

Abstract

This thesis deals with the issue of addressing gender-based violence in the academic environment at the institutional level as an emerging agenda of university administration. Gender-based violence takes various forms, ranging from normalized verbal expressions based on gender stereotypes (psychological violence), gender-based discrimination (economic violence), sexual harassment to sexual coercion or rape (sexualized violence). As such, gender-based violence constitutes an obstacle to the fulfilment of the functions of universities and has an increased negative impact on access to education for marginalised groups of students. Using a case study method, this paper examines what solutions to gender-based violence have been adopted at the Faculty of Law of Charles University as of June 2022 and how the institutional solutions are reflected by those involved in their development. The theoretical contribution of the analysis of the process of institutional norm creation through the perspective of socio-legal studies and feminist critique of law lies in the identification of several types of resistances to fulfilling the obligation to create a safe learning and working environment by regulating gender-based violence as a type of undesirable social behaviour through internal regulations. These are passive resistances consisting of deliberate ignorance about the study and working environment at the Charles University, Faculty of Law, self-exclusion of men from the process of developing solutions, and misinterpretation of the concept of gender-based violence. It also involves active resistance by labelling those involved in the development of solutions as an interest group, and themselves as victims of pressure from this group. The practical contribution of the thesis is the identification of solution gaps in light of the 7P concept, consisting of the absence of an internal regulation, prevention measures and data collection on prevalence. The solutions adopted, consisting of the launch of a reporting platform and the establishment of an ombudsman function, lower the threshold for reporting specific incidents, but do not contribute to their prevention, guarantee the protection of victims during the proceedings, or offer the promise of a fair sanction in the event that the conduct in question is proven. Reflecting on the process by which these instruments were adopted does not indicate a change in institutional culture as a whole, but rather a partial concession to an up-and-coming generation that, thanks to the changing social attitudes towards feminism and gender (in)equality, has the courage to speak up with its demands, despite the risks to which these steps expose them personally.

Key words

Feminist legal critique, Feminist Institutionalism, Gender-based violence, Institutional measures, Prevalence, Prevention, Protection, Prosecution, Resistance, Socio-legal studies.