

sation to local communities, suggesting that even modest increases in funding would directly increase the ability of parks to protect tropical biodiversity.

Volume 290, Number 5499  
December 15, 2000

External Control of 20<sup>th</sup> Century  
Temperature by Natural  
and Anthropogenic Forcings

P. A. Stott et al.

A comparison of observations with simulations of a coupled ocean-atmosphere general circulation model shows that both natural and anthropogenic factors have contributed significantly to 20<sup>th</sup> century temperature changes. The model successfully simulates global mean and large-scale land temperature variations, indicating that the climate response on these scales is strongly influenced by external factors. More than 80% of observed multidecadal-scale global mean temperature variations and more than 60% of 10- to 50-year land temperature variations are due to changes in external forcings. Anthropogenic global warming under a standard emissions scenario is predicted to continue at a rate similar to that observed in recent decades.

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*Journals in  
Philosophy and Theology*

**Cambridge Quarterly of  
Healthcare Ethics**

Volume 10, Number 1  
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Cultural Engagement in Clinical Ethics: A  
Model for Ethics Consultation

Michele A. Carter and Craig M. Klugman

In the discussion that follows, we trace some of the intellectual ideas that are foundational to the development of our model

of Cultural Engagement. The primary philosophical impetus for this model is the conviction expressed by John Stuart Mill in his celebrated essay "On Liberty." He asserts, "Only through diversity of opinion is there, in the existing state of human intellect, a chance of fair play to all sides of the truth." Mill believes that freedom of thought is a valuable and necessary ingredient of social progress because it helps in the search for truth and moral character. For Mill, the sphere of human liberty includes three essential domains: a liberty of conscience; a liberty of tastes, pursuits, and plans of life; and a liberty of uniting or assembling with others. Taken together, these three spheres of human liberty constitute the principle of self-determination, understood in both its individual and social sense.

What Is Wrong with Global Bioethics?  
On the Limitations  
of the Four Principles Approach

Tuija Takala

One of the best known, probably *the* best known, theory of bioethics is the one presented by Tom L. Beauchamp and James F. Childress in their *Principles of Biomedical Ethics* in 1979. This theory is known as the "four principles" or the "Georgetown mantra" approach or "mid-level principlism." It is the attempt to create a global framework for bioethics on the four principles—autonomy, justice, beneficence, and nonmaleficence—that I will scrutinize in this paper.

The Instability of the Standard Justification  
for Physician-Assisted Suicide

Thomas A. Cavanaugh

Proponents commonly justify the legalization of physician-assisted suicide (PAS) in terms of a patient's wanting to die (autonomy) and the patient's having a medically established good reason for suicide. These are the common elements of the standard

justification offered for the legalization of PAS. In what follows, I argue that these two conditions exist in significant tension with one another, operating according to distinct dynamics that render the justification for PAS an unstable “let it be so” basis for public policy. Moreover, no natural connection keeps these two criteria united. Indeed—as I argue—the two elements of the justification oppose and threaten to exclude one another. Thus, the PAS justification is too labile a basis for sound public policy.

**Ethics: An International  
Journal of Social, Political and  
Legal Philosophy**

Volume 111, Number 2  
January 2001

Doing Away with Double Effect

Alison McIntyre

Proponents of the Doctrine of Double Effect make two claims: (1) it is sometimes permissible to bring about a harm as a merely foreseen side effect of an action aimed at some good end, even though it would have been impermissible to bring about the same harm as a means to that end, and (2) this is so because of the moral significance of the distinction between intending and foreseeing a harmful consequence of one’s own agency. Thus Double Effect (henceforth DE) rests a claim about the conditions of permissible action on a distinction between two different ways of bringing about a harmful event: instrumentally, as a means to a good end, and incidentally, as a side effect of pursuing a good end.

Reasonable Illegal Force: Justice and  
Legitimacy in a  
Pluralistic, Liberal Society

Alec Walen

In what follows, I explain how Rawls’s conception of reasonable citizens accepting the obligations of legitimate law provides a framework for understanding why there is

ideally a strong prima facie duty to forswear illegal force. But I also argue that it provides *only* a prima facie duty to forswear illegal force. For even in an ideal, pluralistic, liberal society, issues may rise, such as abortion, with respect to which some reasonable people will think that the law unacceptably tolerates, establishes, or embodies a grave injustice. (I refer to these possibilities collectively under the heading of unjust laws.) If such issues arise, I claim that objectors fully conclude that illegal force is morally appropriate.

**First Things**

Number 111  
March 2001

The Future of the Papacy: A Symposium  
In the February issue *First Things* published the Erasmus Lecture of 2000, “Papacy and Power,” by George Weigel. The monumental political influence of the pontificate of John Paul II, Weigel argued, is the result of a long and complicated history in which the papacy has successfully contended for the freedom of the Church (*libertas ecclesiae*) even as the Church remains ambiguously engaged as a moral voice within the counsels of nations. The Church, and the papacy in particular, has broken with the “Constantinian” model of power in order to become, in accord with the vision of the Second Vatican Council, the “teacher and evangelist of culture,” a role that retrieves and renews the New Testament task of Peter to “strengthen the brethren.” We asked six distinguished writers—Catholic, Protestant, Orthodox, and Jewish—to respond to Weigel’s argument, with special reference to the future of the papacy.

**The Hastings Center Report**

Volume 30, No. 6  
November-December 2000

Restricting Physician-assisted Death  
to the Terminally Ill

Martin Gunderson and David J. Mayo

Although physician-assisted death can be a great benefit both to those who are terminally ill and those who are not, the risks for patients in these two categories are quite different. For now it is reasonable to make the benefit available for those near death, and to await better evidence about the risks before making it more broadly available.

Groups, Communities, and Contested Identities in Genetic Research

Dena S. Davis

Obtaining community consent before conducting genetic research seems to be a way of ensuring that a whole community is not harmed against its wishes—that all Jews, or all African Americans, or all Hutterites are not forced to learn things about themselves which they would rather not know, or are not forced into identities they would rather not have. Unfortunately, there are insurmountable problems both in identifying the right representatives of the community and in obtaining their consent.

**The Journal of Contemporary Health Law and Policy**

Volume 17, Issue 1  
Winter 2000

What Catholic Social Teaching Says to Catholic Sponsors of Church Plans

Alison M. Sulentic

This article addresses, in very narrow terms, the concept of a just wage as it has developed in modern Catholic social teaching. The United States workplace has sometimes been slow to recognize the parameters of what it means to offer a just wage and our courts have generally been loathe to recognize an absolute right to health care. In contrast, the social teachings of the Roman Catholic Church are not nearly so vague. The article proposes that a self-consciously Catholic notion of justice must form the

basis for the response of an institutional Catholic employer to the civil law issues involved in the design and operation of a private employee health benefit plan in the United States. For the Catholic employer, choices concerning the design of employee health benefit plans cannot be viewed as morally neutral, economically driven business decisions. The Catholic employer must take into account the social teachings of the Catholic Church, which, in turn, means coming to grips with the church's understanding of a just wage.

Informed Consent for Neonatal Circumcision: An Ethical and Legal Conundrum

J. Steven Svoboda et al.

This article examines whether and when parental consent to circumcision should be legally effective. It begins by identifying the legal and ethical requirements for consent that apply when medical professionals treat competent adult patients; requirements such as full disclosure, adequate capacity to consent, and voluntariness. It then analyzes how the rules and principles applicable in that context translate into legal and ethical requirements for consent to treatment of incompetent persons, and, in particular, treatment of children. It concludes that, because routine circumcision causes significant harm while providing no appreciable medical benefits, parental consent to the procedure is invalid. If circumcision can ever ethically and legally be performed, it is only when the male reaches adulthood and is capable of deciding for himself to undergo the procedure.

The Viatical Settlement Industry: Betting on People's Lives Is Certainly No "Exacta"

Liza M. Ray

By allowing others to make an economic profit from an individual's death, the viatical settlement industry encourages unethical values and morals. An investor, as an eco-

conomic stakeholder in a short-term investment, normally desires that a terminally ill policy seller die as soon as possible. The investor has bought the right to become an irrevocable beneficiary of another person's life insurance policy, thus reversing the usual role of the beneficiary in relation to the dying individual.

**The Journal of Law,  
Medicine & Ethics**

Volume 28, Number 4  
Winter, 2000

Defining and Describing Benefit  
Appropriately in Clinical Trials

Nancy M. P. King

The author wishes to remedy the present inequity of institutional review boards' near-exclusive focus on risk of harm when little time or attention is given to discussing whether and when potential benefit to subjects can reasonably be claimed and, if so, how it should be described in the consent form and process. The author discusses the different types and dimensions of benefit, emphasizes the necessity of examining the specific description of benefit, elucidates a "reasonable chance of benefit" standard for claims of direct benefit, and highlights issues of justice for claims of collateral benefit.

The Ethical Analysis of Risk

Charles Weijer

In this paper commissioned by the U.S. National Bioethics Advisory Commission, the author demonstrates the conflicting models of risk analysis underlying the reports of an earlier commission, the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research and how these conflicting models are reflected in our federal regulations. The author proposes specific changes to the regulations in order to achieve a single ethical

framework—namely, the "component analysis" approach—in order that institutional review boards can use the regulations to adequately protect research subjects.

The Ethics of Clinical Trials:  
A Child's View

Jennifer Rosato

The author discusses the social influences that gave rise to the presumption in favor of children's participation in research and emphasizes the need for an ethical framework to guide decision-making in this context. Specifically, the author proposes a framework of child-centered bioethics that integrates the core bioethics principles of beneficence and autonomy with an assessment of children's needs and interests. Finally, the author articulates recommendations regarding mature minors and institutional review boards consistent with this framework in order to resolve the difficult ethical issues posed by including children of all ages in clinical drug trials.

**The Journal of  
Medicine and Philosophy**

Volume 26  
Number 6  
December 2000

Bioethics at Century's Turn: Can  
Normative Ethics Be Retrieved?

Edmund D. Pellegrino

The four trajectories I wish to examine are these: (1) the attenuation of the normative, and therefore of the ethical nature of the bioethical enterprise; (2) the multiplication of and conflict between and among the methodologies bioethicists use to pursue their inquiries; (3) the parallel confusion and conflict between and among theories of justification; and (4) the flight from universal foundations upon which to base the directions the first three trajectories should take.

The Twilight of "Medicine" and the Dawn  
of "Health Care": Reflections on  
Bioethics at the Turn of the Millennium

Maurizio Mori

The traditional paradigm of medicine assumes that health is a natural given depending on a body's intrinsic teleology, and that medicine aims at restoring or preserving health, making a physician only an "assistant to nature." I argue that nowadays this paradigm is becoming obsolete, because the concept of health is no longer a "natural given" and interventions on the human body attempt not only to help nature's teleology, but also to change it whenever doing so can satisfy human needs and wants. We should abandon the term "medicine" and adopt the term "health care" to mark such an epoch-making transition, analogous to that marking the passage from "alchemy" to "chemistry."

Children as Research Subjects:  
A Dilemma

Loretta M. Kopelman

A complex problem exists about how to promote the best interests of children as a group through research while protecting the rights and welfare of individual research subject. The Nuremberg Code forbids studies without consent, eliminating most children as subjects, and the Declaration of Helsinki disallows non-therapeutic research on non-consenting subjects. Both codes are unreasonably restrictive. Another approach is represented by the Council for the International Organizations of Medical Science, the U.S. Federal Research Guidelines, and many other national policies. They allow research ethics committees or institutional review boards to authorize studies with acceptable balances of likely benefits and harms, but neither clarify how to balance them nor explain the meaning of pivotal concepts, like "minimal risk." Paths to the improvement of balancing or consequentialist approaches include (1) improving standardizing of risk

assessment, (2) rejecting crude utilitarianism, (3) identifying and justifying normative or moral judgments, and (4) acknowledging extra-regulatory thresholds and deontological or non-negotiable duties to children.

Volume 25, Number 5  
October 2000

On the Value-Neutrality of the Concepts  
of Health and Disease:  
Unto the Breach Again

Scott DeVito

A number of philosophers of medicine have attempted to provide analyses of health and disease in which the role that values play in those concepts is restricted. There are three ways in which values can be restricted in the concepts of health and disease. They can be: (i) eliminated, (ii) tamed or (iii) corralled. These three approaches correspond, respectively, to the work of Boorse, Lennox, and Wakefield. The concern of each of these authors is that if unrestricted values are allowed to infect our concepts of health and disease, then *anything* could be construed as healthy or diseased. They believe that, if at all possible such a result should be avoided. Unfortunately, as I argue, this result is unavoidable and such attempts to limit values in these concepts are destined to fail.

The Ends of Medical Intervention and the  
Demarcation of the Normal  
from the Pathological

Abraham Rudnick

This study examines the ends of medical intervention and argues that mainstream contemporary medicine assumes that appropriate ends may be discovered (i.e., naturalism), rather than created or decided upon (i.e., conventionalism). The essay then applies these considerations to the problem of the demarcation of the normal from the pathological. I argue that the common formulations of this dispute commit a fallacy, as they characterize the "normal" as a state of the

organism and not as an ongoing process within it. Such a process may be characterized as self-creation and self-repair. Such considerations support the conclusion that normality may be regarded as a regulative idea, rather than as an end-state, and as part of the ends of medical intervention, depending upon choice and context.

Fuzzy Health, Illness, and Disease

Kazem Sadegh-Zadeh

The notions of health, illness, and disease are fuzzy-theoretically analyzed. They present themselves as non-Aristotelian concepts violating basic principles of classical logic. A recursive scheme for defining the controversial notion of disease is proposed that also supports a concept of fuzzy disease. A sketch is given of the prototype resemblance theory of disease.

**The Linacre Quarterly**  
**A Journal of the Philosophy and**  
**Ethics of Medical Practice**

Volume. 67, Number 4  
 November 2000

The Jungle of Mergers: Making a Path or  
 Finding a Clearing?

Rev. Russell E. Smith

Catholic health care, comprising some 18% of this jungle, has a significant stake in what is happening, and has responded, much like other providers by first forming institutional "alliances," and then other "joint ventures" and "partnerships" of endless variety. It was precisely to address such "joint-ventures" and "alliances" that moral theologians employed the "principles of cooperation," which had been initially discussed in the manuals, or textbooks, of moral theology throughout the seventeenth and eighteenth centuries, and more coherently and descriptively articulated in the nineteenth and twentieth centuries.

Not an Excessive Claim, Nor a Divisive  
 One, But a Traditional One: A Response to  
 Lawrence Welch on Immediate Material  
 Cooperation

Rev. James Keenan, S.J.

Here I respond to Dr. Lawrence Welch's critique of my essay on immediate material cooperation and its application to a particular case of direct sterilization which appeared in this journal. I focus on four topics: the quality of his representation of my views, the concept of immediate material cooperation, the application of that concept, and the notion of division.

**The Thomist**

Volume 65, Number 1  
 January, 2001

"Direct" and "Indirect": A Reply to Critics  
 of Our Action Theory

John Finnis, Germain Grisez,  
 and Joseph Boyle

The adjectives "direct" and "indirect" have been used in some documents of the Magisterium to qualify nouns that refer to certain ways in which one brings about bad outcomes. Those adjectives are used to distinguish cases in which an acting person intends the bad outcome either as an end or as a means ("direct abortion") from cases in which the moral agent, in doing some other, morally upright action, only accepts the bad outcome as its side effect. Rather than using "direct" and "indirect," it seems to us preferable to speak of what is *intended* and what is *accepted as a side effect*, and we shall usually do so here.

Similarities and Differences between  
 Human and Animal Emotion  
 in Aquinas's Thought

Stephen Loughlin

One of the striking features of Aquinas's thought concerning the emotions is his at-

tribution of them to the animal lacking reason. His argument in this respect is direct and simple: since the emotions constitute the various actualizations of the sensitive appetite in relation to some sensible thing considered as good or bad, whatever possesses a sensitive appetite will likewise experience the emotions. Since the reason possess a sensitive appetite, the emotions are not peculiar to human beings.