

PhD Program in Philosophy
North Western Italian Philosophy Consortium

Scientific and Didactic Relation

Name Chiara Innorta
University Università del Piemonte Orientale
Name of Tutor Prof. Luca Savarino
Cycle XXXVI

Suggested name of the Supervisor (IF different from the tutor)(for 1st year students)
Prof. Sergio Filippo Magni

(A) *Didactics*

1) List of institutional or curricular courses

16/11/2020 – 11/12/2020 **FINO Common Core Teaching.**

01/02/2021 – 10/05/2021 **Work in progress seminar.** Teachers: Corrado Fumagalli (University of Genova), Valeria Ottonelli (University of Genova)

25/05/2021 – 26/05/2021 **Between Ethics and Epistemology: Changing Attitudes in Public Discourse.** Teachers: Alessandra Tanesini (University of Cardiff), Maria Silvia Vaccarezza (University of Genova).

28/06/202 – 29/06/2021 **Being Realistic and Demanding the Impossible.** Teachers: Carlo Burelli (Università di Genova), Enzo Rossi (University of Amsterdam).

30/06/2021 – 02/07/2021 **Kant' Thesis of the 'Fact of reason'.** Teachers: Jens Timmermann (University of St Andrews), Luca Fonnesu (University of Pavia).

05/07/2021 – 06/07/2021 **June Seminar.**

2) List of working papers written in those occasions

Between Ethics and Epistemology Course: Epistemic injustice in healthcare, especially in the Gard case where the newborn's parents disagree with the medical staff.

Residential Seminar: In the Gard Case the opposition between the best interest and the harm threshold is exacerbating: is it possible to choose one criterion among them?

3) list of other courses you have followed

22/02/2021 – 31/05/2021 Philosophy and Politics Seminar. Prof. Corrado Fumagalli (Università degli studi di Genova)

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(B) Research and diffusion

1) List of seminars and conferences you have participated to

29/12/2020 Consulta di Bioetica Onlus: Chi è giusto vaccinare per primo? Quale ordine di priorità è etico nella somministrazione del vaccino.

12/01/2021 Consulta di Bioetica Onlus: La vaccinazione Covid-19 deve essere obbligatoria o no?

14/01/2021: SWIP Italia. Workshop: Forme del patriarcato oggi.

11/02/2021 Consulta di Bioetica Onlus: I vaccini contro il Covid aumentano o no la credibilità e la fiducia nella scienza?

26/03/2021 Consulta di Bioetica Onlus: Presentazione del libro “Bioetica Globale: un'introduzione” di Henk Ten Have.

20/04/2021 MUMBLE Research Seminar: Blindsight Is Qualitatively Degraded Conscious Vision. Ian Phillips (John Hopkins).

23-24/04/2021 Consulta di Bioetica Onlus: XII Convegno Nazionale. Come sarà il mondo tra 50 anni? Ripensare la medicina in risposta alla sinergia di effetti della pandemia, rivoluzione biomedica e intelligenza artificiale.

24/05/2021 Consulta di Bioetica Onlus: Meglio non essere mai nati? La difficile condizione umana e la filosofia di David Benatar.

3/06/2021 Seminario permanente di Teoria politica organizzato dal CASIP: "A Public Justification of Capabilities. Examples of Mental Impairments" Elvio Baccharini e Kristina Lekic Baruncic (University of Rijeka).

10/06/2021 Consulta di Bioetica Onlus: Bioetica e Intelligenza Artificiale: una relazione ancora da costruire.

17-18/06/2021 POLITEIA: Workshop Online – Le diseguaglianze di genere nel diritto italiano vigente.

25/06/2021 Consulta di Bioetica Onlus: Presentazione del libro “Generazione Arcobaleno. La sfida per l'eguaglianza dei bambini con due mamme” di Micaela Ghisleni.

17-18/09/2021 Pavia Graduate Conference in Political Philosophy.

Participation in the Organizing Committee of the **Pavia Graduate Conference** in Political Philosophy.

2) List of Talks (in some of the above-mentioned conferences)

06/07/2021 FINO June Seminar: *In the Gard Case the opposition between the best*

interest and the harm threshold is exacerbating: is it possible to choose one criterion among them?

3) List of published or submitted papers

I am writing the review of the book "Generazione Arcobaleno" by Micaela Ghisleni which should be published in Politeia.

(C) Project of the dissertation

1) Update of the planning of your research program

My PhD thesis is focused on end-of-life decisions in the neonatal field, and, in particular, it analyses a debated case: the Gard case. This case happened in 2017, however it continues to attract intense public and philosophical attention because it raises a number of important and challenging ethical questions. The Gard case is controversial because there was an irreconcilable disagreement between the doctors and the parents. The intervention of the Court was necessary to arrive at a final decision, namely the withdrawing of life-sustaining treatment. The starting point of my research is the book *Ethics, conflict and medical treatment for children: from disagreement to dissensus*, written by Savulescu and Wilkinson. The aim of my research is to give some relevant contribution to this bioethical debate, in which the patient is inevitably incompetent. In general, a series of questions arise when the patient is a newborn: the complex nature of the newborn's interests; the difficulty of ascertaining what is in the newborn's best interest due to severe limitations in his ability to communicate and to uncertainties regarding prognosis; the role of the interests of the newborn's family.

After a summary of the case and the explanation of the main medical-moral problems (the concept of futility; the allocation of limited healthcare resources; the relationship between science, research and values; the parental autonomy), I wish to focus my attention on the principles that emerged in the discussion of the case. These principles are: the best interest of the child and the harm threshold. The best interest principle is generally recognized as the appropriate guidance principle for newborns, who have never been capable of expressing some preferences. This model of decision-making for children was explained by Allen Buchanan and Dan Brock. I wish to present the positions of some important authors who are in favour of it: L. Kopelman, G. Birchley and T.M. Pope. The aim is to highlight the pros and cons of this principle. Successively, I introduce Diekema's paper, "Parental refusals of medical treatment: the harm principle as threshold for state intervention", which popularized Mill's harm principle as a decision-making standard for children. This paper presents the opposition between the best interest standard (BIS) and the harm threshold (HT). These principles are considered in conflict because, on the basis of which of the two is used, the autonomy of parents could suffer (BIS) or could have a greater margin of action (HT). After the presentation of Diekema's point of view, I intend to investigate other positions in favour of the harm threshold, like that of Wilkinson and Gillam.

Starting from this distinction between these criteria, the successive part of the thesis will be dedicated to two fundamental principles of Bioethics: the Principle of Beneficence and the Principle of Autonomy. My purpose is to show that there is a correlation between the best interest standard and the principle of beneficence and also between the harm threshold and the principle of autonomy. Hence, with the Gard case it is possible to

examine in depth Beauchamp and Childress's work. The intention is to verify if one of the two principles could be considered superior to the other in this case. Therefore, the decision to start from a particular case refers to one of the great bioethical themes.

A final chapter could focus on the idea of replacing an impaired infant. Several eminent philosophers, including Singer and Hare, have defended it as being an important consideration for newborn treatment decisions. This topic is an important aspect of reproductive ethics. It is also possible to open the discussion to the principle of Procreative Beneficence proposed by Savulescu and Kahane. Moreover, other moral reasons applied in this area could also be valid in the debate regarding the Gard case, namely a personal affecting view and an impersonal view. In the first prospective, a course of action will affect existing or future individuals for better or worse. The impersonal choice, on the other hand, does not affect specific individuals. In this sense, it is possible to state that the well-being in the world will increase if who come into existence has as happy a life as possible. The book *The Ethics of Killing* of McMahan is an important contribution to consider in this part of my dissertation.

Therefore, my thesis aims to propose a regulatory framework, which may be able to overcome the weaknesses that are inherent in the two reference criteria of the Gard case: the BIS and the HT. The choice of comparing these criteria with the Principle of Beneficence and the Principle of Autonomy, I believe, can give rise to a more solid regulatory framework.