



Gendered Justice

Are Courts Male or Female ?

A Way of Thinking About Inclusive Courthouse Design

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Course Description

- Is justice gendered? Yes, and that gender is male. This session offers a different perspective on how to interpret courthouse design. If courthouses were female, how would they differ from “traditional” courthouses?
- Courthouses facilitate fairness and full and fair participation by all, with goals of truth, justice and equality. While these values are not gendered, how we design, construct and operate courthouses sends a message about these values. Neutral is not neutered.
- Using examples of courts and public buildings, participants will identify characteristics of female courthouses: therapeutic jurisprudence, specialty courts, human scale, accessibility, safety, family-friendly spaces, and places to talk and to decompress.
- Panelists will debate whether a female courthouse is more democratic (representing the wisdom of the “common” citizen, easy to access, inclusive, transparent, and not rigidly hierarchical) than traditional court design. Participants will strategize ways to advance this discussion with the court design teams.



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Learning Objectives

1. Assess whether courthouses are gendered, and how that “reading” imposes barriers to the goals of fairness and impartiality.
2. Explore how implicit biases affect our impression of whether a courthouse provides safety, transparency, accessibility, and reconciliation or retribution.
3. Define “female” values in buildings and demonstrate their application to courthouse design.
4. Appreciate justice as symbolic, culturally constructed as well as virtual; a product to be delivered.



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Are Courts Gendered? Are Courthouses? How do we know?

Exploring what we value and
how we demonstrate those
values

What traits do you ascribe to
gender?



United States Supreme Court Building

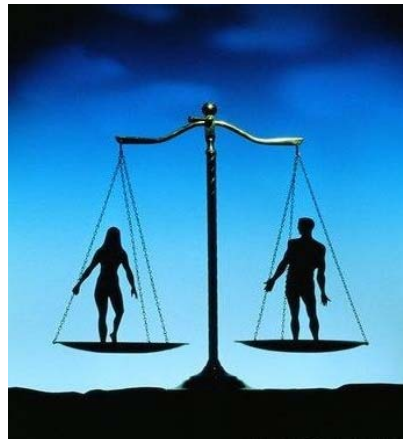
Part I Courts / Courthouses are Gendered,
And that Gender is Male

Part II Symbols and Symbolism / Justicia

Part III Buildings Express Values:
Which design elements read 'male or female' – and why?

Part I

Courts / Courthouses are Gendered,
And that Gender is Male



Gender is a Cultural Construct

- It's ok, we all know the stereotypes
- Can't be "neutral" because gender is a cultural construct
 - Heuristics: making sense of data
 - Learning is relational
 - Compare/Contrast (with what?)
- Not only binary, we offer pink/blue ... and every color in between ...
But your brain requires a quick reference



Neutral not the same as Fair

- Not always balanced
- Neutral might not be equal
 - Gender Mainstreaming: look at the impact
- Norms are cultural
- How do we foster the conversation about change?
- What is “normal”



If goal is inclusiveness and balance, does that = fairness?

- Or the appearance of fairness?
- If you have power, you think it drops out of the equation
- If you do not have power, it is always a factor in your action/reaction



We the People by Shepard Fairey

Implicit Bias

- An unconscious understanding that affects our actions
- You can't help it; it's how your brain works
- Key is to be mindful



Fearless Girl by Kristin Visbal 2017

Gender Mainstreaming

- Globally accepted strategy for promoting gender equality



QuadratoSurf



Wonder Woman movie 2017

Blindfold or not: Avoiding seeing injustice before her?

- Or maintaining neutrality
- What symbolism conveys (again it's the shorthand for your brain)
- Cultural construct



Raymond Kaskey

US Courthouse in New York, NY

What if the U. S. Court of Appeals for the 8th Circuit looked like this?

- Norms change: how to support this conversation
- Expectations are set by our environment
- Think about what we “just know” about judges, courthouses, and justice
- What is “normal?”
- Not defined by difference (i.e., not male); what is “standard”



2010 Children and Family Urban Ministries After-School Program – Wyld Girls
Visiting the U. S. District Court for the Southern District of Iowa

... instead of this !

- No Wyld Girls Here!
- Back to symbolism: what do we assume is “normal” for this group?
- What do we “know” about how this court operates?

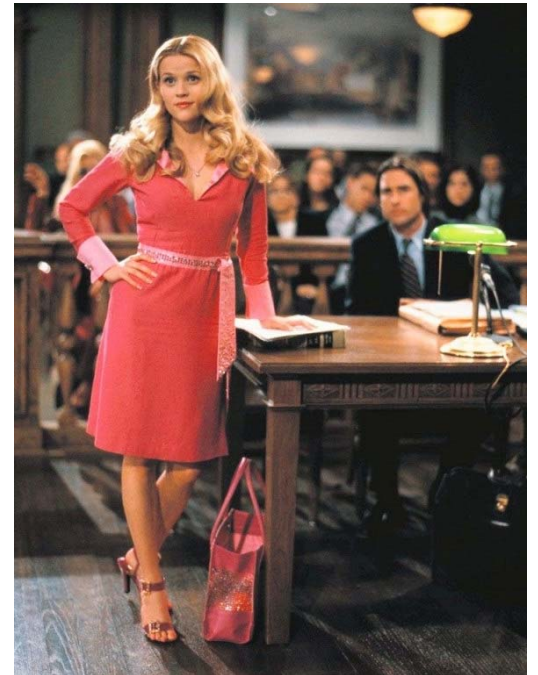


Iowa Supreme Court 2017



If we are to achieve a richer culture, rich in contrasting values, we must recognize the whole gamut of human potentialities, and so weave a less arbitrary social fabric, one in which each diverse human gift will find a fitting place.

-Margaret Mead



From Alain de Botton, The Architecture of Happiness:

As we write, so we build: to keep a record of what matters to us.

Buildings speak – and on topics which can readily be discerned. They speak of democracy or aristocracy, openness or arrogance, welcome or threat, a sympathy for the future or a hankering for the past.

The notion of buildings that speak helps us to place at the very center of our architectural conundrums the question of the values we want to live by – rather than merely how we want things to look.

Core Value of Courts

What are core values of courts?

What symbols and architecture connote justice?

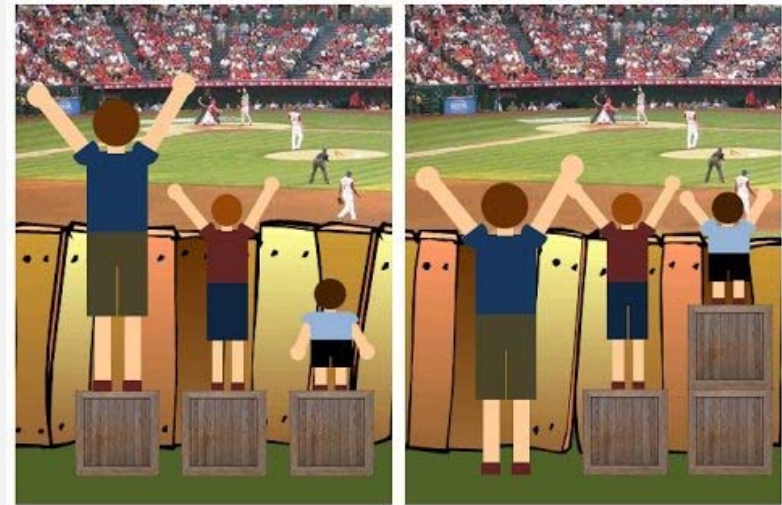


Core Value of Courts

Truth

Justice

Equality



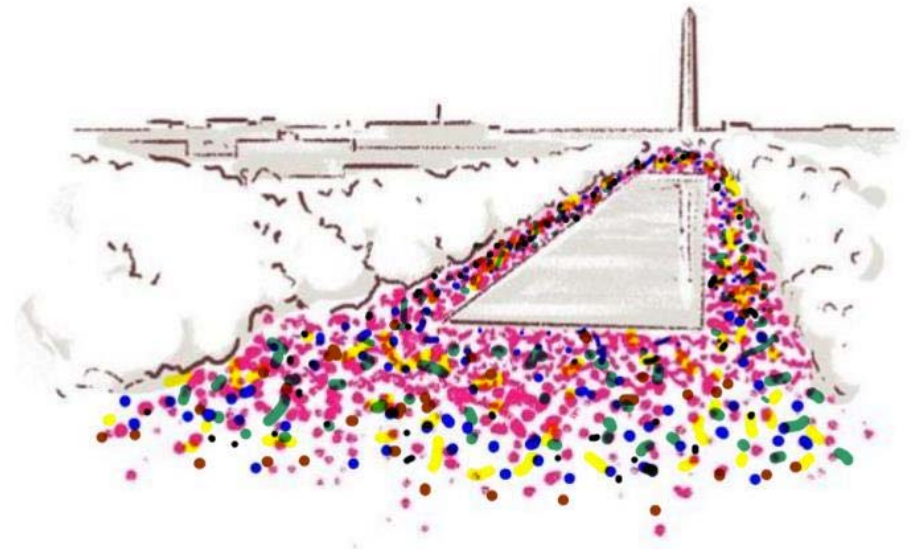
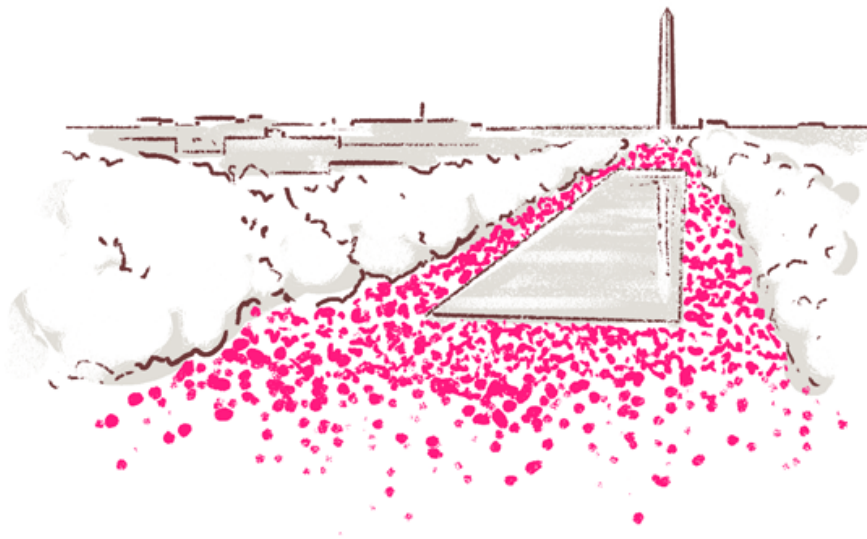
Are these values gendered? Retribution vs. Reconciliation

How do we represent these values in the design?

Can we make design less 'Male'?

[Yes, this imposes values, and is cultural]

**Some say that Church is not a building,
but the people.
What if Justice is the collective people.**



How do we design for inclusion?

Part II

Symbols and Symbolism



Why is Justice portrayed as a woman : Justicia

- Egyptian Goddess Maat
- Later Isis
- Greek deity Themis and daughter Dike
- Roman Iustitia



Why is she blindfolded

- So she is not fooled by what she sees. Objective transparent impartiality.
- Today's connotations of weakness or sexual overtones.



Diana Moore, Concord NH

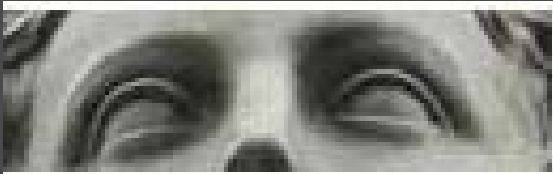
... what if she has her Eyes Wide Open !

- Strength and wisdom are found in knowledge not ignorance.
- Use of emotion and feeling is what makes us human, not gods



Why does she have Sword and Scales

- Strength / Power
- Balance / Fairness



Justicia - Frankfort, Germany

... what if the Sword is holstered ?

- Strength / Power through
Balance / Fairness



Walter Seymour Allward

Ottawa, Canada

Why is she made of Stone or Bronze

- Immortal goddess / Longevity
- Brute strength of material



Alfredo Ceschiatti

Brazil

... what if ephemeral materials are used ?

- Wood, cloth, plants



Judith Poxson Fawkes

US Courthouse in Portland, OR

Why is she veiled in a diaphanous gown

- Why expose breasts, distort proportions?
- Can ties be drawn between the robes of today's judges



County Court, Melbourne

... what if she is Transparent !

- Why does she need a cover at all, with the human heart, mind and body literally as the scale.
- Honesty and beauty in confident well proportioned figure.



Ricardo Ponzanelli

Chihuahua, Mexico

... what if Justice is Genderless?

- Spanish: el la
- German: der die *das*
- English: ?



Diana Moore, Lafayette, LA

What do you think?
How would you recommend your clients
display Justicia?

Wielding sword or holstered ?

Immortal or Human ?

Veiled or Transparent ?

Blindfolded or not ?

How do you carry on this conversation?

Art in Architecture

... if art is built into the architecture,
functional not just applied ...

Does this express the core values of
justice, dignity, and power?



Mack Scogin Merrill Elam Architects and artist Clifford Ross

Austin, TX

Art in Architecture

... history included ...



Richard Haas

Kansas City

Art in Architecture

... For the People ...

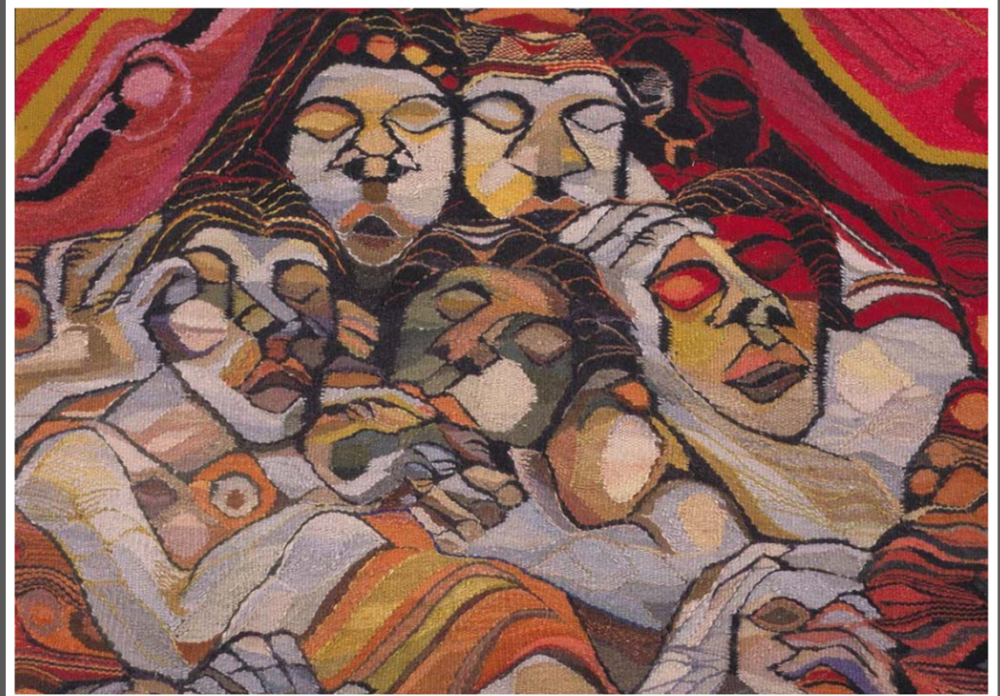


American Jury (2010) by Dan McCleary

US Courthouse in Las Cruces

Art in Architecture

... By the People ...



Constitutional Court of South Africa

Art in Architecture

... deeper understanding and meaning to the local area ...



Marco Cianfanelli

...Interlude...

The Guiding Principles of Federal Architecture

- 1 The Government shall not dictate style to the architects, but rather allow the architects to dictate the style to the Government.

Daniel Patrick Moynihan Report to President Kennedy from the Senate Ad Hoc Committee on Office Space (1962)

The Guiding Principles of Federal Architecture

- 2 There should be a willingness by the Government to pay some additional cost to avoid excessive uniformity in design.

Daniel Patrick Moynihan Report to President Kennedy from the Senate Ad Hoc Committee on Office Space (1962)

The Guiding Principles of Federal Architecture

- 3 In choice of style, deference should be given to designs that “embody the finest contemporary American architectural thought.”

Daniel Patrick Moynihan Report to President Kennedy from the Senate Ad Hoc Committee on Office Space (1962)

The Guiding Principles of Federal Architecture

- 4 The buildings should be handicap-accessible, and “economical to build, operate, and maintain.”

Daniel Patrick Moynihan Report to President Kennedy from the Senate Ad Hoc Committee on Office Space (1962)

The Guiding Principles of Federal Architecture

- 5 To provide requisite and adequate facilities while promoting the use of architectural style to convey a sense of dignity, enterprise, vigor, and stability intrinsic in the Federal Government.

Daniel Patrick Moynihan Report to President Kennedy from the Senate Ad Hoc Committee on Office Space (1962)

The Guiding Principles of Federal Architecture

- 6 Location should allow for a “generous development of landscape”.

Daniel Patrick Moynihan Report to President Kennedy from the Senate Ad Hoc Committee on Office Space (1962)

Part III

Buildings Express Values:

Which design elements read 'male or female' – and why?

Fortress ...

Foreboding castle imagery

Speaks of strength and power

We can guess this is a courthouse



Rush, Bowman, Rush

Johnston County Courthouse in Iowa City, IA

... or Welcoming

Accessible

Inviting

Transparent

Complex

But do we know it's a
Courthouse?



Iredale Peterson Hook

Kununurra Courthouse in Australia

Solid

Behind closed doors

Massive

Secure



Cass Gilbert

US Supreme Courthouse in DC

... or Transparent

Nothing to hide

What is public?

Where is public?



William Rawn Associates

US Courthouse in Cedar Rapids, IA

Reiteration of past ...

What we've done
for over 2000 years

Civic plaza

Columns = courts!



The Forum

Rome, Italy

... or forward thinking

If design continues to move forward, while learning from the past

Abstract columns

Courthouse steps



Mehrdad Yazdani

US Courthouse in Toledo, OH

Symmetry

Monumental

Understandable

Structured

Protective



Ellerbe Becket

Whitaker US Courthouse in Kansas City, MO

... or Asymmetry

Delicate, Elegant

Curved, Fluid

Evolving



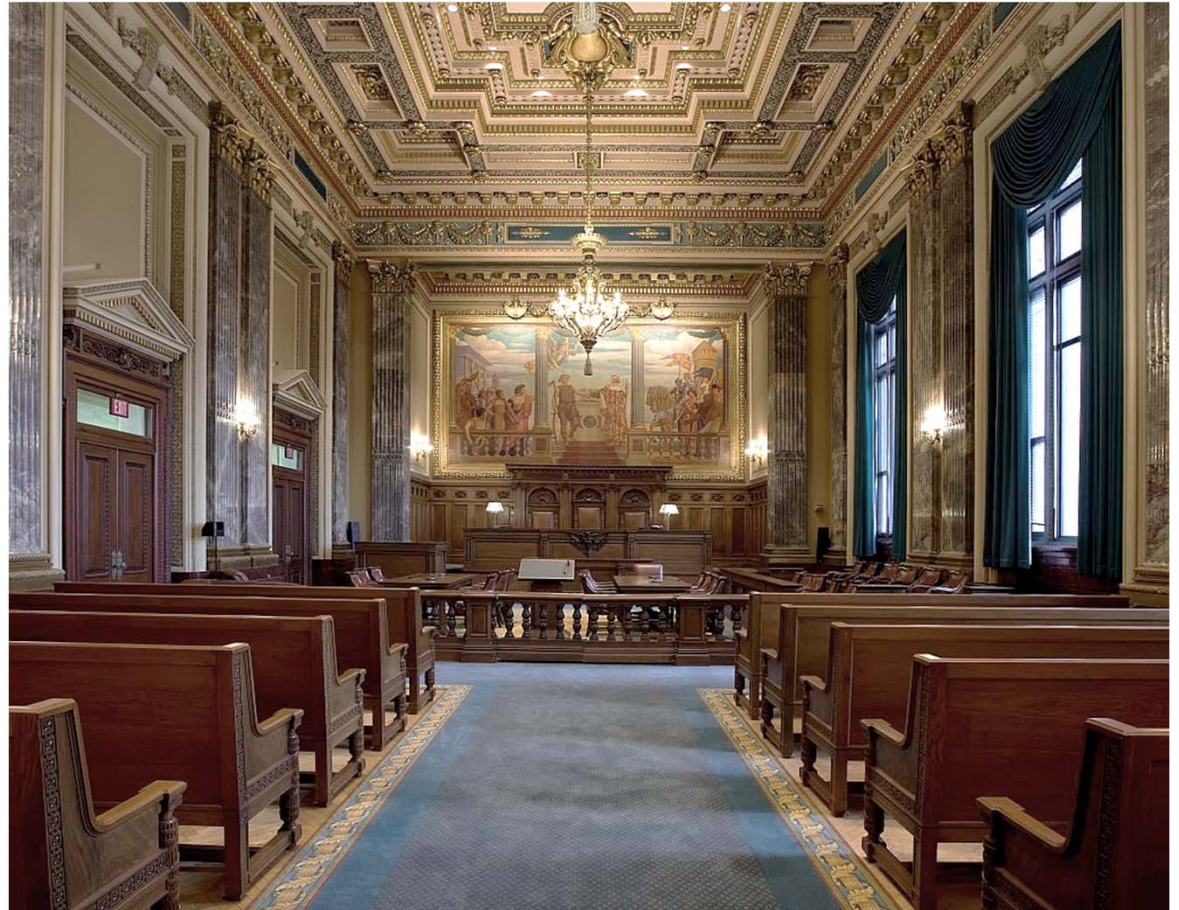
Moshe Safdie and Associates

US Courthouse in Springfield MA

Expected Gravitas ...

Grand scale

Display of Wealth exudes Power



Metzenbaum Courthouse in Cleveland, OH

... or Reconciliation / Mediation

Specialty Courts; Family courts, therapeutic jurisprudence, problem solving courts

Is there room for whimsy?

Or natural light?



Tom Otterness Minneapolis, MN



Singapore International Mediation Centre

... or Specialty Courts

Family courts, therapeutic jurisprudence, problem solving courts

Do courts have to be foreboding?



...



Courtroom Dogs

Heavy-handed Security ...

Overdone security, or just
poor parking planning

Stay away



National Security Agency (NSA) headquarters in Fort Meade, Maryland

... or Integrated Security

Reflecting pool used as security separation, adds a calming effect to the space

Natural light and transparency of entry experience



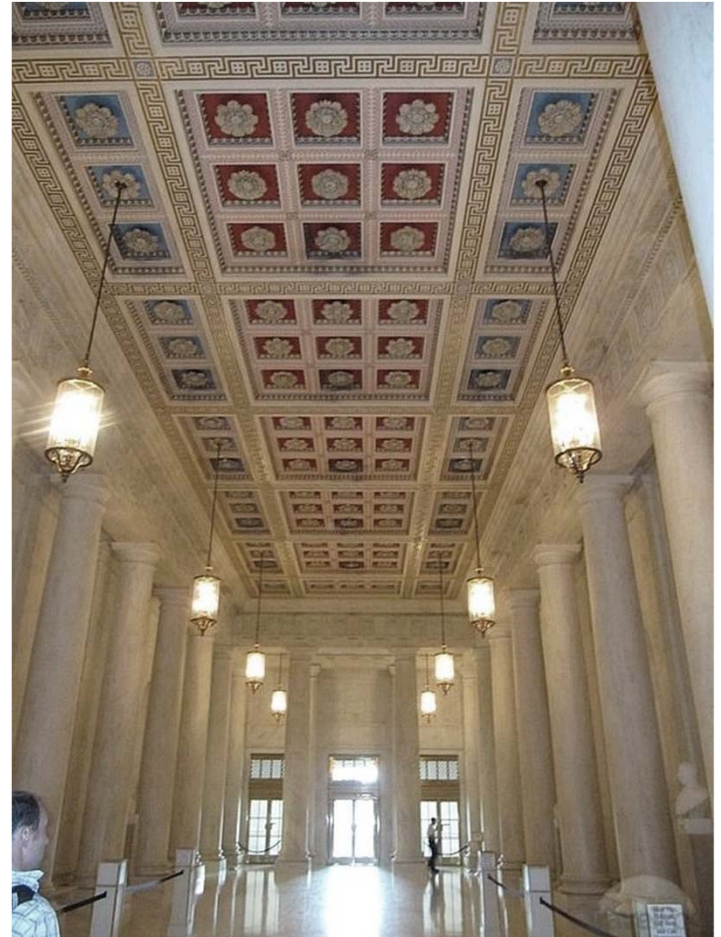
NBBJ

US Courthouse in Seattle, WA

Feeling of Authority ...

Hard materials in grandiose spaces portray power over the occupants

Ceiling detail repeated in many 1929 courthouses – you know where you are

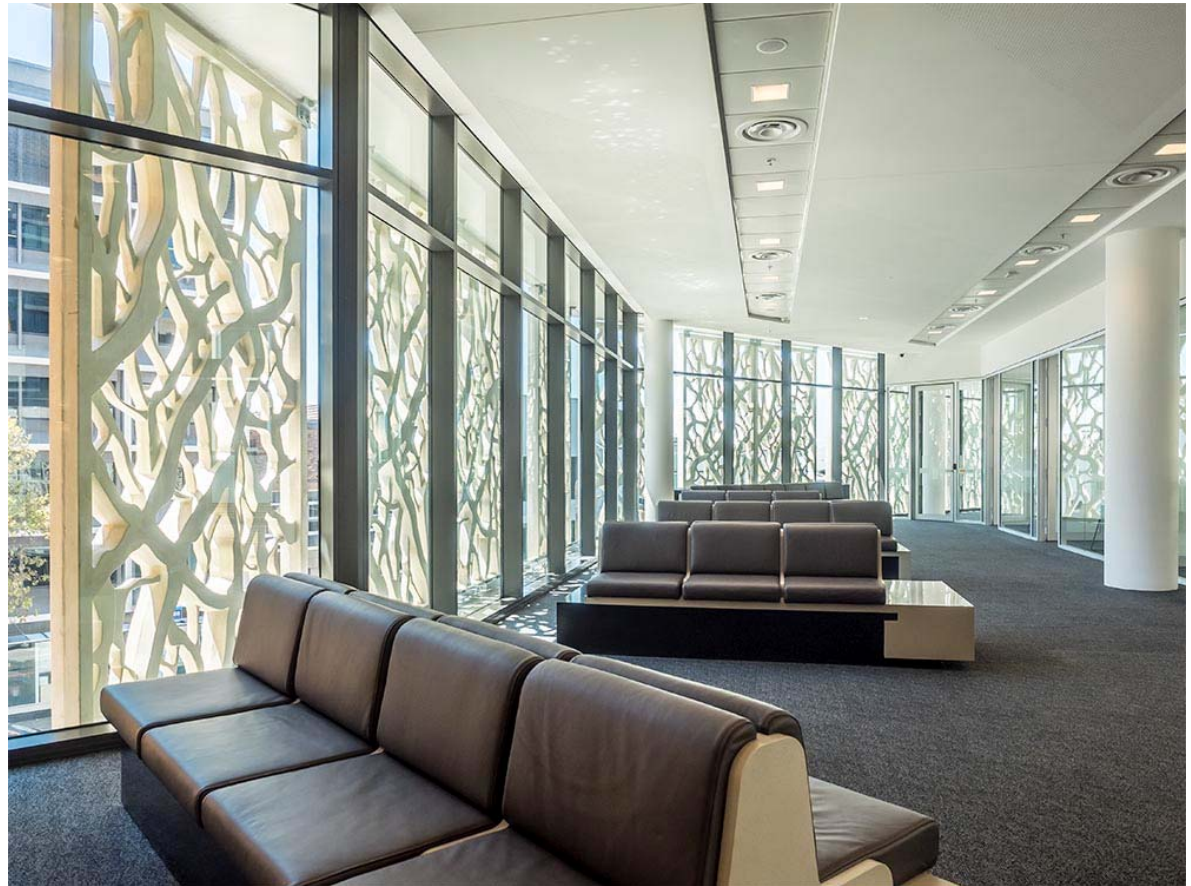


US Supreme Courthouse in DC

... or feeling of Safety

Human Scale created through pattern, ceiling heights, furnishings makes a space feel 'safe', comfortable

Design promotes dignity, calm, and provides for informal conversation



Cox Architecture

Newcastle Courthouse, Australia

Exclusion ...

“Before the Bar” figuratively
and literally excludes the
public

How does the public
experience the space?

Levels of importance/power



US Supreme Courthouse in DC

... or Inclusion

Family oriented with changing tables in all restrooms, Mother's rooms

Accessible without drama

Good wayfinding



Cubicles ...

Hierarchy of private spaces or progression in a space

Corner office with windows, behind closed doors.



... or Collaboration

Provide public/private spaces for small conferences and places to talk and decompress

Who gets the natural light?

What spaces are shared?

“Touchdown” – or off-site?



Human Nature ...

Organized Hardscape

Symbolism: Emperor speaks
to his people from above

Progression: up grand steps

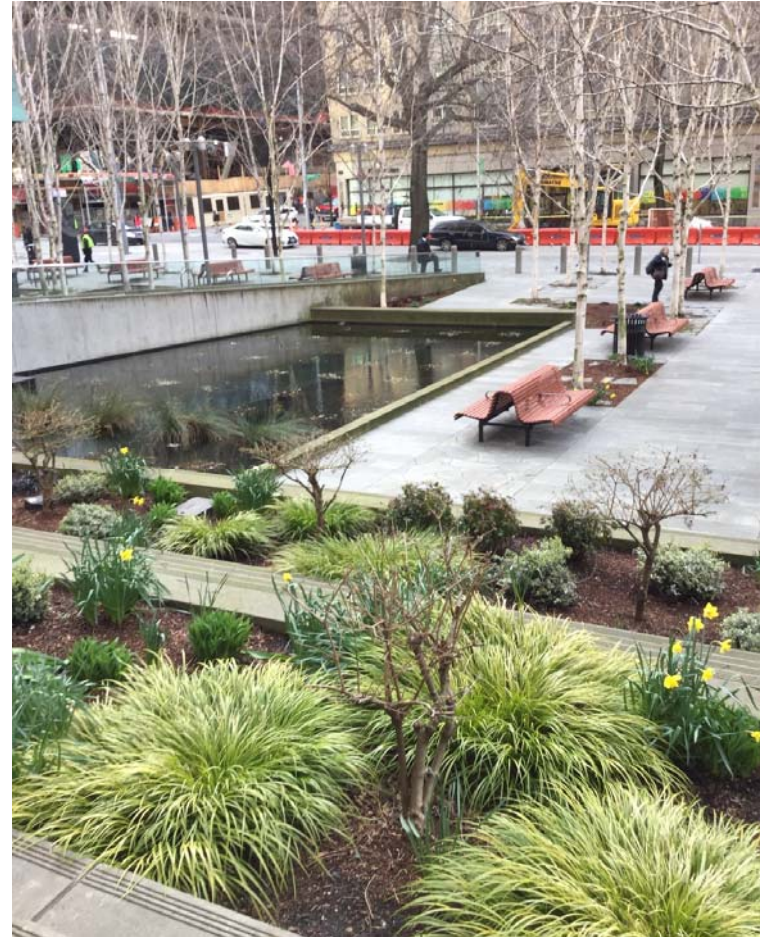


US Supreme Courthouse in DC

... or Mother Nature

Soft scape, relate to site, inviting entry

Using site/landscape to protect,
provide pathways or direct procession



NBBJ

US Courthouse in Seattle, WA

... and Mother Nature

Civic connection

Creation and use of public space to provide protection and to engage with citizens



Mack Scogin Merrill Elam

US Courthouse in Austin, TX

... and Nurture

Access to 'Court' yards

Provide decompression
space for employees,
jurors, litigants



MSME

US Courthouse in Austin, TX



Constitutional Court of South Africa

... and Nature

Bringing the outside in,
calming

Maintaining dignity and
expression of power

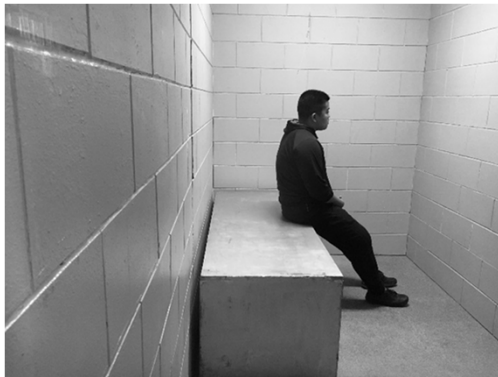


Schmidt Hammer Lassen

International Criminal Court in The Hague, Netherlands

... and Nuture through programs

Finding balance between
correction/retribution and
therapy/reconciliation



Iowa Correctional Institution for Women in Mitchellville

Hard, Cold Manmade Materials ...

Brutalist Architecture

Massive

No Color



1974

Buffalo City Court Building

... or warm natural Materials

Stone, wood, color



US Courthouse in Fresno, CA

... with Texture

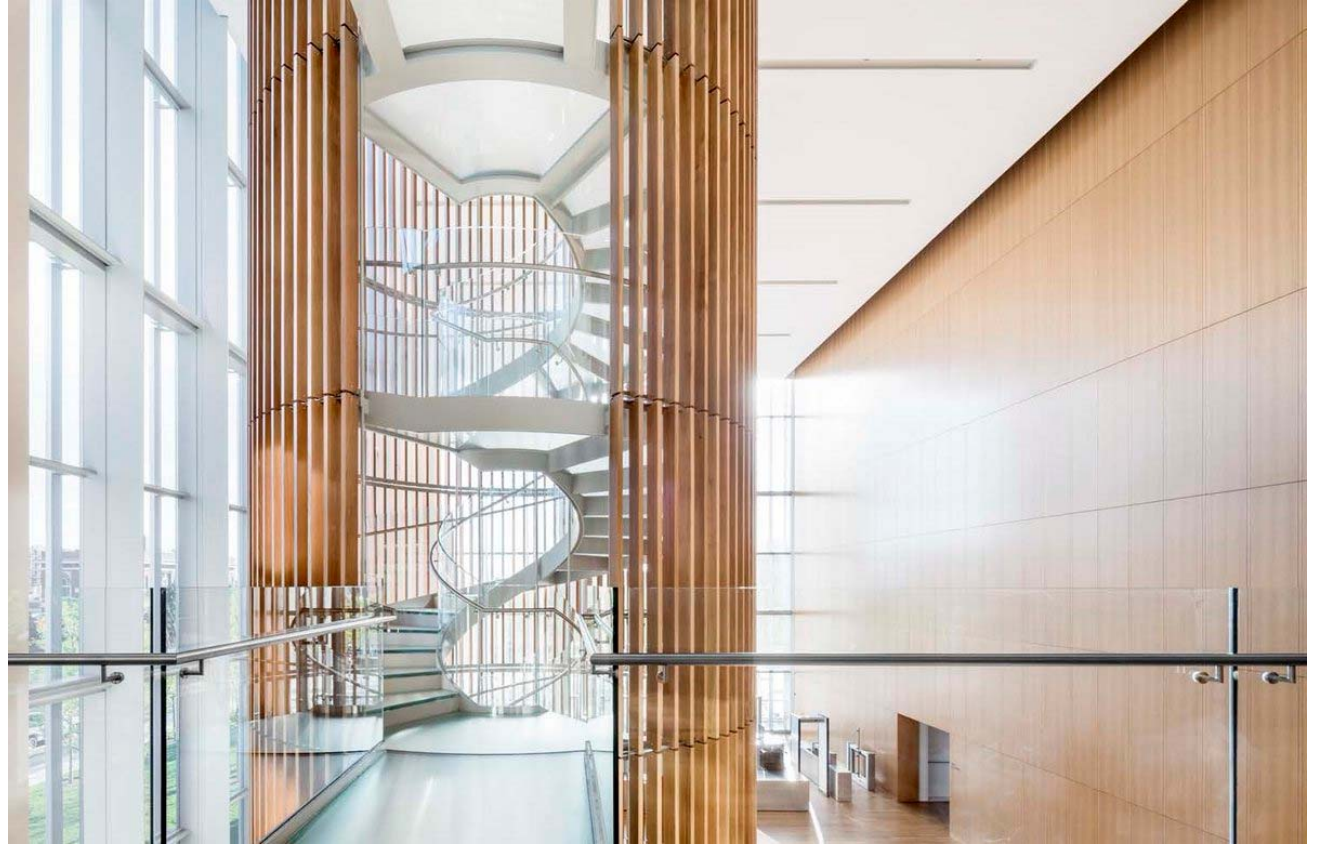
Texture of materials help
bring to human scale



Lake | Flato rendering

US Courthouse in San Antonio, TX

... and Daylight



US Courthouse in Salt Lake City, UT

Signage...

As afterthought

Confusing

Not welcoming

Fair?



... or designed Signage

Clear understanding of way-finding makes navigation easy and is calming

Intuitive, Artful

Increases security



NBBJ

US Courthouse in Seattle, WA

Form ...

Intimidation architecture

'Look at me'



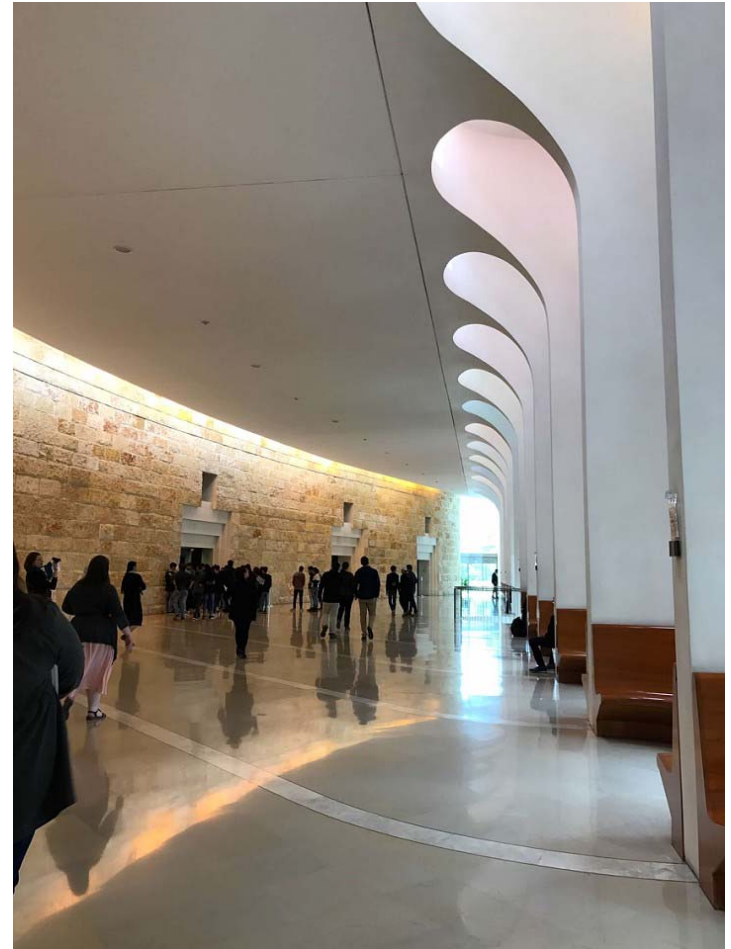
Mussolini

Palazzo della Civita in Rome, Italy

... or Function

How does one use a space, rather than what does the building look like

Design from inside out, not outside in



Designing for Inclusion

- Representing “what we know”
- Culturally relevant
- Welcoming, yet secure
- Fair – to everyone, with power and grace
- Justice – mindful to what is happening, who is present, who is not



Designing for Inclusion

- Advancing the conversation
- How do you have this conversation with the public / client / government ?
- Commit to one thing...

because
... good design is not gendered



Learning Objectives

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