

sustained in current times, in my view this can only occur in situations where the animal involved is present in significant numbers and can be killed in a humane manner.

In the more philosophical parts of the book, I felt that too much time was spent on theoretical justifications of the current practices of zoos in situations where they do not provide particularly stimulating environments for their animals. There were also many instances where the reader was being asked to discount the inhumane practices of zoos in the past on the basis that 'things have changed' but insufficient attention was paid to outlining just how the situation

has changed. The book might also have benefited from a greater animal focus. That might sound strange for a book on zoos and animal rights but much of the discussion of animals dealt with them in terms of their value to humans rather than their more intrinsic worth as part of the diversity of life.

Overall, *Zoos and Animal Rights* is a book worth reading for those of us with a strong interest in our fellow creatures. The book also provides an excellent bibliography for anyone interested in thinking further about these issues.

**JEFF GIDDINGS**

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## The Ethics and Politics of Human Experimentation

*by Paul M. McNeill; Cambridge University Press; 315 pp; \$49.95 hard cover.*

By far the majority of experimentation that is carried out on human beings today will do no harm to its subjects and will further advance our knowledge of medicine. However, recent examples of large scale unethical and/or negligent medical research are not hard to find.

From 1966 through to the mid-1970s the National Women's Hospital in Auckland approved a study in which women diagnosed with cervical cancer were left untreated in order to observe whether or not their condition would develop into invasive cancer. The women were never told of their condition nor that they were subjects of medical research.

Many of these women were repeatedly brought back to the hospital for observation during the course of the experiment. The subsequent spread of the cancer killed many of them. Perhaps surprisingly, this experiment was not the work of some 'mad doctor' or rogue department, but was overseen and approved by the National Women's Hospital Ethical Committee. How can any ethical review committee approve such a study? Why did it take so long for the experiment to be halted? Could it happen again?

In *The Ethics and Politics of Human Experimentation*, Dr McNeill argues that ethical research depends on the adequacy of review by committee. The book draws examples of unethical experimentation from history (including German and Japanese war crimes) and more recent incidents, to show that ethical review committees, as currently constituted are inadequately prepared to

protect the interests of the subjects of human experimentation. He further urges that committees will not find an equitable balance between the interests of medical researchers and the interests of the subjects until there is greater representation of the subjects on committees.

Dr McNeill proposes a new model for committee review in which there are 'at least as many subject representatives as representatives of science'. Whilst few ethical review committees work this way, he points out that occupational health and safety committees have used this model across a broad range of industries in many countries including the United States, Canada, Britain and Australia.

Dr McNeill also examines the attitude of the law to the notion of consent and to the difference between treatment and experimentation and finds that there is a need to reconcile the apparent conflict between the law and medical practice. He suggests that there is a role for legislation in securing the rights of both subjects and committee members.

This book will be read by members of ethical review committees, medical professionals, lawyers, community health workers and increasingly, using Dr McNeill's model, people such as myself who merely have an interest in the role of ethics in society and may one day be asked to represent human subjects of medical experimentation.

**DAMIEN HOGAN**

*Damien Hogan is a freelance journalist.*

## Developments in Australian Politics

*Edited by Judith Brett, James Gillespie and Murray Goot; Macmillan Education Australia Pty Ltd, 1994; 446 pp; \$36.95, soft-cover.*

A good politics text provides its reader with detail, depth, analysis and a survey of the subject in context. The editors of *Developments in Australian Politics* have achieved this standard with a book which is intended not only as a text for politics and public policy students but also 'to be of interest to a variety of non-student readers'.

*Developments in Australian Politics* is a collection of essays aimed at providing a contemporary perspective on Australia's political institutions, public policies, political ideas and values. Integral to this survey is a discussion of Australia's political transformation during the 1980s which saw, among other things, an inward-looking and protected economy transform into a cosmopolitan society facing the challenges of international competition. For many people this transformation has been exciting and has led to increased opportunities, but for others it has brought unemployment and fear that traditional Australian social values have been lost forever.

To provide a comprehensive examination of this transformation the editors have included essays which examine Australia's political structures, organisations, parties, social and economic policy. Accordingly, *Developments in Australian Politics* is structured in two parts. Part one focuses on Australia's political foundations, forms and structures. From a legal view point, it contains the most interesting and important contribution to this volume.

The essay by Professor Anthony Blackshield examines the concepts of parliamentary sovereignty, appropriate and proportionate laws, judicial power and implied rights in the context of recent High Court decisions. In particular, Blackshield focuses on the way the High Court has transformed itself from a bastion of conservatism to an instigator of fundamental change. This transformation is explained with particular reference to the Court's judgments in *Mabo*, *Nationwide News* and *Australian Capital Television*.

The most fascinating aspect of Blackshield's essay is his discussion of the High Court's willingness to find an implied right of freedom of speech and expression in the Constitution. Blackshield poses the question that if six High Court judges can decide that 'Commonwealth laws cannot unduly restrict discussion of Commonwealth political issues' then within a representative democracy there is every chance such a concept may 'potentially extend to all aspects of Australian life'. Blackshield's essay is illuminating and incisive and his grasp of constitutional issues ensures that his essay provides any potential reader with a balanced analysis of the issues facing the High Court over the next decade.

Part two of *Developments in Australian Politics* focuses on Australia's public policies, its processes and shaping bodies. This part is of more relevance to the general reader than the earlier essays. Particularly interesting are Winton Higgins' 'Industry Policy' and Barbara Sullivan's 'Censorship, Pornography and Sexual Politics: New Issues, new Conflicts'.

Perhaps my only reservation about *Developments in Australian Politics* is its intention to appeal to the general reader. While this is an acceptable aim I feel it may have restricted several of the contributors from approaching their

subjects in a more theoretical fashion. In particular, I feel the analysis given to the role of the media and the politics surrounding media policy in Australia suffers because of Rodney Tiffen's decision not to expand his essay beyond a summary of media ownership and the relevant broadcasting policy.

In short I feel that the editors should have focused on providing either a politics text or a reference for the general politics reader. To attempt to do both has resulted in a weakening of what is in essence an illuminating perspective on Australia's political process and the framework in which it operates.

*Developments in Australian Politics* 'focuses on the changes of the 1980s and early 1990s, it places these changes in a broader historical context in order to capture long-term structural developments and to isolate what, if anything, are more recent ones'. I strongly recommend this text to any politics or public policy student. While I feel it won't necessarily shape political science teaching in Australia for the rest of the 1990s, as the back cover synopsis claims, it is an important contribution to Australia's political readers.

**BEN WAY**

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## Juvenile Justice — Debating the Issues

*Edited by Faye Gale, Ngaire Naffine and Joy Wundersitz; Allen & Unwin, 1993; 224 pp; \$22.95 softcover.*

It is no easy task to bring together a range of contributors with a variety of backgrounds and mould the result into a readable and useful whole. Faye Gale, Ngaire Naffine and Joy Wundersitz have done just that in producing *Juvenile Justice — Debating the Issues*.

The genesis of the volume lies in a workshop which brought together a range of experts in the area of juvenile justice. The workshop was arranged around several themes: philosophical perspectives, policing, informal processing of young persons, and the court system itself. Contributors to the book include police officers, social workers, members of the judicial system, social workers and academics, all of whom brought their particular experiences of and perspectives on the issue of juvenile justice, and how best it could be ensured, to the workshop.

*Juvenile Justice* begins with an overview of the juvenile justice system and its pitfalls. Joy Wundersitz questions whether juvenile crime really is escalating, suggesting that there is little empirical evidence to support the popular and media view that juvenile crime is 'out of control'. The chapters by Ngaire Naffine, John Pratt, John Seymour and Kathy Laster examine competing ideologies in this field. The tensions between the welfare and justice approaches, the community view of children and the implications for this within the justice system, and the impact of political and economic ideology, are presented in some depth. Given the relatively lowly status and minimal resourcing of juvenile justice within current political priorities in Australia, it is hardly surprising but nevertheless worrying to note Laster's conclusion that '... the system of justice [could

not] cope if the young (or adults for that matter) insisted on their rights in practice'. Why should they not be entitled to so insist?

The chapters by Christine Alder and Linda Hancock examine the effects of police attitudes and policing approaches on the juvenile justice system. They raise questions about the level of police violence toward young people (particularly Aboriginal and other marginalised youth), the discriminatory use of the cautioning system, and the use of independent witnesses in police interviews. Hancock suggests there remains a gender bias against young women in police use of welfare applications.

Michael Barry analyses the South Australian experience of informal approaches to dealing with juveniles, while Ken Polk presents an overview of a variety of such alternatives. With a growing popularity since the 1970s, such approaches are based on the premise that they '... are best located beyond the framework of the traditional juvenile justice system'. Polk suggests, however, that such programs raise critical issues of social control and net widening. Diversion, he argues '... will continue to represent an expansion of the coercive control mechanisms of the state'.

Finally the role of the court system, arguably central to the juvenile justice system, is analysed by Rod Blackmore, Michael Hogan and Garth Luke. Blackmore examines the influences on reform of the juvenile justice system, and presents a useful list of suggestions which, if implemented, should dramatically transform the experience of the court system for young people. Despite being compiled by Blackmore in 1990, they remain relevant — a fact that suggests that the right of young people to due process receives scant regard in practice. Blackmore's comment about the 'cotton wool approach of dewey-eyed social workers' to the court system and juvenile justice caught this 'dewey-eyed' social worker by surprise, but perhaps reflects the image that social workers can sometimes present within the justice system. The comment highlights the need for a collaborative understanding between the many players and philosophies — including those of the law, police and social work — in the juvenile justice system.

In his essay, Garth Luke examines the justice model and its application to NSW, while Michael Hogan questions whether the move in the children's court