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A Caring

Jurisprudence

Susan M. Behuniak

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G Orfield



Caring Jurisprudence:

A Caring Jurisprudence Susan M. Behuniak, 1999-08-31 In deciding the abortion and physician assisted suicide cases a majority of the Justices of the United States Supreme Court drew on medical knowledge to inform their opinions while dismissing the distinctively different knowledge offered by patients Following the legal norms derived from the ethic of justice the Court's deference toward the universal and impartial and reasoned knowledge of the medical profession and its disregard of the particular involved and emotional knowledge of patients seemed inevitable as well as justified But was it This book argues that it is both possible and proper to develop a jurisprudence capable of incorporating the knowledge of patients Drawing on feminist scholarship this book proposes a model for a caring jurisprudence that integrates the ethic of justice and the ethic of care to ensure that patients' knowledge is included in judicial decision making

Caring for Justice Robin West, 1999-03 Over the past decade mainstream feminist theory has repeatedly and urgently cautioned against arguments which assert the existence of fundamental or essential differences between men and women Any biological or natural differences between the sexes are often flatly denied on the grounds that such an acknowledgment will impede women's claims to equal treatment In *Caring for Justice* Robin West turns her sensitive measured eye to the consequences of this widespread refusal to consider how women's lived experiences and perspectives may differ from those of men Her work calls attention to two critical areas in which an inadequate recognition of women's distinctive experiences has failed jurisprudence We are in desperate need she contends both of a theory of justice which incorporates women's distinctive moral voice on the meaning of justice into our discourse and of a theory of harm which better acknowledges compensates and seeks to prevent the various harms which women disproportionately and distinctively suffer Providing a fresh feminist perspective on traditional jurisprudence West examines such issues as the nature of justice the concept of harm economic theories of value and the utility of constitutional discourse She illuminates the adverse repercussions of the anti essentialist position for jurisprudence and offers strategies for correcting them Far from espousing a return to essentialism West argues an anti anti essentialism which greatly refines our understanding of the similarities and differences between women and men

Health Care Cost Containment Beverly J. Fike, 1983 *Literature Search* National Library of Medicine (U.S.), 1985 **Freestanding Ambulatory Care Centers, January 1975 Through December 1984, 296 Citations from the Health Planning and Administration Database** Susan Bolda Marshall, 1985 **Hospices** Susan Bolda Marshall, 1984 **Golden Gate University Law Review** Golden Gate University. School of Law, 2000

Minneapolis Fire & Marine Insurance Company v. Porter, 328 MICH 11 (1950), 1950 40 **The Codes and Statutes of California, as Amended and in Force at the Close of the Thirty-fourth Session of the Legislature, 1901** California, Carter Pitkin Pomeroy, 1901 **The Civil Code of the State of California** California, 1924 The Institutional Care of the Insane in the United States and Canada William Francis Drewry, Richard Dewey, Charles Winfield Pilgrim, George

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