

DANA SARAH HOWARD

AREA OF SPECIALIZATION: Ethical Theory, Social and Political Philosophy, Bioethics

AREA OF CONCENTRATION: Feminist Philosophy, Epistemology

ACADEMIC EMPLOYMENT

National Institute of Health, Department of Bioethics. Bethesda, MD. Postdoctoral Fellow. 2015 – 2017

Participation and Training: Empirical and Conceptual Research, Clinical Center Ethics Consultation Service, IRB Review Training, Ethics and Regulatory Aspects of Clinical Research Training.

The Ohio State University, Columbus, OH. Postdoctoral Fellow. 2013 – 2015

EDUCATION

Brown University, Providence, RI. PhD in Philosophy. 2007-2013

University of Chicago, Chicago, IL. Visiting Scholars Program in Philosophy. 2011-2012

Pace University, New York, NY. MS in Common Branch Education. 2005

Stanford University, Stanford, CA. BA/MA in Philosophy. 2003

Honors in the Ethics in Society Program, Minor in Middle Eastern Studies

DISSERTATION: *ON BEHALF OF ANOTHER*

Committee: David Estlund (Principal Advisor), Charles Larmore, Sharon Krause

PEER REVIEWED ARTICLES PUBLISHED OR FORTHCOMING

“The Medical Surrogate as Fiduciary Agent” in *Journal of Law, Medicine, and Ethics*, Vol. 45, No. 3, (Fall 2017)

“Transforming Others: On the Limits of ‘You’ll Be Glad I did It’ Reasoning” in *Res Philosophica*, Vol. 92, No. 2, (2015) [Special Issue on Transformative Experiences]

CHAPTERS IN EDITED VOLUMES PUBLISHED OR FORTHCOMING

“Paternalism and Deciding For Those Who Cannot Decide on Their Own” in *The Routledge Handbook of the Philosophy of Paternalism*. ed. Kalle Grill and Jason Hanna. Taylor & Francis/Routledge (Forthcoming).

“Surrogate and Collaborative Decision Making: Deciding for or with Others?” with David Wendler in *The Oxford Handbook for Philosophy and Disability*. ed. David Wasserman and Adam Cureton. Oxford University Press. (Forthcoming)

“Disability, Well-Being and (In)Apt Emotions” in *Ability and Enhancement*, ed. Terry Price and Jessica Flanigan, Palgrave Macmillan. (Forthcoming)

“The Public-Private Distinction,” in *The Encyclopedia of Political Thought*: Wiley-Blackwell Publications. (2013)

“Democratic Theory,” in *The International Encyclopedia of Political Science*: Sage Publications, Washington D.C. (2011)

“Paternalism as Non-Domination: A Republican Argument,” in *The Philosophy and Medicine Newsletter of the American Philosophical Association*, Vol. 09, No. 2. (2010)

WORKS UNDER REVIEW

“On the Uses and Abuses of Advising Others”

“Reasonable Hope and the Aims of Political Philosophy”

“Reconsidering Reconsent at 18”

“The WHO, Zika, and the Norms of Advising” (Revise and Resubmit at Journal of Medical Ethics)

EMPIRICAL RESEARCH

With David Wendler. Focus group study interviewing surrogate decision-makers about their willingness to use a population-based statistical tool that predicts which treatment the patient would prefer based on the treatment preferences of similar patients in similar situations.

PRESENTATIONS

2016 American Society for Bioethics and Humanities: “Ethical Considerations Regarding Policy During the Zika Pandemic”; “Disability, Well-Being, and (In)Apt Emotions”

National Institutes of Health: “The Zika Crisis and an Ethical Framework for Advising” (NIH Inter-Institute Bioethics Interest Group)

Dartmouth College: “Transformative Choices and the Specter of Regret” (Moral, Social, and Political Philosophy Workshop)

University of Notre Dame: “The Scoundrel and the Visionary: Reasonable Hope and the Possibility of a Just Future” (Hope and Optimism Conference)

University of Richmond, Jepson School of Leadership Studies: “Disability, Well-Being, and (In)Apt Emotions” (Jepson Colloquium: Ability and Enhancement)

University of North Carolina Chapel Hill, Philosophy Department: “Transformative Choices, Medical Decision-Making and the Specter of Regret” (Invited Workshop)

APA Central, Main Program Invited Presenter on Symposium on Disability

2015 APA Eastern, Main Program: Response to Trevor Hedberg Unraveling the Asymmetry in Procreative Ethics.”

2014 APA Pacific, Main Program: “A Humble Defense of Caring About Our Own Well-Being.”

2013 Dartmouth Ethics Conference: “Response to Shah on ‘Why We Reason the Way We Do?’”

Western Political Science Association Meeting: “Reclaiming Control and Strengthening Relationships: A Care Ethics Defense of Advanced Directives.”

University of Tennessee, Knoxville “The Perils of ‘You’ll Be Glad I did It’ Reasoning.” (Invited Colloquia)

SUNY Binghamton: “The Perils of ‘You’ll Be Glad I did It’ Reasoning.” (Invited Colloquia)

University of Arkansas: “The Perils of ‘You’ll Be Glad I did It’ Reasoning.” (Invited Colloquia)

2012 APA Central, Main Program: “On Advising Well.”

2011 Association for Political Theory Conference: “You’re No Expert: On the Norms of Advising in a Trustworthy Manner.”

2010 APA Eastern, Society for Social and Political Philosophy Panel: “The Scoundrel and The Visionary: On Reasonable Hope and the Aims of Political Philosophy.”

Association for Political Theory Conference: “The Scoundrel and the Visionary: On Reasonable Hope and the Aims of Political Philosophy.”

Workshop on Non-ideal theory and Institutional Theory at the Canadian Political Science Association Annual Meeting: “Rawls on Hope.”

Princeton University Graduate Conference in Political Theory: “What’s Wrong With Theories of Justice Demanding More Than We Can Will?”

2009 Northwestern University Society for Ethical Theory and Political Philosophy Conference: “Paternalism as Non-Domination: A Republican Argument.”

TEACHING EXPERIENCE

Instructor, The Ohio State University

2015 PHIL 3420: Philosophical Perspectives on Issues of Gender

2014 PHIL 2400: Social and Political Philosophy

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2013 PHIL 2400: Social and Political Philosophy

Instructor, School at the Art Institute

2013 HUM 154: Topics in Philosophy: The Woman in Feminist Philosophy

Instructor, Brown University

2010 PHIL 180: Feminist Philosophy

Teaching Assistant, Brown University

2012 PHIL 080: Existentialism, Prof. Bernard Reginster

2011 PHIL 500: Moral Philosophy, Prof. Jason Brennan (Guest Lectured)

2009 PHIL 350: Ancient Philosophy, Prof. Justin Broackes

2009 PHIL 360: Early Modern Philosophy, Prof. Katherine Dunlop

2008 PHIL 400: Marxism, Prof. Charles Larmore

Teaching Assistant, Stanford University

2003 PHIL 78: Medical Ethics, Prof. Agnieszka Jaworska

PROFESSIONAL EXPERIENCE

2016-2017 Consult Team, NIH Clinical Center Bioethics Consultation Service (conduct consultations regarding ethical issues that arise in clinical care and clinical research)

2016 Attendant at NIH intramural IRB meetings

2016 Instructor of Bioethics, Jessup Scholars Program (Prison Education Program)

- 2013 Invited Discussant to Nishi Shah, “Why We Reason the Way We Do” at Dartmouth Ethics Workshop
- 2007-2013 Participant in Political Philosophy Workshop, Brown University
- 2012 Participant in the Mellon Workshop on Morality and Aesthetics, Brown University
- 2012 Participant in Weekly Medical Ethics Conference. University of Chicago Medical School
- 2011 Invited Discussion Chair at the Bowling Green State University Workshop in Applied Ethics and Policy, “Freedom, Paternalism, and Morality.”
- 2011 Research Assistant for Justin Broackes. (Spring 2010) Provided editorial support for publication of collected essays entitled “Iris Murdoch, Philosopher.” (Oxford University Press, 2011)
- 2008 Conference Organizer, 13th Annual Shapiro Graduate Student Philosophy Conference, Brown University.

RELATED ACADEMIC POSITIONS

- 2003 -2007 6th and 7th Grade Math Teacher, Middle School 223, The Laboratory School of Finance and Technology (Bronx, NY) (2003 – 2007)
- 2003-2005 Participant in the NYC Teach for America Corps
- 2001-2002 Ethics at Noon Coordinator, Program in Ethics in Society, Stanford University

AWARDS AND HONORS

- Brown University Dissertation Completion Fellowship (2012 – 2013)
- Brown University Graduate Fellowship (2007- 2012)
- Philosophy of Education Society Great Britain, Summer School Participant, (Participation Stipend, Room and Board)(2008)
- Americorps Education Award through participation in the Teach For America Program (2003-2005)
- Academic Honors in the Ethics in Society Program Stanford University (2002)
- Mothershead Prize for Outstanding Achievement in Ethics, Stanford University (2002)
- Undergraduate Research Assistant Fellowship, The Stanford Humanities Center (2001)
- Chappell-Lougee Scholar, Stanford University (2000)

REFERENCES

- Christine Grady, Chief of the Department of Bioethics at the National Institutes of Health Clinical Center. Cgrady@nih.gov
- David Wendler, Senior Investigator, Head of the Section on Research Ethics in the Department of Bioethics at the NIH Clinical Center. Dwendler@nih.gov
- Justin D’Arms, Professor of Philosophy, Department Chair, Philosophy Department, Ohio State University. Darms.1@osu.edu
- David Estlund, Lombardo Family Professor of the Humanities, Philosophy Department, Brown University. David_Estlund@brown.edu
- Charles Larmore, W. Duncan MacMillan Family Professor in the Humanities, Philosophy Department, Brown University. Charles_Larmore@brown.edu
- Sharon Krause, Professor of Political Science, Brown University. Sharon_Krause@brown.edu

Dissertation Abstract

We often find ourselves in situations where it is up to us to make decisions on behalf of others. A friend may be running late for a lunch date and asks us to pick something off the menu for her. An elected official must choose on behalf of her constituency whether to give the president authority to bomb foreign combatants. Family members consent to medical procedures on behalf of loved ones (young and old) who do

not presently have the capacity to make such decisions for themselves. In these situations, we may not have enough information about the preferences and values of these others to know precisely what they would have decided for themselves. Or we may have profound reservations about the values that we believe them to hold. And further, there may be no appropriate means to consult with them; they may be temporarily incapacitated or lack the maturity and life experiences to decide for themselves or they may just have better things to do with their time. So even if we have been authorized to act on behalf of others in the specific situation, we may not be able to just do what those persons have authorized us to do on their behalf. Instead, we must *decide on their behalf* what it is we are to *do on their behalf*. Thinking about the normative implications of this role calls for an ethics of trusteeship. In the introductory chapter of my dissertation, I propose that the characteristic task of a trustee (the vicarious decision-maker) is to enact the will of the principal through the decisions that are made on her behalf. I argue that these vicarious decisions are best understood as irreducibly joint ventures with at least two co-subjects, each of whom may be held accountable for the vicarious action taken up.

This view of trusteeship has important implications for how such actions can be justified. In Chapters 2-4 of my dissertation, I consider and ultimately reject commonplace methods of justification that may tempt us. In Chapter 2, I ask whether we can justify vicarious decisions by appeal to the likelihood that the principal will come to accept or even endorse our decision. I conclude that such a method of justification is mistaken since the future pro-attitude we are appealing to is causally dependent on the decision we are attempting to justify. The measures we take now can be manipulative enough to virtually guarantee future consent on the part of the principal; there is no good reason to think that this should also guarantee the action's justifiability. In Chapter 3, I consider whether we can justify vicarious decisions by showing that they best promote the principal's welfare. In response, I argue that there is value in keeping distinct the role of trustee and the role of benefactor. In our commitment to acting on behalf of the principal as their trustee, we must be open to the possibility that the principal may reasonably prefer to sacrifice some measure of her welfare for some other value she cares more about. Finally in Chapter 4, I consider whether we can justify our vicarious decisions by appealing to the principal's rational preferences – that is, if we can show that it is what the principal would have wanted us to do on her behalf were she in some idealized epistemic position. While promising, I ultimately reject this proposal as well. Such a normative view would be committing a kind of conditional fallacy since the principal may have reasons to prefer certain actions on her behalf precisely because she is in a non-ideal epistemic position. Moreover, such an account loses sight of the fact that as trustees, we are the ones who decide how to act and so we cannot extricate ourselves from that responsibility and unreflectively do what the principal would want us to do regardless of how rational those desires turn out to be.

By understanding how these three alternatives fail to offer a complete ethical account of trusteeship, the distinctive demand of acting on behalf of another is put in sharp relief: when we are charged with the role of figuring out how to act on behalf of another, we should do what the principal would have authorized us to do on her behalf were we to have had the opportunity to deliberate together in good faith about how to proceed. As I discuss in Chapter 5, imagining this idealized joint deliberation goes beyond an advisory relation in which the principal retains ultimate authority to decide for herself. Both the principal's and the trustee's agency is implicated in the vicarious action that the trustee takes on behalf of the principal and so both are the object of legitimate ethical consideration in thinking about how proceed. Viewing trusteeship as a joint venture guided by this norm can inform a variety of debates in applied ethics and public policy. While I discuss a variety of concrete cases throughout the dissertation, Chapter 6 serves as an extended case study focusing on the responsibility of proxy decision-makers in end of life care.