

Healing by Killing: Medical Ethics after the

Holocaust RELI 389/613 001 F15

Time: Tuesdays and Thursdays 1:00 – 2:15 pm

Location: HUM 215

INSTRUCTOR:

Sheldon Rubenfeld, M.D.

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Professor of General Medicine, Baylor College of Medicine

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GUEST INSTRUCTORS:

Laurence McCullough, PhD

Dalton Tomlin Chair in Medical Ethics and Health
Policy Center for Medical Ethics and Health Policy
Baylor College of Medicine

Howard Brody, MD, PhD

Recipient, Lifetime Achievement Award
American Society for Bioethics + Humanities

Rebecca Lunstroth, JD, MA

Assistant Director, McGovern Center for Humanities & Ethics
Assistant Professor, Family Medicine
University of Texas Health Science Center at Houston

Rabbi Yossi Grossman

Director, Jewish Ethics Institute
Franziska Eckert, MD

Specialist, Department of Radiation Oncology,
Eberhard-Karls-University of Tuebingen
Visiting Scientist, MD Anderson Cancer Center
Department of Experimental Radiation Oncology

Barbara Hales, PhD
Chair, History Program
Associate Professor, History and Humanities
University of Houston - Clear Lake

OFFICE HOURS:

Hours by appointment.

COURSE DESCRIPTION:



If Dr. Josef Mengele, who abused, tortured or killed several thousand Auschwitz concentration camp prisoners in his experiments, is called the “Angel of Death,” then what do we call Dr. Irmfried Eberl, who ended more than 20,000 “lives not worth living” in two euthanasia centers and murdered 250,000 Jews at Treblinka?

Why did Hitler write a fan letter to Madison Grant—lawyer,

conservationist, and friend of American presidents—saying that his book *The Passing of the Great Race*, “is my bible.”

Who decides what is ethical in the doctor-patient relationship, human subjects research, and public healthcare policy?

This course focuses on the history of eugenics, medicine in Germany and the United States from 1900 to the end of World War II and the impact of that history on medical ethics after the Holocaust. The course will be divided into three areas of study:

1. Nazi medicine: the central role of the medical profession in the design and implementation of “Applied Biology,” the healthcare policy of Germany under National Socialism that led to the Holocaust.
2. American eugenics: the eugenic policies generated by American eugenicists that provided moral, legal, and philanthropic support and models for German National Socialist public healthcare policy makers and physicians.
3. Medical ethics after the Holocaust: the history of secular and Jewish medical ethics up to the Nuremberg Medical Trial, and the transformation of medical ethics into bioethics after the Nuremberg Code.

OVERALL COURSE OBJECTIVES:

1. Enhance student understanding of the critical role of the German medical profession in designing and implementing the policies that led to the Holocaust.
2. Dispel the myths about doctors and medicine during the Third Reich.
3. Enhance student appreciation for the role of eugenics in clinical medicine, human subjects research, and public healthcare policy in Germany and in America.
4. Learn the fundamentals of Jewish medical ethics and secular bioethics,

including their historical origins.

EXPECTED LEARNING OUTCOME:

1. Identify seminal events in the history of medical ethics before and after the Holocaust.
2. Discuss and write thoughtfully about the role of eugenics in German and American medicine.
3. Articulate the influence of German and American medicine on each other.
4. Think and write critically about medical ethics and bioethics, including the similarities and differences between secular bioethics and Jewish medical ethics.
5. Read and interpret primary and secondary texts and scholarly analyses.
6. A principal goal of this course will be to incorporate historical material into decision-making about contemporary issues.

REQUIRED BOOKS (Rice bookstore may have these books in stock.):

1. *Racial Hygiene: Medicine under the Nazis*. Robert Proctor, Harvard University Press, Cambridge, MA, 1988. ISBN-10: 0674745787, ISBN-13: 978-0674745780.
2. *Medicine after the Holocaust: From the Master Race to the Human Genome and Beyond*. Sheldon Rubenfeld (ed.), Palgrave Macmillan, New York, NY, 2009. ISBN-10: 0230621929, ISBN-13: 978-0230621923.
3. Additional reading and audiovisual materials will be provided.

CLASS POLICIES:

1. Lateness: Out of respect for the students who arrive in a timely fashion, class will begin promptly at 1:00 pm. Points will be deducted

for students who arrive after class has begun or who leave early without permission from the instructor.

2. Extensions: Extensions on any of the assignments are rare and are only granted in extenuating circumstances.
3. Readings: Students are expected to have the technology (OWLSPACE access, a PDF reader, ability to view movies) to read or view actively the assigned materials prior to each class.
4. Students are expected to show up for all classes.
5. **Three classes coincide with Jewish holidays.** Although we will not meet, students are expected to read or view the assignments for those days, which are:

September 15, Tuesday: Rosh Hashanah

September 29, Thursday: Sukkot

October 6, Tuesday: Simchat Torah

REQUIREMENTS AND GRADING:

Regular class attendance and thoughtful preparation of all reading and writing assignments are imperative for a successful class. Specifically:

1. Class participation (attendance, active reading, participation in the discussions, presentations of interesting papers): 10%
2. A 6-8 page paper with six or more references on any aspect, no matter how peripheral, of medicine during the Third Reich: 20%
3. A 6-8 page paper with six or more references on any aspect, no matter how peripheral, of American eugenics: 20%
4. A 12-15 page final paper with 12 or more references on any aspect of medical ethics after the Holocaust. It should include objective historical or contemporary material to support your personal views on a topic of your choosing: 50%.

ACCOMMODATIONS:

Any student with a documented disability seeking an academic adjustment or accommodations is requested to speak with the instructor during the first two weeks of class. All such discussions will remain confidential. Students with disabilities should also contact Rice Disability Support Services in Allen Center, Room 111

(adarice@rice.edu).

THE RICE HONOR CODE:

As a Rice student, you are expected to uphold the Honor Code on all of your studies and assignments for this class as detailed in the Student Handbook.

THE SYLLABUS:

Please make sure you read all of the assigned texts and view the assigned films before coming to class. Give yourself ample time to read or view the materials. Pay particular attention to the primary sources and preferably read them more than once.

All reading materials and films for this course are posted on the OWL Space webpage unless otherwise noted. *Always* bring a copy of all the assigned readings to class, either in paper or in electronic form.

The instructors reserve the right to make modest changes to the syllabus.

1. Tuesday, August 25: Getting acquainted, getting started.

READINGS:

Nathaniel Hawthorne, *The Birthmark*,

<http://www.online-literature.com/poe/125/>

Albert R. Jonsen: *Frankenstein and the Birth of Medical Ethics in The Picture of Health*, Colt, Quadrelli, and Friedman, eds., 2011, pp. 4-9.

2. Thursday, August 27: Between Mounts Sinai and Olympus

READINGS:

Michael Novak: *Jewish Metaphysics at the Founding in On Two Wings: Humble Faith and Common Sense at the American Founding*, 2002, pp. 3-24

3. Tuesday, September 1: Eugenics and Racial Hygiene in Germany

READINGS:

Proctor, pp. 10-45

4. Thursday, September 3: The Sterilization Law

READING: Theresa Duello: Misconception of “Race” as a Biological Category: Then and Now in Rubinfeld, pp. 37-48

5. Tuesday, September 8: The Nuremberg Laws

READINGS:

Proctor, pp. 131-141

6. Thursday, September 10: The Control of Reproduction and Women

READINGS:

Proctor, pp. 118-130

7. Tuesday, September 15: **NO CLASS (JEWISH HOLIDAY)**

Euthanasia during the Third Reich

READINGS:

Henry Friedlander: From “Euthanasia” to the Final Solution in
Deadly Medicine: Creating the Master Race, 2004,
pp. 155-183

8. Thursday, September 17: Human Subjects Research in the Third Reich

READINGS:

Arthur Caplan: Foreword in Rubinfeld, *Human Subjects Research after the Holocaust*, 2014, pp. ix-xi

Eva Kor, survivor of Mengele’s twin experiments at Auschwitz at:
<http://methodist.hendrik.mvp.com/Media/Details/152> **OR** Eva Mozes Kor: Twin Experiments in Auschwitz: A First-Person Account in Rubinfeld, *Human Subjects Research after the Holocaust*, 2014, pp. 1-17

9. Tuesday, September 22: The Final Solution

READINGS:

Wannsee Protocol

Irving Greenberg: Why Science and Religion Need to Cooperate to Prevent a Recurrence of the Holocaust in Rubinfeld pp. 171-180

10. Thursday, September 24: How Healers Become Killers

READINGS:

Edmund Pellegrino: When Evil Was Good and Good Evil: Remembrances of Nuremberg in Rubinfeld pp. 11-16

Michael A. Grodin: Mad, Bad, or Evil: How Physician Healers Turn to Torture and Murder in Rubinfeld pp. 49-66

11. Tuesday, September 29: **NO CLASS (JEWISH HOLIDAY)**

The Cover-up and the Myths

READINGS:

Volker Roelcke: Medicine during the Nazi Period: Historical Facts and Some Implications for Teaching Medical Ethics and Professionalism in Rubinfeld pp. 17-28

In Remembrance of the Victims of Nazi Medicine, Nuremberg, May 2012; and Nuremberg Declaration of the German Medical Assembly 2012; *IMAJ*, 2012, 14, pp. 529-530

Edward H. Livingston: German Medical Group: Apology for Nazi Physicians' Actions, Warning for Future. *JAMA*, 2012, 308: 657-658

Shmuel Reis: Reflections on the Nuremberg Declaration of the German Medical Assembly. *IMAJ*, 2012, 14, pp. 532-534

Robert N Proctor: Nazi science and Nazi medical ethics: some myths and misconceptions. *Perspectives in Biology and Medicine*, 2000, 43:3, pp. 1-4.

12. Thursday, October 1: Progressivism, Racism in

America READINGS:

Robert Baker et al: African American Physicians and Organized Medicine, 1846-1968. *JAMA*, 2008, pp. 306-314.

AMA apologizes for history of racial inequality and works to include and promote minority physicians

Ronald M. Davis: Achieving Racial Harmony for the Benefit of Patients and Communities. *JAMA*, 2008, pp. 323-325

Short paper #1 due: 6-8 page paper with six or more references on any aspect, no matter how peripheral, of medicine during the Third Reich.

13. Tuesday, October 6: **NO CLASS (JEWISH HOLIDAY)**

Eugenics in America

READINGS:

Diane B. Paul: The Menace of the Moron in *Controlling Human Heredity: 1865 to the Present*, 1995, pp. 50-71

Stefan Kühl: The Cooperation of German Racial Hygienists and American Eugenists before and after 1933 in *The Holocaust and History*, 1998, pp. 134-147

14. Thursday, October 8: Sterilization in America

READINGS:

Andre Sofair and Lauris C. Kaldjian: Eugenic Sterilization and a Qualified Nazi Analogy: The United States and Germany, 1930-1945. *Ann Intern Med*, 2000, 132, pp. 312-319.

PR Reilly: Involuntary Sterilization in the United States: a surgical solution. *The Quarterly Review of Biology*, 1987, 62, pp. 153-170

Paul A. Lombardo, *Three Generations, No Imbeciles*, 2008, pp. ix xiv

15. Tuesday, October 13: **NO CLASS (MIDTERM RECESS)** 16.

Thursday, October 15: The Control of Reproduction and Women

READINGS:

Angela Franks: Taking Sanger Seriously in Margaret Sanger's Eugenic Legacy: The Control of Female Fertility, 2005, pp. 5-20

Matthew Connelly: Fatal Misconception: The Struggle to Control World Population, Harvard University Podcast, 2008, at: <http://www.hup.harvard.edu/news/audio/CONFAT.mp3>

17. Tuesday, October 20: Euthanasia in America

READINGS:

Martin S. Pernick, The Black Stork: Eugenics and the Death of Defective Babies in American Medicine and Motion Pictures Since 1915, 1996, pp. 19-40

18. Thursday, October 22: Immigration Policies

READINGS:

Alexandra Minna Stern: Eugenic Nation: Faults and Frontiers of Better Breeding in Modern America, pp. 57-81
Ferid Murad: Genetic Diversity Has Prevailed, Not the Master Race, in Rubinfeld, p. 67

19. Tuesday, October 27: Human Subjects Research in America

READINGS:

Allan M. Brandt: Racism and Research: The Case of the Tuskegee Syphilis Study, at: [http://dash.harvard.edu/bitstream/handle/1/3372911/Brandt Racism .pdf?sequence=1](http://dash.harvard.edu/bitstream/handle/1/3372911/Brandt_Racism.pdf?sequence=1)

Tom L. Beauchamp: In the Shadow of Nuremberg: Unlearned Lessons from the Medical Trial in *Human Subjects Research after the Holocaust*, Rubinfeld and Benedict (eds.), 2014, pp. 175-193

20. Thursday, October 29: Medicine: Who Should Decide?

READINGS:

James F. Childress: Who Should Decide? Paternalism in Health Care, 1982, pp. vii-ix, 186-211

Jonathan D. Moreno and Sam Berger: Progress in Bioethics: Science, Policy and Politics, 2010, pp. xvii-xx

Ward Connerly: The Status of the Relationship between the Citizen and the Government in Rubenfeld, pp. 181-184

21. Tuesday, November 3: History of Bioethics (McCullough)

READINGS:

Laurence B. McCullough, The Ethical Concept of Medicine as a Profession: Its Origins in Modern Medical Ethics and Implications for Physicians, in *Lost Virtue: Professional Character Development in Medical Education in Advances in Bioethics*, 10, pp. 17-27

Albert R. Jonsen: The Discourses of Bioethics in the United States in McCullough and Baker's *The Cambridge World History of Medical Ethics*, 2012, pp. 475-485

Short paper #2 due: 6-8 page paper with six or more references on any aspect, no matter how peripheral, of American eugenics.

22. Thursday, November 5: The Nuremberg Doctors' Trial (Brody)

READINGS:

Howard Brody: The Origins and Impact of the Nuremberg Doctors' Trial in *Human Subjects Research after the Holocaust*, 2014, pp. 1-19

Jochen Vollman and Rolf Winau: Nuremberg Doctors' Trial: Informed Consent in Human Experimentation Before the Nuremberg Code. *BMJ*, 1996, pp. 1445-1449.

23. Tuesday, November 10: Jewish Medical Ethics (Grossman)

READINGS:

Avraham Steinberg: Jewish Medical Ethics and Risky Treatments
in Rubinfeld, pp. 213-220

24. Thursday, November 12: Contemporary Secular Bioethics
(Lunstroth)

READINGS:

Howard Brody and Mark Clark: Narrative Ethics: *A Narrative*.
Hastings Center Report, January-February 2014, pp. S7-S11
Principlism in Encyclopedia of Bioethics, 3rd Edition, 2003, Vol. 4,
pp. 2099-2103
Medical Professionalism in the New Millenium: A Physician
Charter. Ann Intern Med, 2002, 36, pp. 243-246

25. Tuesday, November 17: Bioethics Case Studies I (Lunstroth and
Grossman)

READINGS: (It is not necessary to read these works: cases for
discussion in class might be selected from either of these two
collections of cases i.e. be sure you bring them to class.)

Childress: Who Should Decide? Paternalism in Health Care, 1982,
pp. 212-236

Casebook on Bioethics and the Holocaust: Download
at: [http://www.unesco-chair
bioethics.org/UI/F0101.aspx?uid=F8D02FF3F880A4FE](http://www.unesco-chair.bioethics.org/UI/F0101.aspx?uid=F8D02FF3F880A4FE)

26. Thursday, November 19: Nazi Euthanasia Films (Hales)

READINGS:

Michael Burleigh: Selling Murder: The Killing Films of the Third
Reich in Death and Deliverance: "Euthanasia" in Germany
c. 1900-1945, 1994, pp. 183-219

Glenn O. Gabbard: Cinematic Perspectives on Euthanasia and
Assisted Suicide in Rubinfeld, pp. 153-162 **OR**

Watch Video of Dr. Gabbard's lecture on the same subject at:

<http://www.medicinaftertheholocaust.org/curriculum/lecture-series/page/2/>

27. Tuesday, November 24: Bioethics Case Studies II (Lunstroth and Grossman)

READINGS: (It is not necessary to read these works: cases for discussion in class might be selected from either of these two collections of cases i.e. be sure you bring them to class.)

Childress: Who Should Decide? Paternalism in Health Care, 1982, pp. 212-236

Casebook on Bioethics and the Holocaust: Download

at: <http://www.unesco-chair.bioethics.org/UI/F0101.aspx?uid=F8D02FF3F880A4F>

E 28. Thursday, November 26: **HAPPY**

THANKSGIVING!

29. Tuesday, December 1: Bearing Witness (Eckert)

30. Thursday, December 3: Summary and Review

Long paper due: 12-15 page paper with 12 or more references on any aspect of medical ethics after the Holocaust. It should include objective historical or contemporary material to support your personal views on a topic of your choosing.