

ERASMUS + STRATEGIC PARTNERSHIP IN HIGHER EDUCATION - New Quality in Education for Gender Equality
- Strategic Partnership for the Development of Master`s Study program LAW AND GENDER, LAWGEM -
Project No: 2019-1-RS01-KA203-00088



LAWGEM

Master`s Study Program
Law and Gender

Gender Equality Legal Clinic (GELC)

LAWGEM



Co-funded by the
Erasmus+ Programme
of the European Union

Program: Master Academic Studies – LAW AND GENDER
Course title: Gender Equality Legal Clinic
Teachers: (University of Belgrade), (Universidad de Cadiz), (LUMSA University), (Örebro University).
Course status: mandatory
Number of ECTS: 3 ECTS
Requirements: /
<p>Aims of the course:</p> <p>The course aims to offer the students necessary training and resources to put their theoretical knowledge gained during the program into practice. Thus, the course aims to engage students with the actual work of real cases under the supervision of law and gender professors at the clinic. This course is designed for students with and without law background.</p> <p>The focus of the course is on gender-based violent crimes such as hate crime, stalking and intimate partner violence, although other types of gender-based crimes can also be part of the legal clinic. Thus, the work of actual training involves providing any kind of advice including legal services to the victims. The course emphasises a kind of engagement that is imbued with intersectional feminist ideas and that advocates for promotion of gender equality for the victims of violence. Therefore, the specific objectives of the course are: 1) to increase students' gender consciousness and knowledge of intersectional perspective in handling cases, 2) to enhance students' abilities to critically analyse structural inequalities and propose constructive changes to the legal and justice system, 3) to develop students' capacities to work with national and international bodies and further cooperate with civil society in their advocacy for gender justice.</p>
<p>Course result:</p> <p>At the end of the course students will acquire: 1) In-depth <i>knowledge</i> on the importance of gender and intersectional gender analysis through looking at policies and practices at national, European, and international levels. 2) Necessary <i>skills</i> on how to provide advice including legal services to the victims of certain crimes with special attention to social positionality of the victims in relation to gender, sexuality, race, class, ethnicity, (dis)ability, religion, nationality, and age. 3) Required ability on <i>cooperation</i> with other organizations; NGOs and GOs and practitioners at regional, national, and international levels to advocate for achieving gender justice.</p>
<p>Course content:</p> <p>The course consists of two parts: the first part is theory oriented, and the second part of the course is practical.</p> <p>PART 1</p> <p>This part of the course is constructed around two themes. Each theme is covered by lectures and seminars, where presentations and discussions on the topics will be discussed.</p>

THEME 1: GENDER IN POLICIES AND PRACTICES

1. Introduction.
2. Gender equality and access to justice: Feminist intersectional approach
3. An overview of the mechanisms of protection against gender-based crimes within national and European laws, polices and conventions as well as the legal bodies.

THEME 2: GENDER-BASED CRIMES:

Hate crime

1. The concept of hate crime: Intersectional critical perspectives.
2. Hate crime: Gender-bias, homophobia, and anti-trans.
3. Hate crime: Laws, policies, and preventive measures.
4. Legal and social protection against the victims of hate crime.

Stalking

1. The concept of stalking: Perceptions and misperceptions.
2. Stalking: Gender relations and practices.
3. Stalking: Laws and policy implementation.
4. Legal and social protection against the victims of stalking.

Intimate Partner Violence (IPV)

1. The concept of IPV: Feminist critical analysis.
2. Gender and sexuality based IPV: Intersectional analysis.
3. Laws and legislations, International and European Human Rights Conventions.
4. Legal and social protection against the victims of IPV.

PART 2

This part of the course is constructed around lectures and students' performance at the clinic with a focus on practical skills and cooperation with civil society and awareness raising.

*Students can start their voluntary work at the clinic when they register for this course. However, in order to pass the course, it is necessary to attend the assigned workshops.

THEME 1: PRACTICAL SKILLS

1. Providing advice and legal consultations including mediation.
2. Conducting interviews and collecting evidence plus ethics.
3. Writing reports, proposals, referrals and statements.
4. Analysing legal cases for further policy recommendations.
5. Working at the clinic.

THEME 2: COOPERATION WITH CIVIL SOCIETY AND AWARENESS RAISING

1. Advocating for gender equality: The use of sources and mechanisms for legal and social protection against of the victims of gender-based violence accounting for underlying factors such as sexuality, race, class, ethnicity, (dis)ability, religion, nationality, and age.
2. Means of cooperation with the state actors as well as and non-state actors namely NGOs and grassroots organizations.

3. Working at the clinic.

LITERATURE

Note: this list contains secondary sources (i.e. scholarly literature) dealing with the subject of the course; teachers may also provide books or excerpts containing primary sources (historical legal documents) for the purposes of illustration, case studies, research papers etc.

An extended and regularly updated list of sources relevant for the subject (including those in languages other than English) can be found on the LAWGEM webpage. Students are not obliged to use it, but are encouraged to consult it when writing papers, conducting research, etc.

Required reading:

1. De Waele, H., & Van der Vleuten, A. (2010). Judicial Activism in the European Court of Justice-The Case of LGBT Rights. *Mich. St. U. Coll. LJ Int'l L.*, 19, 639.
2. Fitzpatrick, J. (2012). The use of international human rights norms to combat violence against women. In *Human Rights of Women* (pp. 532-572). University of Pennsylvania Press.
3. Ford, C. L., Slavin, T., Hilton, K. L., & Holt, S. L. (2013). Intimate partner violence prevention services and resources in Los Angeles: Issues, needs, and challenges for assisting lesbian, gay, bisexual, and transgender clients. *Health promotion practice*, 14(6), 841-849.
4. George, J., & Stith, S. M. (2014). An updated feminist view of intimate partner violence. *Family Process*, 53(2), 179-193.
5. McEwan, T.E., Mullen, P.E., MacKenzie, R.D., & Ogloff, J.R.P. (2009). Violence in stalking situations. *Psychological Medicine*, 39, 1469–1478.
6. Neumann, R. K., Margolis, E., & Stanchi, K. M. (2021). *Legal reasoning and legal writing*. Lippincott Williams & Wilkins.
7. Page, T., Sundaram, V., Phipps, A., & Shannon, E. (2019). Developing an Intersectional Approach to Training on Sexual Harassment, Violence and Hate Crimes: Guide for Training Facilitators.
8. Remley, T. P., & Herlihy, B. (2014). *Ethical, Legal, and Professional Issues in Counseling*. Upper Saddle River, NJ: Pearson.
9. Strand, S., & McEwan, T. E. (2011). Same-gender stalking in Sweden and Australia. *Behavioral Sciences & the Law*, 29(2), 202-219.
10. Walters, M. A., & Tumath, J. (2014). Gender 'hostility', rape, and the hate crime paradigm. *The modern law review*, 77(4), 563-596.

Additional reading:

1. Alden, H. L., & Parker, K. F. (2005). Gender role ideology, homophobia and hate crime: Linking attitudes to macro-level anti-gay and lesbian hate crimes. *Deviant behavior*, 26(4), 321-343.
2. Bloch, F. S. (Ed.). (2010). *The Global Clinical Movement: Educating Lawyers for Social Justice*. Oxford University Press.
3. Colliver, B., & Silvestri, M. (2020). The role of (in) visibility in hate crime targeting transgender people. *Criminology & Criminal Justice*, 1748895820930747.
4. Chamsanit, V., Khuankaew, O., Rungreangkulkij, S., Norsworthy, K., & M. Abrams, E. (2020). A feminist liberation framework for responding to intimate partner violence in Thailand. *Women & Therapy*, 1-20.
5. Dowd, N. E., Nunn, K. B., & Pendergast, J. E. (2003). Diversity Matters: Race, Gender, and Ethnicity in Legal Education. *U. Fla. JL & Pub. Pol'y*, 15, 11.

6. Duff, S. C., Hay, J., Kerry, J., & Whittam, A. (2020). The effect of race and gender on attributions of stalking. *Social Science Quarterly*, 101(2), 573-587.
7. Edwards, L. H. (2015). *Legal Writing and Analysis*. Wolters Kluwer Law & Business.
8. Lombardo, E. (2005). Integrating or setting the agenda? Gender mainstreaming in the European constitution-making process. *Social Politics: International Studies in Gender, State & Society*, 12(3), 412-432.
9. Langhinrichsen-Rohling, J. (2012). Gender and stalking: Current intersections and future directions. *Sex roles*, 66(5), 418-426.
10. Miller, N. (2001). Stalking laws and implementation practices: A national review for policymakers and practitioners. *Institute for Law and Justice Domestic Violence Working Paper*.
11. Mullen, P.E., Pathé, M., & Purcell, R. (2009). *Stalkers and their victims 2ed*. Cambridge Uni press, UK.
12. Riskin, L. L. (1982). Mediation and lawyers. *Ohio St. LJ*, 43, 29.
13. Southworth, C., Finn, J., Dawson, S., Fraser, C., & Tucker, S. (2007). Intimate partner violence, technology, and stalking. *Violence against women*, 13(8), 842-856.
14. Teitelbaum, Lee E., Antoinette Sedillo Lopez, and Jeffrey Jenkins. "Gender, legal education, and legal careers." *J. Legal Educ.* 41 (1991): 443.
15. Walker, J. K. (2015). Investigating trans people's vulnerabilities to intimate partner violence/abuse. *Partner abuse*, 6(1), 107-125.
16. Walsh, C., Lasky, B., Morrish, W., & Chaiyajit, N. (2012). Strengthening access to justice through clinical legal education (CLE). *Transforming Government: People, Process and Policy*.

Instruction method:

Primary interest is in interactive teaching and learning that encourages students' participation in knowledge acquisition and practical work towards achieving gender justice. Learning approach will be insofar based on collaborative, inquiry-based, student-centred approach to studying. Practical classes will ensure individual and group work as well as active participation of students during seminar discussions after each lecture, case analysis, debates and recommendations at the workshops.

Examination:

Students will have oral and written exams. The written exam will be in a form of a case paper at the end of the course, while they will also need to pass an oral exam in practical classes. Students will be examined through their performance at the clinic. Thus, the students will receive two grades. One on their theoretical case paper and one on their practical performances which will amount to their final grade.

Each university will articulate exam instructions in accordance with their own system of exams' holding.

Grading system:

Grading system: A, B, C, D, E, F / VG, G, U.