



Feminism,
Freedom,
and
the
Limits
of
Law

REALCHOICES

BETH KIYOKO JAMIESON

Real Choices Feminism Freedom And The Limits Of Law

Jennifer Nedelsky



Real Choices Feminism Freedom And The Limits Of Law:

Real Choices Beth Kiyoko Jamieson, 2001 This book offers a new approach to thinking about liberty in the wake of decades of criticism of liberalism from feminists communitarians conservatives alike *Real Choices* Beth Kiyoko Jamieson, 2001

Tough Choices Sigal R. Ben-Porath, 2016-06-28 To what extent should government be permitted to intervene in personal choices In grappling with this question liberal theory seeks to balance individual liberty with the advancement of collective goals such as equality Too often however society's obligation to provide meaningful opportunities is overshadowed by its commitment to personal freedom *Tough Choices* charts a middle course between freedom oriented anti interventionism and equality oriented social welfare presenting a way to structure choices that equalize opportunities while protecting the freedom of individuals to choose among them Drawing on insights from behavioral economics psychology and educational theory Sigal Ben Porath makes the case for structured paternalism which is based on the understanding that state intervention is often inevitable and that therefore theorists and policymakers must focus on the extent to which it can productively be applied as well as on the forms it should take in different social domains Ben Porath explores how structured paternalism can play a role in providing equal opportunities for individual choice in an array of personal and social contexts including the intimate lives of adults parent child relationships school choice and intercultural relations *Tough Choices* demonstrates how structured paternalism can inform more egalitarian social policies ones that acknowledge personal social and cultural differences as well as the challenges all individuals may face when they make a choice

Law's Relations Jennifer Nedelsky, 2011-06-30 In this brilliantly innovative work Jennifer Nedelsky claims that we must rethink our notion of autonomy rejecting the usual vocabulary of control boundaries and individual rights If we understand that we are fundamentally in relation to others she argues we will recognize that we become autonomous with others *Law's Relations* includes many concrete legal applications of her theory of relational autonomy offering new insights into the debates over due process judicial review violence against women and private versus public law

A Troubled Marriage Leigh Goodmark, 2013-11 *Choice's Outstanding Academic Title* list for 2013 The development of a legal regime to combat domestic violence in the United States has been lauded as one of the feminist movement's greatest triumphs But Leigh Goodmark argues the resulting system is deeply flawed in ways that prevent it from assisting many women subjected to abuse The current legal response to domestic violence is excessively focused on physical violence this narrow definition of abuse fails to provide protection from behaviors that are profoundly damaging including psychological economic and reproductive abuse The system uses mandatory policies that deny women subjected to abuse autonomy and agency substituting the state's priorities for women's goals *A Troubled Marriage* is a provocative exploration of how the legal system's response to domestic violence developed why that response is flawed and what we should do to change it Goodmark argues for an anti essentialist system which would define abuse and allocate power in a manner attentive to the experiences goals

needs and priorities of individual women Theoretically rich yet conversational *A Troubled Marriage* imagines a legal system based on anti essentialist principles and suggests ways to look beyond the system to help women find justice and economic stability engage men in the struggle to end abuse and develop community accountability for abuse **Positive Freedom**

John Christman, John Philip Christman, 2021-09-16 This is the first volume to treat the idea of positive freedom in detail and from multiple perspectives Liberty Reader David Miller, 2017-07-05 For centuries past the quest for liberty has driven political movements across the globe inspiring revolutions in America France China and many other countries Now we have Iraq and the idea of liberation through preemption What is this liberty that is so fervently pursued Does it mean a private space for individuals the capacity for free and rational choice or collective self rule What is the difference between positive and negative liberty or the relationship between freedom and coercion Reflecting on these questions reveals a surprisingly rich landscape of ideas and further questions The *Liberty Reader* collects twelve of the most important and insightful essays on issues of freedom currently available It is essential reading for students of social and political theory political philosophy and anyone who wants a deeper understanding of the variety of ideas and ideals behind perennial human strivings for liberty

The Dual System of Privacy Rights in the United States Mary McThomas, 2013 Theoretically the right to privacy is an individual's right to space away from the public gaze to make life choices that are best for her or him regardless of the beliefs of the majority Yet the right to privacy in the United States has proven problematic for both political theorists and constitutional scholars as it does not conform to theoretical conceptions of privacy or to existing theories of constitutional development Mary McThomas provides a new model that helps us to think about both the right to privacy as well as constitutional development She first divides privacy issues into two categories and then illustrates how the two categories are treated differently The first category proprietary privacy covers such issues as medical records and wiretapping The second category decisional privacy involves making decisions about intimate matters such as the right to die same sex marriage and abortion McThomas tracks and assesses higher court cases in conversational privacy representative of proprietary privacy and court cases in marital privacy representative of decisional privacy She concludes that the most notable difference between the different types of privacy is that decisional privacy has evolved more slowly towards constitutionalization and so is much more likely to be limited by community standards and social norms This book brings the theoretical conceptions and the practice of privacy rights together explaining what has happened in the area up until this point and offering ways to predict how the courts will handle some of today's most contentious issues Historical Dictionary of Feminism Janet K. Boles, Diane Long Hoeveler, 2004 This Second Edition is an essential resource for librarians scholars and students This succinct handbook includes more than 1 000 entries covering the persons organizations campaigns and court cases goals and achievements and current and future directions of the feminist movement 75 percent of which are new and revised from the first edition This second edition also features a more internationally focused introduction

that provides an overview of the history and development of feminism as a movement and as a philosophy Rounding out this new edition are an expanded chronology and an updated bibliography that brings attention to many feminist online resources and periodicals and emphasizes global and third wave feminism both new developments in the field since the publication of the first edition Paying tribute to the struggles of the women and men who have worked to change and to improve the living conditions for women in the world this book promises a comprehensive historical overview for readers of all interest levels

The Story of Bioethics Jennifer K. Walter, Eran P. Klein, 2003-10-08 This literally refreshing collection is based on the notion that the future of bioethics is inseparable from its past Seminal works provide a unique and relatively unexplored vehicle for investigating not only where bioethics began but where it may be going as well In this volume a number of the pioneers in bioethics Tom Beauchamp Lisa Sowle Cahill James Childress Charles E Curran Patricia King H Tristram Engelhardt William F May Edmund D Pellegrino Warren Reich Robert Veatch and LeRoy Walters reflect on their early work and how they fit into the past and future of bioethics Coming from many disciplines generations and perspectives these trailblazing authors provide a broad overview of the history and current state of the field Invaluable to anyone with a serious interest in the development and future of bioethics at a time when new paths into medical questions are made almost daily

The Story of Bioethics is a Baedeker beyond compare *Proceedings and Addresses of the American Philosophical Association* American Philosophical Association, 2004 List of members in v 1 *Disability and Political Theory* Barbara Arneil, Nancy J. Hirschmann, 2016-12-22 A groundbreaking volume from leading scholars exploring disability studies using a political theory approach **Murder Stories** Paul Kaplan, 2012-01-18 Murder Stories engages with the current theoretical debate in death penalty research on the role of cultural commitments to American ideologies in the retention of capital punishment The central aim of the study is to illuminate the elusive yet powerful role of ideology in legal discourses Through analyzing the content and processes of death penalty narratives this research illuminates the covert life of the American Creed a nexus of ideologies liberty egalitarianism individualism populism and laissez faire said to be unique to the United States in the law Murder Stories draws on the entire record of California death sentence resulting trials from three large and diverse California counties for the years 1996 2004 as well as interviews with 26 capital caseworkers attorneys judges and investigators from the same counties Employing the theoretical framework proposed by Ewick and Silbey 1995 to study hegemonic and subversive narratives and also the ethnographic approach advocated by Amsterdam and Hertz 1992 to study the producers and processes of constructing legal narratives this book traces the ideological content carried within the stories told by everyday practitioners of capital punishment by investigating the content process and ideological implications of these narratives The central theoretical finding is that the narratives constructed by both prosecutors and defenders tend to instantiate rather than subvert the ideological tenets of the American Creed New Books on Women and Feminism , 2002 **Conscience** , 2003 **Prenuptial Agreements and the Presumption of Free Choice** Sharon

Thompson,2015-08-27 This book provides an alternative perspective on an issue fraught with difficulty the enforcement of prenuptial agreements Such agreements are enforced because the law acknowledges the rights of spouses to make autonomous decisions about the division of their property on divorce Yet this book demonstrates that in the attempt to promote autonomy other issues such as imbalance of power between the parties become obscured This book offers an academic and practical analysis of the real impact of prenuptial agreements on the relationships of those involved Using a feminist and contractual theoretical framework it attempts to produce a more nuanced understanding of the autonomy exercised by parties entering into prenuptial agreements This book also draws on an empirical study of the experiences and views of practitioners skilled in the formation and litigation of prenuptial agreements in New York Lastly it explores how the court might address concerns regarding power and autonomy during the drafting and enforcement processes of prenuptial agreements which in turn may enhance the role that prenups can play in the judicial allocation of spousal property on the breakdown of marriage

The Age of Choice Sophia Rosenfeld,2025-02-04 A sweeping history of the rise of personal choice in the modern world and how it became equated with freedom Choice touches virtually every aspect of our lives from what to buy and where to live to whom to love what profession to practice and even what to believe But the option to choose in such matters was not something we always possessed or even aspired to At the same time we have been warned by everybody from marketing gurus to psychologists about the negative consequences stemming from our current obsession with choice It turns out that not only are we not very good at realizing our personal desires we are also overwhelmed with too many possibilities and anxious about what best to select There are social costs too How did all this happen *The Age of Choice* tells the long history of the invention of choice as the defining feature of modern freedom Taking readers from the seventeenth century to today Sophia Rosenfeld describes how the early modern world witnessed the simultaneous rise of shopping as an activity and religious freedom as a matter of being able to pick one's convictions Similarly she traces the history of choice in romantic life politics and the ideals of human rights Throughout she pays particular attention to the lives of women those often with the fewest choices who have frequently been the drivers of this change She concludes with an exploration of how reproductive rights have become a symbolic flashpoint in our contemporary struggles over the association of liberty with choice Drawing on a wealth of sources ranging from novels and restaurant menus to the latest scientific findings about choice in psychology and economics *The Age of Choice* urges us to rethink the meaning of choice and its promise and limitations in modern life

Rhetorical Criticism Sonja K. Foss,2004 *Mothering Nation* Nathalie Elvire Gailllot,2007 **The Journal of Politics** ,2004 Includes section Book reviews

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