



Legal Gender Studies: Rechtliche Geschlechterstudien (German Edition)

Andrea Buchler, Michelle Cottier

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Diese kommentierte Quellensammlung führt in die wichtigsten theoretischen Positionen der Legal Gender Studies und, mit einem speziellen Fokus auf die Schweiz, in die wichtigsten Rechtsentwicklungen im Themenfeld Recht und Geschlecht ein. Die Darstellung folgt dabei den Leitbegriffen Gleichheit - Differenz - Konstruktion: Die Perspektive der Gleichheit fragt nach der angemessenen theoretischen Konzeption der Geschlechtergleichheit und dem Verbot der Diskriminierung aufgrund des Geschlechts. Behandelt wird die Rechtsentwicklung im Bereich der politischen Rechte, der verfassungsrechtlichen Gleichheitsgarantie, der Gleichstellung im Arbeits- und Berufsleben und im Eherecht, wie auch der Einfluss des internationalen Rechts (EMRK, CEDAW) und des Rechts der EU. Unter dem Titel der Differenz gelangen theoretische Ansätze zur Darstellung, die nach Alternativen zu gängigen Vorstellungen von Gleichheit und Gerechtigkeit suchen und etwa im Rahmen einer Fürsorgeethik oder einem eigenen Frauenrecht die Aufwertung weiblich konnotierter Wertorientierungen und Lebensrealitäten fordern. Zudem werden neuere Theorieentwicklungen vorgestellt, die das Zusammenwirken verschiedener Achsen der Differenz (Geschlecht, "Rasse," Klasse etc.) thematisieren. Der Ansatz der Konstruktion schliesslich orientiert sich an aktuellen Ansätzen der Gender Studies, die Geschlecht als Resultat komplexer gesellschaftlicher Konstruktionsprozesse betrachten. Diskutiert wird die Rolle des Rechts in der Regulierung von Geschlecht und Sexualität anhand der Beispiele Mannlichkeit, sexuelle Gewalt und Pornographie, Reproduktion, sexuelle Orientierung und Transgender-Identitäten. Das Buch eignet sich sowohl als erste Einführung wie auch als Ausgangspunkt für vertiefere Studien.

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