Book Review. Gunning, J. and H. Szoke, eds. The Regulation of Assisted Reproductive Technology

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Disqualification is densely populated with footnotes, but currentness may be a deficiency. If we have in fact recently experienced, as the author suggests in the preface, “an exponential growth in the number of reported disqualification motions” (p.18), readers might expect to see a greater number of current cases cited in the footnotes. However, recent cases—decisions rendered in the 2000s—do not appear to be cited with any regularity. Fortunately, Flamm does intend, according to the publisher, to update Lawyer Disqualification annually with a stand-alone paperback supplement, beginning in fall 2004.

Flamm provides his audience of legal scholars, counselors, and jurists with a concise and solid overview of the law of attorney and law firm disqualification. Lawyer Disqualification is a wise purchase and sound investment for academic, firm, judicial, and even county law libraries.


Reviewed by Jennifer Bryan

The publication of The Regulation of Assisted Reproductive Technology is the result of an international symposium held in 2001 in Melbourne, Australia. Editors Gunning and Szoke have consolidated a collection of nineteen essays delivered at the symposium by experts in the areas of reproductive technology, health law, and bioethics. These authors—scientists, medical professionals, and scholars—discuss a range of legal, social, and ethical considerations associated with assisted reproductive technology (ART). The editors, who also contribute essays themselves, have worked extensively in the field of reproductive technology, in both the public and private sectors. Jennifer Gunning is an independent consultant and a senior research fellow in medical law and ethics at Cardiff Law School. Helen Szoke is the chief executive officer of the Infertility Treatment Authority in Melbourne, Australia.

The book is laid out well. Chapter 1 sets forth the purpose of the collection of essays, presents the issues discussed by the contributors, and explains how the collection is organized. Though covering legislation around the world—albeit with a focus on Europe, North America, Australia, New Zealand, and some Asian countries—the editors maintain that this collection does not attempt “to provide a comprehensive account or overview of all the issues associated with the regulation of reproductive technology” (p.4). Rather, this publication “draws together the views of those associated with assisted reproduction or interested in its regulation which contribute to the body of scholarly debate and review in this contentious area” (p.4). In addition to surveying the regulation of ART in the United States, Europe, Asia, Canada, Australia, and New Zealand, other essay topics include access to

ART by lesbian couples or by people with high genetic risks and transmittable diseases, fertility rights, the law and ethics of pre-implantation of genetic diagnosis, issues surrounding surplus and unwanted embryos, and therapeutic cloning.

§42 The book is divided into three sections: part 1 covers ART legislation around the world; the essays in part 2 discuss matters regarding access to reproductive technology; and part 3, “Issues in the Regulation of ART,” encompasses a range of topics, such as genetic screening, cloning, and the use of human embryos for research. The table of contents outlines the title and author of each essay. Also included are a list of figures and a list of tables enumerating the illustrations. The list of contributors provides a biographical note for each author. Every essay has both an introduction and conclusion where the author sets forth his or her intention by introducing a topic or posing theoretical questions, discusses the issues in the body of the essay, and concludes by synthesizing the subject matter discussed or offering solutions to the issues raised. The essays are not lengthy—six to twenty pages each—and include bibliographic lists of references and extensive footnotes citing primary sources of law (and their English translations), relevant academic and government Web sites, government reports, legal cases, and secondary sources such as books and articles. Some of the essays are illustrated with maps, charts, and tables (including a table listing current key legislation for fifteen countries and a table comparing the regulatory positions adopted by those fifteen countries). The index includes both broad and specific subject terms (with cross-references) and proper names of persons, countries, and legislative acts. Many subject headings are further subdivided topically and by country, and most of the countries listed in the index are further subdivided topically.

§43 While reading this work, I found myself reaching often for a dictionary. The essays were obviously written for the symposium attendees, an audience already familiar with the language of ART. Though the editors provide a list of abbreviations that are used by the authors, a glossary would have been helpful to define particular scientific and technical terms and procedures, such as gamete, oocyte, spermatid, and intra-cytoplasmic sperm injection.

§44 The presentation of actual case studies and the social, legal, and ethical perspectives offered in this collection serve as an invaluable introduction to the evolving issues surrounding reproductive technology. In addition, the survey of worldwide legislation, with the exception of South American and African countries, provides the academic researcher with an effective tool for comparative research.

§45 The Regulation of Assisted Reproductive Technology is appropriate for law school and other academic libraries with collections emphasizing bioethics and health and reproductive rights law. The book is not intended for the practitioner looking for a “how to” manual for handling cases, although several sections, including the essays on tortious risk management issues and the history of ART regulation in the United States, could be a useful resource for a firm specializing in health, insurance, tort law, or biotechnology.