

## **PHILOSOPHY 333 (99C, 99D) Bio-Medical Ethics (3 credits)**

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Welcome to PHIL 333. This version of PHIL 333 is taught as an online, asynchronous course. This means there are no set lecture times, and all learning is done remotely. The course is broken up into weekly lessons. The schedule for the course, assigned weekly readings, lesson summaries, and access to weekly discussions are available through Canvas. All written work is to be submitted through Canvas. Although the course content is largely text-based, you are welcome to meet with me in virtual office hours or by appointment over Zoom to discuss the course material or any of the assignments. Just join in on my scheduled office hours (no appointment necessary) or email me to set up an appointment. I look forward to meeting you.

**Office Hours:** Thursdays: 8-10 am on Zoom. See the Canvas course homepage for the meeting link.

### **Course Description**

Is euthanasia morally permissible? Under what conditions, if any, should euthanasia be legal? What is the relationship between patient autonomy, competence, and informed consent? When, if ever, is paternalism morally justified? Under what circumstances, if any, is abortion morally wrong? Is it morally permissible for women to obtain and for doctors to provide medically unnecessary Caesarean sections? Should doctors provide alternative, unproven therapies to their patients who request them? When, if ever, is two-tier health care just? What, *in general*, makes an act morally right or wrong, a person virtuous or vicious, a policy just or unjust?

In Philosophy 333, we will explore answers to these questions from a variety of perspectives. We will, in short, critically examine some leading philosophical theories, and some important, and difficult, ethical issues in health care.

### **Objectives for this course include:**

- Acquiring a critical grasp of leading normative ethical theories;
- Gaining a critical understanding of some important philosophical literature on some moral problems in health care;
- Developing your critical reasoning skills when it comes to identifying arguments in a text, stating those arguments in a precise and clear manner, and raising targeted objections to those arguments;
- Encouraging you to consider your own views on selected moral problems in health care, to consider your reasons for your views, to examine your views and reasons critically, and to

rethink your views and arguments in the light of criticism.

More generally, the aim of this course is not to tell you what to think, but to give you the skills to think for yourself, while enhancing your philosophical literacy. By successfully completing this course, you will gain a better understanding of moral theory generally; a greater familiarity with specific arguments on specific ethical issues in health care; a deeper understanding of your own views on these issues, and an enhanced ability to identify, articulate, develop, and critically analyze arguments.

Success in this course will require hard work; consistent participation and engagement with the course materials; writing clearly and carefully; being fair but critical of others' arguments, and of your own arguments; and a willingness to keep an open mind.

## Required Readings

- *Debating Health Care Ethics: Canadian Contexts, 2<sup>nd</sup> edition*, Patrick Findler, Doran Smolkin, Warren Bourgeois. Canadian Scholars, 2019

An e-copy is available through the UBC library:

<https://ebookcentral.proquest.com/lib/ubc/detail.action?docID=6282011>

The textbook is also available for purchase in print or electronic form through the publisher, <https://www.canadianscholars.ca/books/debating-health-care-ethics>

- *Selected Articles*: a selection of influential and important philosophical articles in health care ethics. Copies of these articles are available free of charge through the “Course Readings” tab on Canvas, or online.

## Explanation of the Textbook

*Debating Health Care Ethics: Canadian Contexts* begins with a brief discussion of philosophical arguments and methodology (Chapter 1), and then turns to a fairly thorough examination of leading ethical theories (Chapter 2). In Chapter 3, the three authors of the text each presents his favored ethical theory. The remaining chapters of the book focus on moral problems in health care and are written in **debate** format. More specifically, each chapter begins with a **drama** – a fictional case designed to introduce a particular moral problem – or a **case study**. The drama (or case study) is then followed by a **debate** between the three authors of the text. In the debate, you will witness (hopefully) a lively exchange of ideas, as different perspectives are considered, attacked, occasionally abandoned, sometimes refined, and at other times defended. You will see philosophers sometimes coming to agreement, and sometimes agreeing to disagree. You can then decide for yourself whether you agree with any of the authors, why you reject some of the arguments presented, and you can develop your own thoughts on the issues raised in the drama and debate. The format is designed to show you how to develop an argument for a particular position, how to criticize an argument, and how to defend or revise an argument in light of criticism.

# Explanation of the Articles

The articles used in this course include some of the leading contributions to the field of medical ethics, on issues like abortion, autonomy, euthanasia, and access to health care. The articles are primary sources – typically, journal articles, though sometimes book chapters -- which are intended to supplement the debates in the textbook, and to provide students with good examples of professional, philosophical writing.

## Grades

Grades will be based on the following components:

Participation in online Discussions	10%
Completion of 2 Essays	60% (30% each)
Final Exam	30%

## Explanation of Graded Components of the Course

### Online Discussions:

At the end of each lesson and throughout the textbook, discussion questions are given. You can go to the Discussion Board through Canvas and answer one of these questions; also, you can use the discussions to ask your own questions and make your own comments on the readings; or, you can comment on your classmates' postings. Discussions should work in a manner similar to classroom discussions. That is, **no one should answer all the questions asked**, discussions should be made in a timely manner, and you should not merely repeat answers to questions that were already given. To keep things manageable, please limit yourself to **1 or 2 comments per week (not per lesson)**. Also, to keep discussions timely, Discussion Boards will lock two weeks after the material is assigned. At that point, you won't be able to post new discussions (*threads*) on that topic.

Note that these discussions are primarily for student interaction. **Please feel free to email me directly if you would like me to answer specific questions about the material.**

### Essay Questions:

The essay questions focus on the moral problems raised in the textbook's Drama or Case-Studies and addressed in the textbook's Debates. Essays are designed to move us toward realizing the course objectives. To that end, each essay requires you to state your view on a specific ethical issue in health care; to present your reasons for your view; to consider objections to your argument; to defend your argument against these objections; to consider rival arguments; and to explain their weaknesses.

Essay questions will be given on three topics: Euthanasia; Abortion; and Two-Tier Health Care. **You are required to complete 2 essays. (You do not have the option of submitting more than 2 essays.) If you want feedback relatively early in the course, then you should submit a paper on euthanasia, for the other two papers are not until nearer to the end of term. The plan is for the papers to marked within 2 weeks of the due dates.**

You are welcome to meet with me on Zoom to discuss drafts or outlines of your paper. Just email me to set-up a Zoom meeting.

**Final Exam:** The Final Exam will be based on the material covered in:

- Textbook, Chapter 1: Arguments and Philosophical Methodology
- Textbook, Chapter 2: Ethical Theory
- Textbook, Chapter 4: Autonomy and the Right to Refuse Care
- Textbook, Chapter 7: Caesarean-section by Choice
- Textbook, Chapter 10: Alternative Medications
- The Primary Source Readings (i.e., the philosophical articles on problems in healthcare)

The Final Exam will be a combination of medium-length and long-answer/essay questions. **A comprehensive study guide is included as part of this syllabus.**

The final exam is scheduled during the university's final exam period. It will be accessed through Canvas and written remotely on your personal computer. The final exam will be open note, and 3 hours long.

## Course Schedule

Our weeks correspond to UBC Vancouver's schedule. Our course begins and ends the same time as face-to-face courses. Our online course will take the same official breaks as University courses.

**Note:** each online lesson includes various *tasks*. Tasks include reading the online lesson, reading the textbook and/or reading supplemental articles, and participating in discussion questions.

Week	Activities	Discussions and Assignments
<b>Week 1 – Module 1 Ethical Theory</b>	Lesson 1: Philosophical Ethics Lesson 2: Arguments and Methodology Lesson 3: Cultural Relativism	Discussions
<b>Week 2 – Module 1 Ethical Theory</b>	Lesson 4: Utilitarianism Lesson 5: Kant's Ethics Lesson 6: Pluralistic Deontology	Discussions

<p><b>Week 3 – Module 1 Ethical Theory</b></p>	<p>Lesson 7: Social Contract Theory</p> <p>Lesson 8: Virtue Theory</p> <p>Lesson 9: The Ethics of Care</p>	<p>Discussions</p>
<p><b>Week 4 – Module 2 Euthanasia</b></p>	<p>Lesson 10: Euthanasia, Defined</p> <p>Lesson 11: Arguments against the Moral Permissibility of Active Euthanasia</p>	<p>Discussions</p>
<p><b>Week 5 – Module 2 Euthanasia</b></p>	<p>Lesson 12: Active Euthanasia vs Passive Euthanasia</p> <p>Lesson 13: An Argument for the Moral Permissibility of Voluntary Active Euthanasia (VAE)</p>	<p>Discussions</p>
<p><b>Week 6 – Module 2 Euthanasia</b></p>	<p>Lesson 14: An Argument for the Moral Permissibility of Non- Voluntary Active Euthanasia (NAE)</p> <p>Lesson 15: Legalizing Active Euthanasia (AE)</p>	<p>Discussions</p>
<p><b>Week 7 – Module 3 Autonomy and the Right to Refuse Care</b></p>	<p>Lesson 16: Autonomy and the Right to Refuse Care</p>	<p>Discussions</p>
<p><b>Week 8 – Module 4 Abortion</b></p>	<p>Lesson 17: The Fundamental Question; Noonan’s Conservative Arguments</p> <p>Lesson 18: Potentiality</p>	<p>Discussions</p>
<p><b>Week 9 – Module 4 Abortion</b></p>	<p>Lesson 19: Mary Anne Warren’s Liberal Defense of Abortion</p> <p>Lesson 20: Sumner’s Argument for a Moderate View</p>	<p>Discussions</p>

<p><b>Week 10 – Module 4 Abortion</b></p>	<p>Lesson 21: Thomson’s Defense of Abortion Lesson 22: Marquis’ Argument against Abortion Lesson 23: Discrimination, Virtue Theory and Abortion</p>	<p>Discussions</p>
<p>Nov. 13-15</p> <p><b>Week 11 -- Module 5 C- Section by Choice</b></p>	<p>Mid-Term Break</p> <p>Lesson 24: C-Section By Choice</p>	<p>N/A</p> <p>Discussions</p>
<p><b>Week 12 – Module 6 Two-Tier Healthcare</b></p>	<p>Lesson 25: Two-Tier Healthcare</p>	<p>Discussions</p>
<p><b>Week 13 – Module 7 Alternative Medications</b></p>	<p>Lesson 26: Alternative Med</p>	<p>Discussions</p>
<p><b>Final Exam</b></p>	<p>FINAL IS WRITTEN REMOTELY ON CANVAS, DURING EXAM WEEK</p> <p>TIME AND DATE TBA</p>	

# Essay Questions

## Essay 1 – On Euthanasia

**Approximate Length: 2,000 words Submit as a**

**WORD document or PDF on Canvas**

Write an essay of the following:

*Are voluntary active euthanasia and non-voluntary active euthanasia morally permissible? Is it morally permissible for Canada to legalize VAE (or MAiD) for persons suffering solely from a mental illness?*

In writing this essay, **discuss at least 3 arguments from the readings assigned in the course.** Define key terms and give your thesis statements early in your paper. Consider a rival argument discussed in this course and explain why that argument fails. State and explain a clear argument for your each of your views on VAE and NAE (these arguments are typically drawn from the course readings but they can be original to you), consider and respond to targeted objections to your arguments. When discussing whether or not VAE should be legalized, be sure to consider the main problem with your argument and respond thoughtfully to it.

Essays should be clearly referenced (in text, authors last name, and page number). **Your paper should contain select, direct quotes from the assigned readings.** No works cited page is needed unless you are using sources not assigned as part of the course readings.

It may be helpful to assume that you are writing for an intelligent, open-minded audience, and you are trying to argue why your view of the matter is correct or most rationally justified. Indeed, it might help to assume that your audience is slightly leaning to the opposing side, and so you will need to work hard to explain why the opposing arguments fail and why your side has the better reasons behind it. Remember to be self-critical; think of possible weak spots in your argument; raise challenges to your argument, and explain how your argument can be defended against those challenges.

**You are welcome to meet with me to discuss a draft or outline of your paper. Meetings can happen as a drop-in basis (no appointment needed) in my weekly Zoom office hours (Thursdays 8- 10 am), or by emailing me ([Doran.Smolkin@ubc.ca](mailto:Doran.Smolkin@ubc.ca)) to schedule an appointment time on Zoom**

## Essay 2 – On Abortion

**Approximate Word Length: 2,000 words**

**Submit as a WORD doc.**

Write an essay on the following:

*Was Marissa's abortion morally permissible?*

In writing this essay, briefly explain Marissa's case and clearly state your thesis early in the paper. Carefully explain at least 3 arguments from the assigned readings, including arguments that you disagree with. For those arguments that you disagree with, precisely explain why they fail. Be sure to state your favored argument (which may or may not come from the course readings), and explain why you think it is sound. Consider at least 1 targeted objection to your favored argument, and thoughtfully reply to it.

Essays should be clearly referenced (in text, authors last name, and page number). Your paper should contain select, direct quotes from the assigned readings. No works cited page is needed unless you are using sources not assigned as part of the course readings.

It may be helpful to assume that you are writing for an intelligent, open-minded audience, and you are trying to argue why your view of the matter is correct or most rationally justified. Indeed, it might help to assume that your audience is slightly leaning to the opposing side, and so you will need to work hard to explain why the opposing arguments fail and why your side has the better reasons behind it. Remember to be self-critical; think of possible weak spots in your argument; raise challenges to your argument, and explain how your argument can be defended against those challenges.

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## Essay 3 – On Two Tier Medicine

**Approximate Word Length: 2,000 words**

**Submit as a WORD doc.**

Write an essay on the following:

*In Canada, is two-tier MRI just? Was it morally permissible for Sanders' father to purchase a private MRI for his son? In answering this second question, assume, for the sake of argument, that two-tier MRI is unjust in Canada.*

In answering this question, be sure to define key terms, briefly explain the case of Sanders, and clearly give your thesis statements. In addition to giving your arguments for your views, be sure to consider a spectrum of opposing views, and explain why the arguments for those views fail. For example, if you are arguing that 2-tier is sometimes permissible, be sure also to consider arguments from the libertarian and egalitarian perspectives, and explain why they fail. Also, be sure to consider objections to your arguments, and explain why they fail.

Essays should be clearly referenced (in text, authors last name, and page number). **Your paper should contain select, direct quotes from the textbook.** No works cited page is needed unless you are using sources not assigned as part of the course readings.

It may be helpful to assume that you are writing for an intelligent, open-minded audience, and you are trying to argue why your view of the matter is correct or most rationally justified. Indeed, it might help to assume that your audience is slightly leaning to the opposing side, and so you will need to work hard to explain why the opposing arguments fail and why your side has the better reasons behind it. Remember to be self-critical; think of possible weak spots in your argument; raise challenges to your argument, and explain how your argument can be defended against those challenges.

**You are welcome to meet with me to discuss a draft or outline of your paper. Meetings can happen as a drop-in basis (no appointment needed) in my weekly Zoom office hours (Thursdays 8- 10 am), or by emailing me ([Doran.Smolkin@ubc.ca](mailto:Doran.Smolkin@ubc.ca)) to schedule an appointment time on Zoom.**

## Final Exam Study Guide

**Scheduled by UBC Enrollment Services during the university's exam period.** The exam will be accessed through **Canvas**. The exam will be **3 hours long, open-book, and written remotely on your personal computer**. Students will be asked to sign a pledge not to share their work with others, or to use others' work in the writing of the final exam.

The final exam aims to test your knowledge of the *ethical theories* studied in the first part of the course; your critical grasp of the *articles* on issues in medical ethics; and your ability to reason about the ethical issues explored in *chapters 5* (Autonomy and the Right to Refuse Medical Care), *7* (Caesarean-Section by Choice) and *10* (Alternative Medications) in the textbook.

The exam itself will have 3 sections:

1. **Medium-length questions** on ethical theories (4 questions, each to be answered in 3 paragraphs, and worth 10 marks each – each question will ask you to state and explain an ethical theory studied in Chapter 2 of the textbook, apply that ethical theory to a case study that I will give you on the exam, and raise a problem for that ethical theory as it relates to that case study);
2. **A long-answer question** based on the articles assigned in the course (one question, 8-10 paragraphs long, and worth 35 marks – *see below for the questions to prepare*);
3. **A long-answer question** based on the debate chapters in the textbook (one question approximately 5 paragraphs long, worth 25 marks – see below for the questions to prepare).

**Medium-Length Questions:** To prepare for the medium-length questions, you should be able to state, explain, and apply the normative ethical theories studied in this course, and you should be able to explain key challenges for each of these normative ethical theories. Here is a list of the ethical theories studied in the course that you should be able to state, explain, apply, and critique. The exam will contain 4 medium-length questions, covering some of these ethical theories.

1. **Cultural Relativism**
2. **Act Utilitarianism**
3. **Rule Utilitarianism**
4. **Kant's Universal Law Test**
5. **Kant's Humanity Test**
6. **Ross' Pluralistic Deontology (intuitionism)**
7. **Hobbes' Social Contract Approach**
8. **Rawls' Social Contract Approach**
9. **Virtue Ethics**
10. **Feminist Ethics of Care**
11. **Feminist Ethics of Domination**

**Final Exam, Longer Answer Questions based on the Primary Source Readings:**

**One** of the following questions will be on the exam, and you will be required to answer that question. (Each question is worth 35 marks) Recommended length 8-10 paragraphs. **Be sure to provide direct quotations from the assigned article(s) when explaining the relevant views and arguments.** References can be in text, (author last name and page number).

1. Explain Judith Thomson's views on the moral rights of the fetus. What is the conservative argument that she is questioning? What is the violinist analogy, and what exactly is the point of this analogy? Discuss two objections to her analogy (no straw man objections). Consider how she might best reply to those objections. Explain whether you think those replies to the objections are successful. (Defend your answer.)
2. A common argument against active euthanasia is that it is morally wrong because it involves killing, and killing is morally worse than letting die. Explain Jeff McMahan's response to

this argument. Explain James Rachels' responses to the argument that active euthanasia is morally worse than passive euthanasia because one involves killing and the other involves merely letting die. Explain Philippa Foot's views on what typically makes it wrong to bring about the death of another. Apply her views to the moral difference between killing and letting die generally. Explain Foot's argument on the morality of voluntary and non-voluntary active and passive euthanasia. Evaluate her argument against non-voluntary active euthanasia.

### **Final Exam, Longer Essay Questions based on the Text:**

**Two** of the following three questions will be on your final. You will pick **one** to answer. (25 marks)  
Recommended length: 5 paragraphs.

#### **1. Questions on the CSBC Debate**

Do you think it was morally permissible for Wendy to obtain a CSBC? Why or why not? Consider two objections to your reasoning? Explain why those objections fail.

#### **2. Question on the Autonomy Debate**

Do you think it was a moral error for the hospital to discharge Mr. Edwards from the hospital when they did? Explain your reasoning for your view. Explain two objections to your argument. Explain why the objections fail.

#### **3. Question on the Alternative Medications Debate**

Do you think that Anderweg acted morally permissibly in administering *H* to Nolle? Explain your argument for your view. Discuss two objections to your argument. Explain why those objections fail.

## **University Policies**

### **Statement of UBC values and policies:**

UBC provides resources to support student learning and to maintain healthy lifestyles but recognizes that sometimes crises arise and so there are additional resources to access including those for survivors of sexual violence. UBC values respect for the person and ideas of all members of the academic community. Harassment and discrimination are not tolerated, nor is suppression of academic freedom. UBC provides appropriate accommodation for students with disabilities and for religious and cultural observances. UBC values academic honesty and students are expected to acknowledge the ideas generated by others and to uphold the highest academic standards in all of their actions. Details of the policies and how to access support are available here: <https://senate.ubc.ca/policies-resources-support-student-success/>.

### **Resources to Support Student Success**

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## Academic Integrity

The academic enterprise is founded on honesty, civility, and integrity. As members of this enterprise, all students are expected to know, understand, and follow the codes of conduct regarding academic integrity. At the most basic level, this means submitting only original work done by you and acknowledging all sources of information or ideas and attributing them to others as required. This also means you should not cheat, copy, or mislead others about what is your work; nor should you help others to do the same. For example, it is prohibited to share your past assignments and answers with other students; work with other students on an assignment when an instructor has not expressly given permission; or spread information through word of mouth, social media, websites, or other channels that subverts the fair evaluation of a class exercise, or assessment.

**Why is academic integrity important?** The course teaching team, UBC, and the scholarly community at large share an understanding of the ethical ways that we use to produce knowledge. A core practice of this shared value of academic integrity is that we acknowledge the contributions of others to our own work, but it also means we produce our own contributions that add to the scholarly conversation: we don't buy or copy papers or exams, or have someone else edit them. We also don't falsify data or sources, or hand in the same work in more than one course, nor do we produce work with the assistance of AI, like ChatGPT.

**What should I know about sharing course materials?** We are working hard to provide all the materials you need to succeed in this course. In return, please respect our work. All assignment instructions, quiz questions and answers, discussion questions, announcements, PowerPoint slides, audio/video recordings, Canvas modules, and any other materials provided to you by the Teaching Team or in the textbook are for use in this course by students currently enrolled [course/section]. It is *unacceptable* to share any of these materials beyond our course, including by posting on file-sharing websites (e.g., CourseHero, Google Docs). It is *unacceptable* to copy and paste sentences from the textbook (e.g., definitions) into for-profit software (e.g., Quizlet) for use in studying. Respect the Teaching Team and textbook authors' intellectual property, and follow [copyright law](#).

What happens when academic integrity is breached? Violations of academic integrity (i.e., misconduct) lead to the breakdown of the academic enterprise, and therefore serious consequences arise and harsh sanctions are imposed. For example, incidences of plagiarism or cheating may result in a mark of zero on the assignment or exam and more serious consequences may apply if the matter is referred for consideration for academic discipline. Careful records are kept to monitor and prevent recurrences. Any instance of cheating or taking credit for someone else's work, whether intentionally or unintentionally, can and often will result in at minimum a grade of zero for the assignment, and these cases will be reported to the Head of the Department of Philosophy and Associate Dean Academic of the Faculty of Arts.

**What support is available?** Feel free to ask me about academic integrity. Part of my job is to guide your growth as a scholar, and I would much rather you ask for clarification than unintentionally engage in academic misconduct, which has serious consequences. If you are unsure about what constitutes academic misconduct, please reach out to me at, [doran.smolkin@ubc.ca](mailto:doran.smolkin@ubc.ca)

Sometimes students who are experiencing a lot of stress feel the only way to deal with a situation is to cheat. Please do not do this. Talk to me, and I am sure we can work something out together.

To help you learn your responsibilities as a scholar, please read and understand UBC's expectations for academic honesty in the UBC Calendar: "[Academic Honesty](#)," "[Academic Misconduct](#)," and "[Disciplinary Measures](#),". Read and reflect on the [Student Declaration and Responsibility](#). There are resources to help you meet these expectations, for example the Chapman Learning Commons "[Understand Academic Integrity](#)".

For written assignments and help with plagiarism and citation, see the [Centre for Writing and Scholarly Communication](#). Additional resources for learning with integrity can be found on the UBC [Academic Integrity Website](#).

**Reference:** The content in this section of the syllabus is adapted from the helpful [document](#) Dr. Catherine Rawn and others created in the summer of 2020.

## Other Course Policies

**Grading Scale:** <https://students.ubc.ca/enrolment/courses/grades>

### Learning Analytics

In this course, I plan to use analytics data to:

- Track participation in discussion forums
- Assess your participation in the course

**Copyright** All materials of this course (course handouts, lecture slides, assessments, course readings, etc.) are the intellectual property of the Course Instructor or licensed to be used in this course by the copyright owner. Redistribution of these materials by any means without permission of the copyright holder(s) constitutes a breach of copyright and may lead to academic discipline.

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