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Gender and the Law **Gender Law and Policy** **Law and Gender** **Gender, Law, and Resistance in India** **Gender, Law and Material Culture** **Gender and Law** **The Public Law of Gender** **Women Before the Bar** **Gender and the Law of the Sea** **Sexuality, Gender, and the Law, 2007 Supplement** **International Women's Rights Law and Gender Equality** **Women, Law and Culture** **Gender, Sexuality, and the Law** **Towards Gender Equality in Law** **Feminist Advocacy, Family Law and Violence Against Women** **Gender, Law and Economic Well-Being in Europe from the Fifteenth to the Nineteenth Century** **Gender Trials** **Feminist Legal Theory** **Research Handbook on Gender, Sexuality and the Law** **Beyond Portia** **The Gender Line** **Constituting Workers, Protecting Women** **Gender, Law and Justice in a Global Market** **Gender Justice and the Law** **Gender, Sexualities and Law** **Sex, Gender, Sexuality and the Law** **Women in Law** **Gender-Sensitive Norm Interpretation by Regional Human Rights Law Systems** **Gender Identity and the Law** **Feminist Legal Theory** **Gender Justice and Legal Pluralities** **Women, Business and the Law 2021** **Muslim Women's Quest for Justice** **Law, Politics and the Gender Binary**

Legal Capacity & Gender Justice and Gender Mutinies for Equality **A Critical Analysis of the Efficacy of Law as a Tool to Achieve Gender Equality** **Legal Issues of International Law from a Gender Perspective** *Women, Law and Human Rights*

Gender, Law and Justice in a Global Market Feb 06 2021 Theories of gender justice in the twenty-first century must engage with global economic and social processes. Using concepts from economic analysis associated with global commodity chains and feminist ethics of care, Ann Stewart considers the way in which 'gender contracts' relating to work and care contribute to gender inequalities worldwide. She explores how economies in the global north stimulate desires and create deficits in care and belonging which are met through transnational movements and traces the way in which transnational economic processes, discourses of rights and care create relationships between global south and north. African women produce fruit and flowers for European consumption; body workers migrate to meet deficits in 'affect' through provision of care and sex; British-Asian families seek belonging through transnational

marriages.

International Women's Rights Law and Gender Equality Feb 18 2022 The law is a well-known tool in fighting gender inequality, but which laws actually advance women's rights? This book unpacks the complex nuances behind gender-responsive domestic legislation, from several of the world's leading experts on gender equality. Drawing on domestic examples and international law, it provides a primer of theory alongside tangible and practical solutions to fulfil the promise of the law to deliver equality between men and women. Part I outlines what progress has been made to date on eradicating gender inequality, and insights into the law's potential as one lever in the global struggle for equality. Parts II and III go on to explore concrete areas of law, with case studies from multiple jurisdictions that examine how well domestic legislation is working for women. The authors bring their critical lens to areas of law often considered from a gender perspective - gender-based violence, women's reproductive health, labour and gender equality quotas - while bringing much-needed analysis to issues often ignored in gender debates, such as taxation, environmental justice and good

governance. Part IV seeks to move from a theoretical goal of greater accountability to a practical one. It explores both accountability for international women's rights norms at the domestic level and the potential of feminist approaches to legislation to deliver laws that work for women. Written for students, academics, legislators and policymakers engaged in international women's rights law, gender equality, government accountability and feminist legal theory, this book has tremendous transformative potential to drive forward legal change towards the eradication of gender inequality.

[Gender, Law, and Resistance in India](#) Sep 27 2022 Theft, poisoning, affairs, flights home, refusals to work, eat or have sex, threats to divide the joint household, and sly acts of sabotage are some of the domestic warfare tactics employed by Muslim women attempting to resist patriarchy. *Gender, Law, and Resistance in India* dramatically illustrates how a patriarchal ideology is upheld and reinforced through male-governed social and legal institutions and how women defy that control. Based on anthropological fieldwork in rural Rajasthan in northern India, Erin Moore's book details the life of an extended Muslim family she has known for twenty years. In many ways the plight of the central character, Hunni, is representative of dilemmas experienced by the majority of north Indian peasant women. Ultimately an account of cultural hegemony and defiance, *Gender, Law, and Resistance in India*

reveals how so-called "modern" state institutions and practices reinforce traditional arrangements, resulting in women being silenced, deprived of equal rights before the law, and returned to their male guardians. Still, women resist in overt and covert ways. The first ethnographic work to focus principally on the law and legal institutions of gender and agency in South Asia, this unique volume examines the interpenetrations of north India's pluralistic legal systems. Moore adeptly connects engrossing case histories to national dialogues over women's rights, discussing these issues in terms of Muslim personal laws, secularism, and communal violence. *Gender, Law, and Resistance in India* is a rich and truly significant contribution to gender studies, South Asian studies, and sociolegal studies. **The Public Law of Gender** Jun 24 2022 With the worldwide sweep of gender-neutral, gender-equal or gender-sensitive public laws in international treaties, national constitutions and statutes, it is timely to document the raft of legal reform and to critically analyse its effectiveness. In demarcating the academic study of the public law of gender, this book brings together leading lawyers, political scientists, historians and philosophers to examine law's structuring of politics, governing and gender in a new global frame. Of interest to constitutional and statutory designers, advocates, adjudicators and scholars, the contributions explore how concepts such as equality, accountability, representation,

participation and rights, depend on, challenge or enlist gendered roles and/or categories. These enquiries suggest that the new public law of gender must confront the lapses in enforcement, sincerity and coverage that are common in both national and international law and governance, and critically and pluralistically recast the public/private distinction in family, community, religion, customary and market domains.

Sexuality, Gender, and the Law, 2007

Supplement Mar 22 2022 This is the 2007 Supplement updates Eskridge and Hunter's *Sexuality, Gender, and the Law*, 2d Edition. It features edited cases and original text released since the casebook.

Women, Law and Culture Jan 20 2022 This book explores cultural constructs, societal demands and political and philosophical underpinnings that position women in the world. It illustrates the way culture controls women's place in the world and how cultural constraints are not limited to any one culture, country, ethnicity, race, class or status. Written by scholars from a wide range of specialists in law, sociology, anthropology, popular and cultural studies, history, communications, film and sex and gender, this study provides an authoritative take on different cultures, cultural demands and constraints, contradictions and requirements for conformity generating conflict. *Women, Law and Culture* is distinctive because it recognises that no particular culture singles out women for 'special' treatment, rules

and requirements; rather, all do. Highlighting the way law and culture are intimately intertwined, impacting on women – whatever their country and social and economic status – this book will be of great interest to scholars of law, women’s and gender studies and media studies.

[Feminist Advocacy, Family Law and Violence Against Women](#) Oct 17 2021 Around the world, discriminatory legislation prevents women from accessing their human rights. It can affect almost every aspect of a woman's life, including the right to choose a partner, inherit property, hold a job, and obtain child custody. Often referred to as family law, these laws have contributed to discrimination and to the justification of gender-based violence globally. This book demonstrates how women across the world are contributing to legal reform, helping to shape non-discriminatory policies and to counter current legal and social justifications for gender-based violence. The book takes case studies from Brazil, India, Iran, Lebanon, Nigeria, Palestine, Senegal, and Turkey, using them to demonstrate in each case the varied history of family law and the wide variety of issues impacting women's equality in legislation. Interviews with prominent women's rights activists in three additional countries are also included, giving personal accounts of the successes and failures of past reform efforts. Overall, the book provides a complex global picture of current trends and strategies in the fight for a more egalitarian society. These

findings come at a critical moment for change. Across the globe, family law issues are contentious. We are simultaneously witnessing an increased demand for women's equality and the resurgence of fundamentalist forces that impede reform, invoking rules rooted in tradition, culture, and interpretations of religious texts. The outcome of these disputes has enormous ramifications for women's roles in the family and society. This book tackles these complexities head on, and will interest activists, practitioners, students, and scholars working on women's rights and gender-based violence.

Law, Politics and the Gender Binary Feb 27 2020 The distinction between male and female, or masculinity and femininity, has long been considered to be foundational to society and the organization of its institutions. In the last decades, the massive literature on gender has challenged this discursive construction. Gender has been disassembled and reassembled, variously considered as social practice, performance, ideology. Yet the binary relationship ‘man/woman’ continues to be a characteristic trait of Western societies. This book gathers together contributions by experts in various fields – including law, sociology, philosophy and anthropology – to pin down the relationship between institutions and the gender binary. Centrally, it examines the way in which the present-day gender binary is shored up by the conceptualization and regulation of sex and gender at societal and institutional

levels. Based on this examination, it tackles the issue of what the practices and processes of subjectivation are that preserve this binary distinction as the foundation of gender. Each of the chapters discusses this pressing question with a view to considering whether current equality policies challenge hierarchical and hegemonic understandings of gender or are the residue of a sexist understanding of gender. This analysis then paves the way for a more general and crucial question: whether institutions can, or should, contribute to the process of deconstructing the gender binary. *Feminist Legal Theory* Jul 02 2020 Our understanding of the law and its potential for reforming social and political norms was dramatically reshaped in the 1980s by the intellectual movement known as feminist legal theory. What makes this new theory so important is the far-reaching challenge it poses to the assumptions embedded in traditional legal doctrine and method as well as the light it sheds on how these assumptions so consistently undercut efforts toward fundamental gender change. Feminist legal theory also suggests how feminist practice might move toward strategies capable of fostering more effective reform. In a carefully balanced and thoughtfully edited collection of classic and new, cutting-edge papers, Katharine Bartlett and Rosanne Kennedy present some of the most provocative and diverse work in this exciting field. The selections reveal the influences of feminist work in philosophy, psychoanalysis, political

theory, and literary criticism, among other fields. These disciplines have enriched legal theory and provided feminist scholars with more and sharper tools, and the results, as evidenced in this volume, are impressive and encouraging. They are also sobering, in that they force the realization that there is much theoretical and practical work yet to be done, under constraints we are only beginning to fully comprehend. For students of the law, for anyone interested in women's issues, for experienced scholars, and for newcomers, Feminist Legal Theory is not just essential reading but an enduring reference work.

The Gender Line Apr 10 2021 With its focus particularly on men, The Gender Line offers an insightful overview of the construction of gender and the damaging effects of its stereotypes. Levit analyzes the ways in which law legitimizes the social segregation of the sexes through legal decisions regarding custody, employment, education, sexual harassment, and criminal law. In so doing, she illustrates the ways in which men's and women's oppressions are intertwined and how law molds the very definition of masculinity.

Law and Gender Oct 29 2022 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.

Women in Law Oct 05 2020

Gender, Sexualities and Law Dec 07 2020

Bringing together an international range of academics, Gender, Sexualities and Law provides a comprehensive interrogation of the range of contemporary issues - both topical and controversial - raised by the gendered character of law, legal discourse and institutions. The gendering of law, persons and the legal profession, along with the gender bias of legal outcomes, has been a fractious, but fertile, focus of reflection. It has, moreover, been an important site of political struggle. This collection of essays offers an unrivalled examination of its various contemporary dimensions, focusing on: issues of theory and representation; violence, both national and international; reproduction and parenting; and partnership, sexuality, marriage and the family. Gender, Sexualities and Law will be invaluable for all those engaged in research and study of the law (and related fields) as a form of gendered power.

Towards Gender Equality in Law Nov 17 2021

"This book aims to find out how and why states in various regions and of diverse cultural backgrounds fail in their gender equality laws and policies. In doing this, the book maps out states' failures in their legal systems and unpacks the clashes between different levels and forms of law--namely domestic laws, local regulations, or the implementation of international law, individually or in combination. By taking off from the

confirmation that the concept of law that is to be used in achieving gender equality is a multidimensional, multi-layered, and to an extent, contradictory phenomenon, this book aims to find out how different layers of laws interact and how they impact gender equality. Further to that, by including different states and jurisdictions into its analysis, this book unravels whether there are any similarities/patterns in how these states define and utilise policies and laws that harm gender equality"--Publisher's description.

Gender Justice and Legal Pluralities May 31

2020 Gender Justice and Legal Pluralities: Latin American and African Perspectives examines the relationship between legal pluralities and the prospects for greater gender justice in developing countries. Rather than asking whether legal pluralities are 'good' or 'bad' for women, the starting point of this volume is that legal pluralities are a social fact. Adopting a more anthropological approach to the issues of gender justice and women's rights, it analyzes how gendered rights claims are made and responded to within a range of different cultural, social, economic and political contexts. By examining the different ways in which legal norms, instruments and discourses are being used to challenge or reinforce gendered forms of exclusion, contributing authors generate new knowledge about the dynamics at play between the contemporary contexts of legal pluralities and the struggles for gender justice. Any consideration of this relationship must, it is

concluded, be located within a broader, historically informed analysis of regimes of governance.

[Gender, Law and Economic Well-Being in Europe from the Fifteenth to the Nineteenth Century](#) Sep 15 2021 This book offers a comparative perspective on Northern and Southern European laws and customs concerning women's property and economic rights. By focusing on both Northern and Southern European societies, these studies analyse the consequences of different juridical frameworks and norms on the development of the economic roles of men and women. This volume is divided into three parts. The first, *Laws*, presents general outlines related to some European regions; the second, *Family strategies or marital economies?*, questions the potential conflict between the economic interests of the married couple and those of the lineage within the nobility; finally, the third part of the book, *Inside the urban economy*, focuses on economic and work activities of middle and lower classes in the urban environment. The assorted and rich panorama offered by the history of the legislation on women's economic rights shows that similarities and differences run through Europe in such a way that the North/South model looks very stereotyped. While this approach calls into question classical geographical and cultural maps and well-established chronologies, it encourages a reconsideration of European history according to a cross-boundaries

perspective. By drawing on a wide range of social, economic and cultural European contexts, from the late medieval to early modern age to the nineteenth century, and including the middle and lower classes (especially artisans, merchants and traders) as well as the economic practices and norms of the upper middle class and aristocracy, this book will be of interest to economic and social historians, sociologists of health, gender and sexuality, and economists.

Gender Trials Aug 15 2021 This engaging ethnography examines the gendered nature of today's large corporate law firms. Although increasing numbers of women have become lawyers in the past decade, Jennifer Pierce discovers that the double standards and sexist attitudes of legal bureaucracies are a continuing problem for women lawyers and paralegals. Working as a paralegal, Pierce did ethnographic research in two law offices, and her depiction of the legal world is quite unlike the glamorized version seen on television. Pierce tellingly portrays the dilemma that female attorneys face: a woman using tough, aggressive tactics—the ideal combative litigator—is often regarded as brash or even obnoxious by her male colleagues. Yet any lack of toughness would mark her as ineffective. Women paralegals also face a double bind in corporate law firms. While lawyers depend on paralegals for important work, they also expect these women—for most paralegals are women—to nurture them and affirm their

superior status in the office hierarchy. Paralegals who mother their bosses experience increasing personal exploitation, while those who do not face criticism and professional sanction. Male paralegals, Pierce finds, do not encounter the same difficulties that female paralegals do. Pierce argues that this gendered division of labor benefits men politically, economically, and personally. However, she finds that women lawyers and paralegals develop creative strategies for resisting and disrupting the male-dominated status quo. Her lively narrative and well-argued analysis will be welcomed by anyone interested in today's gender politics and business culture.

Gender and the Law Dec 31 2022 Gender and the Law provides an ideal introduction to gender and feminist theory for students. Beginning with an overview of traditional notions of gender, the book establishes the key feminist and queer legal theories. It provides a basic structure and overview upon which students can build their understanding of some of the complex and controversial topics and debates around gender. Structured thematically, the book explores many fascinating and controversial legal issues, including issues of transgender rights; equal pay and equality in the workplace; societal changes and challenges within the regulation of personal relationships; the law surrounding consent and sexual offences; the role of gender norms in the criminal courts; legal regulation of prostitution and pornography; and the ways in

which the law has responded to societal changes surrounding reproduction. With 'thinking points' and 'further reading' suggestions within each chapter, the authors encourage an engagement with critique and theory in order to understand this dynamic and challenging field.

Women, Business and the Law 2021 Apr 30 2020 Women, Business and the Law 2021 is the seventh in a series of annual studies measuring the laws and regulations that affect women's economic opportunity in 190 economies. The project presents eight indicators structured around women's interactions with the law as they move through their lives and careers: Mobility, Workplace, Pay, Marriage, Parenthood, Entrepreneurship, Assets, and Pension. This year's report updates all indicators as of October 1, 2020 and builds evidence of the links between legal gender equality and women's economic inclusion. By examining the economic decisions women make throughout their working lives, as well as the pace of reform over the past 50 years, Women, Business and the Law 2021 makes an important contribution to research and policy discussions about the state of women's economic empowerment. Prepared during a global pandemic that threatens progress toward gender equality, this edition also includes important findings on government responses to COVID-19 and pilot research related to childcare and women's access to justice.
Gender Justice and the Law Jan 08 2021

Gender Justice and the Law presents a collection of essays that examines how gender, as a category of identity, must continually be understood in relation to how structures of inequality define and shape its meaning. It asks how notions of "justice" shape gender identity and whether the legal justice system itself privileges notions of gender or is itself gendered. Shaped by politics and policy, *Gender Justice* essays contribute to understanding how theoretical practices of intersectionality relate to structures of inequality and relations formed as a result of their interaction. Given its theme, the collection's essays examine theoretical practices of intersectional identity at the nexus of "gender and justice" that might also relate to issues of sexuality, race, class, age, and ability.
Beyond Portia May 12 2021 A resource to help judges, lawyers, scholars, and students gain insight into the real lives of women whom the law purports to represent but whose self-representations have historically been excluded from legal discourse.

Women, Law and Human Rights Aug 22 2019 Africa, with its mix of statute, custom and religion is at the centre of the debate about law and its impact on gender relations. This is because of the centrality of the gender question and its impact on the cultural relativism debate within human rights. It is therefore important to examine critically the role of law, broadly constructed, in African societies. The book focuses on women's experiences in the family.

This is because the lives of women continue to be lived out largely in the private domain, where the right to privacy is used to conceal unequal treatment of women which is justified by invoking 'custom' and 'tradition'. The book shows how law and its interpretation is used to disenfranchise women, resulting in their being deprived of land and other property which they may have helped to accumulate. It also considers issues of violence within the home, reproductive rights and examines the issue of female genital cutting. The role of women in development is explored as is their participation in politics and the NGO sector. A major theme of the book is a consideration of the linkages of constitutional and international human rights norms with local values. This is done using feminist tools of analysis. The book considers the provisions of the Protocol to the African Charter on Human and People's Rights on the Rights of Women which was adopted by the African Union in July 2003.

Legal Issues of International Law from a Gender Perspective Sep 23 2019 This book offers a new perspective on international law, which was, for centuries, male-dominant and gender-blind. However, this gender blindness has led to many injustices, the failure to recognize certain rights, and to impunity for serious crimes. The book examines the development of gender perspectives in various branches of international law, while also discussing and explaining certain universal standards. However, particular attention is paid

to the European human rights system. Accordingly, the book provides detailed explanations of the EU's external policies in relation to sex, sexual orientation, and gender identity. Also, there is a special focus on the relevant jurisprudence of the European Court of Human Rights in relation to gender and sexual orientation, female reproduction, and sexuality. The authors explain not only the importance of an adequate legal framework for combating gender inequality but also the detrimental effects of deeply rooted gender stereotypes and prejudices. Subsequently, the development of particular branches is presented, such as a gender-sensitive approach to the prevention of war crimes, gender perspectives in refugee law, and the evolution of gender-sensitive environmental law. In addition, the problematic situation of discrimination in the workplace is addressed from various perspectives. Many discussions, especially among EU member states, are reserved for the issue of women's participation in managerial boards, while the growing awareness of gender equality in international trade agreements represents another interesting topic. Lastly, the book offers a historical perspective on the development of international law in the interwar period, with a particular focus on the situation in Yugoslavia. The book critically reconsiders the dominant molds of legal knowledge and presents innovative gender-sensitive and gender-competent insights on a variety of issues in

international law, in order to introduce readers to new research topics relevant to gender equality and to stimulate the development of an international legal and institutional framework for achieving greater gender equality in practice. The collection of essays presented here will be of interest to all those working in the field of international law, as well as students and academics looking to broaden and deepen their research on a range of issues in international law from gender perspectives. Women Before the Bar May 24 2022 *Women before the Bar* is the first study to investigate changing patterns of women's participation in early American courts across a broad range of legal actions—including proceedings related to debt, divorce, illicit sex, rape, and slander. Weaving the stories of individual women together with systematic analysis of gendered litigation patterns, Cornelia Dayton argues that women's relation to the courtroom scene in early New England shifted from one of integration in the mid-seventeenth century to one of marginality by the eve of the Revolution. Using the court records of New Haven, which originally had the most Puritan-dominated legal regime of all the colonies, Dayton argues that Puritanism's insistence on godly behavior and communal modes of disputing initially created unusual opportunities for women's voices to be heard within the legal system. But women's presence in the courts declined significantly over time as Puritan beliefs lost their status as the organizing principles of society, as legal

practice began to adhere more closely to English patriarchal models, as the economy became commercialized, and as middle-class families developed an ethic of privacy. By demonstrating that the early eighteenth century was a crucial locus of change in law, economy, and gender ideology, Dayton's findings argue for a reconceptualization of women's status in colonial New England and for a new periodization of women's history. *Justice and Gender* Dec 27 2019 This is the first book to provide a comprehensive investigation of gender and the law in the United States. Deborah Rhode describes legal developments over the last two centuries against a background of historical and sociological changes in women's activities and attitudes toward these new developments. She shows the way cultural perceptions of gender influence and in turn are influenced by legal constructions, and what this complicated interaction implies about the possibility—or impossibility—of using law as a tool of social change. **Feminist Legal Theory** Jul 14 2021 This book offers powerful analyses of the relationship between law and gender and new understandings of the limits of, and opportunities for, legal reform drawn from the experiences of women and from critical perspectives developed within other disciplines. Gender Identity and the Law Aug 03 2020 Gender and the Law of the Sea Apr 22 2022 *Gender and the Law of the Sea* successfully

establishes the relevance of gender at sea and posits that feminist perspectives can help develop a more inclusive law for the oceans.

Gender and Law Jul 26 2022 Instructors choose Gender and the Law: Theory, Doctrine, Commentary for: - a thorough analysis of gender and law through several distinct perspectives, which include formal equality, substantive equality, nonsubordination theory, difference theory, autonomy, and non-essentialism - going far beyond traditional gender issues to draw cases, theory, and commentary from many different areas of the law, such as employment law, criminal law, constitutional law, family law, civil procedure, legal ethics, property law, and contracts - explaining to students the complex ways in which laws are said to be gendered - unique Putting Theory into Practice problems at the end of each section, which allow students to apply the legal and theoretical tools to cutting-edge issues The Fourth Edition keeps pace with important developments: - updated material on women in the legal profession and legal education - the text contains updates of most important new cases and theoretical insights relating to employment law, Title IX, criminal sentencing, welfare and Social Security reform, affirmative action, teenage pregnancy, gay and lesbian rights - cases, statistics, commentary, and empirical studies of the law in action appear in the materials on sexual harassment, domestic violence, and rape - important cases include Goodridge v. Mass., Nevada v. Hibbs,

Lawrence v. Texas, and Jespersen v. Harrah's - more material on international law in the area of rape and global trafficking
Research Handbook on Gender, Sexuality and the Law Jun 12 2021 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.
Gender-Sensitive Norm Interpretation by Regional Human Rights Law Systems Sep 03 2020 In Gender-Sensitive Norm Interpretation by Regional Human Rights Law Systems Maria Sjöholm examines the jurisprudence on gender-based harm in the European, Inter-American and African regional human rights law systems, from the viewpoint of feminist legal methods and theories.--
A Critical Analysis of the Efficacy of Law as a Tool to Achieve Gender Equality Oct 24 2019 In this book, Natalie Persadie explains that, among developing countries, the achievement of legal advances for women—at either the international or national levels—is particularly difficult where practical measures are not subsequently implemented. She examines the need for financial and human resources to make such legal measures effective.

Constituting Workers, Protecting Women Mar 10 2021 Constitutional considerations of protective laws for women were the analytical battlefield on which the legal community reworked the balance between private liberty and the state's authority to regulate. Julie Novkov focuses on the importance of gender as an analytical category for the legal system. During the Progressive Era and New Deal, courts often invalidated generalized protective legislation, but frequently upheld measures that limited women's terms and conditions of labor. The book explores the reasoning in such cases that were decided between 1873 and 1937. By analyzing all reported opinion on the state and federal level, as well as materials from the women's movement and briefs filed in the U.S. Supreme Court, the study demonstrates that considerations of cases involving women's measures ultimately came to drive the development of doctrine. The study combines historical institutionalism and feminism to address constitutional interpretation, showing that an analysis of conflict over the meaning of legal categories provides a deeper understanding of constitutional development. In doing so, it rejects purely political interpretations of the so-called Lochner era, in which the courts invalidated many legislative efforts to ameliorate the worst effects of capitalism. By addressing the dynamic interactions among interested laypersons, attorneys, and judges, it demonstrates that no individuals or institutions have complete

control over the generation of constitutional meaning. Julie Novkov is Assistant Professor of Political Science, University of Oregon

Gender Law and Policy Nov 29 2022 Gender Law and Policy provides the theoretical frameworks, legal cases, and policy background necessary for analyzing a broad range of gender issues in the law. It is an ideal text for undergraduate courses in Women's Studies, Political Science, and other fields focusing on gender law and policy, including Women and the Law and Gender Law and Policy. This text features lucid introductions in each chapter that illuminate the issues significant to each topic, alternative theoretical perspectives that facilitate open-minded problem solving, and incisive commentary by leading scholars and policymakers. Timely coverage of foundational and cutting-edge issues includes constitutional law, employment law, Title IX and education (including sports), family law, sexual harassment, sexual violence, pornography, prostitution, global trafficking, LGBT issues, and women's sexual and reproductive health. Features of the Third Edition: Organized in five chapters focusing on different theoretical frameworks to enable student to grasp different conceptualizations of equality and justice. New introductory chapter with a broad overview of the theoretical frameworks, as well as the adjacent critical theories with the most relevance to the study of gender and law—intersectionality, queer theory, and masculinities studies. Includes more than 200

“Putting Theory into Practice” Problems, most based on real-life, unresolved problems, to keep a consistent, stimulating focus on the relationship between theory and practice. Features boxed definitions of terms and explanations of the legal process that are important for understanding the cases and a glossary where students can look up unfamiliar terms and concepts. Provides timelines and charts for graphic enhancement of important information. Offers clear introductions to each chapter, subject matter, and lead case, along with reading questions, so that students can focus on the implications of the law rather than figure out the content of the law. Tailors cases to undergraduate use, almost entirely omitting procedural issues, but preserving detailed facts necessary for analysis. New or enhanced coverage of the #MeToo movement, reproductive rights, campus sexual assault, LGBTQ issues, sex and technology, and intimate partner violence. Professors and students will benefit from: Adaptation of the best-selling law school gender and law textbook for undergraduate use for courses in gender, law, and policy. Interspersed theoretical and practice materials: excerpted legal cases, statutes, and law review articles form an ongoing dialogue within the book to stimulate thought and discussion. Complete, up-to-date coverage of conventional “women and the law” issues, including constitutional law, employment law, affirmative action, sexual harassment, reproductive rights, domestic

violence, Title IX, and poverty and race, along with analysis of cutting edge issues relating to LGBTQ and nonbinary individuals.

Mutinies for Equality Nov 25 2019 Studies transformations in law and gender in modern India, proposing drivers of change are emerging from beyond traditional institutions.

Sex, Gender, Sexuality and the Law Nov 05 2020 "In the past decade, people whose bodies, genders or sexualities differ from socially expected norms have become more visible and have been granted greater recognition within the law. Yet despite this, many service providers do not have a strong understanding of the social and legal issues that continue to have a significant impact on these diverse groups of people and their relationships and families. In order to address this knowledge gap, this book brings together research findings from often disparate disciplines into an accessible and useful form for practitioners, as well as for researchers, academics, students, and the general public. Part 1 defines key terms, and addresses the psychosocial and legal issues faced by trans or gender diverse, intersex, and/or non-heterosexual individuals. Part 2 looks at the psychosocial and legal aspects of couple relationships. Part 3 considers parenting and families. Part 4 discusses practical tips for professionals working with this client group, including specific content for lawyers and mediators. As a whole, this book both questions the presumed neutrality of the law, yet insists that it is

possible for the law to play a key role in challenging cisgenderism and heterosexism."-- Back cover.

Gender, Sexuality, and the Law Dec 19 2021

This volume examines the role of law as a tool for advancing women's rights and gender equity in local, national, and global contexts. Many feminist scholars note a marked failure of law to achieve goals connected to women's rights and gender equality. Despite its limitations, law provides aspirational norms that can be mobilized to hold institutions accountable and to provide material benefit to those excluded from systems of power. In conversation with each other, the chapters in this volume help to advance understanding of both the limitations and the potential of law as a tool for advancing democratic participation, rights, and justice around issues related to gender and sexuality. Contributors acknowledge, to varying degrees, that law has important symbolism and may be used as a lever to mobilize change. At the same time, some offer cautionary notes about the potential downside risks and unintended consequences of relying upon law in pursuit of women's rights and gender equity. Collectively, the chapters in this volume explore the disjuncture between the promise and expectation of legal reform and the lived experience of those laws by people intended as the beneficiaries of legal change. This book was originally published as a special issue of *Global Discourse*.

Muslim Women's Quest for Justice Mar 29

2020 This book is an urban ethnographic study of several Muslim women's organisations in northern India. These organisations work to carve out spaces that allow for the articulation of alternative experiences and conceptions of religion and justice that challenge Islamic orthodoxy as well as the monopoly of the Indian state in the domain of family law. While most analyses on reform efforts within Muslim family law in India have focused on women's protection within the state legal system, this book offers the rare opportunity to understand how organised groups of Muslim women's rights activists contest marginalising forces present in the family and criminal courts, Shariat courts, local mosques, workplace, legislature and legal documents. It pushes against troubling assumptions that Islam is incompatible with ideas of women's rights and that the State is the only dispenser of justice, and offers new directions for studies on the dispersed nature of women's identities in Islamic family law.

Legal Capacity & Gender Jan 26 2020 This book explores the role of gender in the recognition of an individual's legal capacity. It discusses the meaning of the right to legal capacity and its two core elements - legal personhood and legal agency. It then analyses historical and modern denials of personhood and agency experienced by women, disabled women, and gender minorities - for example, prohibitions from voting, limitations on contracting, loss of personhood upon marriage, and gender binary

requirements leading to an inability to exercise legal capacity, among others. Using critical feminist, disability, and queer theory, this book also offers insights into the construction of legal personhood and its role as a predictor of power and privilege. The book identifies patterns of oppression through legal capacity denial in various jurisdictions and discusses situations in which modern law continues to enforce these denials. In addition, the book presents solutions: it identifies practices to learn from in various jurisdictions around the world - including both civil law and common law jurisdictions. It also uses case studies to illustrate the ways in which existing laws, policies and practices could be reformed. As such, the book offers both a novel contribution to the field of legal capacity law and a tool for creating change and helping to realise the right to legal capacity for all.

Gender, Law and Material Culture Aug 27 2022 This interdisciplinary volume discusses the division of the early modern material world into the important legal, economic, and personal categories of mobile and immobile property, possession, and the rights to usufruct. The chapters describe and compare different modes of acquisition and intergenerational transfer via law and custom. The varying perspectives, including cultural history, legal history, social and economic history, philosophy, and law, allow for a more nuanced understanding of the links between the movability of an object and the gender of the

person who owned, possessed, or used it. Case studies and examples come from a wide geographical range, including Norway, England, Scotland, the Holy Roman Empire, Italy, Tyrol, the Ottoman Empire, Greece, Romania, and the European colonies in Brazil and Jamaica. By covering both urban and rural

areas and exploring all social groups, from ruling elites to the lower strata of society, the chapters offer fresh insight into the division of mobile and immobile property that socially and economically posed disadvantages for women. By exploring a broad scope of topics, including

landownership, marriage contracts, slaveholding, and the dowry, this book is an essential resource for both researchers and students of women's history, social and economic history, and material culture.

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