BIBLIOGRAPHY OF LEGAL, BIOETHICS, AND MEDICAL LITERATURE ON CONSCIENTIOUS OBJECTION

*Compiled by Jacquelyn Shaw; updated October 2013

**Legal Literature**


* Arbour, Marie-Ève. L'incidence du refus de traitement sur le droit à l'indemnisation de la victime d'un préjudice corporel: pour une interprétation conforme au respect des libertés de conscience et de religion. (French) Les Cahiers de Droit., December 2000, Vol. 41 Issue 4, p627-655, 29p;


Bleich, J.D. Conscientious objector: The physician as conscientious objector (refusal to terminate life), Fordham Urban LJ 2002, 30.1, 245 (21pp)


Cowell, Staci. Striking a balance: finding a place for religious conscience clauses in contraceptive equity legislation, Cleveland State L.R. 2004 52.3 441-65


Dykes, Bryan. Proposed rights of conscience legislation: expanding to include pharmacists and other healthcare providers, Georgia L.R 2002 36.2: 565-98


Falsgraf, William W. No: exploding the myths (Healthcare reform: should curbing med malpractice litigation be part of the solution) ABA J. 78 1992 p43(1p)


Grubb, Andrew, Participating in abortion and the conscientious objector (UK), 1988 47.2 Cambridge LJ 162-5


Jensen, Darryn. Faith, conscience and legislation (Australia), (2008) 27.2 U Qld L.J. 85(17p)


Kromhout, Nell. Crushed at the counter: protection for a pharmacists right of conscience, Ave Maria L.R. 2007 6.1 265 (41pp)


LaSpina, Tasha M. Eliminating the need for a ‘Plan B’ when trying to obtain Plan B: The need for a federal law requiring pharmacists to dispense emergency contraception, Georgetown Journal of Gender & the Law, Summer 2011, Vol. 12 Issue 2, p213-262, 50p


Lumpkin, Cristina Arana. Does a Pharmacist Have the Right to Refuse to Fill a Prescription for Birth Control? University of Miami Law Review, October 2005, Vol. 60 Issue 1, p105-130, 26p

Mackey, Joseph B. Reclaiming the In-Service Conscientious Objection Program: Proposals for Creating a Meaningful Limitation to the Claim of Conscientious Objection. Army Lawyer, Aug 2008, p31-52, 22p


Mellick, Erica. Time for Plan B: increasing access to emergency contraception and minimizing conflicts of conscience, 2006, 9.2 J Healthcare Law and Policy 402-40


Quill, Timothy E. Physicians Should 'Assist in Suicide': When It Is Appropriate. Journal of Law, Medicine & Ethics, Spring 2012, Vol. 40 Issue 1, p57-65, 9p


Spota, Kate. In good conscience: the legal trend to include prescription contraceptives in employer insurance plans and Catholic charities' “conscience clause” objection. Catholic University Law Review, Summer 2003, Vol. 52 Issue 4, p1081-1113, 33p


Swartz, M.S. Conscience clauses or unconscionable clauses? Personal beliefs vs professional responsibilities, Yale J Health Pol, Law and Ethics, 2006, 6.2, 269-350


Varrughese, Dennies. Conscience misbranded: introducing the performer vs facilitator model doe determining suitability of including pharmacists within conscience clause legislation Temple LR 79.2: 649-702


Medical and Bioethics Literature:


Bedford EL. Abortion: at the still point of the turning conscientious objection debate. HEC Forum. 2012 Jun; 24(2):63-82.PMID:21769599


Breen EG. GMC guidance on beliefs: Denies conscientious objection. BMJ. 2008 Apr 12; 336(7648):790. PMID: 18403514


Buchanan BL. Bush administration issued, and Obama administration seeks to rescind, 'conscience clause' regulation. WMJ. 2009 Apr; 108(2):117-8. PMID: 19437940


Cantor JD. Conscientious objection gone awry--restoring selfless professionalism in medicine. N Engl J Med. 2009 Apr 9; 360(15):1484-5. PMID: 19321857


*Casas L. Invoking conscientious objection in reproductive health care: evolving issues in Peru, Mexico and Chile. Reprod Health Matters. 2009 Nov; 17(34):78-87. PMID: 19962641


Chervenak FA, McCullough LB. Conscientious objection in medicine: author did not meet standards of argument based ethics. BMJ. 2006 Feb 18;332(7538):425. PMID: 16484280


Civaner, M. Should doctors feel able to practised according to their personal values and beliefs? Med J Aust. 2012 Feb 6; 196:109


Conway, B.V. Should doctors feel able to practise according to their personal views and beliefs?--Yes. Med J Aust. 2011 Nov 7; 195(9):496


* Dickens B. Conscientious commitment. Lancet. 2008 Apr 12; 371(9620):1240-1. PMID: 18415961


*Dickens BM, Cook RJ. Conscientious commitment to women's health. Int J Gynaecol Obstet. 2011 May; 113(2):163-6. PMID: 21421213


Diniz D. Conscientious objection in developing countries. Dev World Bioeth. 2010 Apr; 10(1): ii. PMID: 20433463


Dyer C. Receptionists may not invoke conscience clause. BMJ. 1988 Dec 10; 297(6662):1493-4. PMID: 11644358


Evans EW. Conscientious objection: a pharmacist's right or professional negligence? Am J Health Syst Pharm. 2007 Jan 15; 64(2):139-41. PMID: 17215462


Frank JE. Conscientious refusal in family medicine residency training.. Fam Med. 2011 May; 43(5):330-3. PMID:21557102


Kane R. Conscientious objection to termination of pregnancy: the competing rights of patients and nurses. J Nurs Manag. 2009 Nov; 17(7):907-12. PMID: 19793248


Lawrence RE, Curlin FA. Physicians' beliefs about conscience in medicine: a national survey. Acad Med. 2009 Sep; 84(9):1276-82. PMID: 19707071


Morton NT, Kirkwood KW. Conscience and conscientious objection of health care professionals refocusing the issue. HEC Forum. 2009 Dec; 21(4):351-64. PMID: 19856113


Murray E, de Zulueta P. Conscientious objection in medicine: the ethics of responding to bird flu. BMJ. 2006 Feb 18; 332(7538):425. PMID: 16484278


[No authors listed]. Irish Bill on contraception. IPPF Eur Reg Inf. 1979 Jan; 8(1):7-8. PMID: 12178340

[No authors listed]. House passes Title X renewal bill, but veto expected and override uncertain. Wash Memo Alan Guttmacher Inst. 1992 May 5; (8):1-2. PMID: 12317346

[No authors listed] A de-facto end to abortion in USA? Lancet. 1996 Apr 20; 347(9008):1055. PMID: 8602048


Nuttall CK. Conscientious objection: justified or just refusal to care? J Perioper Pract. 2007 May; 17(5):210-2, 214-5. PMID: 17542390


Oak JC. A conflict of loyalties: nursing, conscientious objection, and JCAHO HR.5. Mak Rounds Health Faith Ethics. 1996 Feb 26; 1(12):1, 3-5, 8. PMID:11656572

Office of the Secretary, HHS. Regulation for the enforcement of federal health care provider conscience protection laws. Final rule. Fed Regist. 2011 Feb 23; 76(36):9968-77. PMID: 21351680


Olsen D. Nursing and other health care disciplines have a longstanding tradition of conscientious objection. Nurs Ethics. 2007 May; 14(3):277-9. PMID: 17459812


Savulescu J. Conscientious objection in medicine. BMJ. 2006 Feb 4; 332(7536):294-7. PMID: 16455733
J. Savulescu, Should doctors feel able to practise according to their personal values and beliefs?--No. Med J Aust. 2011 Nov 7; 195(9):497


(Several old (i.e., dating from 1898) articles are listed in PubMed on physician conscientious objection to performing legally required vaccinations on objecting patients)


Smith VP. Conscientious objection in medicine: doctors' freedom of conscience. BMJ. 2006 Feb 18; 332(7538):425. PMID:16484279


Sulmasy DP. What is conscience and why is respect for it so important? Theor Med Bioeth. 2008; 29(3):135-49. PMID: 18758994

Sutton EJ, Upshur RE. Are there different spheres of conscience?. J Eval Clin Pract. 2010 Apr; 16(2):338-43. PMID: 20367861


van Bogaert LJ. The limits of conscientious objection to abortion in the developing world. Dev World Bioeth. 2002 Dec; 2(2):131-43. PMID: 12870481


Waller-Wise R. Conscientious objection. Do nurses have the right to refuse to provide care? AWHONN Lifelines. 2005 Aug-Sep;9(4):283-6. Review. PMID: 16218142


Warden J. Conscience clause. BMJ. 1990 Jan 20; 300(6718):145. PMID: 11642821

Warden J. Conscience clause divides MPs and doctors. BMJ. 1990 Mar 31; 300(6728):835. PMID: 11642767

Wardle LD. Conscience clauses offer little protection. Most are deficient, and many have been met with hostile judicial interpretations. Health Prog. 1993 Jul-Aug; 74(6):79-83. PMID: 10127335


Wicclair MR. Pharmacies, pharmacists, and conscientious objection. Kennedy Inst Ethics J. 2006 Sep; 16(3):225-50. PMID: 17091559


Books:


* = Canadian research involvement/journal