

## Are Courthouses Male or Female? Designing for Inclusion: How Courthouse Design Affects Community Confidence in the Delivery of Justice

January 28, 2022

*Program Chat, collected (only a capture of the chat conversation, not the overall topic)*

### Resources:

- A Home for Justice - touring South Africa's Constitutional Court with Albie Sachs - <https://youtu.be/Oh7RwZjbakg>
- Architecture of Gender - <https://www.aiany.org/membership/oculus-magazine/article/winter-2018/architecture-of-gender/>
- 2022 Bremer and Oldroyd References BJI Gendered Courthouses - <https://www.law.berkeley.edu/wp-content/uploads/2022/01/2022-Bremer-and-Oldroyd-References-BJI-Gendered-Courthouses.pdf>
- Slides - <https://www.law.berkeley.edu/wp-content/uploads/2022/01/Gendered-Courthoused-slides.pdf>

### Links to courthouse picture collections:

- Federal Judicial Center:  
<https://www.fjc.gov/history/courthouses>
- 11<sup>th</sup> Circuit postcard collection:  
<https://postcards.ca11.uscourts.gov/>

### Smart conversation highlightss:

- Courthouse steps are part of alienation too....for certain populations
- Who put the statue in place, why, and what it meant at the time. And it's equally valid to reevaluate what the statue means to our communities today. History is fluid
- Would we see the Supreme Courthouse differently if the past judges were all female? Past architecture is based on building materials and methods available at the time. If past architects were all female, would the Supreme Courthouse look differently?
- Such good points. FWIW: We're associating the "open, welcoming" design of the Supreme Federal Court of Brazil with femininity, but does this not also perpetuate gendered stereotypes? Who's to say these qualities can't be associated with male-

identifying or nonbinary individuals? Fascinating conversation—I'm really glad it's happening.

- As Franny Lebovitz says: why is football the national sport? why not hopscotch? Patriarchy
- It's important also, to consider the imagery inside these buildings. 99.99 times out of a hundred, the imagery is portraits of judges (white male ones.)
- For me, my courthouse is male because the furniture is too big for my height and size. This is true especially my bench, which makes me look even smaller than my 5'2" self, instead of the assumed intended effect that the elevated bench is supposed to make a judge look lofty and imposing.
- Isn't how we see Justia is also part of the WHITE female construct? In fact those statutes America borrowed were painted in their original state
- So much judicial architecture is about domination and of making people seem small, in relation to the giant and imposing, ultimately supposedly 'sublime' scale of the law.
- An interesting contrast is the Hawaii State Supreme Court Building built in 1874 during the monarchy and the Hawaii State Capitol built in 1969. Culture is expressed in architecture.  
<https://www.dreamstime.com/editorial-photography-aliolani-hale-hawaii-s-state-supreme-court-building-june-hawaian-generally-known-as-general-head-quarter-image98405662>

#### Resources suggested by participants

- Linda Mulcahy has done some empirical work on courthouse and courtroom design and how court users experience this, <https://www.law.ox.ac.uk/people/linda-mulcahy>
- Judith Resnik: <https://www.amazon.com/Representing-Justice-Controversy-City-States-Democratic/dp/0300110960>
- More empirical studies needed—how does the public experience these buildings?
- Justice Breyer statement on closing front door of Supreme Court  
[https://www.scotusblog.com/wp-content/uploads/2010/05/Justice\\_Breyer\\_Statement-1.pdf](https://www.scotusblog.com/wp-content/uploads/2010/05/Justice_Breyer_Statement-1.pdf)

#### Small fixes

- putting in fabric panels in the courtrooms to improve acoustics in the tall ceilinged room.
- some courts have reading nook areas for families