

# Gender and Sexuality in Latin America - Cases and Decisions

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Cristina Motta • Macarena Sáez  
Editors

# Gender and Sexuality in Latin America - Cases and Decisions

 Springer

*Editors*

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# Foreword

*Gender and Sexuality in Latin America: Cases and Decisions*, edited by Cristina Motta and Macarena Sáez, is a long over-due book. It advances understanding of legal developments concerning women and LGBT persons in Latin America. For the first time, English speaking audiences will have access to commentary on decisions of national and international courts concerning rights of women and LGBT individuals in Latin America.

The cases and narratives presented in this volume expose the complexity of legal developments on gender and sexuality in Latin America. This book advances understanding of the rationales used in Latin American judgments concerning identity rights. It exposes the reasoning of judges that at the same time restrict and advance the exercise of rights by women and LGBT persons. It reveals a multifaceted legal reality where these individuals enjoy protections not yet achieved in other parts of the world, but, at the same time, shows how judicial reasoning has restricted their rights in much harsher ways than what is experienced in other regions.

The book explores the interplay between national and international law by analyzing decisions made by international bodies and courts such as the Inter-American Court of Human Rights. The Inter-American Court has been especially effective in strengthening the rights of women and LGBT individuals in the region with groundbreaking decisions that have recognized the right to be free from gender-based violence and the right to non-discrimination on the basis of sexual orientation.

This book is written by Latin American legal scholars with expertise on a broad range of legal issues: Citizenship by Cristina Motta, Family by Isabel Cristina Jaramillo, Health by Lidia Casas, Property by Helena Alviar, Violence by Julieta Lemaitre, Diverse Sexualities by Juan Marco Vaggione, and Violence based on Prejudice by Maria Mercedes Gomes. The chapters help to close the gap between the scholarship on gender and sexuality available in English and in Spanish. *Gender and Sexuality in Latin America: Cases and Decisions* will facilitate collaboration between scholars and activists from the global north and the global south who are interested in exploring the effectiveness of judicial reasoning in advancing the equality of all individuals, irrespective of their gender or sexual orientation.

Professor *Emerita*, Faculty of Law, University of Toronto

Rebecca Cook



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Cristina Motta and Macarena Sáez





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