

# Transgender Jurisprudence Dysphoric Bodies Of Law

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Gender and the Law Judith Bourne 2018-04-17 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.

Sexuality and the Law Vanessa Munro 2007-05-07 'Rediscovering' the peculiarity of feminist perspectives, rather than examining the broader range of gender-oriented analyses, in the area of legal regulation and sexuality, this edited collection avoids the 'reductionist' and 'essentialist' shortcomings of 'feminism unmodified'. With a substantial introductory chapter, written by the editors, summarizing the state of the law on core aspects of sexuality and providing a critical appraisal of the key themes and concerns, it analyzes and transcends the traditional dichotomised thinking (e.g coercion/choice, victim/agent) about the regulation of gender issues. It addresses a broad range of key themes including: crime the family and child contract law jurisprudence public and international law. Offering a space in which to re-vitalize a

feminist conception of sexuality, this book is an essential read for law students interested in the legal implications of gender and sexuality.

**On Transits and Transitions** Tristan Josephson 2022-10-14 Focusing on the intersection of immigration and trans rights, *On Transits and Transitions* examines the processes through which the category of transgender is incorporated into U.S. immigration law and policy. Using mobility as a critical lens, Josephson captures the insecurity and precarity created by U.S. immigration control and related processes of racialization to show how im/mobility conditions citizenship and national belonging for trans migrants in the United States.

*The Ashgate Research Companion to Feminist Legal Theory* Vanessa E. Munro 2016-04-01 As a distinct scholarly contribution to law, feminist legal theory is now well over three decades old. Those three decades have seen consolidation and renewal of its central concerns as well as remarkable growth, dynamism and change. This Companion celebrates the strength of feminist legal thought, which is manifested in this dynamic combination of stability and change, as well as in the diversity of perspectives and methodologies, and the extensive range of subject-matters, which are now included within its ambit. Bringing together contributors from across a range of jurisdictions and legal traditions, the book provides a concise but critical review of existing theory in relation to the core issues or concepts that have animated, and continue to animate, feminism. It provides an authoritative and scholarly review of contemporary feminist legal thought, and seeks to contribute to the ongoing development of some of its new approaches, perspectives, and subject-matters. The Companion is divided into three parts, dealing with 'Theory', 'Concepts' and 'Issues'. The first part addresses theoretical questions which are of significance to law, but which also connect to feminist theory at the broadest and most interdisciplinary level. The second part also draws on general feminist theory, but with a more specific focus on debates about equality and difference, race, culture, religion, and sexuality. The 'Issues' section considers in detail more specific areas of substantive legal controversy.

**Trans Talmud** Max K. Strassfeld 2022-04-05 *Trans Talmud* places eunuchs and androgynes at the center of rabbinic literature and asks what we can learn from them about Judaism and the project of transgender history. Rather than treating these figures as anomalies to be justified or explained away, Max K. Strassfeld argues that they profoundly shaped ideas about law, as the rabbis constructed intricate taxonomies of gender across dozens of texts to understand an array of cultural tensions. Showing how rabbis employed eunuchs and androgynes to define proper forms of masculinity, Strassfeld emphasizes the unique potential of these figures to not only establish the boundary of law but exceed and transform it. *Trans Talmud* challenges how we understand gender in Judaism and demonstrates that acknowledging nonbinary gender prompts a reassessment of Jewish literature and law.

*Sexual Intimacy and Gender Identity 'Fraud'* Alex Sharpe 2018-02-02 This book is

a legal and political intervention into a contemporary debate concerning the appropriateness of sexual offence prosecutions brought against young gender non-conforming people for so-called 'gender identity fraud'. It comes down squarely against prosecution. To that end, it offers a series of principled objections based both on liberal principles, and arguments derived from queer and feminist theories. Thus prosecution will be challenged as criminal law overreach and as a spectacular example of legal inconsistency, but also as indicative of a failure to grasp the complexity of sexual desire and its disavowal. In particular, the book will think through the concepts of consent, harm and deception and their legal application to these specific forms of intimacy. In doing so, it will reveal how cisnormativity frames the legal interpretation of each and how this serves to preclude more marginal perspectives. Beyond law, the book takes up the ethical challenge of the non-disclosure of gender history. Rather than dwelling on this omission, it argues that we ought to focus on a cisgender demand to know as the proper object of ethical inquiry. Finally, and as an act of legal and ethical re-imagining, the book offers a queer counter-judgment to *R v McNally*, the only case involving a gender non-conforming defendant, so far, to have come before the Court of Appeal.

**Body in Medical Culture, The** Elizabeth Klaver 2009-04-16 2010 CHOICE

Outstanding Academic Title How do concepts and constructions of the body shape people's experiences of agency and objectification within medical culture? As an object of scrutiny, the medicalized body occupies center stage in the work of doctors, nurses, medical examiners, and other medical professionals who mediate broader cultural understandings of pathology, illness, and the various physical transformations associated with life and death. *The Body in Medical Culture* explores how the body functions within medical culture and examines the metaphors and models of the body used to understand medical phenomena, including disease, diagnostic practices, wellness, anatomy, surgery, and medical research. Scholars from a wide range of disciplines engage representations of bodies, including polio and masculinity, sex reassignment surgery, drug marketing, endography, "designer vaginas," and hospital humor in order to challenge the normalcy of the passively objectified medicalized body.

**Queerly Canadian, Second Edition** Scott Rayter 2022-09-14 In the second edition of this remarkable and comprehensive anthology, many of Canada's leading sexuality studies scholars examine the fundamental role that sexuality has played—and continues to play—in the building of our nation, and in our national narratives, myths, and anxieties about Canadian identity. Thoroughly updated, this new edition features twenty-six new chapters on topics including Indigenous kinship, Blackness, masculinity, disability, queer resistance, and sex education. Covering both historical and contemporary perspectives on nation and community, law and criminal justice, organizing and activism, health and medicine, education, marriage and family, sport, and popular culture and representation, the essays also take a strong intersectional approach, integrating analyses of race, class, and gender. This interdisciplinary collection is essential for the Canadian sexuality studies classroom, and for

anyone interested in the mythologies and realities of queer life in Canada.  
FEATURES: - Sixty percent new and expanded content with twenty-six new chapters  
- Thoroughly updated to reflect a strong emphasis on the diversity of queer experiences and identities in Canada - Each chapter includes a brief introduction, written for this collection by the author, that provides helpful context about their work for both students and teachers

**Adriana Cavarero** Elisabetta R. Bertolino 2017-12-04 Critical legal scholars have made us aware that law is made up not only of rules but also of language. But who speaks the language of law? And can one lawfully speak in one's voice? For the Italian philosopher Adriana Cavarero, to answer these questions we must not separate who is speaking from the very act of speaking; moreover, we must recuperate the material singularity and relationality of the mouth that speaks. Drawing on Cavarero's work, this book focuses on the potentiality of the voice for resisting law's sovereign structures. For Cavarero, it is the voice that expresses one's living and unrepeatable singularity in a way that cannot be subsumed by the universalities and standards of law. The voice is essentially a material and singular passage of air and vibration that necessarily reveals one's uniqueness in relationality. Speaking discloses this uniqueness, and so one's vulnerability. It therefore leads to possibilities of resistance that, here, bring a fresh approach to longstanding legal theoretical concerns with singularity, ethics and justice.

*Research Methods for International Human Rights Law* Damian Gonzalez-Salzberg 2019-06-13 The study and teaching of international human rights law is dominated by the doctrinal method. A wealth of alternative approaches exists, but they tend to be discussed in isolation from one another. This collection focuses on cross-theoretical discussion that brings together an array of different analytical methods and theoretical lenses that can be used for conducting research within the field. As such, it provides a coherent, accessible and diverse account of key theories and methods. A distinctive feature of this collection is that it adopts a grounded approach to international human rights law, through demonstrating the application of specific research methods to individual case studies. By applying the approach under discussion to a concrete case it is possible to better appreciate the multiple understandings of international human rights law that are missed when the field is only comprehended through the doctrinal method. Furthermore, since every contribution follows the same uniform structure, this allows for fruitful comparison between different approaches to the study of our discipline.

**Routledge Handbook of Law and Theory** Andreas Philippopoulos-Mihalopoulos 2018-08-06 This handbook sets out an innovative approach to the theory of law, reconceptualising it in a material, embodied, socially contextualised and politically radical way. The book consists of original contributions authored by prominent academics, all of whom provide a valuable overview of legal theory as a discipline. The book contains five sections: • Spatiotemporal • Sense • Body • Text • Matter Through this structure, the handbook brings the law into active discussion with other disciplines, as well as supra-disciplinary debates

on the areas of spatiality, temporality, materiality, corporeality and sensorial studies, capturing the most exciting developments in current legal theory, and anticipating future research in the area. The handbook is essential reading for scholars and students of jurisprudence, sociology of law, critical legal studies, socio-legal theory and interdisciplinary legal studies, as well as those people from other disciplines interested in the way the law converses with interdisciplinarity.

**The Legal, Medical and Cultural Regulation of the Body** Stephen W. Smith  
2016-03-03 The regulation of the body provides an important concern in law, medical practice and culture. This volume contributes to existing research in the area by encouraging experts from a range of related disciplines to consider the legal, cultural and medical ways in which we regulate the body, further exploring how conceptions of self, liberalism, property and harm inform and influence contentious legal and ethical questions about what we can and cannot do to or with our own bodies.

**The Conditions of Diversity in Multinational Democracies** Institute for Research on Public Policy 2003 This book studies the plural dimensions of diversity in multinational settings. In particular it considers the theoretical, institutional and legal conditions for the development of nations that are included within the boundaries of larger political institutions. It examines, on the one hand, how various political regimes manage multiple demands for recognition, and on the other hand, the impact of their respective approaches towards diversity on the stability of the state.

**Human Rights, Sexual Orientation, and Gender Identity** Anne Hellum 2018-04-19 How human rights principles, like the right to gender identity, freedom, integrity and equality, respond to the concerns of different groups of adults and children who experience gender harm due to the binary conception of sexuality and gender identity is the overall theme of this book. The Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity are analysed in the light of the dynamic jurisprudence of different human rights treaty bodies. Whether and how the status quo of gender duality is reproduced, in spite of international law's growing recognition of the multiplicity of sexualities and gender identities, is discussed. How transgender men, in countries that permit legal gender change, have been successfully prosecuted for gender fraud by female partners claiming to be unaware of their gender history is given attention. While human rights discourse related to LGBTI persons so far has been moulded on the experiences of adults this book gives voice to the concerns of gender-non confirming children. The jurisprudence of the Child Rights Committee, with focus on the complex social and legal issues faced by gender non-confirming children, is addressed. Through narratives, that give voice to these children's experiences, the book demonstrates how the legal gender assigned at birth impacts on their feeling of recognition, self-confidence and self-respect in the private, social, and legal spheres. This book was previously published as a special issue of the Nordic Journal of Human Rights.

**The Tyranny of Ordinary Meaning** Christopher Hutton 2019-06-21 This book offers an in-depth analysis of the case of *Corbett v Corbett*, a landmark in terms of law's engagement with sexual identity, marriage, and transgender rights. The judgement was handed down in 1970, but the decision has shaped decades of debate about the law's control and recognition of non-normative gender identities. The decision in this case – that the marriage between the Hon. Arthur Corbett and April Ashley was void on the grounds that April Ashley had been born male – has been profoundly influential across the common law world, and came as a dramatic and intolerant intervention in developing discussions about the relationships between medicine, law, questions of sex versus gender, and personal identity. The case raises fundamental questions concerning law in its historical and intellectual context, in particular relating to the centrality of ordinary language for legal interpretation, and this book will be of interest to students and scholars of language and law, legal history, gender and sexuality.

European Sexual Citizenship Francesca Romana Ammaturo 2016-11-09 This book is an innovative and critical contribution to the study of the human rights of lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) people in the context of Europe. Combining legal and Foucauldian approaches, it investigates the ways in which current discourses about LGBTIQ rights in Europe are tightly bound to contemporary debates about national and trans-national citizenship. The author defines and analyzes the concept of 'multisexual citizenship' to illustrate new, flexible forms of sexual and gendered citizenship that could radically transform practices of citizenship and the current human rights framework in Europe. She does this by combining critical deconstructions of the case law of the European Court of Human Rights with ethnographic observations and sociological analysis. This interdisciplinary work will appeal to sociologists, lawyers and researchers of gender and LGBTIQ rights.

**Men, Law and Gender** Richard Collier 2010-04-05 What does it mean to speak of 'men' as a gender category in relation to law? How does law relate to masculinities? This book presents the first comprehensive overview and critical assessment of the relationship between men, law and gender; outlining the contours of the 'man' of law across diverse areas of legal and social policy. Written in a theoretically informed, yet accessible style, *Men, Law and Gender* provides an introduction to the study of law and masculinities whilst calling for a richer, more nuanced conceptual framework in which men's legal practices and subjectivities might be approached. Building on recent sociological work concerned with the relational nature of gender and personal life, Richard Collier argues that social, cultural and economic changes have reshaped ideas about men and masculinities in ways that have significant implications for law. Bringing together voices and disciplines that are rarely considered together, he explores the way ideas about men have been contested and politicised in the legal arena. Including original empirical studies of male lawyers, the legal profession and fathers' rights and law reform, alongside discussions of university law schools and legal academics, and family policy and parenting cultures, this innovative, timely and important text provides a unique and

important insight into the relationship between law, men and masculinities. It will be required reading for academics and students in law and legal theory, socio-legal studies, gender studies, sociology and social policy, as well as policy-makers and others concerned with the changing nature of gender relations.

**Inclusion and Exclusion in Competitive Sport** Seema Patel 2015-04-24 Society is obsessed with categorising and treating individuals and groups according to their physical and non-physical differences, such as sex, gender, disability and race. This treatment can lead to the inclusion or exclusion of an individual from the tangible and intangible benefits of society. Where this practice becomes discriminatory, legal frameworks can protect human rights and ensure that people are treated with due respect for their similarities and differences. In a sporting context, the inclusion and exclusion of athletes based upon their differences is often a necessary part of the essence of competitive sporting activity, arranged around rules and categories that can have an unequal exclusionary impact on certain classes of individual. Dominant sporting cultures can also have exclusionary effects. This important and innovative book seeks to investigate the socio-legal and regulatory balance between inclusion and exclusion in competitive sport. It critically analyses a range of legal and non-legal cases concerning sport-specific inclusion and exclusion in the areas of sex, gender, disability and race, including those cases involving Oscar Pistorius, Caster Semenya and Luis Suarez, to identify the extent to which the law and sport adopt a justifiable and legitimate inclusive or exclusive approach to participation. The book explores national and international regulatory frameworks, identifying deficiencies and good practice, and concludes with recommendations for regulatory reform. *Inclusion and Exclusion in Competitive Sport* is important reading for anybody with an interest in the relationship between sport and wider society, sports development, sport management, sports law, or socio-legal studies.

*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.

**Jurisdiction in Deleuze: The Expression and Representation of Law** Edward Mussawir 2011-03-03 Jurisdiction in Deleuze: The Expression and Representation of Law pursues an emerging interest in the conceptual thematic of jurisdiction within legal studies; as it maintains that an adequate understanding of the power of law requires an attention, not just to law's formal aspects, but to its technology, its institution and its instrumentality; not just to the representation of law, but to its expression.

*Transgender Employment Experiences* Kyla Bender-Baird 2011-08-01 Brings together the workplace experiences of transgender people with an assessment of current policy protections.

**Transgender Jurisprudence** Andrew N. Sharpe 2006 'Transgender Jurisprudence: Dysphoric Bodies of Law is an important book. ... Sharpe's discussion [of transgender jurisprudence]... is convincing and thought-provoking, ... his observations incisive and legally persuasive ... [and] his examination of the fundamental heterosexism and phallogentrism of "reform" jurisprudence is brilliant.' -Queen's Law Journal (Vol 28(1) 2002 pp 363-369 at pp 365, 366, 368 and 369), Professor Bruce MacDougall of the Faculty of Law, University of British Columbia, Vancouver 'Transgender Jurisprudence is a work of the most careful and comprehensive scholarship ... [and] ... will, I have no doubt, be a standard resource to all those who have reason to work in the area, both as practicing lawyers, activists, or academics, in years to come.' -Sydney Law Review (Vol 24 2002 pp 442-448 at p 443), Professor Desmond Manderson, Canada Research Chair in Law & Discourse, McGill University, Montreal 'Transgender Jurisprudence provides an excellent, well-researched contribution to the fields of transgender studies and jurisprudence concerning gender and sexuality. ... It is also a valuable contribution to wider discussions concerning feminism, poststructuralism and queer studies.' -Res Publica (Vol 8(3) 2002 pp 275-283 at pp 282-283), Dr Surya Munro of the Department of Law, Keele University '[Sharpe] expresses the hope that the book has made an important contribution ... That it has done so is beyond doubt. Indeed more than a contribution, Sharpe has comprehensively reshaped and redefined the field of transgender jurisprudence. ... [T]he end result is a book which is not only sustained, integrated and comparative, but which introduces a set of original and sophisticated arguments that will provide an indispensable grounding for subsequent work in the field for some time to come.' -Griffith Law Review (Vol 12(2) 2003 pp 387-390 at p 390), Professor Rosemary Hunter, Dean of the Faculty of Law, Griffith University [Transgender Jurisprudence] has already become a foundational work by which others will be measured. ... [It] sets a high bar ... As one who litigates cases on behalf of transgender people as well as those involving same-sex couples seeking marriage rights, I think Sharpe has done an

incredible job identifying [homophobia as] the source of the tension in such cases.' - *Adelaide Law Review* Vol 24(2) 2003 pp 99-104 at 104.

*Gender Panic, Gender Policy* Vasilikie Demos 2017-10-30 Using diverse theories and methods including analysis of on-line data, feminist critical discourse, fieldwork, grounded theory, and queer theory, this volume explores gender panic and policy in the United States and beyond.

Gender on the Edge Niko Besnier 2014-12-31 Transgender identities and other forms of gender and sexuality that transcend the normative pose important questions about society, culture, politics, and history. They force us to question, for example, the forces that divide humanity into two gender categories and render them necessary, inevitable, and natural. The transgender also exposes a host of dynamics that, at first glance, have little to do with gender or sex, such as processes of power and domination; the complex relationship among agency, subjectivity, and structure; and the mutual constitution of the global and the local. Particularly intriguing is the fact that gender and sexual diversity appear to be more prevalent in some regions of the world than in others. This edited volume is an exploration of the ways in which non-normative gendering and sexuality in one such region, the Pacific Islands, are implicated in a wide range of socio-cultural dynamics that are at once local and global, historical, and contemporary. The authors recognize that different social configurations, cultural contexts, and historical trajectories generate diverse ways of being transgender across the societies of the region, but they also acknowledge that these differences are overlaid with commonalities and predictabilities. Rather than focus on the definition of identities, they engage with the fact that identities do things, that they are performed in everyday life, that they are transformed through events and movements, and that they are constantly negotiated. By addressing the complexities of these questions over time and space, this work provides a model for future endeavors that seek to embed dynamics of gender and sexuality in a broad field of theoretical import.

**Sexuality and Equality Law** SuzanneB. 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.

**Northern / Irish Feminist Judgments** Máiréad Enright 2017-02-09 The Northern/Irish Feminist Judgments Project inaugurates a fresh dialogue on gender, legal judgment, judicial power and national identity in Ireland and Northern Ireland. Through a process of judicial re-imagining, the project takes account of the peculiarly Northern/Irish concerns in shaping gender through judicial practice. This collection, following on from feminist judgments projects in Canada, England and Australia takes the feminist judging methodology in challenging new directions. This book collects 26 rewritten judgments, covering a range of substantive areas. As well as opinions from appellate courts, the book includes first instance decisions and a fictional review of a Tribunal of Inquiry. Each feminist judgment is accompanied by a commentary putting the case in its social context and explaining the original decision. The book also includes introductory chapters examining the project methodology, constructions of national identity, theoretical and conceptual issues pertaining to feminist judging, and the legal context of both jurisdictions. The book, shines a light on past and future possibilities - and limitations - for judgment on the island of Ireland. 'This book provides a rich and expansive addition to the feminist judgments catalogue. The ... judgments demonstrate powerfully how Northern/Irish judges have contributed to the gendered politics of national identity, and how the narrow subject-positions they have created for women and 'others' could have been so much wider and more open.' Professor Rosemary Hunter, School of Law, Queen Mary University London. 'The Northern/Irish Feminist Judgments Project is inspirational reading for anyone interested in feminism or Irish studies ... It is a model of how to conduct feminist enquiry. Its most innovative contribution to scholarship and politics is how the rewriting of landmark legal judgments from a feminist perspective allows us to imagine (and therefore begin to construct) a more egalitarian, a more just, future.' Associate Professor Katherine O'Donnell, School of Philosophy, University College Dublin. If you let it, this book will make you think. ... It made me think - it reminded me, I suppose - that legal writing can be wonderful: rigorous, creative, deeply observant, provocative. Read it and see what it makes you think. Professor Thérèse Murphy, School of Law, Queen's University Belfast

**The Transgender Studies Reader** Susan Stryker 2013-10-18 Transgender studies is the latest area of academic inquiry to grow out of the exciting nexus of queer theory, feminist studies, and the history of sexuality. Because transpeople challenge our most fundamental assumptions about the relationship between bodies, desire, and identity, the field is both fascinating and contentious. The Transgender Studies Reader puts between two covers fifty influential texts with new introductions by the editors that, taken together, document the evolution of transgender studies in the English-speaking world. By bringing together the voices and experience of transgender individuals, doctors, psychologists and academically-based theorists, this volume will be a foundational text for the transgender community, transgender studies, and related queer theory.

**Cuts and Criminality** Theodore Bennett 2016-03-09 This book investigates how and

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why the criminal law differentiates between different types of body alterations, with particular reference to how they are conceptualised within legal discourse. By drawing connections between types of body alteration that have traditionally been considered separately and discretely, the book allows analytical conclusions to be made about the law's treatment of the general category of 'body alteration' rather than merely about specific types of body alteration. Taking legal discourse as its analytical focus, the author critically examines a number of case studies to determine the techniques and processes by which some body alterations are discursively constructed as legitimate and legally approved, and by which other body alterations are discursively constructed as illegitimate and legally sanctioned. Specifically, the body alterations that are addressed include sadomasochistic injuries; female genital modification and male circumcision; cosmetic surgery, body modification and healthy limb amputation; and sex reassignment surgery and genital 'normalisation' surgery. International in scope, the discursive analysis in the book will be of interest to academics and researchers working in the areas of socio-legal and cultural studies.

*Law and Gender in Modern Ireland* Lynsey Black 2019-02-21 *Law and Gender in Modern Ireland: Critique and Reform* is the first generalist text to tackle the intersection of law and gender in this jurisdiction for over two decades. As such, it could hardly have come at a more opportune moment. The topic of law and gender, perhaps more so than at any other time in Irish history, has assumed a dominant place in political and academic debate. Among scholars and policy-makers alike, the regulation of gendered bodies, and the legal status of sexual and gendered identities, is now a highly visible fault line in public discourse. Debates over reproductive justice (exemplified by the recent referendum to remove the '8th Amendment'), increased rights for lesbian, gay, bisexual and transgender persons (including the public-sanctioned introduction of same-sex marriage) and the historic mistreatment of women and young girls have re-shaped Irish public and political life, and encouraged Irish society to re-examine long-unchallenged gender norms. While many traditional flashpoints remain such as abortion and prostitution/sex work, there are also new questions, including surrogacy and the gendered experience of asylum frameworks, which have emerged. As policy-makers seek to enact reforms, they face a population with increasingly polarised perceptions of gender and a legal structure ill-equipped for modern realities. This edited volume directly addresses modern Irish debates on law and gender. Providing an overview of the existing rules and standards, as well as exploring possible options for reform, the collection stands as an important statement on the law in this jurisdiction, and as an invaluable resource for pursuing gendered social change. While the edited collection applies a doctrinal methodology to explain current statutes, case law and administrative practices, the contributors also invoke critical gender, queer and race perspectives to identify and problematise existing (and potential) challenges. This edited collection is essential reading for all who are interested in law, gender and processes of social change in modern Ireland.

Endowed Michael Thomson 2012-08-21 Feminist legal scholars and health care lawyers have long engaged with law's responses to the female reproductive body, especially on what the legal regulation of women's reproductive lives can tell us about the broader relationship between law and gender. Acknowledging this work and building upon it, Endowed considers the interaction of law and ideas of male reproductivity. In particular, it seeks to uncover what these regulatory moments can tell us about contemporary ideas and ideals of masculinity and the male sexed body. Spanning topics such as male circumcision and the regulation of state access to Viagra, the book uncovers recurring motifs that define masculinity and the male body in the legal imagination. In looking to these understandings the book engages with broader questions regarding the relationship between law and gender and between masculinity and social organization.

*Transgender Rights* Paisley Currah 2006 "Transgender Rights packs a surprising amount of information into a small space. Offering spare, tightly executed essays, this slim volume nonetheless succeeds in creating a spectacular, well-researched compendium of the transgender movement." -Law Library Journal Over the past three decades, the transgender movement has gained visibility and achieved significant victories. Discrimination has been prohibited in several states, dozens of municipalities, and more than two hundred private companies, while hate crime laws in eight states have been amended to include gender identity. Yet prejudice and violence against transgender people remain all too common. With analysis from legal and policy experts, activists and advocates, *Transgender Rights* assesses the movement's achievements, challenges, and opportunities for future action. Examining crucial topics like family law, employment policies, public health, economics, and grassroots organizing, this groundbreaking book is an indispensable resource in the fight for the freedom and equality of those who cross gender boundaries. Moving beyond media representations to grapple with the real lives and issues of transgender people, *Transgender Rights* will launch a new moment for human rights activism in America. Contributors: Kylar W. Broadus, Judith Butler, Mauro Cabral, Dallas Denny, Taylor Flynn, Phyllis Randolph Frye, Julie A. Greenberg, Morgan Holmes, Bennett H. Klein, Jennifer L. Levi, Ruthann Robson, Nohemy Solórzano-Thompson, Dean Spade, Kendall Thomas, Paula Viturro, Willy Wilkinson. Paisley Currah is associate professor of political science at Brooklyn College, executive director of the Center for Lesbian and Gay Studies at the CUNY Graduate Center, and a founding board member of the Transgender Law and Policy Institute. Richard M. Juang cochairs the advisory board of the National Center for Transgender Equality (NCTE) in Washington, DC. He has taught at Oberlin College and Susquehanna University. He is the lead editor of NCTE's *Responding to Hate Crimes: A Community Resource Manual* and coeditor of *Transgender Justice*, which explores models of activism. Shannon Price Minter is legal director of the National Center for Lesbian Rights and a founding board member of the Transgender Law and Policy Institute.

**Queering International Law** Dianne Otto 2017-07-14 This ground-breaking collection reflects the growing momentum of interest in the international legal

community in meshing the insights of queer legal theory with those critical theories that have a much longer genealogy – notably postcolonial and feminist analyses. Beyond the push in the human rights field to ensure respect for the rights of people with diverse sexual orientations and gender identities, queer legal theory provides a means to examine the structural assumptions and conceptual architecture that underpin the normative framework and operation of international law, highlighting bias and blind spots and offering fresh perspectives and practical innovations. The contributors to the book use queer legal theory to critically analyse the basic tenets and operations of international law, with many surprising, thought-provoking and instructive results. The volume will be of interest to many scholars, students and researchers in international law, international relations, cultural studies, gender studies, queer studies and postcolonial studies.

**Foucault's Monsters and the Challenge of Law** Alex Neville Sharpe 2009-12-16 In contrast to other figures generated within social theory for thinking about outsiders, such as Rene Girard's 'scapegoat' and Zygmunt Bauman's 'stranger', Foucault's *Monsters and the Challenge of Law* suggests that the figure of 'the monster' offers greater analytical precision and explanatory power in relation to understanding the processes whereby outsiders are constituted. The book draws on Michel Foucault's theoretical and historical treatment of the category of the monster, in which the monster is regarded as the effect of a double breach: of law and nature. For Foucault, the monster does not simply refer to a particular kind of morphological or psychological irregularity; for the body or psyche in question must also pose a threat to the categorical structure of law. In chronological terms, Foucault moves from a preoccupation with the bestial human in the Middle Ages to a concern over Siamese or conjoined twins in the Renaissance period, and ultimately to a focus on the hermaphrodite in the Classical Age. But, although Foucault's theoretical framework for understanding the monster is affirmed here, this book's study of an English legal history of the category 'monster' challenges some of Foucault's historical claims. In addition to considering this legal history, the book also addresses the contemporary relevance of Foucault's theoretical framework. Structured around Foucault's archetypes and the category crises they represent – admixed embryos, conjoined twins and transsexuals – the book analyses their challenge to current distinctions between human and animal, male and female, and the idea of the 'proper' legal subject as a single embodied mind. These contemporary figures, like the monsters of old, are shown to threaten the rigidity and binary structure of a law that still struggles to accommodate them.

## **Adelaide law review 2002**

Critical Interventions in the Ethics of Healthcare Dave Holmes 2016-04-22 *Critical Interventions in the Ethics of Healthcare* argues that traditional modes of bioethics are proving incommensurable with burgeoning biotechnologies and consequently, emerging subjectivities. Drawn from diverse disciplines, this volume works toward a new mode of discourse in bioethics, offering a critique of the current norms and constraints under which Western healthcare operates.

The contributions imagine new, less paternalistic, terms by which bioethics might proceed - terms that do not resort to exclusively Western models of liberal humanism or to the logic of neoliberal economies. It is argued that in this way, we can begin to develop an ethical vocabulary that does justice to the challenges of our age. Bringing together theorists, practitioners and clinicians to present a wide variety of related disciplinary concerns and perspectives on bioethics, this volume challenges the underlying assumptions that continue to hold sway in the ethics of medicine and health sciences.

*The Praeger Handbook of Transsexuality* Rachel Ann Heath 2006 People born with one gender's sexual organs who are drawn physically, psychologically, and spiritually to life as a member of the opposite gender, are more common than is generally realized. In this unprecedented book, Heath introduces the transsexual mindset, explaining how identity discord develops and what the most recent research shows about a potential biological basis. She details the history of transsexuality, the psychological, social, and family issues transsexuals face, and the associated legal and human rights issues. Diagrams depicting the major elements in Gender Reassignment Surgery are included, as are explanations of the physiological and psychological effects of hormone therapy and associated procedures for transsexuals, their outcomes, and potential complications. Appendices offer lists of support groups and other resources for transsexual men, women, and family members, a link to a list of surgeons worldwide performing GRS, and a glossary of terms. When the movie *Transamerica*--about a pre-operative man in the week before he became a woman--won two Golden Globe Awards and was nominated for an Academy Award in early 2006, cheers went up around the world from the real and growing transsexual community. In fact, people born with one gender's sexual organs who are drawn physically, psychologically, and spiritually to life as a member of the opposite gender, are more common than is generally realized. Gender reassignment surgery is being performed worldwide, from Beverly Hills to New York, and from Canada to England, Switzerland, Australia, Thailand and Hong Kong. In this unprecedented book, Professor Heath introduces the transsexual mindset, explaining how identity discord develops and what the most recent research shows about a potential biological basis. She details the history of transsexuality, the psychological, social, and family issues transsexuals face, and the associated legal and human rights issues. Diagrams depicting the major elements in Gender Reassignment Surgery are included, as are explanations of the physiological and psychological effects of hormone therapy and associated procedures for transsexuals, their outcomes, and potential complications. The book covers pioneers in gender reassignment such as sexologist Harry Benjamin, M.D., and famous transsexed people including Christine Jorgenson, who made headlines worldwide in 1952 and 1953. Appendices offer lists of support groups and other resources for transsexual men, women, and family members, a link to a list of surgeons worldwide performing GRS, a glossary of transsexed terms, and a summary of the Harry Benjamin Gender Dysphoria Association, the largest international organization focused on transsexuality.

*Transgender History* Susan Stryker 2009-01-07 Covering American transgender

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history from the mid-twentieth century to today, *Transgender History* takes a chronological approach to the subject of transgender history, with each chapter covering major movements, writings, and events. Chapters cover the transsexual and transvestite communities in the years following World War II; trans radicalism and social change, which spanned from 1966 with the publication of *The Transsexual Phenomenon*, and lasted through the early 1970s; the mid-'70s to 1990-the era of identity politics and the changes witnessed in trans circles through these years; and the gender issues witnessed through the '90s and '00s. *Transgender History* includes informative sidebars highlighting quotes from major texts and speeches in transgender history and brief biographies of key players, plus excerpts from transgender memoirs and discussion of treatments of transgenderism in popular culture.

*Sexuality and Transsexuality Under the European Convention on Human Rights*  
Damian A Gonzalez Salzberg 2019-02-07 This book undertakes a critical analysis of international human rights law through the lens of queer theory. It pursues two main aims: first, to make use of queer theory to illustrate that the field of human rights law is underpinned by several assumptions that determine a conception of the subject that is gendered and sexual in specific ways. This gives rise to multiple legal and social consequences, some of which challenge the very idea of universality of human rights. Second, the book proposes that human rights law can actually benefit from a better understanding of queer critiques, since queer insights can help it to overcome heteronormative beliefs currently held. In order to achieve these main aims, the book focuses on the case law of the European Court of Human Rights, the leading legal authority in the field of international human rights law. The use of queer theory as the theoretical approach for these tasks serves to deconstruct several aspects of the Court's jurisprudence dealing with gender, sexuality, and kinship, to later suggest potential paths to reconstruct such features in a queer(er) and more universal manner.

**The Blackwell Companion to Law and Society** Austin Sarat 2008-04-15 The Blackwell Companion to Law and Society is an authoritative study of the relationship between law and social interaction. Thirty-two original essays by an international group of expert scholars examine a wide range of critical questions. Authors represent various theoretical, methodological, and political commitments, creating the first truly global overview of the field. Examines the relationship between law and social interactions in thirty-three original essay by international experts in the field. Reflects the world-wide significance of North American law and society scholarship. Addresses classical areas and new themes in law and society research, including: the gap between law on the books and law in action; the complexity of institutional processes; the significance of new media; and the intersections of law and identity. Engages the exciting work now being done in England, Europe, Australia, and New Zealand, South Africa, Israel, as well as "Third World" scholarship.

New England Law Review: Volume 49, Number 3 - Spring 2015 New England Law Review 2015-07-29 The New England Law Review offers its issues in convenient

digital formats for e-reader devices, apps, pads, and phones. This third issue of Volume 49 (Spr. 2015) features an extensive and important Symposium on "Educational Ambivalence: The Story of the Academic Doctorate in Law," presented by leading scholars on the subject. Contents include: "Educational Ambivalence: The Rise of a Foreign-Student Doctorate in Law," by Gail J. Hupper "The Context of Graduate Degrees at Harvard Law School Under Dean Erwin N. Griswold, 1946–1967," by Bruce A. Kimball "Perspectives on International Students' Interest in U.S. Legal Education: Shifting Incentives and Influence," by Carole Silver "A Future for Legal Education," by Paulo Barrozo In addition, Issue 3 includes these extensive student contributions: Note, "The Transgender Eligibility Gap: How the ACA Fails to Cover Medically Necessary Treatment for Transgender Individuals and How HHS Can Fix It," by Sarah E. Gage Note, "Breaking the Cycle of Burdensome and Inefficient Special Education Costs Facing Local School Districts," by Alessandra Perna Comment, "Scream Icon: Questioning the Fair Use of Street Art in *Seltzer v. Green Day, Inc.*," by Shannon Hyle Quality digital formatting includes linked notes, active table of contents, active URLs in notes, and proper Bluebook citations.