

knowledge and the verification of evidence. Coady's book is a philosophical study, but he has made a conscious attempt to make its accessibility and interest wider than that of professional philosophy. As a philosopher I'm not the best judge of whether he succeeds in this aim; my impression is that mostly he does, although many non-philosophical readers will find the arguments in section three especially difficult. Coady's discussion throughout the book is lively; it draws on material and highly engaging issues from a rich and varied background.

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ABORTION REGIMES by Kerry A Petersen, Aldershot, Dartmouth, 1993, 203pp, A\$84, ISBN 85521 159 9

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Legal and public debate, changing social mores and the opinions of the medical profession have all helped to shape the regulation of abortion in Australia. *Abortion Regimes* considers the different regulatory models that have evolved to govern access to abortion and analyses the influence of the medical profession in this area. Petersen's work illustrates the rise of the medical profession and the ways in which this professionalisation and desire for professional autonomy in matters concerning health influenced the development of a category of therapeutic abortion in contrast to criminal abortions.

*Abortion Regimes* is divided into two parts. Part I addresses the professionalisation of medicine and its influence on reproductive medicine. Petersen illustrates the informal nature of medical practice in pre-industrial England; a period during which many medical practitioners lacked formal qualifications and reproductive medicine was the preserve of midwives. Petersen charts the decline of the traditional midwife with the rise of the male midwives and the increasing professionalisation of medicine. Debates within the profession over criminal and therapeutic abortion are also considered within Part I. Petersen shows that medical practitioners were receiving increasing demands for abortions and were clearly concerned about both the health implications of criminal abortions for women and their own position given the legal uncertainty surrounding therapeutic abortion. Petersen argues that the landmark decision of *R v Bourne* provided a recognition of the lawfulness of therapeutic abortion and of the ability of medical practitioners to exercise their professional judgment in order to determine whether an abortion was for the preservation of the pregnant woman's life.

Part II of *Abortion Regimes* adopts an international, comparative approach to legal regulation of abortion. The different regulatory regimes that have developed in response to abortion are illustrated using three models: "Abortion Reform", "Judicial" and "Elective". The "Abortion Reform" model is illustrated with reference to the United Kingdom, New Zealand, South Australia, and the Northern Territory. Under this model, statutory reform of the criminal law has provided grounds for therapeutic abortions to be carried out lawfully. The "Judicial" model is the model in place in Victoria, New South Wales and

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Queensland. Under this model, judicial interpretation of the criminal law has provided a defence of necessity to unlawful abortion, while the "Elective" model grants women abortion rights within certain parameters. The United States decision of *Roe v Wade* and subsequent cases and the Danish *Pregnancy Act 1973* are used to illustrate this model. While clinical judgment and professional autonomy are preserved by each of the models to varying degrees, it is also argued that the women's movement, the specificity of some of the legal restrictions on abortion, and developments in medical technology, all operate to erode the influence of the medical profession on abortion laws.

*Abortion Regimes* is a clearly written and well argued book. The discussion in Part I provides an interesting and well-researched historical analysis of the rise of the medical profession and the influence of this professionalisation on the shaping of abortion laws in Australia. The analysis of abortion laws in Part II provides an excellent overview of legal regulation in Australia as well as in the United Kingdom and United States of America in this difficult and often controversial area. The models used to categorise these laws provide a useful framework for comparative analysis, while Petersen's analysis of these laws in terms of their implications for professional autonomy and clinical judgment provides an additional dimension to the comparison which is both useful and interesting. *Abortion Regimes* is a book that will be of interest to and deserves to be read by all those with an interest in abortion and the laws that regulate it.

BELINDA BENNETT\*

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ADVOCATES by David Pannick, Oxford University Press,  
1992, 308pp, \$39.95, ISBN 0 198119488

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Abraham H Hummel was an advocate who demonstrated that apparently hopeless cases are occasionally won by the resourceful advocate. In the United States at the end of the nineteenth century he successfully defended three night-club dancers ("Philadelphia Egyptians" called Zora, Fatima and Zelika) charged with indecent belly-dancing at a night club. His first argument was they were not engaged in belly-dancing but "an ancient ceremony which devout Moslems like Zora, Fatima and Zelika were bound by their faith to perform". The second was even more creative. The prosecutor had described the dance as a "lewd and lascivious contortion of the stomach" but Hummel pointed out that the stomach "was nothing but a small sac in the abdominal region whose contortions, if any, could not be perceived except from inside the body". Unfortunately, the court records do not state which of these two arguments were decisive in winning the case.

This story, like many others which appear in David Pannick's book, provides an entertaining insight into the role of the advocate. In a thoroughly researched and well-written book Pannick explores the nature of legal advocacy and its function in modern society. He considers the principles, practice and morality of a profession that is often maligned and frequently misunderstood.

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