

Calvin Wai-Loon Ho

Juridification in Bioethics: Governance of Human Pluripotent Cell Research

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The aim of the author was to explore the contribution of law (its norms, concepts, rationalities, techniques, practice, language) to bioethics as public policy and as governance practice. There is a number of different perspectives of the term *juridification* in bioethics (Teubner, Weber, ...). The author of this book explores the incorporation of meanings, functions and constructions of legal into the concept of “bioethics as public policy” and the role of law in bioethics. Wai-Loon Ho addresses several questions in his work, such as: “What is legal about bioethics? What are ideas and artefacts that bioethics encompasses? How are they related to law? How do ideas move from one knowledge to another? What is the role of law in bioethics?” While reading the book, the reader will find the answers to these questions, and the new perspectives will rise on the horizon of bioethics of the reader.

Bioethics is involved in many aspects of life, for example from synthetic biology to ecology. The field of interest in this book was human embryos, oocytes, human-animal combination, such as hybrids and chimeras as the subject of policy, and governance framework for biomedical research.

The book is divided into seven units, and ends with the section on Methodology.

The first chapter “Juridification in Bioethics” explores the reason for studying the juridification in bioethics. The essence of juridification is in its epistemology, as hybridization process by which the public sphere and civic epistemology are constituted. In the USA, the civil rights movements have influenced American bioethics, based on autonomy and rights, while European medical staff remains with their jurisdiction over medical ethics. On account of that, European bioethicists have had more peripheral role than colleagues in the USA in addressing bioethical issues.

“Regulation Human Pluripotent Stem Cell Research” is the second chapter of this book, in which the contribution of law on the progress in bioethics, especially on early human embryos in vitro studies, is explored.

The third chapter is “Comparison as Bioethical Practice”. Wai-Loon Ho’s aim was to explore comparison as ubiquitous method in bioethics, the comparative mentality, comparative laws as technocratic practice and their epistemological meaning. This aim was specifically referred to projects for the Bioethics Advisory Committee (BAC) reports on the human oocyte donation and research involving human-animal combination.

“Scripting Bioethics from the Bottom Up” is the fourth chapter that starts with the presentation of attempts of the United Nations General Assembly (UNGA) to prohibit reproductive cloning of human beings. Further on, the author explores the creation of “local” script in the guidelines for stem cell research. The significance of “focal points” in creating guidelines is elaborated.

In the fifth chapter, named “Chimeras and Hybrids as Regulatory Placeholders”, the ways are presented in which techniques in law were used in bioethics with the goal to create chimeras and hybrids as objects. Chimeras and hybrids as regulatory objects (subjects) refer to the regulatory control.

“Risks in Bioethics”, the sixth chapter, explores the possible risks of egg donation. The author explores the theme from different perspectives, such as risk assessment and risk management distinction; acute risk and long term risk, reality of objective risk.

“An Emergent Civic Epistemology” is the seventh chapter, in which the author shows that the political order is implicit in the pseudo-judicial form of bioethics bodies within bioethics as a public policy, if juridification is a concern. Wai-Loon Ho states three reasons for that: it consults legitimacy, it precludes juridification from “crowding out” other social and political norms and emergent quality of bioethics as civic epistemology.

“Methodology: Ethnography and Actor-Network Theory” is the last chapter in this book. In this chapter the author examines in which way some documents are serious representation of institutional thinking and sense making, and how they can provide knowledge transfer. Documents are essential for the movements of ideas.

To explore what is legal about bioethics the author uses Actor-Network-Theory (ANT), which helps him to explain how some other modalities of power interact to constitute bioethics. In that sense the law is dynamic space “within which change is possible”. The law by Ho is also represented as “ways in which knowledge is presented, tested verified and used in the public sphere”.

The book *Juridification in bioethics: Governance of Human Pluripotent Cell Research* presents, as the author himself wrote, an ethnographic study of law on the periphery. The important essence of this work is to “understand the relevance of law in the production of epistemic claims in pre-social and social life”.

This book is, on the one hand, a great help to reader in the consideration of law and bioethics in the embryo construction, in the research of animal chimeras, pluripotent stem cell research or egg donation. On the other hand, it represents the call for every bioethicist to reconsider what is the position of the law in his/her bioethical reflection.

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