

## Bibliography on Physician-Assisted Suicide

Follow this and additional works at: <http://scholarship.law.cornell.edu/cjlp>

 Part of the [Law Commons](#)

---

### Recommended Citation

(1998) "Bibliography on Physician-Assisted Suicide," *Cornell Journal of Law and Public Policy*: Vol. 7: Iss. 2, Article 3.  
Available at: <http://scholarship.law.cornell.edu/cjlp/vol7/iss2/3>

This Article is brought to you for free and open access by the Journals at Scholarship@Cornell Law: A Digital Repository. It has been accepted for inclusion in Cornell Journal of Law and Public Policy by an authorized administrator of Scholarship@Cornell Law: A Digital Repository. For more information, please contact [jmp8@cornell.edu](mailto:jmp8@cornell.edu).

# BIBLIOGRAPHY ON PHYSICIAN-ASSISTED SUICIDE

## GOVERNMENT REPORTS

- Assisted Suicide: Legal, Medical, Ethical, and Social Issues: Hearing Before the Subcommittee on Health and the Environment of the Committee on Commerce, House of Representatives, 105th Cong. (1997).*
- Assisted Suicide in the United States: Hearing Before the Subcommittee on the Constitution of the Committee on the Judiciary, House of Representatives, 104th Cong. (1996).*
- CHARLES T. CANADY, *PHYSICIAN-ASSISTED SUICIDE AND EUTHANASIA IN THE NETHERLANDS: A REPORT OF CHAIRMAN CHARLES T. CANADY TO THE SUBCOMMITTEE ON THE CONSTITUTION OF THE COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, 104th Cong. (1996).*
- NEW YORK STATE TASK FORCE ON LIFE AND THE LAW, *WHEN DEATH IS SOUGHT: ASSISTED SUICIDE AND EUTHANASIA IN THE MEDICAL CONTEXT (1994)* (unanimously recommending that New York's laws prohibiting assisted suicide and euthanasia should not be changed because "[i]n light of the pervasive failure of our health care system to treat pain and diagnose and treat depression, legalizing assisted suicide and euthanasia would be profoundly dangerous for many individuals who are ill and vulnerable.").

## ARTICLES IN LAW, MEDICAL, AND INTERDISCIPLINARY JOURNALS

- Ann Alpers & Bernard Lo, *Physician-Assisted Suicide in Oregon: A Bold Experiment*, 274 JAMA 483 (1995).
- Marcia Angell, *The Supreme Court and Physician-Assisted Suicide-the Ultimate Right*, 336 NEW ENG. J. MED. 50 (1997).
- John D. Arras, *Physician-Assisted Suicide: A Tragic View*, 13 J. CONTEMP. HEALTH L. & POL'Y 361 (1997) (arguing that case-based reasoning is ill-suited to the development of social policy in this area).
- David A. Asch, *The Role of Critical Care Nurses in Euthanasia and Assisted Suicide*, 334 NEW ENG. J. MED. 1374 (1996).
- Daniel Avila, *Medical Treatment Rights of Older Persons and Persons with Disabilities: 1993-94 Developments*, 10 ISSUES L. & MED. 385 (1995).

- Jerald G. Bachman et al., *Attitudes of Michigan Physicians and the Public Toward Legalizing Physician-Assisted Suicide and Voluntary Euthanasia*, 334 NEW ENG. J. MED. 303 (1996).
- Anthony L. Back et al., *Physician-Assisted Suicide and Euthanasia in Washington State*, 275 JAMA 919 (1996).
- Charles H. Baron et al., *Statute: A Model State Act to Authorize and Regulate Physician-Assisted Suicide*, 33 HARV. J. LEGIS. 7 (1996) (proposing a comprehensive statute to permit and regulate physician-assisted suicide for patients suffering from terminal illnesses or unbearable pain).
- Tom L. Beauchamp, *The Justification of Physician-Assisted Deaths*, 29 IND. L. REV. 1173 (1996) (arguing that certain acts by physicians to assist persons in bringing about their deaths are morally justified, but that this argument is not sufficient to justify the legalization of physician-assisted suicide).
- James Bopp, Jr. & Richard E. Coleson, *The Constitutional Case Against Permitting Physician-Assisted Suicide for Competent Adults with "Terminal Conditions,"* 11 ISSUES L. & MED. 253 (1995) (arguing that "a bright light exists between allowing nature to take its course by refusing medical treatment and taking active measures to terminate life.").
- Daniel Callahan & Margot White, *The Legalization of Physician-Assisted: Creating a Regulatory Potemkin Village*, 30 U. RICH. L. REV. 1 (1996) (arguing that it is impossible to devise adequate legal safeguards).
- Harvey Max Chochinov et. al., *Desire for Death in the Terminally Ill*, 152 AM. J. PSYCHIATRY 1185 (1995).
- Mark E. Chopko & Michael F. Moses, *Assisted Suicide: Still a Wonderful Life?*, 70 NOTRE DAME L. REV. 519 (1995) (arguing that efforts to persuade the legislative and judicial branches to recognize and protect a right to assisted suicide seek dangerously and detrimentally to transform society).
- Annette E. Clark, *Autonomy and Death*, 71 TULANE L. REV. 45 (1996) (focusing on legal issues raised by statutory attempts to legalize/criminalize physician-assisted suicide and discussing cases before the Supreme Court; examining physician-assisted suicide from both medical and societal perspectives; questioning whether physicians are the proper persons in whom to rest power over death).
- Ezekiel J. Emanuel et al., *Euthanasia and Physician-Assisted Suicide: Attitudes and Experiences of Oncology Patients, Oncologists, and the Public*, 347 LANCET 1805 (1996) (finding that physician-assisted suicide and euthanasia have much more support among cancer patients and the general public than among oncologists).

- Martha A. Field, *Killing "The Handicapped"—Before and After Birth*, 16 HARV. WOMEN'S L.J. 79 (1993).
- Kathleen M. Foley, *Competent Care for the Dying Instead of Physician-Assisted Suicide*, 336 NEW ENG. J. MED. 54 (1997).
- Hugh Gregory Gallagher, *"Slapping Up Spastics": The Persistence of Social Attitudes Toward People with Disabilities*, 10 ISSUES L. & MED. 401 (1995).
- Carol J. Gill, *Suicide Intervention for People with Disabilities*, 8 ISSUES L. & MED. 37 (1992).
- Mark A. Graber et al., *Patients' View about Physician Participation in Assisted Suicide and Euthanasia*, 11 J. GEN. INTERNAL MED. 71 (1966).
- Alison Hall, *To Die with Dignity: Comparing Physician-Assisted Suicide in the United States, Japan, and the Netherlands*, 74 WASH. U. L.Q. 803 (1996).
- John Hardwig, *Is There a Duty to Die?*, HASTINGS CTR. REP., Mar.-Apr. 1997, at 34.
- Teresa HarveyParedes, Comment, *The Killing Words? How the New Quality-of-Life Ethic Affects People with Severe Disabilities*, 46 SMU L. REV. 805 (1992).
- Steve Heiling et al., *Physician-Hastened Death: Advisory Guidelines for the San Francisco Bay Area From the Bay Area Network of Ethics Committees*, 166 W. J. MED. 370 (1997).
- Herbert Hendin et al., *Physician-Assisted Suicide and Euthanasia in the Netherlands: Lessons from the Dutch*, 277 JAMA 1720, 1722 (1997) (stating that "there has been an erosion of medical standards in the care of terminally ill patients in the Netherlands" and that "the Dutch experience indicates that these practices defy adequate regulation.").
- Yale Kamisar, *The Reasons so many People Support Physician-Assisted Suicide—and Why Those Reasons Are Not Convincing*, 12 ISSUES L. & MED. 113 (1996).
- Yale Kamisar, *Physician-Assisted Suicide: The Last Bridge to Active Voluntary Euthanasia*, in EUTHANASIA EXAMINED: ETHICAL LEGAL AND CLINICAL PERSPECTIVES 225 (John Keown, ed. 1995).
- Yale Kamisar, *Are Laws Against Assisted Suicide Unconstitutional*, HASTINGS CTR. REP., May-June 1993, at 32.
- Yale Kamisar, *Some Non-Religious Views Against Proposed "Mercy Killing" Legislation*, 42 MINN. L. REV. 969 (1958).
- Harold G. Koenig et al., *Attitudes of Elderly Patients and their Families Toward Physician-Assisted Suicide*, 156 ARCHIVES INTERNAL MED. 2240 (1996).

- Seth F. Kreimer, *Does Pro-Choice Mean Pro-Kevorkian? An Essay on Roe, Casey, and the Right to Die*, 44 AM. U. L. REV. 803 (1995).
- Melinda A. Lee et al., *Legalizing Assisted Suicide—Views of Physicians in Oregon*, 334 NEW ENG. J. MED. 310 (1996).
- Paul K. Longmore, *Elizabeth Bouvia, Assisted Suicide and Social Prejudice*, 3 ISSUES L. & MED. 141 (1987).
- Susan R. Martyn & Henry J. Bourguignon, *Physician-Assisted Suicide: The Lethal Flaws of the Ninth and Second Circuit Decisions*, 85 CAL. L. REV. 371 (1997) (arguing that there are many compelling philosophical, moral, and pragmatic reasons to maintain the traditional line between killing and letting one die).
- Thomas J. Marzen et al., *Suicide: A Constitutional Right?*, 24 DUQ. L. REV. 1 (1985) (outlining attitudes towards suicide at various stages in Western civilization, focusing on Anglo-American history and particularly the legal tradition).
- Stephen L. Mikochik, *Assisted Suicide and Disabled People*, 46 DEPAUL L. REV. 987 (1997) (article in a symposium issue: Individual Right and Reasonable Accommodation Under the Americans with Disabilities Act).
- Adam A. Milani, *Better Off Dead Than Disabled?: Should Courts Recognize A “Wrongful Living” Cause of Action When Doctors Fail to Honor Patients’ Advance Directives?*, 54 WASH. & LEE L. REV. 149 (1997) (including in Part IV a discussion of how the debate on the right to die, assisted suicide, and wrongful life reflects societal prejudice towards persons with disabilities).
- Paul Steven Miller, *The Impact of Assisted Suicide on People with Disabilities—Is It A Right Without Freedom?*, 9 ISSUES L. & MED. 47 (1993).
- David Orentlicher, *The Legalization of Physician-Assisted Suicide: A Very Modest Revolution*, 38 B.C. L. REV. 443 (1997) (explaining why the law is beginning to recognize a right of patients to physician-assisted suicide after a long history of denying such a right, and, in particular, why the law has recognized a right to assisted suicide only for terminally ill persons).
- Nancy J. Osgood, *Assisted Suicide and Older People—A Deadly Combination: Ethical Problems in Permitting Assisted Suicide*, 10 ISSUES L. & MED. 415, 418 (1995) (observing that “[i]n a society that devalues old age and old people, in which older adults are seen as ‘expendable’ and as an economic burden on younger members, older people may come to feel it is their social duty to kill themselves”).
- Nancy J. Osgood & Susan A. Eisenhandler, *Gender and Assisted and Acquiescent Suicide: A Suicidologist’s Perspective*, 9 ISSUES L. &

- MED. 361, 365 (1994) (observing that "[i]n view of the sexism and ageism experienced by older women in our society, it is not surprising that older women are so often the victims of assisted suicide").
- Larry I. Palmer, *Institutional Analysis and Physicians' Rights after Vacco v. Quill*, 7 CORNELL J.L. & PUB. POL'Y (forthcoming 1998).
- Russell K. Portenoy et. al., *Determinants of the Willingness to Endorse Assisted Suicide: A Survey of Physicians, Nurses, and Social Workers*, 38 PSYCHOSOMATICS 277 (1997).
- Paul Rousseau, Commentary, *Terminal Sedation in the Care of Dying Patients*, 156 ARCHIVES INTERNAL MED. 1785 (1996).
- Lois Shepherd, *Dignity and Autonomy after Washington v. Glucksberg: An Essay about Abortion, Death, and Crime*, 7 CORNELL J.L. & PUB. POL'Y (forthcoming 1998).
- Lois Shepherd, *Sophie's Choices: Medical and Legal Responses to Suffering*, 72 NOTRE DAME L. REV. 103 (1996) (discussing the role of suffering and the possibility of suffering-based rights).
- Jeremy A. Sitcoff, Note, *Death with Dignity: AIDS and a Call for Legislation Securing the Right to Assisted Suicide*, 29 J. MARSHALL L. REV. 677 (1996).
- Lee R. Slome et al., *Physician-Assisted Suicide and Patients With Human Immunodeficiency Virus Disease*, 336 NEW ENG. J. MED. 417 (1997).
- Cass R. Sunstein, *The Right to Die*, 106 YALE L.J. 1123, 1123-24 (1997) (arguing that the Supreme Court should not invalidate laws forbidding physician-assisted suicide because "the issues presented by a right to physician-assisted suicide are especially well suited to a federal system, where appropriate experiments may be made, and where such experiments are likely to provide valuable information about underlying risks").
- Susan Wolf, *Gender, Feminism, and Death*, in FEMINISM AND BIOETHICS (Susan M. Wolf, ed. 1996).

## BOOKS

- MARGARET PABST BATTIN, *ETHICAL ISSUES IN SUICIDE* (1995) (comprehensive exploration of historical and contemporary argumentation concerning suicide, examination of ethical, religious, and philosophical issues; including chapters on Suicide and Rights and Physician-Assisted Suicide; Expert on end of life issues).
- NINA CLARK, *THE POLITICS OF PHYSICIAN ASSISTED SUICIDE* (1997).
- DEATH, DYING AND THE LAW (Sheila A.M. McLean ed. 1996) (Part I examines euthanasia, assisted suicide and right-to-die issues in the United Kingdom and Part II examines issues in the international context).

ETHICAL ISSUES IN DEATH AND DYING (Tom L. Beauchamp & Robert Veach eds., 1996).

HERBERT HENDIN, *SEDUCED BY DEATH: DOCTORS, PATIENTS, AND THE DUTCH CURE* (1997) (study of physician-assisted suicide and euthanasia, including commentary on Dutch society's experience with physician-assisted suicide and euthanasia; study of cases of physician-assisted suicide in United States and in Netherlands).

INTENDING DEATH: THE ETHICS OF ASSISTED SUICIDE AND EUTHANASIA (Tom Beauchamp ed., 1996) (containing previously unpublished works exploring issues in law and public policy).

STEPHEN JAMISON, *FINAL ACTS OF LOVE: FAMILIES, FRIENDS, AND ASSISTED SUICIDE* (1995) (informative, comprehensive, and balanced treatment of assisted dying providing specific guidelines, questions, and criteria with which to evaluate particular situations involving assisted dying).

ALAN MEISEL, *THE RIGHT TO DIE* (2d ed. 1995) (three goals: to provide information on the positive law in readily accessible form; to supply analysis that aids the application of current legal doctrine; to shape the development of future rules).

WESLEY J. SMITH, *FORCED EXIT: THE SLIPPERY SLOPE FROM ASSISTED SUICIDE TO LEGALIZED MURDER* (1977) (arguing that euthanasia and assisted suicide are unwise and unethical and that legalizing them would especially endanger the powerless and vulnerable, and arguing that greater attention be paid to the alternatives, including hospice care for the dying, more effective pain control, and independent living for the disabled).

PHYSICIAN-ASSISTED SUICIDE: ETHICS, MEDICAL PRACTICE, AND PUBLIC POLICY (Robert F. Weir ed. 1997).

DICK WESTELY, *WHEN ITS' RIGHT TO DIE: CONFLICTING VOICES, DIFFICULT CHOICES* (1995) (arguing the pro-euthanasia position from the perspective of Christian faith; Professor of Philosophy, Loyola University, Chicago).

## SYMPOSIA

*Special Issue: A Symposium on Physician-Assisted Suicide*, 35 DUQ. L. REV. 1 (1996).

- C. Everett Koop, *Introduction* 1,  
 Daniel M. Crone, *Historical Attitudes Toward Suicide* 7,  
 Reverend Richard E. Coleson, *Contemporary Religious Viewpoints on Suicide, Physician-Assisted Suicide, and Voluntary Active Euthanasia* 43,  
 Rita L. Marker & Wesley J. Smith, *The Art of Verbal Engineering* 81,

Courtney S. Campbell, *Suffering, Compassion, and Dignity in Dying* 109,

Robert A. Burt, *Constitutionalizing Physician-Assisted Suicide: Will Lightning Strike Thrice?* 159,

George J. Annas, *The Promised End—Physician-Assisted Suicide and Abortion* 183,

Daniel Avila, *Is the Constitution a Suicide Pact?* 201,

Thomas J. Marzen et al., “*Suicide: A Constitutional Right?*”—*Reflection Eleven Years Later* 261,

Herbert Hendin, *Suicide and the Request for Assisted Suicide: Meaning and Motivation* 285,

Joanne Lynn et al., *Defining the “Terminally Ill”: Insights from SUPPORT* 311,

Eric Chevlen, *The Limits of Prognostication* 337,

John M. Dolan, *Is Physician-Assisted Suicide Possible?* 355,

Leon R. Kass & Nelsen Lund, *Physician-Assisted Suicide, Medical Ethics, and the Future of the Medical Profession* 395,

Herbert Hendin, *The Slippery Slope: The Dutch Example* 427,

Marshall B. Kapp, *Old Folks on the Slippery Slope: Elderly Patients and Physician-Assisted Suicide* 443,

Susan M. Wolf, *Physician-Assisted Suicide in the Context of Managed Care* 455,

Yale Kamisar, *The “Right to Die”: On Drawing (and Erasing) Lines* 481,

Richard M. Doerflinger, *Conclusion: Shaky Foundations and Slippery Slopes* 523.

Symposium: *Physician-Assisted Suicide in Context: Constitutional, Regulatory, and Professional Challenges*, 24 J.L. MED. & ETHICS 181 (1996).

Bernard Lo et al., *Introduction* 181,

David C. Thomasma, *When Physicians Choose to Participate in the Death of Their Patients: Ethics and Physician-Assisted Suicide* 183,

John E. Linville, *Physician-Assisted Suicide as a Constitutional Right* 198,

Jack Schwartz, *Writing the Rules of Death: State Regulation of Physician-Assisted Suicide* 207,

Carl H. Coleman & Alan R. Fleischman, *Guidelines for Physician-Assisted Suicide: Can the Challenge Be Met?* 217,

Franklin G. Miller et al., *Can Physician-Assisted Suicide Be Regulated Effectively?* 225,

William G. Bartholome, *Physician-Assisted Suicide, Hospice, and Rituals of Withdrawal* 233,



Diane K. Kjervik, *Assisted Suicide: The Challenge to the Nursing Profession* 237.

*Psychological Perspectives on Euthanasia*, 52 J. SOC. ISSUES 1 (1996).

John C. Brigham & Jeffrey E. Pfeiffer, *Euthanasia: An Introduction* 1,

Nathan I. Cherny, *The Problem of Inadequately Relieved Suffering* 13,

Eldon Soifer, *Euthanasia and Persistent Vegetative State Individuals: The Role and Moral Status of Autonomy* 31,

David Lester, *Psychological Issues in Euthanasia, Suicide, and Assisted Suicide* 51,

James R. Rogers, *Assessing Right to Die Attitudes: A Conceptually Guided Measurement Model* 63,

John M. Darely et al., *Community Attitudes on the Family of Issues Surrounding the Death of Terminal Patients* 85,

Carriella H. Nance & C. L. Ruby, *On Gender Role Violations and Judgments Made About Euthanasia: A Research Note* 105,

Jeffrey E. Pfeiffer et al., *Euthanasia on Trial: Examining Public Attitudes Toward Nonphysician-Assisted Death* 119,

Yueh-Ting Lee et al., *Cross-Cultural Research on Euthanasia and Abortion* 131,

Dick J. Hessing et al., *Practical Reasons and Reasonable Practice: The Case of Euthanasia in the Netherlands* 149,

Thomas Hadjistavropoulos, *The Systemic Application of Ethical Codes in the Counseling of Persons Who Are Considering Euthanasia* 169,

David B. Sugarman et al., *Neonatal Euthanasia: Attributions of Students and Nurses* 189.

Symposium, *The Right to Die*, 9 NOTRE DAME J.L. ETHICS & PUB. POL'Y 345 (1995).

John H. Robinson, Foreword, *Physician-Assisted Suicide: Its Challenge to the Prevailing Constitutional Paradigm* 345,

Donald L. Beschle, *The Role of Courts in the Debate on Assisted Suicide: A Communitarian Approach* 367,

John Keown, *Euthanasia in the Netherlands: Sliding Down the Slippery Slope?* 407,

Fr. Robert Barry, *The Development of the Roman Catholic Teachings on Suicide* 449,

Arthur J. Dyck, *Beyond Theological Conflict in the Courts: The Issue of Assisted Suicide* 503,

Arthur A. Povelones, Jr., *When the Majority Says You May Die: Aid in Dying Initiatives* 537.

Symposium: *Deconstructing Traditional Paradigms in Bioethics: Race, Gender, Class and Culture*, 15 ST. LOUIS U. PUB. L. REV. 183 (1996).

Jocelyn Downie & Susan Sherwin, *A Feminist Exploration of Issues Around Assisted Death* 303,

Emily S. Monahan, *An Analysis of the Mandatory Notification Procedure Pertaining to Termination of Life in the Netherlands and Recent Developments* 411,

Kevin O'Rourke, *Physician-Assisted Suicide, A Religious Perspective* 433.

Symposium: *Physician-Assisted Suicide*, 18 SEATTLE U. L. REV. 449 (1995).

Annette E. Clark, *Preface* 449,

Albert R. Jonsen, *Physician-Assisted Suicide* 459,

Giles R. Scofield, *Exposing Some Myths About Physician-Assisted Suicide* 473,

Kathryn L. Tucker & David J. Burman, *Physicians Aid in Dying: A Humane Option, A Constitutionally Protected Choice* 495,

Edward J. Larson, *Seeking Compassion in Dying: The Washington State Law Against Assisted Suicide* 509,

Peter M. McGough, *Medical Concerns About Physician-Assisted Suicide* 521,

Thomas A. Preston, *Physician Involvement in Life-Ending Practices* 531,

Donald E. Spencer, *Practical Implications for Health Care Providers in a Physician-Assisted Suicide Environment* 545.

Symposium: *Assisted Suicide, Health Care, and Medical Treatment Choices*, 72 U. DET. MERCY L. REV. 719 (1995).

Thomas F. Schindler, *Assisted Suicide and Euthanasia: Ethical Dimensions of the Public Debate* 719,

Robert A. Sedler, *Are Absolute Bans on Assisted Suicide Constitutional? I Say No* 725,

Yale Kamisar, *Against Assisted Suicide—Even a Very Limited Form* 735,

Richard S. Moyers, *An Analysis of the Constitutionality of Laws Banning Assisted Suicide from the Perspective of Catholic Moral Teaching* 771,

Andrew Broder & Ronald E. Cranford, "Mary, Mary, Quite Contrary, How Was I to Know?" Michael Martin, *Absolute Prescience, and the Right to Die in Michigan* 787,

Thomas J. Marzen & Daniel Avila, *Will the Real Michael Martin Please Speak Up! Medical Decisionmaking for Questionably Competent Persons* 833,

Leonard M. Fleck, *Just Caring: Assisted Suicide and Health Care Rationing* 873,

Barry R. Furrow, *Setting Limits in the Dying Zone: Assisted Suicide, Scarce Resources, and Hard Cases* 901,

John D. Jolley, Comment, *Death by Right: A Call for Change to Michigan's Health Care Decisions Law* 927,

Janet M. Branigan, Note, *Michigan's Struggle with Assisted Suicide and Related Issues as Illuminated by Current Case Law. An Overview of People v. Kevorkian* 959.

#### FOREIGN JURISDICTION MATERIALS

MINISTER'S ADVISORY COMMITTEE ON ETHICAL ISSUES IN HEALTH CARE, EUTHANASIA AND PHYSICIAN-ASSISTED SUICIDE (British Columbia 1996).

*Report of the Select Committee on Medical Ethics, House of Lords*, 12 ISSUES L. & MED. 193, 202 (1996) ("We identify no circumstance in which assisted suicide should be permitted.").

EUTHANASIA AND ASSISTED SUICIDE: THE CURRENT DEBATE (I. Gentles ed., Stoddart 1995).

SPECIAL COMMITTEE ON EUTHANASIA AND ASSISTED SUICIDE, OF LIFE AND DEATH: REPORT OF THE SPECIAL SENATE COMMITTEE ON EUTHANASIA AND ASSISTED SUICIDE (Can. 1995).