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## PREFACE

Many topics of concern to bioethicists have occasioned passionate debate and have resulted in widely divergent responses from both professional bioethicists and from the wider society. Bioethics brings scholars and practitioners into the center of pervasive, often emotional, social and moral debates, debates about such issues as abortion, stem-cell research, and assisted suicide. Many such debates involve questions about the meaning of personhood and the ways in which persons should be respected or cared for as they seek health for themselves and others and as they make decisions about reproduction and death. At the same time, debates about access to health care, the just distribution of care, and the appropriate aims and limits of public health initiatives have intensified in the United States. Such debates implicate people's deepest concerns about how to live and about how to understand and relate to other people within intimate settings, within larger communities, and within a national or global context.

The study and practice of bioethics require an interdisciplinary approach. For lawyers working in the field, bioethical questions are often located in a space between law and some other profession or discipline (e.g., medicine, nursing, public health, philosophy, economics, psychology). This book provides students with articles and references that will assist them in exploring the interdisciplinary context of bioethical debate. At the same time, the book, constructed primarily to teach bioethics to law students, frames each issue in light of judicial, legislative, and regulatory rules that may, as a practical matter, channel or limit options available to those attempting to resolve bioethical conundrums.

We have not shied away from the excitement, at times even volatility, that divergent viewpoints bring to the field. At the same time, we have aimed to provide a "balanced" presentation of bioethics. We have worked to achieve that balance by including a variety of controversial perspectives. We have not, in short, included many "neutral" readings in this book. Rather we have included provocative readings and have aimed to achieve balance by challenging each reading with another, contrasting perspective, or with a series of questions placed after the reading. We hope this approach will stimulate classroom discussion and help students shape their own responses to the dilemmas that bioethicists ponder and to the disputes that lawyers involved with bioethical questions may be asked to help resolve.

We organized materials in the first and second editions of this book around the development of the human "lifespan." Subsequent editions, including this fifth edition, resemble earlier editions in presenting bioethical issues as they develop from birth, through childhood, adulthood, and old age, through dying and death. But in these later editions, we have encompassed the lifespan approach within a larger frame that distinguishes between issues that primarily implicate individual concerns and issues that primarily implicate communal concerns. We believe that this frame provides for the presentation of lifespan issues and also brings pressing new questions about public health, population health, and social justice into focus. That frame has become increasingly relevant as a result of the COVID-19 pandemic which has challenged healthcare's traditional focus on individual patients with a new stress on community and population health.

As in earlier editions of the book, Part I of the fifth edition presents concepts basic to bioethical inquiry. This part includes updated versions of the four chapters in the first part of the fourth edition.

Part II (Bioethics and the Individual) focuses on bioethical conundrums that primarily affect individuals. These include questions about abortion, reproduction, dying, death, and medical decision making in health care. Many of the materials in Part II of this edition implicate relationships as well as personhood, but issues that affect the community more than individuals (and their relationships with specific others) are addressed in Part III.

Part III (Bioethics and the Community) includes materials about bioethical issues that directly affect communities larger than families and friendship groups. This part includes updated versions of chapters in Part III of the fourth edition (“Human Subject Research,” “Public Health,” and “Social Justice,” now entitled “Access to Care, Distribution of Care, and the Social Determinants of Health”). Some of the topics in this Part (e.g., human subject research) are generally covered in bioethics courses. Others, however, are sometimes not (e.g., justice in the delivery of health care). We have made significant changes to some of the chapters in this Part to include consideration of the bioethical challenges brought with the COVID-19 pandemic. Those challenges have shown the increasing importance of providing a communal (population health) frame within which bioethics can respond to epidemics and other health challenges (e.g., gun violence).

In sum, the bipartite division of topics into those that primarily affect individuals (along with the people closest to them) and those that primarily affect communities provides a useful framework that should encourage readers to consider the complicated interconnections within bioethical inquiry among social assumptions, individual options, and society’s choices about how to distribute resources affecting health within populations and what may be properly asked of individuals and communities. Finally, we believe that the result of the decision to include provocative viewpoints is a collection of fascinating, often colorful readings that together permit an in-depth, piercing, and critical look at the assumptions, traditions, and alternative approaches that constitute bioethical inquiry. Reading this book and studying the topics it presents are likely to be challenging. But the process will, we hope, never be boring.

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