

## Rights and Prejudices: Linguistic and Legal Implications of Gendered Discourses in Judicial Spaces - GenDJus

PRIN 2022 PNRR project: P2022FNH9B - CUP J53D23017220001

### *Topic, objective and methodology*

GenDJus has been an interdisciplinary research project in the areas of Human Rights, Discourse and Law on Gender and Sexuality. It has analysed, by means of a legal and corpus-assisted analysis of international, supranational and Italian judicial texts in three languages (English, Spanish and Italian), the judicial discourse of selected international, European and Italian courts dealing with cases involving gender roles and general assumptions on women, men and lesbian, gay, bisexual, trans, intersex and queer (LGBTIQ+) communities.

GenDJus' objective was twofold. First, the identification and the analysis of the judicial discourse aimed at improving the elaboration of the most appropriate strategies for eradicating subtle forms of discrimination, like prejudice, stereotypes and bias, through language and law. Second, a better understanding of such practices could contribute to the improvement of both the functioning of justice and the enjoyment of relevant rights by concerned groups. In fact, gendered and LGBTIQ+ narratives in judicial texts served as a testbed to study the way judges refer to people and groups characterized by a history of discrimination and marginalization and how their discourses and arguments impact on the enjoyment, restriction or denial of specific applicable human rights.

In pursuing these core aims, GenDJus has eventually advanced innovative methodologies in the detection of new forms of discrimination and identified concrete ways to improve international, European and Italian judicial discourse(s) by avoiding the unconscious reiteration of negative attitudes against specific communities. It did so in a specific area where prejudice, stereotypes and bias seem to be more persistent, i.e. sexual, reproductive and parental rights.

Further information about the project, its objectives, the methodology adopted can be found in the GenDJus' official website: <https://gendjus.it/project>.

### *Principal Investigator and Research Units*

The GenDJus proposal was developed by two research units, the University of Trieste and the University of Bologna, respectively led by the Principal Investigator (PI), prof. Gianluca Pontrandolfo, and prof. Carmelo Danisi, the Co-PI.

The University of Trieste's team consisted of four tenured professors - prof. Emanuele Brambilla, Giuseppe Pascale and Katia Peruzzo, in addition to the PI - and two research fellows - dr. Giovanna Gilleri and Chiara Sarni - recruited with the project's own funds. The University of Bologna's team was composed of three tenured professors - prof. Marco Balboni and Francesca Ragno, in addition to the co-PI - and one research fellow - Erika Miyamoto - recruited with the project's own funds.

Further information on the research team and the members' detailed profiles can be consulted in the GenDJus website's dedicated section: <https://gendjus.it/team>.

### *Timeline and Dissemination*

The project was structured according to a detailed timeline, which was based on the achievement of 12 milestones. Milestones followed a logical order and each of them was necessary for the realization and the progression of the subsequent activities. All milestones and their connected activities were achieved within the expected timeframe.

Both milestones and activities carried out during the life of the project were disseminated through the GenDJus website, which was developed and managed in compliance with the principle of open access. The website hosts all material that has been developed by the research team and is accessible

and available free of charge.

Dissemination was further strengthened by the setting up of a dedicated GenDJus' Instagram profile (<https://www.instagram.com/gendjusproject/>). Thanks to this social media account, the research team has raised awareness on the topics of the GenDJus project by disseminating relevant news and legal developments in the field. All posts published during the life of the project are now collected in the News section of the GenDJus website (<https://gendjus.it/it/node/8>).

In accordance with Article 34 of Regulation (EU) No 2021/241, all activities carried out in the context of the project ensured maximum visibility for the European Union funding provided in support of the intervention, as required and indicated in the “*Linee guida per le azioni di informazione e comunicazione a cura dei Soggetti Attuatori*” (Guidelines for information and communication actions by implementing bodies) and in the “*Linee guida per la rendicontazione*” (Guidelines for reporting), as the above links to the project's website clearly show.

All GenDJus activities have been realized in full compliance with generational and gender equality, paying particular attention to the people involved in the dissemination activities. Equally, they did not cause significant damage to the environment.

A full account of the dissemination activities that were organised during the life of the project can be found in the technical-scientific reports of the 6 four-month periods and in the dedicated section of the GenDJus website: <https://gendjus.it/outreach-activities>.

### Results

All the expected results of GenDJus have been reached by the end of the project.

The interdisciplinary investigation of complex topics like prejudice, stereotypes and bias in sexual, reproductive and parental rights through the prism of non-discrimination has triggered a thorough theoretical reflection on the role of law and language in the full enjoyment of human rights by specific people and communities. It also encouraged the development of an unexplored interdisciplinary methodology that can be easily replicated with other languages and in other legal contexts, beyond the GenDJus' own scope.

These results include:

- the creation of the first multilingual (English, Spanish and Italian) comparable corpus of judicial texts in this area of human rights, which was analysed through a legal and linguistic perspective and the related outcome is at the centre of the project's edited collection;
- a better understanding and a clearer definition of the rights under analysis, starting from the prohibition of discrimination, through a fair balance between the needs of gender and sexual minorities to be treated equally and the interests of the community in which they live as a whole;
- the identification, through dedicated Guidelines, of strategies to improve the way legal experts and, in particular, judges argue about gender as well as sexual minorities in general and, more specifically, when they address cases related to sexual, reproductive and parental rights, thus avoiding linguistic and legal discrimination;
- the improvement of the knowledge on these topical issues through international and national cooperative training activities addressed to legal practitioners (e.g. judges and lawyers) and scholars who are not aware of the linguistic implications of their reasoning and writing, as well as linguists who are not trained in international law/human rights/EU law;
- the establishment of an international network of interdisciplinary scholars interested in linguistic and legal investigations of judicial discourse on gender and LGBTIQ+ issues, to pave the way for wider research projects and funding applications while strengthening the internationalisation of Italian academia.

Publications based on the project's analysis include:

- Danisi C (2023) 'Maternità surrogata come reato "universale": considerazioni di diritto internazionale e dell'Unione europea' *Rivista di studi giuridici sull'orientamento sessuale e l'identità di genere - GenIUS* (2), ISSN 2384-9495, pp. 75-94 (available open access both on the Journal's database - [https://gendjus.it/sites/default/files/attachments/Danisi\\_Maternita.pdf](https://gendjus.it/sites/default/files/attachments/Danisi_Maternita.pdf) - and on the GenDJus website);
- Peruzzo K (2024) "Trans, Transgender, and Transsexual in Case Law: A Corpus-Assisted Analysis of ECtHR Judgments" in Eva Lucía Jiménez-Navarro and Leonor María Martínez Serrano (eds), *Where Gender and Corpora Meet: New Insights into Discourse Analysis*, Bern: Peter Lang, pp. 157-180 (available at <https://tinyurl.com/5n7sbavp>);
- Gilleri G (2025) "Human Rights' Harmful and Harmless Gendered Outlaws" in Tamsin Phillipa Paige and Claerwen O'Hara (eds), *Queer Encounters with International Law: Lives, Communities, Subjectivities*. London/New York: Routledge, pp. 153-174 (available at <https://tinyurl.com/2h22f96w>);
- Danisi C, Ferreira N. (2025), "X, Y and Z (European Union): Who is Protected as Queer Refugee by the Court of Justice of the European Union?" in Nuno Ferreira, Maria Federica Moscati, Senthoran Raj (eds), *Queer Judgments*, London: Counterpress, pp. 495-512 (available at <https://tinyurl.com/7hc98zsz>);
- Pontrandolfo G., Sarni C. (2025) 'Del 'método ROPA' a la 'maternidad en solitario': el discurso traducido de las páginas web sobre reproducción asistida' *The Journal of Specialised Translation* (44) 188-216 (available at <https://tinyurl.com/yeu9uhf7>);
- Pontrandolfo G., Danisi C. (2025) "Theoretical and Methodological Challenges of Interdisciplinary Legal-linguistic Research: Reflections from the GenDJus Project" in Stanislaw Goźdź-Roszkowski and Gianluca Pontrandolfo (eds) *In the Minds of Judges. Argumentative Discourse at the Intersection of Law and Language*. Berlin: De Gruyter Mouton, pp. 257-279 (available at <https://tinyurl.com/342zbx3>);
- Peruzzo K. (2025), "International Judicial Discourse and Non-derogatory Language Use: A Case Study on ECtHR Judgments", in Stanislaw Goźdź-Roszkowski and Gianluca Pontrandolfo (eds) *In the Minds of Judges. Argumentative Discourse at the Intersection of Law and Language*. Berlin: De Gruyter Mouton, pp. 227-256 (available at [https://gendjus.it/sites/default/files/attachments/Peruzzo\\_In\\_the\\_Minds\\_2025.pdf](https://gendjus.it/sites/default/files/attachments/Peruzzo_In_the_Minds_2025.pdf));
- Gilleri G, Miyamoto E. (2025), "Broadening Protections? The European Court of Human Rights' Discourse on Gender-Based Violence against Trans and Intersex Persons" *The Italian Review of International and Comparative Law* (2), pp. 331-362 (available at <https://tinyurl.com/y55umj73>);
- Gilleri G. (2025), 'Abituarsi ad altro (e all'altro): i diritti umani e il metodo queer femminista' *Quaderni di SIDI Blog* (11), pp. 187-206. ISSN 2465-0927 (available <https://tinyurl.com/5ssmrcj>);
- Gilleri G. (2025), 'Gestazione per altri all'italiana: persone, diritti e stereotipi di genere di un reato "universale"' *Diritti umani e diritto internazionale* 19(1), pp. 101-128 (available at <https://tinyurl.com/kwe7j5tp>);
- Brambilla E. (2025), 'Etiamsi omnes, ego non: An Exploratory Study of Argument Types in Separate Opinions' *Comparative Legilinguistics* (64), pp. 484-511 (available at <https://tinyurl.com/5dwfz6pr>).

The GenDJus research team promoted also MA and BA thesis on the project's topics with the aim of involving young students in the research and in the discussion on the problems emerged during the life of the project. These include:

- Rigali A. (2025), *La violenza di genere contro le donne perpetrata dalle autorità pubbliche nella giurisprudenza della Corte interamericana dei diritti umani: un'analisi critica del discorso assistita da corpus*, unpublished MA thesis (Università degli Studi di Trieste). Supervisor: prof. G. Pontrandolfo; co-supervisor: Dr. G. Gilleri; Ms. C. Sarni;
- Rizzardi V (2025), *Pregiudizi, stereotipi e bias di genere nel caso Manuela y otros vs. El Salvador: un'analisi critica del discorso giudiziario*, unpublished BA thesis (Università degli Studi di Trieste). Supervisor: prof. G. Pontrandolfo; co-supervisor: Ms. C. Sarni;
- Sattin E. (2026), *Linguaggio giuridico e tutela dei diritti delle persone LGBTI: il caso della Corte interamericana dei diritti umani*, unpublished MA thesis (Università degli Studi di Trieste). Supervisor: prof. G. Pontrandolfo; co-supervisor: Ms. C. Sarni.

All the research outputs and publications completed under GenJus are available in open access via the website of the project: <https://gendjus.it/research-outputs>.

#### Contacts

For more information and collaboration requests, please contact professors Gianluca Pontrandolfo and Carmelo Danisi (respectively, [gpontrandolfo@units.it](mailto:gpontrandolfo@units.it) and [carmelo.danisi2@unibo.it](mailto:carmelo.danisi2@unibo.it)).