

Defining Death

Medical, Legal and Ethical Issues in the Determination of Death



President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research

On Defining Death

**Stuart J. Youngner, Robert M.
Arnold, Renie Schapiro**



On Defining Death:

Defining Death Robert M. Veatch, Lainie Friedman Ross, 2016 New technologies and medical treatments have complicated questions such as how to determine the moment when someone has died The result is a failure to establish consensus on the definition of death and the criteria by which the moment of death is determined This creates confusion and disagreement not only among medical legal and insurance professionals but also within families faced with difficult decisions concerning their loved ones Distinguished bioethicists Robert M Veatch and Lainie F Ross argue that the definition of death is not a scientific question but a social one rooted in religious philosophical and social beliefs Drawing on history and recent court cases the authors detail three potential definitions of death the whole brain concept the circulatory or somatic concept and the higher brain concept Because no one definition of death commands majority support it creates a major public policy problem The authors cede that society needs a default definition to proceed in certain cases like those involving organ transplantation But they also argue the decision making process must give individuals the space to choose among plausible definitions of death according to personal beliefs Taken in part from the authors latest edition of their groundbreaking work on transplantation ethics *Defining Death* is an indispensable guide for professionals in medicine law insurance public policy theology and philosophy as well as lay people trying to decide when they want to be treated as dead

Defining Death United States. President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, 1981 President's Commission for the study of ethical problems in medicine and biomedical and behavioral research

On Defining Death Douglas N. Walton, **The Definition of Death** Stuart J. Youngner, Robert M. Arnold, Renie Schapiro, 2002-10-15 In the 1980s following the recommendation of a presidential commission all fifty states replaced previous cardiopulmonary definitions of death with one that also included total and irreversible cessation of brain function The *Definition of Death Contemporary Controversies* is the first comprehensive review of the clinical philosophical and public policy implications of our effort to redefine the change in status from living person to corpse Edited by Stuart J Youngner Robert M Arnold and Renie Schapiro the book is the result of a collaboration among internationally recognized scholars from the fields of medicine philosophy social science law and religious studies Throughout the contributors struggle to reconcile inconsistencies and gaps in our traditional understanding of death and to respond to the public's concern that in the determination of death under current policies patients interests may be compromised by the demand for organ retrieval Their questions about the philosophical and scientific bases for determining death lead inevitably to more profound questions of social policy Acknowledging that the definition of death is as much a social construct as a scientific one the authors in their analysis of these issues provide a comprehensive and provocative source of information for students and scholars alike

The Concept of Death Sweden. Committee on Defining Death, 1984 **Persons, Humanity, and the Definition of Death** John P. Lizza, 2006 In this riveting and timely work John P Lizza presents the first comprehensive analysis of

personhood and humanity in the context of defining death Rejecting the common assumption that human or personal death is simply a biological phenomenon for biologists or physicians to define Lizza argues that the definition of death is also a matter for metaphysical reflection moral choice and cultural acceptance Lizza maintains that defining death remains problematic because basic ontological ethical and cultural issues have never been adequately addressed Advances in life sustaining technology and organ transplantation have led to revision of the legal definition of death It is generally accepted that death occurs when all functions of the brain have ceased However legal and clinical cases involving postmortem pregnancy individuals in permanent vegetative state those with anencephaly and those with severe dementia challenge the neurological criteria Is brain death really death Should the neurological criteria be expanded to include individuals in permanent vegetative state with anencephaly and those with severe dementia What metaphysical ethical and cultural considerations are relevant to answering such questions Although Lizza accepts a pluralistic approach to the legal definition of death he proposes a nonreductive substantive view in which persons are understood as constituted by human organisms This view he argues provides the best account of human nature as biological moral and cultural and supports a consciousness related formulation of death Through an analysis of legal and clinical cases and a discussion of alternative concepts of personhood Lizza casts greater light on the underlying themes of a complex debate **The Concept of Death** Sweden.

Socialdepartementet. Committee on Defining Death,1984 *On Defining Death* Douglas N. Walton,1979 In this book Douglas Walton examines the philosophical nature of two issues currently associated with medical ethics In order to work towards an analysis of the concept of death that could function as a target towards which the medical criteria of death could be directed he proposes the foundations for a theory free of logical contradictions paradoxes and other perplexities This is the superlimiting theory which introduces the notion of a possible person The connection of these philosophical ideas with medico legal concerns like brain death and the Harvard criteria is discussed Professor Walton then goes on to examine the difference between killing and letting die Through a close study of the logic of action sentences he develops a model that is discussed in the light of the ethical and jurisprudential realities of medical ethics to see if the distinction between bringing something about actively and letting something happen passively is one that makes a moral difference in the evaluation of actions Numerous problematic conceptual snags are dealt with and the author consistently supports the conceptual clarity and respectability of the distinction Other relevant discriminations of an action theoretic sort such as that between direct and indirect euthanasia are studied and the concluding chapter applies the conceptual analysis to a philosophical discussion of attitudes towards death asking Is it rational to fear death **Defining Death** Robert D. Truog,Nancy Berlinger,Rachel L. Zacharias,Mildred Z. Solomon,2006 **Reading Packet on the Determination of Death** Reinhard Priester,1990

Defining Death Joshua Shaw,2016 The definition of death is often referred to as a fiction since brain death was conceived in the mid twentieth century These observations are generally paired with concern that the fiction depresses the

quality of a patient's consent to post mortem tissue donation. However, such accounts are theoretically bereft. The author argues that a systems theoretic account can better explain how fiction contributes to donative practices. He understands fiction as a legal speech act that misrepresents the intentions behind its expressed message. The misrepresentation may induce social behaviour e.g. consent consistent with its unstated intentions. In the context of death, these intentions emerge from a system of biopolitics disproportionately concerned with preserving the life of the populace. Determining death early on the continuum of dying may avail more viable tissue and free therapeutic resources to those in need. The operation of fiction will be explored and critiqued from within this socio-legal frame.

Legislation and Case Law Relating to the Definition of Death Wisconsin. Legislature. Legislative Council, Richard N. Sweet, 1978 **Death and Dying** California Medical Association. Committee on Evolving Trends in Society Affecting Life, 1975 **How to Defend "brain Death" Without Defining Death** Hastings Center, 2005 *Death Before Dying* Gary Stuart Belkin, 2014

Brain death, the condition of a non-functioning brain, has been widely adopted around the world as a definition of death since it was detailed in a Report by an Ad Hoc Committee of Harvard Medical School faculty in 1968. It also remains a focus of controversy and debate, an early source of criticism and scrutiny of the bioethics movement. *Death Before Dying* History Medicine and Brain Death looks at the work of the Committee in a way that has not been attempted before in terms of tracing back the context of its own sources, the reasoning of it, Chair Henry K Beecher and the care of patients in coma and knowledge about coma and consciousness at the time. That history requires re-thinking the debate over brain death that followed, which has tended to cast the Committee's work in ways this book questions. This book then also questions common assumptions about the place of bioethics in medicine. This book discusses if the advent of bioethics has distorted and limited the possibilities for harnessing medicine for social progress. It challenges historical scholarship of medicine to be more curious about how medical knowledge can work as a potentially innovative source of values.

Defining The Moment Of Death: Brain Death In India And The United States Anamika Krishnan, 2024-11-26. At the crossroads of life and death lies a debate that has captivated lawmakers, ethicists and medical professionals for centuries: the determination of brain death. In this provocative and timely book, Anamika Krishnan embarks on a bold exploration of this contentious issue, unraveling the complexities that define it in both India and the U.S.A.

Defining Death Stany Zjednoczone. President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, 1981 **The Concept of Death**, 1984 **Defining Death** Alister Browne, 1987 *Determining Death by Neurological Criteria* Matthew Hanley, 2020-03-27

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