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Titolo	Homosexuality in the Jurisprudence of the Supreme Court of India / / by Yeshwant Naik
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Descrizione fisica	1 online resource (XIX, 221 p.)
Disciplina	341.48
Soggetti	Human rights Sex and law Conflict of laws Political science Law—Philosophy Law Sociology Human Rights Gender, Sexuality and Law Private International Law, International & Foreign Law, Comparative Law Philosophy of Law Theories of Law, Philosophy of Law, Legal History Gender Studies
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references.
Nota di contenuto	Introduction -- Interpretative methods and judicial power -- The jurisprudence of discrimination against LGBTI persons: global issues and concerns -- Addressing judicial activism and judicial restraint -- Analyzing the Supreme Court's verdict on Section 377 of the Indian Penal Code -- Law beyond the law -- Global discrimination against gay families -- Suggestions and concluding remarks -- Summary and main thesis.
Sommario/riassunto	The book analyses the Indian Supreme Court's jurisprudence on homosexuality, its current approach and how its position has evolved in

the past ten years. It critically analyses the Court's landmark judgments and its perception of equality, family, marriage and human rights from an international perspective. With the help of European Court of Human Rights' judgments and international conventions, it compares the legal and social discrimination meted out to the Indian LGBTI community with that in the international arena. From a social anthropological perspective, it demonstrates how gay masculinity, although marginalized, serves as a challenge to patriarchy and hegemonic masculinity. This unique book addresses the lack of in-depth literature on gay masculinity, elaborately narrating and analysing contemporary gay masculinity and emerging gay lifestyles in India and highlighting the latest research on the subject of homosexuality in general and in particular with respect to India. It also discusses several new issues concerning the gay men in India supported by the living law approach put forth by Eugen Ehrlich.
