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Surrogacy Laws Of The U S To  
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## A Comparison Of Surrogacy Laws Of The U S To Other

*Provides an expert view of research on parenting and child development in new family forms.*

*Surrogacy is India's new form of outsourcing, as couples from all over the world hire Indian women to bear their children for a fraction of the cost of surrogacy elsewhere with little to no government oversight or regulation. In the first detailed ethnography of India's surrogacy industry, Amrita Pande visits clinics and hostels and speaks with surrogates and their families, clients, doctors, brokers, and hostel matrons in order to*

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*shed light on this burgeoning business and the experiences of the laborers within it. From recruitment to training to delivery, Pande's research focuses on how reproduction meets production in surrogacy and how this reflects characteristics of India's larger labor system. Pande's interviews prove surrogates are more than victims of disciplinary power, and she examines the strategies they deploy to retain control over their bodies and reproductive futures. While some women are coerced into the business by their families, others negotiate with clients and their clinics to gain access to technologies and networks otherwise closed to them. As surrogates, the women Pande meets get to know and make the most of advanced medical*

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*discoveries. They traverse borders and straddle relationships that test the boundaries of race, class, religion, and nationality. Those who focus on the inherent inequalities of India's surrogacy industry believe the practice should be either banned or strictly regulated. Pande instead advocates for a better understanding of this complex labor market, envisioning an international model of fair-trade surrogacy founded on openness and transparency in all business, medical, and emotional exchanges.*

*Thanks to recent progress in biotechnology, surrogacy, transplantation of organs and tissues, blood products or stem-cell and gamete banks are now widely used throughout the world. These techniques improve*

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*the health and well-being of some human beings using products or functions that come from the body of others. Growth in demand and absence of an appropriate international legal framework have led to the development of a lucrative global trade in which victims are often people living in insecure conditions who have no other ways to survive than to rent or sell part of their body. This growing market, in which parts of the human body are bought and sold with little respect for the human person, displays a kind of dehumanization that looks like a new form of slavery. This book is the result of a collective and multidisciplinary reflection organized by a group of international researchers working in the field of*

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*medicine and social sciences. It helps better understand how the emergence of new health industries may contribute to the development of a global medical tourism. It opens new avenues for reflection on technologies that are based on appropriation of parts of the body of others for health purposes, a type of practice that can be metaphorically compared to cannibalism. Are these the first steps towards a proletariat of men- and women-objects considered as a reservoir of products of human origin needed to improve the health or well-being of the better-off? The book raises the issue of the uncontrolled use of medical advances that can sometimes reach the anticipations of dystopian literature and science*

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*fiction.*

*"... glimpses of intriguing changes in social arrangements and cultural understandings in relation to surrogacy. Disturbing motherhood indeed." -- New Scientist "Larry Gostin has put together the definitive collection of essays on one of the most perplexing and titillating topics in contemporary medical ethics. This book includes contributions from some of the leading scholars on the legal, ethical, and social aspects of surrogacy, as well as several critical perspectives on the famous Baby M case -- must reading for understanding the surrogate motherhood controversy." -- Robert M. Veatch "Highly recommended... " -- Choice "... a valuable resource for*

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*those concerned with an exceedingly difficult ethical, legal, and political problem." -- Ethics "There is a wealth of information here on the current 'status questionis' in the United States, and anyone involved in the surrogacy debate, in the U.S. or otherwise, will find working through this material very worthwhile." -- Canadian Philosophical Review "... an excellent sample of some of the best and most varied thinking so far on the numerous conceptual, moral, social, and policy questions raised by contract motherhood." -- The Journal of Clinical Ethics*

*Feminist Judgments: Reproductive Justice Rewritten*

*More Than Just a Baby*

*Surrogacy Arrangements and Legal*

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*Parenthood*

*Feminist Perspectives in Medical  
Ethics*

*Interdisciplinary Perspectives from  
India, Germany and Israel*

*Surrogacy laws - A critical analysis*

Martha Field examines the myriad legal complexities that today enmesh surrogate motherhood, and also looks beyond existing legal rules to ask what society wants from surrogacy.

How can someone who condemns hunting, animal farming, and animal experimentation also favor legal abortion, which is the deliberate destruction of a human fetus? The authors of *Beating Hearts* aim to

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reconcile this apparent conflict and examine the surprisingly similar strategic and tactical questions faced by activists in the pro-life and animal rights movements. Beating Hearts maintains that sentience, or the ability to have subjective experiences, grounds a being's entitlement to moral concern. The authors argue that nearly all human exploitation of animals is unjustified. Early abortions do not contradict the sentience principle because they precede fetal sentience, and Beating Hearts explains why the mere potential for sentience does

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not create moral entitlements. Late abortions do raise serious moral questions, but forcing a woman to carry a child to term is problematic as a form of gender-based exploitation. These ethical explorations lead to a wider discussion of the strategies deployed by the pro-life and animal rights movements. Should legal reforms precede or follow attitudinal changes? Do gory images win over or alienate supporters? Is violence ever principled? By probing the connections between debates about abortion and animal rights, *Beating Hearts* uses each highly contested set of

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questions to shed light on  
the other.

This is an ethnography which  
probes the intimate  
experience of gestational  
surrogate motherhood. Teman  
shows how surrogates and  
intended mothers carefully  
negotiate their cooperative  
endeavour.

New Hampshire Juvenile Laws  
contains a compilation of  
New Hampshire statutes  
essential for anyone who  
works in family law, or any  
profession relating to  
minors. Laws relating to  
surrogacy, paternity,  
delinquent children,  
adoption, day care, special  
education, custody and  
support, employment laws,

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termination of parental rights, child protection and more are incorporated into this publication. Additional appendices containing child support guideline instruction sheets, worksheets and calculation tables are also provided. Features include Jail Compliance Guidelines, JDAI Risk Assessment Package, and a listing of NH Certified DHHS providers. Conceptions, Controversies, and Community Sentiment Fundamental legal problems of surrogate motherhood. Global perspective. Continuity and Change Birthing a Mother Legal Regulation at the

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International Level

Model Rules of Professional  
Conduct

**This book is designed for law school seminars and courses, including first-year electives, as well as advanced undergraduate courses in legal studies or other departments. Families Under Construction: Parentage, Adoption, and Assisted Reproduction, Second Edition, provides an in-depth exploration of the fascinating and controversial issues emerging out of biotechnology and society's changing understanding of family identity. The authors combine solid treatment of the law and carefully crafted additional content to provoke inquiry and fuel class discussion, using a multidisciplinary presentation of**

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**legal authorities, policy perspectives, critical analysis, and cultural contexts. Coverage includes the impact of marriage equality, increasing departures from traditional family arrangements, and modern approaches to adoption, as well as infertility treatments, collaborative reproductive arrangements, and reproductive tourism. New to the Second Edition: A new Part I on parentage, parental responsibilities, and parental authority, tracing the evolution from traditional doctrine to contemporary approaches and emphasizing the policy of keeping dependency private The addition of principal cases on wrongful adoption, challenges to sealed adoption records, and intercountry**

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**adoption Restructured chapters on assisted reproduction reflecting consequential changes in the legal landscape Professors and students will benefit from: Thorough coverage of significant cases, statutes, and regulations, including law reform efforts and recognition of law's silence on some topics Opportunities for comparative analysis of law and policy, from "then" to "now" and among various states and nations, with examination of jurisdiction, choice of law, and enforcement An approach that questions core concepts, such as parentage, by highlighting the role of the state in the construction of family and the influence of assumptions about gender, race, sexualities, marriage, class, and dependency Inclusive**

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**materials, such as narratives as well as summaries of popular books and films, which explore the interaction of law and life**

**Consideration of professional responsibility, including the often challenging role of lawyers in adoptions and reproductive collaborations**

**A mix of classic and leading-edge cases**

**Notes and Questions that provide background and illuminate salient themes**

**Thought-provoking Problems that prompt consideration of new issues**

**Inserts presenting “Depictions in Popular Culture” of the situations at the center of the cases**

**This volume presents global and comparative perspectives on the perpetual pendular movement of family law between status and**

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**contract. It contributes to the topical academic debate on 'family law exceptionalism' by exploring the blurred lines between public law, private law and family law, and sheds light on the many shades of grey that exist. The contributions focus on both substantive and procedural family law on parents and children and on life partners, with particular attention for contractual arrangements of family formations and of conflict resolution. The hypothesis underlying all contributions was the trend towards contractualisation of family law. A convergent research outcome resulting from the comparison of national reports was the ambivalent position of family law in legal systems worldwide. That comparison shows that,**

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whereas family law is clearly moving towards contract with regard to old family formations, the contrary is true for new family formations. The movement towards contract is rarely considered to be contractualisation *pur sang*, with civil effect. The movement towards status, finally, does not necessarily witness ‘family law exceptionalism’ *vis-à-vis* private law, in view of the increasing State interventionism in private law relations in general. In sum, as the volume shows, the high permeability of the demarcations between the State, the family and the market impedes a categorial approach. This volume is based on the general and selected national reports on the topic “Contractualisation of Family Law” that were presented at the XIXth

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**International Congress of  
Comparative Law in Vienna in July  
2014.**

**Winner, American Sociological  
Association Asia and Asian  
America Section Best Book on  
Asia/Transnational Asia Finalist,  
2015 C. Wright Mills Award from the  
Society for the Study of Social  
Problems India is the top provider  
of surrogacy services in the world,  
with a multi-million dollar surrogacy  
industry that continues to grow  
exponentially, as increasing  
numbers of couples from  
developed nations look for wombs  
in which to grow their babies. Some  
scholars have exulted transnational  
surrogacy for the possibilities it  
opens for infertile couples, while  
others have offered bioethical  
cautionary tales, rebuked**

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**exploitative intended parents, or lamented the exploitation of surrogate mothers—but very little is known about the experience of and transaction between surrogate mothers and intended parents outside the lens of the many agencies that control surrogacy in India. Drawing from rich interviews with surrogate mothers and egg donors in Bangalore, as well as twenty straight and gay couples in the U.S. and Australia, Discounted Life focuses on the processes of social and market exchange in transnational surrogacy. Sharmila Rudrappa interrogates the creation and maintenance of reproductive labor markets, the function of agencies and surrogacy brokers, and how women become surrogate mothers. Is surrogacy solely a labor**

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**contract for which the surrogate mother receives wages, or do its meanings and import exceed the confines of the market? Rudrappa argues that this reproductive industry is organized to control and disempower women workers and yet her interviews reveal that, by and large, the surrogate mothers in Bangalore found the experience life affirming. Rudrappa explores this tension, and the lived realities of many surrogate mothers whose deepening bodily commodification is paradoxically experienced as a revitalizing life development. A detailed and moving study, Discounted Life delineates how local labor markets intertwine with global reproduction industries, how Bangalore's surrogate mothers make sense of their participation in**

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reproductive assembly lines, and the remarkable ways in which they negotiate positions of power for themselves in progressively untenable socio-economic conditions.

Adoption and surrogate pregnancy are the two most realistic options currently available for millions of couples unable to have biological children. This text covers the ways in which adoption and surrogate pregnancy overlap and influence each other, the nuances that further complicate matters, and the controversies surrounding both issues.

**Adoption and Surrogate Pregnancy  
Globalization and Commodification  
of the Human Body  
The Oxford Handbook of  
Reproductive Ethics**

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**Family Law, Sex and Society  
Cross-Cultural Comparisons on  
Surrogacy and Egg Donation  
The Family in Law**

This book is the first major study to examine the following essential questions with detailed reference to actual judicial developments: To what extent do fundamental rights affect contract law? In which types of cases can fundamental rights be applied? What does the explicit consideration of fundamental rights add to contract law adjudication? The author approaches the analysis along two different avenues: first, a comparative overview of developments in case law, and second, a more general theoretical view on the interaction between fundamental rights and rules of contract law which

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is tested against examples from various legal systems. The focus throughout is on developments in case law, because the impact of fundamental rights in contract law has been felt on the level of dispute resolution rather than on the level of legislation. Germany and the Netherlands are chosen because their judiciaries have been notable for their early and continuing attention to the theme, and England and Italy for perspectives on developments under common law and civil law systems respectively. For its reframing of old questions and its insightful delimitations of new ones, this book offers a fresh and deeply informed new perspective on this important area of developing law. The discussion, moreover, has received an additional

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impulse from the debate leading up to the recent agreement on a Reform Treaty regarding the institutional settlement of the Union, which will give a legally binding status to the Nice Charter of Fundamental Rights. For these reasons and others, the book will be of great value to all interested parties in government, business, and legal practice.

Divided into 15 chapters, this book provides the reader with an insight into certain representations of mothers and motherhood in history and today's societies in some areas of the world, notably in Britain and Asia. Key facts about the history of motherhood are presented, together with the use of very recent notions and phrases portraying 'good' and 'bad' mothers. An

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analysis of the concepts of naming and blaming, along with regret with respect to mothers in 21st century societies, provides food for thought. Other issues addressed are varied and numerous: the politics of early intervention, feminist critique, mothers with disabilities and mothers of disabled children, incarcerated mothers, surrogate mothers, teenage mothers, lesbian mothers, and mothering in Eastern Asia, namely in China, Japan, and Korea. Interestingly, both visual arts and literature play a crucial role in this analysis. The publication will appeal to students, academics, researchers, and the general public interested in and seeking to comprehend the shifts that have occurred over time in connection with the vast and inexhaustible subject

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of motherhood and mothers – a private and public matter. Readers are also provided with a rich reference section dealing with the latest publications on the issues tackled by prominent academics and researchers in human geography, women's studies, sociology, gender studies, contemporary history, and the arts. Comparative in both approach and framework, *Family Law, Sex and Society* provides a critical exposition of key areas in family law, exploring their evolution and development within their historical, cultural, political and legal context. Cross-referencing to English law throughout, this comparative textbook pays particular attention to the transformation of marriage; the development of divorce laws;

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matrimonial property; the legal recognition of unmarried heterosexual and same-sex cohabitants; the universal adoption of the best interests standard for children in domestic and international legislation; and the impact of the Human Rights Act 1998 on family law in a variety of jurisdictions. Divided into different sections, *Family Law, Sex and Society* includes coverage of: a jurisdictional and historical survey of some of the main themes in Family Law, as well as consideration of the evolution of the Western family the English law relating to divorce, marital property and children and a comparison with the equivalent law in the civil law jurisdictions of France and Germany family law developments in other

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common law countries such as Australia and New Zealand, selected American jurisdictions, parts of Africa and some Far Eastern countries; and hybrid jurisdictions like Japan and Russia an analysis of the law relating to unmarried cohabitation and domestic partnerships in civil law jurisdictions such as France, Germany and Sweden in comparison to Anglo-American law a comparative analysis of the laws relating to domestic violence. Family Law, Sex and Society offers valuable socio-legal and socio-cultural insights into the practice of family law, and is the only textbook that provides a unified, coherent and comparative approach to the study of family law as it operates in these particular jurisdictions.

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This book discusses the common principles of morality and ethics derived from divinely endowed intuitive reason through the creation of al-fitr' a (nature) and human intellect (al-'aql). Biomedical topics are presented and ethical issues related to topics such as genetic testing, assisted reproduction and organ transplantation are discussed. Whereas these natural sources are God's special gifts to human beings, God's revelation as given to the prophets is the supernatural source of divine guidance through which human communities have been guided at all times through history. The second part of the book concentrates on the objectives of Islamic religious practice – the maqa' sid – which include: Preservation of

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Faith, Preservation of Life,  
Preservation of Mind (intellect and  
reason), Preservation of Progeny (al-  
nasl) and Preservation of Property.  
Lastly, the third part of the book  
discusses selected topical issues,  
including abortion, assisted  
reproduction devices, genetics, organ  
transplantation, brain death and end-of-  
life aspects. For each topic, the current  
medical evidence is followed by a  
detailed discussion of the ethical issues  
involved.

A Comparative Study of Western and  
Islamic Bioethics

Kin, Gene, Community

Families Caring for an Aging America

Contemporary Bioethics

Life Support

Parentage, Adoption, and Assisted

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Reproduction

*The complexity of Surrogacy is arguably made even more so by the very nature of it being a decision many families reach due to the greatest of emotional challenges. There are so many opportunities for things to go wrong, but also the greatest of happy outcomes for so many families too. As a specialist surrogacy lawyer and a surrogate in 2018, Sarah Jefford has observed many surrogacy teams both flourish and struggle, and that has led to this very important book. In order to maximise every potential for things to go well*

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*for both intended parents and surrogate mothers, we need to make informed decisions that protect the interests of everyone involved, but most importantly that are in the best interests of the children - those who are already here, and those who will be in the future. If you want to know answers to the questions of how does surrogacy work, and the surrogate mother process, then this book will be your best place to start. But keep it handy throughout the entire process so that as your journey progresses, you will be able to understand the many aspects of*

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*surrogate pregnancy, intended parents roles, and each other's vital roles in creating a family together.*

*Israel is the only country in the world that offers free fertility treatments to nearly any*

*woman who requires medical assistance. It also has the*

*world's highest per capita usage of in-vitro fertilization.*

*Examining state policies and the application of reproductive*

*technologies among Jewish*

*Israelis, this volume explores*

*the role of tradition and politics in the construction of families*

*within local Jewish populations.*

*The contributors-*

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*anthropologists, bioethicists, jurists, physicians and biologists-highlight the complexities surrounding these treatments and show how biological relatedness is being construed as a technology of power; how genetics is woven into the production of identities; how reproductive technologies enhance the policing of boundaries. Donor insemination, IVF and surrogacy, as well as abortion, pre-implantation genetic diagnosis and human embryonic stem cell research, are explored within local and global contexts to convey an*

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*informed perspective on the wider Jewish Israeli environment.*

*Our modern insistence on democratic social values has engendered an intense debate over the intersection of fundamental rights and contract law. In particular, case law in several European national jurisdictions has exerted significant pressure on traditional contract law instruments to conform more transparently with the fundamental rights enshrined in the EC Charter. This pressure is clearly evident in a number of societal areas subject to*

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*contract law, among them employment, housing, and privacy. It can even be argued, as this author does, that fundamental rights intermediate between politics and law. Taking its cue from many initiatives toward the development of a more coherent, even harmonised, European contract law, this book is the first major study to examine the following essential questions with detailed reference to actual judicial developments:*

- To what extent do fundamental rights affect contract law?*
- In which types of cases can fundamental rights*

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*be applied? • What does the explicit consideration of fundamental rights add to contract law adjudication? The author approaches the analysis along two different avenues: first, a comparative overview of developments in case law, and second, a more general theoretical view on the interaction between fundamental rights and rules of contract law which is tested against examples from various legal systems. The focus throughout is on developments in case law, because the impact of fundamental rights in contract law has been felt on*

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*the level of dispute resolution rather than on the level of legislation. Germany and the Netherlands are chosen because their judiciaries have been notable for their early and continuing attention to the theme, and England and Italy for perspectives on developments under common law and civil law systems respectively.*

*The Family in Law provides a jurisprudential analysis of current family law, connecting doctrinal discourse with sociological, historical and economic analyses of the institution of family. The law's*

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*focus on the nuclear family as the default model is central to the book's discourse, which contains in-depth discussions of the key areas of family law - marriage, divorce, children and property matters. Written for Australian legal actors - whether students, academics or professionals - readers are encouraged to question current frameworks, critique well-known cases and make informed conclusions on whether changes could be made to engender a fairer and more equitable society. In developing doctrinal analysis within a theoretical framework,*

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*The Family in Law challenges the conventional boundaries of family law, providing readers with both a solid foundation and a multi-layered perspective to their understanding of the topic.*

*A Comparative Study of Family Law*

*The Price of Global Surrogacy in India*

*Wombs in Labor*

*Families Under Construction*

*New Hampshire Juvenile Laws*

*Modern Families*

*This book is the first to bring together an interdisciplinary collection of essays on*

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*surrogacy and egg donation from three socially, legally and culturally distinct countries - India, Israel and Germany. It presents contributions from experts in the field of social and cultural sciences, bioethics, law as well as psychology and provides critical-reflective comparative analysis of the socio-ethical factors shaping surrogacy and egg donation practices across these three countries. This book highlights the importance of a comparative perspective to 'make*

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*sense' of controversies and transitions in this highly contested area of artificial reproductive technologies. It demonstrates how local developments cannot be isolated from global events and vice versa. Therefore, this volume can be used as a standard reference for anyone seeking to understand surrogacy and egg donation from a macro-perspective in the next decade. Assisted reproductive technology (ART) allows people who are infertile the opportunity to*

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*conceive children and form much desired families. Over the past few decades, the number of ART procedures conducted in the United States has steadily increased, in part affected by the growing number of women trying to conceive later in their reproductive lives. This demographic shift in baby making has widened to include a variety of other people who experience social infertility, from single persons to same-sex couples. Media exposure and political attention to*

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*the use of ART have aroused public concern and controversy. In Assisted Reproduction, Alexandra E. Sigillo and Monica K. Miller explore how media, personal differences, societal influences, and psychological processes shape community sentiment toward ART and ART-related laws and policies. This book is recommended for students and scholars of psychology, sociology, gender and women's studies, communication studies, public health, and legal studies. This book is published*

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*open access under a CC BY 4.0 license. This open access book provides an overview of childlessness throughout Europe. It offers a collection of papers written by leading demographers and sociologists that examine contexts, causes, and consequences of childlessness in countries throughout the region. The book features data from all over Europe. It specifically highlights patterns of childlessness in Germany, France, the United Kingdom, Finland, Sweden, Austria and*

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Switzerland. An additional chapter on childlessness in the United States puts the European experience in perspective. The book offers readers such insights as the determinants of lifelong childlessness, whether governments can and should counteract increasing childlessness, how the phenomenon differs across social strata and the role economic uncertainties play. In addition, the book also examines life course dynamics and biographical patterns, assisted reproduction as

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well as the consequences of childlessness.

Childlessness has been increasing rapidly in most European countries in recent decades. This book offers readers expert analysis into this issue from leading experts in the field of family behavior. From causes to consequences, it explores the many facets of childlessness throughout Europe to present a comprehensive portrait of this important demographic and sociological trend. *Defining the Family: Law, Technology, and*

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*Reproduction in an Uneasy Age* provides a sweeping portrait of the family in American law from the nineteenth century to the present. The family today has come to be defined by individuality and choice. Pre-nuptial agreements, non-marital cohabitation, gay and lesbian marriages have all profoundly altered our ideas about marriage and family. In the last few years, reproductive technology and surrogacy have accelerated this process of change at a breathtaking rate. Once

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*simple questions have taken on a dizzying complexity: Who are the real parents of a child? What are the relationships and responsibilities between a child, the woman who carried it to term, and the egg donor? Between viable sperm and the wife of a dead donor? The courts and the law have been wildly inconsistent and indecisive when grappling with these questions. Should these cases be decided in light of laws governing contracts and property? Or it is more appropriate to*

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*act in the best interests of the child, even if that child is unborn, or even unconceived? No longer merely settling disputes among family members, the law is now seeing its own role expand, to the point where it is asked to regulate situations unprecedented in human history. Janet L. Dolgin charts the response of the law to modern reproductive technology both as it transforms our image of the family and is itself transformed by the tide of social forces.*

*Contractualisation of*

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*Family Law - Global  
Perspectives*

*A Guide to Surrogacy for  
Intended Parents and  
Surrogates*

*Discounted Life*

*International Surrogacy  
Arrangements*

*Transnational Commercial  
Surrogacy in India*

*Law, Technology, and  
Reproduction in An Uneasy  
Age*

From call centers, overseas domestic labor, and customer care to human organ selling, gestational surrogacy, and knowledge work, such as software programming, life itself is channeled across the globe from one population to another. In *Life Support*, Kalindi Vora demonstrates how biological

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bodies have become a new kind of global biocapital. Vora examines how forms of labor serve to support life in the United States at the expense of the lives of people in India. She exposes the ways in which even seemingly inalienable aspects of human life such as care, love, and trust—as well as biological bodies and organs—are not only commodifiable entities but also components essential to contemporary capitalism. As with earlier modes of accumulation, this new global economy has come to rely on the reproduction of life for expansion. Human bodies and subjects are playing a role similar to that of land and natural resource dispossession in the period of capitalist growth during European territorial colonialism. Indeed, the rapid pace at which scientific knowledge of

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biology and genetics has accelerated has opened up the human body as an extended site for annexation, harvest, dispossession, and production.

Family caregiving affects millions of Americans every day, in all walks of life. At least 17.7 million individuals in the United States are caregivers of an older adult with a health or functional limitation. The nation's family caregivers provide the lion's share of long-term care for our older adult population. They are also central to older adults' access to and receipt of health care and community-based social services. Yet the need to recognize and support caregivers is among the least appreciated challenges facing the aging U.S. population. Families Caring for an Aging America examines the prevalence and nature of family

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caregiving of older adults and the available evidence on the effectiveness of programs, supports, and other interventions designed to support family caregivers. This report also assesses and recommends policies to address the needs of family caregivers and to minimize the barriers that they encounter in trying to meet the needs of older adults.

The observation that mater semper certa est remains accurate under most legal systems in the world. Maternity is defined as the personal status (filiation) of a woman who gave birth to a child. It is typically complemented by the fatherhood of the man from whom the child biologically originates (often quem nuptiae demonstrant). However, in some states, a kind of competitive way of acquiring the legal status of mother and father (or “homosexual

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parents A and B”) has been introduced via concluding a contract with a surrogate mother. Usually with a woman coming from poorer societies and with the assistance of professional intermediaries and organizers. The postulates to change substantive family law, or at least to recognize the effects of foreign law and procedures (a kind of “procreative tourism”), appear nowadays also in states generally prohibiting surrogate motherhood. The issues discussed in this volume concern both national law and international court cases. Recent examples include the opinion of the European Court of Human Rights of 10 April 2019 initiated by the French Cour de cassation, the judgement of the German Bundesgerichtshof of 20 March 2019, and dilemmas of Polish administrative courts. Focusing on the

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international perspective, the present volume as well as an accompanying book in Polish are the results of the international cooperation of over 30 experts from both member states and observer states of the Council of Europe. The monograph is structured “from the general to the detail” and includes a comprehensive view as well: from the issues of philosophy and sociology of law, to human rights standards of national constitutions and international agreements, to principles of ordre public of forum and their protection with measures of private, public, and penal law. This allows readers, including legislators and judges, the better understanding of the fundamental legal problems that surrogate motherhood brings, both in states where law creates them in a narrower or wider extent, and in other

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countries of the world, to which these problems can be imported with the movement of people and with de lege lata and de lege ferenda postulates.

"... a welcome addition to the literature." —Center for Theology and the Natural Sciences "... ideologically diverse selection of readings...

"—Times Literary Supplement (London)

"The essays are balanced, challenging, well-argued, and well-written. They ably and accessibly represent feminist contributions to medical ethics... " —Religious Studies Review "... fascinating... thought-provoking... " —Nursing Times "A stimulating book for those women and men (feminist and non-feminist) interested in medical ethics."

—Maternal and Child Health "...

landmark [event] in bioethics... " —

—Women & Health The aim of this

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volume is to show how a feminist perspective advances biomedical ethics by uncovering inconsistencies in traditional argument and by arguing for the importance of hitherto ignored factors in decision making. These essays include both theory and very specific examples that demonstrate the glaring inadequacy of mainstream medical ethics.

Abortion and Animal Rights

Report of the Committee of Inquiry Into

Human Fertilisation and Embryology

Surrogate Motherhood

Ethics of Assisted Reproductive

Medicine

Between Legitimation and

International Abolition

Childlessness in Europe: Contexts,

Causes, and Consequences

*This open access book discusses  
and analyses competing views and*

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*social implications of gestational surrogacy, which is making inroads as an option for parenthood as well as a work opportunity for women. It provides a rich account of transnational mobilizations for the abolition and regulation of surrogacy, with focus on United States, Italy and Mexico. The author critically assesses the core narratives of supporters and opponents of surrogacy, in order to understand this reproductive practice in light of some of the essential elements of contemporary societies, such as the "child at any cost" culture, individualism, technology and female emancipation. This book appeals to scholars, policy makers*

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*and all those who want to understand the controversial debate on this unprecedented method of family formation and life production.*

*Ethics of Assisted Reproductive Medicine compares and contrasts Western and Islamic models of bioethics to make the case that the Islamic perspective (taken from the Qur'an and the Sunnah) provides a viable and clear alternative that goes beyond the dominance of the secular and its various philosophical bases, to give Revelation and spiritual understanding precedence. In doing so, keeping to principles, it charts the way out of a confused circle of opinion that is making it*

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*very hard to decide "what is best." Reproductive justice theory made real through re-imagining critical cases addressing pregnancy, parenting, and the law's treatment of marginalized women.*

*This book addresses the pressing challenges presented by the proliferation of international surrogacy arrangements. The book is divided into three parts. Part 1 contains National Reports on domestic approaches to surrogacy from Argentina, Australia, Belgium, Brazil, China, Czech Republic, France, Germany, Greece, Guatemala, Hungary, India, Ireland, Israel, Mexico, Netherlands, New Zealand, Russia, South Africa, Spain, Ukraine,*

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*United Kingdom, United States and Venezuela. The reports are written by domestic specialists, each demonstrating the difficult and urgent problems arising in many States as a result of international surrogacy arrangements. These National Reports not only provide the backdrop to the authors' proposed model regulation appearing in Part 3, but serve as a key resource for scrutinising the most worrying incompatibilities in national laws on surrogacy. Part 2 of the book contains two contributions that provide international perspectives on cross-border surrogacy such as the 'human rights' perspective. Part 3 contains a General Report, which*

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*consists of an analysis of the National Reports appearing in Part 1, together with a proposed model of regulation of international surrogacy arrangements at the international level written by the two co-editors, Paul Beaumont and Katarina Trimmings. The research undertaken by Katarina Trimmings and Paul Beaumont from 2010 to 2012 was funded by the Nuffield Foundation.*

*Edited by Piotr Mostowik*

*Politics and Privacy*

*Swedish Law in a Comparative  
Context*

*Fundamental Rights in European  
Contract Law*

*Biocapital and the New History of  
Outsourced Labor*

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### *A Comparison of the Impact of Fundamental Rights on Contractual Relationships in Germany, the Netherlands, Italy and England*

Intimate and medicalized, natural and technological, reproduction poses some of the most challenging ethical dilemmas of our time. This volume brings together scholars from multiple perspectives to address both traditional and novel questions about the rights and responsibilities of human reproducers, their caregivers, and the societies in which they live. The Model Rules of Professional Conduct provides an up-to-date resource for information on legal ethics. Federal, state and local

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courts in all jurisdictions look to the Rules for guidance in solving lawyer malpractice cases, disciplinary actions, disqualification issues, sanctions questions and much more. In this volume, black-letter Rules of Professional Conduct are followed by numbered Comments that explain each Rule's purpose and provide suggestions for its practical application. The Rules will help you identify proper conduct in a variety of given situations, review those instances where discretionary action is possible, and define the nature of the relationship between you and your clients, colleagues and the courts. What is the basis for arguing that a

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volunteer army exploits citizens who lack civilian career opportunities? How do we determine that a doctor who has sex with his patients is exploiting them? In this book, Alan Wertheimer seeks to identify when a transaction or relationship can be properly regarded as exploitative--and not oppressive, manipulative, or morally deficient in some other way--and explores the moral weight of taking unfair advantage. Among the first political philosophers to examine this important topic from a non-Marxist perspective, Wertheimer writes about ordinary experience in an accessible yet philosophically penetrating way. He considers

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whether it is seriously wrong for a party to exploit another if the transaction is consensual and mutually advantageous, whether society can justifiably prohibit people from entering into such a transaction, and whether it is wrong to allow oneself to be exploited. Wertheimer first considers several contexts commonly characterized as exploitive, including surrogate motherhood, unconscionable contracts, the exploitation of student athletes, and sexual exploitation in psychotherapy. In a section outlining his theory of exploitation, he sets forth the criteria for a fair transaction and the point at which we can properly

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say that a party has consented. Whereas many discussions of exploitation have dealt primarily with cases in which one party harms or coerces another, Wertheimer's book focuses on what makes a mutually advantageous and consensual transaction exploitive and analyzes the moral and legal implications of such exploitation.

Surrogacy presents particularly complex questions for human rights law and theory. This book provides a unique and insightful examination into the underexplored issues of how domestic and international law is responding to the sharp increase in the use of surrogacy. The work

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presents critical analysis of the current regulation of surrogacy via domestic law in Australia, India and the USA, and international law in the form of the UN Convention on the Rights of the Child. Including a wide range of views from academics and practitioners around the world, the contributors consider what could be done to further protect the rights of all persons involved in surrogacy arrangements. This in-depth study of the international and domestic law governing surrogacy provides much needed scholarly knowledge of this contemporary phenomenon, along with recommendations for improvement, regulation and reform. The book will be of great

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importance to human rights and legal scholars, and well as practitioners in this field.

The Surrogate Body and the Pregnant Self

Motherhood in Contemporary International Perspective

Sociological Debates on Gestational Surrogacy

Assisted Reproduction

Beating Hearts

Surrogacy, Law and Human Rights