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<u>Gender And Rights The International Library Of Essays</u> <u>On Rights</u>

David Kinley

Gender And Rights The International Library Of Essays On Rights:

Rights: Concepts and Contexts Horacio Spector,2017-05-15 Rights Concepts and Contexts contains the central works of recent scholarship on the nature of rights with contributions by some of the most prominent contemporary theorists in moral legal and political philosophy including Joseph Raz Robert Alexy Jeremy Waldron Morton Horwitz Stephen Darwall Margaret Gilbert David Lyons and Aharon Barak With approaches ranging from the political to the historical and from the analytical to the critical this collection touches on the major conceptual and practical questions of this important field what is the nature and grounding of human rights How should conflicts of rights best be analyzed Are rights best understood in terms of choice benefits or some hybrid of the two What are the connections between rights and duties and between rights and justice The collection also offers useful introductions to emerging issues in rights theory such as the purported bipolarity of rights

Gender, Culture and Human Rights Siobhán Mullally, 2006-05-26 In recent years feminist theory has increasingly defined itself in opposition to universalism and to discourses of human rights Rejecting the troubled legacies of Enlightenment thinking feminists have questioned the very premises upon which the international human rights movement is based Rather than abandoning human rights discourse however this book argues that feminism should reclaim the universal and reconstruct the theory and practice of human rights Discourse ethics and its post metaphysical defence of universalism is offered as a key to this process of reconstruction. The implications of discourse ethics and the possibility of reclaiming universalism are explored in the context of the reservations debate in international human rights law and further examined in debates on women s human rights arising in Ireland India and Pakistan Each of these states shares a common constitutional heritage and in each religious cultural claims intertwined with processes of nation building have constrained the pursuit of gender equality Ultimately this book argues in favour of a dual track approach to cultural conflicts combining legal regulation with an ongoing moral political dialogue on the scope and content of human rights Refugees and Rights Mary Crock, 2017-05-15 This collection focuses on refugees victims of trafficking and others who cross borders seeking protection from anthropogenic or natural disasters Essays cover a broad range of topics from the refugee s rights to due process and the substance of entitlements at law to refugee rights in relation to disability and sexual orientation and across fields such as administrative processes social and cultural rights family reunion detention and the right of return Articles also cover the rights discourse outside traditional Western theatres This volume is a companion to Mary Crock s volume Migrants and Environmental Rights Steve Vanderheiden, 2017-07-05 The essays selected for this volume present critical Rights viewpoints from the debate about the need to establish rights on behalf of greater environmental protection Three main areas for developing environmental rights are surveyed including extensionist theories that link existing rights for example to subsistence or territory to threats of harm from exacerbated resource scarcity pollution or rapid environmental change proposals for rights to specified environmental goods or services such as rights to a safe environment and the capacity to

assimilate greenhouse gas emissions and rights that protect the interests of parties not currently recognized as having rights including nonhuman subjects natural objects and future generations This volume captures the potential for and primary challenges to the development of rights as instruments for safeguarding the planet's life support capacities and features proposals and analyses which argue the need to create an avenue of recourse against ecological degradation whether on behalf of human or nonhuman right holders Health Rights Thomas Pogge, 2017-05-15 Health Rights is a multidisciplinary collection of seminal papers examining ethical legal and empirical questions regarding the human right to health or health care The volume discusses what obligations health rights entail for governments and other actors how they relate to and potentially conflict with other rights and values and how cultural diversity bears on the formulation and implementation of health rights The paramount importance of such questions is illustrated among other things by the catastrophic health situation in developing countries and current debates about the TRIPS Agreement and health care reform in the United States The volume is divided into five main parts which focus on philosophical questions about the bases for the right to health or health care links between health and human rights global bioethics and public health ethics intellectual property rights in pharmaceuticals and finally health rights issues arising in specific contexts such as HIV AIDS tuberculosis and *Prisoners' Rights* John Kleinig, 2017-07-05 This volume brings together a selection of the most important published research articles from the ongoing debate about the moral rights of prisoners The articles consider the moral underpinnings of the debate and include framework discussions for a theory of prisoners rights as well as several international documents which detail the rights of prisoners including women prisoners Finally detailed analysis of the moral bases for particular rights relating to prison conditions covers areas such as health solitary confinement recreation work religious observance library access the use of prisoners in research and the disenfranchisement of prisoners Social and Cultural Rights Manisuli Ssenyonjo, 2017-05-15 Economic Social and Cultural Rights is a collection of seminal papers examining legal conceptual and practical questions regarding the international legal protection of economic social and cultural rights The volume discusses what human rights obligations economic social and cultural rights entail for states and non state actors the nature and scope of substantive economic social and cultural rights such as education health work water enjoyment of the benefits of scientific progress and cultural rights as well as the justiciability of these rights at an international level and at the national level The paramount importance of such questions is illustrated among other things by the catastrophic situation of economic social and cultural rights as human rights in developing and developed states The volume is divided into three main parts which focus on human rights obligations for states and non state actors arising from treaties protecting economic social and cultural rights analysis of selected substantive rights and finally the justiciability of economic social and cultural rights in various contexts such as within the United Nations Europe Inter American and African systems as well as within the domestic system Indigenous Rights Anthony J. Connolly, 2017-05-15 Throughout the world indigenous rights have become increasingly prominent and controversial The recent adoption by the United Nations General Assembly of the Declaration on the Rights of Indigenous Peoples is the latest in a series of significant developments in the recognition of such rights across a range of jurisdictions. The papers in this collection address the most important philosophical and practical issues informing the discussion of indigenous rights over the past decade or so at both the international and national levels Its contributing authors comprise some of the most interesting and influential indigenous and non indigenous thinkers presently writing on the topic **Human Rights and Corporations** David Kinley, 2017-05-15 The erstwhile unlikely coupling of human rights and corporations is now a typical feature of corporate community relations High profile corporate infringements of human rights the rise and rise of corporate social responsibility CSR and on going efforts to regulate corporate behaviour through legal regimes at both domestic and international levels have spawned a mountain of academic literature and commentary This volume assembles the leading essays from this body of work Together they frame the relationship between human rights and corporations by charting its history and salient features tackle the conceptual perspectives of the relationship and detail the practice problems and potential of the relationship Minority Rights Joshua Castellino, 2017-05-15 This important volume brings together a range of material in different areas of law and the social sciences that address questions concerning the rights of minorities. The discipline is arguably one of the oldest branches of public international law and owes its heritage to those who struggled to create standards to protect the numerically inferior and non dominant communities from the excesses of the majority While reflecting this rich heritage the works contained in this volume show the extent to which policy constructs especially in law have begun to pay heed to the need to include minorities in different domestic settings across the globe To provide readers with a structured approach to understanding global minority rights law the editor divides the issues into six main headings namely Historical Development Conceptual Development Contemporary Challenges Fundamental Norms of Minority Protection Specific Rights of Minorities *Group Rights* Peter Jones, 2022-03-24 Nowadays rights are frequently ascribed to Human Rights and Minority Rights groups distinguished by their nationality culture religion or language Rights are also commonly ascribed to institutionalised groups such as states businesses trade unions and private associations Yet the ascription of rights to groups remains deeply controversial Many people reject the very idea of group rights Amongst those who do not there is radical disagreement about which sorts of group might possess rights and why Some believe that group rights threaten the freedom and well being of individuals while others argue that the rights of groups can complement them Some claim that group rights can also be human rights others find that claim incoherent The contributions making up this volume wrestle with these and many other of the issues that surround group rights This volume brings together twenty four of the journal articles that have contributed most significantly to contemporary thinking on group rights International Criminal Law and Sexual Violence against Women Daniela Nadj, 2018-05-23 This book explores the prosecution of wartime sexual violence in international criminal law

and asks what the juridicalisation of gender based violence signifies for women The book explores the portrayal of the various gendered identities that surface in armed conflict and it asks whether the law is capable of reflecting these in subsequent judgements Focusing on the International Criminal Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda as well as subsequent developments in the International Criminal Court the book shows how the tribunals have delivered landmark jurisprudence in the area of sexual violence against women and provided a legacy for how gender justice is incorporated into international law However Daniela Nadj argues that in the relevant cases there is a tendency to depict women in monolithic fashion with little agency or sense of identity beyond their ethnicity By bringing to the surface the complexity and multi faceted gendered identities in wartime the book calls for a reconceptualisation of notions of femininity in armed conflict Animal Rights Clare Palmer, 2017-05-15 Do animals have moral rights If so which ones How does this affect our thinking about agriculture and experimentation If animals have moral rights should they be protected by law These are some of the questions addressed in this collection which contains more than 30 papers spanning nearly 40 years of debates about animal rights It includes work by leading advocates of animal rights both in philosophy and law as well as contributions by those resolutely opposed to the very idea of animal rights A substantial Introduction surveys Citizenship Rights Igor Štiks, 2017-05-15 In today s world all key arguments in the area and puts the papers in context claims tend to be founded on or justified by rights be they political social economic or private The ubiquity of this discourse has led to a blurring of the definition of what exactly constitutes rights not to mention a blurring of the boundaries between different bundles of rights their sources and the various institutional practices through which they are enjoyed or asserted Particular attention needs to be paid to the category of citizenship rights Exactly how are they distinguished from human rights This volume presents some of the most important reflections and studies on citizenship rights both past and present The contributions provide both thorough description and incisive analysis and place the question of citizenship rights into a wider historical social and political perspective As such it offers a timely introduction to the current debates surrounding the rights and duties of both citizens and non citizens alike with a focus on the many ways in which citizenship is contested in the contemporary world The volume is invaluable to scholars and students of citizenship studies political and critical theory human rights sociology urban development and law **The Right to a Fair Trial** Thom Brooks, 2017-07-05 The right to a fair trial is often held as a central constitutional protection It nevertheless remains unclear what precisely should count as a fair trial and who should decide verdicts This already difficult issue has become even more important given a number of proposed reforms of the trial especially for defendants charged with terrorism offences This collection The Right to a Fair Trial is the first to publish in one place the most influential work in the field on the following topics including the right to jury trial lay participation in trials jury nullification trial reform the civil jury trial and the more recent issue of terrorism trials The collection should help inform both scholars and students of both the importance and complexity of the right to a fair trial

as well as shed light on how the trial might be further improved Humanity, Freedom and Feminism Iill Marshall, 2017-05-15 While some feminists seek to use ideas of the universal human subject to include women others argue that such ideas are intrinsically masculine and exclude the feminine This book analyzes and critiques second wave feminists who discuss how philosophers such as Plato and Aristotle Descartes Hobbes and Kant regard human beings and their capacities The author suggests adopting an inclusive universal concept of the human being drawn from ideas of positive liberty from the liberal tradition Hegelian ideas of the formation of the free human being in society and care ethics The book links this theoretical perspective to international human rights and humanitarian law drawing together areas of theory usually presented separately These include the liberal theory of the individual particularly individual freedom feminist critiques and theories of subjectivity globalization and global identity issues and the theory of human rights law with the focus resting on human subjectivity and ethics While the focus is on Anglo American jurisprudence this is combined with continental philosophy international human rights issues and a Yugoslav war crimes case study University of Tasmania Law Review ,2005 Gender, Conflict and International Humanitarian Law Orly Maya Stern, 2018-07-27 This book conducts a gendered critique of the principle of distinction in international humanitarian law IHL with a focus on recent conflicts in Africa The principle of distinction is core to IHL and regulates who can and cannot be targeted in armed conflict It states that civilians may not be targeted in attack while combatants and those civilians directly participating in hostilities can be The law defines what it means to be a combatant and a civilian and sets out what behaviour constitutes direct participation Close examination of the origins of the principle reveals that IHL was based on a gendered view of conflict which envisages men as fighters and women as victims of war Problematically this view often does not accord with the reality in new wars today in which women are playing increasingly active roles often forming the backbone of fighting groups and performing functions on which armed groups are highly reliant Using women's participation in new wars in Africa as a study this volume critically examines the principle through a gendered lens questioning the extent to which the principle serves to protect women in modern conflicts and how it fails them By doing so it questions whether the principle of distinction is suitable to effectively regulate the conduct of hostilities in new wars This book will be of much interest to students of international law gender studies African politics war and conflict studies and international relations Global Critical **Race Feminism** Adrien Katherine Wing, 2000-05 An anthology containing some 30 essays which focus on topics including a critique of American feminist legal scholarship motherhood and work in cultural context Josephine Baker and the Cold War the campaign against female circumcision violence against Aboriginal women in Australia and marketization and the status of women in China Includes a foreword by social justice activist and professor at the U of California Santa Cruz Angela Y Davis Annotation copyrighted by Book News Inc Portland OR From Transnational Relations to Transnational Laws Shaheen Sardar Ali, Anne Griffiths, 2016-04-15 This book approaches law as a process embedded in transnational personal

religious communicative and economic relationships that mediate between international national and local practices norms and values It uses the concept living law to describe the multiplicity of norms manifest in transnational moral social or economic practices that transgress the territorial and legal boundaries of the nation state Focusing on transnational legal encounters located in family life diasporic religious institutions and media events in countries like Norway Sweden Britain and Scotland it demonstrates the multiple challenges that accelerated mobility and increased cultural and normative diversity is posing for Northern European law For in this part of the world as elsewhere national law is challenged by a mixture of expanding human rights obligations and unprecedented cultural and normative pluralism enhanced by expanding global communication and market relations As a consequence transnationalization of law appears to create homogeneity fragmentation and ambiguity expanding space for some actors while silencing others Through the lens of a variety of important contemporary subjects the authors thus engage with the nature of power and how it is accommodated ignored or resisted by various actors when transnational practices encounter national and local law

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