

BEN SARBEY

Department of Philosophy
Duke University
201 West Duke Building
Box 90743 Durham, NC, 27708

(352) 226-4261
ben.sarbey@duke.edu
bensarbey.com

EDUCATION

- May 2023 (expected) **Ph.D., Philosophy, Duke University**
Certificate in College Teaching
Dissertation: Dying Well and the Role of Palliative Care
Committee: Gopal Sreenivasan (chair), Jennifer Hawkins, Wayne Norman, David Wong, Owen Flanagan
- May 2023 (expected) **M.A., Bioethics and Science Policy, Duke University**
- 2017 **J.D., Duke University School of Law**
M.A., Philosophy, Duke University
Article Editor, Duke Environmental Law and Policy Forum (2015-2017)
- 2012 **B.A., Philosophy, Political Science, University of Florida**
President, Undergraduate Philosophy Society (2010-2011)

Areas of Specialization: Medical Ethics; Moral Psychology; Health Law

Areas of Competence: Medical Humanities; Ethical Theory; Philosophy of Law

PUBLICATIONS

7. (Accepted) “**The Content of Laws on Declaration of Death by Neurologic Criteria**” (with Nita Farahany and Samuel Thumma) in *Death Determination by Neurologic Criteria: Areas of Controversy and Consensus*, Springer, eds. Ariane Lewis and James L. Bernat.
6. (2022) “**The Unexamined Benefits of the Expansive Legalization of Medical Assistance-in-Dying**” (with Sean Riley) *Journal of Bioethical Inquiry*.
<https://doi.org/10.1007/s11673-022-10211-w>
5. (2022) “**Why Standard Drug Treatments for the ‘Death Rattle’ Should Be Discontinued**” *Journal of Palliative Medicine*, 25(2): 180.
4. (2022) “**Review: The Lost Art of Dying: Reviving Forgotten Wisdom**” *Journal of Palliative Medicine*, 25(2): 337.
3. (2022) “**Review: Almost Over: Aging, Dying, Dead**” *Bioethics* 36(1): 109-110.

2. (2021) “**The Family as a Unit of Care in End-of-Life Conversations**” *AJOB Neuroscience*, 12(4): 283-285.
1. (2016) “**Definitions of Death: Brain Death and What Matters in a Person**” *Journal of Law and the Biosciences* 3: 743-752.

Articles for the General Public

2. (2022) “**The Death of Advance Care Planning is Greatly Exaggerated**” *Hastings Bioethics Forum*. <https://www.thehastingscenter.org/the-death-of-advance-care-planning-is-greatly-exaggerated/>
1. (2021) “**To Live Well, Read About Dying**” *Medium*. <https://medium.com/dukeuniversity/to-live-well-read-about-dying-761f787fb6c1>

TEACHING

As Instructor at Duke University:

Medical Ethics: Fall 2022

Philosophy of Death and Dying: Summer 2022

Introduction to Philosophy: Spring 2022; Fall 2021

Ethics of Artificial Intelligence: Summer 2019 (Duke TIP Program)

As Teaching Assistant at Duke University:

Prisoner’s Dilemma and Distributive Justice (Alex Rosenberg, Michael Munger), Spring 2021

History of Modern Philosophy (Katherine Brading), Fall 2020

Neuroethics (Walter Sinnott-Armstrong, Scott Huetell), Spring 2020

Medical Ethics (Jennifer Hawkins), Spring 2020

Introduction to Philosophy (Alex Rosenberg), Fall 2019

PRESENTATIONS

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| 10/2022 | “ Should Palliative Medicine Assist in Hastening or Postponing Death? ”
<i>American Society for Bioethics and Humanities</i> , Portland, OR |
| 10/2022 | “ What the History of Palliative Medicine Can Tell Us About its Proper Function ” <i>American Society for Bioethics and Humanities</i> , Portland, OR |
| 07/2022 | “ The Death Rattle and the Role of Palliative Care ” <i>World Congress of Bioethics</i> |
| 12/2021 | “ Dying Well and the Role of Palliative Medicine ” <i>Kenan Institute for Ethics, Duke University</i> |
| 11/2021 | “ Philosophy of Grief ” <i>Duke Hospital, Palliative Care Grand Rounds</i> |

- 10/2021 **“What a Theory of Dying Well Must Have”** *Hastings Center*
- 10/2020 **“Unexamined Benefits of Expansive Legalization of Medical Assistance-In-Dying”** (with Sean Riley) *American Society for Bioethics and Humanities* (virtual)

AWARDS

- Summer 2022 Duke Competitive Summer Research Fellowship (\$8,250)
- 2021-2022 Kenan Institute for Ethics Graduate Fellowship (\$5,000)
- Summer 2021 Duke Graduate Student Training Enhancement Grant (\$7,600)
- 2014-2017 Duke Law School Class of 2008 Scholarship Award (\$72,500)

EXPERIENCE

Hastings Center, Garrison, NY

Visiting Scholar, May-Aug. 2021

Assisted on the Hastings grant project “Dementia and the Ethics of Choosing When to Die.”
Provided research and writing support for a special issue of the *Hastings Center Report* which will publish the results of the project.

Duke Health Justice Clinic, Durham, NC

Student Attorney, August 2016-December 2016

Provided legal defense for low-income HIV and cancer patients, including drafting advance directives, and social security/disability applications.

Consilio Inc., Durham, NC

Legal Consultant, November 2017-July 2018

Provided legal analysis for pharmaceutical, housing, and health privacy litigation in civil and administrative courts. Assisted in preparation of discovery documents in advance of trials.

City of Chicago, Division of Legal Information, Investigations and Prosecutions, Chicago IL

Legal Intern, July - August 2015

Researched recent additions to the Freedom of Information Act and the impact on city department obligations. Assisted with representation of city employees in depositions. Attended depositions, court hearings, and pretrial conferences.

Hillel Community Day School, North Miami Beach, Florida

Teacher, August 2012 - June 2014

Taught 11th grade math, reading, and college preparatory courses; created lesson plans, and worked with administration to develop school-wide college readiness curriculum.

REFERENCES

Gopal Sreenivasan
Lester Crown University Distinguished Professor in Ethics
Duke University
gopal.sreenivasan@duke.edu

Wayne Norman
Mike and Ruth Mackowski Distinguished Professor of Ethics
Duke University
wayne.norman@duke.edu

David B. Wong
Susan Fox Beischer and George D. Beischer Distinguished Professor of Philosophy
Duke University
d.wong@duke.edu

Jennifer Hawkins
Associate Research Professor of Philosophy
Duke University
jen.hawkins@duke.edu

DISSERTATION ABSTRACT

“Dying Well and the Role of Palliative Care”

In this project I explore what it means to ‘die well’, and the role of palliative medicine in helping dying patients achieve this goal. I provide a general account of what it means to die well, one which is action-guiding for patients and their loved ones as well as for health care providers. The dissertation is organized along the lines of four papers, each of which examines a feature or question about dying well, especially in the context of contemporary palliative medicine.

Précis of Dissertation Papers

- 1) “What a Theory of Dying Well Must Have.” I lay out general features of dying well that must be addressed by any adequate theory of dying well. I argue for a pluralist approach which still maintains certain universal criteria. These criteria include 1) recognition of the need for adequate medical care (and ideally palliative care); 2) providing useful guidance in comparing different ways the dying process can go for an individual person; 3) specification of who has relevant interests in the dying process; and 4) incorporation of the distinctiveness of the dying process.
- 2) “What is the Function of Palliative Medicine? What Should it Be?” Palliative medicine is unique among the medical branches in its focus on improving the dying process as opposed to cure-directed treatment. When a patient is reasonably believed to be dying, the function of palliative care is precisely to enable them to die well. This has the consequence that palliative medicine should give

up its opposition to 1) hastening or prolong the dying process, and 2) medical aid in dying. I argue for an expansive conception of the function of palliative medicine, one which is compatible with palliative participation in medical aid in dying.

3) “More Than Just Listening: Actively Consoling in Palliative Care End-of-life Discussions.” Consolations direct a dying or grieving person to think of death, dying, or the lost loved one in particular ways which may reduce suffering. The relevance of a death consolation to a dying patient depends in large part on which particular fear of death or dying is most salient for the individual patient. Consolations can in this way help accomplish the function of palliative medicine of supporting patient to die well.

4) “What to Say When Someone is Grieving: Palliative Bereavement Care and the Ethics of Support Conversations.” The current paradigm in bereavement support and therapy is “empathic listening,” where care providers listen to and reflect the emotions of the griever. Palliative professionals can go beyond this through a context-sensitive approach, one which adapts what is said to the beliefs and values of the particular patient and family. This can involve empathic listening as well as active consolations which are crafted with the goal of reducing the suffering of the individual patient and family.