the general position is right, and so are the conclusions regarding euthanasia; but those regarding *some* abortions are questionable.

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Biomedical Ethical Issues: A Digest of Law and Policy Development

Nadya Shmavonian, George Annas, Judith Areen: Ed, Frank M Harron. London, Yale University Press, 1983. £3.95 paperback

Any development in biomedical science touches the nerve of man's traditional concepts of human behaviour. Although it is not necessarily curative, it is clearly a matter of life and death and as such, is the immediate concern of public policy.

Despite this, much of the practice based on this kind of research still awaits definitive medical, ethical and legal approval. Interested parties strike attitudes and make pronouncements, often based on prejudice, and the general public stay confused, with a vague conviction that it is not quite nice.

Abortion, birth control and euthanasia have long been subjects for debate, to such an extent that much of the terror has gone out of the discussion, although doubts remain. A more recent development, genetic engineering, still has a whiff of sulphur hanging over it, to the layman, and now, with the increasing importance of organ transplants, the question of when a person is dead raises its own spectre.

What is needed, of course, is a settled code of practice along with a settled body of law. This looks like asking for the moon, especially to one who has read the book under review. In the United States, where the book is published, the mores of a people with an incredible variety of cultures and faiths are judged by over fifty sets of law, State and federal, topped for good measure by a written constitution, with all that entails in the way of controversy. Here is a perfect forum for any outside observer interested in how other folk solve their virtually insoluble dilemmas.

Biomedical Ethical Issues: A Digest of Law and Policy Development is a collection of original sources – statutes, leading cases, policy statements by religious and professional bodies, federal regulations and some declarations of international origin – arranged in five main groups dealing with the five main issues selected. The sequences are made deliberately and not at random, so that the reader may follow what virtually amounts to a connected narrative. Matters relating to subsidiary research under the main headings are included, so that the section on abortion covers prenatal procedures such as fetal research, *in vitro* fertilisation and embryo transfer. The euthanasia section relates to the right to refuse treatment and gives examples of 'right to die' laws. Section three contains definitions and statutes on the determination of death, and section four on consent to therapy and to experimentation. It incorporates the Nuremberg Code (1945) and the Declaration of Helsinki (1964, 1975).

The last section is concerned with genetics and includes a survey of screening programmes for the newborn and what is, to the reviewer at least, a most interesting account of

developments in recombinant deoxyribonucleic acid (DNA) research. Some of the judicial decisions included are of a high quality. There is, for example, *Roe v Wade*, 410 US 113 (1973) which is interesting for its comprehensive summary of attitudes to abortion (with the reasons behind such attitudes) since the time of ancient Greece. There is, too, *The Matter of Quinlan* (355 A2d 647, 70 NJ 10 1976) a seminal case on the right to refuse treatment, familiar to lawyers in the English courts. One of the most refreshing aspects of the book is that the reader may find embedded in the text sentiments which beautifully encapsulate some important aspect of the subject under discussion.

Here are two hidden gems:

'We (ie the judiciary) need not resolve the difficult question of when life begins. When those trained in the respective disciplines of medicine, philosophy and theology are unable to arrive at any consensus, the judiciary at this point in the development of man's knowledge, is not in a position to speculate as to the answer.'

Mr Justice Blackmun. *Roe v Wade*

'Physicians, by virtue of their responsibility for medical judgement, are, partly by choice and partly by default, charged with the responsibility of making ethical judgements which we are sometimes ill-equipped to make. We are not always morally and legally authorized to make them. The physician is thereby assuming a civil and criminal liability that, as often as not, he does not even realise is a factor in his decision.'

Dr Karen Tate, article in the
Baylor Law Review

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