

A NEW LEGAL PARADIGM



Intimacy

Jean L. Cohen

# Regulating Intimacy

**Luke Gittos**



## **Regulating Intimacy:**

**Regulating Intimacy** Jean-Louis Cohen, 2009-01-10 The regulation of intimate relationships has been a key battleground in the culture wars of the past three decades In this bold and innovative book Jean Cohen presents a new approach to regulating intimacy that promises to defuse the tensions that have long sparked conflict among legislators jurists activists and scholars Disputes have typically arisen over questions that apparently set the demands of personal autonomy justice and responsibility against each other Can law stay out of the bedroom without shielding oppression and abuse Can we protect the pursuit of personal happiness while requiring people to behave responsibly toward others Can regulation acknowledge a variety of intimate relationships without privileging any Must regulating intimacy involve a clash between privacy and equality Cohen argues that these questions have been impossible to resolve because most legislators activists and scholars have drawn on an anachronistic conception of privacy one founded on the idea that privacy involves secrecy and entails a sphere free from legal regulation In response Cohen draws on Habermas and other European thinkers to present a robust constructivist defense of privacy one based on the idea that norms and rights are legally constructed Cohen roots her arguments in debates over three particularly contentious issues reproductive rights sexual orientation and sexual harassment She shows how a new legal framework reflexive law allows us to build on constructivist insights to approach these debates free from the liberal and welfarist paradigms that usually structure our legal thought This new legal paradigm finally allows us to dissolve the tensions among autonomy equality and community that have beset us A synthesis of feminist theory political theory constitutional jurisprudence and cutting edge research in the sociology of law this powerful work will reshape not only legal and political debates but how we think about the intimate relationships at the core of our own lives

**Regulating Labour in the Wake of Globalisation** Brian Bercusson, Cynthia Estlund, 2008-01-10 In recent decades the prevailing response to the problem of unacceptable labour market outcomes in both Europe and North America national regulation of labour standards and labour relations coupled with collective bargaining has come under increasing pressure from the economic and technological forces associated with globalisation As those forces have shifted power away from national governments and labour unions and toward capital the appropriate institutional locus of labour regulation has become hotly contested There have been efforts to move the locus of regulation downward to smaller units of governance including firms themselves upward to larger units such as regional federations and international organizations and outward to non governmental organizations and civil society In this volume labour relations scholars from North America and Europe examine the efficacy of these emerging forms of labour regulation their democratic legitimacy the goals and values underlying them and the appropriate direction of reform

Love In Abundance Second Edition Kathy Labriola, 2024-11-01 Beyond the basics of polyamory lies a complex web of negotiations agreements pitfalls and rewards Kathy Labriola a relationships counselor who has worked for many years with singles couples and groups in polyamorous and open

relationships sets forth some of the realities of alternative lifestyles dealing with some of the common relationship disrupters managing jealousy choosing compatible partners combining BDSM with polyamory distinguishing between sex addiction and polyamory and much more

**Sex, Culture, and Justice** Clare Chambers, 2010-11 Autonomy is fundamental to liberalism But autonomous individuals often choose to do things that harm themselves or undermine their equality In particular women often choose to participate in practices of sexual inequality cosmetic surgery gendered patterns of work and childcare makeup restrictive clothing or the sexual subordination required by membership in certain religious groups In this book Clare Chambers argues that this predicament poses a fundamental challenge to many existing liberal and multicultural theories that dominate contemporary political philosophy Chambers argues that a theory of justice cannot ignore the influence of culture and the role it plays in shaping choices If cultures shape choices it is problematic to use those choices as the measure of the justice of the culture Drawing upon feminist critiques of gender inequality and poststructuralist theories of social construction she argues that we should accept some of the multicultural claims about the importance of culture in shaping our actions and identities but that we should reach the opposite normative conclusion to that of multiculturalists and many liberals Rather than using the idea of social construction to justify cultural respect or protection we should use it to ground a critical stance toward cultural norms The book presents radical proposals for state action to promote sexual and cultural justice

Rethinking Abortion Rights After Dobbs Sharon Stanley, 2025-07-17 This book offers a novel account of the normative foundations of abortion rights informed by political theory and feminist theory Stanley revisits the debate between privacy and equality as rationales for abortion rights that erupted after Roe v Wade First Stanley argues that we can reconceptualize privacy along feminist lines contra its feminist critics Second this reconceptualization allows us to see privacy and equality as essential allies and supplements to each other When operating in tandem privacy and equality provide a powerful theoretical and practical foundation not only for abortion rights but also for an expansive vision of reproductive justice informed by an intersectional understanding of the reproductive burdens endured by those multiply marginalized by gender race and class This reproductive justice framework is the most promising basis for a powerful post Dobbs political coalition seeking to restore and greatly expand the promise of reproductive freedom symbolically represented by Roe

**Modern Privacy** Harry Blatterer, Pauline Johnson, Maria R. Markus, 2010-10-06 Modern Privacies addresses emergent transformations of privacy in western societies from a multidisciplinary and international perspective It examines social and cultural trends in new media feminism law work and intimacy which indicate that our perceptions evaluations and enactments of privacy in constant flux

Public and Private Maurizio Passerin D'Entrèves, Ursula Vogel, 2005-08-11 The public and private distinction is essential to our moral and political vocabularies as it continues to structure our social and legal practices Public and Private provides a multidisciplinary perspective on this distinction which has been at the centre of controversial debate in recent years The focus of the debate has been on delineating acceptable boundaries between public

and private in economic social and cultural spheres What is the nature and scope of citizenship What are the implications of new reproductive technologies And what is the fate of state sovereignty in a globalised world economy At first glance these questions may appear unrelated yet they all raise underlying and serious concerns regarding the scope and proper boundaries between the public and the private Public and Private will stimulate the current debate with its original approach and provide a valuable resource for all those interested in the role the public and private play in structuring our societies

*Deliberative Freedom* Christian F. Rostboll, 2008-06-13 In *Deliberative Freedom* Christian F Rostb ll accepts the common belief that democracy and freedom are intimately related but he sees this relationship in a new and challenging way Rostb ll argues that deliberative democracy is normatively committed to multiple dimensions of freedom and that this in turn makes it a distinct model of democracy He presents a new version of deliberative democracy that rejects the prevailing synthesis of Habermasian critical theory and Rawlsian political liberalism and contends that this synthesis obscures and neglects important concerns in terms of freedom and emancipation In addition Rostb ll explores how the many dimensions of freedom supply a new and fruitful way to address issues such as paternalism elitism rationalism and neutrality Why Rape Culture

is a Dangerous Myth Luke Gittos, 2015-09-01 Today it is often said that we live in a rape culture Panicked headlines tell us that rape is on the increase and that the police are failing to deal with it Our courts are said to be incapable of delivering justice in rape cases with the rate of convictions remaining consistently low Sexism and misogyny in wider society have created a culture in which rape is pervasive under reported and often ignored by an uncaring public But these claims are built on myths and misunderstandings This book argues that the belief in a rape culture is seriously distorting our discussion of sexual violence It explains how the laws around rape have expanded significantly in recent decades giving the state a far greater say in the most intimate areas of our lives The drive to prosecute more and more people has damaging implications for our legal rights and basic freedoms and our ability to live intimately with one another If we are to have a serious discussion about rape it s time to dispel the dangerous myth of rape culture *Liberal Democracy and the Social*

*Acceleration of Time* William E. Scheuerman, 2020-06-09 A fine contribution to the literature on the problems of modern liberal democracy Choice The pace of American society has quickened exponentially since the Founding Fathers first mapped the constitution Information travels at the speed of light so does money We can hop from one side of the country to the other in a matter of hours contact our elected officials instantaneously and share our views with thousands of people at the touch of a button Both academia and the popular media have grappled with the consequences of this acceleration on every aspect of contemporary life Most pressing however may be its impact on political life In *Liberal Democracy and the Social Acceleration of Time* William Scheuerman offers a sophisticated assessment of the implications of social and technological celerity in the operation of liberal democracies Specifically he asks what is acceleration s main impact on the traditional liberal democratic model of the separation of powers According to Scheuerman high speed has created an imbalance The

executive branch was intended to react with dispatch by contrast legislatures and the courts were designed to be more deliberate and thoughtful While this system of checks and balances was effective in the age of horse and buggy Scheuerman argues that the very features that were these institutions strengths may now be a liability Throughout this book Scheuerman offers a constructive critique which articulates ways in which liberal democracy might be recalibrated in accordance with the tempo of modern society

**Intimacies** Alan Frank, Patricia Clough, Steven Seidman, 2013-07-24 In the last decade or so there has been a shift in the popular and academic discussion of our personal lives Relationships and not necessarily marriage have gravitated to the center of our relational lives Many of us feel entitled to seek intimacy an emotionally depthful social bonding rather than simply security or companionship from our relationships Unlike in a marriage centred culture intimacy is today pursued in varied relationships from familial to friends and to romances And intimacies are being forged in multiple venues from face to face to virtual cyber contexts A new scholarship has addressed this changing terrain of personal life there is today a vast literature on cohabitation parenthood without marriage sex and love outside marriage queer families cyber intimacies and friendships However much theorizing and research has focussed either on the interior subjective or sociocultural aspects of intimacies not their interaction This volume aims to break new ground Intimacies explores the psychological terrain of intimacy in depthful ways without abandoning its sociohistorical context and the centrality of power dynamics Drawing on a rich archive that includes the social sciences feminism queer studies and psychoanalysis the contributors examine changing cultures of intimacy fluid and solid attachments and intimacies from hook ups to sibling bonds to erotic love a politics of intimacy that may involve state enforced hierarchies class misrecognition social exclusion and violence embodied experiences of intimacy and dynamics of endings and loss a pluralization of intimacies that challenge established ethical hierarchies This volume aims to define the cutting edge of this emerging field of scholarship and politics It challenges existing paradigms that assume rigid hierarchical approaches to relational life Intimacies will be of interest for psychoanalysts and for students or scholars in sexualities gender studies family studies feminism studies queer studies social class cultural studies and philosophy

The Right to Oblivion Lowry Pressly, 2024-10-08 Constant digital surveillance has inspired a heated but also limited privacy debate Lowry Pressly looks beyond the narrow discourse of rights and information to extol privacy as a tool for living Privacy he argues not only reinforces our capacities for play self discovery connection and trust but also is vital to the search for meaning

*Social Happiness* Neil Thin, 2012-01-18 The development of happiness as an explicit theme in social research and policy worldwide has been rapid and remarkable posing fundamental questions about our personal and collective motives and purposes This book examines the achievements and potential of applied happiness scholarship in diverse cultures and domains It argues that progressive policies require a substantial and explicit consideration of happiness Part one introduces the development of happiness themes in scholarship policy and moral discourse Part two explores the interplay between happiness scholarship

and a wide variety of domains of social experience including relationship guidance managing social aspirations parenting schooling gender reform work life harmonizing marketing and consumption and rethinking old age This exciting new text will appeal to policy makers social organizers and community development practitioners especially those interested in well being related policy innovation and social entrepreneurship It will also be of interest to academics embedded in policy practice

*Privacies* Beate Rössler, 2004 This ambitious interdisciplinary collection responds to present intellectual debates concerning the value and limits of privacy Ever since the beginning of modernity the line of demarcation between private and public spaces and the distinction between them have continually been challenged and redrawn Such developments as new technologies that introduce previously unforeseen possibilities for infringement upon privacy and the modern spectacles of television talk shows and reality TV give added urgency to the discussion on privacy This collection examines the fundamental issues structuring that debate Bringing together for the first time leading contributors to the recent debates on privacy from both Europe and the United States this collection affirms that privacy in all its dimensions remains a central value of liberal democracies Its essays expose the complex ways in which privacy is essentially and intimately intertwined with our ideas of freedom identity and the good life

**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

*Indigenous Intellectual Property* Matthew Rimmer, 2015-12-18 Taking an interdisciplinary approach unmatched by any other book on this topic this thoughtful Handbook considers the international struggle to provide for proper and just protection of Indigenous intellectual property IP In light of the United Nations Declaration on the Rights of Indigenous Peoples 2007 expert contributors assess the legal and policy controversies over Indigenous knowledge in the fields of international law copyright law trademark law patent law trade secrets law and cultural heritage The

overarching discussion examines national developments in Indigenous IP in the United States Canada South Africa the European Union Australia New Zealand and Indonesia The Handbook provides a comprehensive overview of the historical origins of conflict over Indigenous knowledge and examines new challenges to Indigenous IP from emerging developments in information technology biotechnology and climate change Practitioners and scholars in the field of IP will learn a great deal from this Handbook about the issues and challenges that surround just protection of a variety of forms of IP for Indigenous communities

*Law and Democracy in Neil MacCormick's Legal and Political Theory* Agustín José Menéndez, John Erik Fossum, 2011-03-29 This volume offers a collection of articles by leading legal and political theorists Originally intended as a celebration of MacCormick's work on the occasion of the completion of the four volume series on Law State and Practical Reason it has turned into a homage and salute after MacCormick's passing Cast in MacCormick's reflexive spirit the book presents a critical reconstruction of the Scottish philosopher's work with the aim of revealing the connections between law and democracy in his writings and furthering his insights in each specific field Neil MacCormick made outstanding contributions to the understanding of law and democracy under conditions of pluralism His institutional theory of law has elucidated the close connection between the normative character of law as a means of social integration and legal social practices This has produced a synthesis of the key insights of the legal and political theories of Kelsen Hart Alexy and Dworkin and has broken new ground by undermining the monolithic and nation state centered character of standard legal theories

Frankfurt School Perspectives on Globalization, Democracy, and the Law William E. Scheuerman, 2011-06-23 This volume makes use of the first generation Frankfurt School political and legal theorist Franz L Neumann in conjunction with his famous successor Jürgen Habermas to try to understand the momentous political and legal transformations generated by globalization

Philosophical Foundations of Children's and Family Law Elizabeth Brake, Lucinda Ferguson, 2018 This collection is the first of its kind to examine the ethical foundations of family law Topics include the value of marriage the scope of parental control rights the protection of children's interests and the role of religious freedom in the legal attitude to family relationships

**Preliminary biblical studies** David M. Steimle, 2015-05-29 This work is a compilation of research designed to assist students researching the Bible and passing a program at a University in biblical studies It covers a myriad of topics focusing primarily on the biblical text and contains deeper exposition on texts and themes commonly researched in an undergraduate Graduate Christian studies and Masters in Divinity programs that focus on the Bible This text is divided by the Old and New Testament and further subdivided based on traditional category of the Bible



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## **Table of Contents Regulating Intimacy**

1. Understanding the eBook Regulating Intimacy
  - The Rise of Digital Reading Regulating Intimacy
  - Advantages of eBooks Over Traditional Books
2. Identifying Regulating Intimacy
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Regulating Intimacy
  - User-Friendly Interface
4. Exploring eBook Recommendations from Regulating Intimacy
  - Personalized Recommendations
  - Regulating Intimacy User Reviews and Ratings
  - Regulating Intimacy and Bestseller Lists
5. Accessing Regulating Intimacy Free and Paid eBooks
  - Regulating Intimacy Public Domain eBooks
  - Regulating Intimacy eBook Subscription Services
  - Regulating Intimacy Budget-Friendly Options

6. Navigating Regulating Intimacy eBook Formats
  - ePub, PDF, MOBI, and More
  - Regulating Intimacy Compatibility with Devices
  - Regulating Intimacy Enhanced eBook Features
7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Regulating Intimacy
  - Highlighting and Note-Taking Regulating Intimacy
  - Interactive Elements Regulating Intimacy
8. Staying Engaged with Regulating Intimacy
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Regulating Intimacy
9. Balancing eBooks and Physical Books Regulating Intimacy
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Regulating Intimacy
10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
11. Cultivating a Reading Routine Regulating Intimacy
  - Setting Reading Goals Regulating Intimacy
  - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Regulating Intimacy
  - Fact-Checking eBook Content of Regulating Intimacy
  - Distinguishing Credible Sources
13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements

- 
- Interactive and Gamified eBooks

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