

PHL281: Bioethics (Summer 2021)

Course Description

This course will provide students with the tools to philosophically evaluate the moral, legal and professional standards governing health care in Canada. We will first evaluate the standards that govern the ideal care of patients. As we will discover, Canadian law and professional standards strongly prioritize respect for patients' self-determination over other considerations. We will consider the implications of this emphasis on autonomy on topics like informed consent, advance directives, and physician-assisted dying. Next, we will discuss the ethical standards for circumstances in which it is not possible to provide ideal care – which very sadly is likely to include the current pandemic situation in Ontario. Finally, we will investigate several moral questions around birth, life and death. Should we have children? Do embryos and fetuses have moral standing, and if they do, what does that imply about our obligations towards them? Why are our deaths bad for us?

Teaching Team

Instructor: Steve Coyne (steven.coyne@mail.utoronto.ca)

Office hours: Drop-in appointments are Monday 5-5:30PM and Wednesday 4:30-5PM. I have bookable appointments on Mondays from 2-4PM – see the Quercus page for how to book appointments. I use Zoom (with the 'Waiting Room') for my office hours – the link is available on the main course webpage.

E-mail: I make every attempt to respond to administrative questions (e.g. about extensions, course registration, etc) within 24 hours. I'm also happy to answer quick, specific questions about course content by e-mail, though you should consider posting these questions on the class message board.

Teaching Assistants: Atoosa Kasirzadeh (atoosa.kasirzadeh@mail.utoronto.ca), Will Rawleigh (will.rawleigh@mail.utoronto.ca)

Course Flow

This is an online synchronous course. Lectures run from 6-8PM on Mondays and 6-9PM on Wednesdays. Lectures will be recorded, and I will post rough slides before every lecture. You should enroll for a tutorial ('practical') section – either Monday 8-9PM or Wednesday 5-6PM. Your practicals will start the **first** week of class.

Bear in mind that summer classes go by quickly. Every lecture is the equivalent of one week of regular work in fall and winter. You should be prepared to spend 10-15 hours a week, in addition to the lectures and tutorials themselves, on your readings and assignments for this course. Try to spend some of that time outside.

Readings

Bioethics in Canada (2nd edition) edited by Charles Weijer and Anthony Skelton [labelled 'BIC' on the Reading List]

Important: If ordering online, make sure you get the version edited by **Weijer and Skelton!**
There are other textbooks with very similar titles edited by other people.

Other readings are available on Quercus. [Labeled ‘Quercus’ on the Reading List]

The course textbook, *Bioethics in Canada*, compiles some important original readings in bioethics, heavily edits them for readability and length, and also includes very useful topic introductions, study questions, and case studies. We will be reading approximately 15 articles from the textbook and 10 articles drawn from other sources. My expectation is that you will read the articles, and the unit tests will reflect this expectation (e.g. I might ask you to explain the context of a quote, which will be difficult for you to do unless you are already familiar with the article and its structure).

I strongly encourage you to acquire a copy of the textbook. However, if you are unable to secure a copy, note that most of the readings can be found in their original, unedited form through library electronic access. While I will not be officially providing copies of the original articles or links to them, I will do my best to provide page number references to these free versions of the readings on tests (though not in lectures). However, having the textbook and its edited copies of the readings will make the reading load for the course much more manageable.

There are some readings that I will discuss in class, but our discussion of them in class should be sufficient for you to complete the quiz without reading them (e.g. I won’t ask you about specific passages from them). These are labelled with stars on the reading list.

Evaluation

Course Component	Percentage of Grade	Date(s) due
Essay 1	25%	9:00PM, May 23
Essay 2	30%	9:00PM, June 13
Unit Tests	30% (10% each)	Various – see schedule below
Practicals	5%	Throughout the course
Participation	10%	Throughout the course

Note that all assignments should be submitted through Quercus through the corresponding links under ‘Assignments’. Please submit all assignments in .doc, .docx, or .pdf.

Essays: You will be required to complete two essays, each of approximately 1000 words.

Unit Tests: At the end of each unit, there will be an open-book, in-class test covering the material in the unit. Each test will consist of roughly 15 multiple choice questions. I may replace some of the multiple choice questions with a short answer question or two later in the semester, depending on how things go.

Practicals: You are responsible for attending and contributing to five ‘practical’ sessions. (These are scheduled as tutorial sessions on ACORN.) Each practical session will approach that week’s material through a practical case study or evaluation of policy (or both). Your practical grade will come from your groupwork on the case studies, which will be submitted through Google Forms. They will be graded (by Steve) according to the following ‘low-stakes’ guidelines:

- 100% (Exceptional) – exceptionally well-argued, clearly-written and insightful
- 85% (Satisfactory)
- 50% (Unsatisfactory) – very repetitive or an otherwise clear absence of reasonable effort

0% (Non-submission) – assignment is not submitted or otherwise contains nothing about bioethics

In general, no comments will be given on assignments that receive an 85% or 100%.

Participation will be scored on a points system:

Method of Participation	Typical Number of Points	Maximum Limits
Audio contributions during lecture or tutorial	2	1 per lecture 2 per tutorial
A set of substantial, noticeable written contributions to tutorial chat in a given session (e.g. several contributions of 1-3 sentences each)	1	1 per tutorial
Written contributions to the class message board	1-2	2 per week

At the end of the semester, I will translate your number of points into a grade score, using the following rough guidelines:

- 8 points guarantees at least a 50.
- 13 points guarantees at least a 65.
- 20 points guarantees at least an 80.
- Grades up to 90 will be awarded purely on the basis of number of points earned. Grades of 90 and above will be awarded in consultation with the teaching assistants in cases of exceptionally active, highly thoughtful participation.

Aside from that, note the following:

- Please observe the usual etiquette of BB Collaborate:
 - Make sure you raise your hand before making an audio contribution, and wait for me to give you the floor. Try to remember to lower your hand after you've made your contribution.
 - Note that I will not necessarily immediately acknowledge a raised hand (e.g. if I'm in the middle of making a point). I also do my best to hear from a variety of voices during lecture - so if you are usually the first student to raise their hand, you might have to wait until other students have had a turn first. (And later in the semester, if you haven't made points throughout the semester, I'm likely to push you to the front of the queue.)
 - You can write in the chat at any time (though please keep things professional). I won't be able to respond to everything said there, or even necessarily keep track of every contribution there, but I will keep an eye on it.
- Note that you are still allowed to contribute more than once per lecture or twice per tutorial, you just won't receive participation points for it.
- Quality also matters for the sake of awarding participation points: clearly low-effort or off-topic contributions may not receive any points, while very thoughtful contributions may receive additional points. On the message board, you should aim to write in paragraphs. Single sentence questions or contributions will typically not count for points.
- At my discretion, there may be other opportunities for participation points (e.g. group activities) throughout the semester.

- At the end of the semester, everyone will receive two additional participation points to account for points that we may have missed throughout the semester.
- We will post interim participation point totals at the end of week 2 and week 4.

Regrades: If you do not understand why your essay received the grade that it did, you should seek further clarification from your TA at office hours. If you are not able to reach a resolution with your TA, you may request a regrade of your assignment from Steve (within one week of the assignments being handed back). The regrade, whether higher or lower, will replace the first assigned grade.

Note: The ‘total’ column in the grades section on Quercus does not reflect your current or total grade in the course.

Missed Tests and Late Assignments

Steve will handle requests for special consideration on the tests. If you miss a test, get in touch with Steve as soon as possible. In general, unless you have spoken with me before the test, I will expect you to have completed a declaration of absence on ACORN in order to be eligible to take a make-up test. Any make-up test will likely be a different format than the original in-class test (either all written questions or an oral examination).

Your TA will handle requests for special consideration on the papers and practicals. Extensions on the papers can be granted *in advance* for good reasons, but otherwise, late submissions will lose 1% of the assignment grade per day, to a maximum of 10%. (But note that June 20 is the last day for submission of late work.) Papers that are significantly late may not receive comments. If you have to miss a practical because of documented illness or an important obligation (discussed *in advance* with your TA), or because you have not yet enrolled in the course by the first practical, you may complete up to one of these practicals as an individual assignment. In these cases, please write your TA with an explanation for your absence, and they will provide you with a link so you can complete it on your own time.

Accessibility

If you have a disability or health consideration that may require accommodation, please get in touch with me and Accessibility Services (www.accessibility.utoronto.ca).

Plagiarism and Course Conduct

Tests: You are not permitted to discuss the test questions or answers with other students. While I design the format of the tests to minimize the risk of cheating, note that I will follow up with students whose answers are suspiciously similar.

Assignments: Aside from the course materials, the two essay assignments are designed so that there is no need to external resources like websites or articles to successfully complete them. (In fact, we would substantially prefer for you to *not* lean on external resources.) If you do use any external resources, you must provide both page number citations *and* a full bibliographical entry. Remember that any use of an external source (whether directly quoting it, paraphrasing it, or using an idea taken from it) must be credited, otherwise it is plagiarism. Please do not plagiarize. I am required by the code of conduct to report all instances of suspected plagiarism to administration, who may impose a serious penalty on you.

Turnitin.com: Normally, students will be required to submit their course essays to Turnitin.com for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the Turnitin.com reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University's use of the Turnitin.com service are described on the Turnitin.com website.

Anonymous Feedback

I have set up a google poll for you to send me anonymous feedback during the course. Please make use of it if there's anything I can do to better facilitate your learning in the course.

Reading List (Subject to Change)

Note: for any starred readings (e.g. [BIC****] or [Quercus****]), I'm not expecting that you are going to do this reading, though I will refer to it in lecture, but the slides should be fully sufficient to understand it.

Unit 1: Optimal Patient-Centered Care	
Monday, May 3	<p>Introduction to Ethics; Autonomy and the Four Principles Approach <i>What is ethics, and how do we make ethical arguments? What is autonomy, and why is it thought to be so central to ideal, patient-centered health care? What other values might clash with autonomy?</i></p> <p><u>Readings:</u> <i>Engaging Bioethics</i>, chapter 3 [Quercus]</p> <p><i>Practicals Begin</i></p>
Wednesday, May 5	<p>Competence and Informed Consent <i>What is informed consent, how is it obtained, and why is it thought to be necessary?</i></p> <p><u>Readings:</u> Benjamin Freedman, 'A Moral Theory of Informed Consent' [BIC] Dan Brock and Allen Buchanan, 'Deciding for Others: Competence' [BIC] Cheryl Misak, 'ICU Psychosis and Patient Autonomy: Some Thoughts from the Inside' [BIC****]</p>
Monday, May 10	<p>Challenging Cases: Advance Directives, Surrogate Decision-Making, Children <i>How should medical professionals treat patients who temporarily or permanently lack the ability to make autonomous choices?</i></p> <p><u>Readings:</u> Ronald Dworkin, 'Life Past Reason' [Quercus] Rebecca Dresser, 'Dworkin on Dementia: Elegant Theory, Questionable Policy' [Quercus] Harrison et al, 'Involving Children in Medical Decisions' [Quercus***]</p> <p><u>Optional Listening:</u></p>

	<p>Radiolab Podcast, 'The Bitter End': https://www.wnycstudios.org/story/262588-bitter-end</p>
<p>Wednesday, May 12</p>	<p>Physician-Assisted Death <i>Do obligations of autonomy and beneficence towards patients require medical professionals to assist them in dying when they voluntarily request such assistance? If so, what kinds of safeguards should be put in place?</i></p> <p><u>Readings:</u> Carter v. Canada [Quercus****] Udo Schuklenk, Johannes J. M. van Delden, Jocelyn Downie, Sheila McLean, Ross Upshur and Daniel Weinstock, 'The Royal Society of Canada Expert Panel: End-of-Life Decision Making' [BIC] Jocelyn Downie and Susan Sherwin, 'A Feminist Exploration of Issues Around Assisted Death' [BIC] David Velleman, 'Against the Right to Die' [Quercus]</p>
<p>Unit 2: Challenges to Optimal Patient-Centered Care</p>	
<p>Monday, May 17</p>	<p>In-Class Test 1 [45 minutes]</p> <p>Rationing <i>In cases where medical resources are limited, such as organ transplants or pandemics, how should we best allocate those resources? Should we aim to save the greatest number of lives, or choose on the basis of other criteria?</i></p> <p><u>Readings:</u> John Harris, 'QALYfying the value of human life' [Quercus]</p> <p><i>Optional Listening:</i> This American Life Podcast 'The God Committee': https://www.thisamericanlife.org/729/making-the-cut/act-one-8</p>
<p>Wednesday, May 19</p>	<p>Paternalism and Public Health <i>Can we overrule people's voluntary choices for the sake of public health? What should the burden of proof be in such cases?</i></p> <p>Jason Brennan, 'A Libertarian Case for Mandatory Vaccination' [BIC] Mark C. Navin, 'The Ethics of Vaccination Nudges in Pediatric Practice' [BIC] Douglas Husak, <i>Overcriminalization, excerpts [Quercus *****]</i></p> <p><i>Optional Listening:</i> The Experiment Podcast 'The Crime of Refusing Vaccination' https://www.theatlantic.com/podcasts/archive/2021/03/jacobson-supreme-court-vaccination/618359/</p> <p>The Argument Podcast 'Vaccine Passports': https://www.nytimes.com/2021/04/07/opinion/the-argument-vaccine-passports.html</p>

Sunday, May 23	Essay 1 Due
Wednesday, May 26	<p>Human Research <i>How is conducting research on patients different from treating them? Should research be guided by the same or different values as medical treatment?</i></p> <p><u>Readings:</u> Benjamin Freedman, 'Equipose and the Ethics of Clinical Research' [BIC] Franklin G. Miller and Howard Brody, 'A Critique of Clinical Equipose: Therapeutic Misconception in the Ethics of Clinical Trials' [BIC] <i>Paul B. Miller and Charles Weijer, 'Trust-Based Obligations of the State and Physician-Researchers to Patient-Subjects' [BIC****]</i></p> <p>No Practicals this Week</p>
Unit 3: The Bioethics of Life and Death	
Monday, May 31	<p>In-Class Test 2 [45 minutes]</p> <p>The Spectrum of Human Life <i>What sorts of things have moral standing? Stem cells? Embryos? Fetuses?</i></p> <p><u>Readings:</u> Agata Sagan and Peter Singer, 'The Moral Status of Stem Cells' [BIC]</p> <p><u>Optional Listening:</u> Radiolab podcast, 'The Primitive Streak': https://www.wnycstudios.org/story/primitive-streak</p>
Wednesday, June 2	<p>Abortion and the Medical Use of Embryos <i>What are our obligations towards embryos and fetuses, assuming they have partial or full moral standing?</i></p> <p><u>Readings:</u> Soren Holm, 'The Ethical Case against Stem Cell Research' [BIC, skip 'The Policy Stalemate'] McLeod and Baylis, 'Feminists on the Inalienability of Human Embryos' [BIC] Judith Jarvis Thomson, 'A Defense of Abortion' [Quercus]</p>
Monday, June 7	<p>Death and Non-Existence <i>Why is death bad for us? Is existence itself bad?</i></p> <p><u>Readings:</u> <i>Epicurus, Letter to Menoecus [Quercus****]</i> Thomas Nagel, 'Death' [Quercus] David Benatar, 'Why it is Better Never to Come into Existence' [Quercus]</p>

<p>Wednesday, June 9</p>	<p>Procreative Beneficence <i>In bringing children into the world, what are our obligations? When we have a choice, should we choose embryos that are less likely to suffer disease, or more likely to have beneficial traits?</i></p> <p><u>Readings:</u> Julian Savulescu, 'Procreative Beneficence: Why We Should Select the Best Children' [BIC] Elisabeth Gedge, "'Healthy' Human Embryos and Symbolic Harm' [BIC]</p>
<p>Sunday, June 13</p>	<p>Essay 2 Due</p>
<p>Monday, June 14</p>	<p>In-Class Test 3 [45 Minutes]</p>
<p>Sunday, June 20</p>	<p>Last Day for Submission of Late Work</p>