

CONTENTS

CHAPTER 1	GENERAL INTRODUCTION 1
	THE NATURE OF BIOMEDICAL ETHICS 1
	RECENTLY DOMINANT ETHICAL THEORIES 4 The Critical Assessment of Competing Ethical Theories 5 Consequentialist Versus Deontological Theories 6 Act-Utilitarianism 7 Rule-Utilitarianism 13 Kantian Deontology 17 W. D. Ross's Theory of Prima Facie Duties 23
	THE PRINCIPLES OF BIOMEDICAL ETHICS 26
	ALTERNATIVE DIRECTIONS AND METHODS 27 Virtue Ethics 28 The Ethics of Care and Feminist Ethics 30 Casuistry: Case-Based Reasoning in Historical Context 33 Reflective Equilibrium and Appeals to Coherence 36
	CONFRONTING ETHICAL RELATIVISM 38
	FUNDAMENTAL CONCEPTS AND PRINCIPLES Autonomy 41 Liberty-Limiting Principles 46 Paternalism 48
	Notes 51
	ANNOTATED BIBLIOGRAPHY 54
	APPENDIX: SELECTED REFERENCE SOURCES IN BIOMEDICAL ETHICS 56
	Print Resources 56
	Web Resources 56

Preface

XVII

CONTENTS CHAPTER 2 THE PROFESSIONAL-PATIENT RELATIONSHIP 58 INTRODUCTION 58 Physicians' Obligations and Virtues 58 Paternalism and Respect for Autonomy 59 The Role and Responsibilities of Nurses 61 Truth-Telling Confidentiality and Conflicting Obligations 64 Informed Consent The Practice of Medicine in a Multicultural Society 68 NOTES 69 PHYSICIANS' OBLIGATIONS AND VIRTUES The Hippocratic Oath Edmund D. Pellegrino, The Virtuous Physician and the Ethics of Medicine 70 PHYSICIAN-PATIENT MODELS AND PATIENT AUTONOMY James F. Childress and Mark Siegler, Metaphors and Models of Doctor-Patient Relationships: Their Implications for Autonomy Terrence F. Ackerman, Why Doctors Should Intervene 83 THE ROLE AND RESPONSIBILITIES OF NURSES 88 Lisa H. Newton, In Defense of the Traditional Nurse 88 Helga Kuhse, Advocacy or Subservience for the Sake of Patients? 95 TRUTH-TELLING AND CONFIDENTIALITY 103 Roger Higgs, On Telling Patients the Truth 103 Justice Mathew O. Tobriner, Majority Opinion in Tarasoff v. Regents of the University of California 109 Justice William P. Clark, Dissenting Opinion in Tarasoff v. Regents of the University of California 113 Please Don't Tell!: A Case About HIV and Confidentiality (with commentaries by Leonard Fleck and Marcia Angell) 116 INFORMED CONSENT President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, The Values Underlying

Informed Consent 120

Howard Brody, Transparency: Informed Consent in Primary Care 126

THE PRACTICE OF MEDICINE IN A MULTICULTURAL CONTEXT 132 Ruth Macklin, Ethical Relativism in a Multicultural Society 132

ANNOTATED BIBLIOGRAPHY 141

CHAPTER 3 CONTESTED THERAPIES AND BIOMEDICAL ENHANCEMENT 144

INTRODUCTION 144 Contested Therapies 146 Biomedical Enhancements 150

NOTES 154

CONTESTED THERAPIES 155
Robert A. Crouch, Letting the deaf be Deaf: Reconsidering the
Use of Cochlear Implants 155
Bonnie Poitras Tucker, Deaf Culture, Cochlear Implants, and Elective Disability 162
Sherri A. Groveman (Morris), The Hanukkah Bush: Ethical Implications in the Clinical Management of Intersex 168
Lisa Abelow Hedley, The Seduction of a Surgical Fix 172
Josephine Johnston, Judging Octomom 176
Carl Elliott, Amputees by Choice 179
COSMETIC SURGERY 187
Franklin G. Miller, Howard Brody, and Kevin C. Chung, Cosmetic Surgery
and the Internal Morality of Medicine 187 Margaret Olivia Little, Cosmetic Surgery, Suspect Norms, and the Ethics
of Complicity 196
COSMETIC PSYCHOPHARMACOLOGY 205
Peter D. Kramer, Makeover 205
Carol Freedman, Aspirin for the Mind? Some Ethical Worries about
Psychopharmacology 213 David DeGrazia, Prozac, Enhancement, and Self-Creation 222
OTHER TYPES OF NEUROENHANCEMENT 230
Claudia Mills, One Pill Makes You Smarter: An Ethical Appraisal of the
Rise of Ritalin 230
Martha J. Farah and Paul Root Wolpe, Monitoring and Manipulating
Brain Function: New Neuroscience Technologies and Their Ethical
Implications 235
ANNOTATED BIBLIOGRAPHY 241
HUMAN AND ANIMAL RESEARCH 243
INTRODUCTION 243
Conceptual Issues 243
The Justification of Research Using Human Subjects 244
The Informed-Consent Requirement 246
Proxy Consent for Research Subjects Incapable of Informed Consent 247 Experimental Design and Research in Developing Countries 248
Animal Research 251
NOTES 252
ETHICAL CODES 253
The Nuremberg Code 253
World Medical Association, Declaration of Helsinki 254
Council for International Organizations of Medical Sciences, International
Guiding Principles for Biomedical Research Involving Animals 258
EXPERIMENTAL DESIGN AND RANDOMIZED CLINICAL TRIALS 260 Samuel Hellman and Deborah S. Hellman, Of Mice but Not Men:

Problems of the Randomized Clinical Trial 260

264

Clinical Trials

Don Marquis, How to Resolve an Ethical Dilemma Concerning Randomized

CHAPTER 4

Paul Litton and Franklin G. Miller, A Normative Justification for
Distinguishing the Ethics of Clinical Research from the Ethics of
Medical Care 268

CLINICAL TRIALS IN DEVELOPING COUNTRIES 278

Leonard H. Glantz, George J. Annas, Michael A. Grodin, and Wendy K. Mariner. Research in Developing Countries:

Taking Benefit Seriously 278

Baruch Brody, Ethical Issues in Clinical Trials in

Developing Countries 284

Participants in the 2001 Conference on Ethical Aspects of Research in

Developing Countries, Fair Benefits for Research in

Developing Countries 288

ANIMAL RESEARCH 292

Carl Cohen, The Case for the Use of Animals in

Biomedical Research 292

Edwin Converse Hettinger, The Responsible Use of Animals in

Biomedical Research 299

David DeGrazia, On the Ethics of Animal Research 305

ANNOTATED BIBLIOGRAPHY 313

CHAPTER 5 DEATH AND DECISIONS REGARDING LIFE-SUSTAINING TREATMENT 316

INTRODUCTION 316

The Definition and Determination of Death 316

Competent Adults and the Refusal of Life-Sustaining Treatment 318

320

DNR Orders and Medical Futility 319

Advance Directives and Treatment Decisions for Incompetent Adults

Notes 321

THE DEFINITION AND DETERMINATION OF DEATH 322

James L. Bernat, The Whole-Brain Concept of Death Remains Optimal Public Policy 322

Jeff McMahan, An Alternative to Brain Death 333

Robert D. Truog and Franklin G. Miller, *The Dead Donor Rule and Organ Transplantation* 338

COMPETENT ADULTS AND THE REFUSAL OF LIFE-SUSTAINING TREATMENT 341

Council on Ethical and Judicial Affairs, American Medical Association,
Withholding and Withdrawing Life-Sustaining Treatment 341

Tia Powell and Bruce Lowenstein, Refusing Life-Sustaining Treatment After Catastrophic Injury: Ethical Implications 343

Vicki Michel, Suicide by Persons with Disabilities Disguised as the Refusal of Life-Sustaining Treatment 348

DNR ORDERS AND MEDICAL FUTILITY 354

Tom Tomlinson and Howard Brody, Ethics and Communication in Do-Not-Resuscitate Orders 354

Mark R. Wicclair, Medical Futility: A Conceptual and

Ethical Analysis 359

ADVANCE DIRECTIVES AND TREATMENT DECISIONS FOR INCOMPETENT ADULTS 363

Thomas A. Mappes, Some Reflections on Advance Directives 363 Rebecca Dresser, The Conscious Incompetent Patient 370

ANNOTATED RIBLIOGRAPHY 373

CHAPTER 6 SUICIDE, PHYSICIAN-ASSISTED SUICIDE. AND ACTIVE EUTHANASIA

INTRODUCTION 376

What Is Suicide? 376

The Morality of Suicide

378

The Morality of Active Euthanasia 378 The Supreme Court, Physician-Assisted Suicide, and

Terminal Sedation 380

Physician-Assisted Suicide, Active Euthanasia.

and Social Policy 381

Active Euthanasia of Infants and the Groningen Protocol in

the Netherlands 383

NOTES 384

THE MORALITY OF SUICIDE 385

Immanuel Kant, Suicide 385

R. B. Brandt, The Morality and Rationality of Suicide 388

THE MORALITY OF ACTIVE EUTHANASIA 395

James Rachels, Active and Passive Euthanasia 395

Daniel Callahan, Killing and Allowing to Die 399

Dan W. Brock, Voluntary Active Euthanasia 402

THE SUPREME COURT, PHYSICIAN-ASSISTED SUICIDE. AND TERMINAL SEDATION 404

Chief Justice William H. Rehnquist, Opinion of the Court in

Washington v. Glucksberg

Chief Justice William H. Rehnquist, Opinion of the Court in

Vacco v. Ouill 410

Justice Sandra Day O'Connor, Concurring Opinion in

Washington v. Glucksberg and Vacco v. Quill 413

David Orentlicher, The Supreme Court and Physician-Assisted Suicide:

Rejecting Assisted Suicide but Embracing Euthanasia 414

PHYSICIAN-ASSISTED SUICIDE, ACTIVE EUTHANASIA. AND SOCIAL POLICY 418

Timothy E. Quill, Christine K. Cassel, and Diane E. Meier, Care of the

Hopelessly Ill: Proposed Clinical Criteria for

Physician-Assisted Suicide 418

The Oregon Death with Dignity Act 421

Franklin G. Miller, Timothy E. Quill, Howard Brody, John C. Fletcher,

Lawrence O. Gostin, and Diane E. Meier, Regulating

Physician-Assisted Death 426

John D. Arras, On the Slippery Slope in the Empire State:

The New York State Task Force on Physician-Assisted Death

 James L. Bernat, Bernard Gert, and R. Peter Mogielnicki, Patient Refusal of Hydration and Nutrition: An Alternative to Physician-Assisted Suicide or Voluntary Active Euthanasia
 438

ACTIVE EUTHANASIA OF INFANTS AND THE GRONINGEN PROTOCOL IN THE NETHERLANDS 446

Eduard Verhagen and Pieter J. J. Sauer, The Groningen Protocol—Euthanasia in Severely Ill Newborns 446

Alexander A. Kon, We Cannot Accurately Predict the Extent of an Infant's Future Suffering: The Groningen Protocol is Too Dangerous to Support 450

ANNOTATED BIBLIOGRAPHY 453

CHAPTER 7 ABORTION AND EMBRYONIC STEM-CELL RESEARCH 456

INTRODUCTION 456

Abortion: The Ethical Issue 456
Abortion and Social Policy 461
Embryonic Stem-Cell Research 463

Notes 465

THE MORALITY OF ABORTION 466

Pope John Paul II, The Unspeakable Crime of Abortion 466
Mary Anne Warren, On the Moral and Legal Status of Abortion 468
Don Marquis, Why Abortion is Immoral 475
Judith Jarvis Thomson, A Defense of Abortion 479
Margaret Olivia Little, The Morality of Abortion 487

ABORTION AND SOCIAL POLICY 492

Justice Harry Blackmun, *Majority Opinion in* Roe v. Wade George J. Annas, *The Supreme Court and Abortion Rights* 496

EMBRYONIC STEM-CELL RESEARCH 501

National Institutes of Health, Stem Cell Basics 501

Jeff McMahan, Killing Embryos for Stem Cell Research

President's Council on Bioethics, The Moral Case Against

513

526

ANNOTATED BIBLIOGRAPHY 520

Cloning-for-Biomedical-Research

CHAPTER 8 GENETICS AND HUMAN REPRODUCTION 523

INTRODUCTION 523

Genetic Disease and the Language of Genetics 523
Prenatal Diagnosis and Selective Abortion 525
Morality and Reproductive Risk 526
Reproductive Technologies and the Treatment of Infertility

Reproductive Technologies; Ethical Concerns 528

Human Cloning 529

Preimplantation Genetic Diagnosis 531

Genetic Engineering, Gene Therapy, and Enhancement 531

Notes 532

	REPRODUCTIVE RISK, PRENATAL DIAGNOSIS, AND SELECTIVE ABORTION 533 Leon R. Kass, Implications of Prenatal Diagnosis for the Human Right to Life 533 Laura M. Purdy, Genetics and Reproductive Risk: Can Having Childre Be Immoral? 538	n
	Peter Singer, IVF: The Simple Case 544 Susan Sherwin, Feminist Ethics and In Vitro Fertilization 548 The New York State Task Force on Life and the Law, Ethical Debates Infertility and its Treatment 553 President's Council on Bioethics, Assisted Reproduction 560	about
	GAMETE DONATION AND SURROGACY 565 Thomas H. Murray, Families, the Marketplace, and Values: New Ways Making Babies 565 Bonnie Steinbock, Surrogate Motherhood as Prenatal Adoption	of 573
	HUMAN CLONING 577 Leon R. Kass, Cloning of Human Beings 577 Thomas H. Murray, Even if it Worked, Cloning Wouldn't Bring Her Back 580 Robert Wachbroit, Genetic Encores: The Ethics of Human Cloning	583
	PREIMPLANTATION GENETIC DIAGNOSIS 589 John A. Robertson, Extending Preimplantation Genetic Diagnosis: Me and Non-Medical Uses 589 President's Council on Bioethics, Selecting Embryos for Desired Traits 595	edical
	GENE THERAPY 598 Sophia Kolehmainen, The Dangerous Promise of Gene Therapy LeRoy Walters and Julie Gage Palmer, Germ-Line Gene Therapy	598 602
	GENETIC ENHANCEMENT610Michael J. Sandel, Mastery and Gift610Dan W. Brock, Genetic Engineering615	
CHAPTER 9	SOCIAL JUSTICE AND ACCESS TO HEALTH CARE	623
	Justice, Rights, and Societal Obligations 626 Rationing, Managed Care, and Health-Care Reform in the United States 629 Systems of Health-Care Delivery and Finance: Four International Perspectives 630 Reform Proposals for the United States 635	
	NOTES 637	
	Allen Buchanan, Justice: A Philosophical Review 638 Kai Nielsen, Autonomy, Equality and a Just Health-Care System	649

INTERNATIONAL MODELS AND PERSPECTIVES

Raisa Berlin Deber, Health Care Reform: Lessons from Canada 655

Donald W. Light, Universal Health Care: Lessons from the

British Experience 661

Christa Altenstetter, Insights From Health Care in Germany 667

Victor G. Rodwin and Claude Le Pen, Health-Care Reform in France-the Birth of State-Led Managed Care 672

REFORM PROPOSALS FOR THE UNITED STATES

Donald J. Palmisano, David W. Emmons, and Gregory D. Wozniak, Expanding Insurance Coverage Through Tax Credits, Consumer Choice, and Market Enhancements: The American Medical Association Proposal for Health Insurance Reform 675

David U. Himmelstein and Steffie Woolhandler, National Health Insurance or Incremental Reform: Aim High, or at Our Feet?

Ezekiel J. Emanuel, The Problem with Single-Payer Plans 686

Ezekiel J. Emanuel and Victor R. Fuchs, Vouchsafe 690

David DeGrazia, Single Payer Meets Managed Competition: The Case for Public Funding and Private Delivery 693

ANNOTATED BIBLIOGRAPHY 704

Appendix: Case Studies 707

About the Contributors 728