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Instabilities Fracturing Hegemonic Trial Discourse and What Difference They Make; PART VI: Conclusion: Practical/ Theoretical Implications Appendix: Overview of the Cases (with Commentary) Cases, Constitutional Amendments, Rules of Evidence, and Statutes Cited; Abbreviations; Notes; Glossary of Legal Terms; References; Index

Sommario/riassunto

The occurrence in some criminal cases of ""cultural defenses"" on behalf of ""minority"" defendants has stirred much debate. This book is the first to illuminate how ""cultural evidence"" - i.e., ""evidence"" regarding ethnicity - is actually negotiated by attorneys, expert/lay witnesses, and defendants in criminal trials. Caroline Braumuhl demonstrates that this has occurred, overwhelmingly, in ways shaped by colonialist and patriarchal discourses common in the Western world. She argues that the controversy regarding the legitimacy of a ""cultural defense"" has tended to obscure this fact