

REGULATING *Womanhood*



HISTORICAL ESSAYS ON
MARRIAGE, MOTHERHOOD
AND SEXUALITY

Edited by

Carol Smart



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Regulating Womanhood Reproduction And Motherhood

IM Harris



Regulating Womanhood Reproduction And Motherhood:

Regulating Womanhood Carol Smart, 2002-09-11 Sexuality motherhood and marriage were matters of public policy throughout the nineteenth and early twentieth centuries They were prominent areas in the regulation of women but the idea that the law merely reflected what was normal and natural obscured the extent of this regulation *Regulating Womanhood* poses historically and culturally specific questions about the mechanisms that have controlled and restricted women It shows not merely how laws and policies have set boundaries to the lives of women but also how the category of woman has been constructed as a specific object for legal and social policy and how women came to be seen as needing special regulation In addition *Regulating Womanhood* explores how children and the organisation of reproduction and sexuality operated to normalise and make acceptable the degree of regulation to which women were subjected Yet this is not a catalogue of the unmitigated subjection of women in history The contributors focus on women's resistance and activity and on the shift in modes of regulation to challenge the idea of an unchanging history of the legal oppression of women ***Regulating Womanhood*** Carol Smart, 2002 ***Married, Middlebrow, and Militant*** Teresa Mangum, 1998 Examines the life and work of this daring nineteenth century author and women's rights advocate **Sourcebook on Feminist Jurisprudence** Hilaire Barnett, 2012-10-02 This book is a comprehensive analysis of the relationship between feminist theories and the law and the way in which developments of the former have affected and been affected by the latter The book takes as its starting point a study of women and culture on an international level which demonstrates how religious and cultural influences have been fundamental in establishing contemporary legal and social mores This provides the setting for an investigation into legal and social discrimination and inequality and how this has been addressed by the emergence of feminism A number of critiques and developments are examined ***Bad Mothers: Regulations, Representations and Resistance*** Hughes Michelle Miller, 2017-03-01 While the image or construct of the good mother has been the focus of many research projects the bad mother as a discursive construct and also mothers who do bad things as complicated agentic social actors have been quite neglected despite the prevalence of the image of the bad mother across late modern societies The few researchers who address this powerful social image point out that bad mothers are culturally identified by what they do yet they are also socially recognized by who they are Mothers become potentially bad when they behave or express opinions that diverge from or challenge social or gender norms or when they deviate from mainstream white middle class heterosexual nondisabled normativity When suspected of being bad mothers women are surveilled and may be disciplined punished or otherwise excluded by various official agents i.e. legal medical and welfare institutions as well as by their relatives friends and communities Too often women are judged and punished without clear evidence that they are neglecting or abusing their children Frequently they are blamed for the marginal sociocultural context in which they are mothering This anthology presents empirical theoretical and creative works that address the construct of the bad mother and the lived realities of

mothers labeled as bad Throughout the volume the editors consider voices and acts of resistance to bad mother constructions demonstrating that mothers across time and across domains have individually and collectively taken a stand against this destructive label

Murder, Medicine and Motherhood Emma Cunliffe, 2011-05-27 Since the early 1990s unexplained infant death has been reformulated as a criminal justice problem within many western societies This shift has produced wrongful convictions in more than one jurisdiction This book uses a detailed case study of the murder trial and appeals of Kathleen Folbigg to examine the pragmatics of proof beyond a reasonable doubt It explores how legal process medical knowledge and expectations of motherhood work together when a mother is charged with killing infants who have died in mysterious circumstances The author argues that Folbigg who remains in prison was wrongly convicted The book also employs Folbigg's trial and appeals to consider what lessons courts have learned from prior wrongful convictions such as those of Sally Clark and Angela Cannings The author's research demonstrates that the Folbigg court was misled about the state of medical knowledge regarding infant death and that the case proceeded on the incorrect assumption that behavioural and scientific evidence provided independent proofs of guilt Individual chapters critically assess the relationships between medical research and expert testimony the operation of unexamined cultural assumptions about good mothering and the manner in which contested cases are reported by the press as overwhelming

Looting and Rape in Wartime Tuba Inal, 2013-03-15 Women were historically treated in wartime as property Yet in the Hague Conventions of 1899 and 1907 prohibitions against pillaging property did not extend to the female body There is a gap of nearly a hundred years between those early prohibitions of pillage and the prohibition of rape finally enacted in the Rome Statute of 1998 In Looting and Rape in Wartime Tuba Inal addresses the development of these two separate prohibition regimes exploring why states make and agree to laws that determine the way war is conducted and what role gender plays in this process Inal argues that three conditions are necessary for the emergence of a global prohibition regime first a state must believe that it is necessary to comply with the prohibition and that to do otherwise would be costly second the idea that a particular practice is undesirable must become the norm finally a prohibition regime emerges with state and nonstate actors supporting it all along the way These conditions are met by the prohibition against pillage which developed from a confluence of material circumstances and an ideological context the nineteenth century fostered ideas about the sanctity of private property which made the act of looting seem more abhorrent Meanwhile the existence of conscripted and regulated armies meant that militaries could take measures to prevent it In that period however rape was still considered a crime of passion or a symptom of behavioral disorder in other words a distortion of male sexuality and outside of state control and it would take many decades to erode the grip of those ideas Only toward the end of the twentieth century did transformations in gender ideology and the increased participation of women in politics bring about broad cultural shifts in the way we perceive sexual violence women and women's roles in policy and lawmaking In examining the historical and ideological context of how these two regimes

evolved Looting and Rape in Wartime provides vital perspective on the forces that block or bring about change in international relations

Gender Relations In German History Lynn Abrams, Elizabeth Harvey, 2020-07-24 This collection of essays examines the construction of gender norms in early modern and modern Germany The modes of reinforcement by the state the church the law and marriage and the resistance to these norms by individuals are central to each of the contributions It examines discourses of the body and sexuality and the relations between gender and power Similarly the usefulness of the public private paradigm familiar to gender historians is further challenged

Desperate Housewives, Neuroses and the Domestic Environment, 1945-1970 Ali Haggett, 2015-10-06 Although the figure of the desperate housewife is familiar to us Haggett suggests that many women in the 1950s and 60s led satisfying lives and that gender roles while very different were often seen as equal

Debauched, Desperate, Deranged Carolyn A. Conley, 2020-10-31 Contemporary studies have concluded that women are far less likely to kill than men and that when women do kill they do so within the family Debauched Desperate Deranged Women Who Killed London 1674 1913 examines the evolution of this pattern in the over 1400 trials in which women were prosecuted for homicide in London from the late seventeenth century until just before the First World War Which deaths were considered homicides and in what circumstances women were culpable illustrates profound changes in the prevailing assumptions about women The outcomes of trials and the portrayals of these women in the press illuminate changes in perceptions of women s status and their physical and mental limitations Debauched Desperate Deranged breaks new ground in existing studies of gender and homicide using a long time frame to discern which trends are brief anomalies and which represent significant change or continuity Debauched Desperate Deranged is the first empirical quantitatively as well as qualitatively based study of women and homicide from the seventeenth century to the twentieth It presents new and significant conclusions on changing incidence of maternal homicides and the remarkable constancy of spousal homicides

Gender Relations German Histor June Purvis, 2017-09-29 First published in 1996 Routledge is an imprint of Taylor Francis an informa company

[The Oxford Handbook of Religion in Modern Ireland](#) Gladys Ganiel, Andrew R. Holmes, 2024 This volume offers a range of sociological political and historical perspectives on religion in Ireland from 1800 to the present Going beyond the usual Catholicism Protestantism dichotomy and adopting an all island approach the book s contributors address religion s interaction with several contemporary themes and debates in modern Ireland

Colonizing Bodies Mary-Ellen Kelm, 2011-11-01 Recent debates about the health of First Nations peoples have drawn a flurry of public attention and controversy and have placed the relationship between Aboriginal well being and reserve locations and allotments in the spotlight Aboriginal access to medical care and the transfer of funds and responsibility for health from the federal government to individual bands and tribal councils are also bones of contention Comprehensive discussion of such issues however has often been hampered by a lack of historical analysis Promising to remedy this is Mary Ellen Kelm s Colonizing Bodies which examines the impact of

colonization on Aboriginal health in British Columbia during the first half of the twentieth century Using postmodern and postcolonial conceptions of the body and the power relations of colonization Kelm shows how a pluralistic medical system evolved She begins by exploring the ways in which Aboriginal bodies were materially affected by Canadian Indian policy which placed restrictions on fishing and hunting allocated inadequate reserves forced children into unhealthy residential schools and criminalized Indigenous healing She goes on to consider how humanitarianism and colonial medicine were used to pathologize Aboriginal bodies and institute a regime of doctors hospitals and field matrons all working to encourage assimilation Finally Kelm reveals how Aboriginal people were able to resist and alter these forces in order to preserve their own cultural understanding of their bodies disease and medicine This detailed but highly readable ethnohistory draws on archival sources archeological findings fieldwork and oral history interviews with First Nations elders from across British Columbia Kelm s cross disciplinary approach results in an important and accessible book that will be of interest not only to academic historians and medical anthropologists but also to those concerned with Aboriginal health and healing today

Caught Tamara Myers, 2006-12-15 From the late nineteenth century to the Second World War a young and modern girl problem emerged in Montreal in the context of social and cultural turmoil In *Caught* Tamara Myers explores how the foundation and implementation of Quebec s juvenile justice system intersected with Montreal s modern girl Using case files from the juvenile court and institutional records this study aims to uncover the cultural practices that transformed modern girls into female delinquents From reform schools of the nineteenth century to the juvenile court era of the early twentieth juvenile justice was a key disciplinary instrument used to maintain and uphold the subordination of adolescent girls *Caught* exposes the attempts made by the juvenile justice system of the day to curb modern attitudes and behaviour at the same time it reveals the changing patterns of social and family interaction among adolescent girls Myers also uncovers the evolving social construction of these young culprits les jeunes filles modernes with their penchant for la vie legere as generated by parents church authorities women s groups social workers the media and juvenile justice agents She illuminates the rich texture of these girls public and private lives in the first half of the twentieth century humanizing the stories of girls who were condemned for being too modern as they worked played and resisted the authority of parents community and the law

Honouring Social Justice Margaret E. Beare, 2008-12-08 *Honouring Social Justice* brings together a diverse group of leading legal scholars criminologists and sociologists to study numerous contemporary social justice issues In doing so the contributors to this collection present a thorough and multifaceted portrait of recent successes and challenges of the criminal justice systems in Canada and elsewhere Examining a broad range of vital contemporary social judicial and political issues the essays in this volume pursue topics such as the targeting of marginalized groups wrongful convictions gender based bias in law government accountability and inequalities in the application of the law to ethnic and socio economic groups These essays provide an illuminating introduction to the background of important social causes and describe dedicated examples of

how to effectively champion calls for social justice Written to honour the life and work of the late Dianne Martin a renowned scholar lawyer and social activist Honouring Social Justice is an engaging and inspired series of accounts on how to improve society by leading experts from across the country

Infanticide Rachel Dixon, 2023-02-02 Infanticide examines medical expert evidence in infanticide cases focusing specifically on the shifting notion of certainty in medical testimony Beginning in the Early Modern period and concluding in the mid twentieth century it considers how courts determined whether an infant died from natural causes or other reasons including violence The book explores expert evidence in cases of infanticide and examines the extent of certainty created by medical specialists who founded their testimony on anatomical exploration and science As the book progresses it becomes clear that medical specialists were unable to scientifically establish cause of death and in doing so conveyed uncertainty in court proceedings Rather than being regarded as a professional failing Dixon argues that the uncertainty created by medical specialists redirected the outcomes of infanticide cases The combination of uncertainty and the changing perceptions of infanticidal women by the court lead juries to find infanticidal women not guilty of a capital offence in many cases This book will be of great interest to students and scholars of Criminology Law and History

Victorian Fiction and the Cult of the Horse Gina M. Dorré, 2016-12-05 The horse was essential to the workings of Victorian society and its representations which are vast ranging and often contradictory comprise a vibrant cult of the horse Examining the representational emblematic and rhetorical uses of horses in a diversity of nineteenth century texts Gina M Dorr shows how discourses about horses reveal and negotiate anxieties related to industrialism and technology constructions of gender and sexuality ruptures in the social fabric caused by class conflict and mobility and changes occasioned by national progress and imperial expansion She argues that as a cultural object the horse functions as a repository of desire and despair in a society rocked by astonishing social economic and technological shifts While representations of horses abound in Victorian fiction Gina M Dorr s study focuses on those novels by Charles Dickens Elizabeth Braddon Anna Sewell and George Moore that engage with the most impassioned controversies concerning horses and horse care such as the introduction of the steam engine popular new methods of horse taming debates over the tight reining of horses and the moral furor surrounding gambling at the race track Her book establishes the centrality of the horse as a Victorian cultural icon and explores how through it dominant ideologies of gender and class are created promoted and disrupted

Criminalized Mothers, Criminalizing Mothering Joanne Minaker, 2015-02-01 As the fastest growing prison population worldwide more and more women are living in cages and most of them are mothers This alarming trend has huge ramifications for women children and communities across the globe Empathy for mothers behind bars and concern for criminalized mothers in the community is in short supply Mothers are criminalized for their vulnerabilities and for making unpopular but difficult choices under material and ideological conditions not of their own choosing Criminalized Mothers Criminalizing Mothering shines a spotlight on mothers who are by law or social regulation criminalized and examines their troubles and triumphs This book

offers a critical and compassionate lens on social in justice mass incarceration and collective miseries women experience i e economic inequality gendered violence devalued care work lone parenting etc This book is also about mothers encounters with systems of control confinement and criminalization but also their experiences of care *Parents Killing Children* Janice Sim, 2018-10-04 *Parents Killing Children Crossing the Invisible Line* explores hidden forms of violence within the family This socio legal study addresses the interactions between the family and the state focusing on six parent perpetrators and the ways in which child endangerment is concealed within society Drawing on symbolic interactionism mythology and a modelling of case study data this book puts forward a unique conceptualisation of representation and risk both on familial and state levels The failure of the state to intervene and neutralise volatile perpetrators also sheds light on the socio legal status of children society s most vulnerable and the book concludes by discussing means by which the underlying social conditions and maladies symptomatic of child abuse and killing should be addressed **Queer Theory: Law, Culture, Empire** Robert Leckey, Kim Brooks, 2010-06-10 *Queer Theory Law Culture Empire* uses queer theory to examine the complex interactions of law culture and empire Building on recent work on empire and taking contextual socio legal comparative and interdisciplinary approaches it studies how activists and scholars engaged in queer theory projects can unwittingly advance imperial projects and how queer theory can itself show imperial ambitions The authors from five continents delve into examples drawn from Bollywood cinema to California s 2008 marriage referendum The chapters view a wide range of texts from cultural productions to laws and judgments as regulatory forces requiring scrutiny from outside Western heterosexual privilege This innovative collection goes beyond earlier queer legal work engaging with recent developments featuring case studies from India South Africa the US Australasia Eastern Europe and embracing the frames offered by different disciplinary lenses *Queer Theory Law Culture Empire* will be of particular interest to students and researchers in the fields of socio legal studies comparative law law and gender sexuality and law and culture

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