

# Foreword

## Notes on “The Conflation”

### TABLE OF CONTENTS

Introduction .....	12
I. The Conflation as Triangle .....	12
A. Leg One: Conflating Sex & Gender .....	12
B. Leg Two: Conflating Gender & Sexual Orientation.....	14
C. Leg Three: Conflating Sex & Sexual Orientation.....	15
D. The Conflation: From Endpoints to Legs .....	16
II. The Conflation, Language & Common (Mis)Understandings..	20
A. Sex.....	20
B. Sex & Gender.....	21
C. Sexual Orientation, Sexual Conduct & “Sexuality” .....	22
III. The Conflation & the Law .....	23
A. The Conflation & Legal Doctrine .....	23
B. The Conflation & Legal Culture.....	26
IV. The Conflation, This Project & Legal Theory.....	28
Conclusion .....	32