

## Law and Gender (B000257)

**Course size** *(nominal values; actual values may depend on programme)*

**Credits 4.0**

**Study time 120 h**

**Course offerings and teaching methods in academic year 2023-2024**

null

**Lecturers in academic year 2023-2024**

Cannoot, Pieter

RE21

lecturer-in-charge

**Offered in the following programmes in 2023-2024**

crdts

offering

null

**Teaching languages**

Dutch

**Keywords**

law, gender, sexuality, power relations, equality, discrimination, society, LGBTIQ, diversity

**Position of the course**

The chief purpose of this course is to teach students a critical attitude toward the law. With regard to knowledge acquisition, this is both an in-depth course, that thoroughly studies feminist and queer theories, and a broad course, that studies the issue of gender equality in the law throughout the different branches of the law and at the different levels of norm creation and enforcement (national, European, international).

**Contents**

First, different feminist and queer theories about gender equality (in a broad sense) are studied. Next, an analysis is undertaken throughout Belgian, European and international law, that examines how the law creates normative constructions of gender and sexuality, attempts to realize gender equality, and which inequalities continue to exist. In this context, examples from foreign legal frameworks are examined where relevant. Finally, a number of specific themes with particular relevance from a gender perspective are studied, in different branches of the law. These themes may vary each year. Students reflect *de lege ferenda* about the role the law could play in the future.

**Initial competences**

good passive knowledge of English, basic knowledge of Belgian, European and international law

**Final competences**

- 1 Being able to apply basic concepts concerning sexual identity
- 2 Knowledge of how (parts of) Belgian, European and international law expresses social gender constructs
- 3 Critical insight in the possibilities and limitations of law as instrument for societal organisation
- 4 Critical insight in the possibilities and limitations of the law for emancipation of social minorities
- 5 Being able to apply legal theories on gender equality on concrete cases
- 6 Having a critical and scientific attitude towards the law, on the basis of insights from complementary disciplines (ethics, sociology, gender studies, history ...)
- 7 Identification of political and social phenomena that underlie the law, on the

basis of deconstruction

- 8 Development of awareness that the law is the result of societal power relations and gender relations
- 9 Development of awareness that gender inequalities interact with inequality on the basis of other discrimination grounds (intersectionality)
- 10 Critical insight in the way in which the law responds to societal evolutions and vice versa (co-constitution between law and society)
- 11 Making use, in a scientifically grounded way, of legal texts in Dutch, French and English to analyse and solve complex problems
- 12 Formulating - in writing and/or orally - a creative and legally grounded opinion on a topic theme related to law and gender, on the basis of a scientific and clear analysis
- 13 Developing awareness on the role of positionality and frames of reference when analysing and deconstructing gender (in)equality
- 14 Integration of cultural sensitivity, gender awareness, respect for diversity, pluralism and tolerance in the scientific work and in the functioning as a starting lawyer
- 15 Developing awareness on the social responsibility of lawyers, including with regard to issues regarding sustainability and diversity, which include gender diversity

#### **Conditions for credit contract**

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

#### **Conditions for exam contract**

This course unit cannot be taken via an exam contract

#### **Teaching methods**

Group work, Seminar, Independent work

#### **Extra information on the teaching methods**

The aim of the seminars is that the lecturer creates added value together with students on the basis of materials previously prepared by the students. Preparation may consist of reading literature, case law, legal instruments, listening to a podcast or watching visual materials. Students are expected to actively participate in class (which will involve assignments in group) and to work independently. During the seminars, several guest lecturers will be invited based on their professional or authentic expertise in 'law and gender'. Students are encouraged to attend lectures, debates and other relevant events outside the classroom.

#### **Learning materials and price**

- Reader, available on Ufora
- PowerPoint presentations, available on Ufora
- Student notes regarding the seminars
- Paper or podcast (see evaluation)

#### **References**

E. Brems, P. Cannoot, L. Stevens, *Recht en gender in België – 10 jaar later*, Brugge, die Keure, 2021

#### **Course content-related study coaching**

An overview of the class themes and materials is available on Ufora and will be clarified during the first class.

There is possibility to ask questions during and after the lectures, via e-mail and after appointment with the lecturer or the assistant. The lecturer will provide examples of exam questions during class.

Questions concerning the course contents can be asked until the final week of classes.

#### **Assessment moments**

end-of-term and continuous assessment

#### **Examination methods in case of periodic assessment during the first examination period**

Oral assessment open-book

## **Examination methods in case of periodic assessment during the second examination period**

Oral assessment open-book

## **Examination methods in case of permanent assessment**

Participation, Presentation, Assignment

## **Possibilities of retake in case of permanent assessment**

examination during the second examination period is possible in modified form

## **Extra information on the examination methods**

The evaluation consists of several tracks:

- Track 1: students write a paper or record a podcast according to the guidelines provided by the lecturer
- Track 2: students thoroughly prepare classes and participate in a critical and constructive manner according to the guidelines provided by the lecturer
- Track 3: students organize a peer feedforward conversation about their paper or podcast, according to the guidelines provided by the lecturer. The students report on their progress through a pitch presentation.
- Track 4: Students have a conversation about the course and their assignment with the lecturer in the form of an oral open book examination.

A reliable evaluation is only possible when the student is sufficiently present during the contact moments. Unfounded absence or non-participation in the evaluation moments (including the weekly course meetings) leads to failing the course.

Resit evaluation: oral open book exam with preparation.

## **Calculation of the examination mark**

Final scores are calculated as follows:

- Track 1: 50%
- Track 2: 10%
- Track 3: 15%
- Track 4: 25%

Students who do not participate in all evaluations will receive a failing grade for this course. This means in particular that when the provisional final score would be a grade of 10/20 or more, the final score will be reduced to the absolute failing grade of 7/20.

Resit evaluation; oral open book examination: 100%

## **Facilities for Working Students**

- No evening classes, no distance learning
- Independently studying this course is not possible
- Occasional absence can be compensated through an extra assignment