

HUMAN TRAFFICKING AND SURROGATE MOTHERHOOD: CHALLENGES

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Summary

Owing to modern scientific advances prospective parents, among other opportunities, enjoy the opportunity, which has not been available before. It consists in giving birth to a child by using another woman's reproductive capacity when the situation seems hardly improvable.

The paper examines surrogate motherhood as one of the reproductive methods through the prism of human trafficking. It aims at studying and differentiating such legal phenomena as the sale of human beings and surrogate motherhood, which is provided primarily on a paid-for basis, whose consequences (transferring irrevocably a child from one person to another), are externally similar.

The comparative legal and formal legal methods have been employed to provide a general description of international experience in regulating surrogate motherhood. Examples of absolutely opposite ways of pursuing state policy on the legalization of this type of reproductive methods in foreign countries are suggested: from a complete ban to legislative approval and even further simplification of the applying procedure.

It has been proved that there is no connection between acknowledgement of the legality of this procedure and the geographical location of states, the level of their economic development, the specifics of the legal system, and the like. It has been stated that none of the countries can be considered a universal example of solving these issues.

Based on the example of Ukrainian legislation, the author suggests distinguishing between the objective aspect of selling human beings and surrogate motherhood, which is provided, first of all, for a fee. It is emphasized that due to the peculiarities of reproductive technologies only a child should be the object of trade, not a person's gametes, zygote, embryo or fetus. When a child is sold, in view of the objective aspect, the child is illegally transferred from one person to another. In legal surrogate motherhood agreements the object of the agreement concluded between the surrogate mother and the future parents is not the child, but the service related to embryo implantation, pregnancy and childbirth, *id est*, a long process.

Based on criminal law, there have been modelled the peculiarities of surrogate motherhood and its assessment used in determining the signs of human trafficking largely depending on genetic relationship between a child and customers (potential parents), as well as a child and a surrogate mother.

The mental element making the distinction between surrogacy and the trafficking of newborns is described. It is emphasized that qualifying as «trafficking in human beings» necessitates the proof of direct intent to unlawfully «transfer» a child, primarily in return for a fee.

Surrogate Motherhood The Ethics Of Using Human Beings

Marcus Düwell



Surrogate Motherhood The Ethics Of Using Human Beings:

Surrogate Motherhood Thomas Anthony Shannon, 1988 **Surrogate Motherhood** Lawrence O. Gostin, 1990-05-22

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 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 *The Ethics of Commercial Surrogate Motherhood* Scott Rae, 1994 This study addresses the two most controversial issues in surrogate motherhood the commercial aspect of the practice and the issue of parental rights After setting the legal and moral backdrop of procreative liberty in general Rae argues that commercial surrogacy is the moral equivalent of baby selling and should be prohibited Add to this the potential for exploitation of the surrogate in practices that are already in motion and it is not hard to see the potential for harm to the parties involved The book concludes with a survey of state and international law to date on surrogacy and a sample legislative proposal that could be adopted by states that are currently deliberating the issues The commercial aspect of surrogacy makes it a potentially profitable business not only for the surrogates but also for the brokers who facilitate the arrangements This book promotes careful forethought a reconsideration of definitions of parenthood and a thorough examination of cases past and pending **The Jewish Family Ethics Textbook** Neal Scheindlin, 2021-10 2021 National Jewish Book Award Finalist for Con tem po rary Jew ish Life and Practice Judaism offers us unique and often divergent insights into contemporary moral quandaries How can we use social media without hurting others Should people become parents through cloning Should doctors help us die The first ethics book to address social media and technology ethics through a Jewish lens along with teaching the additional skills of analyzing classical Jewish texts The Jewish Family Ethics Textbook guides teachers and students of all ages in mining classical and modern Jewish texts to inform ethical decision making Both sophisticated and accessible the book tackles challenges in parent child relationships personal and academic integrity social media sexual intimacy conception abortion and end of life Case studies largely drawn from real life concretize the dilemmas Multifaceted texts from tradition translated from Hebrew and Aramaic to modernity build on one another to shed light on the deliberations Questions for inquiry commentary and a summation of the texts implications for the case

studies deepen and open up the dialogue In keeping with the tradition of ma loket preserving multiple points of view We need not accept any of our forebears ideas uncritically Rabbi Neal Scheindlin explains The texts provide opportunities to discover ideas that help us think through ethical dilemmas while leaving room for us to discuss and draw our own conclusions

The Hackett Introduction to Medical Ethics Matthew Altman,Cynthia Coe,2025-08-18 The Hackett Introduction to Medical Ethics addresses key debates and analyzes prominent ethical perspectives on clinical medicine healthcare policy and human experimentation Using numerous examples and case studies Altman and Coe apply value theory to contemporary medical practice and trace the repercussions for such philosophical issues as autonomy death and justice The book invites a range of readers to investigate urgent moral questions at the intersection of the body and social institutions Free online resources to support The Hackett Introduction to Medical Ethics will be available on the book title page at www.hackettpublishing.com in early fall 2025 Resources will include PowerPoint lecture slides a sample syllabus links to case studies to help facilitate small group discussion and apply theoretical concepts and more

Ethics in Pharmacy Practice: A Practical Guide Dennis M. Sullivan,Douglas C. Anderson,Justin W. Cole,2021-06-16 This textbook offers a unique and accessible approach to ethical decision making for practicing pharmacists and student pharmacists Unlike other texts it gives clear guidance based on the fundamental principles of moral philosophy explaining them in simple language and illustrating them with abundant clinical examples and case studies The strength of this text is in its emphasis on normative ethics and critical thinking and that there is truly a best answer in the vast majority of cases no matter how complex The authors place high trust in a pharmacist s moral judgment This teaches the reader how to think based on ethical principles not necessarily what to think This means navigating between the two extremes of overly theoretical and excessively prescriptive The cogent framework given in this text uses the language of competing duties identifying the moral principles at stake that create duties for the pharmacist This is the balancing act of normative ethics and of deciding which duties should prevail in a given clinical situation This work presents a clear cut pathway for resolving ethical dilemmas encountered by pharmacists based on foundational principles and critical thinking Presents a clear cut pathway for resolving the ethical dilemmas encountered by pharmacists based on foundational principles and critical thinking Jon E Sprague RPh PhD Director of Science and Research for the Ohio Attorney General

Third-Party Reproduction James M. Goldfarb,2013-10-07 The first IVF conceived birth in 1978 resulted in a significant growth of third party reproductive options which continue to raise ethical legal and psychological questions Third party reproduction procedures can involve as many as five people sperm donor egg donor gestational carrier and intended parents Third Party Reproduction A Comprehensive Guide utilizes experts in the field to address the medical psychological ethical and legal aspects of sperm donation egg donation embryo donation and the use of gestational carriers In addition there are chapters on the medical and ethical aspects of posthumous reproduction religious aspects of third party reproduction and how to avoid pitfalls of third party reproduction Aimed at

physicians trainees psychologists nurses and social workers whose practices may include patients considering third party reproduction the intent of this book is to provide a comprehensive and practical overview of the many aspects of third party reproduction to help all those involved to better understand them Patients considering third party reproduction may also find value in this book

Mothers and Children Susan E. Chase, Mary Frances Rogers, 2001 Motherhood is a highly personal array of experiences with a uniquely public dimension preoccupying policymakers advice givers health care providers religious leaders child care workers educators and total strangers who feel entitled to judge mothers they see with their children in the neighborhood or on the TV news Chase U of Tulsa and Rogers U of West Florida approach motherhood and mothering as feminist sociologists focusing on questions such as how ideas about motherhood are shaped by social and historical conditions how ideas about motherhood change over time and across social contexts who has the power to make their definitions of motherhood stick and what diverse groups of mothers themselves think Annotation copyrighted by Book News Inc Portland OR

Surrogate Motherhood Thomas Anthony Shannon, 1988 **Bioethics** Marcus Düwell, 2013 This book is a philosophically oriented introduction to bioethics It offers the reader an overview of key current debates in bioethics in the areas including organ retrieval stem cell research justice in healthcare and issues in environmental ethics including issues surrounding food and agriculture The book also seeks to go beyond describing the issues in order to provide the reader with the methodological and theoretical tools for a more comprehensive understanding of bioethical debates The book investigates the theoretical foundations and normative implications of bioethical debates and situates the areas of ethics into their philosophical context

The Prenatal Person Norman M. Ford, 2008-04-15 This text addresses the host of ethical questions that has arisen recently in response to the development of new reproductive technologies Addresses the ethical questions which have arisen in response to new reproductive technologies Helps students of theology philosophy and health studies as well as lay readers tackle these issues Provides readers with relevant medical and scientific facts Explains how different metaphysical frameworks affect the ways in which people solve these ethical problems Topics covered include human embryo and embryonic cell stem research infertility and its treatments and prenatal screening and diagnosis The author takes a balanced approach acknowledging his loyalty to Catholicism yet exploring freely the new options provided by advancing biological science

The Ethics of Embryo Adoption and the Catholic Tradition Sarah-Vaughan Brakman, Darlene Fozard Weaver, 2008-04-08 The strength of this collection of essays is its careful consideration from a variety of perspectives within the Catholic tradition of the practice of embryo adoption It approaches the question in an open and reasonable way by allowing proponents of diverse positions within the tradition This method both sheds a great deal of light on the particular question and at the same time introduces the reader to the relevant general principles that guide Catholic moral thought

Ethical Dilemmas in Assisted Reproductive Technologies Joseph G. Schenker, 2011-08-29 Assisted reproductive technologies ART include the artificial or partially artificial methods to achieve pregnancy These new technologies lead to

substantial changes regarding of ethical and legal aspects in reproductive medicine The book focuses on current hot topics about ethical dilemmas in ART e g about the duties of ethical committees guidelines regarding informed consent ethical and legal aspects of sperm donation embryo donation ethics of embryonic stem cells therapeutical cloning patenting of human genes commercialization

Regulating Reproduction Emily Jackson,2001-10-10 This new book provides a clear and accessible analysis of the various ways in which human reproduction is regulated A comprehensive exposition of the law relating to birth control abortion pregnancy childbirth surrogacy and assisted conception is accompanied by an exploration of some of the complex ethical dilemmas that emerge when one of the most intimate areas of human life is subjected to regulatory control Throughout the book two principal themes recur First particular emphasis is placed upon the special difficulties that arise in regulating new technological intervention in all aspects of the reproductive process Second the concept of reproductive autonomy is both interrogated and defended This book offers a readable and engaging account of the complex relationships between law technology and reproduction It will be useful for lecturers and students taking medical law or ethics courses It should also be of interest to anyone with a more general interest in women s bodies and the law or with the profound regulatory consequences of new technologies

Liberalism And The 'Politics Of Difference' Andrea Baumeister,2019-06-01 No detailed description available for Liberalism And The Politics Of Difference

Unlocking Medical Law and Ethics 2e Claudia Carr,2014-11-20 Unlocking Medical Law and Ethics will help you grasp the main concepts of Medical Law with ease Containing accessible explanations in clear and precise terms that are easy to understand it provides an excellent foundation for learning and revising The information is clearly presented in a logical structure and the following features support learning helping you to advance with confidence Clear learning outcomes at the beginning of each chapter set out the skills and knowledge you will need to get to grips with the subject Key Learning Points throughout each chapter allow you to progressively build and consolidate your understanding End of chapter summaries provide a useful check list for each topic Cases and judgments are highlighted to help you find them and add them to your notes quickly Frequent activities and self test questions are included so you can put your knowledge into practice Sample essay questions with annotated answers prepare you for assessment Glossary of legal terms clarifies important definitions This second edition has been updated to include discussion of recent changes and developments within the module such as updated case law including Birmingham Children s NHS Trust v B 2014 EWHC 531 NHS Foundation Trust v A 2014 EWHC 920 A NHS Trust v DE 2013 EWHC 2562 Re P M Parental Order Payments to Surrogacy Agency 2013 EWHC 2328 R v Catt Sarah Louise 2013 EWCA 1187 and Doogan v Greater Glasgow and Clyde Health Board and others 2013 CSIH 36 The books in the Unlocking the Law Series get straight to the point and offer clear and concise coverage of the law broken down into bite size sections with regular recaps to boost your confidence They provide complete coverage of both core and popular optional law modules presented in an innovative visual format and are supported by a website which offers students a host of additional practice

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Ethics in Reproductive and Perinatal Medicine , **Bioethics** Scott B. Rae,Paul M. Cox,1999 This new series of books brings thoughtful biblically informed perspectives to contemporary issues in bioethics Whether exploring abortion assisted suicide genetic engineering or other controversial issues in bioethics these volumes provide principled discussion of the ethical implications of today s medical and scientific breakthroughs Extremely useful to students scholars and general readers alike these volumes are ideal for classroom use in nontheological as well as theological settings This excellent text offers a broad based introduction to the field of bioethics Scott Rae and Paul Cox provide an assessment of various secular approaches to bioethics that are particularly influential today and develop a framework for a Christian approach meant to assist people in addressing the many pressing issues in the field Though touching on the numerous debated issues in bioethics the authors are primarily concerned here to give an account of the central theological notions crucial to an informed Christian perspective on bioethics Their work makes a stimulating and substantial contribution to a Christian bioethic that can effectively engage the pluralistic culture in which health care is practiced today **Medical Ethics in the Catholic Tradition** Margaret M. Hogan,Edward M. Hogan,Annique K. Hogan,Matthew J.D. Hogan,2025-08-08 This book is a comprehensive survey and a sustained treatment of the major topics in contemporary medical ethics from within the Roman Catholic tradition It brings together perspectives from philosophy theology medicine and law to explore the traditions that undergird Catholic medical ethics The authors of this book are respectively a philosopher theologian physician and attorney Their commitment to the Roman Catholic tradition provides the foundational principles for addressing a wide range of issues in contemporary medical ethics These topics include abortion reproduction cloning to produce children cloning for biomedical research embryonic stem cell use genetics as screening testing therapy enhancement engineering specific special relations such as maternal fetal physician patient mentally ill caretakers health care and end of life issues Furthermore the book elaborates on the ways in which the authors professions and disciplines act in service to medicine as an instrument for real human flourishing Medical Ethics in the Catholic Tradition is for the physician who would like to know more about the philosophical theological legal traditions that undergird the Catholic position It is for the attorney who would like to know more about the philosophical theological medical traditions that undergird the Catholic position Similarly the philosopher or theologian can find here the appropriate information to understand how science and law contribute to the development of the Catholic position on major issues in medical ethics *National bioethics committees in action* UNESCO,2010-12-31

Surrogate Motherhood The Ethics Of Using Human Beings: Bestsellers in 2023 The year 2023 has witnessed a noteworthy surge in literary brilliance, with numerous compelling novels captivating the hearts of readers worldwide. Lets delve into the realm of popular books, exploring the fascinating narratives that have captivated audiences this year. Surrogate Motherhood The Ethics Of Using Human Beings : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover masterfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This intriguing historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids absorbing storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Surrogate Motherhood The Ethics Of Using Human Beings : Delia Owens "Where the Crawdads Sing" This evocative coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens crafts a tale of resilience, survival, and the transformative power of nature, entrancing readers with its evocative prose and mesmerizing setting. These bestselling novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of engaging stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a exceptional and gripping novel that will keep you guessing until the very end. The novel is a warning tale about the dangers of obsession and the power of evil.

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