

*Cambridge Quarterly of  
Healthcare Ethics*

*The International Journal for  
Healthcare and Ethics Committees*

**Volume 21, 2012**

**Author Index and Contents**

Cambridge University Press



**Cambridge**  
**Quarterly of**  
**Healthcare**  
**Ethics**

**A Quarterly**  
**Journal Devoted**  
**to Engaging a**  
**World Community**  
**of Bioethicists**

EDITORS

Thomasine Kushner, PhD, *University of California, Berkeley*  
Steve Heilig, MPH, *San Francisco Medical Society*

ASSOCIATE EDITORS

Matti Häyry, *School of Law, University of Manchester, England*  
Tuija Takala, *University of Helsinki, Finland*

David C. Thomasma, PhD, Co-Editor, 1992–2002

THE DAVID C. THOMASMA INTERNATIONAL BIOETHICS RETREAT,

<http://www.library.berkeley.edu/~bantton/IBRetreat.html>

EDITORIAL BOARD

Akira Akabayashi, *Kyoto University, Japan*  
William Andereck, *Medicine and Human Values, California Pacific Medical Center, San Francisco*  
Daniel Callahan, *The Hastings Center, Garrison, New York*  
Arthur Caplan, *University of Pennsylvania, Philadelphia*  
Andrew Dobson, *Keele University, England*  
Joseph J. Fins, *Division of Medical Ethics, Weill Medical College of Cornell University, New York*  
Veronique Fournier, *Center for Clinical Ethics, Cochin Hospital, Paris, France*  
Amnon Goldworth, *Stanford University School of Medicine*  
Chris Hackler, *Division of Medical Humanities, University of Arkansas Medical School*  
John Harris, *University of Manchester, England*  
Paul Hofmann, *Hofmann Healthcare Group, Moraga, California*  
Albert Jonsen, *Medicine and Human Values, California Pacific Medical Center, San Francisco*  
Gerrit K. Kimsma, *Vrije Universiteit Amsterdam*  
Glenn McGee, *Rockefeller Institute of Government, Albany, New York*  
Eric M. Meslin, *Indiana University Center for Bioethics, Indianapolis*  
Jonathan D. Moreno, *Center for Biomedical Ethics, University of Virginia*  
Edmund D. Pellegrino, *Georgetown Center for the Advanced Study of Ethics, Georgetown University*  
Rosamond Rhodes, *Mount Sinai School of Medicine, New York*  
Gerd Richter, *Philipps University, Marburg, Germany*  
Pablo Rodriguez del Pozo, *Weill Medical College of Cornell University in Qatar*  
Richard Selzer, *Yale University*  
Robyn Shapiro, *Center for the Study of Bioethics, Medical College of Wisconsin*  
Pavel Tichtchenko, *Institute of Philosophy, Academy of Science, Moscow, Russia*  
Griffin Trotter, *Center for Health Care Ethics, Saint Louis University*  
Evert van Leeuwen, *Vrije Universiteit Amsterdam*  
Baroness Mary Warnock, *Girton College, Cambridge University, England*  
Mark R. Wicclair, *West Virginia University & University of Pittsburgh*

EDITORIAL OFFICE: Editorial correspondence, including manuscript submission, should be addressed to Thomasine Kushner, PhD. To facilitate review, please submit manuscripts as electronic copy, preferably in MS Word, to [TKushner@aol.com](mailto:TKushner@aol.com). Books for review should be sent to Greg Loeben, Midwestern University, Glendale Campus, Bioethics Program, 19555 N. 59th Ave., Glendale, AZ 85308.

SUBSCRIPTION INFORMATION: *Cambridge Quarterly of Healthcare Ethics* (ISSN 0963-1801) is published quarterly, in January, April, July, and October by Cambridge University Press, 32 Avenue of the Americas, New York, NY 10013-2473/Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU, UK. Annual subscription rates for volume 22 (2013) USA, Canada, and Mexico/Elsewhere: Institutional rates, print and online: \$389/£243; online only: \$315/£197; print only: \$382/£239. Individual rates, print only: \$103/£63. Single part: \$105/£66. Students and retirees: \$93/£58. American Society for Bioethics and Humanities members: Regular: \$93/£58. Student and retiree: \$93/£58. Prices include postage. Subscription offices: Cambridge University Press, 100 Brook Hill Drive, West Nyack, NY 10994-2133, USA; outside the USA, Canada, and Mexico: Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU, UK. Claims for missing issues should be made immediately after receipt of the next issue. *Cambridge Quarterly of Healthcare Ethics* and other Cambridge journals can be found at <http://journals.cambridge.org>.

*Cambridge Quarterly of Healthcare Ethics* is a partner journal of the American Society for Bioethics and Humanities.

Periodicals postage paid at New York, NY and additional mailing offices. POSTMASTER: Send address changes in the USA, Canada, and Mexico to *Cambridge Quarterly of Healthcare Ethics*, Cambridge University Press, 100 Brook Hill Drive, West Nyack, NY 10994-2133, USA. Send address changes elsewhere to *Cambridge Quarterly of Healthcare Ethics*, Cambridge University Press, The Edinburgh Building, Shaftesbury Road, Cambridge CB2 8RU, UK.

© Cambridge University Press 2012. All rights reserved. No part of this publication may be reproduced, in any form or by any means, electronic, photocopying, or otherwise, without permission in writing from Cambridge University Press. Policies, request forms, and contacts are available at: <http://www.cambridge.org/rights/permissions/permission.htm>

*Cambridge Quarterly of Healthcare Ethics* is indexed in Index Medicus and in the ASSIA, ISI, MEDLINE, Philosopher's Index, and Proquest databases.

Permission to copy (for users in the USA) is available from Copyright Clearance Center, <http://www.copyright.com>, email: [info@copyright.com](mailto:info@copyright.com). ISI Tearsheet Service, 3501 Market Street, Philadelphia, PA 19104, USA is authorized to supply single copies of separate articles for private use only. Article reprints are available from the authors. For orders of 50 or more reprints, contact Cambridge University Press.

# *Cambridge Quarterly of Healthcare Ethics*

## 2012 Author Index

- Abma, T. A., 493  
Akabayashi, Akira, 392  
Alnaes, Anne Hambro, 505  
Andorno, Roberto, 457  
Appel, Jacob M., 51, 527  
Árnason, Vilhjálmur, 150  
Aurenque, Diana, 223
- Barnard, David, 247, 391  
Blacksher, Erika, 320  
Blom, Erica, 104  
Blustein, Jeffrey, 249  
Bosslet, Gabriel, 125  
Brassington, Iain, 166  
Brody, Howard, 309
- Chadwick, Ruth, 155  
Cregan, Kate, 384
- de Melo-Martin, Inmaculada, 267  
De Vries, Raymond G., 104  
DuIa, Annette, 307  
Dunn, Michael, 466
- Ehni, Hans-Joerg, 223
- Fessler, Kathryn Bondy, 104  
Fiester, Autumn, 282  
Fleck, Leonard M., 5  
Førde, Reidun, 517  
Foster, Charles, 20
- Galbraith, Kyle L., 122  
Glenn, Jason E., 309  
Goode, Erica T., 397  
Groopman, Leonard C., 400
- Gunson, Darryl, 188  
Gurnham, David, 235
- Harris, Diana, 119  
Harris, John, 293  
Häyry, Matti, 211  
Helgesson, Gert, 40  
Herissone-Kelly, Peter, 200  
Hermer, Laura, 309  
Herring, Jonathan, 20  
Hope, Tony, 466  
Hunger, Sarah, 287
- Kershaw, David B., 353
- Lin, Katherine Y., 104  
Loi, Michele, 64  
Loike, John D., 409  
Lyons, Barry, 375
- Mickelsen, Ruth, 128  
Miller, Jennifer, 409  
Mishra, Ruchika, 281, 289, 396, 408  
Molewijk, Bert, 448  
Moseley, Kathryn L., 353  
Murphy, Timothy F., 78, 284
- Napier, Stephen, 134  
Nelson, Mark T., 404
- Parker, Michael, 466  
Parnami, Sonali S., 104  
Porz, Rouven, 436
- Rehbock, Theda, 177  
Rehmann-Sutter, Christoph, 436

Reiter-Theil, Stella, 425  
Rentmeester, Christy A., 366  
Rich, Ben A., 30  
Roberts, Dorothy, 332

Salles, Arleen, 267  
Scully, Jackie Leach, 436  
Sheehan, Mark, 466  
Smajdor, Anna, 90  
Solbakk, Jan Helge, 419  
Sparrow, Robert, 141  
Spranzi, Marta, 481

Stone, John R., 307, 342  
Sullivan, Matthew, 104

van Elteren, A. H. G., 493  
Vertrees, Stephanie M., 260

Wahlert, Lance, 282  
Wicclair, Mark, 247, 391  
Widdershoven, G. A. M., 448, 493  
Williams, Garrath, 155

Zausmer, Lindsay, 116  
Zellner, Richard A., 131

# Cambridge Quarterly of Healthcare Ethics

Volume 21, Number 1, January 2012

## CONTENTS

Contributors 1

### *Special Section: Open Forum*

From the Editors: Bioethics and Plumbing 3

Whoopie Pies, Supersized Fries: “Just” Snacking?  
“Just” Des(s)erts?  
LEONARD M. FLECK 5

“Please Don’t Tell Me”: The Right Not to Know  
JONATHAN HERRING AND CHARLES FOSTER 20

Terminal Suffering and the Ethics of Palliative Sedation  
BEN A. RICH 30

In Defense of Broad Consent  
GERT HELGESSON 40

Privacy versus History: How Far Should the Dead  
Hand Reach?  
JACOB M. APPEL 51

On the Very Idea of Genetic Justice: Why Farrelly’s Pluralistic  
Prioritarianism Cannot Tackle Genetic Complexity  
MICHELE LOI 64

Research Priorities and the Future of Pregnancy  
TIMOTHY F. MURPHY 78

In Defense of Ectogenesis  
ANNA SMAJDOR 90

### *Symposium: The Coming Generation in American Bioethics*

From Pioneers to Professionals  
SONALI S. PARNAMI, KATHERINE Y. LIN,  
KATHRYN BONDY FESSLER, ERICA BLOM,  
MATTHEW SULLIVAN, AND RAYMOND G. DE VRIES 104

My Bioethics Journey  
LINDSAY ZAUSMER 116

Fate or Free Will: My Passage to Bioethics  
DIANA HARRIS 119

My Problems with the B-Word  
KYLE L. GALBRAITH 122

A Woman (and Man) without a Country  
GABRIEL BOSSLET 125

Crossing Invisible Lines RUTH MICKELSEN	128
The Road Less Traveled RICHARD A. ZELLNER	131

*Departments and Columns*

*Responses and Dialogue*

The Dead Donor Rule and Means-End Reasoning: A Reply to Gardiner and Sparrow STEPHEN NAPIER	134
A response to "Not Dead Yet: Controlled Non-Heart-Beating Organ Donation, Consent, and the Dead Donor Rule" by Dale Gardiner and Robert Sparrow (CQ 19(1))	
The Dead Donor Rule and Means-End Reasoning: A Reply to Napier ROBERT SPARROW	141

**Volume 21, Number 2, April 2012**

**CONTENTS**

Contributors	147
--------------	-----

*Special Section: Kant, Habermas, and Bioethics*

Guest Editorial: Bioethics and the Conditions for Human Agency VILHJÁLMUR ÁRNASON	150
Responsibilities for Healthcare: Kantian Reflections GARRATH WILLIAMS AND RUTH CHADWICK	155
The Concept of Autonomy and Its Role in Kantian Ethics IAIN BRASSINGTON	166
Don't Lie! . . . Why Not? How to Argue for Truthfulness in Medical Practice THEDA REHBOCK	177
What Is the Habermasian Perspective in Bioethics? DARRYL GUNSON	188
Habermas, Human Agency, and Human Genetic Enhancement: The Grown, the Made, and Responsibility for Actions PETER HERISSONE-KELLY	200
Protecting Humanity: Habermas and His Critics on the Ethics of Emerging Biotechnologies MATTI HÄYRY	211
On Moral Enhancement from a Habermasian Perspective HANS-JOERG EHNI AND DIANA AURENQUE	223
Bioethics as Science Fiction: Making Sense of Habermas's <i>The Future of Human Nature</i> DAVID GURNHAM	235

## *Departments and Columns*

### *Professionalism*

Professionalism Department  
MARK WICCLAIR AND DAVID BARNARD 247

When Doctors Break the Rules: On the Ethics of Physician  
Noncompliance  
JEFFREY BLUSTEIN 249

### *Bioethics Education*

Medical Humanities, Ethics, and Disability: One Fellow's  
Confession and Transformation  
STEPHANIE M. VERTREES 260

### *Dissecting Bioethics*

TUIJA TAKALA AND MATTI HÄYRY  
Disgust in Bioethics  
ARLEEN SALLES AND INMACULADA DE MELO-MARTIN 267

### *Ethics Committees and Consultants at Work*

RUCHIKA MISHRA  
The Case: IVF Treatment for an HIV-Discordant Transgender  
Couple?  
RUCHIKA MISHRA 281

Commentary: The Questions We Shouldn't Ask  
LANCE WAHLERT AND AUTUMN FIESTER 282

Commentary: Crossing Cultural Divides: Transgender  
People Who Want to Have Children  
TIMOTHY F. MURPHY 284

Commentary: Transgender People Are Not That  
Different after All  
SARAH HUNGER 287

What Actually Happened 289

## **Volume 21, Number 3, July 2012**

### **CONTENTS**

Contributors 291

### *By Invitation*

What It's Like to Be Good  
JOHN HARRIS 293

### *Special Section: Bioethics and Health Disparities*

Guest Editorial: The Need for Continued Ethical Scrutiny  
JOHN R. STONE AND ANNETTE DULA 307

Racial/Ethnic Health Disparities and Ethics: The Need for a  
Multilevel Approach  
HOWARD BRODY, JASON E. GLENN, AND LAURA HERMER 309

Redistribution and Recognition: Pursuing Social Justice in Public Health	
ERIKA BLACKSHER	320
Debating the Cause of Health Disparities: Implications for Bioethics and Racial Equality	
DOROTHY ROBERTS	332
Elderly and Older Racial/Ethnic Minority Healthcare Inequalities: Care, Solidarity, and Action	
JOHN R. STONE	342
African American and White Disparities in Pediatric Kidney Transplantation in the United States: Unfortunate or Unjust?	
KATHRYN L. MOSELEY AND DAVID B. KERSHAW	353
Postcolonial Bioethics: A Lens for Considering the Historical Roots of Racial and Ethnic Inequalities in Mental Health	
CHRISTY A. RENTMEESTER	366

### *Departments and Columns*

<i>Bioethics beyond Borders: International Reports</i>	
The Irish Council for Bioethics: An Unaffordable Luxury?	
BARRY LYONS	375
Regulating Ethics in Australian Healthcare Research	
KATE CREGAN	384
<i>Professionalism</i>	
Introduction: A Modern Version of an Ancient Question	
MARK WICCLAIR AND DAVID BARNARD	391
Must I Stay? The Obligations of Physicians in Proximity to the Fukushima Nuclear Power Plant	
AKIRA AKABAYASHI	392
<i>Ethics Committees and Consultants at Work</i>	
The Case: Starving for Perfection	
RUCHIKA MISHRA	396
Commentary: Staying the Swinging Pendulum	
ERICA T. GOODE	397
Commentary: Where Ignorant Armies Clash by Night	
LEONARD C. GROOPMAN	400
Commentary: Practical Wisdom and Theory	
MARK T. NELSON	404
What Actually Happened	408
<i>Bioethics Education</i>	
BioCEP: A Model Educational Program for Cross-Cultural Bioethics	
JENNIFER MILLER AND JOHN D. LOIKE	409



Volume 21, Number 4, October 2012

CONTENTS

Contributors	417
<i>Special Section: Empirical Ethics</i>	
Guest Editorial: Embedded Ethics or Fictitious Facts? JAN HELGE SOLBAKK	419
What Does Empirical Research Contribute to Medical Ethics? A Methodological Discussion Using Exemplary Studies STELLA REITER-THEIL	425
How to Relate the Empirical to the Normative: Toward a Phenomenologically Informed Hermeneutic Approach to Bioethics CHRISTOPH REHMANN-SUTTER, ROUVEN PORZ, AND JACKIE LEACH SCULLY	436
Don't Solve the Issues!: A Plea for Ambiguity within Empirical Ethics BERT MOLEWIJK AND GUY A. M. WIDDERSHOVEN	448
Do Our Moral Judgments Need to Be Guided by Principles? ROBERTO ANDORNO	457
Toward Methodological Innovation in Empirical Ethics Research MICHAEL DUNN, MARK SHEEHAN, TONY HOPE, AND MICHAEL PARKER	466
The Normative Relevance of Cases: Rhetoric and Empirical Ethics MARTA SPRANZI	481
Empirical Ethics within Rapidly Changing Practices: A Forced Detoxification Program in Psychiatry as a Case Example A. H. G. VAN ELTEREN, T. A. ABMA, AND G. A. M. WIDDERSHOVEN	493
Lost in Translation: Cultural Obstructions Impede Living Kidney Donation among Minority Ethnic Patients ANNE HAMBRO ALNAES	505
How Can Empirical Ethics Improve Medical Practice? REIDUN FØRDE	517
<i>Departments and Columns</i>	
<i>Perspectives</i>	
"How Hard It Is That We Have to Die": Rethinking Suicide Liability for Psychiatrists JACOB M. APPEL	527
Author Index and Contents for Volume 21	I

## GUIDELINES FOR CONTRIBUTORS

**SCOPE OF THE JOURNAL.** *Cambridge Quarterly of Healthcare Ethics* is designed to serve as an international forum for addressing the increasingly complex challenges of biology, medicine, and healthcare. As a journal committed to expanding the community of bioethicists worldwide, CQ welcomes well-argued papers from a variety of methodological and normative viewpoints.

**PREPARATION OF MANUSCRIPTS.** Papers submitted to CQ should be sent as electronic copy, preferably in MS Word, and should contain in the following order: title page, text, references, and, if desired, tables and figures. Manuscripts typically should not exceed 3,500 words, including endnotes. On a separate page, supply a brief entry listing academic degrees, institutional affiliation, and current projects for a "Contributors" section that appears in each issue of CQ. More detailed guidelines follow.

**Title Page:** Title of the article, name of each author with institutional affiliation and complete mailing address for correspondence, plus phone and fax numbers and e-mail address. Include a short title of 45 characters or fewer to be used as a runninghead. Acknowledgments, if any, are to be provided with the submission as an unnumbered footnote. They are not to be added later with proof corrections.

**References:** Responsibility for accuracy and thoroughness of citations rests with the author(s). References are to be placed as endnotes following the article (not as footnotes on each page) and are to be numbered in the order of the callouts. *For multiple callouts of the same reference, each callout is to be given its own superscript arabic number; then in the Notes section a crossreference should be used, styled as in item 4 below.* The names of the first six authors of each reference item should be provided, followed by ", et al." if there are more than six authors. References should follow the format of the International Committee of Medical Journal Editors, *with the CQ modification that titles of journals and books are to be spelled out in full (except JAMA) and italicized.* Sample references in the style of the ICMJE Uniform Requirements for Manuscripts Submitted to Biomedical Journals can be obtained at [http://www.nlm.nih.gov/bsd/uniform\\_requirements.html](http://www.nlm.nih.gov/bsd/uniform_requirements.html). Lawyers may use their own standard style ("The Bluebook") but avoid abbreviations. Examples of the correct CQ format follow.

1. Parker SG, Kassirer JP. Decision analysis. *New England Journal of Medicine* 1987;316:250–8. or: . . . 1987;316(2):250–8.
2. Beauchamp TL, Walters L, eds. *Contemporary Issues in Bioethics*, 4th ed. Belmont, CA: Wadsworth; 1994.
3. Weinstein L, Swartz MN. Pathogenic properties of invading microorganisms. In: Sodeman WA Jr, Sodeman WA, eds. *Pathologic Physiology: Mechanisms of Disease*. Philadelphia: WB Saunders; 1974:457–72.
4. See note 2, Beauchamp, Walters 1994:431–512.
5. Mathewes-Green F. Dignity, always dignity. *World Magazine* 1995 Feb 18; available at <http://www.theologymatters.com/TMIssues/Mayjun97.pdf> (last accessed 15 Jul 2007). "Unpublished observations" and "personal communications" should not appear in the references, but should be inserted in parentheses in the text.

**Quotations:** Extensive quotations should be set off in a separate paragraph with double indentation. Short quotations remain in the running text, enclosed in double quotation marks. When quoting another author, always indicate the specific source page number in the corresponding endnote.

**Abbreviations:** Avoid abbreviations in the title. The full term for which an abbreviation stands should precede its first use in the text.

**Tables:** Each table should be on a separate page with a brief title. Number tables consecutively (with arabic numbers) in the order they are called out in the text. If data from another published or unpublished source are used, acknowledge permission fully.

**Figures:** Only print-ready figures can be accepted. Identify each with the number of the figure (use arabic numerals in the order called out in the text) and the author's name. On a separate page give a detailed caption for each figure. If a figure has been published, acknowledge the original source and permission to reproduce.

**MANUSCRIPT SUBMISSION.** Manuscript submissions should be sent to Thomasine Kushner, Ph.D. To facilitate review, manuscripts are to be submitted as electronic copy, preferably in MS Word, and addressed to: [TKushner@aol.com](mailto:TKushner@aol.com). Before manuscripts can be considered for review, they must meet the standard requirements of written academic English. Author(s) should state, in a covering letter, that the material has not been previously published elsewhere nor submitted for publication elsewhere. Authors should also disclose financial or other relationships that might lead to a conflict of interest.

**COPYRIGHT.** Authors of accepted articles will be asked to sign a Transfer of Copyright form, transferring copyright of the article to the publisher.

*Contents continued from back cover*

***Departments and Columns***

*Perspectives*

"How Hard It Is That We Have to Die": Rethinking Suicide  
Liability for Psychiatrists

JACOB M. APPEL

527

Author Index and Contents for Volume 21

I

## CONTENTS

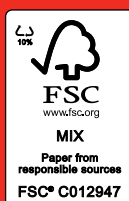
Contributors	417
<i>Special Section: Empirical Ethics</i>	
Guest Editorial: Embedded Ethics or Fictitious Facts? JAN HELGE SOLBAKK	419
What Does Empirical Research Contribute to Medical Ethics? A Methodological Discussion Using Exemplary Studies STELLA REITER-THEIL	425
How to Relate the Empirical to the Normative: Toward a Phenomenologically Informed Hermeneutic Approach to Bioethics CHRISTOPH REHMANN-SUTTER, ROUVEN PORZ, AND JACKIE LEACH SCULLY	436
Don't Solve the Issues!: A Plea for Ambiguity within Empirical Ethics BERT MOLEWIJK AND GUY A. M. WIDDERSHOVEN	448
Do Our Moral Judgments Need to Be Guided by Principles? ROBERTO ANDORNO	457
Toward Methodological Innovation in Empirical Ethics Research MICHAEL DUNN, MARK SHEEHAN, TONY HOPE, AND MICHAEL PARKER	466
The Normative Relevance of Cases: Rhetoric and Empirical Ethics MARTA SPRANZI	481
Empirical Ethics within Rapidly Changing Practices: A Forced Detoxification Program in Psychiatry as a Case Example A. H. G. VAN ELTEREN, T. A. ABMA, AND G. A. M. WIDDERSHOVEN	493
Lost in Translation: Cultural Obstructions Impede Living Kidney Donation among Minority Ethnic Patients ANNE HAMBRO ALNAES	505
How Can Empirical Ethics Improve Medical Practice? REIDUN FØRDE	517

*Contents continued*

Cambridge Journals Online

For further information about this journal please  
go to the journal website at:

[journals.cambridge.org/cqh](http://journals.cambridge.org/cqh)



**CAMBRIDGE**  
UNIVERSITY PRESS