I look forward to maintaining contact with the Center and meeting future fellows!

Anna Elisabetta Galeotti

Senior Research Scholar

I found my stay at the Center a most fruitful and engaging time for work and research. The Center provides a wonderfully peaceful setting and a pampered time for study, minimizing life's practical problems. The staff—Jean, Stephanie, Kim, and Magda—were helpful and cheerful, creating a friendly atmosphere and contributing crucially to making the fellows' lives easy and smooth.

I also enjoyed the company and exchanges with the other fellows. In this respect, I think that the weekly seminar contributed greatly in helping us become familiar with each other's work and interests. Obviously this was but a side effect of the seminar—something I regard as fundamental for a period of research since it provides the opportunity to learn so much about subjects outside one's own specific field.

I believe that one of the goals of a year free from teaching and administration is to learn something new, and to keep up with developments and discussions in an area larger than one's expertise. The Center definitely fulfills this task both directly, with the internal and enlarged seminars and lectures, and indirectly, by providing information and opportunities to attend at least some of the many intellectual events happening at this exciting place. So, besides the Center activities, I attended other seminars such as the Intervention Seminar (sponsored jointly by the Ethics Center and the Carr Center for Human Rights, Kennedy School), the Political Theory Colloquium (Government Department), the "Justice and Institutions" seminar (MIT), and the Moral and Political Philosophy workshop (Philosophy Department). In the end, I feel that I have really been a part of this exciting community, and that, as a student, I have learned a great deal. For example, I have decided to change the subject of my courses for next year, introducing more practical issues and transforming the exam in response to a practical case.

As for my research, I came to Harvard with a project on self-deception and democratic politics, and it was on this that I have mainly worked during my stay. So far, I have the first draft of two chapters, the introduction, and the

second chapter. The latter I presented and discussed in the fellows seminar, and received good feedback from all the participants. The first chapter will be developed from a paper I wrote before taking up the fellowship and for this purpose I have been doing a lot of reading and research. At the time of writing, my plan is to transform that paper into chapter one before leaving the Center. Altogether, I hope to bring home the first draft of three chapters, plus the materials I need for revision and for working on chapter four.

In addition to this project, when I arrived in September I wrote a paper on a topic related to my previous research on toleration: "Relativism, universalism and applied ethics: The case of female circumcision." Dennis Thompson gave me detailed comments on the paper and, after revision, I presented it to the faculty fellows seminar, at the Political Colloquium of Chicago University, and at the Faculty Seminar of Scripps College, California. I received much feedback, and I have thoroughly revised the paper, finally sending it to the journal *Constellations*.

I also went to a conference in Portsmouth, New Hampshire, organized by the New England Association of Politics. There I was the commentator for the panel on Democracy and Difference. I will also present the paper at the Luncheon Seminar of the Institute for Advanced Study at Princeton.

Before concluding, I would like to say a few words about the two permanent faculty members of the Center—the Director, Dennis Thompson, and the Director of Graduate Fellowships, Arthur Applbaum. I think that both have wonderfully discharged their roles at the Center. They made the weekly seminar a place of lively and real discussion where everyone had the chance to express his or her viewpoint on many different subjects, ranging from meta-ethics to role-ethics, and proceeding through a number of interesting cases. Dennis Thompson always managed to give shape to the discussion, to include everyone, and to summarize the alternatives in a most useful way. Arthur Applbaum has been a marvelous discussant, always very sharp and competent. Both have contributed to a very collegial atmosphere with their humor and sympathetic concern for our work.

Renee M. Jones

Eugene P. Beard Faculty Fellow in Ethics

My year as a faculty fellow has been rewarding and productive. The sustained interaction with faculty fellows, graduate fellows and faculty at the Center provided a rich environment in which to work and learn. The centerpiece of the fellowship was the weekly seminar. The seminar's emphasis on moral philosophy and political theory was enriching and enlightening. As a law professor, my work focuses mainly on practical problems of motivating and disciplining corporate leaders. It was refreshing to step back and take a broad philosophical approach to some of the world's most pressing problems. The theme of justice around which the seminars were organized allowed us to examine problems from a variety of perspectives, sometimes addressing the same question multiple times through different lenses. Dennis and Arthur ably guided us through these complex and important discussions, ensuring that each of us had an opportunity to contribute meaningfully. The other faculty fellows were inspirational in their thoughtfulness and commitment to the enterprise. I feel fortunate to have come to know such interesting and accomplished scholars in so many different fields.

The fellowship year also provided me ample time and support for my own research projects. My principal project for the year was an article on social norms and corporate ethics. The article examines the relationship between corporate law and social norms of corporate leaders. It concludes that difficulties in enforcing corporate law's fiduciary duties contribute to the erosion of the informal conduct standards that guide officer and director behavior. I presented the article as a work-in-progress to the seminar and received valuable feedback from Dennis, Arthur and the faculty fellows. Faculty Committee member Joseph Badaracco of the Harvard Business School also provided helpful comments. The article, which is entitled "Law, Norms and the Breakdown of the Board: Promoting Accountability in Corporate Governance," will be published in the *Iowa Law Review* in September of 2006.

I also wrote an article on federalism issues and corporate governance. This article examines the ways in which federalism arguments have influenced corporate and securities

law policies in the United States. It concludes that federalism concepts are over-emphasized in policy discussions, and serve mainly to constrain the government's ability to address corporate governance problems effectively. I argue that the "sphere of influence" mentality, which seeks to carve out separate domains for state and federal regulators, should be replaced by an integrated perspective in which state and federal officials equally engage in the task of regulating corporate conduct. I presented this article at a business law conference at Wake Forest University Law School in April. The article, entitled "Does Federalism Matter? Its Perplexing Role in the Corporate Governance Debate," will be published in the *Wake Forest Law Review* in September of 2006.

In addition to the many engaging public lectures sponsored by the Center, I had the opportunity to hear a number of distinguished speakers through the Kennedy School's Center for Business and Government, Harvard Law School, and the Program on Justice, Welfare, and Economics. I also participated as a panelist at an MIT-Sloan School Ethical Practice course session on Professional Ethics. Ideas generated from the seminars and public lectures have led me to explore further the work of many of the speakers. I have integrated the work of Dennis Thompson, and outside speakers, Cass Sunstein and Tamar Frankel, into my articles and ideas for future projects. In July, I will be chairing a Law and Society panel discussion of Professor Frankel's book *Trust and Honesty: America's Business Culture at a Crossroad*, which she presented at the Center for Business and Government this winter.

The Center staff was extremely supportive throughout the year. Kim, Magda, Stephanie and Jean kept the Center running smoothly. They were always available with helpful advice, assistance and good humor, which made the Center an enjoyable place to work.

Maria Merritt

Faculty Fellow

"Electrifying!" is the word that sums up my experience as a Faculty Fellow at the Edmond J. Safra Foundation Center for Ethics. The intellectual stimulation I encountered here day after day galvanized me in at least two ways. First, it

sharply reinvigorated my activity in bioethics, in particular by inspiring a philosophical research agenda that will lead me to collaborate with healthcare professionals and health scientists. Second, it excited a re-direction of my career toward the fullest possible immersion in that agenda. In July I will join the Department of International Health at the Johns Hopkins Bloomberg School of Public Health, and will be a faculty member of the Phoebe R. Berman Bioethics Institute at Hopkins. I'll also be proud to serve as Associate Director for the Institute's postdoctoral program—the Greenwall Fellowship Program in Bioethics and Health Policy.

My experience this year happily illustrates how the Center's Faculty Fellowship can advance not only the careers of individual fellows but also and more importantly, through us, the academic mission of philosophically well-grounded professional ethics. Dennis Thompson and Arthur Applbaum exemplify the highest standards of excellence in their integration of scholarship, teaching, and administration. The only other scholarly organization I am aware of that can match this Center is the Department of Clinical Bioethics at the National Institutes of Health, not coincidentally led by charter Faculty Fellow Ezekiel Emanuel. As I take on my new responsibilities at Johns Hopkins, I will certainly find inspiration in the models offered by Dennis, Arthur, and other scholars I have met here.

Turning to specific accomplishments and activities, I am especially grateful to the Faculty Fellows seminar for helping me work through an early version of my job talk for Johns Hopkins, spurring rapid improvement precisely when it was most needed. Addressing an audience of bioethicists, medical researchers, and health policy experts at Hopkins, I spoke about the problem of providing post-trial antiretroviral therapy (ART) to participants in ART trials in developing countries. Since then, as lead author with coauthor Christine Grady of the National Institutes of Health, I have written an article on the same subject entitled, "Reciprocity and Post-Trial Access for ART Trial Participants." Both Dennis and Arthur generously took time outside the seminar to offer valuable comments on drafts of this article. It has been accepted for publication in *AIDS*, the official journal of the International AIDS

Society, whose readership includes leading clinicians and researchers working on HIV and AIDS worldwide.

I am thinking now about the related problem of ancillary care: when should medical researchers provide care for participants' medical conditions other than the one under study? In the fall I will present a paper for an international multidisciplinary workshop on ancillary care at Georgetown University, organized by former Faculty Fellow Henry Richardson. Another project that will occupy my final months at the Center is an article on the future of bioethics, invited by the *Yale Journal of Health Policy, Law, and Ethics*. I plan to highlight the encouraging growth of fruitful collaboration between philosophers and experts in other disciplines to tackle problems in global health, such as the assignment of moral rights and responsibilities across national borders in the struggle to alleviate global health disparities.

As a Faculty Fellow at the Center, I have been ideally positioned to learn about emerging trends in bioethics first-hand from people who are leading them. Dan Brock, Norman Daniels, and Dan Wikler (all former fellows) graciously welcomed me to their Ethics and Health Program seminars. Richard Cash (a senior health scientist in Harvard's Department of Population and International Health) and Dan Wikler warmly encouraged my participation in their eight-week research ethics course at the School of Public Health, where I was glad to join a team of their very able students in making a case-study presentation. Dan Wikler's encouragement included the kindness of giving me rides—always over too soon, most unlike the M2 shuttle journey—between Cambridge and the medical campus. Much shorter is the one-and-a-half-block stroll to the offices of the Harvard Initiative for Global Health, where I attended several seminar talks. I also audited some sessions of the MIT course on Justice and Institutions taught by Joshua Cohen, Amartya Sen, and Philippe van Parijs. Equally enriching were the fall conference on Population-Level Bioethics and the spring conference on Equality and the New Global Order, cosponsored by the Ethics Center. I look forward to visiting Harvard periodically to attend similar events in the future.

My other subject of research this year has been virtue theory and empirical moral psychology. While I had initially planned to work primarily on a book, I have found it a continuing challenge to bring the whole of my existing manuscript up-to-date with the burgeoning philosophical literature on the topic, as well as recent developments in relevant areas of psychology. I have made the better part of my progress on shorter, free-standing pieces. One is "Moral Disintegration: Character and the Vagaries of Reason," a book chapter on which I am lead author (with coauthors John Doris and Gilbert Harman) for a volume under contract with Oxford University Press. In the fall, I traveled to Dartmouth to present this chapter for a workshop held by the Moral Psychology Research Group, a team of philosophers and some scientists who share an interest in making philosophical moral psychology better-informed by the findings of empirical psychology. The chapter was part of my second presentation for the faculty fellows seminar, along with an article that I thought (prior to that seminar) needed only a little polishing, "Aristotelian Virtue and the Social Contribution to Ethical Character." Constructive comments from seminar participants, especially Renee Jones, who presented her article on social norms and corporate governance for the same session, have prompted me to revisit the structure of my argument and use of material from social psychology. I also wrote a new paper, "Meta-Cognitive Awareness and Other-Oriented Attention," for presentation at a fall conference in Denver on virtue ethics and moral psychology. The paper is under review at Oxford University Press as part of a collection based on the conference proceedings.

In other activities supported by the Center, I traveled to Washington, D.C. for the annual meeting of the American Society for Bioethics and Humanities, to St. Louis for a second workshop with the Moral Psychology Research Group, and to Boston University to deliver comments on John Doris's paper about war crimes, as part of a lecture series on "Evil" organized by the University's Institute for Philosophy and Religion.

A student assistant at the Center recently expressed appreciation for the staff here: "I've never had such wonderful bosses." This came as no surprise to me. Jean McVeigh,

Kim Tseko, Stephanie Dant, and Magdalena Halford make it a joy to come to the office. They have shown imagination and sensitivity in anticipating the Fellows' every need with respect to office support.

Finally, my fellow Fellows created a community of scholars graced by camaraderie, high spirits, and ready laughter.

I give my warmest thanks to everyone here, and to the Edmond J. Safra Philanthropic Foundation, for a thoroughly enlivening academic year.

Daniel Philpott

Faculty Fellow

My year as a Faculty Fellow at the Center for Ethics has been productive and stimulating. I have appreciated the weekly lunches and seminars for eliciting a scholarly interchange unique for its combination of bonhomie, rigor, creativity, and sharpness. I learned an enormous amount about a wide range of topics and am grateful for this rich extension of my education. Dennis Thompson, Arthur Applbaum, and the staff have developed the conduct of the fellowship program into a science. They make each of the fellows feel quite at home. I thank the staff in particular—Jean McVeigh, Stephanie Dant, Kimberly Tseko, and Magdalena Halford—for anticipating and meeting virtually our every need.

My research and writing was devoted broadly to the topic of religion and politics, particularly to reconciliation and transitional justice. I made progress in writing the manuscript for a book, tentatively titled *Just and Unjust Peace: A Political Ethic of Reconciliation*. After continuing my research and background reading, I penned the first two chapters of the book. One of these is the essential theory chapter around which the rest of the book revolves. It sets forth the book's essential commitments and then lays out a "road map" for the rest of the chapters. It describes how reconciliation, equivalent to what some call restorative justice, may serve as a conception of justice for societies dealing with past evils and injustice, a conception whose central virtue is mercy. It sets forth six restorative practices that bring about the core commitments of restorative justice in the context of actual political orders: acknowl-

edgment, reparations, accountability, apology, forgiveness, and building social justice. The other chapter considers whether reconciliation is appropriate for politics, addressing objections that arise from the liberal tradition: that it is utopian, that it crosses the boundary of public and private, and that it inappropriately imports religion into politics. I look forward to working almost exclusively on this manuscript during a second fellowship year in Berlin, Germany, sponsored by the Alexander von Humboldt Foundation.

Related to the same topic is a manuscript of a paper on religion and transitional justice that I wrote entirely while at the Center, tentatively titled, "When Faith and History Meet: The Influence of Religion on Transitional Justice." In the spring, I presented the paper at a conference on "Religion and Mass Atrocity" at the Danish Institute for International Studies at the University of Copenhagen, Denmark. Categorizing countries' approaches to transitional justice broadly as either "truth recovery" or "punitive justice," the paper argues that religious actors are an important influence on their choice of one versus another. Namely, a strong correlation exists between religious influence and truth recovery. But only certain kinds of religious actors are influential: those that are differentiated from the state in their authority and that hold a "political theology" of reconciliation. The paper supports these arguments with reference to fifteen cases of transitional countries, including South Africa, Rwanda, Germany, Chile, and others.

I also completed and submitted for publication a manuscript on religion and politics arising from the "Religion in Global Politics" project at the University, tentatively titled, "Explaining the Political Ambivalence of Religion." It poses the broad question of why religious communities take up such diverse political postures, promoting both the rule of law and peace as well as communal violence and terrorism. Similar to my argument about transitional justice, it argues for two broad causal influences: differentiation, or the institutional autonomy of religion and state, and political theology—the set of ideas that a religious community holds about political authority. It tests these propositions with respect to two sorts of outcomes: support for democratization and violence. On two occasions during my fellowship year, I presented this argument at

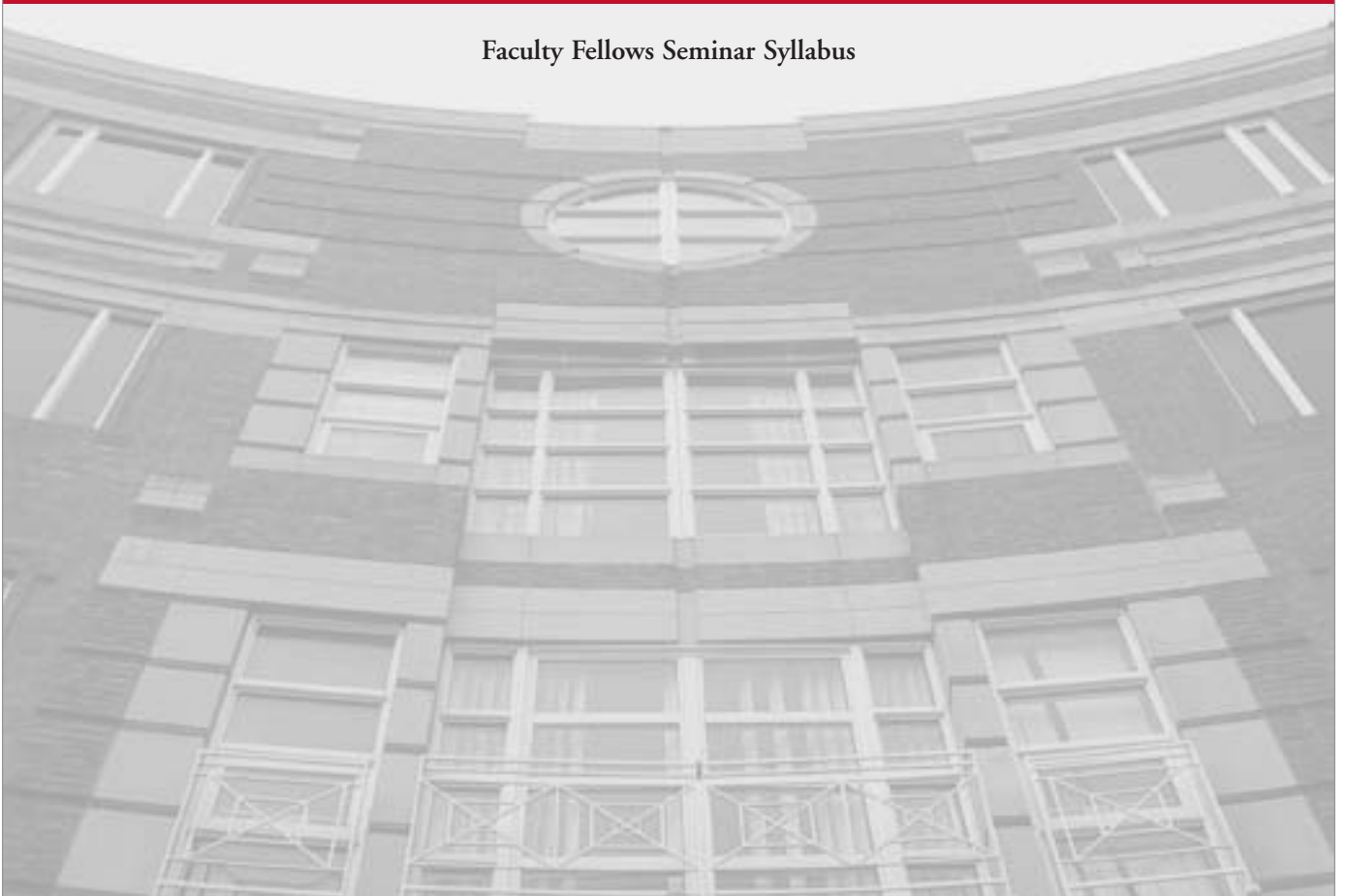
Harvard. First, in the fall, I gave a presentation on “Religion and International Politics: Changing Patterns of Analysis” at a panel of the Religion, Politics, and Public Life Faculty Seminar Series at the Hauser Center for Nonprofit Organizations. Second, in the spring, I presented the paper under the title, “Why Do the World’s Religions Practice such Wildly Divergent Politics?” at the Religion, Political Economy, and Society Seminar at the University.

A similar sort of argument informs a final manuscript on religion and democracy that I am writing with coauthor Timothy Samuel Shah of the Pew Forum on Religion and Public Life. During my stay at the Center, I completed the portion of the piece for which I am the primary author, though revisions continue. The paper embarks with a question that has become an important one for political philosophers in recent years, that of the compatibility of religion and liberal democracy. The rise of both religion and democracy all across the globe over the past generation makes this question all the more important. Some argue, in the tradition of some strands of the Enlightenment, that the relationship is inherently a conflictual one. We argue for more complexity: religion can both undergird and undermine liberal democracy. Again, the kind of effect it has depends on its differentiation from state authority and its political theology. We plan to submit the paper for publication in a political science journal.

I look forward to seeing these papers to publication, and to writing my manuscript for *Just and Unjust Peace* during the next academic year in Berlin, Germany. I will look back fondly upon, and eagerly anticipate continuing, the friendships and intellectual camaraderie that I have enjoyed at my year at the Center for Ethics.

APPENDIX II

Faculty Fellows Seminar Syllabus



FALL 2005

September 27**The Ethics of Role**

Michael Hardimon, "Role Obligations," *Journal of Philosophy* 91:7 (July 1994), pp. 333-37, 342-63

A. John Simmons, "External Justifications and Institutional Roles," *Journal of Philosophy* 93:2 (January 1996), pp. 28-36

Arthur Applbaum, "Are Lawyers Liars? The Argument of Redescription," *Ethics for Adversaries: The Morality of Roles in Public and Professional Life* (Princeton, NJ: Princeton Univ. Press, 1999), pp. 76-109

Arthur Applbaum, "Professional Detachment: The Executioner of Paris," *Harvard Law Review* (1995), pp. 458-86; also in *Ethics for Adversaries*

October 5**Legal Ethics**

Presentation: Renee Jones

David Luban, *Lawyers and Justice: An Ethical Study* (Princeton, NJ: Princeton University Press, 1988), pp. 67-78, 81-7, 92-103

David Wilkins, "Race, Ethics and the First Amendment: Should a Black Lawyer Represent the Ku Klux Klan?" *George Washington Law Review* (1995), pp. 1030-33, 1040-50, 1067-70

Rick Klein, "Pressed on Roe, Roberts Cites Respect for Precedent," *Boston Globe* (Sept. 14, 2005)

Nina Easton, "Nominee Exhibits Several Deft Moves," *Boston Globe* (Sept. 14, 2005)

October 11**Fellows Work in Progress**

Presentation: Maria Merritt and Thos Cochrane

Christine Grady, "The Challenge of Assuring Continued Post-Trial Access to Beneficial Treatment," *Yale Journal of Health Policy, Law, and Ethics* 5:1 (winter 2005), pp. 425-35

Sydney Rosen, Ian Sanne, Alizanne Collier, and Jonathan L. Simon, "Hard Choices: Rationing Antiretroviral Therapy for HIV/AIDS in Africa," *The Lancet* 365 (2005), pp. 354-56

Sara Bennett and Catherine Chanfreau, "Approaches to Rationing Antiretroviral Treatment: Ethical and Equity Implications," *Bulletin of the World Health Organization* 83:7 (2005), pp. 541-47

Maria Merritt, "The Provision of Post-Trial Antiretroviral Therapy (ART) to Participants in ART Trials in Developing Countries"

Thos Cochrane, "The Ethics of Off-Protocol Use of Study Medications in Patients with Dire Prognosis and No Alternatives"

October 18**Medical Ethics: Dilemmas of Managed Care**

Presentation: Thos Cochrane

N. Daniels and J. Sabin, *Setting Limits Fairly: Can We Learn to Share Medical Resources?* (Oxford: Oxford Univ. Press, 2002), pp. 1-22

P.A. Ubel and R.M. Arnold, "The unbearable rightness of bedside rationing: Physician duties in a climate of cost containment," *Archives of Internal Medicine* (Sept. 25, 1995), 155(17):1837-42

M. Angell, "The Doctor as Double Agent," *Kennedy Institute of Ethics Journal* (1993), 3(3):279-86

P.T. Menzel, "Double Agency and the Ethics of Rationing Health Care: A Response to Marcia Angell," *Kennedy Institute of Ethics Journal* (1993), 3(3):287-92

October 25

Discussion on Deception, Bullshit, and Self-Deception in Politics

Presentation: Elisabetta Galeotti

Harry Frankfurt, *On Bullshit* (Princeton, NJ: Princeton University Press, 2005), pp. 47-67

Alfred Mele, *Self-Deception Unmasked* (Princeton, NJ: Princeton University Press, 2003), pp. 5-13

Martin Jay, "The Ambivalent Virtue of Mendacity" (2005)

Amy Gutmann and Dennis Thompson, *Ethics and Politics*, 3rd ed., pp. 47-9

Optional: Erik Alterman, "John Kennedy and the Cuban Missile Crisis," *When Presidents Lie* (Viking 2004), pp. 90-144, Ch. 3

November 1

Justice at Home: Luck Egalitarianism

Presentation: Elizabeth Ashford

Ronald Dworkin, "Equality of Resources," *Social Justice*, ed. Clayton and Williams, pp. 110-25

Elizabeth Anderson, "Against Luck Egalitarianism," *Social Justice*, ed. Clayton and Williams, pp. 154-85

Samuel Scheffler, "Choice, Circumstance, and the Value of Equality," *Politics, Philosophy and Economics* 4:1 (2005), pp. 14-16

November 8

Justice Across Generations

Presentation: Maria Merritt

Brian Barry, "Justice Between Generations," *Democracy, Power and Justice* (1998), pp. 494-510

Derek Parfit, "The Further Future: The Identity Problem," *Energy and the Future*, ed. Douglas MacLean and Peter G. Brown (1983), pp. 166-72, 175-6

Dennis F. Thompson, "Representing Future Generations"

November 15

Justice Across Borders I: Distribution

Presentation: Jeffrey Abramson

Charles Beitz, "International Liberalism and Distributive Justice," *World Politics* 51:2 (1999), pp. 269-96

John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, 1999), pp. 2-5, 82-5, 105-20

Thomas Nagel, "The Problem of Global Justice," *Philosophy & Public Affairs* 33:2 (spring 2005), pp. 113-47

November 29

Justice Across Borders II: Intervention

Presentation: Dan Philpott

Michael Walzer, *Just and Unjust Wars* (Basic Books, 1977), pp. 51-5, 58-63, 80-6, 101-8

Michael Walzer, *Arguing About War* (Yale University Press, 2004), pp. 151-62

Allan Buchanan and Robert O. Keohane, "The Preventative Use of Force: A Cosmopolitan Institutional Proposal," *Ethics and International Affairs* 18:1 (winter 2004)

James Turner Johnson, "Using Military Force against the Saddam Hussein Regime: The Moral Issues," Foreign Policy Research Institute E-notes, <http://www.fpri.org/enotes/americanwar.20021204.johnson.militaryagainsthussainmoralissues.html>

December 6

Fellows Work in Progress

Elizabeth Ashford, "The Formulation of Utilitarianism"

SPRING 2006

February 7**Fellows Work in Progress**

Renee Jones, “Law, Norms and the Breakdown of the Board: A Call for Accountability in Corporate Governance”

Maria Merritt, “Aristotelian Virtue and the Social Contribution to Ethics Character”

“Moral Disintegration: Character and the Vagaries of Reason” (with John Doris and Gilbert Harman)

February 14**Collective Agency**

Presentation: Arthur Applbaum

Thomas Hobbes, “Of Persons, Authors, and Things Personated,” *Leviathan*, Ch. XVI

Christine Korsgaard, *Creating the Kingdom of Ends* (Cambridge University Press, 1996), pp. 369-74

Michael Bratman, *Faces of Intention* (Cambridge University Press, 1999), pp. 109-29

Joel Feinberg, *Doing and Deserving* (Princeton, NJ: Princeton University Press, 1970), pp. 222-51

February 21**Civil Disobedience**

Presentation: Elisabetta Galeotti

Anna Elisabetta Galeotti, “The Place of Conscientious Objection in Liberal Democracy”

John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), pp. 363-91

David Lyons, “Moral Judgment, Historical Reality, and Civil Disobedience,” *Philosophy and Public Affairs* 27:1 (winter 1998)

February 28**Religion and the State**

Presentation: Dan Philpott

Stanley Fish, “Our Faith in Letting it All Hang Out,” *New York Times* (February 12, 2006)

Robert Audi, “The State, the Church, and the Citizen,” *Religion and Contemporary Liberalism* (Notre Dame, IN: University of Notre Dame Press, 1997), pp. 38-75

Christopher J. Eberle, “Religion, Pacifism, and the Doctrine of Restraint,” *Journal of Religious Ethics* (forthcoming)

March 7**Double Effect**

Presentation: Elizabeth Ashford

Shelly Kagan, *The Limits of Morality* (Clarendon Press, 1989), pp. 128-32, 165-77

Virginia Held, “Legitimate Authority in Non-State Groups Using Violence,” *Journal of Social Philosophy* 36:2 (summer 2005), pp. 180-3

F.M. Kamm, “Non-Consequentialism, the Person as an End-in-Itself, and the Significance of Status,” *Philosophy and Public Affairs* 21:4 (fall 1992), pp. 376-89

Warren S. Quinn, “Actions, Intentions, and Consequences: The Doctrine of Double Effect,” *Philosophy and Public Affairs* 18:4 (fall 1989), pp. 334-51

March 14**Torture**

Presentation: Jeffrey Abramson

Mark Danner, “Abu Ghraib: The Hidden Story,” *New York Review of Books* (Oct. 7, 2004), Ss. 2-5

Henry Shue, “Torture,” *Philosophy & Public Affairs* 7:2 (winter 1978), pp. 124-37, 141-43

David Sussman, "What's So Bad About Torture?"
Philosophy & Public Affairs 33:1 (winter 2005), pp. 1-8,
11-28

Amy Gutmann and Dennis Thompson, "Interrogating
Detainees," *Ethics and Politics*, 4th edition (Thomson
Wadsworth, 2006), pp. 60-9

Oren Gross, "The Prohibitions on Torture and the Limits
of the Law," in *Torture: A Collection* (Oxford University
Press, 2004), Sanford Levinson, ed., pp. 239-44

March 21

Fellows Work in Progress

Thos Cochrane, "Uncertainty about the question of
awareness in PVS and its ethical (ir)relevance"

Arthur Appplbaum, "Legitimacy in a Bastard Kingdom"

April 4

Fellows Work in Progress

Elisabetta Galeotti, "Relativism, Universalism and Applied
Ethics: The Case of Female Circumcision"

Dennis Thompson, "Can Universities Teach Ethics?"

April 11

Combating Corruption: The Moral Problems of Pretextual Prosecutions

Presentation: Renee Jones

Harry Litman, "Pretextual Prosecutions," *Georgetown Law
Review* 92 (2004), pp. 135-8, 1148-82

Stuart P. Green, "Uncovering the Cover-Up Crimes,"
American Criminal Law Review 42 (2005), pp. 9-13, 28-43

Tom Fowler, "Both Sides' Strategies Feature Lea Fastow,"
Houston Chronicle (March 12, 2006)

Brooke A. Masters, "Martha Stewart Sentenced to Prison,"
New York Times (July 17, 2004)

April 18

Evolutionary Theory and Ethics

Presentation: Thos Cochrane and Maria Merritt

Philip Kitcher, "Psychological Altruism, Evolutionary
Origins, and Moral Rules," *Philosophical Studies* 89 (1998),
pp. 283-316

Edouard Machery and Stephen Stich, "The Natural
History of Morality"

Steven Pinker, *The Blank Slate* (Penguin Books, 2002),
pp. 159-73, 269-80 (Ch. 9 and 15)

April 25

Fellows Work in Progress

Dan Philpott, "Reconciliation as a Conception of Justice"

Elizabeth Ashford, "Some Strengths of a Utilitarian
Account of Human Rights"

APPENDIX III

Reports of the Edmond J. Safra Graduate Fellows and Senior Scholar



Christopher Furlong*Edmond J. Safra Graduate Fellow*

The year I spent at the Ethics Center was very useful, challenging and productive. I am grateful to Arthur, Frances and the graduate fellows for the many stimulating discussions we had throughout the year, as well as to the Edmond J. Safra Philanthropic Foundation, which afforded me the financial freedom to focus on my dissertation this past year.

I began the academic year with little more than a sketch of an idea for a dissertation. I had long been troubled by the apparent tension between a scientific and a moral worldview. Things like obligations and values don't seem to fit in our well-established scientific worldview. The result of this line of thinking, I believed, is not simply that there are no recognizably moral principles by which we ought to regulate our actions. Rather, if the tension between worldviews is indeed real, much more will be lost than what we might call "conventional morality." The very idea of practical reason—of regulating one's behavior according to principles—can look incoherent if this sort of scientific skepticism is not properly diffused.

During my time as a Graduate Fellow at the Ethics Center, I managed to work up this vague idea into a dissertation proposal, which I defended in early February. There is, naturally, still a great deal of work left to be done on the dissertation. After all, even if I am successful in demonstrating that a certain skeptical line of thought has a much more radical conclusion than had previously been acknowledged, I am still left with the very difficult task of showing (or figuring out whether) that line of thought is indeed mistaken. It was during my time as a Graduate Fellow, and in large part because of the feedback I received from Arthur, Frances and the graduate fellows, that I came to appreciate some of the more subtle difficulties with the project I am pursuing.

My own project aside, the weekly seminars with the graduate fellows were always illuminating and enjoyable. I think I benefited a great deal from working through the syllabus Arthur developed as well as from reading the ongoing research of the other graduate fellows. When working on a

dissertation it is very easy to close yourself off to the rest of the academic world—indeed, to the rest of the world in all its aspects! It was very nice to have these weekly meetings where we had the opportunity to engage with issues that were sometimes tangential and sometimes wholly unrelated to my own research, but which were nevertheless interesting, important, and most of all, challenging.

I am grateful to the Edmond J. Safra Foundation Center for Ethics for the opportunity to have spent this past academic year as a Graduate Fellow.

Reshma Jagsi*Edmond J. Safra Graduate Fellow*

I am pleased to report that my year at the Center for Ethics has been one of the most intellectually stimulating and fulfilling experiences I have had in my twelve years at Harvard. Having begun my studies as an undergraduate in the Government Department and having concluded them as a medical resident in the Department of Radiation Oncology, I have never felt more at home than in the truly multidisciplinary Center for Ethics.

The Center offered an incredible array of enriching activities over the course of the year, including formal lectures, seminars, luncheons and dinners, and invitations to events held across the various campuses of the University. By bringing together lawyers and philosophers, political scientists and physicians, the activities at the Center fostered the sharing of different perspectives on issues that engaged us all.

For me, the highlight of each week was our graduate fellows seminar. It was a true joy to engage the other fellows in lively debate while Professors Arthur Applbaum and Frances Kamm keenly and kindly helped us to dissect complex problems and arguments. Our discussions were delightfully thought-provoking, and expertly guided with great elegance and sharp wit. Watching the marvelous minds of my classmates and teachers at work during our seminars helped me to refine my own analytical skills in ways I had never expected. I will never again accept easy solutions or obvious answers. That is probably the greatest gift the Center has given me.

My research during the fellowship year focused on two major projects. In the first project, I explored the challenges facing women in the medical profession through three empirical studies. The first study examined the representation of female physician-investigators as authors of original research and guest editorials published in major medical journals. The second study examined the shifting requirements of the various medical specialty boards regarding maternity leave from medical training. The third study examined the outcomes of an innovative award program intended to improve the retention and career development of medical researchers who are the mothers of small children. The thoughtful comments of my colleagues at the Center were immensely valuable in helping me to reflect upon the theoretical implications of my empirical findings, including the nature of different arguments for increasing gender diversity in a profession, whether choices made in a gender-structured society can be considered free, whether affirmative action programs in various circumstances should be viewed as just or unjust, and how professionals should approach conflicts in role obligations.

The second project on which I worked during my fellowship year was a theoretical examination of conflicts of interest and the physician-patient relationship in the era of direct-to-consumer advertising of pharmaceuticals and medical technology. Again, my discussions with my colleagues and teachers at the Center were essential in helping me to shape my analysis and refine my arguments. Particularly helpful was the careful examination of various carefully-chosen hypothetical cases—a methodology that I might not have considered were it not for my participation at the Center.

In sum, my experience at the Center for Ethics was even more rewarding than I could have imagined at the outset of my fellowship year. As I depart, I take with me lifelong memories of fascinating lectures delivered by prominent scholars, insights gained from probing discussions with colleagues, and a sharpened set of analytic skills to help me in both my medical practice and research career.

The leadership and staff of the Center and the Edmond J. Safra Philanthropic Foundation have my deepest gratitude for making this incommensurable opportunity possible.

Frances Kamm

Senior Scholar

This is the second time I have had the privilege of participating in the graduate fellows seminar. Again, I found it intense and demanding, with a good mix of students representing different disciplines. Arthur Applbaum is an excellent discussion leader, holding people to the highest standards of argument. It is three hours per week of uninhibited, critical give-and-take on extremely important topics in normative and applied ethics. Some of the topics are presented by way of discussion of the work of the fellows, which this year included material on self-knowledge, governmental secrecy, international duties, and bioethics. Other topics are presented by background reading. Given the diverse backgrounds of the graduate fellows, and the fact that one cannot rely on everyone having had prior exposure to ethics as analytic philosophers do it, the seminar also provides, in essence, a sophisticated course in moral philosophy. I hope that, in the future, the topics of objectivity and relativism in ethics will be discussed in detail, as this was an issue that some of the fellows kept coming back to in the course of the year. I have learned a lot from the seminar this year, and I look forward to participating again.

Anja Karnein

Edmond J. Safra Visiting Graduate Fellow

As I approach the conclusion of my year at the Ethics Center, I am sad to be leaving but enormously grateful for the inspiring and stimulating experience it has given me. First and foremost, it has been a pleasure to be a member of the “family,” because everyone—Jean McVeigh, Stephanie Dant, Magdalena Halford, Kim Tseko and Erica Jaffe—has been so incredibly welcoming, friendly and helpful. Not only have they been willing and able to help with all the technical and administrative chores, but far more importantly, they have been champions at simply “being there” and dispensing comfort in times of stress and worry.

The interdisciplinary format of the weekly seminar provided us with an invaluable opportunity to read and discuss new (and sometimes very current) concerns, or revisit familiar

issues from new angles and perspectives. The particular “mix” of the graduate fellows—two very different philosophers, two very different political theorists, a law student and a doctor—ensured the possibility of diverse and enriching discussions. In the end, however, the fact that these stimulating discussions took place and were able to blossom as they did owes much, if not all, to the leadership of the seminars. The interaction of Arthur and Frances was pivotal, providing the necessary cohesion to the discussions, allowing them to branch out in all directions without departing from the essential. The to-ing and fro-ing between the two scholars was wondrous to observe and to learn from—each contribution from one was as persuasive as the sometimes diametrically opposed contribution from the other. What was probably most impressive was the tremendous attention with which both Arthur and Frances read and commented on each fellow’s paper. With similar care and skill, they helped us crack an amazing number of codes and riddles in knightly fashion and, with much elegance and wit, created others which remain for us (or maybe I should speak only for myself) to muse upon in the coming years.

The occasional joint seminars with the faculty fellows and guest lecturers further enhanced and widened the interdisciplinary scope of the project that I enjoyed so much this year. This was a great experiment; I certainly hope that future graduate fellows are given a similar opportunity to meet, mingle, discuss and learn.

Finally, I am emerging from this year greatly inspired for my work ahead. I started out in September wondering about the ethical implications of replacing the natural with human design. I am now deeply immersed in a reformulated and considerably more nuanced version of my project, which is gelling by the day; I am looking forward to pursuing it in the years ahead.

Paul Katsafanas

Edmond J. Safra Graduate Fellow

The past year at the Center for Ethics has been enriching and fruitful. I began the year with a prospectus and the beginnings of one dissertation chapter; I ended the year with drafts of four chapters, three of which I presented in the graduate fellows seminar. The opportunity to garner feedback from the faculty and fellows at this stage in the process was immensely valuable, and helped me immeasurably when it came to revising, rethinking and strengthening each chapter. My dissertation focuses on some foundational questions about the nature of agency and freedom. What distinguishes agency from mere mechanism? What is it to be free? Ultimately, I develop an account that links freedom and agency to self-understanding.

The first chapter that I presented in the seminar seeks to elucidate Nietzsche’s conception of autonomous agency. Nietzsche attempted to articulate a conception of freedom that would show how persons, buffeted about by forces of which they are largely ignorant, could attain freedom by acquiring self-understanding. The second chapter continues the exploration of the connection between self-knowledge and agency. This chapter takes issue with David Velleman’s constitutivist account, which claims that action constitutively aims at self-knowledge. I argue that Velleman’s overall account is untenable, but that many of his insights can be preserved in an account which makes self-determination, rather than self-knowledge, the constitutive aim of action. The third chapter discusses the notion of unity of agency. I argue that contemporary accounts of unity fail to show why unity should have any distinctive relation to agency, but we can extract a successful account of unity from the work of Nietzsche. According to Nietzsche’s account, an agent is disunified if, were the agent to know more about the causes of his actions, he would want to act differently. The opportunity to discuss these key ideas with such a diverse group of colleagues, both in the seminar and outside, has been invaluable in helping my dissertation take shape and develop a trajectory.

I benefited particularly from the weekly graduate fellows seminar. The sessions covered a wide range of topics, and I learned a great deal about aspects of moral and political

philosophy that I had never explored in depth. The opportunity to discuss a wonderful variety of issues with such a bright, diverse group of colleagues—whose expertise extended to medicine, government, political science, and law—was simply invaluable. This exposure to different perspectives was always enlightening, and Arthur and Frances did an excellent job of ensuring that the discussions were consistently lively and instructive.

I am extremely grateful to the Center for Ethics for making possible such a productive, stimulating year—one of the most exciting years I have enjoyed at Harvard.

Vlad F. Perju

Edmond J. Safra Graduate Fellow

This year has been an intense and deeply rewarding intellectual experience. The Center has provided an ideal setting for very helpful discussions on the topic of my dissertation as well as enlightening exchanges on a wide variety of subjects that I had not previously considered in a systematic fashion. I am most grateful to the faculty members, fellow graduate students, staff, and special guests that have made this year a memorable experience.

In terms of research, I completed the part of my dissertation that deals with matters of comparative constitutionalism. During the year I published one article entitled “Comparative Constitutionalism and the Making of a New World Order” (*Constellations*, 12(4):464-86), in which I discuss a number of theoretical models for analyzing transnational constitutional exchanges. During the first half of the fellowship year I completed a companion paper in which I analyze these exchanges against the background of contemporary developments in international law. I presented this paper in our graduate seminar in February and I benefited greatly from comments by Arthur Applbaum, Frances Kamm and the other graduate fellows. In particular, Arthur dissected, from a legal positivist perspective and in a most exacting manner, my attempt at formulating a theory of the normative foundations of the authority of foreign law in domestic constitutional adjudication. In subsequent versions of the paper I did my best to address these concerns, and my paper, which is now forthcoming in the *Utah Law Review*, is the better for it.

I have also made some progress on the more jurisprudential part of my dissertation. The second paper I presented in the seminar discusses the core/periphery distinction in constitutional balancing. Once again I was grateful for how carefully all the participants in the seminar read my paper and engaged with its thesis. Frances Kamm’s suggestions have helped me think through the implications of my arguments, especially with respect to the relation between moral and legal rights. I hope that the second draft of this chapter does justice to her comments and generosity. I am now working on the next chapter that deals with the relation between value pluralism and constitutional reasoning.

Even if the contours of my research topic have not changed over the course of the fellowship year, I now approach my research differently than before. This is due in no small part to our discussions in the weekly graduate fellows seminar. The variety of the topics covered, the array of arguments and approaches that each fellow brought to the conversation, and the atmosphere of our dialogue have made this a unique experience. I am deeply grateful to Reshma Jagsi, Rahul Sagar, Paul Katsafanas, Chris Furlong, and Anja Karnein for everything I have learned from their work and their contribution to the seminar. Frances Kamm and Arthur Applbaum do not just teach: they are teachers. They took our work seriously and treated us as equals. No graduate student can hope for more.

I would like to thank Professor Dennis Thompson for his leadership of the Center and for the joint seminars that he chaired over the year. Finally, I would like to express my gratitude to the staff of the Center—Jean, Stephanie, Erica, Magda, and Kim—for their friendliness and help.

Rahul Sagar

Edmond J. Safra Graduate Fellow

My fellowship year at the Edmond J. Safra Foundation Center for Ethics was divided into two distinct phases. In the fall, my focus was on completing a first draft of my dissertation. I accomplished this goal by early December. In mid-December, my committee approved my dissertation Prospectus. Apart from completing these research and procedural requirements, I maintained two weekly academic commitments. First, I participated in the weekly graduate

fellows seminar, which met on Thursday afternoons for an extended discussion on a previously agreed-upon topic. Second, I participated in the Department of Government's Political Theory Workshop, which met regularly on Wednesday afternoons.

In the spring, my attention turned to completing the academic and professional prerequisites toward my PhD. On the academic front, I completed the quantitative skills requirement mandated by the Department of Government by taking a course in the Department of Statistics. On the professional front, I made the first set of presentations based on the dissertation draft I completed in the fall. I presented at the Project on Justice, Welfare and Economics at the Weatherhead Center; at the aforementioned Political Theory Workshop; and at the New England Political Science Association meeting in Portsmouth. I also twice presented my research at the graduate fellows seminar.

The past year at the Center has proven productive and important in other ways too. One of the most significant benefits was the opportunity it afforded to interact with colleagues from the University and beyond, especially those outside my own area of research. Participating in the weekly graduate fellows seminar with the other graduate fellows provided valuable exposure to the research agendas and methodologies of other fields and disciplines. Moreover, being forced to communicate my own ideas in a more comprehensible fashion to those outside my own research field provided much needed practice for a life in professional academia where multidisciplinary panels and committees are often the norm.

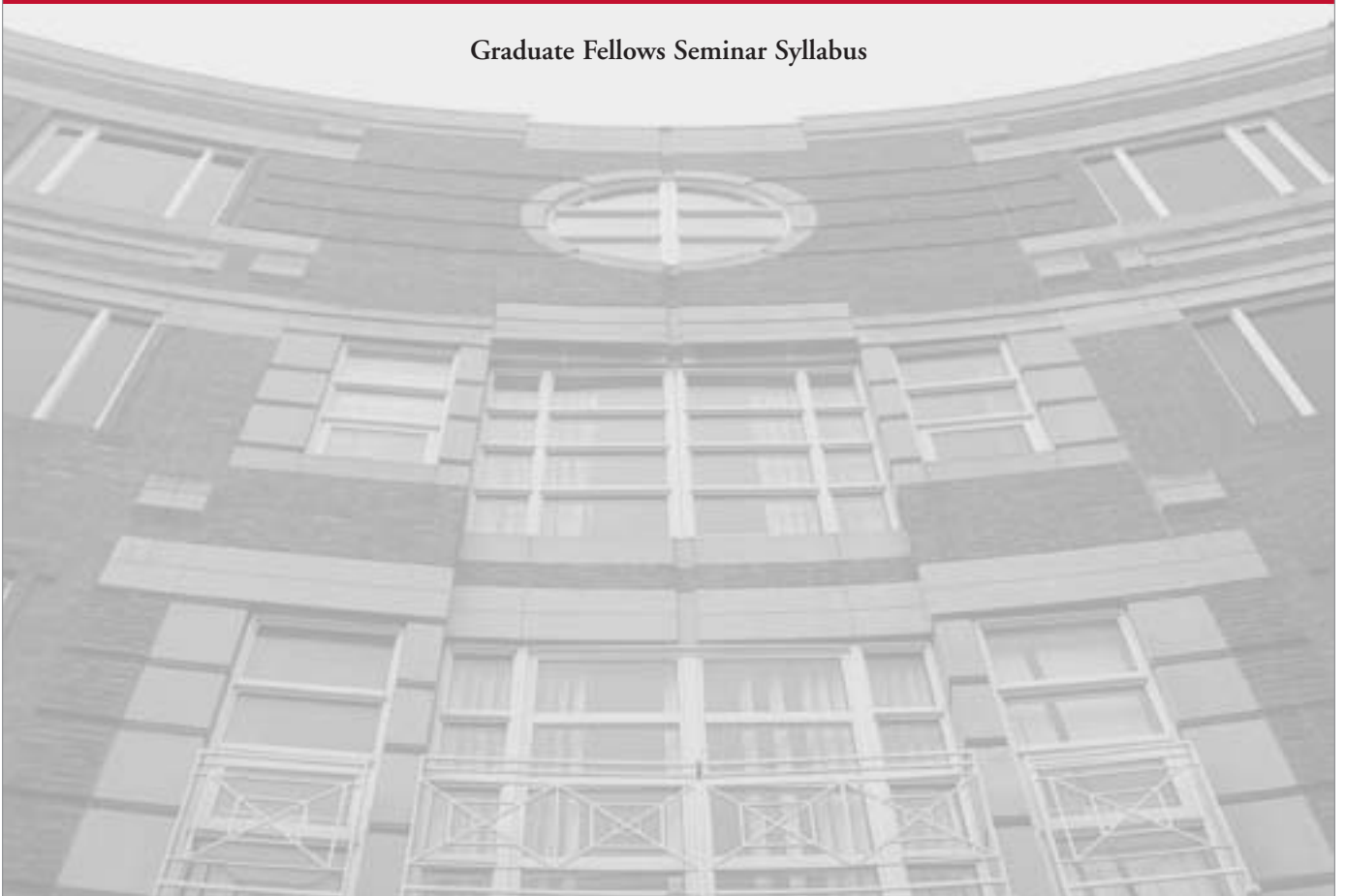
The weekly graduate fellows seminar also proved an exceptionally helpful forum at which to present my work, due to the attention and care that Arthur Applbaum and Frances Kamm were able to devote to critiquing and analyzing individual presentations. I presented thrice in the year and each time went away with a new set of ideas to develop, and challenges to overcome. Furthermore, the opportunity to attend talks and dinners hosted by the Center was a special bonus. My favorite talk of the year was Philip Pettit's presentation on the responsibility of corporations, which was followed by a lively dinner that not only featured

Dennis Thompson's remarkable ability to personally introduce every guest by name, but also an extended discussion on Pettit's presentation that involved some of the leading lights in academia.

And finally, there is the human side: I believe I have made some lasting friends during this past year and I hope to see many of the graduate fellows again in the near future. I also look forward to maintaining contact with the Center itself—a task made significantly easier by the professionalism and warmth of the staff.

APPENDIX IV

Graduate Fellows Seminar Syllabus



FALL 2005

Session 1: September 15**Syllabus Planning**

Presentation: Arthur Applbaum

Session 2: September 22**Cases in Practical and Professional Ethics**

Presentation: Arthur Applbaum

“Spaulding v. Zimmerman,” 263 MN 346 (1962)

Frederick Schauer, “Hunter v. Norman”

“Three Moments in the Stem Cell Debate”

Kazuo Ishiguro, *The Remains of the Day* (New York, NY: Vintage Books, 1989), pp. 31-44, 103-117, 138-39, 146-54, 164-69, 199-201

Session 3: September 29**Ethics of Role**

Presentation: Arthur Applbaum

Michael Hardimon, “Role Obligations,” *Journal of Philosophy* 91:7 (July, 1994), pp. 333-63

A. John Simmons, “External Justifications and Institutional Roles,” *Journal of Philosophy* 93:2 (January, 1996), pp. 28-36

Arthur Applbaum, “Are Lawyers Liars? The Argument of Redescription,” *Ethics for Adversaries: The Morality of Roles in Public and Professional Life* (Princeton, NJ: Princeton University Press, 1999), pp. 76-109

Session 4: October 6**Moral Dilemmas**

Presentation: Christopher Furlong

Bernard Williams, “Ethical Consistency,” *Problems of the Self* (Cambridge: Cambridge University Press, 1973), pp. 166-86 (originally published in the *Supplement to the Proceedings of the Aristotelian Society*, 39:1)

Alan Donagan, “Consistency in Rationalist Moral Systems,” *Moral Dilemmas*, ed. Christopher Gowans, (Oxford: Oxford University Press, 1987), pp. 271-90 (originally published in the *Journal of Philosophy* 81:6 (June, 1984), pp. 291-309)

Bernard Williams, “Two Cases: George and Jim” from “Consequentialism and Integrity,” ed. Samuel Scheffler, *Consequentialism and its Critics* (Oxford, Oxford University Press, 1988), pp. 32-6 (originally published in J.J.C. Smart and Bernard Williams, *Utilitarianism: For and Against* (Cambridge: Cambridge University Press, 1963), pp. 96-100)

Session 5: October 20**Doing and Allowing**

Presentation: Vlad Perju

Frances Kamm, selection from “Nonconsequentialism,” *Blackwell Guide to Ethical Theory*, ed. Hugh LaFollette (Oxford: Blackwell, 2000)

Warren Quinn, “Actions, Intentions, and Consequences: The Doctrine of Doing and Allowing,” *The Philosophical Review* 98:3 (July, 1989), pp. 287-312

T. M. Scanlon, “Intention and Permissibility,” *Supplement to the Proceedings of the Aristotelian Society*, 74:1 (2000), pp. 301-17

Judith Jarvis Thompson, “Physician Assisted Suicide: Two Moral Arguments,” *Ethics* 109:3 (April, 1999), pp. 497-518

Session 6: October 27**Freedom and Responsibility**

Presentation: Anja Karnein

Christine Korsgaard, “Creating the Kingdom of Ends: Reciprocity and Responsibility in Personal Relations,” *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), pp. 188-221

T. M. Scanlon, "Responsibility," *What We Owe to Each Other* (Cambridge, MA: Belknap Press of Harvard University Press, 1998), pp. 248-94

Harry G. Frankfurt, "Freedom of the Will and the Concept of a Person," *Journal of Philosophy* 68:1 (January, 1971), pp. 5-20

Session 7: November 3 **Intention and Foresight**

Presentation: Rahul Sagar

Will Kymlicka, selection from "Liberal Equality," *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 2002), pp. 70-5

Mathias Risse, "Two Models of Equality and Responsibility"

Ronald Dworkin, *Sovereign Virtue* (Cambridge, MA: Harvard University Press, 2002), pp. 48-83

T. M. Scanlon, *What We Owe to Each Other* (Cambridge, MA: Belknap Press of Harvard University Press, 1998), pp. 256-67

Session 8: November 10 **Group Agency**

Presentation: Paul Katsafanas

Thomas Hobbes, "Of Persons, Authors, and Things Personated," *Leviathan*, ed. C.B. McPherson (Baltimore, MD: Penguin Books, 1968), pp. 217-22

Christine Korsgaard, "The Unity of Agency," *Creating the Kingdom of Ends* (Cambridge: Cambridge University Press, 1996), pp. 369-74

J. David Velleman, "How to Share an Intention," *Philosophy and Phenomenological Research* 57:1 (March, 1997), pp. 29-50

Joel Feinberg, "Collective Responsibility," *Doing and Deserving* (Princeton, NJ: Princeton University Press, 1970), pp. 233-51

Session 9: November 17 **Just Distribution of Health Care**

Presentation: Reshma Jagsi

Norman Daniels, *Just Health Care* (Cambridge: Cambridge University Press, 1985), pp. 19-58

Norman Daniels, "Justice, Health, and Healthcare," *American Journal of Bioethics* 1:2 (2001), p. 2-16

Francis Kamm, "Health and Equality of Opportunity," *American Journal of Bioethics* 1:2 (2001), p. 17-19

Ronald Dworkin, "Justice in the Distribution of Health Care," *McGill Law Journal* 38:4 (1993), p. 883-98

Session 10: December 1 **Work in Progress**

Paul Katsafanas, "Nietzsche on Agency, Freedom, and Self-Knowledge"

Rahul Sagar, "Preservation"

Session 11: December 8 **Work in Progress**

Anja Karnein, "The Natural Lottery: Essential or Accidental?"

Paul Katsafanas, "Constitution and Self-Knowledge"

SPRING 2006

Session 12: February 2**Work in Progress**

Christopher Furlong, "Dissertation Prospectus: Reason and Motivation"

Reshma Jagsi, "Justice, Gender, and the Medical Profession"

Reshma Jagsi, "Maternity Leave and Medical Training"

Reshma Jagsi, "The Gender Gap in Authorship of Academic Medical Literature: A 35-Year Review"

Session 13: February 9**Work in Progress**

Vlad Perju, "Dimensions of Justice"

Rahul Sagar, "Introduction: Why Do Political Theorists Fear Politics?"

Session 14: February 16**Political Legitimacy**

Presentation: Christopher Furlong

Joseph Raz, "Authority and Justification," *Philosophy and Public Affairs* 14:1 (winter 1985), pp. 3-29

David Copp, "The Idea of a Legitimate State," *Philosophy and Public Affairs* 28:1 (winter 1999), pp. 3-45

Session 15: February 23**Constitutionalism and Democracy**

Presentation: Paul Katsafanas

Ronald Dworkin, "The Moral Reading and the Majoritarian Premise," *Freedom's Law: The Moral Reading of the American Constitution* (Cambridge, MA: Harvard University Press, 1996), pp. 7-35

Jeremy Waldron, "The Constitutional Conception of Democracy," *Law and Disagreement* (Oxford: Oxford University Press, 1999), pp. 282-312

Session 16: March 2**Public Reason and Religious Values**

Presentation: Anja Karnein

John Rawls, "The Idea of Public Reason Revisited," *Collected Papers* (Cambridge, MA: Harvard University Press, 1999), pp. 573-615

Brian Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism* (Cambridge, MA: Harvard University Press, 2001), pp. 32-50, 166-67, 171-73, 179-87

"Wisconsin v. Yoder," 406 U.S. 205 (1972)

Session 17: March 9**The Authority of International Law**

Presentation: Vlad Perju

H.L.A. Hart, "International Law," *The Concept of Law* (Oxford: Oxford University Press, 1997), pp. 213-37

Hans Kelsen, "Sovereignty and International Law," *Georgetown Law Review* 48:4 (summer 1960), pp. 627-40

Anne-Marie Slaughter, "An American Vision of International Law?" *American Society of International Law Proceedings* 97 (2003), pp. 125-32

Session 18: March 16**Global Distributive Justice**

Presentation: Reshma Jagsi

Charles Beitz, *Political Theory and International Relations* (Princeton, NJ: Princeton University Press, 1999), pp.132-70

Charles Beitz, "Rawls's Law of Peoples," *Ethics* 110:4 (July 2000), pp. 672-74

Michael Blake, "Distributive Justice, State Coercion, and Autonomy," *Philosophy and Public Affairs* 30:3 (summer 2001), pp. 257-96

Terry Wall, "Helping Radiation Oncologists and their Patients around the World," *ASTRONews* (Oct.-Dec. 2005), p. 20

Session 19: March 23**Human Rights and Intervention**

Presentation: Rahul Sagar

Michael Walzer, *Just and Unjust Wars* (New York, NY: Basic Books, 1977), pp. 51-63, 86-108

David Luban, "Just War and Human Rights," *Philosophy & Public Affairs* 9:2 (1980), pp. 160-81

Michael Walzer, "The Moral Standing of States: A Response to Four Critics," *Philosophy & Public Affairs* 9:3 (1980), pp. 209-229

David Luban, "The Romance of the Nation-State," *Philosophy & Public Affairs* 9:4 (1980), pp. 392-97

Session 20: April 6**Collective Responsibility**

Presentation: Anja Karnein and Paul Katsafanas

Jeremy Waldron, "Superseding Historical Injustice," *Ethics* 103:1 (October 1992), pp. 4-28

Janna Thompson, "Historical Injustice and Reparation: Justifying Claims of Descendants," *Ethics* 112:1 (October 2001), pp. 114-35

Session 21: April 13**Transparency in Moral and Political Philosophy**

Presentation: Rahul Sagar and Christopher Furlong

David Luban, "The Publicity Principle," *The Theory of Institutional Design*, ed. Robert E. Goodin, (Cambridge: Cambridge University Press, 1996), pp. 154-98

Axel Gosseries, "Publicity," *Stanford Encyclopedia of Philosophy* <http://plato.stanford.edu/entries/publicity/>

Session 22: April 20**Foundings**

Presentation: Vlad Perju

"On Constitutional Amendment Adopted by Referendum," Constitutional Council (France), 62-20 DC (6 November 1962)

"In re Certification of the Constitution of the R.S.A.," Constitutional Court (South Africa), 4 S.A. 744, 776-779 (6 September 1996)

Christine Korsgaard, "Taking the Law into Our Own Hands: Kant on the Right to Revolution," *Reclaiming the History of Ethics: Essays for John Rawls*, ed. Andrews Reath, Barbara Herman, Christine Korsgaard, (Cambridge: Cambridge University Press, 1997), pp. 297-328

Frederick Schauer, "Amending the Presuppositions of a Constitution," *Responding to Imperfection: The Theory and Practice of Constitutional Amendment*, ed. Sanford Levinson (Princeton, NJ: Princeton University Press, 1995), pp. 145-61

Session 23: April 27**Work in Progress**

Anja Karnein, "Genes and Other Means"

Rahul Sagar, "A Perfect Dilemma"

Session 24: May 4***Work in Progress***

Christopher Furlong, “Nagel on Moral Requirements and Motivation”

Paul Katsafanas, “What Might Unity of Agency Be?”

Session 25: May 11***Work in Progress***

Reshma Jagsi, “Conflicts of Interest and the Physician-Patient Relationship in the Era of Direct to Patient Advertising”

Vlad Perju, “Reflections on Constitutional Balancing”

Session 26: May 16***Ethics of Clinical Trials in the Developing World***

Presentation: Reshma Jagsi

Peter Lurie and Sidney Wolfe, “Unethical Trials of Interventions to Reduce Perinatal Transmission of the Human Immunodeficiency Virus in Developing Countries,” *New England Journal of Medicine* 337:12 (1997), pp. 853-56

Marcia Angell, “The Ethics of Clinical Research in the Third World,” *New England Journal of Medicine* 337:12 (1997), pp. 847-49

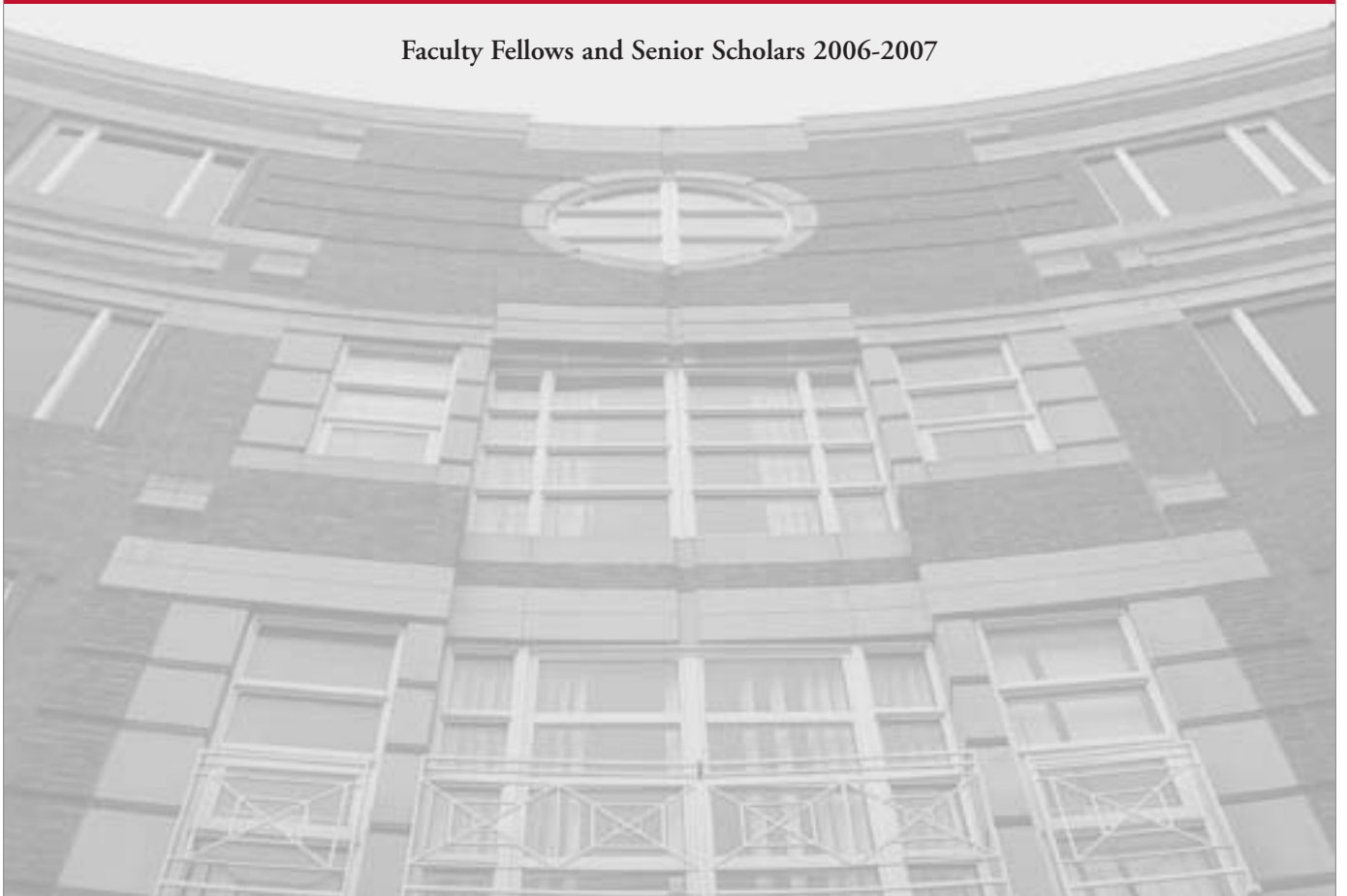
Jack Killen, Christine Grady, Gregory Folkers, and Anthony Fauci, “Ethics of Clinical Research in the Developing World,” *Nature Reviews Immunology* 2 (2002), pp. 210-15

Jennifer Hawkins, “Justice and Placebo Controls” (abridged excerpt), pp. 4-6

Jennifer Hawkins, “Exploitation and Placebo Controls,” pp. 1-38

APPENDIX V

Faculty Fellows and Senior Scholars 2006-2007



REBECCA BRENDEL, Faculty Fellow, is a psychiatrist at Massachusetts General Hospital, where she is a member of the Law and Psychiatry and Psychiatric Consultation Services, and is an Instructor in Psychiatry at Harvard Medical School. She earned a bachelor's degree in Philosophy from Yale College, and an MD and JD from the University of Chicago. Her research and teaching cover a range of issues in medicine, psychiatry and healthcare, including end-of-life, privacy and confidentiality, and human rights issues. Dr. Brendel has served on ethics committees at Massachusetts General and McLean Hospitals, the American Academy of Psychiatry and the Law, and the Academy of Psychosomatic Medicine. She recently completed a six-year term as Chair of the Human Rights Committee at Massachusetts Mental Health Center. Her work has appeared in psychiatric journals and textbooks. During the fellowship year, she will focus on the ethical conflicts at the intersections of medicine, psychiatry, and law, including those relating to the moral value of medicine and medical confidentiality. Dr. Brendel has been named the Edmond J. Safra Faculty Fellow in Ethics.

COREY BRETTSCHEIDER, Faculty Fellow, is Assistant Professor of Political Science and Public Policy at Brown University, where he teaches political theory and public law. He received a PhD in Politics from Princeton University and a JD from Stanford University. His recent articles, for a book project entitled *Democratic Rights*, include “Balancing Procedures and Outcomes within Democratic Theory: Core Values and Judicial Review,” in *Political Studies* (2005) and “The Value Theory of Democracy,” in *Politics, Philosophy and Economics* (forthcoming). He has published articles on capital punishment and the role of rights in Marxian thought. He received the Cornell University Young Scholar Award and a fellowship from the American Council of Learned Societies. Brettschneider will develop two projects during the fellowship year: one examines issues of federalism in constitutional law—particularly debates over state sovereign immunity—through the lens of contemporary democratic theory; the second suggests why political liberalism should incorporate the concerns of feminist theory.

SARAH CONLY, Faculty Fellow, teaches philosophy at Bowdoin College. She received a BA from Princeton University and an MA and PhD from Cornell University. She has an ongoing interest in consequentialism, and recently has attempted to use consequentialist methods of problem solving in “Seduction, Rape, and Coercion,” (*Ethics*, 2004) and “The Right to Procreation: Merits and Limits” (*American Philosophical Quarterly*, 2005). During the fellowship year she will be thinking about the problem of moral decision making, and devising and defending consequentialist strategies for successful moral education.

ARCHON FUNG, Senior Scholar, is Associate Professor of Public Policy at the John F. Kennedy School of Government. His research examines the impacts of civic participation, public deliberation, and transparency upon public and private governance. His *Empowered Participation: Reinventing Urban Democracy* (Princeton University Press, 2004) examines two participatory-democratic reform efforts in low income Chicago neighborhoods. Current projects also examine initiatives in ecosystem management, toxics reduction, endangered species protection, local governance, and international labor standards. His recent books and edited collections include *Deepening Democracy: Institutional Innovations in Empowered Participatory Governance* (Verso Press, 2003); *Can We Eliminate Sweatshops?* (Beacon Press, 2001); *Working Capital: The Power of Labor's Pensions* (Cornell University Press, 2001); and *Beyond Backyard Environmentalism* (Beacon Press, 2000). His articles on regulation, rights, and participation appear in *Political Theory*, *Journal of Political Philosophy*, *Politics and Society*, *Governance*, *Environmental Management*, *American Behavioral Scientist*, and *Boston Review*. Fung received his PhD from the Massachusetts Institute of Technology.

PHILIP PETTIT, Senior Scholar, is the Laurance S. Rockefeller University Professor of Politics and Human Values at Princeton University, where he has taught political theory and philosophy since 2002. He received a BA and an MA from the National University of Ireland, and a PhD from Queen's University, Belfast. He has taught at Queen's University, University College, Dublin, and Trinity

Hall, Cambridge. In 1976 he was appointed Professor of Philosophy at the University of Bradford, after which he moved to the Research School of Social Sciences, Australian National University, where he was Professor of Social and Political Theory and Professor of Philosophy. He works in two broad areas: the foundations of economics and the social sciences, including issues of psychology and metaphysics as well as methodology; and moral and political theory: the theory of what values our social institutions should realize and of how they can be best organized to promote such values. In both areas he works occasionally in more purely philosophical mode, sometimes in a mode that engages with economic and related methods; and in both areas, he works both alone and in collaboration with colleagues in philosophy, economics, political science, and law.

JEDEDIAH PURDY, Faculty Fellow, is Assistant Professor of Law at Duke University Law School. He earned an AB in Social Studies from Harvard University and a JD from Yale University. His research concentrates on the intersection of property law and political theory, particularly how economic arrangements promote or inhibit human freedom. His recent publications include *Being America: Liberty, Commerce, and Violence in an American World* (Knopf, 2003); "A Freedom-Promoting Approach to Property," (*University of Chicago Law Review*, 2005); and "The Ethics of Empire, Again" (*California Law Review*, 2005). His numerous essays have been published in, among others, the *New York Times*, *American Prospect*, *Atlantic Monthly*, and Germany's *Die Zeit*. He grew up in West Virginia and enjoys being outdoors for nearly any reason, including running, hiking, bicycling, and skiing. Professor Purdy has been named the Eugene P. Beard Faculty Fellow in Ethics.

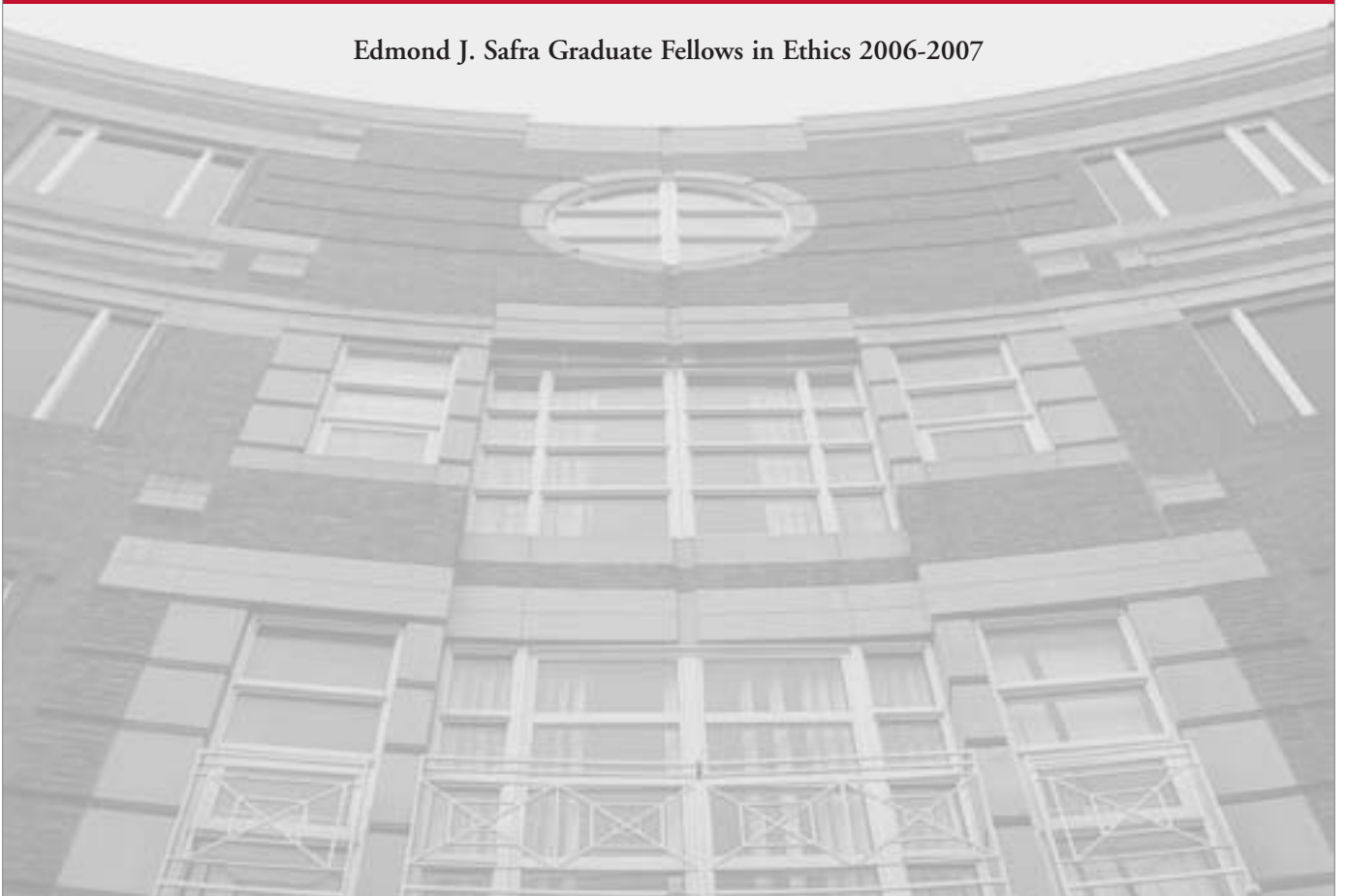
SANJAY G. REDDY, Faculty Fellow, is Assistant Professor of Economics at Barnard College, Columbia University; he also teaches in the university's School of International and Public Affairs. He earned a PhD in Economics and an AB in Applied Mathematics with Physics from Harvard, and an MPhil in Social Anthropology from the University of Cambridge. He

received fellowships from (among others) Harvard University and Princeton University. His areas of research include development economics, international economics, and economics and philosophy. He has researched for development agencies and international institutions, including the G-24 group of developing countries, Oxfam, UNICEF, UNDP, and the World Bank. He has published widely, and is a member of the editorial advisory boards of *Development*, *Ethics and International Affairs*, and the *European Journal of Development Research*. During the fellowship year, he will focus on the relation between ethical premises and empirical description in economics, on the role of apparent constraints in normative reasoning, and on realistically utopian global economic institutions.

DAVID WENDLER, Faculty Fellow, is a faculty member in the Department of Clinical Bioethics at the National Institutes of Health (NIH) in Bethesda, Maryland. He received a BA in Philosophy and Biology from the University of Pennsylvania, and a PhD in Philosophy from the University of Wisconsin-Madison, where he studied epistemology and the philosophy of science. His research, published mostly in medical journals, focuses on the ethics of conducting research with individuals who cannot give informed consent. His clinical duties include attending on the NIH ethics consultation service and reviewing research studies for the National Institute on Drug Abuse. His publications include "Quantifying the federal minimal risk standard: implications for pediatric research without a prospect of direct benefit," *JAMA* (2005), and "Dissolving the dilemma over forced treatment," *The Lancet* (2005). During the fellowship year, he plans to develop an account of why it can be ethically acceptable to expose children to risks for the benefit of others in the context of clinical research.

APPENDIX VI

Edmond J. Safra Graduate Fellows in Ethics 2006-2007



MICHAEL J. KESSLER is a PhD candidate in the Department of Philosophy. His interests focus on Kant's practical philosophy, the Social Contract tradition in political theory, and the relation between happiness and virtue in moral philosophy. His dissertation concerns the intersection of moral and political obligation. Many of the duties regulating how we ought to treat each other can be justified both morally and politically, raising questions about the basis on which the state identifies the legal constraints it places on its citizens. He argues that the justice of any state action is contingent upon its being derivable from a purely political conception of what it is good for people to do, and aims to bring out the strict minimalism regarding values that a state incurs as a condition of its legitimacy. Michael holds a BA with honors in Philosophy from the University of Toronto. At Harvard he has been a teaching fellow for classes on ethics issues, early modern philosophy, and problems in philosophy.

ISAAC NAKHIMOVSKY is a PhD candidate in the Department of Government. His dissertation examines how Kant's ideal of perpetual peace was developed in the political philosophy of Johann Gottlieb Fichte (1762-1814). The project seeks to assess Fichte's vision of a peaceful community of nations as well as his nationalism. Isaac holds an AB in History from Harvard College and an MPhil in Political Thought from Cambridge University. He has served as a teaching fellow in Government, Social Studies, and the Moral Reasoning section of the Core Curriculum. An avid violist, he is a resident tutor in Government and Music at Mather House.

GALIT SARFATY is a PhD candidate in Anthropology at the University of Chicago, and recently received her JD from Yale Law School. Her dissertation analyzes the institutional culture of the World Bank and the role of human rights in development policies and operations. Drawing from her ethnographic fieldwork of the World Bank over several years, she will examine the ethical dimensions of global governance and the promotion of justice and accountability in international institutions. Galit holds an MA in Anthropology from the University of Chicago and an AB *summa cum laude* in Anthropology

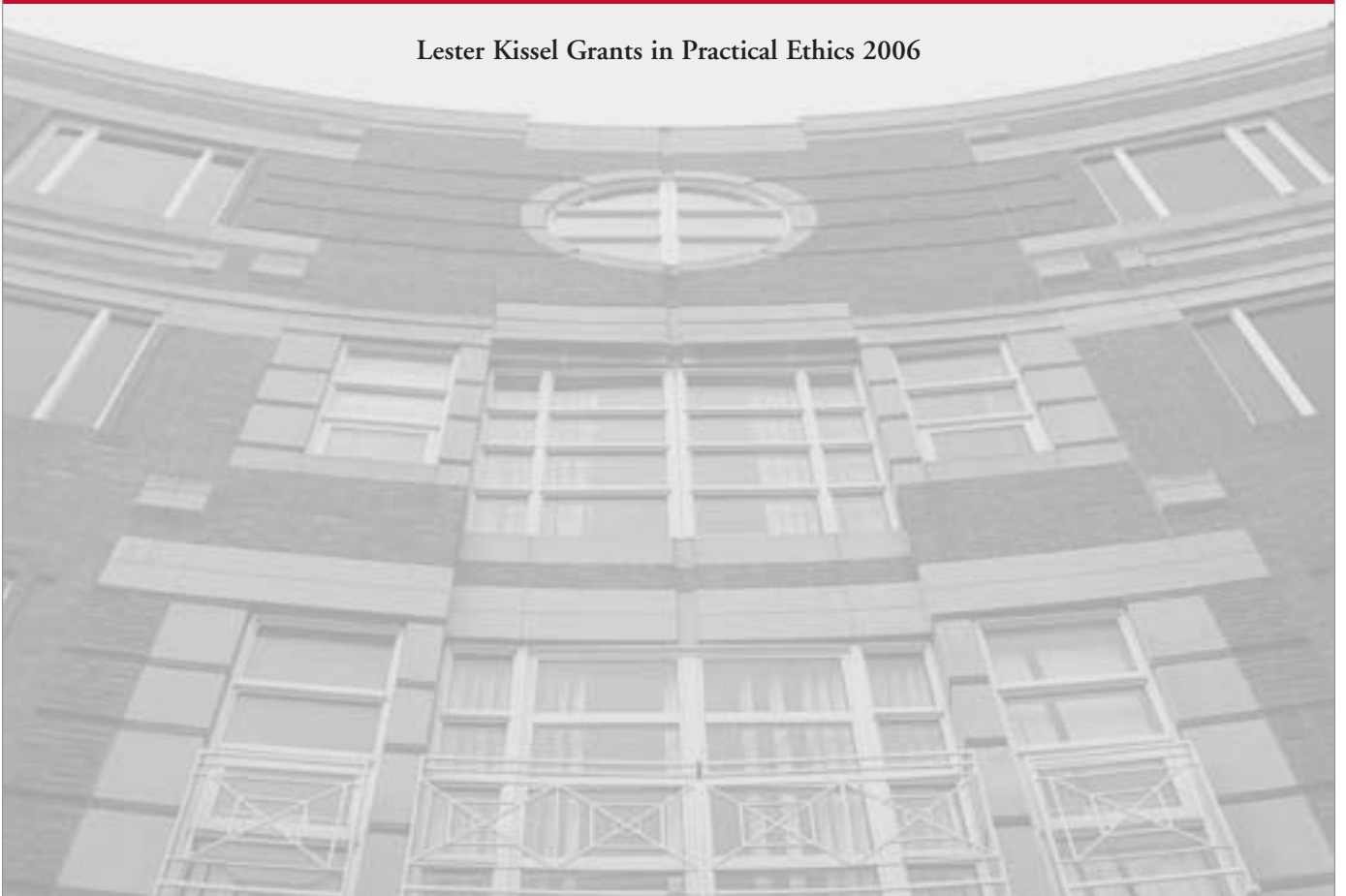
from Harvard College. While at the Ethics Center, she will be a joint fellow at the Harvard Law School Human Rights Program. She is also a resident tutor in Law and Anthropology at Leverett House.

CARLOS M. SOTO is a medical student at the Harvard Medical School and a PhD candidate in the Philosophy Department at Harvard. His research interests lie in the morality of killing and letting die. He is primarily interested in the ethics of assisted suicide and euthanasia and related issues such as the relation between intention and moral permissibility, the moral significance of doing versus allowing, and various accounts of well-being and the disvalue of death. Carlos holds a BA in Chemistry and Philosophy from Cornell University and has served as a teaching fellow at Harvard for courses in Moral Reasoning, Kantian ethics, and the Philosophy of Law.

CORA TRUE-FROST is a recent graduate of the LLM program at Harvard Law School. Her scholarship evaluates the effectiveness of thematic Security Council resolutions and their implications for international human rights law and global governance theory. She is interested in gender, global justice theory, and the moral and legal dilemmas in international transitional justice. She was Legal Consultant to the Fofana Defense Team at the Special Court for Sierra Leone, coordinated the NGO Working Group on Women, Peace and Security at U.N. headquarters, established the Women's Justice Unit at the Judicial Systems Monitoring Programme in East Timor, practiced civil litigation at Cravath, Swaine & Moore LLP, and taught with the Teach For America program in inner-city Baltimore and Harlem. She was a Law Fellow at the Syracuse University College of Law and earned a joint degree with the Maxwell School of Citizenship and Public Affairs. She served as Lead Articles Editor of the *Syracuse Law Review* and holds a JD/MPA *magna cum laude*. She received a BA in Philosophy and Sociology from Trinity University in San Antonio, Texas.

APPENDIX VII

Lester Kissel Grants in Practical Ethics 2006



Six Harvard College students were awarded the first annual Lester Kissel Grants in Practical Ethics, to carry out summer projects on subjects ranging from the ethics of health-care reform to the role of religion of public decision making. The students will use the grants to conduct research in the U.S. or abroad, and to write reports, articles, or senior theses. Three of the students will carry out their projects on internships or foreign study. Each grant supports living and research expenses up to \$3,000.

The recipients are as follows:

KEVIN GAN, a junior in Leverett House, will study the ethics of healthcare reform in the context of the HIV-AIDS crisis in South Africa. As a member of a team from Harvard Medical School, he will evaluate responsibility distribution and resource management of proposed models of HIV-related care.

KEITH HEMMERT, a junior philosophy concentrator, will carry out senior thesis research on luck and personal responsibility in Ethics and Law. He will explore the tensions between our basic intuitions about personal responsibility and the influence of luck on our ethical and legal judgments.

KELLY HEUER, a junior in Cabot House, will undertake honors thesis research in Beijing, China, on a topic in ethics and value theory as it relates to justice and individual rights. She will contrast perspectives from Chinese philosophy (particularly Confucian Humanism) with the more analytic ideology of the Western canon.

LOUI ITOH, a junior in Quincy House, will consider the question: *Do Professions of Faith Violate Public Reason? The Legitimacy of Religious Argument in Public Decisionmaking.* She will research the issue of legitimacy of religious argument in decision making, and investigate whether American politicians abide by the limits imposed on religious speech by political philosophers.

OM LALA, a senior at Kirkland House, will study the ethical considerations of, and incentive schemes for, designing strategies that address the problem of India's market in human organs. He will ask: What ethical principles make organ-selling wrong? Do different principles apply in developing countries? Which policies best optimize both practical and ethical standards?

JILLIAN LONDON, a junior at Kirkland House, will research the political and ethical implications of intervening, without their consent, in the lives of individuals with mental disorders and/or drug abuse problems so as to provide them with medical care and rehabilitation. To gain an international perspective, she will undertake her research in London.

APPENDIX VIII

Public Lecture Series 2006-2007



FALL 2006

OCTOBER 26

Thursday, 4:30 p.m.

Sanford V. Levinson

W. St. John Garwood and W. St. John Garwood, Jr.
Centennial Chair in Law and Professor of Government
University of Texas at Austin

The Ethics of Torture**NOVEMBER 9**

Thursday, 4:30 p.m.

Moshe Halbertal

Professor of Jewish Thought and Philosophy
Hebrew University

***Violence and the Sacred:
On Sacrifice and the Political Order***

**UNIVERSITY TANNER LECTURES
ON HUMAN VALUES 2006-2007**

NOVEMBER 15, 16 & 17

Wednesday, Thursday & Friday

Mary-Claire King

American Cancer Society Research Professor of
Genetics and Medicine, University of Washington
School of Medicine

Genomics, Race and Medicine**Wednesday & Thursday, 4:30 p.m.**

Lowell Lecture Hall
Oxford & Kirkland Streets

Friday, 10:00-12:00 noon

Wiener Auditorium, Kennedy School of Government
Seminar with Professor King and commentators

DECEMBER 7

Thursday, 4:30 p.m.

Elizabeth Kiss

Associate Professor of the Practice of
Political Science and Philosophy; Director,
Kenan Ethics Program, Duke University

Topic: TBA

SPRING 2007

MARCH 15

Thursday, 4:30 p.m.

Robert Gordon

Chancellor Kent Professor of Law and Legal History
Yale University

Topic: TBA**MAY 18**

Friday, 4:00 p.m.

Amartya Sen

Lamont University Professor and Professor of Economics
and Philosophy, Harvard University

Topic: TBA

Unless otherwise noted, the lectures (which are free and open to the public) will be held at 4:30 p.m. in Starr Auditorium, Kennedy School of Government. Additional events may be scheduled; please see website for details: www.ethics.harvard.edu

