

# SEXUAL ORIENTATION LAWS IN THE WORLD - 2019

*From criminalisation of consensual same-sex sexual acts between adults to protection against discrimination based on sexual orientation*



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# Sexual Orientation And Legal Rights

**Phillip Tahmindjis**



## **Sexual Orientation And Legal Rights:**

*Sexuality and Human Rights* Phillip Tahmindjis, 2014-05-22 Finally a comparative overview of sexuality and human rights issues and law Human rights issues exist globally particularly when they have to do with sexuality *Sexuality and Human Rights A Global Overview* focuses on the controversial issues of human sexuality and the legal challenges that LGBT individuals face Internationally recognized legal experts thoroughly discuss the status of important human rights laws pertaining to sexuality from around the world Reviewing the progression from historical foundations and shifting public opinions through the most recent landmark legal cases this is an essential resource on the present state of human rights laws and sexuality This unique up to date examination of the legal issues involving LGBT individuals rights around the world reviews the latest rulings such as the adoption of minors by homosexual or bisexual parents the legal acceptance of marriage between same sex couples whether the gender reassigned can be legally considered their true gender identity and much much more *Sexuality and Human Rights A Global Overview* illustrates the journey our worldwide legal systems have traveled and the path stretching before them until the destination of equality and acceptance in sexuality may finally be reached Well referenced comprehensive and yet accessible to the general reader this book provides a crucial provocative look at just what basic sexual human rights means in today s laws Some of the topics of *Sexuality and Human Rights A Global Overview* include perspectives and objectives to challenge discrimination sexuality and international human rights law sexuality and human rights in Australian law transsexuals issues in European human rights law sexual orientation and gender identity legal issues in North America the present state of sexuality and human rights in European law the Asian legal perspective on sexuality and human rights laws pertaining to sexual identity issues *Sexuality and Human Rights A Global Overview* is a vital reference source for law educators law students gay rights activists and law reformers *Sexual Orientation and Rights* Nicholas Bamforth, 2017-05-15 Debate about the rights of sexual minorities whether individuals or members of same sex couples has become an important issue for legislatures and courts in many constitutional democracies This volume collects together some of the more significant writings in the debate and reflects a variety of perspectives liberal conservative and radical The topics covered include the meaning and importance of sexual freedom gender roles marriage and other significant partnerships child care and adoption the criminal law employment and expression and pornography The volume also seeks to relate arguments about sexual orientation and rights to broader debates within feminist theory **Sexual Orientation, Gender Identity and International Human Rights Law** Kerry O'Halloran, 2019-10-22 This book identifies analyses and discusses the nexus of legal issues that have emerged in recent years around sexuality and gender It audits these against specific human rights requirements and evaluates the outcomes as evidenced in the legislation and caselaw of six leading common law jurisdictions Beginning with a snapshot of the legal definitions and sanctions associated with the traditional marital family unit the book examines the subsequently evolving key concepts and constructs before outlining the

contemporary international framework of human rights as it relates to matters of sexuality and gender It proceeds by identifying a set of themes including the rights to identity to form a family to privacy to equality and to non discrimination and undertakes a comparative evaluation of how these and other themes indicate areas of commonality and difference in the approaches adopted in those common law jurisdictions as illustrated by the associated legislation and caselaw It then considers why this should be and assesses the implications

**Sexual Orientation and Legal Rights** Alba Conte,1998

Sexual Orientation and Legal Rights Alba Conte,1998 This comprehensive guide covers gay rights issues and legal development in the areas of employment law civil rights law and family law it covers topics such as Constitutional issues Employment discrimination Same sex harassment Same sex couple benefits Tort and contract claims Same sex marriage Dissolution of relationships Child custody and adoption issues Housing and property rights Federal and state statutory and case law discussed and a state by state survey of gay related statutes and case law is included

Sexual Orientation and the Law Harvard Law Review,Harvard Law Review Association,1990 This book gives an overview of how the laws of the time affect lesbians and gay men in how they go about their lives

**Sexual Orientation: A Human Right** Eric

Heinze,2023-07-24 This book is the first to examine sexual orientation from the viewpoint of international human rights law It does not simply create a platform of rights and argue for their introduction in human rights law Rather it examines how extant international norms should be construed to include rights against discrimination on the basis of sexual orientation including rights of privacy equality speech expression and association It raises questions of cultural relativism religious faith social science and legal theory It will be of interest to international jurists human rights organizations gay rights organizations constitutional scholars and anyone interested in expanding the role of international human rights law as a formidable adversary of persecution and discrimination throughout the world

Sexual Orientation and Human Rights in American Religious Discourse Saul M. Olyan,Martha C. Nussbaum,1998-07-02 Sexual orientation is a topic of intense debate within America s religious traditions These discussions have had a significant impact on the formation of public policy as

speakers who locate themselves squarely within religious traditions have articulated positions on both sides in recent arguments concerning gays in the military civil rights protections for gays and lesbians gay marriage parenting and foster parenting and benefits for partners of gay and lesbian employees of major corporations and institutions This volume which stems from a 1995 conference at Brown University aims to promote both academic and public understanding of the different positions that exist on sexual orientation and its public policy dimensions within four major American religious traditions Writers from within the Jewish community the Roman Catholic church Mainline Protestant churches and African American churches explore the history and tradition of their communities on same sex orientation discuss the moral stance they advocate and consider the legal and public policy implications of that stance For each of these traditions two opposing views are represented and a respondent frames the issue in a larger context The book concludes with essays by Michael McConnell

and Andrew Koppelman exploring how our society might find a *modus vivendi* in a state position of neutrality on the moral status of homosexuality This book will appeal to a broad range of readers interested in these crucial issues and in the role the religious communities play in these debates while helping to foster the climate for a more reasoned and civil dialogue

**Sexuality and Equality Law** Suzanne B. Goldberg, 2017-07-05 Sexual rules and regulations are among society's oldest yet it is only in recent decades that this once stigmatized field has become the focus of scholarly attention This volume which includes some of the most thought provoking and hard to find essays in the field covers a diverse range of topics from sexual orientation and gender identity to intersexuality and commercial sex and from HIV AIDS and trafficking to polygamy Through historical political and critical theoretical lenses and through a global focus the selections ask how we conceptualize the groups and acts subjected to sexual regulation and how regulations in the field implicate and produce understandings of sexuality and identity By placing this variety of works together **Sexuality and Equality Law** invites fresh insights into commonalities and synergies across regulatory arenas that are often isolated from one another The volume's introduction situates all of these works in the broader field and offers readers an extensive bibliography

**Constitutional Law: Rights, Liberties and Justice 8th Edition** Lee Epstein, Thomas G. Walker, 2013 Judicial decisions never occur in a vacuum they are influenced by a myriad of political factors From lawyers and interest groups to the shifting sentiments of public opinion to the ideological and behavioral inclinations of the justices Epstein and Walker show how all these dynamics play an integral part in the overall development of constitutional doctrine Drawing deeply from the spheres of political science and legal studies the excerpted case material is skillfully analyzed and presented for today's students Known for fastidious revising and streamlining the authors account for the latest scholarship in the field and offer rock solid analysis of recent landmark cases including as all the important opinions handed down through 2011 Building on the successes of the 7th edition the book's clean layout and design clearly distinguishes between commentary and opinion excerpts Not only does the design make the book an easier read for students it effectively showcases photos justice biographies and the Aftermath and Global Perspective sidebars And based on positive user feedback the authors have added even more Aftermath boxes in this new edition New cases in the 8th edition *Hosanna Tabor Evangelical Lutheran Church and School v Equal Employment Opportunity Commission* 2012 *Snyder v Phelps* 2011 *Brown v Entertainment Merchants Association* 2011 *United States v Jones* 2012 *Citizens United v Federal Election Commission*

**Law and Sexuality** Carl Franklin Stychin, Didi Herman, 2001 *Law and Sexuality* brings together leading scholars from four continents to consider topics ranging from Tasmanian sodomy laws to the South African constitution from domestic partnership in Hawaii to London's urban geographies Encompassing a broad spectrum of perspectives from literary analysis and postcolonial studies to feminist queer and critical race theory their analysis maps the current state of the global intersections between law and sexuality and social change

**Constitutional Courts, Gay Rights and Sexual Orientation Equality** Angioletta Sperti, 2017-05-04 In the last fifteen years constitutional

issues regarding the rights of gays lesbians and same sex couples have emerged on a global scale The pace of recognition of their fundamental rights both at judicial and legislative level has dramatically increased across different jurisdictions reflecting a growing consensus toward sexual orientation equality This book considers a wide range of decisions by constitutional and international courts from the decriminalization of sexual acts to the recognition of same sex marriage and parental rights for same sex couples It discusses analogies and differences in judicial arguments and rationales in such cases focusing in particular on human dignity privacy liberty equality and non discrimination It argues that courts operate as major exporters of models and principles and that judicial cross fertilization also helps courts in increasing the acceptability of gays and lesbians rights in public opinions and politics Courts discuss changes in the social perception of marriage and family at national and international levels and at the same time confirm and reinforce them forging the legal debate over sexual orientation equality Furthermore by promoting the political reception of the achievements of foreign gay movements in their own jurisdictions courts play an essential role in breaking the political stalemate

**Human Rights Law and Personal Identity** Jill Marshall, 2014-06-20 This book explores the role human rights law plays in the formation and protection of our personal identities Drawing from a range of disciplines Jill Marshall examines how human rights law includes and excludes specific types of identity which feed into moral norms of human freedom and human dignity and their translation into legal rights The book takes on a three part structure Part I traces the definition of identity and follows the evolution of and protects a right to personal identity and personality within human rights law It specifically examines the development of a right to personal identity as property the inter subjective nature of identity and the intercession of power and inequality Part II evaluates past and contemporary attempts to describe the core of personal identity including theories concerning the soul the rational mind and the growing influence of neuroscience and genetics in explaining what it means to be human It also explores the inter relation and conflict between universal principles and culturally specific rights Part III focuses on issues and case law that can be interpreted as allowing self determination Marshall argues that while in an age of individual identity people are increasingly obliged to live in conformed ways pushing out identities that do not fit with what is acceptable Drawing on feminist theory the book concludes by arguing how human rights law would be better interpreted as a force to enable respect for human dignity and freedom interpreted as empowerment and self determination whilst acknowledging our inter subjective identities In drawing on socio legal philosophical biological and feminist outlooks this book is truly interdisciplinary and will be of great interest and use to scholars and students of human rights law legal and social theory gender and cultural studies

*Routledge Handbook of Sexuality, Gender, Health and Rights* Peter Aggleton, Rob Cover, Carmen H. Logie, Christy E. Newman, Richard Parker, 2023-12-22 Thoroughly updated with over 30 newly written chapters this edition of the Routledge Handbook of Sexuality Gender Health and Rights brings together academics and practitioners from around the world to provide an authoritative and up to date account of the field Social researchers and

their allies have worked hard in past decades to find new ways of understanding sexuality in a rapidly changing world. Growing attention is now given to the way sexuality intersects with other structures such as gender, age, ethnicity, race, and disability, and increasing value is seen in a positive approach focused on ethics, pleasure, mutuality, and reciprocity. This Handbook explores theory, politics, and early development of sexuality studies, ways in which language, discourse, and identification have become central to research on sex, sexuality, and gender, key issues across the broad media and digital ecology, demonstrating the centrality of representation, communication, and digital technologies to sexual and gender practices, research focusing on the body and its sexual pleasures, work on forms of inequality, violence, and abuse that are linked to sex, gender, and sexuality. The Handbook is an essential reference for researchers and educators working in the fields of sexuality studies, gender studies, sexual health, and human rights, and offers key reading for mid-level and advanced students.

**The Psychology of Sexual Orientation, Behavior, and Identity** Louis Diamant, Richard

McAnulty, 1995-10-18 This comprehensive overview of research issues and theories relating to sexual orientation, behavior, and identity by experts in various disciplines is unique in providing both historical perspectives and a synthesis of the recent advances in understanding homosexuality and heterosexuality. Drawing from biological and psychological research, this handbook critically reviews the major theories about sexual orientation and examines each theory on the basis of empirical support. One section summarizes recent developments in genetic and neuroanatomic research. Another section discusses problems with sexual performance among heterosexual, homosexual, and bisexual persons. A third section provides overviews of clinical disorders or sexual deviations. Various chapters clarify the distinction between sexual disorders such as pedophilia and sexual variations such as homosexuality. Chapters also examine important social issues relevant to sexual orientation, such as disability, prejudice, aging, and gender roles. Experts address the continuing controversy over the feasibility of altering sexual orientation, new developments in treating different types of problems, and changing perspectives today. This handbook is designed for the use of educators, students, and researchers in the social and behavioral sciences.

**Justifying Same-Sex**

**Marriage** Louise Richardson-Self, 2015-05-29 There is massive public interest in same-sex marriage, a controversial topic that is rarely out of the media. This book investigates the extent to which legalizing same-sex marriage can contribute to ending the discrimination and social stigma faced by lesbian, gay, bisexual, and transgender men and women. LGBT in the Western world. This issue breaks down into several further questions: Can marriage equality be defended without reinforcing the idea that marriage is the most valuable form of intimate relationship? Can marriage equality be defended without further marginalizing non-conforming LGBT people? What kind of equality should LGBT people strive for? What critical agency might they lose when this equality is achieved? What institutional legacies should we embrace? The book focuses on human rights arguments supporting same-sex marriage and questions whether they are likely to both justify legal change and encourage shifts in the sociopolitical reception of LGBT people. After critically analyzing various arguments in favor of same-sex

marriage the author puts forward a justification that allows for marriage equality and does not result in the assimilation of queer identities into heteronormative identity

*Homosexuality and the European Court of Human Rights* Paul Johnson, 2013-09-05 Homosexuality and the European Court of Human Rights is the first book length study of the Court's jurisprudence in respect of sexual orientation It offers a socio legal analysis of the substantial number of decisions and judgments of the Strasbourg organs on the wide range of complaints brought by gay men and lesbians under the European Convention on Human Rights Providing a systematic analysis of Strasbourg case law since 1955 and examining decades of decisions that have hitherto remained obscure the book considers the evolution of the Court's interpretation of the Convention and how this has fashioned lesbian and gay rights in Europe Going beyond doctrinal analysis by employing a nuanced sociological consideration of Strasbourg jurisprudence Paul Johnson shows how the Court is a site at which homosexuality is both socially constructed and regulated He argues that although the Convention is conceived as a living instrument to be interpreted in the light of present day conditions the Court's judgments have frequently forged and advanced new social conditions in respect of homosexuality Johnson argues that the Court's jurisprudence has an extra legal importance because it provides an authoritative and powerful discursive resource that can be mobilized by lesbians and gay men to challenge homophobic and heteronormative social relations in contemporary societies As such the book considers how the Court's interpretation of the Convention might be evolved in the future to better protect lesbian and gay rights and lives

*Homosexuality and the Law* Chuck Stewart, 2001-05-29 This reference work provides important information about the role academic research has played in the ever evolving laws covering homosexuality A comprehensive overview of homosexuality and the law this fascinating dictionary opens with a history of the Gay Rights Movement which started in Germany during the 1860s with Karl Heinrich Ulrich the Grandfather of Gay Liberation who wrote 12 books including *Researches on the Riddle of Love Between Men* Homosexuals were later herded into Nazi concentration camps where 50 000 of them died When the war ended Allied commanders forced homosexuals to finish their prison sentences This book has 112 entries on subjects such as absurd sex laws the Crittendon Report the Boy Scouts the 1996 Defense of Marriage Act surgical alterations discrimination sodomy loitering laws and more A nearly 100 page appendix details state and local laws The book includes a list of advocacy organizations and other references a table of cases and an extensive bibliography

*Marital Rights* Robert Leckey, 2017-07-05 This volume gathers influential and cutting edge scholarship on the international and domestic rights attaching to married couples and other adult relationships Addressing examples from the European Court of Human Rights UK USA Canada Australia and South Africa it traces contentious debates about the content of marital rights and responsibilities and whether law should reach beyond marriage and if so how Twenty four essays and a substantial introduction highlight the complexity and contradictions as marital law grapples with gender equality the aftermath of recognizing gay and lesbian rights abiding economic inequalities and exotic issues such as forced marriage and polygamy



*Are We 'persons' Yet?* Kathleen A. Lahey, 1999-01-01 In 1929 women were declared persons under the British North America Act Seventy years later a similar move is afoot to establish constitutional personhood for lesbian gay bisexual transsexual and transgendered people

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