

# Feminist Judgments

From Theory  
to Practice

*Edited by*  
Rosemary Hunter  
Clare McGlynn  
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# Feminist Judgments From Theory To Practice

**Rosemary Hunter, Clare McGlynn, Erika  
Rackley**



## **Feminist Judgments From Theory To Practice:**

*Feminist Judgments* Rosemary Hunter, Clare McGlynn, Erika Rackley, 2010-09-30 While feminist legal scholarship has thrived within universities and in some sectors of legal practice it has yet to have much impact within the judiciary or on judicial thinking Thus while feminist legal scholarship has generated comprehensive critiques of existing legal doctrine there has been little opportunity to test or apply feminist knowledge in practice in decisions in individual cases In this book a group of feminist legal scholars put theory into practice in judgment form by writing the missing feminist judgments in key cases The cases chosen are significant decisions in English law across a broad range of substantive areas The cases originate from a variety of levels but are primarily opinions of the Court of Appeal or the House of Lords In some instances they are written in a fictitious appeal but in others they are written as an additional concurring or dissenting judgment in the original case providing a powerful illustration of the way in which the case could have been decided differently even at the time it was heard Each case is accompanied by a commentary which renders the judgment accessible to a non specialist audience The commentary explains the original decision its background and doctrinal significance the issues it raises and how the feminist judgment deals with them differently The book also includes chapters examining the theoretical and conceptual issues raised by the process and practice of feminist judging and by the judgments themselves including the possibility of divergent feminist approaches to legal decision making From the foreword by Lady Hale Reading this book ought to be a chastening experience for any judge who believes himself or herself to be both true to their judicial oath and a neutral observer of the world If lawyers and judges like me have so much to learn from reading this book then surely other more sceptical lawyers and judges have even more to learn other scholars and not only feminists must also be fascinated by the window it opens onto the process of judicial reasoning not the straightforward predetermined march from A to B of popular belief but something altogether more complicated and uncertain And anyone will find it a very good read *Feminist Judgments*

Rosemary C. Hunter, 2010 While feminist legal scholarship has thrived within universities and in some sectors of legal practice it has yet to have much impact within the judiciary or on judicial thinking Thus while feminist legal scholarship has generated comprehensive critiques of existing legal doctrine there has been little opportunity to test or apply feminist knowledge in practice in decisions in individual cases In this book a group of feminist legal scholars put theory into practice in judgment form by writing the missing feminist judgments in key cases The cases chosen are significant decisions in E

**Feminist Judgments** Deborah S. Gordon, Browne C. Lewis, Carla Spivack, 2020-09-17 For women and other marginalized groups the reality is that the laws regulating estates and trusts may not be treating them fairly By using popular feminist legal theories as well as their own definitions of feminism the authors of this volume present rewritten opinions from well known estates and trust cases Covering eleven important cases this collection reflects the diversity in society and explores the need for greater diversity in the law By re examining these cases the contributors are able to demonstrate how women s

property rights as well as the rights of other marginalized groups have been limited by the law

**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

**Feminist Judgments** Ann C. McGinley, Nicole Buonocore Porter, 2020-10-15 This book provides 15 employment discrimination cases rewritten from feminist perspectives along with commentaries to demonstrate what could have been

Dictatorship on Trial Tyrell Haberkorn, 2024-06-25 In 2014 after a decade of political turmoil the National Council for Peace and Order NCPO carried out Thailand's 13th coup since the country's transformation from absolute to constitutional monarchy in 1932 Though the NCPO promised to restore the rule of law justice long tenuous in Thailand disappeared entirely The legal system was used to criminalize the thoughts and actions of democratic dissidents facilitate extrajudicial violence and guarantee impunity for the coup and crimes by state officials Combining legal and historical scholarship and long term courtroom observation Dictatorship on Trial traces the legal social and political impacts of authoritarianism and foregrounds court decisions as both a history of repression and a site in which to imagine future justice Organized chronologically across the five years of the NCPO regime each chapter takes up a different political case and enumerates the ways in which political activists were made vulnerable rather than protected by the state's interpretations of the law and the mechanisms through which perpetrators evaded accountability Inspired by feminist legal scholars the substantive analysis in each chapter is followed by new rewritten judgments created in collaboration with Thai human rights activists In plotting these alternative logics interpretations of evidence and conclusions Tyrell Haberkorn outlines what true justice might look like and assesses the legal and political transformations necessary to realize it

Routledge Handbook of Socio-Legal Theory and Methods Naomi Creutzfeldt, Marc Mason, Kirsten McConnachie, 2019-08-13 Drawing on a range of approaches from the social sciences and

humanities this handbook explores theoretical and empirical perspectives that address the articulation of law in society and the social character of the rule of law The vast field of socio legal studies provides multiple lenses through which law can be considered Rather than seeking to define the field of socio legal studies this book takes up the experiences of researchers within the field First hand accounts of socio legal research projects allow the reader to engage with diverse theoretical and methodological approaches within this fluid interdisciplinary area The book provides a rich resource for those interested in deepening their understanding of the variety of theories and methods available when law is studied in its broadest social context as well as setting those within the history of the socio legal movement The chapters consider multiple disciplinary lenses including feminism anthropology and sociology as well as a variety of methodologies including narrative visual and spatial psychological economic and epidemiological approaches Moreover these are applied in a range of substantive contexts such as online hate speech environmental law biotechnology research in post conflict situations race and LGBT lawyers The handbook brings together younger contributors and some of the best known names in the socio legal field It offers a fresh perspective on the past present and future of sociolegal studies that will appeal to students and scholars with relevant interests in a range of subjects including law sociology and politics Chapter 7 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4.0 license

**Gender-Competent Legal Education** Dragica Vujadinović, Mareike Fröhlich, Thomas Giegerich, 2023-02-03 Male dominated law and legal knowledge essentially characterized the whole of pre modern history in that the patriarchy represented the axis of social relations in both the private and public spheres Indeed modern and even contemporary law still have embedded elements of patriarchal heritage even in the secular modern legal systems of Western developed countries either within the content of legislation or in terms of its implementation and interpretation This is true to a greater or lesser extent across legal systems although the secular modern legal systems of the Western developed countries have made great advances in terms of gender equality The traditional understanding of law has always been self evidently dominated by men but modern law and its understanding have also been more or less malestreamed Therefore it has become necessary to overcome the given maskulinity of legal thought In contemporary legal and political orders gender mainstreaming of law has been of the utmost importance for overcoming deeply and persistently embedded power relations and gender based unequal social relations At the same time and equally importantly the gender mainstreaming of legal education to which this book aims to contribute can help to gradually eliminate this male dominance and accompanying power relations from legal education and higher education as a whole This open access textbook provides an overview of gender issues in all areas of law including sociological historical and methodological issues Written for students and teachers around the globe it is intended to provide both a general overview and in depth knowledge in the individual areas of law Relevant court decisions and case studies are supplied throughout the book Northern / Irish

Feminist Judgments Máiréad Enright, Julie McCandless, Aoife O'Donoghue, 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 *Feminists Between Theory and Practice* Mariarosa Mettifofo, 2005 **New Books on Women, Gender and Feminism**, 2013

**Bibliographie Mensuelle** United Nations Library (Geneva, Switzerland), 2011 **New Books on Women and Feminism**, 2013 *Feminism in the Law: Theory, Practice and Criticism*, 1989 *Feminist Issues* Nancy Mandell, 2001 Appropriate for courses in Introduction to Women's Studies Sociology of Women and Sociology of Gender at the university level Of interest to students and instructors of courses in women's studies the sociology of women and the sociology of gender collection has been thoroughly revised and reflects a current overview of contemporary topics while introducing new perspectives on emerging issues Each chapter questions the prevailing myths and stereotypes about women's past and current lives **Perfectionism and Contemporary Feminist Values** Kimberly A. Yuracko, 2003 Although formal barriers to women's social and political participation have crumbled society remains to a significant degree gendered in the roles that women and men play Women's and men's choices regarding work and family are largely responsible for maintaining and

reinforcing the differences While feminists recognize the need to criticize women's choices too often they focus on restrictive conditions rather than the choices themselves Kimberly A Yuracko argues instead that encouraging women to make choices in accordance with a grounded and well defined conception of perfectionism a philosophy concerned with human flourishing is the most effective way to redress persistent gender inequality To this end Yuracko seeks not only to expose the perfectionism underlying current choice critiques but to articulate a concrete set of feminist perfectionist principles that would improve the quality of individual women's lives and improve the social standing of women as a whole Encyclopedia of Aesthetics:

Jazz-Play ,1998      *Women and Film* ,1974      Radical Philosophy ,1988      *The Johns Hopkins Guide to Literary Theory and Criticism* Michael Groden,Martin Kreiswirth,Imre Szeman,2005 Publisher Description

## **Feminist Judgments From Theory To Practice** Book Review: Unveiling the Power of Words

In some sort of driven by information and connectivity, the energy of words has be more evident than ever. They have the ability to inspire, provoke, and ignite change. Such may be the essence of the book **Feminist Judgments From Theory To Practice**, a literary masterpiece that delves deep to the significance of words and their affect our lives. Compiled by a renowned author, this captivating work takes readers on a transformative journey, unraveling the secrets and potential behind every word. In this review, we shall explore the book is key themes, examine its writing style, and analyze its overall affect readers.

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