GENDERED JUSTICE:
ARE COURTHOUSES MALE OR FEMALE?

Setting Expectations for Inclusive Courthouse Design
To Improve Equity in Access to Justice
and Community Support for the Rule of Law

Berkeley Judicial Institute January 28, 2022

U.S. Magistrate Judge Celeste F. Bremer, J.D., Ed.D.  Susan Oldroyd, FAIA, CASp, LEED
COURTHOUSES ARE GENDERED, BECAUSE THE LAW IS GENDERED, AND THAT GENDER IS MALE.
DESIGNING COURTHOUSES FOR INCLUSION - A COURTHOUSE IS:

• Representing “what we know” about justice
• Culturally relevant
• Welcoming, yet secure
• Fair – to everyone, with power and without
• Just – mindful to what is happening, who is present, who is not, digital divide
NEW WAYS TO THINK ABOUT SPACE

Architects say:

- Space
- Built Environment
- Volume
- Material
- Transparency
- Language
- Vocabulary
- Access

Lawyers and Judges hear:
Male or Female?

United States Supreme Court Building

Supreme Federal Court of Brazil - Brazilia
People respond to a site or situation based on their gender, race, life experience, power, and status…

If you have power, you might not see the impact in your experience of the space;

If you don’t have power, it is ALWAYS a factor in how you experience the space.
IMPLICIT BIAS

• An unconscious understanding that affects our actions
• Key is to be mindful
• Be aware of what you think is “normal.” Does everyone have that experience?

Fearless Girl by Kristin Visbal 2017
NEUTRAL IS NOT THE SAME AS FAIR

• Not always balanced
• Norms are cultural – and can change
• Icons relate to classic symbolism – can lose its context, and then community does not understand
• Think about how Justice is represented in your courthouse
BLINDFOLD: NEUTRAL, OR AVOIDS SEEING INJUSTICE?

Raymond Kaskey, Alexandria Virginia  
US Courthouse
WHY IS SHE BLINDFOLDED?

• So she is not fooled by what she sees.
• Represents objective transparent impartiality. (Eyes were gouged out and bandaged, not blindfolded just for fact-finding).
• To avoid seeing injustice before her.

Diana Moore, Figure of Justice 1998, Warren B. Rudman Federal Courthouse, Concord, NH
Compressive strength of stone and cast iron, tensile strength of steel and glass, burning wood makes it stronger. (Yes, an architect wrote this sentence.)

What if Justicia were carved of once-living wood, rather than an immortal goddess made of stone?

Or created from even a more ephemeral material like plants?

Does that result in softer response?

Judith Poxon Fawkes, "Oregon Justice, Judicial Heritage, Oregon Environment" Mark O. Hatfield U.S. Courthouse, Portland, Oregon
How did the softer representation of justice work for you, Portland?
WHY DOES SHE HAVE SWORD AND SCALES?

- Strength / Power
- Balance / Fairness
IS JUSTICE INCLUSIVE?
Male or Female?

Polk County, Iowa Courts

1915

2019
CORE VALUE OF COURTS

• Truth
• Justice
• Equality

Are these values gendered?
Are we representing Retribution vs. Reconciliation
How to we represent these values in the design?
Can we make design less “male?”
Yes, this imposes values, and is cultural, but we exist in the real world
COURTS SYMBOLISM

- Strength / Power  (Fortress)
- Balance / Fairness  (Reconciliation)
- Stability / Precedence  (Security, Safety, Control, Power)
- Security/Transparency
- Standard Process/Mindfulness
Fortress

Johnston County Courthouse in Iowa City, IA – Rush, Bowman, Rush
Welcoming

Kununurra Courthouse in Australia - Iredale Peterson Hook
Gravitas

Metzenbaum Courthouse, Cleveland, OH
Imposing

United States Supreme Court Building
Stability

United States Supreme Court Building
Transparency

Cedar Rapids US Courthouse - William Rawn Associates
Security

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

Seattle US Courthouse - NBBJ
Safety

Newcastle Courthouse, Australia – Cox Architecture
Human Nature and Scale

Organized Hardscape
(yes, this description written by an architect)

Equal Justice Under Law
(yes, also words written by an architect; designed to fit across the pediment)

United States Supreme Court Building
Nature

Austin US Courthouse - MSME

Constitutional Court of South Africa
Inclusiveness

To Kill A Mockingbird: Atticus Finch, Alabama c.1930
1962 Movie

International Criminal Court in The Hague, Netherlands - Schmidt Hammer Lassen
Materials & Texture

US Courthouse in Fresno, CA
Perception

Palazzo della Civita in Rome - Mussolini
Perception

Wayne Lyman Morse United States Courthouse– Eugene OR - Morphosis Architects
Male or Female?

Johnston County Courthouse in Iowa City, IA – Rush, Bowman, Rush

Austin United States Courthouse, Austin, TX, Mack Scogin Merrill Elam Architects
Art

Austin US Courthouse, Mack Scogin Merrill Elam Architects and artist Clifford Ross, Austin TX
Art

Nelson Mandela Monument by Marco Cianfanelli, Howick South Africa
Art

Richard Haas, Kansas City, Kansas
Art

Tom Otterness “Rockman” at the Diana E. Murphy U.S. Courthouse, Minneapolis MD

Tom Otterness "Law of Nature" at the Mark O. Hatfield U.S. Courthouse, Portland, Oregon
Male or Female?

Daniel Patrick Moynihan United States Courthouse New York, New York

Austin United States Courthouse, Austin, TX, Mack Scogin Merrill Elam Architects
DESIGNING COURTHOUSES FOR INCLUSION – A COURTHOUSE IS:

• Representing “what we know” about justice
• Culturally relevant
• Welcoming, yet secure
• Fair – to everyone, with power and without
• Just – mindful to what is happening, who is present, who is not
THE GUIDING PRINCIPLES OF FEDERAL ARCHITECTURE

• The Government shall not dictate style to the architects, but rather allow the architects to dictate the style to the Government.
• There should be a willingness by the Government to pay some additional cost to avoid excessive uniformity in design.
• In choice of style, deference should be given to designs that “embody the finest contemporary American architectural thought.”
• The buildings should be handicap-accessible, and “economical to build, operate, and maintain.
• 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.
• 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)
The following Five Action Points serve as the foundation of the GSA First Impressions Program:

• Reduce Clutter
• Consolidate Functions
• Unify Signage
• Streamline Security
• Transform Your Image

In addition:
• Ask Circuit Executive’s Office and GSA for assistance
• Use the US Courts Design Guide
A COURTHOUSE IS:

• Representative of “what we know” about justice
• Culturally relevant
• Welcoming, yet secure
• Fair – to everyone, with power and without
• Just – mindful to what is happening, who is present, who is not
THANK YOU

- Administrative Office of the U.S. Courts
- General Services Administration
• Celeste F. Bremer, J.D., Ed.D.
• U.S. Magistrate Judge (Recall Status)
• Southern District of Iowa
• Appointed as a U.S. Magistrate Judge in 1985; Recall Status in 2021.
• B.A. from St. Ambrose College in 1974
• J.D. from the University of Iowa College of Law in 1977
• Ed.D. from Drake University in 2002.
• Served on the Judicial Conference Space and Facilities Committee, and as the District’s construction liaison during a major renovation of the Courthouse in Davenport, IA, which won an AIA AAJ Citation for design. Faculty member for over thirty years at Federal Judicial Center and for international Rule of Law programs in Brussels, Krakow, Kuala Lumpur, Bangalore, Cairo, and Bogotá.

Susan Oldroyd Architect is a sole-proprietor architectural firm. The owner, Susan Oldroyd FAIA, has 30 years of architectural experience providing programming, design, construction administration, peer review and other architectural services. Susan was elevated to the AIA College of Fellows in 2009.

• Susan K. Oldroyd, FAIA, LEEDAP
• Registered Architect in California, NY and Washington
• Masters of Architecture from Columbia University Graduate School of Architecture, NY, NY 1979
• BAED from University of Washington 1976