Alzheimer's Dementia: Dilemmas in Clinical Research

Vijaya L. Melnick, and Nancy N Dubler, 312 pages, Clifton, New Jersey, £46.85, Humana Press, 1985

The rationale behind the choice of articles in this collection is obscure. In their introduction the editors imply that the articles emerged from a National Institute of Ageing (NIA) sponsored conference on 'Senile Dementia of the Alzheimer's Type (SDAT) and Related Diseases: Ethical and Legal Issues Related to Informed Consent'. However, whether the book contributors made the same contributions to the conference is not clear. Equally unclear is the background of the contributors. The book lists only their institutions of origin and from this it appears that they are probably predominantly members of the medical and legal professions.

To continue the theme of obscurity it is never clear why the book should concentrate on SDAT when, as the opening chapter points out, this accounts for only 50 per cent of the cases of senile dementia. Contributing to the obliqueness of the book is its general layout which lacks an overall introduction to the ethical issues and a clear statement on why it may be necessary to consider SDAT in isolation. It is not until Part 3 that the 'Historical, Legal and Ethical Background' is considered. The historical perspective presented throughout the book is generally poor, often being merely chronological and not seeking to contextualise. This creates the impression that the legislation on informed consent in the US has functioned to protect the interests of the patient rather than, it appears, to protect medical interests. This naively liberal tone runs throughout the book and generates the suspicion of a hidden agenda which is reinforced by the book's lack of clarity. What constitutes this hidden agenda is, needless to say, unclear.

A question raised early in the book is how can informed consent be obtained from persons whose competence is lacking, questionable or diminishing? Some of the articles do emerge from the general haze of obliquity to attack and go beyond this question, covering the difficult issues of collective control (Andrew Jameton), equity (Harry R Moody) and proxy consent (Bruce L Miller). These articles are general and removed from some of the parochial concerns of much of the book.

Unfortunately little of the book grapples with the limitations of viewing consent as a necessary and sufficient condition for ethical experiments, a point raised by Harry Yeide in his chapter on 'Objectives and Social Structuring'. Nowhere is the issue of the experimentation on marginal groups in the population explored nor the concept of value-free science explicitly questioned.

The parochial nature of many of the chapters limits its relevance to the UK. It must be remembered that the notion of 'informed consent' is a North American concept derived from the decisions of US judges in a series of civil actions since the 1950s. This doctrine is concerned with providing a patient with sufficient information about the intervention to allow him or her to make a rational choice and give true and informed consent (or refusal). This has recently been rejected in the Court of Appeal (and upheld in the House of Lords) as forming no part of British law. Consent to treatment in the UK is based upon a medical standard rather than an autonomous person standard.

However, the position in the UK may be slowly changing. At present there are no legal obligations of consent in the UK. However, the 1983 Mental Health Act brought in new legislation covering consent with certain treatments, psychosurgery for example, requiring consent and a second opinion. The creation of the 1983 MHA was heavily influenced by Larry Gostin who was, significantly, educated in the US legal traditions. The creation of the new Act along with the associated shift from the model of the beneficent doctor to that of the autonomous patient may have future implications for consent outside the realms of psychiatry. Certainly, some of the articles contained in this collection are of value in directing thinking in this area. However, given the nature of the book and its inhibitory cost it may be better to explore the issues in the journals in which the contributors have also outlined their ideas.

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**Law and Morals: Warnock, Gillick and Beyond**


It may be thought impossible to discuss in any meaningful way the relationship between law and morals in less than 100 pages. Not so, as this volume demonstrates. The book's hallmark is its clarity. There is a concise explanation of the 'law and morals' debate, an exposition of some of the stances which groups take, for example, a Catholic view, a liberal view, the approach taken by Mill (not to do harm to others) and, of course, the Hart/Devlin debate.

Lee rightly concludes that none of these has a complete answer and he does not presume to provide one. Essentially, his plea is to approach the issues of our time, for example, research on human embryos, surrogacy and contraception by separating differences in relation to predictions and differences which arise from different moral stances.