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What makes health public? Ethical & legal lessons from the pandemic

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Summary:

The related fields of public health ethics and law have been of rapidly-increasing prominence within bioethics across the past two decades. At their heart is the question *what makes health public?*; a prompt for analysis whose answers are ultimately found in political philosophy. Inquiry in this area accordingly gives rise to contest and disagreement in the identification of what matters; of which values should motivate law and policy, and by what means they should do so. This lecture interrogates these ideas given the impacts—practical and theoretical—of legal and regulatory responses to the COVID-19 pandemic, in particular as found in restrictions regulations. It approaches its analytical framing through the idea of health/health trade-offs, and the nature of ethical—and constitutional, legal, political, and practical—disagreements concerning the wisdom (or otherwise) of the UK Government’s pandemic responses. By understanding and evaluating what the pandemic can teach us about political morality and the public’s health, we may also reposition our understanding of how public health ethics and law were developing

prior to 2020. And crucially, we may take those lessons to ensure that we are asking—and answering—the right questions as the fields develop into the future.

About the speaker

John Coggon is Professor of Law in the Centre for Health, Law, and Society at the University of Bristol Law School. He is also a member of the University of Bristol's Population Health Science Institute and Centre for Public Health, and an Honorary Member of the UK Faculty of Public Health (FPH). He sits on the ethics committees of the *British Medical Journal* and FPH, and is a member of the Nuffield Council on Bioethics.

John's research focuses especially on socio-legal questions in public and global health ethics and law and mental capacity law, examined in particular through methods of moral and political analysis. His academic works include the books *What Makes Health Public?* (Cambridge University Press, 2012) and, with Keith Syrett and A.M. Viens, *Public Health Law: Ethics, Governance, and Regulation* (Routledge, 2017). With A.M. Viens, John was commissioned by the Department of Health to write [Public Health Ethics in Practice](#) (2017), and he has contributed through FPH in the production of [academic](#) and [public and practitioner-focused](#) resources on public health ethics and law. He is a co-investigator on various current projects, including (until summer 2022) the UKRI-funded [UK Pandemic Ethics Accelerator](#) and the UKPRP-funded [Tackling the Root Causes Upstream of Unhealthy Urban Development](#).