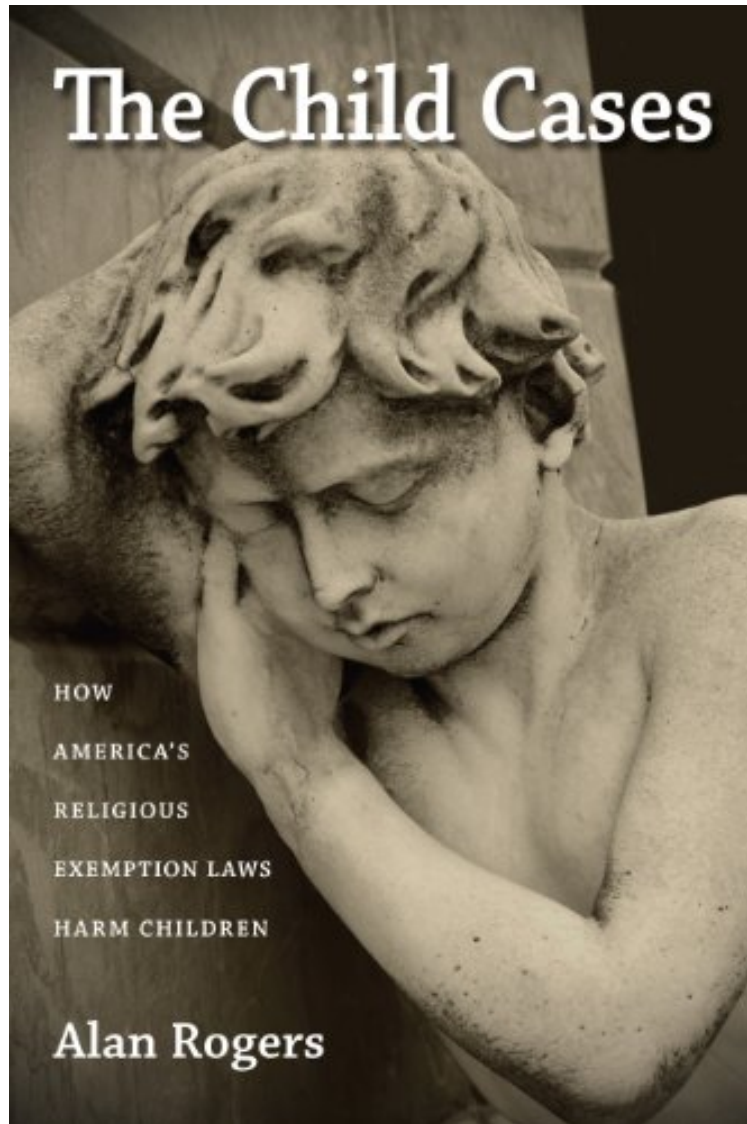


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The Child Cases: How America's Religious Exemption Laws Harm Children

Alan Rogers

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Alan Rogers : The Child Cases: How America's Religious Exemption Laws Harm Children before purchasing it in order to gage whether or not it would be worth my time, and all praised The Child Cases: How America's Religious Exemption Laws Harm Children:

0 of 1 people found the following review helpful. Reliable scholarship on child welfare policyBy Rita R. SwanThis is an accurate, legally-sound account of the criminal prosecutions of Christian Science parents who let their children die

without medical care in the 1980s. It also describes the fight to repeal laws that give or seem to give parents the right to withhold medical care from children on religious grounds. Historically, legislators have rubberstamped everything Christian Science lobbyists proposed regardless of the consequences to children, but monumental work by some child advocates is changing that..

When a four-year-old California girl died on March 9, 1984, the state charged her mother with involuntary manslaughter because she failed to provide her daughter with medical care, choosing instead to rely on spiritual healing. During the next few years, a half dozen other children of Christian Science parents died under similar circumstances. The children's deaths and the parents' trials drew national attention, highlighting a deeply rooted, legal/political struggle to define religious freedom. Through close analysis of these seven cases, legal historian Alan Rogers explores the conflict between religious principles and secular laws that seek to protect children from abuse and neglect. Christian Scientists argued often with the support of mainline religious groups that the First Amendment's "free exercise" clause protected religious belief and behavior. Insisting that their spiritual care was at least as effective as medical treatment, they thus maintained that parents of seriously ill children had a constitutional right to reject medical care. Congress and state legislatures confirmed this interpretation by inserting religious exemption provisos into child abuse laws. Yet when parental prayer failed and a child died, prosecutors were able to win manslaughter convictions by arguing as the U.S. Supreme Court had held for more than a century that religious belief could not trump a neutral, generally applicable law. Children's advocates then carried this message to state legislatures, eventually winning repeal of religious exemption provisions in a handful of states.

"Original scholarship on an original topic that challenges religious exemptions to generally applicable laws. The research is thorough and the writing reflects Rogers's impressive mining of newspaper reports and judicial records." Chris Beneke, author of *Beyond Toleration: The Religious Origins of American Pluralism* About the Author Alan Rogers is professor of history at Boston College and author of *Murder and the Death Penalty in Massachusetts* (University of Massachusetts Press, 2008).