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BOOK REVIEW

Public Health Law and Ethics: a Reader

Edited by L O Gostin. University of California Press, 2002, US\$35, pp 523. ISBN 0520231740

The legion of nettlesome, even litigious, issues at the interface of the entwined fields of law, public health, and ethics sorely warrant rapt, informed discussion. Indeed, unabashed confronting of the thicket of thorny issues overfilling the enmeshed, vexing fields of public health, law, and ethics is, in sooth, a Sisyphean task. Distinguished lawyer, experienced public health researcher, and very able writer Lawrence Gostin merits hearty felicitations for his workaday efforts in editing this prolix tome, entitled *Public Health Law and Ethics: a Reader*, which illumines a quite broad swathe of the complex fabric of issues interconnecting law, public health, and ethics.

The excellently edited tome crafted by Gostin is structured as a congeries of reprinted materials, principally academic articles and law cases, presented in excerpted fashion, with expert, insightful commentary provided by Gostin germane to the reprinted materials and generally appertaining to the practice and theory of public health law and ethics. Gostin assigned himself the daunting task of raising the most enduring and important issues and practical problems relevant to the kindred realms of law, public health, and ethics, wishing to provoke reasoned discourse among interested scholars, practitioners, and students.

Gostin's staunch efforts, in the foregoing regard, were truly fruitful. Working assiduously with a legal scalpel, Gostin has carefully probed and examined the somewhat nebulous, and amorphous, terrains of public health, law, and ethics. Lawyer Gostin does a particularly good job of laying bare and examining the legal infrastructure underpinning public health and ethics. The

excerpted materials included in the volume, together with Gostin's adroit commentary and exposition, should indeed incite robust, salutary debate and discussion with respect to multitudinous, thought provoking problems and questions. The volume, in fact, is more skewed towards raising vexing, and often litigious, issues, rather than revealing ineluctable truths. This is consonant, however, with the ever evolving, thorny nature of public health law and ethics, which belies facile, or definitive, answers. Gostin's "handbook" should be a luminous beacon for practitioners, researchers, and other interested persons searching earnestly for direction in the expansive, shifting firmaments enveloping public health, law and ethics.

Because the dynamic, interdisciplinary field of public health law and ethics is mercurial in nature, and subject to continual metamorphosis, it is noteworthy that the volume shows a snapshot of a continuously transmuted field, taken at a particular moment in time. Gostin has however, helpfully and innovatively, constructed a companion website for the volume (www.publichealthlaw.net/reader), which materially embellishes and updates the information presented in the volume. A number of photographs, tables, and figures add to the intellectual body of the volume. A bibliography, adjoining the textual material and comprised of a multitude of references, should be pleasing to research minded readers.

The core essence of the volume, though, is the well selected array of timely, excerpted materials, relating to public health law and ethics. And the glue which cements together the abridged, reprinted materials are the insightful, expository, and synthesising commentaries prepared by Gostin. Using this structure, Gostin introduces, explains, and interrelates an intellectually absorbing, panoramic display of public health law issues and problems, and points out many of the profundities and diverging points of view in this vast realm. Although many of the issues broached by Gostin are complex and recondite, he renders them fathomable for the discerning reader.

The volume is divided into four "parts", which are the key pillars upholding the foundation of the book. One part examines population health from varied perspectives, including the communitarian tradition, and also human rights and public health, encompassing potential conflicts between individualistic thinking and a public health focus on collective wellbeing. A second part identifies and expounds on the major branches of the trunk of public health law, including administrative, constitutional, and tort law. Topics include the lawful exercising of governmental power to secure the public's health and constitutionally imposed restraints on governmental power. The focus of a third part is on some of the major tensions and recurring themes in the theory and practice of public health. This part—for example, discourses on tension between individual privacy interests and communal interests in data collection; the conflict between autonomy and health promotion, and conflict between collective wellbeing and individual claims for bodily integrity and autonomy, with respect, for instance to compulsory immunisation. The remaining part of the volume has a forward looking focus, and tersely adumbrates the contours and lineaments of some of the challenges facing public health in the new (21st) century—for example, biological warfare, and drug resistant organisms.

Presenting sophisticated academic and legal material in excerpted fashion, as is done in this fine volume, runs the risk of unwittingly altering the subtle, albeit vital, nuances embedded in the pristine, unadulterated materials. With this notable caveat, the volume, in the reviewer's opinion, is a seminal contribution to the burgeoning public health law and ethics field. It is meat for, and indeed should surely gladden the inquisitive minds of, all persons with a serious interest in this fascinating field. These will likely encompass public health professionals, bioethicists, health care lawyers, and health policy makers. The volume is suitable, as well, for didactic purposes.

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