

REGULATING *Womanhood*



HISTORICAL ESSAYS ON
MARRIAGE, MOTHERHOOD
AND SEXUALITY

Edited by

Carol Smart



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Regulating Womanhood Reproduction And Motherhood

Alison Diduck, Felicity Kaganas



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 *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 injustice 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 *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 **Families and Social Workers** Pat

Starkey, 2000-01-01 Elizabeth A Kaye specializes in communications as part of her coaching and consulting practice She has edited Requirements for Certification since the 2000-01 edition 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 Mark Jackson, 2018-10-24 The history of infanticide from the 16th through to the late 20th century is the subject of this volume Collectively the contributions explore how the concealment of pregnancy birth and death particularly by unmarried women became a central preoccupation of witnesses doctors courts and legislatures concerned with suspicious infant deaths While the emphasis is upon Britain original and stimulating accounts of infanticide accusations and trials in France Germany and South Africa provide compelling comparative analyses Presenting a series of case studies successive chapters expose striking continuities across both time and space in the social history of infanticide Clearly written focusing on a range of original cases and documents and addressing critical historiographical questions Infanticide will be invaluable to historians and students researching the social history of medicine law crime and gender In addition it will appeal to lawyers doctors and others interested in understanding the historical roots of modern debates about infanticide Binding Men Lois S. Bibbings, 2014-03-26 Binding Men tells stories about men violence and law in late Victorian England It does so by

focusing upon five important legal cases all of which were binding not only upon the males involved but also upon future courts and the men who appeared before them The subject matter of Prince 1875 Coney 1882 Dudley and Stephens 1884 Clarence 1888 and Jackson 1891 ranged from child abduction prize fighting murder and cannibalism to transmitting gonorrhoea and the capture and imprisonment of a wife by her husband Each case has its own chapter depicting the events which led the protagonists into the courtroom the legal outcome and the judicial pronouncements made to justify this as well as exploring the broader setting in which the proceedings took place In so doing *Binding Men* describes how a particular case can be seen as being a part of attempts to legally limit male behaviour The book is essential reading for scholars and students of crime criminal law violence and gender It will be of interest to those working on the use of narrative in academic writing as well as legal methods *Binding Men*'s subject matter and accessible style also make it a must for those with a general interest in crime history and in particular male criminality

Unstable Bodies Jill L. Matus, 1995 While ideas about mutable or ambiguous sexuality provoked fear and fascination they also served Victorian middle class ideology by offering scientific ways of constructing racial class and national identity in terms of the body

Essentials of Health Justice: Law, Policy, and Structural Change Elizabeth Tobin-Tyler, Joel B. Teitelbaum, 2022-06-17 Building and expanding upon the prior edition of *Essentials of Health Justice* the new second edition of this unparalleled text explores the historical structural and legal underpinnings of racial ethnic gender based and ableist inequities in health and provides a framework for students to consider how and why health inequity is tied to the ways that laws are structured and enforced Additionally it offers analysis of potential solutions and posits how law may be used as a tool to remedy health injustice Written for a wide interdisciplinary audience of students and scholars in public health medicine and law as well as other health professions this accessible text discusses both the systems and policies that influence health and explores opportunities to advocate for legal and policy change by public health practitioners and policymakers physicians health care professionals lawyers and lay people

Mixed Race America and the Law Kevin R. Johnson, 2003-02 This ground breaking anthology examines the mixed race experience and the impact of law on mixed race citizens in America

The Routledge History of Sex and the Body Sarah Toulalan, Kate Fisher, 2013 The *Routledge History of Sex and the Body* provides an overview of the main themes surrounding the history of sexuality from 1500 to the present day The history of sex and the body is an expanding field in which vibrant debate on for instance the history of homosexuality is developing This book examines the current scholarship and looks towards future directions across the field The volume is divided into fourteen thematic chapters which are split into two chronological sections 1500 1750 and 1750 to present day Focusing on the history of sexuality and the body in the West but also interactions with a broader globe these thematic chapters survey the major areas of debate and discussion Covering themes such as science identity the gaze courtship reproduction sexual violence and the importance of race the volume offers a comprehensive view of the history of sex and the body The book concludes with an afterword in which the reader is invited

to consider some of the tensions problems and areas deserving further scrutiny Including contributors renowned in their field of expertise this ground breaking collection is essential reading for all those interested in the history of sexuality and the body

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

Family Law, Gender and the State Alison Diduck, Felicity Kaganas, 2012-02-07 The third edition of this work on family law comprising text cases and materials provides not only an explication of legal principle but also explores primarily from a feminist perspective some of the assumptions about and constructions of gender sexual orientation class and culture that underlie the law It examines the ideology of the family and in particular the role of the law in contributing to and reproducing that ideology Structured around the themes of equality welfare and family privacy the book aims to offer the benefits of a textbook while also giving students a wide ranging set of materials for classroom discussion As well as providing a firm grounding in family law the text sets the law in its social and historical context and encourages a critical approach by students to the subject It provides an ideal introduction to family law for undergraduates but will be equally helpful for postgraduate students of family law for whom it provides a challenging selection of materials set within a theoretical framework rich in ideas and arguments Review of the second edition Diduck and Kaganas examine legal developments to shed light on society principally by investigating the ways in which family law constructs and regulates family life and responsibilities Theirs is an important and ambitious book that aims ultimately at a

feminist restatement of family law The book is written and referenced in such depth that it is a useful resource for legal as well as social science researchers at all levels whether looking for theoretical inspiration or drawing up a literature review The range of diverse sources that Diduck and Kaganas draw on is impressive they seem to have included every bit of material that helps feminists make sense of family law There is a well pitched selection of further reading of such material at the end of each chapter What s more they undersell themselves by describing their book as Text Cases and Materials because they have woven by far the largest proportion of the cases and materials into the text Helen Reece Times Higher Education May 2007 Reviews of first edition A stimulating work which attempts to situate family law in its social historical and political context Its appeal should not be confined to family law students as its commitment to a critical and analytical approach offers insights and ideas with broader significance Mary Childs Child and Family Law Quarterly September 2002 The arguments are provocative the analysis is stimulating and the materials amassed strongly support the authors aim to question the axiomatic status of what is traditionally designated as the family Fiona E Raitt Infant and Child Development September 2002 It is not often that one can say of a textbook in Law that it makes interesting reading with quite the enthusiasm that can be expressed for this text This new publication offers something that few textbooks seem to offer a book you CAN open up virtually anywhere and find an interesting piece on almost any aspect of the broad family law spectrum Penny Booth The Law Teacher September 2002 All the major themes in feminist and constructionist perspectives in family law are presented together with a wealth of readings and extensive references As a teaching manual it is excellent a coherent feminist perspective across the entire range of family law Marty Slaughter Feminist Legal Studies July 2003 *Ordinary Insanity* Sarah Menkedick, 2020-04-07 A groundbreaking expos and diagnosis of the silent epidemic of fear afflicting new mothers and a candid feminist deep dive into the culture science history and psychology of contemporary motherhood Anxiety among mothers is a growing but largely unrecognized crisis In the transition to mother hood and the years that follow countless women suffer from overwhelming feelings of fear grief and obsession that do not fit neatly within the outmoded category of postpartum depression These women soon discover that there is precious little support or time for their care even as expectations about what mothers should do and be continue to rise Many struggle to distinguish normal worry from crippling madness in a culture in which their anxiety is often ignored normalized or most dangerously seen as taboo Drawing on extensive research numerous interviews and the raw particulars of her own experience with anxiety writer and mother Sarah Menkedick gives us a comprehensive examination of the biology psychology history and societal conditions surrounding the crushing and life limiting fear that has become the norm for so many Woven into the stories of women s lives is an examination of the factors such as the changing structure of the maternal brain the ethically problematic ways risk is construed during pregnancy and the marginalization of motherhood as an identity that explore how motherhood came to be an experience so dominated by anxiety and how mothers might reclaim it Writing with profound empathy visceral honesty

and deep understanding Menkedick makes clear how critically we need to expand our awareness of compassion for and care for women's lives

Young Single Motherhood Elizabeth Mulewa Ngutuku Mulongo, 2006

Bad Mothers: Regulations, Representatives 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

Queer Theory: Law, Culture, Empire Robert Leckey, Kim Brooks, 2010-06-10

Queer Theory Law Culture Empire takes up the instability of the label queer in order to consider what queer theory can bring to an exploration of the confines and openings provided by law culture and empire

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