Reviewer’s report

Title: Inapplicability of advanced directives in a paternalistic setting: the case of a post-communist health system

Version: 2 Date: 2 February 2011

Reviewer: Thaddeus Pope

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Major Compulsory Revisions

1. I understand from the authors’ response that they have already rewritten this article to improve its clarity and readability. However, there are many phrases that are awkward, distracting, or meaningless. I do not write this lightly. I think that sharing the Albanian perspective on these issues would be quite valuable. Eastern European approaches on this topic are not very available. In short, this is an under-examined topic of interest. But the quality of the translation leaves the message too unclear. To be sure, some of the translated phrases are awkward yet understandable (e.g. "her sayings" "come back home from immigration"). Others, though, either obfuscate or undermine the thesis and arguments.

2. Apart from the readability of the English, there may be a serious organizational problem. The authors first assert that there is no right to refuse life-sustaining treatment. This appears to apply to BOTH patients with capacity and patients without capacity. But later, the authors discuss futility and a case in which "the relatives refused to stop." This was confusing, because I thought that the relatives had no right to refuse. Later, the authors discuss conflicts among surrogates. But again, if surrogates have no rights to refuse on behalf of a patient, of what relevance and significance is this fact? I reread the paper a few times but am just unsure as to what the main thesis is. I am not sure exactly what the legal or the practical situation is in Albania. The authors discuss quite a few related, though distinct issues (double effect, advance directives, futility, regular wills, DNR, surrogates), but fail to explain the relationships between and among them. In short, the authors seem to be "jumping around" and I am quite sure that the typical (or any) reader would get lost.

Level of interest: An article of importance in its field

Quality of written English: Not suitable for publication unless extensively edited

Statistical review: No, the manuscript does not need to be seen by a statistician.

Declaration of competing interests:
I declare that I have no competing interests.