

PHL 308
ELEMENTARY
ETHICS

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Lecture Fifteen

Autonomy, again

- Decisions
- Bad decisions
- Decisions the law refuses to recognize
 - Children
 - Drunk
 - Incapacitated
 - Demented?
- Precedent autonomy

Beneficence

- Needless jargon
- Best interest
 - Experiential
 - Critical
- Fiduciary responsibility
- Irrevocability
- Joseph Finelli

Dignity

- Experiential interests
- No recognition of experiential interests in late stages of Alzheimer's
- Critical interests

Dworkin's Argument

- Margo before dementia
- Exercises her precedent autonomy with an advanced directive.
- Her experiential interests
- Her critical interests
- Margo after dementia
- Limited autonomy
- Limited experiential interests
- No critical interests
- Pre-dementia autonomy trumps post-dementia autonomy
- We must honor Margo's advanced directive

Conflicts across time in the formerly competent

- Agnieszka Jaworska
- Threshold of authority
- Forward-looking perspective of decision-making
- Exercise of will as the point of autonomy
- Loss of personal identity
- Severance of prudential concern

Margo, again

- Pre-dementia Margo
- Post-dementia Margo
- Does post-dementia Margo meet the threshold of authority?
- Is post-dementia Margo still a person?
- Is post-dementia Margo still the same person as pre-dementia Margo?
 - Common sense
 - Ordinary language
 - Biological criteria