
FEMINIST LEGAL THEORY II:

**Positioning
Feminist Theory
Within the Law**

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Feminist Legal Theory Volume 2 Positioning Feminist Theory Within The Law

Frances Olsen



Feminist Legal Theory Volume 2 Positioning Feminist Theory Within The Law:

Feminist Legal Theory (Vol. 2) Frances Olsen, 1995-10 A collection of previously published articles *Feminist Legal Theory (Vol. 1)* Frances Olsen, 1995-10 A collection of previously published articles **Feminist Collections**, 1995

Feminism, Law, Inclusion Gayle Michelle MacDonald, Rachel L. Osborne, Charles Smith, 2005 The contributions to this collection are written by legal advocates community activists and legal scholars While the Introduction and Commentary provide a theoretical overview the ten essays examine theories of intersectionality to demonstrate how race class sexual orientation gender and identity have been integrated into legal scholarship and activism in an attempt to shape legal policy and practice Section 1 Theory in Action addresses anti racism in community legal practice the legal construction of women s sexuality as deviant the protection of sexual orientation under human rights legislation and the gender and racial characteristics of the judiciary Section 2 Organizations in Action looks at women s place in the legal profession international women s rights and disrupting discriminatory practices in the workplace Section 3 Law in Action discusses the rights of Native women racial bias in legal judgements and the recognition and protection of same sex spousal rights *Feminism Law Inclusion* is an important contribution to the ongoing development of this critical discourse [Structures of Judicial Decision Making from Legal Formalism to Critical Theory](#) Roy Lavon Brooks, 2005 To order a paperback version of this book please [click here](#) This is a general book on jurisprudence designed for both the novice and more experienced student which makes it suitable for first year law students It is the first book to distinguish and connect traditional theories of judicial decision making e g legal formalism textualism legal realism and legal process with critical process which is critical theory transformed from a theory of legal criticism into a theory of judicial decision making Brooks breaks new ground on several other fronts as well he employs an innovative framework that divides judicial decision making models into the logical method and the policy method offers a more nuanced conceptualization of judicial policy formulation in which judges are seen as not only making policy but also and more typically as discovering and vindicating policy redefines policy making in a manner that is different from our traditional understanding of the term and synthesizes critical process into three judicial models symmetrical asymmetrical and hybrid The book is written in two parts Part 1 Traditional Process discusses five major traditional judicial models each reflective of either the logical method or the policy method Part 1 ends with a synthesis of the traditional models dividing them into three categories which judges who have used the book find to be most useful Part 2 Critical Process begins with a discussion of critical theory s central theme and operating elements and then transforms these features into a theory of outsider oriented judicial decision making something judges can actually use in deciding cases Critical theory is thus transformed into critical process *Women's Almanac 2000* Doris Weatherford, 2000-06-19 *Women s Almanac 2000* is a first stop reference that combines news issues statistics and a resource directory together with historical information and analysis from both an international and U S perspective No other reference offers this unique combination of

information complete with an annotated list of Web sites dozens of photos charts statistics and graphs With acclaimed women s studies author Doris Weatherford as editor in chief and major contributor this is the authoritative source for cutting edge information about women in the United States and throughout the world *Feminist Studies* ,1996 **New Books on Women and Feminism** ,1996 *Civil Society and Political Theory* Jean L. Cohen,Andrew Arato,1994-03-29 In this first serious work on the theory of civil society to appear in many years Jean Cohen and Andrew Arato contend that the concept of civil society articulates a contested terrain in the West that could become the primary locus for the expansion of democracy and rights In this major contribution to contemporary political theory Jean Cohen and Andrew Arato argue that the concept of civil society articulates a contested terrain in the West that could become a primary locus for the expansion of democracy and rights *Gender Power and Mediation* Jamila A Chowdhury,2012-11-30 This book investigates the practice of family mediation and some of the challenges that may hinder its effective use by marginalised groups in a society Those challenges include gendered power disparity and family violence especially towards women and the discussion extends to how the challenges can be overcome through a practice of evaluative mediation to provide fair outcomes for women Unlike other contemporary books on mediation this book not only discusses different theories of power and equity in mediation it also includes a number of verbatim quotes from different mediation sessions to demonstrate how those theories are operationalised in a real life context While other contemporary texts on mediation focus on Western style facilitative mediation and its limitations in attaining fair justice for women enduring gendered power disparity and family violence this text emphasises an evaluative mediation style that is embedded in Eastern social practices Instead of focusing on gendered power disparity and family violence as limitations on the practice of facilitative mediation this book details the practice of evaluative mediation which may provide fair justice to women despite the presence of gendered power disparity and family violence in a society *International Legal Personality* Fleur Johns,2017-07-05 Who or what is entitled to act on the international plane Where should responsibility for violations of international law lie What sort of entities are capable of possessing international legal rights What is the status of individuals minority groups non governmental bodies international organisations and animals in the international legal order and how has their status shifted over time *International Legal Personality* contains fourteen articles that address these and related questions In historical and contemporary writings international lawyers grapple with the nature of legal identity and confront global distributions of authority and responsibility as they explore who or what is a person in the international legal order These essays document the emergence of an international legal order increasingly conceived in terms of patterns and probabilities rather than as the stagecraft of a small company of permanent players **Selves, Persons, Individuals** Janice Richardson,2017-03-02 Whilst feminist philosophy has frequently engaged with political theory this original book instead considers legal theory and the practical operation of law The work considers some of the contested meanings of what it is to be a self a person or an individual in relation to the

law of obligations The discussion still impacts upon political theory as it concerns the way in which the question of what it is to be a woman has been defined within recent feminist theory In order to overcome what appears to be a block in feminist legal theory the book draws together areas of philosophy which are not normally considered within feminist or legal theory

Developing the Right to Social Security - A Gender Perspective Beth Goldblatt, 2016-06-10 The right to social security found in international law and in the constitutions of many nations contributes to the alleviation of poverty globally Social security and its articulation as a human right have received increased attention in recent years both in response to austerity cuts to welfare in developed countries and as a means of lifting millions out of poverty in developing countries Women disproportionately affected by poverty in all parts of the world stand to gain from a right to social security that takes cognisance of gender discrimination and disadvantage This book interprets and redefines the right to social security from a gender perspective Drawing on feminist theory the book formulates a conceptual approach and a set of principles for a substantively equal gendered right to social security In so doing it challenges the relationship between the right to social security and traditional conceptions of work that exclude women's labour including their caring roles It argues that the right must have application at the transnational level if it is to address the changing nature of women's work due to globalisation The book applies the framework and principles it develops to a study of international law focusing on the work of key United Nations human rights bodies It also demonstrates the value of this framework in its analysis of three countries' social security programmes South Africa Australia and India In combining feminist thought on the nature of work and care with equality theories in developing the right to social security from a gender perspective this book expands the capacity of the right to advance gender equality and address gendered poverty

Legal Feminism Ann Scales, 2006-05-19 The living experience of practice imparts a special vitality to Legal Feminism as does the personal voice Offers readers a kind of you are there viewpoint that law students hunger for and that any legal audience appreciates Elizabeth Rapaport Dickason Professor of Law University of New Mexico A significant and unique contribution to the field of jurisprudence Links feminist jurisprudence to the central debates and approaches of the jurisprudential field in general and shows how it can serve as a general set of jurisprudential principles that transcend what are usually thought to be its gendered boundaries Lucinda M Finley University of Buffalo Law School State University of New York In the late 1970s feminist scholars and activists joined together to build a movement aimed at bringing feminist theory and experiences to the practice and teaching of American law Three decades later the feminist jurisprudence movement has taken root with courts and legislatures addressing matters of sex and gender inequality and law schools employing feminist and post feminist theory in the classroom The time is ripe to reflect on the past present and future directions of feminist jurisprudence and there is no better person to do this than Ann Scales Written by a founding contributor to feminist jurisprudence Legal Feminism situates that movement within the larger context of Western law and philosophy focusing first on common problem areas of legal theory and decision making and then

explaining how feminist jurisprudence can analyze and address these issues in new ways Throughout Scales draws on legal disputes to show how feminist theory works in the courtroom and other real life arenas Part personal memoir part primer and part treatise Legal Feminism is a de jargonized lively account of how feminist jurisprudence can solve traditional legal conflicts and why it matters to anyone committed to building an equitable and progressive society

Transcending the Boundaries of Law Martha Albertson Fineman, 2010-07-12 Transcending the Boundaries of Law brings together three generations of the most respected feminist legal theorists in order to assess the past the present and the future of feminist legal thought in the Law and Society tradition It is a ground breaking collection that will be central to the further development of feminism and related critical theories

The Broadview Anthology of Social and Political Thought - Volume 2: The Twentieth Century and Beyond Andrew Bailey, Samantha Brennan, Will Kymlicka, Jacob T. Levy, Alex Sager, Clark Wolf, 2008-09-12 The second volume of this comprehensive anthology covers the twentieth and early twenty first centuries The anthology is broad ranging both in its selection of material by figures traditionally acknowledged as being of central importance and in the material it presents by a range of other figures The material in this volume is presented in three sections The first Power and the State includes selections by such figures as Goldman Lenin Weber Schmitt and Hayek Among those included in the Race Gender and Colonialism section are de Beauvoir Gandhi Fanon and Young The third and by far the longest section Rights Based Liberalism and its Critics focuses on the many interrelated directions that social and political philosophy has taken since the publication of John Rawls s ground breaking A Theory of Justice in 1971 In order to better meet the needs of today s students the editors have made every effort to include accurate and accessible translations of the readings Additionally every selection has been painstakingly annotated and each figure is given a substantial introduction highlighting her or his major contributions within the tradition For figures of central importance the editors have included extended introductions that place the figure in the context of intellectual history as well as of political thought In order to ensure the highest standards of accuracy and accessibility the editors have consulted dozens of leading academics during the course of the volume s development many of whom have contributed introductory material as well as advice The result is an anthology with unparalleled pedagogical benefits The Broadview Anthology of Social and Political Thought sets the new standard for social and political philosophy instruction

Sourcebook on Feminist Jurisprudence Hilaire Barnett, 1996-03-26 Analyzing the relationship between feminist theories and the law this work takes as its starting point a study of women and culture on an international level which demonstrates how religious and cultural influences have been fundamental in establishing contemporary legal and social mores

The Methodology of Legal Theory Michael Giudice, Wil Waluchow, 2017-07-05 The last decade has witnessed a particularly intensive debate over methodological issues in legal theory The publication of Julie Dickson s Evaluation and Legal Theory 2001 was significant as were collective returns to H L A Hart s Postscript to The Concept of Law While influential articles have been written in disparate journals no single

collection of the most important papers exists This volume the first in a three volume series aims not only to fill that gap but also propose a systematic agenda for future work The editors have selected articles written by leading legal theorists including among others Leslie Green Brian Leiter Joseph Raz Ronald Dworkin and William Twining and organized under four broad categories 1 problems and purposes of legal theory 2 the role of epistemology and semantics in theorising about the nature of law 3 the relation between morality and legal theory and 4 the scope of phenomena a general jurisprudence ought to address

Current Legal Problems 1998 M. D. A. Freeman, 2000 This book is the fifty first volume of Current Legal Problems and contains the now customary selection of high quality essays by a group of outstanding scholars This volume gathers together a particularly valuable and broad ranging set of contributions which makes for a stimulating study of legal theory at the end of the millennium

Lawyers in 21st-Century Societies Richard L Abel, Hilary Sommerlad, Ole Hammerslev, Ulrike Schultz, 2022-05-05 This book presents an invaluable collection of essays by eminent scholars from a wide variety of disciplines on the main issues currently confronting legal professions across the world It does this through a comparative analysis of the data provided by the reports on 46 countries in its companion volume Lawyers in 21st Century Societies Vol 1 National Reports Hart 2020 Together these volumes build on the seminal collection Lawyers in Society Abel and Lewis 1988a 1988b 1989 The period since 1988 has seen an acceleration and intensification of the global socio economic cultural and political developments that in the 1980s were challenging traditional professional forms Together with the striking transformation of the world order as a result of the fall of the Soviet bloc neo liberalism globalisation the financialisation of capitalism technological innovations and the changing demography of lawyers these developments underscored the need for a new comparative exploration of the legal professional field This volume deepens the insights in volume 1 with chapters on legal professions in Africa Latin America the Islamic world emerging economies and former communist regimes It also addresses theoretical questions including the sociology of lawyers and other professions medicine accountancy state production the rule of law regional bodies large law firms access to justice technology casualisation cause lawyering diversity gender race and masculinity corruption ethics regulation and legal education Together with volume 1 it will inform and challenge conceptions of the contemporary profession and stimulate and support further research

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