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## Law without tears. Diane Kirkby (ed), *Sex power and justice: historical perspectives on law in Australia*

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# Sex Power And Justice Historical Perspectives On Law In Australia

**Victoria M. Nagy, Georgina Rychner**



## **Sex Power And Justice Historical Perspectives On Law In Australia:**

**The Cambridge Legal History of Australia** Peter Cane, Lisa Ford, Mark McMillan, 2022-08-18 Featuring contributions from leading lawyers historians and social scientists this path breaking volume explores encounters of laws people and places in Australia since 1788 Its chapters address three major themes the development of Australian settler law in the shadow of the British Empire the interaction between settler law and First Nations people and the possibility of meaningful encounter between First laws and settler legal regimes in Australia Several chapters explore the limited space provided by Australian settler law for respectful encounters particularly in light of the High Court s particular concerns about the fragility of Australian sovereignty Tracing the development of a uniquely Australian law and the various contexts that shaped it this volume is concerned with the complexity plurality and ambiguity of Australia s legal history

**Women's Criminalisation and Offending in Australia and New Zealand** Victoria M. Nagy, Georgina Rychner, 2023-12-22 Women s Criminalisation and Offending in Australia and New Zealand offers new research and analysis of women s offending and criminalisation in Australia and New Zealand from British settlement through to the late twentieth early twenty first centuries Drawing attention to women as offenders as understood in a multitude of ways this collection highlights how women have been involved with crime and criminal behaviour their treatment inside and outside of courts and prisons and how women s deviation from societal norms have attracted negative attention throughout the decades For Aboriginal and M ori women especially the responses were harsher than what they could be for non indigenous women The chapters cover a broad range of transgressions that women have been actively involved with including theft drug and alcohol abuse and offences organised crime and homicide as well as how women s behaviour and their bodies have been criminalised and responded to by authorities What this collection demonstrates is that women have often chosen to be involved with crime and criminality while on other occasions their behaviour innocent as it was was not considered acceptable by contemporaries resulting in confusion and misapprehension of women who refused to fit a mould Women s Criminalisation and Offending in Australia and New Zealand brings together historical and criminological methods theories and scholars to shed light on how Australia and New Zealand s colonial later state and national governments have sought to understand control and punish women This collection will be of interest and value to scholars students and everyone with an interest in criminology history law sociology Indigenous studies and Australian and New Zealand studies

**Sexual Violence in Australia, 1970s-1980s** Lisa Featherstone, 2021-07-28 This book explores sexual violence and crime in Australia in the 1970s and 1980s a period of intense social and legal change Driven by the sexual revolutions second wave feminism and ideas of the rights of the child there was a new public interest in the sexual assault of women and children Sexual abuse was studied surveyed and discussed more than ever before in Australian society Yet despite this there remained substantial inaction by government from community and on the part of individuals This book examines several difficult questions of our recent history why did

Australia not act more firmly to eradicate rape and child sexual abuse What prevented our culture from looking seriously at trauma How did we fail to protect victim survivors Rich in social and legal history this study takes readers into the world of victims of sexual crime and into the wider community that had to deal with sexual violence At the core of this book is the question that resonates deeply right now why does sexual violence appear seemingly insurmountable despite significant change

**Just Relations** Alison Louise Holland, 2015 When Mary Bennett died in 1961 Australia lost one of its leading Aboriginal rights activists Mary's crusade is still sadly a current one and this book serves to historicize the ongoing struggle for Aboriginal rights through the lens of Mary's campaign By tracing Mary's advocacy from the 1920s when the possibility of Aboriginal human rights was first mooted to the 1960s when an attempt was made to have the Aboriginal question raised before the United Nations Just Relations charts a large portion of human rights history However the book also tracks a discourse of needs moral codes and sentiments as well as the urgent goal of keeping people alive In this sense then Mary Bennett's story demonstrates the close connection between the rise of humanitarianism as a political project and the rise of human rights Just Relations was shortlisted for the 2016 NSW Premier's Australian History Prize Librarians ebook available on ProQuest and EBSCO Subject Biography Aboriginal Studies Human Rights Australian Studies History

**Homophobia** Shirleene Robinson, 2008 Homophobia is a prejudice with effects that extend far beyond the gay and lesbian community While its physical emotional and social effects have been charted to some extent the development of homophobia in Australia has yet to be fully explored Homophobia An Australian History is the first book to consider homophobia in a distinctively Australian context In this collection thirteen well known scholars examine the embedded homophobic attitudes that Australian gay and lesbian activists have fought to change The book traces the evolution of homophobia from its expression in Australia's past as a colonial settler society through to manifestations in present day society The compilation of this text is timely given the 2007 release of the Same Sex Same Entitlements report of the Human Rights and Equal Opportunity Commission The release of this report which focused on institutionalised and legal homophobia has raised public awareness of these issues and sparked broader debates about homosexual rights The thirtieth anniversary of Sydney's Gay and Lesbian Mardi Gras earlier this year also offers an ideal opportunity to reflect on the past gains and future goals of the gay and lesbian rights movement The collected chapters in this book argue that homophobia developed in conjunction with the growth of a modern homosexual identity in the second half of the nineteenth century To various extents the legal and medical professions and other social institutions have perpetuated homophobic attitudes Homophobia An Australian History raises awareness of the devastating impact these attitudes can have on individuals and on society Addendum At the commencement of Page IX Dr Ruth Ford's name and academic position was omitted Dr Ford's biographical entry under Notes on Contributors should read Dr Ruth Ford is a lecturer in Australian history at La Trobe University She has published extensively on Australian lesbian queer and gender history She is currently attempting to combine motherhood with

researching writing and teaching Her publications include articles in Labour History Gender and History UK and Australian Historical Studies as well as book chapters in Madness in Australia histories heritage and the asylum edited by Catharine Coleborne and Dolly MacKinnon Gender and War Australians at war in the twentieth century edited by Joy Damousi and Marilyn Lake and Sex Power and Justice historical perspectives on the law in Australia 1788 1990 edited by Diane Kirkby

*Dissenting Lives* Anne Collett, Tony Simoes de Silva, 2017-10-02 This collection brings together a series of essays that combine the public and private nature of dissent stories of dissent that encapsulate the mood of an historical or cultural period or of a society Dissent is most memorable when it is public explosive dramatically enacted Yet quiet dissent is no less effective as a methodical unstitching of social and political mores rules and regulations Success depends perhaps less on intensity than on determination on patience as much as courage Moreover although many persistent dissenters often gain an iconic status most live dissent in the fabric of their ordinary lives Some combine both Imprisoned at Robben Island for 27 years his image and voice erased from the print media or airwaves Nelson Mandela remained even in jail one of the most powerful agents of dissent in South African society until his freedom in 1990 Deep connections deep commitment profoundly personal convictions and courageous public dissent are some of the threads that bind together this diverse and exciting collection of essays Alone each essay explores dissent and consent in stimulating and distinct ways together they speak both of the effects of dissent and consent and of their affective energies and potential This book was originally published as a special issue of Life Writing

*Self, Others and the State* Arlie Loughnan, 2019-12-12 Criminal responsibility is now central to criminal law but it is in need of re examination In the context of Australian criminal laws Self Others and the State reassesses the general assumptions made about the rise to prominence of criminal responsibility in the period since around the turn of the twentieth century It reconsiders the role of criminal responsibility in criminal law arguing that criminal responsibility is significant because it organises key sets of relations between self others and the state as relations of responsibility Detailed studies of decisive moments and developments since the turn of the twentieth century and original explorations of relations of responsibility expose the complexity and dynamism of criminal responsibility and reveal that it is the means by which matters of subjectivity relationality and power make themselves felt in the criminal law

**Feminism, Postfeminism and Legal Theory** Dorota Gozdecka, Anne Macduff, 2018-12-19 There is much debate about postfeminism what it is and its role in feminist politics Whilst postfeminism has become increasingly influential in the study of literature popular culture and philosophy it has so far received comparatively little attention in law This book aims to remedy this situation The book brings together feminist legal scholars working in different contexts to examine the idea of postfeminism and assess its contemporary relevance It explores a range of questions including the following Does postfeminism describe an age that follows modernism an age where identity politics has realised its goals and feminism is no longer needed Or does postfeminism describe the feminism of a postmodernist age where identity can mean anything at all Or differently again does

the term capture a new feminism that discredits feminism and attempts to reshape its political consciousness And what might the answers to these questions mean for law and legal theory and a feminist politics of law reform     The White Possessive Aileen Moreton-Robinson,2015-05-15 The White Possessive explores the links between race sovereignty and possession through themes of property owning property being property and becoming propertyless Focusing on the Australian Aboriginal context Aileen Moreton Robinson questions current race theory in the first world and its preoccupation with foregrounding slavery and migration The nation she argues is socially and culturally constructed as a white possession Moreton Robinson reveals how the core values of Australian national identity continue to have their roots in Britishness and colonization built on the disavowal of Indigenous sovereignty Whiteness studies literature is central to Moreton Robinson s reasoning and she shows how blackness works as a white epistemological tool that bolsters the social production of whiteness displacing Indigenous sovereignties and rendering them invisible in a civil rights discourse thereby sidestepping thorny issues of settler colonialism Throughout this critical examination Moreton Robinson proposes a bold new agenda for critical Indigenous studies one that involves deeper analysis of how the prerogatives of white possession function within the role of disciplines     **Mapping Out the Veneral Wilderness** Antje Kampf,2007 This book explores the social history of venereal disease and public health in New Zealand in the twentieth century by re evaluating existing international scholarship on disease control and issues of morality By using untapped archival material this case study highlights the wider importance in international research into the interception of health agencies and targeted groups and the impact of gender race and class on the venereal disease debate     **Regulating Lives** John McLaren,Dorothy E. Chunn,Robert J. Menzies,2002 Nine essays investigate the history of law as an instrument of social control moral regulation and the government focusing primarily on British Columbia Canada where most of the contributors work as scholars in law or criminology Among the areas they tackle are the sex trade the spread of venereal disease the use and abuse of liquor child welfare mental disorder intrafamily sexual abuse Aboriginal culture and traditions and Doukhobor beliefs and customs The studies rely on forays into archival material at the national provincial and local levels Annotation copyrighted by Book News Inc Portland OR     Sunshine and Rainbows Clive Moore,2001 A history of the development of homosexuality as an Australian subculture Proceeding chronologically from the 1820s through to the vibrant alternative culture that exists in 2000 this book argues that the manner in which gay and lesbian identity has been constructed in Queensland is typical of Australia generally     *The Cunning of Recognition* Elizabeth A. Povinelli,2002-07-19 A critique of liberal multiculturalism through a study of state aboriginal relations in Australia employing an innovative hybrid of theoretical approaches from anthropology political theory linguistics and psychoanalysis     Disability in Australia Gerard Goggin,Christopher Newell,2005 Dares to name and explore a hidden blight in society the routine daily and oppressive treatment of people with disabilities Drawing on a wide range of case studies from health and welfare sport biotechnology deinstitutionalisation

political life and the treatment of refugees this thoughtful lively and provocative work puts disability firmly on the agenda

**JV Barry** Mark Finnane, 2007 Biography of J V Barry jurist and founder of criminology in Australia      **Complicating Categories: Gender, Class, Race and Ethnicity** Eileen Boris, Angelique Janssens, 1999 This volume focuses on complicating central concepts in the understanding of economic and social history class gender race and ethnicity Only recently have historians begun to ask how gender race and ethnicity as categories of analysis change narratives of class formation and working class experience While all three concepts refer to systems of inequality it remains unclear how these systems of difference relate to each other Despite a growing body of empirical literature authors more often connect dyads rather than consider historical phenomenon from the triad of class race and gender This volume highlights attempts to write a richer history that complicates categories suggesting how class gender race and or ethnicity combine across a wide range of economic and social landscapes      Globalisation, Global Justice and Social Work Iain Ferguson, Michael Lavalette, Elizabeth Whitmore, 2005 Globalization has become a seemingly unstoppable force over recent decades and in its wake global notions of social justice have developed in response to its negative aspects Neo liberal economic policies have been a key element in the wider process of globalization and these policies have had a profound impact on welfare provision and the shape of social work practice Arising dissatisfaction among users of welfare and social work services is fuelling the search for a new more radical social work that is firmly rooted in principles of social justice Globalisation Global Justice and Social Work explores the global effects of neo liberal policies on welfare services in different countries with contributions from social work academics practitioners and welfare activists around the world The first section of the book presents case studies of impact of neo liberalism on welfare systems social service provision and the practice of social work In the second section the chapters explore the relationship between social work practice and the struggle for social justice Authors discuss the personal and political dilemmas they have had to address in seeking to link a personal commitment to social justice with their daily practice as workers and educators in social work The final section assesses the prospects for social work practice based on notions of social justice by looking at what can be learned from the experience of previous radical movements as well as from emergent global and local movements      **Health Care, Crime and Regulatory Control** Russell G. Smith, 1998 Published with the Australian Institute of Criminology Medicine has always been intimately involved with crime and criminology whether it is through explanations of criminal behaviour or the attempt to modify this behaviour through treatment This book looks at the interaction between the criminal justice system and regulating health care practice Covering a variety of disciplines the book addresses regulatory controls and the regulation in health care of alternative health care methods sexual misconduct in health care unlawful killing and fraud      **Sisters in Peace** Kate Laing, 2023-11-03 Is preparing for war the best means of preserving peace In Sisters in Peace Kate Laing contends that this question has never been solely the concern of politicians and strategists She maps successive generations of twentieth century women who were

eager to engage in political debate even though legislative and cultural barriers worked to exclude their voices In 1915 during the First World War the Women s International Congress at The Hague was convened after alarmed and bereaved women from both sides of the conflict insisted that their opinions on war and the pathway to peace be heard From this gathering emerged the Women s International League for Peace and Freedom WILPF which to this day campaigns against militarism and nuclear weapons In Australia the formation of a section of WILPF connected political women to a worldwide network that sustained their anti war activism throughout the last century In examining the rise of WILPF in Australia Sisters in Peace provides a gendered history of this country s engagement with the politics of internationalism This is a history of WILPF women who committed to peace activism even as Australia s national identity and military allegiances shifted over time a history that has until now been an overlooked part of the Australian peace movement Sex Power and Justice Diane Elizabeth Kirkby,1995 This book explores the history of gender bias in the law It draws on the most recent scholarship in the historical research of law in Australia The contributors present material of both contemporary and historical relevance as they offer new insights into the significance of the law over two centuries of Australia s history It analyses the impact of the law on women on legal constructions of gender and race and on feminist campaigns to redress grievances In the nineteenth century feminists organised campaigns to repeal repressive and discriminatory laws Twentieth century feminists joined the legal profession and set out to redirect legal education and practices in new ways These essays contribute to this critique as they explore areas feminists have identified in women s struggle to achieve justice Weaving together themes of difference cateorisation and change in four broad areas sexuality family punishment and citizenship this book offers an original and unique contribution to current concerns about the gender bias in law This book will meet the demands of students and teachers seeking historical material to broaden legal education and will be a valuable aid to all those interested in the law in Australian history



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