

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 - Brasilia

GENDER IS A CULTURAL CONSTRUCT

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



Diana Moore, Urns of Justice 2000, John M. Shaw Federal Courthouse, Lafayette, LA

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

SOFTER MATERIALS TO REPRESENT JUSTICIA?

- 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



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HOW DID THE SOFTER REPRESENTATION
OF JUSTICE WORK FOR YOU, PORTLAND?

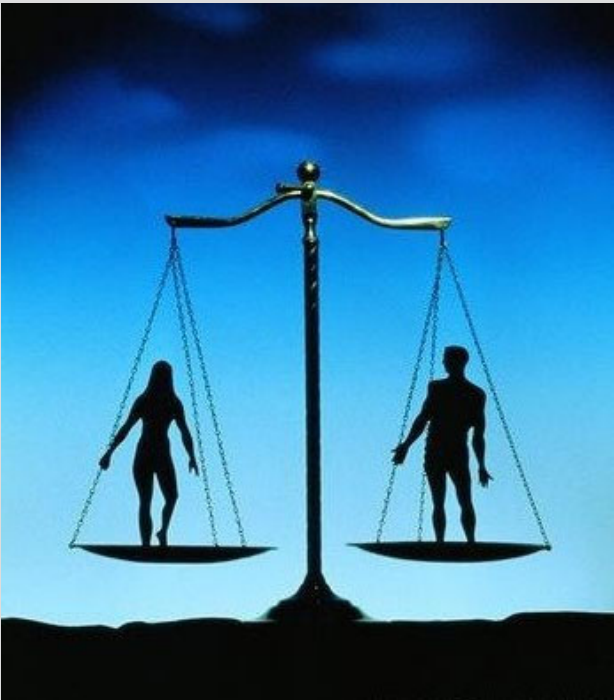
WHY DOES SHE HAVE SWORD AND SCALES?

- Strength / Power
- Balance / Fairness



Justicia - Frankfurt, Germany

IS JUSTICE INCLUSIVE?



Male or Female?



1915

Polk County, Iowa Courts



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)



United States Supreme Court Building

Equal Justice Under Law

Yes, also words written by an architect; designed to fit across the pediment

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

1/17/2022

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

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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)

IMPROVE YOUR COURTHOUSE ON A LIMITED BUDGET

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

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THANK YOU

- Administrative Office of the U.S. Courts
- General Services Administration

THE PRESENTERS



- 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 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

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.