**Philosophy and Theology Abstracts**

*American Catholic Philosophical Quarterly*

M. O’Brien and R. C. Koons, *Objects of Intention: A Hylomorphic Critique of the New Natural Law Theory*, *Am Cathol Philos Q* 86.4 (Fall 2012): 655–703 • The “New Natural Law” Theory (NNL) of Grisez, Finnis, Boyle, and their collaborators offers a distinctive account of intentional action, which underlies a moral theory that aims to justify many aspects of traditional morality and Catholic doctrine. In fact, we show that the NNL is committed to premises that entail the permissibility of many actions that are irreconcilable with traditional morality and Catholic doctrine, such as elective abortions. These consequences follow principally from the NNL’s planning theory of intention coupled with an implicitly Cartesian conception of human behavior, in which behavior chosen by an agent has no intrinsic “intentionalness” apart from what he confers upon it as part of his plan. Pace the NNL collaborators, we sketch an alternative hylomorphic conception of intentional action that avoids untoward moral implications by grounding human agency in the exercise of basic powers that are either essential to human nature or acquired through participation in social practices.

C. Tollefsen, *Response to Robert Koons and Matthew O’Brien’s “Objects of Intention A Hylomorphic Critique of the New Natural Law Theory*, *American Catholic Philosophical Quarterly* 87.4 (Fall 2013): 751–778 • Robert Koons and Matthew O’Brien have leveled a number of objections against the New Natural Law account of human action and intention. In this paper, I discuss five areas in which I believe that the Koons-O’Brien criticism of the New Natural Law theory is mistaken, or in which their own view is problematic. I hope to show, inter alia, that the New Natural Law approach is not committed to a number of theses attributed to it by Koons and O’Brien; that their own view suffers from many ambiguities and difficulties; that passages from St. Thomas on which they draw to support their own view are in fact fully compatible with the New Natural Law account; and that neither the New Natural Law account of the controversial Phoenix abortion case, nor their account of the casuistry surrounding the acceptance of side-effects, is deficient in the ways asserted by Koons and O’Brien.

*American Journal of Bioethics*

T. F. Murphy, *In Defense of Irreligious Bioethics*, *Am J Bioethics* 12.12 (December 2012): 3–10 • Some commentators have criticized bioethics as failing to engage religion both as a matter of theory and practice. Bioethics should work toward understanding the influence of religion as it represents people’s beliefs and practices, but bioethics should nevertheless observe limits in regard to religion as it does its normative work. Irreligious skepticism toward religious views about health, healthcare practices and institutions, and responses to biomedical innovations can yield important benefits to the field. Irreligious skepticism makes it possible to raise questions that otherwise go unasked and to protect against the overreach of religion. In this sense, bioethics needs a vigorous irreligious outlook every bit as much as it needs descriptive understandings of religion.

*Anaesthesiology Intensive Therapy*

K. Kobylarz, *History of Treatment of Conjoined Twins*, *Anaesthesiol Intensive Ther* 46.2 (April 2014): 116–123 • This paper presents a history of the treatment of conjoined twins. The first mention of this malformation comes from the Neolithic period. Conjoined twins were depicted in mythologies of ancient peoples. The present
paper focuses on the theories of formation of Siamese twins and attempts at their separation. Moreover, the history of treatment of conjoined twins in Poland is described.

**Journal of Bioethical Inquiry**

S. Kendall, *Anorexia Nervosa: The Diagnosis. A Postmodern Ethics Contribution to the Bioethics Debate on Involuntary Treatment for Anorexia Nervosa*, *J Bioeth Inq* 11.1 (March 2014): 31–40 • This paper argues that there is a relationship between understandings of anorexia nervosa (AN) and how the ethical issues associated with involuntary treatment for AN are identified, framed, and addressed. By positioning AN as a construct/discourse (hereinafter “AN: the diagnosis”) several ethical issues are revealed. Firstly, “AN: the diagnosis” influences how the autonomy and competence of persons diagnosed with AN are understood by decision-makers in the treatment environment. Secondly, “AN: the diagnosis” impacts on how treatment and treatment efficacy are defined and the ethical justifiability of paternalism. Thirdly, “AN: the diagnosis” can limit the opportunity for persons with AN to construct an identity that casts them as a competent person. “AN: the diagnosis” can thus inherently affirm professional knowledge and values. Postmodern professional ethics can support professionals in managing these issues by highlighting the importance of taking responsibility for professional knowledge, values, and power and embracing moral uncertainty.

**Journal of Ethics**

J. Williams, *Public Reason and Prenatal Moral Status*, *J Ethics* 19.1 (March 2015): 23–52 • This paper provides a new analysis and critique of Rawlsian public reason’s handling of the abortion question. It is often claimed that public reason is indeterminate on abortion, because it cannot say enough about prenatal moral status, or give content to the (allegedly) political value which Rawls calls “respect for human life.” I argue that public reason requires much greater argumentative restraint from citizens debating abortion than critics have acknowledged. Beyond the preliminary observation that fetuses do not meet the criteria of political personhood, I contend, public reasoners may say nothing about prenatal moral status. Indeed, respect for human life (as distinct from respect for persons) is not, I show, a genuine political value, whose interpretation lies within public reason’s remit. This fact does not, however, prevent deliberators from drawing determinate conclusions regarding the law of abortion. Instead, I show, public reason has radically permissive implications for the legal regulation of feticide, inclining heavily towards the view that abortion should be allowed with little or no qualification, right until birth. I end by giving grounds for thinking that, even if the argumentative restraint which public reason enjoins over prenatal moral status does not generate indeterminacy, it is nonetheless objectionable.

**Journal of Law and Medicine**

C. Davis, *The Spectre of Court-Sanctioned Sacrificial Separation of Teenage Conjoined Twins against Their Will*, *J Law Med* 21.4 (June 2014): 973–983 • In a recent decision of the Indian Supreme Court, judges foreshadowed authorizing separation of teenage conjoined twins where both would die if not separated but where the operation could save only one. The absence of medical information advising separation precluded such a decision in the case at hand. However, the case raises a number of difficult legal and ethical questions that judges would have to consider before authorizing sacrificial separation of these or other non-infant conjoined twins.

**Journal of Law and Religion**

A.N. Enker, *In Re A: Severing the Conjoined Twins in Jewish Law*, *J Law Relig* 29.02 (June 2014): 276–300 • In re A was decided by the English courts in 2000. Twin girls, named Jodie and Mary for purposes of the decision, were born joined together at their lower extremities. Jodie’s heart and lungs were more or less healthy. But Mary’s were insufficiently developed and could not provide her with the flow of blood and
oxygen needed to survive. However, the girls shared a single circulatory system so that Jodie’s heart pumped blood that flowed through both their bodies. In this manner, Jodie’s heart and lungs kept Mary alive. According to the doctors, this situation could continue for a period of three to six months, or a bit longer, at the most. As the girls grew, Jodie would be unable to provide sufficient blood and oxygen to support both Mary and herself. Both would die. The doctors recommended surgical separation of the two girls. Mary would necessarily die “within minutes,” being cut off from her source of sustenance. Jodie would have a good chance of surviving.

The legal issue presented was whether the doctors may perform the surgery that would cause Mary’s death. At issue were questions concerning the scope of self-defense and necessity. In the course of the Court’s opinions, brief reference was made to Jewish law. This article considers the Jewish law sources that bear on these issues.

Journal of Medical Ethics

S. Chan, A Bioethics for All Seasons, *J Med Ethics* 41.1 (January 2015): 17–21 • The last four decades have seen the emergence and flourishing of the field of bioethics and its incorporation into wide-ranging aspects of society, from the clinic or laboratory through to public policy and the media. Yet considerable debate still exists over what bioethics is and how it should be done. In this paper I consider the question of what makes good bioethics. Drawing on historical and contemporary examples, I suggest that bioethics encompasses multiple modes of responding to moral disagreement, and that an awareness of which mode is operational in a given context is essential to doing good bioethics.

Journal of Medicine and Philosophy

E. Di Nucci, Fathers and Abortion, *J Med Philos* 39.4 (August 2014): 444–458 • I argue that it is possible for prospective mothers to wrong prospective fathers by bearing their child; and that lifting paternal liability for child support does not correct the wrong inflicted to fathers. It is therefore sometimes wrong for prospective mothers to bear a child, or so I argue here. I show that my argument for considering the legitimate interests of prospective fathers is not a unique exception to an obvious right to procreate. It is, rather, part of a growing consensus that procreation can be morally problematic and that generally talking of rights in this context might not be warranted. Finally, I argue that giving up a right to procreate does not imply nor suggest giving up on women’s absolute right to abort, which I defend.

H. Friberg-Fernros, Taking Precautionary Concerns Seriously: A Defense of a Misused Anti-abortion Argument, *J Med Philos* 39.3 (June 2014): 228–247 • Abortion critics have argued that one should err on the side of life and prohibit abortion since the status of the fetus is uncertain. David Boonin has criticized this precautionary argument, but his criticism has been ignored. The aim is to elaborate on the precautionary argument by responding to Boonin’s criticism. Boonin considers three versions of the precautionary argument—the disaster avoidance argument, the maximin argument, and the expected utility argument; yet all three are judged unsuccessful for the same reasons: they lead to unacceptable implications, they lead to conclusions that are too weak, and they undermine the integrity of moral reasoning. I respond to this criticism by arguing that one can avoid unacceptable implications by considering a criterion of realism, that the weaker conclusions are rather an advantage, and that the application of the precautionary principle makes room for considerations which maintain the integrity of moral reasoning. I also consider some criticism beyond Boonin’s objections.

H. Lindemann and J. Nelson. The Surrogate’s Authority, *J Med Philos* 39.2 (April 2, 2014): 161–168 • The authority of surrogates—often close family members—to make treatment decisions for previously capacitated patients is said to come from their knowledge of the patient, which they are to draw on as they exercise substituted judgment on the patient’s behalf. However, proxy accuracy studies call this authority
into question, hence the Patient Preference Predictor (PPP). We identify two problems with contemporary understandings of the surrogate’s role. The first is with the assumption that knowledge of the patient entails knowledge of what the patient’s choice of treatment would be. The second is with the assumption that a good decision reproduces the content of that choice. If we are right, then the PPP, helpful though it might be in guiding surrogates’ decisions, nevertheless would hold them to the wrong standards and in that way could add to, rather than relieve, the stress they experience as they try to do their job.

**Philosophy**

*D. Parfit*, *We Are Not Human Beings*, *Philosophy* 87.1 (January 2012): 5–28 • Animalists rightly claimed that Lockeans should not ignore the question whether we are animals, and Animalists put forward forceful objections to most Lockeian views. But if Lockeans revise their claims, by turning to the Embodied Person View, these objections can, I have claimed, be answered. And this view also avoids some strong objections to Animalism. If Animalists also turned to this view, this disagreement would be resolved, and we together would have made philosophical progress.

**Southern Journal of Philosophy**

*E. Olson*, *The Metaphysical Implications of Conjoined Twins*, *South J Philos* 52.S1 (September 2014): 24–40 • Conjoined twinning is said to show that the number of human people—the number of us—can differ from the number of human organisms, and hence that we are not organisms. The paper shows that these arguments either assume the point at issue, rely on dubious and undefended assumptions, or add nothing to more familiar arguments for the same conclusion.

**Viator**

*I. Resnick*, *Conjoined Twins, Medieval Biology, and Evolving Reflection on Individual Identity*, *Viator* 44.2 (July 2013): 343–368 • Scholastic discussions concerning conjoined twins turned to issues unarticulated by early medieval authors and brought into sharp focus the biological causes of these anomalous births based on Aristotelian natural philosophy. For Albert the Great, irregular or excessive movement during intercourse and a ruptured membrane in the womb may bring about either a complete division of the sperm, resulting in separated twins, or a partial division, resulting in conjoined fetuses. Following Albert, philosophers and theologians reflected upon theories of personhood when they concluded that conjoined twins with two heads may be two persons with two rational souls, and therefore should be baptized separately or even may contract separate marriages. This determination demanded consideration of empirical signs of personhood and focused attention on a Galenic-Aristotelian debate between “physicians” and “philosophers” to assert the heart’s priority over the head as the body’s principal organ and as the essential “seat” for the rational soul.