# Contents

1 The Meaning of Autonomy .............................. 1  
   References ............................................ 3

2 Family Law and Autonomy ............................. 5  
   2.1 No Fault Divorce .................................. 5  
   2.2 Increased Use of Mediation ....................... 6  
   References ............................................ 9

3 Relational Autonomy ................................. 11  
   3.1 Relational Life Inevitable ......................... 11  
   3.2 Relational Life is Socially Good ................. 14  
   3.3 Obligations and Relational Autonomy ............ 16  
   3.4 Gender and Autonomy ............................. 17  
   3.5 Distinguishing Relational and Traditional Autonomy 20  
   References ............................................ 24

4 Applying Relational Autonomy to Family Law ......... 27  
   4.1 A Family Law Which Fosters Relationships ........ 27  
   4.2 A Family Law Which Acknowledges the Significance  
       of Relationships ................................... 28  
   4.3 A Family Law that Protects Those in Relationships  
       from Abuse ......................................... 29  
   4.4 A Family Law Which Remedies Financial Disadvantages  
       that Result from Relationship .................... 30  
   4.5 The Role of Law in Intact Families ................. 32  
   References ............................................ 32

5 Examples of Application ............................. 35  
   5.1 Pre-marriage Contracts ............................ 35  
   5.2 Adolescent Medical Decision Making .............. 41  
   5.3 Relationship-Based Welfare ....................... 43  
       5.3.1 Indeterminacy Concerns ....................... 45  
       5.3.2 Making Welfare/Best Interests Relational 46  

References
Relational Autonomy and Family Law
Herring, J.
2014, VII, 60 p., Softcover
ISBN: 978-3-319-04986-1