



Sex And Gender In The Legal Proceb

Giovanna Gilleri



Sex And Gender In The Legal Proceeb:

Sex and Gender in the Legal Process Susan S. M. Edwards,1996 This work examines the evolution of law and legal method and challenges the law s claim to neutrality by examining its role in creating and reproducing inequality between the sexes It considers many of the current debates and in each the law is stated with reference to recent developments in statute and judicial decisions in the UK and other jurisdictions The author illustrates how each issue is shaped by the current political climate and where relevant by the European Court Reference is also made to US and Australian case law The book should be of interest to students studying women and the law family law criminal law and jurisprudence as well as those on criminology and sociology courses It should also be useful to family and criminal practitioners

Sex and Gender Crimes in the New International Law Alona Hagay-Frey,2011-06-22 In times of conflict women have traditionally been excluded from protection of the law This book analyzes the treatment of sex and gender crimes under international law by identifying various legal eras from the inception of international criminal law until its most recent formulation the Rome Statute The author conducts her critical journey armed with insights about the development of the crime of rape in domestic law and feminist theories and exposes gaps and silences in international law s treatment of sex and gender crimes The author claims that the underlying stratum of sex crimes the gender stratum must be acknowledged Hence it is not sufficient to treat rape as another offense under existing traditional crime categories It must also be anchored as a separate crime category that clearly establishes the boundaries of the legal norm harmonizes different nations laws and eradicates the remnants of patriarchy linked to this offense

Encyclopedia of Sex and Gender Carol R. Ember,Melvin Ember,2003-12-31 The central aim of this encyclopedia is to give the reader a comparative perspective on issues involving conceptions of gender gender differences gender roles relationships between the genders and sexuality The encyclopedia is divided into two volumes Topics and Cultures The combination of topical overviews and varying cultural portraits is what makes this encyclopedia a unique reference work for students researchers and teachers interested in gender studies and cross cultural variation in sex and gender It deserves a place in the library of every university and every social science and health department Contents Glossary Cultural Conceptions of Gender Gender Roles Status and Institutions Sexuality and Male Female Interaction Sex and Gender in the World s Cultures Culture Name Index Subject Index

Sex, Gender and International Human Rights Law Giovanna Gilleri,2023-12-01 This book investigates the relationship between sex and gender under international human rights law and how this influences the formation of individual subjects Combining feminist queer and psychoanalytical perspectives the author scrutinises the sexed gendered human rights discourse starting from the assumptions underpinning interpretations of sex gender and the related notions of gender identity sex characteristics and sexual orientation Human rights law has so far offered only a limited account of the diversity of sexed gendered subjectivities being based on a series of simplistic assumptions Namely that there are only two sexes and two genders sex is a natural fact and gender is a social

construct gender is the metonymic signifier for women and gender power relations take the asymmetrical shape of male domination versus female oppression Against these assumptions dominative and subordinate postures interchangeably attach to femininities and masculinities depending on the subjects roles their positionalities and the situational meanings of their acts The limits of an approach to gender which is based on rigid binaries are evident in two case studies on the UN human rights treaty bodies vocabulary on medically unnecessary interventions upon intersex children and on the European Court of Human Rights narrative on sadomasochism This examination of the impact of human rights on gendered subjectivities will be of interest to scholars students and researchers in international law gender studies queer studies cultural studies critical race theory and psychoanalysis *Human Rights of the Transgender Community in India* Somabha

Bandopadhyay,2025-07-01 This book records real life experiences of transgender violence and victimisation analysing the legal lacunae in granting protection to the historically vulnerable community and their perspective of the law and safety It is an outcome of extensive empirical legal research conducted in the state of West Bengal India With exploration of global scenario of violence a systematic pattern of victimisation has been identified leading to a reasonable conclusion of internationalisation of transgender violence and victimisation that is largely ignored and is bereft of any legal protection Premised on the fact that without safety and protection against grave crimes no amount of civil rights protection is effective the book provides an account of the ever increasing gravity of transgender violence and victimisation Recognising that there is a paucity of research on type of targeted violence against transgender persons yet even with that scarcity of consistent and reliable reporting to official law enforcement sources the data that is available from governments public interest groups and community surveys about SOGI motivated violence reveals that precarity prevalence violence and the harm caused are graver as against other types of crimes and crimes against LGB population the author deliberately chose to focus on unearthing violence and victimisation The culturally sensitive approach to the problem is first of its kind in the legal landscape and expects to contribute to the developing jurisprudence The book navigates through the transgender jurisprudence to conclude that attempts made by the law makers across the world is only tokenistic and that the real pulse of the community is far from being recognised in law The in depth interviews with law enforcement bodies and transgender activists and victims reveal gaps between laws and realities whose impact assessment has been attempted in the book to suggest possible best practices to reduce vulnerability and auger empowerment The book expects to open doors for more legal and interdisciplinary research in India and abroad by scholars of law sociology victimology and others [Gender, Crime and Judicial Discretion 1780-1830](#) Deirdre Palk,2006 Crimes in England in the 18th and 19th centuries were committed and judged differently depending on whether the culprit was male or female This study of the English judicial system in London provides a detailed view of its complex workings with particular attention to the role and treatment of women **Research Handbook on Gender, Sexuality and the Law** Chris Ashford,Alexander Maine,2020-03-28 This

innovative and thought provoking Research Handbook explores not only current debates in the area of gender sexuality and the law but also points the way for future socio legal research and scholarship It presents wide ranging insights and debates from across the globe including Africa Asia Eastern Europe and Australia with contributions from leading scholars and activists alongside exciting emergent voices Sexual and Gender Minority Health Brea L. Perry, Allen J.

LeBlanc, 2021-01-15 This volume of Advances in Medical Sociology showcases rich theoretical and empirical contributions on SGM health and wellbeing The chapters address a variety of topics drawing from classic and contemporary sociological frameworks and constructs and reflecting intersecting interdisciplinary approaches to SGM health **Clinical Aspects of**

Sexual Harassment and Gender Discrimination Sharyn Ann Lenhart, 2004-03-20 This book addresses the psychological impact of sexual harassment and gender discrimination from both a clinical and theoretical perspective whereas previous literature on the topic has emphasized legal and employment consequences To start Lenhart provides a comprehensive summary and integration of existing literature and discusses relevant aspects of the workplace and legal environments The second portion of the book deals with the psychodynamics of sexual harassment and gender discrimination placing these violations in proper psychological perspective along the same lines as rape battering and other forms of gender based abuse The wide spectrum of psychological consequences of discrimination will be discussed and an effective and integrative model for intervention and treatment will be presented The Legal Relevance of Gender Sheila A. M. McLean, Noreen

Burrows, 1988-07-29 A discussion of the nature of a discrimination directed both against women as individuals and as members of a group examining the relevance of criteria which are used to justify such discrimination **The Oxford**

Handbook of Sexual and Gender Minority Mental Health Esther D. Rothblum, 2020-06-30 The Oxford Handbook of Sexual and Gender Minority Mental Health provides a comprehensive and authoritative review of research on the mental health of sexual minorities defined as those who identify as lesbian gay bisexual queer or same gender attracted as well as the mental health of gender minorities defined as individuals who do not fully identify with their sex assigned at birth including people who are transgender or gender non binary The twenty first century has seen encouraging improvements in sampling methods and funding opportunities for research with sexual and gender minority SGM populations nevertheless a key purpose of this Handbook is to identify lingering gaps in research in order to motivate future scientists to expand knowledge about SGM mental health The volume begins with a historical overview followed by sections on mental health categories diagnoses such as anxiety trauma eating disorders and suicide and specific sexual and gender minority populations including examinations of diverse ethnicities and orientations identities The handbook concludes with chapters on stigma the role of resilience and future directions for research with SGM groups The volume is aimed at researchers conducting studies on the mental health of SGM populations clinicians and researchers interested in psychiatric disorders that affect SGM populations clinicians using evidence based practice in the treatment of SGM patients clients students in

mental health programs clinical psychology psychiatry clinical social work and psychiatric nursing and policy makers

Gender, Sexuality and Law Chris Ashford, Alexander Maine, 2024-10-03 This textbook combines pioneering feminist and queer judgments and statutes with critical and intersectional theories to provide a comprehensive overview of the field of gender sexuality and law A diverse range of socio legal experts set out the theoretical and legal foundations of the topic before examining the ongoing struggle for rights and contemporary dissenting voices

Family Law, Gender and the State Alison Diduck, Felicity Kaganas, 2012-02-07 The third edition of this work on family law comprising text cases and materials provides not only an explication of legal principle but also explores primarily from a feminist perspective some of the assumptions about and constructions of gender sexual orientation class and culture that underlie the law It examines the ideology of the family and in particular the role of the law in contributing to and reproducing that ideology Structured around the themes of equality welfare and family privacy the book aims to offer the benefits of a textbook while also giving students a wide ranging set of materials for classroom discussion As well as providing a firm grounding in family law the text sets the law in its social and historical context and encourages a critical approach by students to the subject It provides an ideal introduction to family law for undergraduates but will be equally helpful for postgraduate students of family law for whom it provides a challenging selection of materials set within a theoretical framework rich in ideas and arguments Review of the second edition Diduck and Kaganas examine legal developments to shed light on society principally by investigating the ways in which family law constructs and regulates family life and responsibilities Theirs is an important and ambitious book that aims ultimately at a feminist restatement of family law The book is written and referenced in such depth that it is a useful resource for legal as well as social science researchers at all levels whether looking for theoretical inspiration or drawing up a literature review The range of diverse sources that Diduck and Kaganas draw on is impressive they seem to have included every bit of material that helps feminists make sense of family law There is a well pitched selection of further reading of such material at the end of each chapter What's more they undersell themselves by describing their book as Text Cases and Materials because they have woven by far the largest proportion of the cases and materials into the text Helen Reece Times Higher Education May 2007 Reviews of first edition A stimulating work which attempts to situate family law in its social historical and political context Its appeal should not be confined to family law students as its commitment to a critical and analytical approach offers insights and ideas with broader significance Mary Childs Child and Family Law Quarterly September 2002 The arguments are provocative the analysis is stimulating and the materials amassed strongly support the authors aim to question the axiomatic status of what is traditionally designated as the family Fiona E Raitt Infant and Child Development September 2002 It is not often that one can say of a textbook in Law that it makes interesting reading with quite the enthusiasm that can be expressed for this text This new publication offers something that few textbooks seem to offer a book you CAN open up virtually anywhere and find an interesting piece on almost any aspect of the broad family law

spectrum Penny Booth The Law Teacher September 2002 All the major themes in feminist and constructionist perspectives in family law are presented together with a wealth of readings and extensive references As a teaching manual it is excellent a coherent feminist perspective across the entire range of family law Marty Slaughter Feminist Legal Studies July 2003

Gender Recognition and the Law Flora Renz, 2024-02-02 Analysing the strategies people use to resist accept and respond to laws that attempt to shape not just their behaviour but also their identity this book pursues a critical engagement with legal gender transition The Gender Recognition Act GRA has often been described as a groundbreaking and progressive legal framework for allowing people to legally change their gender This book seeks to challenge this representation by drawing on in depth qualitative interviews with trans people about the GRA Theoretically this book uses the concepts of legal consciousness agency and emotion to highlight the normative underpinnings of the GRA Overall the book contends the GRA does not accurately reflect many trans people s own understanding of their gender identity or their sexuality It is designed to create subjects that govern their behaviour and self expression in a way that aligns with a purely binary model of sex gender and sexuality Although a deviation from these norms does not incur any direct punishment it indirectly leads to a denial of rights and legal protections By reviewing relevant legislation and case law and through qualitative research the book establishes how instead of uncritically accepting or completely rejecting the GRA trans people enact their singular identities by engaging strategically with law This book will be of interest across a range of disciplines including socio legal studies family law gender sexuality and law as well as sociology courses on gender identity and social policy

Equality of Opportunity for Sexual and Gender Minorities John Arzinos, Christian De la Medina Soto, Clifton Cortez, 2021-12-02 Despite legal and social advances in the past two decades sexual and gender minorities continue to face widespread discrimination and violence in many countries This discrimination and violence lead to exclusion which adversely impacts their lives as well as the communities and economies in which they live A major barrier to addressing this stigma and sexual orientation and gender identity SOGI based exclusion is the lack of SOGI specific data Robust quantitative data on differential development experiences and outcomes of sexual and gender minorities especially those in developing countries is extremely thin This paucity of data jeopardizes the achievement of the Sustainable Development Goals and countries commitment to the principle of leaving no one behind in the effort to end poverty and inequality Equality of Opportunity for Sexual and Gender Minorities assesses the unique challenges that sexual and gender minorities face in six important areas i Criminalization and SOGI ii Access to education iii Access to the labor market iv Access to public services and social protection v Civil and political inclusion vi Protection from hate crimes This report covers numerous policy recommendations to prevent and eliminate discriminatory practices in all of the areas covered It also seeks to influence legislative changes and support research on institutions and regulations that can ultimately lead to poverty reduction and shared prosperity At the same time it acknowledges that the mere existence of inclusive laws and regulations does not ensure that sexual and gender minorities

are free from discrimination the enforcement of those laws is crucial This publication the first in a series of studies will be expanded from the 16 countries included here to a wider set of countries for more in depth quantitative analysis and to identify possible correlations with socioeconomic outcomes It will seek to deepen knowledge facilitate peer learning of good practices and encourage reforms to increase the inclusion of sexual and gender minorities

Law and Gender Joanne Conaghan,2013-09-05 What role does gender play in shaping the law and legal thinking This book provides an answer to this question examining the historical role of gender in law and the relevance of gender to modern jurisprudence It presents a clear concise introduction to thinking about gender issues for lawyers and law students

Sexual Violence in a Digital Age Anastasia Powell,Nicola Henry,2017-06-29 This book examines how digital communications technologies have transformed modern societies with profound effects both for everyday life and for everyday crimes Sexual violence which is recognized globally as a significant human rights problem has likewise changed in the digital age Through an investigation into our increasingly and ever normalised digital lives this study analyses the rise of technology facilitated sexual assault revenge pornography online sexual harassment and gender based hate speech Drawing on ground breaking research into the nature and extent of technology facilitated forms of sexual violence and harassment the authors explore the reach of these harms the experiences of victims the views of service providers and law enforcement bodies as well as the implications for law justice and resistance Sexual Violence in a Digital Age is compelling reading for scholars activists and policymakers who seek to understand how technology is implicated in sexual violence and what needs to be done to address sexual violence in a digital age

Directions in Sexual Harassment Law Catharine A. MacKinnon,Reva B. Siegel,2008-10-01 div When it was published twenty five years ago Catharine MacKinnon s pathbreaking work Sexual Harassment of Working Women had a major impact on the development of sexual harassment law The U S Supreme Court accepted her theory of sexual harassment in 1986 Here MacKinnon collaborates with eminent authorities to appraise what has been accomplished in the field and what still needs to be done An introductory essay by Reva Siegel considers how sexual harassment came to be regulated as sex discrimination Contributors discuss how law can best address sexual harassment the importance and definition of consent and unwelcomeness issues of same sex harassment questions of institutional responsibility for sexual harassment in both employment and education settings considerations of freedom of speech effects of sexual harassment doctrine on gender and racial justice and transnational approaches to the problem An afterword by MacKinnon assesses the changes wrought by sexual harassment law in the past quarter century DIV

Self-Declaration in the Legal Recognition of Gender Chris Dietz,2022-10-21 Self Declaration in the Legal Recognition of Gender examines the impact of legislation premised upon the principle of self declaration of legal gender status Existing doctrinal and comparative analyses have tended to come out strongly in favour of or against self declaration This book offers a socio legal alternative which focuses on how self declaration is experienced on an embodied level by trans and gender diverse people It presents research conducted

in Denmark which became the first European state to adopt self declaration in June 2014 By analysing Danish law through a Foucauldian framework which brings together socio feminist and trans legal scholarship on embodiment and jurisdiction the book offers the first empirically based and theoretically informed analysis of self declaration It draws upon legal consciousness affect theory vulnerability and governmentality literatures to argue that the jurisdictional boundaries which existed between law and medicine were maintained throughout the reform process This limited the impact of the legislation enabling access to health care to be restricted in the same year in which amending legal gender status was liberalised As the list of states that have adopted self declaration increases this intervention offers activists and policymakers insights which might shape how they respond to similar reform proposals in the future A timely and important assessment this book will appeal to researchers and practitioners working in trans gender feminist legal and socio legal studies

The Short Guide to Gender Kath Woodward, 2011-06-15 This accessible guide provides readers with an introduction to the key concepts and main developments in gender studies Presenting definitions explanations and policy implications through discussion of case studies this book shows how gender intersects with different dimensions of diversity and demonstrates the connections between sex and gender Using a range of pedagogical features and highlighting the importance of gender in the contemporary world this succinct text provides an ideal overview for students and professionals alike

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