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editors

Disability, Divers-ability and Legal Change

International Studies in Human Rights

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Disability Divers Ability And Legal Change Disability Divers Ability And Legal Change

Alan Roulstone, Colin Barnes



Disability Divers Ability And Legal Change Disability Divers Ability And Legal Change:

Disability, Divers-ability and Legal Change Lee Ann Bassar Marks, Melinda Jones, 2021-09-27 This text ventures into the area where law and disability intersect Drawing on developments in the emerging field of disability studies and on a new found human rights perspective on disability the contributions traverse topics as wide ranging as citizenship feminism eugenics euthanasia and sexual abuse of people with disabilities and analyze disability law at both a domestic and international level Informed by the social model of disability this work brings together academics and disability activists from Australia Europe and North America The book is interdisciplinary in nature with contributors coming from sociology education law geography philosophy and cultural studies

Law, Rights and Disability Jeremy Cooper, 2000-12-01 This comprehensive volume assesses the relationship between legal rights and disability and the effect of law legal process and third party professional intervention on the lives of people with disabilities The contributors who are all either academics or other professional experts in their field write in a jargon free accessible style

Handbook of Disability Studies Gary L. Albrecht, Katherine D. Seelman, Michael Bury, 2001-05-24 This path breaking international handbook of disability studies signals the emergence of a vital new area of scholarship social policy and activism Drawing on the insights of disability scholars around the world and the creative advice of an international editorial board the book engages the reader in the critical issues and debates framing disability studies and places them in an historical and cultural context Five years in the making this one volume summarizes the ongoing discourse ranging across continents and traditional academic disciplines To provide insight and perspective the volume is divided into three sections The shaping of disability studies as a field experiencing disability and disability in context Each section written by world class figures consists of original chapters designed to map the field and explore the key conceptual theoretical methodological practice and policy issues that constitute the field Each chapter provides a critical review of an area positions and literature and an agenda for future research and practice The handbook answers the need expressed by the disability community for a thought provoking interdisciplinary international examination of the vibrant field of disability studies The book will be of interest to disabled people scholars policy makers and activists alike The book aims to define the existing field stimulate future debate encourage respectful discourse between different interest groups and move the field a step forward

International Human Rights and Mental Disability Law Michael L. Perlin, 2012 Examining the mistreatment of persons with mental disabilities around the world Michael Perlin identifies universal factors that contaminate mental disability law including lack of comprehensive legislation and of independent counsel inadequate care poor or nonexistent community programming and inhumane forensic systems

Working Futures? Alan Roulstone, Colin Barnes, 2005-11-16 Working futures looks at the current effectiveness and future scope for enabling policy in the field of disability and employment By addressing the current strengths and weaknesses of disability and employment policy the book asks Is the dichotomy of work for those who can and support for

those who cannot appropriate to the lives of disabled people Does current and recent policy reduce or reinforce barriers to paid employment What lessons from other welfare regimes can we draw on to further disabled people s working futures The book is original in bringing together a wide range of policy insights to bear on the question of disabled people s working futures It includes analyses of recent policy initiatives as diverse as the Disability Discrimination Act 1995 Draft Disability Bill the benefits system New Deal for Disabled People job retention policy comparative disability policy the role of the voluntary sector and new policies for a new workplace Contributions from academics NGOs the OECD and the disabled peoples movement bring multiple theoretical professional and user perspectives to the debates at the heart of the book

Rethinking Rights-Based Mental Health Laws Bernadette McSherry,Penny Weller,2010-08-16 Mental health laws exist in many countries to regulate the involuntary detention and treatment of individuals with serious mental illnesses Rights based legalism is a term used to describe mental health laws that refer to the rights of individuals with mental illnesses somewhere in their provisions The advent of the United Nations Convention on the Rights of Persons with Disabilities makes it timely to rethink the way in which the rights of individuals to autonomy and liberty are balanced against state interests in protecting individuals from harm to self or others This collection addresses some of the current issues and problems arising from rights based mental health laws The chapters have been grouped in five parts as follows Historical Foundations The International Human Rights Framework and the United Nations Convention on the Rights of Persons with Disabilities Gaps Between Law and Practice Review Processes and the Role of Tribunals Access to Mental Health Services Many of the chapters in this collection emphasise the importance of moving away from the limitations of a negative rights approach to mental health laws towards more positive rights of social participation While the law may not always be the best way through which to alleviate social and personal predicaments legislation is paramount for the functioning of the mental health system The aim of this collection is to encourage the enactment of legal provisions governing treatment detention and care that are workable and conform to international human rights documents

Disability, Difference, Discrimination Anita Silvers,David T. Wasserman,Mary Briody Mahowald,1998 How should we respond to individuals with disabilities What does it mean to be disabled Over fifty million Americans from neonates to the fragile elderly are disabled Some people say they have the right to full social participation while others repudiate such claims as delusive or dangerous In this compelling book three experts in ethics medicine and the law address pressing disability questions in bioethics and public policy Anita Silvers David Wasserman and Mary B Mahowald test important theories of justice by bringing them to bear on subjects of concern in a wide variety of disciplines dealing with disability They do so in the light of recent advances in feminist minority and cultural studies and of the groundbreaking Americans with Disabilities Act Visit our website for sample chapters

Disability and Information Technology Eliza Varney,2013-03-11 Disability and Information Technology examines the extent to which regulatory frameworks for information and communication technologies ICTs safeguard the rights of persons

with disabilities as citizenship rights It adopts a comparative approach focused on four case studies Canada the European Union the United Kingdom and the United States It focuses on the tension between social and economic values in the regulation of ICTs and calls for a regulatory approach based on a framework of principles that reflects citizenship values The analysis identifies challenges encountered in the jurisdictions examined and points toward the rights based approach advanced by the UN Convention on the Rights of Persons with Disabilities as a benchmark in protecting the rights of persons with disabilities to have equal access to information The research draws on a wealth of resources including legislation cases interviews consultation documents and responses from organisations representing persons with disabilities

Making Rights a Reality? Lisa Vanhala, 2010-12-20 *Making Rights a Reality* explores the way in which disability activists in the United Kingdom and Canada have transformed their aspirations into legal claims in their quest for equality It unpacks shifting conceptualizations of the political identity of disability and the role of a rights discourse in these dynamics In doing so it delves into the diffusion of disability rights among grassroots organizations and the traditional disability charities The book draws on a wealth of primary sources including court records and campaign documents and encompassing interviews with more than sixty activists and legal experts While showing that the disability rights movement has had a significant impact on equality jurisprudence in two countries the book also demonstrates that the act of mobilizing rights can have consequences both intended and unintended for social movements themselves

Exploring Disability Colin Barnes, Geof Mercer, 2018-05-21 The second edition of this widely used text has been carefully rewritten to ensure that it is up to date with cutting edge debates evidence and policy changes Since the book's initial publication there has been an expansion of interest in disability in the social sciences and disability has come to play an increasingly prominent role in political debates The new edition takes account of all these developments and also gives greater emphasis to global issues in order to reflect the increasing and intensifying interdependence of nation states in the twenty first century The authors examine amongst other issues the changing nature of the concept of disability key debates in the sociology of health and illness the politicisation of disability social policy and the cultural and media representation of disability As well as providing an excellent overview of the literature in the area the book develops an understanding of disability that has implications for both sociology and society The second edition of *Exploring Disability* will be indispensable for students across the social sciences and in health and social care who really want to understand the issues facing disabled people and disabling societies

Encyclopedia of Disability Gary L Albrecht, 2006 Presents current knowledge of and experience with disability across a wide variety of places conditions and cultures to both the general reader and the specialist

Nussbaum and Law Robin West, 2017-07-05 The essays collected in this volume reflect the profound impact of Martha Nussbaum's philosophical writings on law and legal scholarship The capabilities approach that she has largely authored has influenced the approach scholars take to the law of disabilities both in the United States and in Canada as well as to international human rights and to

domestic private law's protections of vulnerable populations Her analyses of the relationship between our emotions and our thought and action has triggered a re assessment of the legal regulation and recognition of emotion in a range of fields most particularly in the field of criminal law and her writing on the nature of dignity has informed an understanding of the emerging civil rights of gay and lesbian citizens worldwide Our appreciation of the role of narrative in legal thought and discourse and the contributions of literature to law and legal culture have also been broadened and deepened by her contributions Taken together and including the introduction by the editor the essays collected in this volume demonstrate the far reaching impact of Nussbaum's philosophical oeuvre

Disability Rights in Europe Anna Lawson, Caroline Gooding, 2005-05-15 This book is based on a conference organised jointly by the editors to mark the European Year of Disabled People It explores the range of legal strategies which have been adopted both nationally and internationally to achieve equality for disabled people and facilitate their inclusion into mainstream society It examines current developments in anti discrimination law both within Member States and at EU level It also assesses the effectiveness and potential of the human rights framework for disabled Europeans In addition a number of approaches to the enforcement and promotion of disability rights are considered Contributors to this book drawn from across Europe represent a variety of different backgrounds They include leading academics in the field as well as campaigners and others working to improve or enforce disability related legislation The book is a unique and timely contribution to an important and rapidly expanding field of study It will be of relevance to all those whether lawyers or not with an interest in disability and equality issues

Americans with Disabilities Leslie Francis, Anita Silvers, 2015-12-22 In this groundbreaking work leading philosophers legal theorists bioethicists and policy makers offer incisive looks into the philosophical and moral foundations of disability law and policy

Brave New World of Health Belinda Bennett, Terry Carney, Isabel Karpin, 2008 This book argues that the foundational terms and concepts which form the basic building blocks of dialogue about health are now in flux While the forces in play differ and the pace of change is varied there is now a brave new world of health which characterises policy debate about health and illness or disability This permeates even the more narrow technical issues within clinical medicine the law and medical science This construction and reconstruction of health has important implications for the development of law and policy

Mental Disability And the European Convention on Human Rights Peter Bartlett, Oliver Lewis, Oliver Thorold, 2007 Mental disability has come of age as a subject of concern under the European Convention on Human Rights It was only in 1979 that the first significant decision of the ECHR was decided on the subject and after that cases were relatively few for many years It is only recently that this has begun to change This volume provides an account of where the law currently stands and speculation as to how it may develop The initial chapters deal with substantive aspects of Convention rights including issues of detention in institutions conditions within institutions medical treatment problems associated with guardianship and others The final two chapters move to discuss the practicalities of litigation The book concludes with a

number of appendices primarily the primary international legal materials of relevance to mental disability rights under the ECHR and the relevant recommendations and principles from the Council of Europe It is hoped that this volume in addition to shedding light on where the law currently stands will offer practical guidance to lawyers concerning the mechanics of representing people with mental disabilities Disability Rights Law and Policy: International and National Perspectives Mary Lou Breslin, Silvia Yee, 2021-09-13 This volume describes the extraordinary success of the international political movement of people with disabilities to include disability as a human rights issue The authors are renowned disability rights attorneys university professors and activists who practice teach and work internationally Published under the Transnational Publishers imprint **Ethics, Law, and Policy** Jerome E. Bickenbach, 2012-01-03 Explores ethical legal and policy issues of people with disabilities and examines topics central to the lives of individuals with disabilities and their families Disability Rights and Wrongs Tom Shakespeare, 2006-12-05 Over the last thirty years the field of disability studies has emerged from the political activism of disabled people In this challenging review of the field leading disability academic and activist Tom Shakespeare argues that the social model theory has reached a dead end Drawing on a critical realist perspective Shakespeare promotes a pluralist engaged and nuanced approach to disability Key topics discussed include dichotomies the dangerous polarizations of medical model versus social model impairment versus disability and disabled people versus non disabled people identity the drawbacks of the disability movement s emphasis on identity politics bioethics in disability choices at the beginning and end of life and in the field of genetic and stem cell therapies care and social relationships questions of intimacy and friendship This stimulating and accessible book challenges orthodoxies in British disability studies promoting a new conceptualization of disability and fresh research agenda It is an invaluable resource for researchers and students in disability studies and sociology as well as professionals policy makers and activists Critical Perspectives on Human Rights and Disability Law Marcia H. Rioux, Lee Ann Basser, Melinda Jones, 2011-05-23 This book examines the changing relationship between disability and the law addressing the intersection of human rights principles human rights law domestic law and the experience of people with disabilities Drawn from the global experience of scholars and activists in a number of jurisdictions and legal systems the core human rights principles of dignity equality and inclusion and participation are analyzed within a framework of critical disability legal scholarship This book breaks new ground in its consideration of the way in which human rights principles can be applied in law and policy to achieve positive outcomes for people with disabilities With a foreword of Professor Ron McCallum AO 2010 Chair United Nations Committee on the Rights of Persons with Disabilities

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