Cases

Case	1:	The Humane Murder of a Helpless Infant	15
Case	2:	Physician Advertising and the FTC	79
Case	3:	The Health Professional's Duty to Warn a Potential Murder Victim	108
Case	4:	Breaking Confidentiality to Try to Benefit a Patient	141
Case	5:	High Risk—High Gain	162
Case	6:	Health Planning on Fictitious Island	171
Case	7 :	The Homosexual Husband	178
Case	8:	Consent for Research on Human Placentas	190
Case	9:	Active Killing with Parental Consent	228
Case	10:	Justice and Efficiency in Care for the Mentally Retarded	252
Case	11:	The Physician as Executioner	293
Case	12:	Choosing among the Rules	316

Contents

Cases	v		
Preface	X		
Introduction	3		
PART I			
Hippocrates, the Popes, Ahimsa, and Patient's Rights:			
A History of Diversity			
Chantar 1 The Himagraphic Tradition	10		
Chapter 1 The Hippocratic Tradition The Notion of Theories of Medical Ethics 16	15		
The Hippocratic Oath 18			
The Hippocratic Gath 10 The Hippocratic Tradition 21			
,			
Chapter 2 The Dominant Western Competitors	27		
The Judeo-Christian Tradition 27			
Judaism 28			
Catholic Moral Theology 33			
THE PRINCIPLE OF STEWARDSHIP 37			
THE PRINCIPLE OF THE INVIOLABILITY OF HUMAN LIFE 37			
THE PRINCIPLE OF TOTALITY 38			
the principle of sexuality and procreation 38			
THE PRINCIPLE OF DOUBLE EFFECT 39			
Protestantism 41			
The Modern Secular West 43			
Western Liberal Political Philosophy 44			
The Patient's Rights Movement 47			
Chapter 3 Medical Ethical Theories Outside the Anglo-			
American West	50		
Socialist Medical Ethics 51			
Islamic Medical Ethics 56			
Hindu Medical Ethics 58			
Chinese Medical Ethics 62			
Japanese Medical Ethics 66			
าก่			

PART II

The Basis of Medical Ethics

Chapter 4 The Problems with Professional Physician Ethics Professional Ethics and Role-Specific Duties 82 The Consensus of Professionals as the Foundation for Professional Ethics 92 The Consensus of Professionals as the Way of Knowing Professional Ethics 97 The Role of the Profession in Forming Codes and Adjudicating Ethical Disputes 100	79
Chapter 5 The Triple Contract: A New Foundation for Medical Ethics The Basic Social Contract 110 Discovering a Universal Base for Medical Ethics 114 Inventing a Universal Base for Medical Ethics 118 A Synthesis Contract Theory 120 The Contract between Society and a Profession 127 The Contract between Professionals and Patients 134 Conclusion 137	108
PART III The Principles of Medical Ethics Chapter 6 Why Not Always Benefit the Patient: Personal and Social Consequences The Principle of Beneficence 145 Against the Dangerous Hippocratic Principle 147 Hippocratic Consequentialism 147 Hippocratic Paternalism 149 Hippocratic Individualism 154 Variants on the Hippocratic Principle 159 DO NO HARM 159 PROLONG LIFE 164 Against the Dangerous Utilitarian Principle 169 The Utilitarian Alternative 170	141
Rule Utility as an Option 175 Chapter 7 The Principle of Contract Keeping Contract Keeping in the Basic Social Contract 179 Contract Keeping and the Lay-Professional Contract 183 The Problem of Medical Confidentiality 184	177
Chapter 8 The Principle of Autonomy Autonomy in the Basic Social Contract 192 Autonomy and the Lay-Professional Contract 197 The Right to Consent 200	190

	Contents			
The Right to Refuse Treatment 207				
Family and Guardian Autonomy 209				
Chapter 9 The Principle of Honesty	214			
Honesty in the Basic Social Contract 214				
Honesty and the Lay-Professional Contract 216				
Lying, Deception, and Withholding the Truth 223				
Chapter 10 The Principle of Avoiding Killing	227			
Killing in the Basic Social Contract 229				
Killing and the Lay-Professional Contract 237				
Killing and the Definition of Death 240				
Killing and Abortion 246				
Killing of Animals 248				
Chapter 11 The Principle of Justice	250			
Justice and the Social Contract: Four Possible Theories 253				
The Entitlement Theory 254				
The Utilitarian Theory 257				
The Maximin Theory 261				
The Egalitarian Theory 264				
THE EQUALITY OF PERSONS 266				
EQUALITY AND ENVY 267				
THE IMPLICATIONS OF THE EGALITARIAN FORMULA 268				
Justice, the Basic Social Contract, and Health Care 269 The Case for an Equal Right to Health Care 270				
The Case for an Equal Right to Health Care 270 The Problem of Voluntary Health Risks 276				
Justice and the Lay-Professional Contract 281				
yabilee and the day recessional contract				
PART IV				
Relating Cases and Principles				
Chapter 12 When Medical Ethical Principles Conflict	291			
The Problem of Conflicting Principles 295				
The Single Overarching Principles 296				
Lexical Ordering 298				
The Balancing of Principles of Equal Status 303				
Chapter 13 Is Every Case in Medical Ethics Unique: The Use of				
Moral Rules	306			
The Uniqueness of Benefit-Harm Judgments in Individual				
Cases 311				
Varying Rules in Individual Cases 315				
A Society Governed by Law and Individual Cases 321				
Chapter 14 A Draft Medical Ethical Covenant	324			
	**-			
Notes	331			
Bibliography	358			
Index	373			
71111				