

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

Anamika Krishnan



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

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

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

The Concept of Death Sweden. Committee on Defining Death,1984

Death in the Clinic Lynn A. Jansen,2006 Some reflections on whether death is bad David J Mayo Defining death James L Bernat Against the right to die J David Velleman The skull at the banquet David Barnard Influence of mental illness on decision making at the end of life Linda Ganzini and Elizabeth R Goy Creative adaptation in aging and dying Celia Berdes and Linda Emanuel Rage rage against the dying light John Paris Michael D Schreiber and Robert Fogerty Training on newly deceased patients Mark R Wicclair

Health Care Ethics John F. Monagle,David C. Thomasma,2005 Provides expert help you need to make difficult bio ethical decisions covering a broad range of current and future health care issues as well as institutional and social issues applicable to multiple disciplines and settings

The Law of Life and Death Elizabeth Price Foley,2011-04 Are you alive Most people believe this question has a clear answer that some law defines our status as living or not for all purposes In this pioneering study Elizabeth Price Foley examines the many and surprisingly ambiguous legal definitions of what counts as human life and death

The Concept of Death Sweden. Socialdepartementet. Committee on Defining Death,1984

Beyond Brain Death M. Potts,P.A. Byrne,Richard G. Nilges,R.G. Nilges,2001-11-30 Beyond Brain Death offers a provocative challenge to one of the most widely accepted conclusions of contemporary bioethics the position that brain death marks the death of the human person Eleven

chapters by physicians philosophers and theologians present the case against brain based criteria for human death Each author believes that this position calls into question the moral acceptability of the transplantation of unpaired vital organs from brain dead patients who have continuing function of the circulatory system One strength of the book is its international approach to the question contributors are from the United States the United Kingdom Liechtenstein and Japan This book will appeal to a wide audience including physicians and other health care professionals philosophers theologians medical sociologists and social workers

Encyclopedia of Death and Dying Glennys Howarth, Oliver Leaman, 2003-12-16 In recent years there has been a massive upsurge in academic professional and lay interest in mortality This is reflected in academic and professional literature in the popular media and in the proliferation of professional roles and training courses associated with aspects of death and dying Until now the majority of reference material on death and dying has been designed for particular disciplinary audiences and has addressed only specific academic or professional concerns There has been an urgent need for an authoritative but accessible reference work reflecting the multidisciplinary nature of the field This Encyclopedia answers that need The Encyclopedia of Death and Dying consolidates and contextualizes the disparate research that has been carried out to date The phenomena of death and dying and its related concepts are explored and explained in depth from the approaches of varied disciplines and related professions in the arts social sciences humanities medicine and the sciences In addition to scholars and students in the field from anthropologists and sociologists to art and social historians the Encyclopedia will be of interest to other professionals and practitioners whose work brings them into contact with dying dead and bereaved people It will be welcomed as the definitive death and dying reference source and an essential tool for teaching research and independent study

Pediatric Brain Death and Organ/Tissue Retrieval Howard H. Kaufman, 2012-12-06 Based on a March 1987 conference discusses criteria for determining when a child can be ethically medically and legally considered dead and needed organs or tissue be transplanted to other children Many contributors recount the experience with this emotion charged issue at particular institutio

Ethical Issues in Pediatric Organ Transplantation Rebecca A. Greenberg, Aviva M. Goldberg, David Rodríguez-Arias, 2016-05-25 This book offers a theoretical and practical overview of the specific ethical and legal issues in pediatric organ transplantation Written by a team of leading experts Ethical Issues in Pediatric Organ Transplantation addresses those difficult ethical questions concerning clinical organizational legal and policy issues including donor recipient and allocation issues Challenging topics including children as donors donation after cardiac death misattributed paternity familial conflicts of interest developmental disability as a listing criteria small bowel transplant and considerations in navigating the media are discussed It serves as a fundamental handbook and resource for pediatricians transplant health care professionals trainees graduate students scholars practitioners of bioethics and health policy makers

Death and Donation D. Scott Henderson, 2011-08-08 Since its inception in 1968 the brain death criterion for human death has enjoyed the status of one of the few relatively well settled

issues in bioethics However over the last fifteen years or so a growing number of experts in medicine philosophy and religion have come to regard brain death as an untenable criterion for the determination of death Given that the debate about brain death has occupied a relatively small group of professionals few are aware that brain death fails to correspond to any coherent biological or philosophical conception of death This is significant for if the brain dead are not dead then the removal of their vital organs for transplantation is the direct cause of their deaths and a violation of the Dead Donor Rule This unique monograph synthesizes the social legal medical religious and philosophical problems inherent in current social policy allowing for organ donation under the brain death criterion In so doing this bioethical appraisal offers a provocative investigation of the ethical quandaries inherent in the way transplantable organs are currently procured Drawing together these multidisciplinary threads this book advocates the abandonment of the brain death criterion in light of its adverse failures and concludes by laying the groundwork for a new policy of death in an effort to further the good of organ donation and transplantation Defining Death Robert D. Truog, Nancy Berlinger, Rachel L. Zacharias, Mildred Z. Solomon, 2006

Encyclopedia of Death and the Human Experience Clifton D. Bryant, Dennis L. Peck, 2009-07-15 Death and dying and death related behavior involve the causes of death and the nature of the actions and emotions surrounding death among the living Interest in the varied dimensions of death and dying has led to the development of death studies that move beyond medical research to include behavioral science disciplines and practitioner oriented fields As a result of this interdisciplinary interest the literature in the field has proliferated This two volume resource addresses the traditional death and dying related topics but also presents a unique focus on the human experience to create a new dimension to the study of death and dying With more than 300 entries the Encyclopedia of Death and the Human Experience includes the complex cultural beliefs and traditions and the institutionalized social rituals that surround dying and death as well as the array of emotional responses relating to bereavement grieving and mourning The Encyclopedia is enriched through important multidisciplinary contributions and perspectives as it arranges organizes defines and clarifies a comprehensive list of death related perspectives concepts and theories Key Features Imparts significant insight into the process of dying and the phenomenon of death Includes contributors from Asia Africa Australia Canada China eastern southern and western Europe Iceland Scandinavia South America and the United States who offer important interdisciplinary and cross cultural perspectives Provides a special focus on the cultural artifacts and social institutions and practices that constitute the human experience Addresses death related terms and concepts such as angel makers equivocal death end of life decision making near death experiences cemeteries ghost photography halo nurses caregiver stress cyberfunerals global religious beliefs and traditions and death denial Presents a selective use of figures tables and images Key Themes Arts Media and Popular Culture Perspectives Causes of Death Conceptualization of Death Dying and the Human Experience Coping With Loss and Grief The Human Experience Cross Cultural Perspectives Cultural Determined Social Oriented and Violent Forms of Death

Developmental and Demographic Perspectives Funerals and Death Related Activities Legal Matters Process of Dying Symbolic Rituals Ceremonies and Celebrations of Life Theories and Concepts Unworldly Entities and Events With an array of topics that include traditional subjects and important emerging ideas the Encyclopedia of Death and the Human Experience is the ultimate resource for students researchers academics and others interested in this intriguing area of study

International Medical Malpractice Law Dieter Giesen, 1988-01-01 This monograph is the most comprehensive comparative law study of legal responsibility arising from medical care presently available It is written for doctors as well as health care administrators and legal professionals Focusing on the problems of civil liability it presents the development points of contact with and differences between the modern law of medical liability stemming from both the Common Law and Civil Law traditions of England Scotland Eire New Zealand Australia Canada the United States South Africa France Belgium West Germany Switzerland and Austria It demonstrates the extent to which both problems of medical law and trends towards their solution are already familiar in these legal systems The work describes principles and trends not by confronting the reader with national reports and separate chapters on different legal systems rather the relevant legal problems are analyzed from an integrative comparative viewpoint The main thrust of the presentation is the analysis of numerous court decisions the number of which is rising ominously in the United States on the civil liability of doctors and hospitals for damages arising from substandard treatment or inadequate disclosure of information to the patient References to the legal and medical literature indexes and a refined system of cross references together with an important collection of appendices covering legal and ethical declarations make this work accessible as a handbook and reference work for the legal and social problems encountered today in the wide area of law ethics and medicine **Death: Beyond Whole-Brain Criteria** Richard M. Zaner, 1988 Based on a symposium held on Oct 18 20 1984 at Vanderbilt University in Nashville Tenn

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