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Gender Dimension Integration in Legal Research

Gender Dimension Integration (GDI) in legal research seeks to stipulate a production of socially responsible research, which makes various persons, their situation and needs "visible" to law- and policymakers. In order to assist legal scholars to do a GDI, a multidisciplinary team of authors have drafted the *Recommendations for a Gender Dimension Integration in Legal Research (the Recommendations)[1]*. They were developed in close collaboration with Nordic scholars, within RWI's Academic Cooperation on Human Rights with Belarus, supported by Sida.

A need for the Recommendations was realized due to a traditional and dominant approach of legal scholars to use mainly legal methods, and hesitance to use methods from other disciplines or engage in a multi- and interdisciplinary research.

The Recommendations focus on *process* and *methodological* issues, namely, how and what methods can help a legal scholar to identify and explore a gender dimension of a given topic. The Recommendations define a GDI as identification and consideration of individuals' gender characteristics, differences in their legal status, needs, interests, access to opportunities and resources. The authors suggest to follow five steps while planning and carrying a legal research on any given topic:

Step 1. Define a legal gender issue (within a given topic) and justify its topicality;

Step 2. Define research questions, relevant to an identified legal gender issue;

Step 3. Identify research methods (legal and non-legal) to answer the research questions;

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[1] *Recommendations for a Gender Dimension Integration in Legal Research, Krasnobaeva L., Saskevich S., et al., ed. Lisouskaya T., Unipack, Minsk, 2018 (in Russian).*

Step 4. Suggest legal solutions to address a legal gender issue;

Step 5. Reflect on results of suggested solutions.

While drafting the Recommendations, the authors suggest what can be perceived as a legal gender issue, ex.:

- a lack or weakness of legal regulation, ex., the law in Belarus restricts employment for public civil service for persons, who achieved a retirement age. Due to early retirement age for women, which is 5 years earlier than for men, the right of women to equal access to civil service is limited.

- an actual or predictable contradiction between legal norms and the actual state of affairs, ex. in Belarus, a period of a maternity leave is not counted in a social insurance period; as a result, women who have been on a maternity leave for an extended time cannot achieve a minimum social insurance period, and therefore are not eligible to receive pension payments.

- issues that are in the sphere of legal conscience, for example, gender stereotypes.

- issues of "hidden", but fundamental perceptions in law, ex. pregnancy as a "state of illness" in labor law.

The authors suggest and adapt following non-legal methods: interview, focus groups, content analysis, discourse analysis and etc.

In 2018, the Recommendations were tested by interdisciplinary teams. This pilot testing show that legal scholars have challenges in understanding a need, and lack experience in analyzing laws with a gender dimension in mind; and the Recommendations can provide a supportive methodological basis to support them.

The methodological approach in the Recommendations is relevant, from a comparative perspective, to scholars in Nordic and other countries.