

Lori B. Andrews, the bioethicist

'The body's become the last bastion of control'

Andrews, 59, teaches at Chicago-Kent College of Law, where she serves as director of the Institute for Science, Law, and Technology; she also authors genetic thrillers.



Previously in my career I'd be called in as the cleanup person, like in *Pulp Fiction*. Scientists will have done some humongo thing, and either the White House or the scientists themselves will call me and say, "Oh my goodness, did we violate any laws?" At the Institute for Science, Law, and Technology, we can actually work with people creating technologies and say, "Well, don't do it that way because it would violate privacy to have remote medical imaging that passed people's records across state lines without adequate protection."

I'm really interested in areas of science where the law hasn't caught up. I did reproductive-technology stuff when I first started. Even in the late 70s and early 80s, there was talk of genetics and human cloning. Right after law school, I got invited to present on the first world conference on in vitro. I was the only lawyer there. There were 140 doctors in the audience, and they started calling me with every odd legal issue they had. "Oh, we want to take an embryo, split it in half, freeze half, grow up the other half, see if it gets in Harvard, then defrost and make the latter-born twin." Or one called me and said, "I have an embryo in a catheter and I'm in the OR, and the infertile couple need another woman's womb to carry a child. It's going into a surrogate mother who's the sister of the husband of the infertile couple, so it's the husband and wife's embryo but they're putting it in the husband's sister." And they're like, "We're about to do this—is it incest?" The Clinton White House called me when Dolly the sheep was cloned; the Bush White House called me when embryo stem cells came up.

I'm drawn to it in large measure because law traditionally looks backward. If you have a problem on the space shuttle, you actually look at cases that have to do with horse and buggy, and if you have a problem with a book on a CD, or a computer program for manufacturing, they look at precedence with books—which may not completely fit. I've taken it on myself, in a variety of realms—reproduction, genetics, nanotechnology, social networks—to have people look forward. And in part I've done that because there are sometimes no good previous legal categories for what's going on now. Say a couple want to genetically enhance their embryo to give their child traits they never had before, like the running speed of a cheetah. Where do we look? Is that embryo property? Is it a person? We can't look backward.

All these technologies have unintended consequences. Genetic testing was supposed to benefit your health care, to predict what diseases you'd have and prevent them. But third parties wanted to get that information—courts, insurers, employers—and all of a sudden you found you had basic rights being taken away. Similarly, with social networks—great way to share private information with your friends, but 35 percent of employers say that they will not hire someone who has a picture of themselves drinking or wearing provocative clothing on a social-network page.

I always read mysteries and thrillers. I'm usually busy when I'm in Chicago, but I taught for a semester at Princeton, and I had more time on my hands, less administrative duties, and I wrote this book with a geneticist main character. When I went to sell it, they said, "We'll only buy it if you write a series." So then I ended up back in Chicago with my same busy life and having to produce subsequent books. I was sort of frustrated by the slowness of the policy sphere for resolving what I thought were really important problems. In part I have a passion about mysteries, but it also allowed me to take some traditional story approach and smuggle in issues about genetic privacy—have something happen in the books to sort of take it to the streets, to stimulate popular discussion on issues like genetic privacy, or medical research without consent. But it's very, very much in the nature of a story with, say, a serial killer, or whatever, so it's hopefully not overwhelming people. It's some small, cool thing that helps them know more about genetics or know more about their rights in a certain area.

My character is a young female geneticist at a place called the Armed Forces Institute of Pathology in D.C. My mother was actually very disappointed I went to Yale Law School, because she said she was never going to need a lawyer. She wasn't going to change her name. She wasn't going to get a divorce. She already had a will. But if I'd gone to beauty school, if I'd become a beautician, I could do her hair every week. So my character actually lives in an old beauty salon called the Curl Up and Dye. In her living room, her chairs are old dryers that were with the original salon as a nod to my mother.

I really think that so many of us feel we have so little control over our lives. In a bad economy, and in an increasingly surveillant society, the body's become the last bastion of control, in a way, whether it's increases in body art or increases in disputes in the courts over what's done with your tissue. That echoes the whole feminist movement, and in fact one of my early articles in this area, for a bioethics journal, was called "My Body, My Property"—sort of like *Our Bodies, Ourselves*, the famous feminist tome. I'm very concerned that what people post on the Web is being used mainly against women. I gave you the figure, 35 percent of employers won't hire you if you have a drink in your hand or you're wearing provocative clothing. Well, who wears provocative clothing? Women! They're not gonna judge, "Oh, man, look at that sweater that guy's wearing, it's really hot!"

Women are going to be more disadvantaged in that area. They're now being disadvantaged in rape cases, because you can't allow evidence of past sexual experience, but if you've got information about it on your Facebook or MySpace page, judges are letting it in. In the worst situation, child custody cases, women are having their information used against them. Women who have a sexy picture are thought not to be good mothers. —As told to Sam Worley

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