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LAW, GENDER AND EQUALITY: A SPECIAL ISSUE

DERECHO, GÉNERO E IGUALDAD: UN VOLUMEN ESPECIAL
DIREITO, GÊNERO E IGUALDADE: UM DOSSIÊ ESPECIAL

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Abstract
The special issue "Law, Gender and Equality" fosters the discussion on the themes explored in *Frontiers of Gender Equality: Transnational Legal Perspectives*, edited by Rebecca Cook (2023), and promotes outstanding research led by 15 female authors from countries such as Brazil, Canada, Colombia, India, Mexico, Turkey, and the United States of America at different stages in their careers. We hope to contribute to reducing the gender gap in academic production and publication by presenting research on theoretical perspectives on gender equality and antidiscrimination law, empirical research on how gender and sexual discrimination are reproduced, and feminist rewriting.

Keywords
Gender; law; equality; academia; research.

Resumen
El dosier temático "Derecho, género e igualdad" promueve el debate sobre los temas explorados en Frontiers of Gender Equality: Transnational Legal Perspectives, *editado por Rebecca Cook (2023), y promueve investigaciones destacadas lideradas por 15 autoras de países como Brasil, Canadá, Colombia, India, México, Turquía y Estados Unidos, en diferentes etapas de su carrera. Esperamos contribuir a reducir la disparidad de género en la producción y publicación académica mediante la presentación de investigaciones sobre perspectivas teóricas en materia de igualdad de género y derecho antidiscriminatorio, investigación empírica sobre cómo se reproduce la discriminación de género y sexual, y reescrituras feministas.*

Palabras clave
Género; derecho; igualdad; academia; investigación.

Resumo
O dossiê especial "Direito, gênero e igualdade" fomenta a discussão sobre os temas explorados na obra Frontiers of Gender Equality: Transnational Legal Perspectives, *organizada por Rebecca Cook (2023), e promove pesquisas de excelência lideradas por 15 autoras de países como Brasil, Canadá, Colômbia, Índia, México, Turquia e Estados Unidos da América, em diferentes etapas de suas carreiras. Esperamos contribuir para reduzir a desigualdade de gênero na produção e na publicação acadêmica, apresentando pesquisas acerca de perspectivas teóricas sobre igualdade de gênero e direito antidiscriminação, pesquisas empíricas sobre como a discriminação sexual e de gênero são reproduzidas e reescrita feminista.*

Palavras-chave
Gênero; direito; igualdade; academia; pesquisa.

Preface

My grateful thanks to the *Revista Direito GV* editors, Pedro Salomon Bezerra Mouallem and Lívia Gonçalves Buzolin, for their painstaking work in curating this very special issue on Law, Gender and Equality. The issue contributes significantly to ongoing local and global conversations about whether and how anti-discrimination law can advance gender equality. The articles illuminate how to reconstruct laws to address persistent and evolving forms of gendered and intersectional wrongs. They consider the nuanced and multifaceted aspects of gender as a category. They

share common characteristics, including disciplinary openness and the ability to conduct socially aware, empirically grounded research into the law.

The articles address various forms of discrimination, including its direct, indirect, intersectional and systemic forms. They show how collective paradigms might supplement individual rights to remedy the systemic dimensions of discrimination. They provide insight into how to stimulate the redistributive, interpretive, and, for example, the remedial functions of the law to address gendered and racialized harms through anti-discrimination reasoning.

As the originating editor of *Frontiers of Gender Equality: Transnational Legal Perspectives*, I find it heartening to see how this volume is generating further debate on how different approaches to anti-discrimination law are being applied to advance gender equality. Whenever I finish writing or editing an article or a book, I find myself wondering how I could have done it better. Each article in this special issue of *Revista Direito GV* has helped me do just that. Read them, and you too will be edified and inspired. The articles' explanatory power illuminates how the law can camouflage identities, harms, and, for example, unjust socio-economic hierarchies and how the law might be reformulated in various sectors of society to achieve formal, substantive, or transformative gender equality.

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> "You will have your own story to tell about your travels to address gender injustices."
> (Cook, 2023, p. 1)

With this relatable sentence, Prof. Rebecca Cook invites us to reflect on how gender discrimination persists and grows and the struggles to eliminate it. As part of *Revista Direito GV* Editorial Team, this invitation resonates with us on a practical level, as we have been dealing with a particular gender gap: the disparity in academic production and publication.

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Since 2019, we have been mapping the gender ratio disparity on manuscript submissions to the journal, noticing a prevalence of submissions authored solely by male authors, with a lower rate of female-only authorship (Mouallem *et al.*, 2024; Barbieri; Noya; Buzolin, 2023).

Even with an unequal rate of submissions, *Revista Direito GV* maintained almost 50/50 gender parity among published authors. In 2024, 49% of the authors of articles published in the journal were women, while 51% were men. That year, we also reduced the gender gap among reviewers to the lowest level in history. These numbers reflect our commitment to broadening access and comprehensively reducing disparities in academic publishing. Such an undertaking becomes especially relevant amidst escalating assaults on minority rights and the scientific enterprise itself.

In this scenario, the "Law, Gender and Equality" special issue could not be timelier. Through this publication, we not only celebrate and promote discussion of the themes explored in *Frontiers of Gender Equality: Transnational Legal Perspectives*, edited by Rebecca Cook (2023), but also reinforce our commitment to publishing outstanding research led by women.

In total, the special issue gathers 10 articles from 15 female authors from countries including Brazil, Canada, Colombia, India, Mexico, Turkey, and the United States of America, at different career stages. Inspired by Rebecca Cook (2023), the special issue is also structured around three main subjects: theoretical perspectives on gender equality and antidiscrimination law, empirical research on how gender and sexual discrimination are reproduced, and feminist rewriting.

The articles from Luna Borges, Serena Meghji, Manisha Aswal, and Alma Puga y Beltrán bring different theoretical frameworks to address, respectively, the decriminalization of abortion in Brazil, preventable maternal death in Uganda, restrictions imposed on women's entry into an Indian Temple, and reproductive freedom in Mexico. Together, they illustrate how Courts can serve as instruments for pursuing gender equality, even though there is still room for improvement and for more robust and empowering rulings.

Rethinking the labor market and the field of care is also part of understanding gender inequality and discrimination. A normative proposal for reconstructing labor law for gender equity in the European Union is presented in Meltem Ince-Yenilmez and Gökmen Kantar's article, while Carolina Moreno and Camila Vega-Salazar advance a policy agenda for Latin America aimed at ensuring equitable access to care and preventing the reproduction of structural inequalities for women on the move.

On empirical research, there are interviews and content analyses of judicial decisions led by Gabriela de Almeida and Rosemeire Scopinho, Samantha Nagle Cunha de Moura, and Maria

Beatriz da Silva and Jalusa Arruda, to emphasize how jurors interpret discrimination against women and the application of this offense in cases of transfemicide. A multi-level analysis of gender-based violence is necessary to go beyond a purely intersubjective or structural analysis. Lesbians and/or lesbian identities appear in decisions of the Brazilian Superior Court of Justice, revealing how these identities are legally (re)produced.

The special issue also presents a feminist judgment rewriting of the case of González *et al. v.* Mexico, a landmark in international jurisprudence, that addresses gender-based violence as a structural phenomenon. In this article, Julia Ferraz reimagines judicial decisions by centering on the experiences of marginalized groups.

Publishing research led by women is only the first step for a more equal academic environment. Doing so through an interdisciplinary and international network creates space for a meaningful conversation that is only just beginning. Now, we invite the reader to do their part: read, quote, and support the outstanding research we present in the "Law, Gender and Equality" special issue.

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