

Whose Body Is It Anyway: Justice and the Integrity of the Person'

By
Meghan Boone

The human body enjoys a special place in the law. Many of our most basic rights as citizens, including the right to be free from unreasonable search and seizures, the right to be free from physical assaults by others, and the right to privacy, arise from the idea that we should be able to control what happens to our own bodies. This principle of the inviolable body is also the basis for preventing individuals from utilizing their body or body parts in the economic marketplace and gives rise to legislation such as the prohibition on the sale of organs, the invalidation of surrogacy contracts, and the criminalization of prostitution. In the book, *Whose Body Is It Anyway: Justice and the Integrity of the Person*, Cécile Fabre posits that the current legal system would be more just if we disavowed ourselves of this principle of the inviolable body, or the idea that the body is legally special, and instead accepted a legal system in which we all have a right to each other's bodies, including our own. She points out that, "justice requires conferring on the sick a right to the organs of the dead and, in some cases, the living; and...requires conferring on individuals a right to buy and sell organs, sex, and reproductive services."

Fabre admits at the outset of the book that because the principles she advances may disturb our traditional doctrines and principle, she expects little popular support. However, despite my initial distress with an argument that asserts I should not have the right to decide what happens to my own body, I eventually found that the text raised interesting questions about the contradictions inherent in our legal system's treatment of the physical body. As Fabre aptly notes, "our legal and political tradition is such that we have the right to deny others access to our person, even though doing so would harm those who need such access; however, we lack the right to use ourselves as we wish in order to raise income, even though we do not necessarily harm other by doing so..." After reading her book, I found myself agreeing with these inconsistencies under our legal system; while the law tells us that we have complete control over our physical persons, we are in reality legally barred from selling our organs or sexual services, even if doing so causes no harm to others and, in the case of organ sales, even helps those in great need.

To advance her argument, Fabre relies on the fundamental soundness of the principle of distributive justice, which states that some redistribution of wealth or resources across society is necessary in order to achieve justice for all. She points to examples from western society, such as the prevalence of social programs like welfare and the redistribution of wealth through taxation, to illustrate that the principle of distributive justice is already generally accepted. Fabre does not argue that it is necessary to have a wholesale redistribution of resources in which every member of society is given resources in exactly equal amounts. Instead, she works from a framework that stipulates only that each individual has a right to the resources he or she

requires in order to live a "minimally flourishing life," and pursue a "conception of the good." Fabre argues that the natural consequence of meeting these basic goals is allowing those in need, a right to the material resources, including the body, of other members of society. Without these resources, many people are unable to live a minimally flourishing life, or even any life at all.

After asserting that the principles of distributive justice dictate that members of society have a right to the bodies of others, Fabre then explains how the "redistribution" of bodily resources would be accomplished. In chapters 3 through 8, respectively, Fabre advocates for the creation of a mandatory civilian service, the confiscation of organs from both cadavers and living people, and the legalization of the sale of organs, prostitution, and surrogacy contracts.

The arguments I found most compelling were those contained within Fabre's thesis as it relates to the confiscation of organs. Fabre attempts to convince the reader that many of the arguments in favor of absolute bodily autonomy are both misguided and unjust. First, she claims that, compared to another individual's right to live a minimally flourishing life, or in many cases to live at all, a right to absolute bodily integrity seems weak. Moreover, Fabre argues that the confiscation of organs does not deny bodily autonomy, but instead places on it a qualification that the redistribution of organs should occur when individuals are impaired in their ability to lead a minimally flourishing life. She does allow those with true conscientious objections the option to refuse to give their organs to those in need; an absolute requirement that would violate an individual's conscience would also harm his or her ability to realize the "conception of the good." By allowing for these conscientious objections, Fabre addresses the only strong argument against instituting an organ confiscations system. Further, these allowances give her argument internal consistency because they reveal she is equally concerned that all members of society are able to live and pursue their own ideals.

While I was tempted to agree with Fabre's oral arguments in favor of an organ confiscation of the system, I failed to find her chapter regarding the legalization of prostitution persuasive. Her defense of prostitution is especially relevant to current discussions in the feminist community, who questions power differentials, gender equality and the commodification of women's bodies in the marketplace. Fabre acknowledges these issues exist but ultimately argues that the legalization and regulation of the sex industry would shield women from the harm they might otherwise face for supplying such services on the black market. Unlike the more persuasive moral arguments Fabre makes for practices such as organ confiscation, she never reaches a similar conclusion that the legalization of prostitution is moral or just in its own right. Instead, Fabre concludes that the problem with prostitution is not the act of providing sexual services for money

The Integrity Of The Body

John O'Neill



The Integrity Of The Body:

Persons and Their Bodies: Rights, Responsibilities, Relationships Mark J. Cherry, 2006-04-11 Debate regarding organ sales is largely innocent of the history of thought on the matter This volume seeks to remedy this shortcoming Positions for or against a market in human organs are nested within moral intuitions ontological or political theoretical premises or understandings of special moral concerns such as permissible uses of the body which have a long history of analysis The essays compass the views of Plato Aristotle Aquinas Locke Kant Hegel Mill and Christianity as well as particular methodological approaches such as the phenomenology of the body natural law theory legal theory and libertarian critique of legal theory These discussions cluster a number of conceptually independent philosophical concerns 1 What is the appropriate understanding of the relationship between persons and their bodies 2 What does it mean to own an organ 3 Do governments have moral authority to regulate how persons use their own body parts 4 What are the costs and benefits of a market in human organs Such questions are related by an urgent public health challenge the considerable disparity between the number of patients who could significantly benefit from organ transplantation and the number of human organs available for transplantation This volume explores the theoretical normative and historical foundations for alternative policies for procurement and transplantation of human organs

The Sacred Body Nicola Laneri, 2021-06-09 The human body serves as a symbolic bridge between communities of the living and the divine This is clearly evident in mythological stories that recount the creation of humans by deities within ancient and contemporaneous societies across a very broad geographical environment In certain circumstances parts of selected humans can become an ideal proxy for connecting with the supernatural as demonstrated by the cult of human skulls in Near Eastern Neolithic communities as well as the cult of relics of Christian saints from the early Christian era To go deeper into this topic this volume aims to undertake a cross cultural investigation of the role played by both humans and human remains in creating forms of relationality with the divine in antiquity Such an approach will highlight how the human body can be envisioned as part of a broader materialization of religious beliefs that is based on connecting different realms of materiality in the perception of the supernatural by communities of the living

Writing the Body Politic Mark Featherstone, Thomas Kemple, 2019-08-08 This book brings together key essays from the career of social theorist John O'Neill including his uncollected later writings focusing on embodiment to explore the different ways in which the body trope informs visions of familial economic personal and communal life Beginning with an exploration of O'Neill's work on the construction of the biobody and the ways in which corporeality is sutured into social systems through regimes of power and familial socialisation the book then moves to concentrate on O'Neill's career long studies of the productive body and the ways in which the working body is caught in and resists disciplinary systems that seek to rationalise natural functions and control social relations The third section considers O'Neill's concern with the ancient early modern and psychoanalytic sources of the post modern libidinal body and a final

section on the civic body focuses specifically on the ways in which principles of reciprocity and generosity exceed the capitalist individualist body of neo liberal political theory The volume also includes an interview with O'Neill addressing many of the key themes of his work a biographical note with an autobiographical postscript a select bibliography of O'Neill's many publications and an extensive introduction by the editors A challenging and innovative collection Writing the Body Politic A John O'Neill Reader will appeal to critical social theorists and sociologists with interests in the work of one of sociology's great critical readers of classical and contemporary texts The Body Divided Sarah Ferber, Sally Wilde, 2011 Human remains have long been considered valuable material for use in medical science Over time and in different places they have been dissected investigated harvested for research purposes collected to turn into museum specimens and more This book examines the history of such activities Ownership of the Human Body H.A. Ten Have, J.W. Welie, 2013-11-11 This is the first book in healthcare ethics addressing the moral issues regarding ownership of the human body Modern medicine increasingly transforms the body and makes use of body parts for diagnostic therapeutic and preventive purposes The book analyzes the concept of body ownership It also reviews the ownership issues arising in clinical care for example donation policies autopsy and biomedical research Societies and legal systems also have to deal with issues of body ownership A comparison is made between specific legal arrangements in The Netherlands and France as examples of legal approaches In the final section of the book different theoretical perspectives on the human body are analyzed libertarian personalist deontological and utilitarian theories of body ownership **The Body in Postwar Japanese Fiction** Douglas Slaymaker, 2004-08-02 This book explores one of the crucial themes in postwar Japanese fiction Through an examination of the work of a number of prominent twentieth century Japanese writers the book analyses the meaning of the body in postwar Japanese discourse the gender constructions of the imagery of the body and the implications for our understanding of individual and national identity This book will be of interest to all students of modern Japanese literature **The Body and Embodiment** Frank Chouraqui, 2021-04-07 Perfect for use at advanced undergraduate and graduate level this is the first text to offer students a unified narrative regarding the place of the body in Western thinking The book investigates the ways in which the fact of human embodiment makes the notion of ambiguity central to all major areas of philosophy The body is both active and passive powerful and vulnerable and it provides both access through perception and limitation through localisation As such it fundamentally informs ontological political ethical and epistemological issues The book takes as its starting point the devaluation of the body by philosophers from Plato to Descartes and then focuses on several dimensions of the body as investigated by post Kantian philosophy through a discussion of the intentional body embodied cognition and the politicization of the body The book engages with both the Continental and Anglo American philosophical traditions and includes a broad range of sources and texts The unified approach and clear writing make this lively text accessible to those working in other disciplines such as Anthropology Cultural Studies and Gender Studies *A Theory of Tort Liability* Allan

Beever,2016-08-25 This book provides a comprehensive theory of the rights upon which tort law is based and the liability that flows from violating those rights Inspired by the account of private law contained in Immanuel Kant s *Metaphysics of Morals* the book shows that Kant s theory elucidates a conception of interpersonal wrongdoing that illuminates the operation of tort law The book then utilises this conception applying it to the various areas of tort law in order to develop an understanding of the particular areas in question and just as importantly their relationship to each other It argues that there are three general kinds of liability found in the law of tort liability for putting another or another s property to one s purposes directly liability for doing something to a third party that puts another or another s property to one s purposes and liability for pursuing purposes in a way that improperly interferes with the ability of another to pursue her legitimate purposes It terms these forms liability for direct control liability for indirect control and liability for injury respectively The result is a coherent philosophical understanding of the structure of tort liability as an entire system In developing its position the book considers the laws of Australia Canada England and Wales New Zealand and the United States The Integrity of the Body Sir Frank Macfarlane Burnet,1962 *The Communicative Body* John O'Neill,1989 This collection of essays on communicative theory and praxis from the eminent Merleau Ponty scholar and translator John O Neill explores the thesis that the human body is the exemplary ground of all other communicative processes *People of the Body* Howard Eilberg-Schwartz,2012-02-01 By shifting attention from the image of Jews as a textual community to the ways Jews understand and manage their bodies for example to their concerns with reproduction and sexuality menstruation and childbirth this volume contributes to a revisioning of what Jews and Judaism are and have been The project of re membering the Jewish body has both historical and constructive motivations As a constructive project this book describes renews and participates in the complex and ongoing modern discussion about the nature of Jewish bodies and the place of bodies in Judaism A Contemplative Study of the Mind, Emotions, and Body Krzysztof T. Konecki,2025-08-28 Understanding how the mind works can provide insight into the meaning of various feelings and emotions Rather than merely grasping empathy on an intellectual level we can experience how it functions and emerges By observing the mind we can uncover how social assumptions and prejudices later filter these reactions The book explores the interplay between mental processes bodily reactions and emotions Contemplating the foundations of suffering or empathy can enrich our understanding of the emotional dimensions of how we perceive the world Additionally many psycho social phenomena can be comprehended more deeply through critical contemplative inquiry from a first person perspective WTO Appellate Body Repertory of Reports and Awards ,2011-04-28 The fourth edition of the Repertory of Reports and Awards the Repertory serves first and foremost as a source of information for those interested in the field of international trade law Initially developed as an internal research tool to assist the Appellate Body Secretariat in carrying out its duty to provide legal support to Appellate Body Members the Repertory has become a practical tool for officials from WTO Member States and in particular for Members

including developing country Members that may not have the resources to prepare a similar compendium in house The Repertory is also of assistance to academics students private practitioners and other followers of international trade law and dispute settlement

Food, the Body and the Self Deborah Lupton,1996-04-25 This book is a wide ranging and thought provoking analysis of the sociocultural and personal meanings of food and eating The author explores the relationship between food and embodiment childhood and family the social construction of food eating

Body Art/performing the Subject Amelia Jones,1998 With great originality and scholarship Amelia Jones maps out an extraordinary history of body art over the last three decades and embeds it in the theoretical terrain of postmoderism The result is a wonderful and permissive space in which the viewer can wander Moira Roth Trefethen professor of art history Mills College

American Civil Engineers' Pocket Book Mansfield Merriman,1916

Human Anatomy: A Humorous Exploration of the Human Body and Self-Care Demarcus Chung,2025-04-17 This humorous and insightful guide to human anatomy is not your average textbook With engaging language and witty illustrations this book takes you on a journey through the wonders of your own body From the intricate workings of your muscles to the mysterious world of your microbes you ll discover the secrets of your anatomy in a whole new light Delve into the mysteries of your nervous system learn about the superpowers of your immune system and explore the fascinating world of your DNA This book doesn t just provide information it ignites a curiosity that will inspire you to embrace a healthier lifestyle and appreciate the incredible machine that is your body So whether you re a student looking to spice up your studies or simply someone curious about the human body this book is for you Get ready for a wild and wonderful adventure through the human form filled with laughter insights and a newfound appreciation for your own miraculous anatomy

A Guide to the Wireless Engineering Body of Knowledge (WEBOK) Andrzej Jajszczyk,2012-10-18 The ultimate reference on wireless technology now updated and revised Fully updated to incorporate the latest developments and standards in the field A Guide to the Wireless Engineering Body of Knowledge Second Edition provides industry professionals with a one stop reference to everything they need to design implement operate secure and troubleshoot wireless networks Written by a group of international experts the book offers an unmatched breadth of coverage and a unique focus on real world engineering issues The authors draw upon extensive experience in all areas of the technology to explore topics with proven practical applications highlighting emerging areas such as Long Term Evolution LTE in wireless networks The new edition is thoroughly revised for clarity reviews wireless engineering fundamentals and features numerous references for further study Based on the areas of expertise covered in the IEEE Wireless Communication Engineering Technologies WCET exam this book explains Wireless access technologies including the latest in mobile cellular technology Core network and service architecture including important protocols and solutions Network management and security from operations process models to key security issues Radio engineering and antennas with specifics on radio frequency propagation and wireless link design Facilities infrastructure from lightning protection to

surveillance systems With this trusted reference at their side wireless practitioners will get up to speed on advances and best practices in the field and acquire the common technical language and tools needed for working in different parts of the world

Biolaw: Origins, Doctrine and Juridical Applications on the Biosciences Erick Valdés, 2021-03-27 This book configures a consistent epistemology of biolaw that distinguishes itself from bioethics and from a mere set of international instruments on the regulation of biomedical practices Such orthodox intellection has prevented biolaw from being understood as a new branch of law with legally binding force which has certainly dwindled its epistemological density Hence this is a revolutionary book as it seeks to deconstruct the history of biolaw and its oblique epistemologies which means not accepting perennial axioms and not seeing paradigms where only anachronism and anomaly still exist It is a book aimed at validity but also at solidity because the truth of biolaw has never been told before In that sense it is also a revealing text The book shapes biolaw as an independent and compelling branch of law with a legally binding scope which boosts the effectiveness of new deliberative models for legal sciences as well as it utterly reinforces hermeneutical and epistemological approaches in tune with the complexity of disturbing legal scenarios created by biomedical sciences latest applications This work adeptly addresses the origins of the European biolaw and its connections with American bioethics It also analyses different biolaw s epistemologies historically developed both in Europe and in the United States to finally offer a new conception of biolaw as a new branch of law by exploring its theoretical and practical atmospheres to avoid muddle and uncertainty when applied in biomedical settings This book is suitable for academics and students of biolaw law bioethics and biomedical research as well as for professionals in higher education institutions courts the biomedical industry and pharmacological companies

Mouth hygiene Alfred C. Fones, 1916

The Enigmatic Realm of **The Integrity Of The Body**: Unleashing the Language is Inner Magic

In a fast-paced digital era where connections and knowledge intertwine, the enigmatic realm of language reveals its inherent magic. Its capacity to stir emotions, ignite contemplation, and catalyze profound transformations is nothing lacking extraordinary. Within the captivating pages of **The Integrity Of The Body** a literary masterpiece penned by way of a renowned author, readers attempt a transformative journey, unlocking the secrets and untapped potential embedded within each word. In this evaluation, we shall explore the book is core themes, assess its distinct writing style, and delve into its lasting affect the hearts and minds of people who partake in its reading experience.

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Table of Contents The Integrity Of The Body

1. Understanding the eBook The Integrity Of The Body
 - The Rise of Digital Reading The Integrity Of The Body
 - Advantages of eBooks Over Traditional Books
2. Identifying The Integrity Of The Body
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an The Integrity Of The Body
 - User-Friendly Interface
4. Exploring eBook Recommendations from The Integrity Of The Body
 - Personalized Recommendations
 - The Integrity Of The Body User Reviews and Ratings

- The Integrity Of The Body and Bestseller Lists
- 5. Accessing The Integrity Of The Body Free and Paid eBooks
 - The Integrity Of The Body Public Domain eBooks
 - The Integrity Of The Body eBook Subscription Services
 - The Integrity Of The Body Budget-Friendly Options
- 6. Navigating The Integrity Of The Body eBook Formats
 - ePub, PDF, MOBI, and More
 - The Integrity Of The Body Compatibility with Devices
 - The Integrity Of The Body Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of The Integrity Of The Body
 - Highlighting and Note-Taking The Integrity Of The Body
 - Interactive Elements The Integrity Of The Body
- 8. Staying Engaged with The Integrity Of The Body
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers The Integrity Of The Body
- 9. Balancing eBooks and Physical Books The Integrity Of The Body
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection The Integrity Of The Body
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine The Integrity Of The Body
 - Setting Reading Goals The Integrity Of The Body
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of The Integrity Of The Body
 - Fact-Checking eBook Content of The Integrity Of The Body
 - Distinguishing Credible Sources

13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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