

feminist science, as this collection cannily, sometimes brilliantly demonstrates, but its "essentials" simply have not been fixed.

Anne Hicks  
St. John's, Newfoundland

**The Criminalization of a Woman's Body.**

Clarice Feinman (Ed.). *New York: Haworth Press, 1992, Pp. 221 paperback. (Published simultaneously by Haworth in hardcover under the same title as Women and Criminal Justice, Vol. 3, Nos. 1 & 2.)*

*The Criminalization of a Woman's Body* is a collection of articles that examines in various ways the increasing judicial surveillance of women's reproductive capacities. The implicit and, at times, explicit collusion of the medical field with the legal field in this task is made frighteningly apparent. We would be very wise to take note of the events that these articles highlight and to gear ourselves for a battle over the regulation of women's behaviour in terms of their reproductive lives.

As in most collections of articles, some here are much stronger than others. However, overall, they present a firm coherence that is useful to those of us with previous knowledge in this field as well as providing a rich starting point for newcomers.

The first three articles are the weakest in this collection. "Abortion Approval as a Ritual of Symbolic Control" looks at the Israeli experience. The abortion committee arrangement seems to be very much like Canada's before the change in abortion law. This article looks at how a committee decides to approve a woman's request for an abortion and the ways in which the power of committee members acts to control the woman's behaviour and to foster a sense of what is "proper" or "appro-

priate" sexual behaviour for females in that particular cultural context. The second article, "Decriminalization or Legalization? The Abortion Debate in Italy," outlines the status of abortion law in that country. The author provides a glimpse into the history behind the present debate (essentially a debate pitting Church and State against feminists and other women) but, overall, this article provides very little in terms of adding to already existing literature. The same must be said of the third article, "Unwanted Pregnancy, Due Process of Law and Justice White" in which Sarah Slavin discusses U.S. Supreme Court Justice Byron White's dissenting opinion wherein he claimed that the State has a compelling interest in protecting the life of the fetus and that this compulsion justifies treating pregnancy and non-pregnant women differently under constitutional law. While it is true that this type of distinction will be costly for women, this article offers very little that those of us who attend to reproductive issues have not already heard endlessly debated.

There are two articles that address the issue of surrogacy or "contract motherhood": "Contract Motherhood: Social Practice in Social Context" by Mary Gibson, and "Surrogate Motherhood and the Morality of Care" by Michael Dahlen. Of the two, Gibson's article is the most successful. Her arguments against contract motherhood are articulate and precise, and they follow each other in such a way that the overall coherence of her argument is greatly enhanced. This article is indeed more than the sum of its parts.

The final four articles all approach the same general phenomenon: that of using or threatening to use the law to punish a pregnant woman for her behaviour based on the assumption of prenatal harm or predictions that the woman will be unfit to mother the baby when it will be born. "Prenatal Harm as Child

Abuse” by Joan C. Callahan and James W. Knight acts as an introduction to the topic. They discuss the origins and meanings of the perception of the fetus as a future person in need of protection from its mother while in utero. The conclusions reached in this article carry forward into the remaining three, where concrete examples of the dangers that women encounter in these situations are made apparent. “Punishment and Welfare: Crack Cocaine and the Regulation of Mothering” by Lisa Maher, “Women and Fetus: The Social Construction of Conflict” by Wendy Chavkin, and a multi-authored article called “Mothers and Children, Drugs and Crack: Reactions to Maternal Drug Dependency” all show how the increased criminalization of a woman’s body and of pregnancy ignore the social context wherein a woman lives her pregnancy. In ignoring the very real problems associated with socioeconomic conditions imposed upon these women, the solutions are consistently aimed at punishment and regulation of mothering rather than at trying to achieve real positive change for women and their children. Thus

monies are made available to prosecute women but not to provide them with adequate prenatal care and/or with drug detoxification programs. The authors also make explicit the racist implications of judicial policy by pointing out that almost all of the women targeted by the medico-legal fetus police have been Black or Hispanic. Indeed, even though white middle-class women also use and abuse drugs, only Black lower-class women are routinely tested for drug use when in hospital. These issues are of concern for all women because of what many researchers, including myself, see as the increasing willingness to judge women’s behaviour and to make individual women responsible for fetal outcomes regardless of the real social and economic constraints that govern their lives.

Although some of these articles are weak, I think that, overall, this book does a good job of analyzing the judicial regulation and control of women’s bodies.

*Wendy Hadd  
Montreal, Quebec*