

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

Dolores S. Williams



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 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 *The Jewish Family Ethics Textbook* Neal Scheindlin, 2021-10 2021 National Jewish Book Award Finalist for Contemporary Jewish 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

Sisters in the Wilderness Dolores S. Williams, 2013-10-01 This landmark work first published 20 years ago helped establish the field of African American womanist theology It is widely regarded as a classic text in the field Drawing on the biblical figure of Hagar mother of Ishmael cast into the desert by Abraham and Sarah but protected by God Williams finds a prototype for the struggle of African American women African slave homeless exile surrogate mother Hagar's story provides an image of survival and defiance appropriate to black women today Exploring the themes implicit in Hagar's story poverty and slavery ethnicity and sexual exploitation exile and encounter with God Williams traces parallels in the history of African American women from slavery to the present day A new womanist theology emerges from this shared experience from the interplay of oppressions on account of race sex and class *Sisters in the Wilderness* offers a telling critique of theologies that promote liberation but ignore women of color This is a book that defined a new theological project and charted a path that others continue to explore

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 **Surrogate Motherhood** Thomas Anthony Shannon, 1988 **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

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