

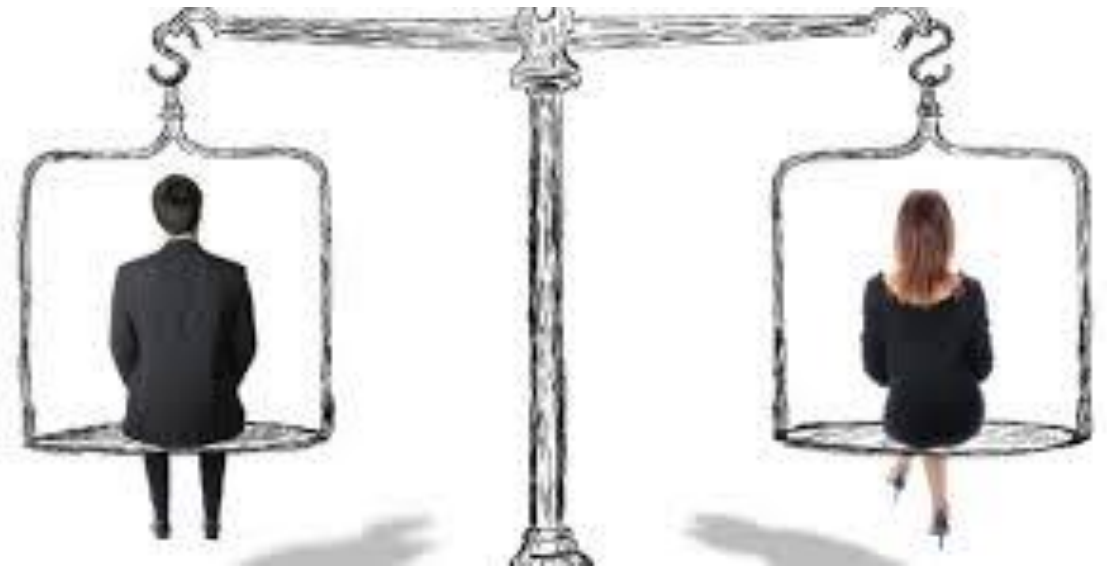
# GENDER MAINSTREAMING IN LAW SCHOOLS

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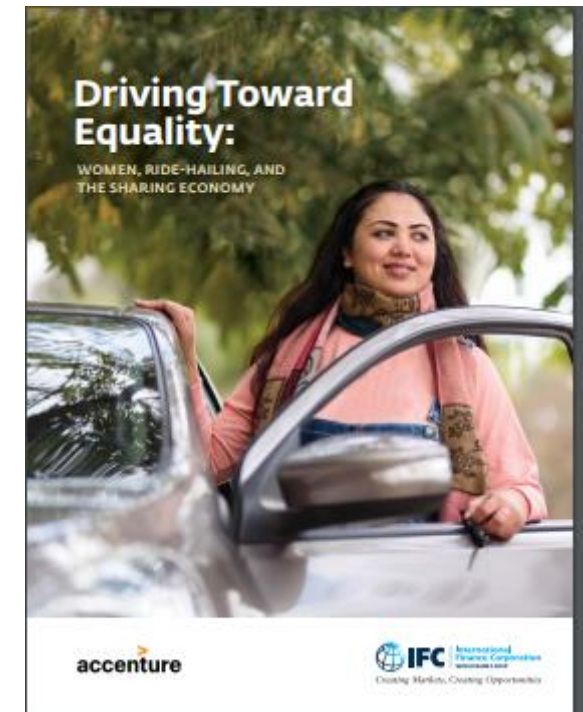
# STRUCTURE OR THE SESSION

- Why is gender mainstreaming in law schools important?
- Existing tools to mainstream gender
- Some inspiring practices



# WHY IS IMPORTANT TO MAINSTREAM GENDER IN LAW? SOME DATA...

- Law schools have a role to play in the profound legal, political and social world changes
  - **155 of the 173 economies** covered have at least one law that challenges women's economic opportunities.
  - There are **over 900 legal gender differences** across 173 economies. In 100 economies, women face gender-based job restrictions
  - In 18 economies, **husbands can legally prevent** their wives from working



# WHY IS IMPORTANT TO MAINSTREAM GENDER IN LAW? SOME RESEARCH (I)

- Knowledge generation is not gender neutral and has far-reaching repercussions for women. Law is not an exception (Harding 1987; Hartsock, 2019)
- From the legal perspective, it is essential to "know the feminist review of legal methodology" that questions its rationale (Mackinnon, 1995; Smart, 1994; Campos 2008)



*"Actually, Lou, I think it was more than just my being in the right place at the right time. I think it was my being the right race, the right religion, the right sex, the right socioeconomic group, having the right accent, the right clothes, going to the right schools . . ."*

# WHY IS IMPORTANT TO MAINSTREAM GENDER IN LAW? SOME RESEARCH(II)



- Feminist approaches to law and legal studies: Sex as the root of legal inequalities
- Formal Equality/Real Equality: Structural character of relationship between sexes
- Tension between epistemic need to reformulate concepts that disguise law as “sexist/masculine” & the will to combat legal androcentric legal praxis



# WHY IS IMPORTANT TO MAINSTREAM GENDER IN LAW? SOME RESEARCH(III)

- Arancha Campos distinguishes three different approaches:
  - Law is sexist
  - Law is masculine
  - Law has gender



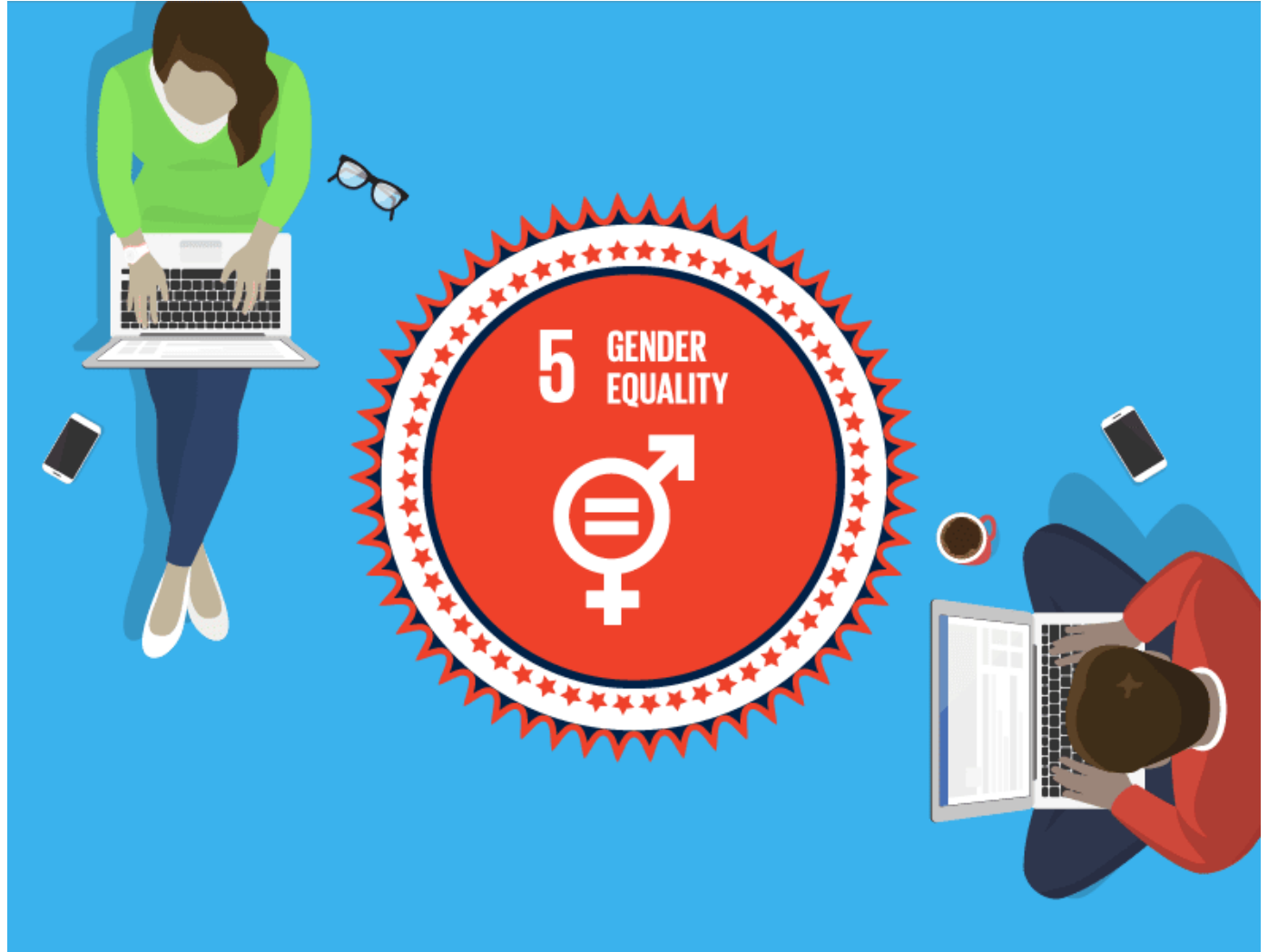
Source: Arantza Campos Rubio (2008)

*Aportaciones iusfeministas a la revisión crítica del Derecho y a la experiencia jurídica*

- Education content and practices represent powerful instruments for reproducing current gender regimes, which have been significantly colored by the patriarchal matrix



- Education represents an important channel for transferring and promoting values of freedom, social justice and equality, as well as a significant factor for improving gender equality, understood as a crucial indicator of sustainable human development in the new millennium.





- Gender mainstreaming in higher education is especially important in the case of law schools, because the creation and implementation of law depends on the competences of lawyers



**"It doesn't scream 'Girlie Lawyer'?"**

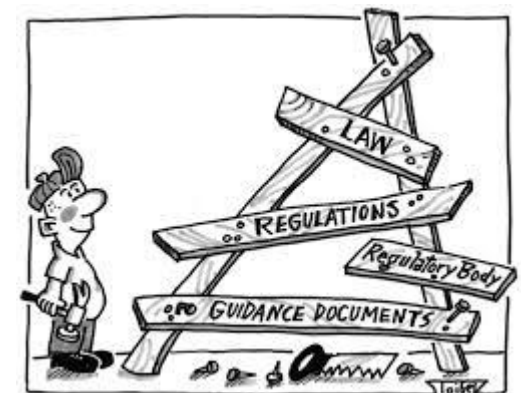
# WHERE TO START?

1. Legal framework
2. Gender mainstreaming in teaching v. specific subjects
3. Tools
4. Best practices



# LEGAL FRAMEWORK

- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- The Beijing Declaration and Platform for Action
- Recommendation of the Parliamentary Assembly of the Council of Europe on Gender Equality in Education
- World Declaration on Higher Education for the Twenty-First Century, Vision and Action
- Istanbul Convention
- Gender Equality Transversal program
- EU law
- Higher education legal framework



# GENDER MAINSTREAMING V. SPECIFIC SUBJECTS

- In teaching, the incorporation of the gender perspective “can be integrated in a specific way through specialized subjects and in a transversal way identifying the subjects where sex and gender are relevant. [...] Applied to teaching, the genderperspective involves a reflective process that affects the design of the competencies of the studies and, by extension, the design of the subjects, including the learning outcomes, the contents taught, the examples, the language used, the selected sources, the assessment method and learning environment management » (Alonso y Lombardo, 2016).



# EXISTING TOOLS TO MAINSTREAM GENDER

- Indicators to analyse the integration of the gender dimension in the teaching guides

## 1.5. Number and bibliographic references that relate to the equality of women and men and / or gender

Number, proportion and name of specific subjects in the field of gender

Number, proportion and name of subjects that incorporate the gender perspective

Nature of these subjects (compulsory / FB, electives, practices and TFG)

Number and type of content (skills and learning outcomes, contents and agenda) of gender that has the degree

Number and bibliographic references that relate to the equality of women and men and / or gender

# Balanced presence indicators

## Visibility indicators of the contribution of women to the discipline (bibliography)

Assessment indicators	Validation standards	Accreditation standards
<b>General indicators: The existence of gender imbalance or gender stereotypes</b>		
Percentages of women and men among students enlisted in the degree	Access to the course and admission of students Course plan Teaching staff Material resources and services Internal quality assurance system	Quality of the training programme Relevance of the public information Efficacy of the programme's internal quality assurance system Suitability of teaching staff for the training programme Effectiveness of learning support systems
Percentages of women and men teaching the degree		
Percentages of women and men holding permanent and non-permanent positions		
Breakdown by sex of management positions in the centre		
Action has been taken to increase the number of students of the underrepresented sex enlisted in the degree (Yes/No, evidence)		
Action has been taken to make visible women's contribution to the discipline (bibliography, seminars, lectures, awards, extra-curricular activities, etc.) (Yes/No, evidence)		
Action has been taken to incorporate the gender perspective in activities not forming part of the course: career guidance, work by tutors, academic regulations, lectures/conferences/workshops, internship agreements, etc. (Yes/No, evidence)		
<b>Training of staff in gender mainstreaming</b>		
The institution offers teaching and research staff training in gender mainstreaming (Yes/No, evidence)	Quality of the teaching programme	

Source: **The Catalan University Quality Assurance Agency**

- Use of sexist language
- Why should lawyers use nondiscriminatory language?
  - Accuracy
  - Professional integrity and responsibility
  - Equality guarantees in law
- Achieving non-discriminatory language in law
  - False Generics: L'Homme and Man
  - Pronouns
  - Use job titles which are non-sexist
  - Non-sexist vocabulary
- Beyond 'just' words



"Gentlemen, agenda item 6...sexism in the workplace."

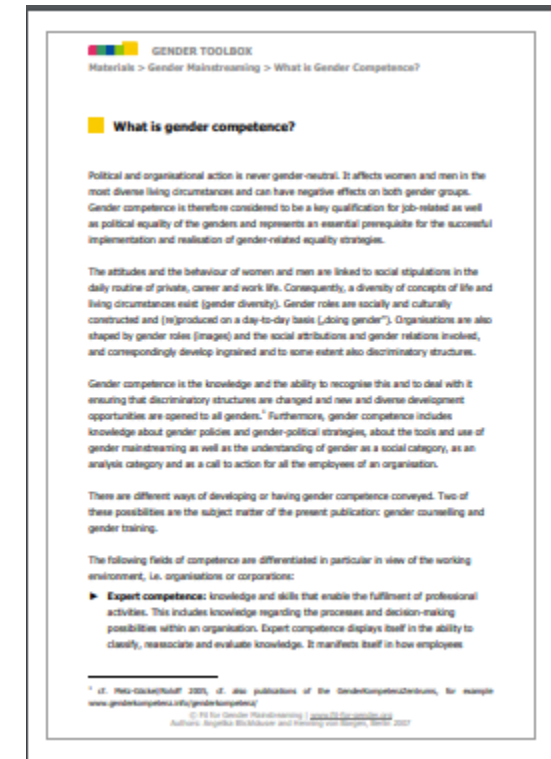
# SOME INSPIRING PRACTICES





# DEFINITION OF GENDER COMPETENCE-GENDER TOOLBOX

“Gender competence is the knowledge and the ability to recognise and to deal with it ensuring that discriminatory structures are changed and new and diverse development opportunities are opened to all genders”  
cf. Metz-Göckel/Roloff 2005



Julia Katerbach  
Mona Mörk  
Sven Lind  
Lena Kärr  
Reprint (2014)

# EqualBITE

Gender equality in  
higher education



*SensePublishers*

Xarxa Vives  
d'Universitats

## DRET I CRIMINOLOGIA

GUIES PER A UNA DOCÈNCIA UNIVERSITÀRIA  
AMB PERSPECTIVA DE GÈNERE

M. Concepción Torres Díaz



Gendering the Academy  
and Research: combating  
Career Instability and Asymmetries



## WOMEN'S RIGHTS...

María López Belloso  
David Fernández Rojo

La generación de conocimiento no es neutra al género y tiene repercusiones trascendentales para las mujeres (Harding 1987; Harbeck, 2008). Desde el derecho, resulta fundamental "conocer la relación feminista de la metodología jurídica" que cuestiona su racionalidad (Lacort 1996; Smart, 1994; Caspos 2006)

### FEMINISM PARADOX

Partiendo de la paradoja del feminismo identificada por Olympe de Gouges en el s.XVIII, esta práctica busca analizar el DIDDHH desde una perspectiva feminista (Gouges 1788). Concretamente, para analizar esta paradoja revisa por un lado desde el gender mainstreaming (Beh-ning and Pascual 2001; Beveridge et al. 2000; Mazey 2000; Verloo 2001; Walby 2001; Woodward 2003) el ICCPR, y por otro lado un tratado específico sobre la discriminación de la mujer: el CEDAW.

#### GENDER MAINSTREAMING

Art. 6 ICCPR: Right to life



**Before birth** - Defend the Gender Bias For Child Survival

**During Childhood** - Gender Bias For Child Survival

**During Adulthood** - Violence against women

**Article 18** - Right to freedom of thought, conscience and religion

**"women's rights are often curtailed or violated in the name of religion"**

**States are continually reminded of their obligations to fully protect... women against all violations of their rights based on or attributed to religion"**

**Women's equal right to their spiritual and religious beliefs, and her role within her religion, has yet to be addressed**

#### CEDAW

#### PROTECTION THROUGH SPECIFIC NORMS

C.E.D.A.W PROVISIONS



**to incorporate the principle of equality of men and women in their legal system**



**to ensure elimination of all acts of discrimination against women by persons, organizations or enterprises**



**to establish tribunals and other public institutions to ensure the effective protection of women against discrimination**

#### Art. 25 - Right to political participation

Right to vote      Right to be elected



#### Valoración del alumnado

Did you find this session informative?



Rank the session:



# FINAL REMARKS

- The need to mainstream gender in legal studies is intrinsic to the nature of the field
- This need is based not only on feminist research but also on data
- There are already existing tools that have proven efficiency
- Important role of RFO and Policy makers
- Do not reinvent the wheel: get inspired by good practices





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