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Rights Of The Pregnant Parent

Robert Wintemute



Rights Of The Pregnant Parent:

Rights, Duties and the Body Rosamund Scott, 2002-08-05 If a pregnant woman refuses medical treatment needed by the fetus for instance for religious reasons or conducts some aspect of her life in a way which risks fetal harm there may arise an instance of maternal fetal conflict This is an unfortunate term since pregnant women are generally renowned for their self sacrificing behaviour but it may well reflect the reality of certain maternal choices and actions Should a pregnant woman have the legal right to refuse medical treatment needed by the fetus or should she owe it a legal duty of care which precludes her acting in ways which may harm it Does the debate hinge simply upon the appropriateness or otherwise of legally compelling presumed moral obligations or is it more complex than this Indeed what are a pregnant woman's moral obligations towards her fetus In England and in some US states courts have held that a pregnant woman has the right to refuse medical treatment needed by the fetus In similar fashion the idea of a general maternal legal duty of care toward the fetus has been rejected most recently in Canada The cases however leave the impression of an uncomfortable split between the ethics and the law as if the problem were entirely one of not legally enforcing presumed moral duties The effect is both puzzling and polarising puzzling in that the cases leave unanswered as largely they must the huge question of a pregnant woman's moral rights and duties polarising in that the cases leave troubling tensions about a pregnant woman's rights in the face of fetal harm or death The tendency is to deny these by ever more strongly asserting a woman's rights In turn this encourages a reaction in favour of fetal rights one which is unlikely to attend to a woman's interests and difficulties in pregnancy This could have serious legal repercussions for various instances of maternal fetal conflict including in those US states or other jurisdictions which have yet to address these issues It might also increase the pressures on the issue of abortion This book which seeks a way between these polarised positions tries to explain and justify a woman's moral and legal rights in pregnancy and at the same time to explore the extent of her moral duties toward the fetus The aim is to resolve as far as possible the ethical legal and social tensions which undoubtedly surround this area Innovatively in work on this issue and unusually in the field of medical law and ethics the author adopts a joint philosophical and legal approach directed to issues both of principle and policy revealing strong conceptual links between the ethics and the law In addition to an ethical exploration of the maternal fetal relationship the author explores and analyses the relevant English American Canadian and sometimes Australian arguments from the law of treatment refusal abortion tort and rescue as well as relevant jurisprudence from the European Court of Human Rights This important book breaks new ground and will be of great interest to academics in law and philosophy lawyers health professionals policy makers and students of medical law and ethics It is rare to find a book which so skilfully combines legal and moral analysis of a controversial medical issue Rosamund Scott has produced what is undoubtedly one of the finest pieces of medico legal writing of recent years This is a clever human and immensely readable work Alexander McCall Smith Professor of Medical Law University of Edinburgh This book

concerns one of the most personally agonizing and morally complex issues in medical ethics It is a work of great philosophical sophistication combining breadth of vision with acute sensitivity to the nuances of women s experiences It will soon become the standard work in philosophical legal and political debate on maternal fetal conflicts Roger Crisp Uehiro Fellow and Tutor in Philosophy St Anne s College Oxford

Parental Imprisonment and Children's Rights Fiona Donson,Aisling Parkes,2021-03-30 This book brings together internationally renowned academics and professionals from a variety of disciplines who in a variety of ways seek to understand the legal conceptual and practical consequences of parental imprisonment through a children s rights lens Children whose parents have been incarcerated are often referred to as invisible victims of crime and the penal system It is well accepted that the imprisonment of a parent even for a short period of time not only negatively affects the lives of children but it can also result in a gross violation of their fundamental human rights such as the right of access to their parent and the right to have an input into decision making processes affecting them the outcomes of which will without doubt affect the life of the child concerned This collection foregrounds the voice of these children as it explores transdisciplinary boundaries and examines the practice and development of the rights of both children and their families within the wider dynamic of criminal justice and penology practice The text is divided into three parts which are dedicated to 1 hearing the voices of children with parents in prison 2 understanding to what extent children s rights informs prison policy and 3 demonstrating how law in the form of children s rights can help frame both court sentencing and prison practice in a way that minimises the harm that contact with the prison system can cause The research drawn upon in this book has been conducted in a number of European countries and demonstrates both good and bad practice as far as the implementation of children s rights is concerned in the context of parental incarceration An accessible and compelling read this book will appeal to students and scholars of law children s rights criminology sociology social work psychology penology and all those interested in and working towards protecting the rights of children who have a parent in prison

The Parental Rights and Responsibilities Act United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Administrative Oversight and the Courts,1997 Distributed to some depository libraries in microfiche

Children's Rights John T. Pardeck,2006 This book covers the children s rights movement and the rights of parents It examines the implications of children s rights for policy and practice with particular reference to children with disabilities and children in the care of protective services

The Humanitarian Parent Merit Hietanen,2023-11-13 Aid sector staff work in some of the world s most challenging environments from conflict zones to sites of natural disaster and refugee camps For a long time the aid worker was typified by the lone white male flying from place to place and seeing his family during the holidays But now as the world changes and the sector diversifies how can family life be reconciled with the challenges and travel commitments of this particularly difficult career This book delves deep into these challenges exposing the problems that persist and pointing a path for organisations to adopt a more human centred staff centred parent centred feminist

approach to humanitarian and development work Drawing on the author s own experiences as an aid worker as well as extensive original interviews and desk research the book looks at the challenges faced by those who aspire to a family life from finding a partner who is willing and able to live in the same location to dating in difficult contexts to being away from home and extended family finding child care and settling children in new countries and cultures Local workers face their own challenges often suffering from a lack of support in comparison to their international colleagues For many the cost is too great and the sector suffers from a brain drain as experienced staff leave It doesn t need to be this way The book points a way for organisations to adopt policies that support mothers and fathers As well as being a useful guide for aid professionals who are themselves navigating these issues the book will be perfect for organisations looking to reform and for students wishing to understand the realities of a career in aid

The Constitutional Rights of Women Leslie Friedman Goldstein,1988 Using a wide variety of cases involving women s rights Leslie Friedman Goldstein examines the ways in which the U S Supreme Court initiates and responds to social change This edition covers all major Supreme Court decisions that affect gender equity and reproductive rights through May 1987

Mary Shelley and the Rights of the Child Eileen Hunt Botting,Eileen M. Hunt,2018 In *Mary Shelley and the Rights of the Child* Eileen Hunt Botting contends that *Frankenstein* is a profound work of speculative fiction designed to engage a radical moral and political question do children have rights

Who's Fit to be a Parent? Mukti Jain Campion,2005-06-29 In recent years the notion of parenting and parenthood have increasingly come under examination from the media and professionals and in particular government and politicians More and more parents are being held to account by society for their failure to deliver the sort of citizens it wants But what are parents supposed to be doing Are there some people that are inherently unfit to be parents and does there exist a body of knowledge that defines fit parenting Who s fit to be a parent covers this highly topical and important subject in a stimulating and accessible way that cuts across numerous professional disciplines and opens up the boundaries between professional and personal expertise on parenting It is essential reading for any professional or student of social work and social policy those working in the voluntary services concerned with the family social policy makers and for anyone interested in understanding what it means to be a parent today

Transgender Rights vs Women's Rights Robert Wintemute,2025-07-04 Trans rights are human rights Women s rights are human rights Yes but the human rights of two groups often conflict The only way to resolve these conflicts is through calm rational public debate Freedom of expression protects the right of women to question certain demands by trans rights activists even if this might offend Raising conflicts between transgender rights and women s rights is not transphobic because disagreement is not hatred The concept of transphobia should be defined narrowly as statements or acts indicating hostility or prejudice towards transgender persons If the right to speak about conflicts is protected and we start by acknowledging the broad areas of agreement about the human rights of transgender people we can turn to the substance of these conflicts Should it be possible for an individual to change their legal sex If so how easy

should it be Should it be changeable only after a diagnosis of gender dysphoria and a waiting period Or should it be sufficient to self identify as a person of the opposite sex Or should sex be removed from birth certificates so that there is nothing to change Robert Wintemute carefully examines these conflicts considers the differences between transgender rights and lesbian gay and bisexual LGB rights and proposes ways to achieve co existence between transgender rights and women s and children s rights

Procreation, Parenthood, and Educational Rights Jaime Ahlberg, Michael Cholbi, 2017-01-20 This book explores important issues at the nexus of two burgeoning areas within moral and social philosophy procreative ethics and parental rights It aims to bring expert practitioners from these literatures into fruitful and innovative dialogue around questions at the intersection of procreation and parenthood A distinguishing feature is that several of its chapters address these issues by drawing on philosophical work in the realm of education one of the most controversial areas in the ethics of parenthood This book represents a distinctive synthesis of topics and literatures likely to appeal to scholars and advanced students working across a wide range of disciplines

Legal and Ethical Issues Susan Westrick Killion, Susan J. Westrick, 2006 **Civil Rights** Robin West, 2019-08 All of us are entitled to the protections of law against violence to a high quality education to decent employment that respects our dignity and to necessary assistance with our caregiving Our civil rights are our rights to the protections of ordinary law not constitutional law and not only antidiscrimination law that will ensure that we can participate in civil society and hence lead flourishing lives In this innovative work Robin L West looks back to nineteenth century Civil Rights Acts to argue that the point of civil rights law is not only non discrimination but also to assure that all of us receive the protection of legal rights that promote human flourishing Since the 1960s Supreme Court decisions on civil rights issues have focused on non discrimination and thus have hollowed out this broader meaning of civil rights law This book reconceives civil rights as a set of legal guarantees that all will be included in the legal political economic and social projects central to civil society

Medical Law and Moral Rights Carl Wellman, 2005-12-29 Medical Law and Moral Rights discusses live issues arising in modern medical practice Do patients undergoing intolerable irremediable suffering have a moral right to physician assisted suicide Ought they to have a comparable legal right Do the moral duties of a mother to care for and not abuse her child also apply to her fetus Ought fetuses to be given legal rights requiring pregnant women to submit to medical treatment without their consent Ought single women homosexual couples or persons carrying serious genetic defects to have a legal right to procreate Ought a physician to perform an abortion requested for some frivolous reason Ought physicians to be permitted to refuse to provide medically futile treatment demanded by their patients An examination of relevant court cases shows how United States law answers these questions The author then advocates improvements in the law to make it respect our moral rights more fully To justify his conclusions he proposes original conceptions of the human rights to life procreational autonomy privacy equitable treatment and personal security Thus these essays test the usefulness of the theory of rights explained and defended in An Approach to

Rights and elsewhere Resources in Women's Educational Equity ,1980 Literature cited in AGRICOLA Dissertations abstracts international ERIC ABI INFORM MEDLARS NTIS Psychological abstracts and Sociological abstracts Selection focuses on education legal aspects career aspects sex differences lifestyle and health Common format bibliographical information descriptors and abstracts and ERIC subject terms used throughout Contains order information Subject author indexes The Parenting Journey Gregory K. Moffatt,2004-04-30 A father of three and long time child psychologist author Gregory Moffatt offers information on dozens of topics couples will face as they make the decision to conceive and take on the most challenging and rewarding role of their lives parenthood Each chapter is divided into psychological social emotional and physical developments at the stage being discussed Topics range from deciding to conceive and potential problems to anticipating the developments and challenges for adolescents from age 13 to 18 Included are illustrative vignettes from Moffatt s experience as a child therapist as a university teacher and as a father An extensive bibliography is included to assist readers seeking additional information on a particular topic The author emphasizes the importance of commitment in parenting and the need for parents to invest themselves thoughtfully in the raising of their children Topics include the development of self esteem the importance of play imaginary playmates language development teaching consequences and developing discipline *Essentially a Mother* Jennifer Hendricks,2023-05-02 *Essentially a Mother* argues that the law of pregnancy and motherhood has been overrun by sexist ideology Courts have held that a pregnant woman s nine months of gestation hardly count in her claim to parent the child she bears and that a man s brief moment of ejaculation matters more than a woman s labor Armed with such dubious arguments courts have stripped women of the right to abortion treated surrogate mothers as mere vessels and handed biological fathers even those who became fathers through rape automatic rights over women and their children In this incisive and groundbreaking book Jennifer Hendricks argues that feminists must overthrow the skewed value system that subordinates women devalues caregiving and denies too many the right to parent *Global Perspectives on Reproductive Rights and Policies* Pucelj, Maja,Matusiak-Fr?cczak, Magdalena,2024-11-29 Reproductive rights and policies seek to balance different human rights ethics and morals as well as technology At the same time they concern probably the most intimate sphere of human life Issues related to reproductive rights are the subject of intensive public debate in which not only politicians but also many nongovernmental organizations NGOs and even religious groups take part All of these actors present essential arguments which should be taken into account when discussing reproductive rights *Global Perspectives on Reproductive Rights and Policies* comprehensively examines reproductive rights as an essential component of human rights It offers an in depth analysis of legal frameworks as well as the ethical implications and societal consequences associated with these rights Covering topics such as abortion policies legal frameworks and women s rights this book is an excellent resource for researchers academicians legal professionals healthcare professionals ethicists policymakers international organizations and NGOs **Bioethics** Jeffrey Bulger,2024

Delve into the intriguing world of bioethics with a twist where each ethical dilemma is introduced with a dramatic moral mystery story Far from the usual medical case studies these tales are crafted not just to educate but to captivate This innovative resource presents sixty riveting topics designed to educate and captivate medical healthcare students and practitioners Each issue focuses on high yield content crucial for boards licensing exams and continuing medical education for students and practitioners The book is an essential reference for clinical practice ethics consultations Clearinghouse Review ,1971 *Children's Rights and the Developing Law* Jane Fortin,2003-04 This text considers the developing law in England and Wales as it applies to the burgeoning and confusing subject of the rights of children It examines the extent to which the emerging legal principles can be harnessed to fulfil those rights

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