

Beyond Control Medical Power Women And Abortion Law Law And Social Theory

"This collection of essays is the product of a series of seminars held by the Cambridge Socio-Legal Group in 2000."--Preface.

Who really controls access to abortion services in Britain, supposedly one of the most liberal western countries on this issue? Recognizing that abortion has slipped off the mainstream political (and specifically feminist) agenda, at least in the UK, Sheldon argues that the 'medicalization' of abortion law has rendered women powerless over their own bodies. She acknowledges that repoliticising abortion may mean that feminists face a backlash, but maintains that failure to act could close down vital avenues of choice and control when pressures to eliminate abortion are becoming stronger in some areas of society.

This introductory text sets out to make the links between sociological theories of the body and actual human behaviour and experience. It covers a broad range of topics, from long standing sociological concerns to more contemporary issues. With a focus on the changeability of the body, it examines the part that bodies play in the social construction of categories such as race, sexuality and disability and explores how we express ourselves through our bodies, whether in eating, dress or pain. It also debates how the body is regulated, both through the life course and in reproduction.

This book examines how demographic changes, including low birth rates, continuing immigration and population ageing, are transforming ideas about citizenship and belonging. The authors analyse central aspects of criminal law in the context of the assumptions surrounding it, and employ a number of critical approaches, including a feminist perspective, to give insights into the current state of the law.

This book explores the use of the internet by (non-Islamic) extremist groups, drawing together research by scholars across the social sciences and humanities. It offers a broad overview of the best of research in this area, including research contributions that address far-right, (non-Islamic) religious, animal rights, and nationalist violence online, as well as a discussion of the policy and research challenges posed by these unique and disparate groups. It offers an academically rigorous, introductory text that addresses extremism online, making it a valuable resource for students, practitioners and academics seeking to understand the unique characteristics such risks present.

This book examines the regulation and practice of medical decision-making where the context is that of a multiple pregnancy and where the question is whether or not to carry out a fetal reduction procedure. It concerns three main lines of inquiry: first, the nature of fetal reduction and the legal ground(s) for termination typically relied upon; secondly, the extent to which legal, ethical, and professional norms guide or constrain this particular kind of decision-making; and, thirdly, the adequacy of these norms. The book uses empirical sources to develop its analysis, contributing new insight and the kind of evidence necessary to shape regulation, clinical practice, and future research. The key findings show that fetal abnormality is often given as the justifying ground; that the legal, ethical, and professional norms offer little explicit guidance for fetal reduction: and on the general question of termination, ethical norms suffer from a high level of contestation, the key norms in the UK abortion legislation are unclear and disconnected from practice, and professional norms are only marginally more adequate. Given the indeterminacy of these norms, it is no surprise that the evidence indicates that doctors are only weakly guided by them in making their decisions. Various recommendations are advanced in this book, including the need for a situational emphasis on shared decision-making and patient-centred care.

Contributors: Barbara Baird, Niklas Barke, Anna Bogic, Hayley Brown, Lori A. Brown, Cathrine

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Chambers, Ewelina Ciaputa, Gayle Davis, Mary Gilmartin, Agata Ignaciuk, Sinéad Kennedy, Lena Lennerhed, Jo-Ann MacDonald, Colleen MacQuarrie, Jane O'Neill, Clare Parker, Christabelle Sethna, Sally Sheldon

This book demonstrates that the symbol of maternal sacrifice is the notion that 'proper' women put the welfare of children, whether born, in utero or not conceived, over and above any choices and desires of their own. The idea of maternal sacrifice acts as powerful signifier in judging women's behaviour that goes beyond necessary care for any children. The book traces its presence in various aspects of reproductive health, from contraception to breastfeeding. Pam Lowe shows how although nominally choices are presented to women around reproductive health, maternal sacrifice is used to discipline women into conforming to specific norms, reasserting traditional forms of womanhood. This has significant implications for women's autonomy. Women can resist or reject this disciplinary position when making reproductive decisions, but in doing so, they may be positioned as transgressing and/or need to justify their decisions. The book will be of great interest to scholars of sociology, gender studies and health studies.

Medical Law: Text, Cases, and Materials offers all of the explanation, commentary, and extracts from cases and key materials that students need to gain a thorough understanding of this complex topic. Key case extracts provide the legal context, facts, and background; extracts from materials provide differing ethical perspectives and outline current debates; and the author's insightful commentary ensures that readers understand the facts of the cases and can navigate the ethical landscape to form their own understanding of medical law.

Offering the first comprehensive theoretical engagement with actions for wrongful conception and birth, *The Harm Paradox* provides readers with an insightful critique into the concepts of choice, responsibility and personhood. Raising fundamental questions relating to birth, abortion, family planning and disability, Prialux challenges the law's response that enforced parenthood is a harmless outcome and examines the concept of autonomy, gender and women's reproductive freedom. It explores a wealth of questions, including: Can a healthy child resulting from negligence in family planning procedures constitute 'harm' sounding in damages, when so many see its birth as a blessing? Can a pregnancy constitute an 'injury' when many women choose that very event? Are parents really harmed, when they choose to keep their much loved but 'unwanted child'? Why don't women seek an abortion if the consequences of pregnancy are seen as harmful? An exciting and original contribution to the fields of medical law and ethics, tort law and feminist jurisprudence, this is an excellent resource for both students and practitioners.

Offering extracts from the key cases and materials in medical law, along with substantial author commentary, this book provides a complete, stand-alone resource for students of medical law, setting the subject within its ethical context and encouraging thoughtful debate.

By analysing the European Court of Human Rights (TM) jurisprudence and philosophical debates on personal autonomy, identity and integrity, the book offers a critical analysis of the possibility of different versions of personal freedom emerging in the case law which may restrict rather than enhance personal freedom.

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In three sections, the Oxford Handbook of the History of Medicine celebrates the richness and variety of medical history around the world. It explores medical developments and trends in writing history according to period, place, and theme. This multidisciplinary volume investigates different abortion and reproductive practices across time, space, geography, national boundaries, and cultures. The authors specialize in the reproductive politics of Australia, Bolivia, Cameroon, France, 'German East Africa,' Ireland, Japan, Sweden, South Africa, the United States, and Zanzibar, with historical focuses on the pre-modern era, nineteenth and twentieth centuries, as well as the present day. This timely work complicates the many histories and ongoing politics of abortion by exploring the conditions in which women have been forced to make these life-altering decisions.

Beyond Control Medical Power and Abortion Law Pluto Press

2017 marks the fiftieth anniversary of Britain's 1967 Abortion Act. The struggle for abortion rights is not over. Judith Orr argues that time has come for women to control their fertility without the practical, legal, and ideological barriers they have faced for generations.

This book explores how children engage with sex and sexuality. Building on a conceptual and legal grounding in sexuality studies and the new sociology of childhood, the authors debate the age of consent, teenage pregnancy, sexual diversity, sexualisation, sex education and sexual literacy, paedophilia, and sex in the digital age. Whilst Moore and Reynolds recognise the necessity of child protection and safeguarding in the context of risk, danger and harm, they also argue that where these stifle children's sexual knowledge, understanding, expression and experience, they contribute to a climate of fear, ignorance and bad experiences or harms. What is necessary is to balance safeguarding with enabling, and encourage judicious understandings that advance from a rigid developmental model to one that recognises pleasure and excitement in children's nascent sexual lives. Exploring that balance through their chosen issues, they seek to encourage changed thinking in professional, personal and academic contexts, and speculate that children might teach adults something about the way they think about sex. *Childhood and Sexuality* will be of interest to students, scholars and professionals across a range of subjects and disciplines including sociology, social work, criminology, and youth studies.

Reproductive choices are at once the most private and intimate decisions we make in our lives and undeniably also among the most public. Reproductive decision making takes place in a web of overlapping concerns - political and ideological, socio-economic, health and health care - all of which engage the public and involve strongly held opinions and attitudes about appropriate conduct on the part of individuals and the state. *Law, Policy and Reproductive Autonomy* examines the idea of reproductive autonomy, noting that in attempting to look closely at the contours of the concept, we begin to see some uncertainty about its meaning and legal implications - about how to understand reproductive autonomy and how to value it. Both mainstream and feminist literature about autonomy contribute valuable insights into the meaning and implications of reproductive

autonomy. The developing feminist literature on relational autonomy provides a useful starting point for a contextualised conception of reproductive autonomy that creates the opportunity for meaningful exercise of reproductive choice. With a contextualised approach to reproductive autonomy as a backdrop, the book traces aspects of the regulation of reproduction in Canadian, English, US and Australian law and policy, arguing that not all reproductive decisions necessarily demand the same level of deference in law and policy, and making recommendations for reform.

Does the morality of abortion depend on the moral status of the human fetus? Must the law of abortion presume an answer to the question of when personhood begins? Can a law which permits late abortion but not infanticide be morally justified? These are just some of the questions this book sets out to address. With an extended analysis of the moral and legal status of abortion, Kate Greasley offers an alternative account to the reputable arguments of Ronald Dworkin and Judith Jarvis Thomson and instead brings the philosophical notion of 'personhood' to the foreground of this debate. Structured in three parts, the book will (I) consider the relevance of prenatal personhood for the moral and legal evaluation of abortion; (II) trace the key features of the conventional debate about when personhood begins and explore the most prominent issues in abortion ethics literature: the human equality problem and the difference between abortion and infanticide; and (III) examine abortion law and regulation as well as the differing attitudes to selective abortion. The book concludes with a snapshot into the current controversy surrounding the scope of the right to conscientiously object to participation in abortion provision.

Recent years have seen many changes in human reproduction resulting from state and medical interventions in childbearing processes. Based on empirical work in a variety of societies and countries, this volume considers the relationship between reproductive processes (of fertility, pregnancy, childbirth and the postpartum period) on the one hand and attitudes, medical technologies and state health policies in diverse cultural contexts on the other.

Considering how the British policy process deals with "conscience" issues, this book covers eight topics discussed by Parliament in the last quarter of a century - abortion, censorship, divorce, Sunday trading, homosexuality, war crimes, disability rights and animal welfare.

By any measure, Judith Gardam has accomplished much in her professional life and is rightly acknowledged by scholars throughout the world as an expert in her many fields of diverse interest — including international law, energy law and feminist theory. This book celebrates her academic life and work with twelve essays from leading scholars in Gardam's fields of expertise.

How should feminist theories conceive of the subject? What is it to be a legal person? What part does embodiment play in subjectivity? Can there be a conception of rights which does justice to the social contexts in which rights claims are embedded? Is the way the law constitutes legal subjects a form of violence? These questions lie at the heart of contemporary

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feminist theory, and in this collection they are addressed by a group of distinguished international scholars working in law, philosophy and politics. The volume, in which the concerns of one author are taken up by others, advances current debate on two interconnected levels. First, it contains original and ground-breaking discussions of the questions raised above. At the same time, it contains a more reflexive strand of argument about the intellectual resources available to feminist thinkers, and the advantages and dangers of borrowing from non-feminist traditions of thought. It thus provides an exceptionally rich examination of contemporary legal and political feminist theory.

Tracing the evolution of political discourse on abortion from the 1960s to today, this interdisciplinary book argues that in order to understand the changing pluralities of contemporary abortion debate, it is necessary to move beyond an understanding of abortion politics as characterized by pro-choice and pro-life.

Examining specific areas of family law from a feminist perspective, this book assesses the impact that feminism has had upon family law. It is deliberately broad in scope, as it takes the view that family law cannot be defined in a traditional way. In addition to issues of long-standing concern for feminists, it explores issues of current legal and political preoccupation such as civil partnerships, home-sharing, reproductive technologies and new initiatives in regulating family practices through criminal law, including domestic violence and youth justice. This book examines responsibility in criminal law across categorization, frameworks for understanding criminal responsibility and the relationships between them, women in criminal law, the history of criminal law, blameworthiness and ascriptions of responsibility, moral responsibility, the role of politics and political economy.

The Implicit Relation of Psychology and Law brings an innovative, feminist analysis to these affiliated fields. In addition to the explicit relationship between the two fields, they argue that there is an unrecognised implicit relation existing within the intersection of psychology and law which they find works to the disadvantage of women.

Jurisprudence: Themes and Concepts offers an original introduction to, and critical analysis of, the central themes studied in jurisprudence courses. The book is presented in three parts each of which contains General Themes, Advanced Topics, tutorial questions and guidance on further reading: Law and Politics, locating the place of law within the study of institutions of government Legal Reasoning, examining the contested nature of the application of law Law in Modernity, exploring the social forces that shape legal development. This second edition includes enhanced discussion of the rise of legal positivism within the context of the rise of the modern state, the changing role of natural and human rights discourse, concepts of justice in and beyond the nation state, the impact of emergency doctrines in contemporary legal regulation, and challenges to the rule of law in light of shifting and competing demands for new types of social solidarity. Accessible, interdisciplinary, and socially informed this book has been revised to take into account the latest developments in jurisprudential scholarship.

Revolutionizing Women's Healthcare is the story of a feminist experiment: the self-help movement. This movement arose out of women's frustration, anger, and fear for their health. Tired of visiting doctors who saw them as silly little girls, suffering shame when they asked for birth control, seeking abortions in back alleys, and holding little control over their own reproductive lives, women took action. Feminists created "self-help groups" where they examined each other's bodies and read medical literature. They founded and ran clinics, wrote books, made movies, undertook nationwide tours, and raided and picketed offending medical institutions. Some performed their own abortions. Others swore off pharmaceuticals during menopause. Lesbian women found "at home" ways to get pregnant. Black women used self-help to talk about how systemic racism affected their health. Hannah Dudley-Shotwell engagingly chronicles these stories and more to showcase the creative ways women came together to do for themselves what the mainstream healthcare system refused to do.

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This volume provides a comprehensive, up-to-date theoretical and empirical background to the psychology of reproductive health. Provides a life span perspective of the psychology of reproductive health and its disorders, from menarche to menopause and reproductive health in older age. Focuses on issues of the individual's reproductive health experience, including reproduction, pregnancy, maternity, and birth, as well as conditions such as PMDD, dysmenorrhea, and events including pregnancy failure, and abortion. Acknowledges the wider social context with discussions of poverty, inequality, educational and economic status, age, and urban versus rural access. Addresses life style related factors, human rights to choice, information and access, fertility control and reproductive health regulation and health care services. Illustrates topics with empirical data supported with tables and figures. Feminist scholarship can provide public lawyers with the critical tools and insights to respond to these new challenges. This collection begins a dialogue between public law and feminism by offering a range of perspectives on contemporary public law themes and topics.

"Regulating Reproduction" examines the genesis of reproductive rights in Britain and France over the course of the 20th Century. Melanie Latham concentrates on the role played by the various interest groups involved in the area of reproduction, namely medical professionals, religious groups, and feminists using the Policy Network Theory on interest group behavior. Latham combines legal analysis with political analysis and offers a cross-cultural perspective.

This book takes a feminist approach to analyse the lives of well-educated urban Chinese women, who were raised to embody the ideals of a modern Chinese nation and are largely the beneficiaries of the policy changes of the post-Mao era. It explores young women's gendered attitudes to and experiences of marriage, reproductive choices, careers and aspirations for a good life. It sheds light on what keeps mainstream Chinese middle-class women conforming to the current gender regime. It illuminates the contradictory effects of neoliberal techniques deployed by a familial authoritarian regime on these women's striving for success in urban China, and argues that, paradoxically, women's individualistic determination to succeed has often led them onto the path of conformity by pursuing exemplary norms which fit into the party-state's agenda.

Technology has come to dominate the modern experience of pregnancy and childbirth, but instead of empowering pregnant women, technology has been used to identify the foetus as a second patient characterised as a distinct entity with its own needs and interests. Often, foetal and the woman's interests will be aligned, though in legal and medical discourses the two 'patients' are frequently framed as antagonists with conflicting interests. This book focuses upon the permissibility of encroachment on the pregnant woman's autonomy in the interests of the foetus. Drawing on the law in England & Wales, the United States of America and Germany, Samantha Halliday focuses on the tension between a pregnant woman's autonomy and medical actions taken to protect the foetus, addressing circumstances in which courts have declared medical treatment lawful in the face of the pregnant woman's refusal of consent. As a work which calls into question the understanding of autonomy in prenatal medical care, this book will be of great use and interest to students, researchers and practitioners in medical law, comparative law, bioethics, and human rights.

This important book fills a gap in the study of modern Scottish, and British, Society, providing as it does a vital perspective on Scotland's sexual history and its political and

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social context. It is unique in exploring the period from 1950 to 1980, covering the immediate post-war and Scotland's sexual 'coming-of-age'. It charts a steady political growth from a deeply moralistic policy framework towards a less judgmental, global and scientific context. Davidson and Davis lead us through the Scottish sexual landscape leading up to the global crisis of HIV/AIDS, analysing post-war state policy towards issues such as abortion, family planning, homosexuality, pornography, prostitution, sex education and sexual health. Policy-makers, social historians, teachers and students alike will find this an invaluable resource on the study of sexuality and policy-making in modern society.

Presents both sides of the debate over abortion in the United States in historical, international, and medical contexts, including summaries and excerpts of historical documents, and data on abortion incidences and practice.

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