

Gender in Law and Courts: Uneasy Encounters?

Friday 8 November 2019

Villa Salviati, European University Institute, Florence

Call for Papers

Description

The **Department of Law of the European University Institute (EUI)** and the **PluriCourts Centre on the Legitimacy of the International Judiciary at the University of Oslo (PluriCourts)** host a one-day conference on gender and sexualities in international and European laws and courts on 8 November 2019 at Villa Salviati, European University Institute, Florence (Italy). The conference will gather critical, original and provocative perspectives on gendered tensions in the law. The event is organised by Sophia Ayada (EUI), Giovanna Gilleri (EUI), Matilda Merenmies (EUI), convened by Professor Andreas Føllesdal (PluriCourts) and Professor Geir Ulfstein (PluriCourts) and sponsored by Professor Martin Scheinin (EUI).

Possible themes include, but are not limited to:

- gender equality and non-discrimination, the potentialities offered by supranational legal orders
- temporary special measures / affirmative action
- intersections of race, gender, age and / or class and their legal dimensions
- subjectivity formations in relation to gender, sexual, religious, class and linguistic difference
- legal definitions of sex- and gender-related categories
- exclusionary effects of hierarchical and patriarchal interpretations of gender
- gender-variant communities and legal recognition
- sexual rights and disabilities
- sexuality and parenthood, sexual citizenship
- gender-based violence, including male-male, female-female, male-female, female-male (and beyond) violent acts
- gendered conflicts in peacetime and wartime
- post-identitarian approaches to sexual rights, transcending 'lesbian', 'gay', 'bi', 'trans', 'intersex' categories
- law, gender and religion
- access to justice and gender-sensitive remedies
- judicial reasoning and gender stereotypes

The intersections of and the relationships between law, gender and sexualities have been analyzed throughout the past decades. Research has focused on gender-related issues in the areas of legal theory and practice at national levels, including the gendered implications of implementation and enforcement of domestic law. Along with state-specific reflections, scholars have concentrated upon gendered assumptions and effects underlying legal discourses in supranational regimes, particularly international law and European Union law.

The conference seeks to gather scholars that investigate the tensions between gendered legal classifications and gendered subjectivities, and/or the influence of gender in supranational justice (or at national and/or local levels provided that that the domestic aspect is discussed in relation with the supranational legal regime). It aims to stimulate reciprocal and active exchanges between professors, post-doctoral and doctoral researchers engaged with the legal aspects of gender and sexuality, who apply a critical, feminist and/or queer approach. We welcome boundary-crossing contributions from different legal fields, as well as anthropological, psychological, sociological and historical studies

Gender in supranational justice. A myriad of cases brought before supranational courts concern directly or indirectly gender. The conference interrogates whether and how supranational fora embrace gendered perspectives while addressing both gender-based and gender-related claims. Judicial decisions shape the subject of law. Through gendered interpretations and (sometimes) narratives, courts define who is inside and who remains outside of legal protections. Consequently, many questions arise. Do courts face specific challenges when it comes to gender-based issues? How do international courts incorporate or fail to incorporate gender-based approaches? What solutions can be offered at the international level? How does the implementation of supranational decisions impact on gendered legal questions at the domestic level? Scholars working on gender and sexualities in international and regional courts are welcome to discuss the role of regional courts, including but not limited to the Inter-American Court of Human Rights, the African Court of Human Rights, the European Court of Human Rights and the European Court of Justice. The conference is equally open to scholars working on international courts, such as the International Criminal Court and the International Court of Justice.

Tensions between legal categories and subjectivity formations. Gender is intended in this conference in broader terms. In addition to questioning the law from the perspective of women, the conference will discuss the various configurations of gender which transcend the misinterpretation gender=women. The crystallisation into the legal vocabulary and system of gender-related concepts can be examined from at least two angles. The first aspect is the correlation between the legal categories, their definition, their interpretation and the protection ensured. What is the legal impact of mainstream interpretations of gender, sex, sexual orientation, gender identity and sex characteristics? To what extent do the legal definitions of these categories determine the scope of the protections provided to individuals at international and regional level? The second aspect concerns the tensions between the fixity of the law and the changeability of gendered/sexed experiences. The contours of legal subjects such as 'man', 'woman', 'trans', 'gay', 'lesbian', 'intersex', and the borders between them are not that neat for many. Do 21st century sexual right claims call for depriving the legal jargon of identity-based categories? What are the challenges of a post-identitarian approach to the law?

Publication

The papers presented at the conference will be offered the possibility of submission for publication in a special issue of the [European Journal of Legal Studies](#) (EJLS), a peer-reviewed and open-access journal. During the conference, presenters will receive information for the submission of manuscripts to the EJLS. The publication is not automatic, as manuscripts will be subject to the usual procedure of double-blind peer-review, involving the EUI's entire scientific community (professors, fellows, researchers, as well as alumni).

Format

We welcome different formats, such as individual presentations, panels, and roundtables. In case of collective presentation, the maximum number of speakers is four. Please submit your proposals for individual or group presentations by **August 15th, 2019** to genderlaw@eui.eu. Confirmed participants and unsuccessful applicants will receive notice by **August 31st, 2019**. Confirmed participants and groups will have to submit full papers (6000 to 8000 words) by **October 15th, 2019**.

For individual presentations, please submit, by **August 15th, 2019**:

- (1) a Word document containing a title and an abstract of your paper (maximum 500 words); and
- (2) a short bio (250 words)

For panels and roundtables, please submit, by **August 15th, 2019**:

- (1) a proposal specifying the type of activity, the title, an abstract (maximum 700 words); and
- (2) a short bio of each presenter (250 words)

Scholarships and Practicalities

Participants are responsible for expenses related to travel and accommodation. However, a **limited number** of **scholarships** covering the travel and accommodation costs will be granted. If you cannot join the conference without funding, you can apply for one of the travels grants that the conference has made available for PhD candidates and post-doctoral researchers. To apply for the grant, please send a short statement of motivation in a separate document at the moment of submitting your proposal. The document should explain the reasons why you should be awarded with a travel and accommodation grant.

The conference will take place at **Villa Salviati**, housing the EUI Department of Law, the Academy of European Law and the Department of History. The address is Via Bolognese 156, 50139, Firenze, Italy. You can reach the building with bus 25 (direction Pratolino), bus 21 (direction La Querciola) and bus 1A (direction Salviati FS). The EUI Shuttle service allows the EUI community and guests to reach the different buildings during working days, including the main campus, Badia Fiesolana.