

GERMAN
LAW JOURNAL
SYMPOSIUM
SEXUAL
VIOLENCE
AND THE LAW

OCTOBER 6, 2023

GERMAN LAW JOURNAL 2023 SYMPOSIUM

SEXUAL VIOLENCE AND THE LAW

OCTOBER 6, 2023
MOOT COURT ROOM

PANEL 1 10:00 AM–12:00 PM

*SEXUAL VIOLENCE AND THE LAW:
THEORETICAL CHALLENGES*

PANEL 2 1:00 PM–2:30 PM

*SEXUAL VIOLENCE AND THE LAW:
LESSONS FROM AROUND THE WORLD*

KEYNOTE ADDRESS 3:00 PM–4:00 PM

*RECONCEPTUALIZING SEXUAL
VIOLENCE IN THEATRES OF CONFLICT*

RECEPTION 4:00 PM–5:00 PM

LIGHT RECEPTION IN THE LOFT

3:00 PM–4:00 PM
KEYNOTE ADDRESS:

***RECONCEPTUALIZING
SEXUAL VIOLENCE IN
THEATRES OF CONFLICT***



RANGITA DE SILVA DE ALWIS

Prof. Rangita de Silva de Alwis is an expert member of the UN treaty body to the Convention on the Elimination of Discrimination against Women (CEDAW) and faculty at the University of Pennsylvania Law School and Visiting Faculty, Harvard Kennedy School of Government. She is a Senior Fellow at the Harvard Law School Center for the Legal Profession and the Hillary Rodham Clinton Fellow on Global Gender Equity at the Georgetown Institute for Women, Peace and Security. She will be a Visiting Fellow at the Oxford University Bonovero Institute for Human Rights (2024) writing on the intersections of culture, constitutions and courts.

PANEL 1 10:00 AM–12:00 PM

SEXUAL VIOLENCE AND THE LAW: THEORETICAL CHALLENGES



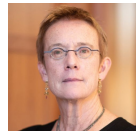
MODERATED BY SARAH HOROWITZ
PROFESSOR OF HISTORY,
WASHINGTON AND LEE UNIVERSITY

Sarah Horowitz is professor of History at Washington and Lee University, where she is also head of the Women's, Gender, and Sexuality Studies program. She is the author of two books: *The Red Widow: The Scandal that Shook Paris—and the Woman Behind it All* (Sourcebooks, 2022) and *Friendship and Politics in Post-Revolutionary France* (Penn State University Press, 2013). She has a PhD in modern European history from UC Berkeley.



NORA SCHEIDEGGER
MAX PLANCK INSTITUTE FOR THE STUDY
OF CRIME, SECURITY AND LAW, GERMANY
PRINCIPLES FOR CRIMINALIZING SEX BY DECEPTION

Nora Scheidegger is a postdoc researcher at the Max Planck Institute for the Study of Crime, Security, and Law in Freiburg, Germany, and a lecturer at the University of Lucerne, Switzerland. Her doctoral thesis provides a critical analysis of the right to sexual self-determination and has led to her active involvement in advocating for reforms within Swiss Sexual Offenses Law.



ANNE M. COUGHLIN
UNIVERSITY OF VIRGINIA SCHOOL OF LAW
SILENCING SURVIVORS: TITLE IX AND DEFAMATION

Anne M. Coughlin is the Lewis F. Powell, Jr., Professor of Law at the University of Virginia. Her primary research and teaching interests are in the areas of criminal law, criminal procedure, feminist jurisprudence, and law and humanities. She is co-author of a casebook on criminal law, and she has written a number of articles exploring the intersections among criminal law, criminal procedure and feminist theory, as well as essays concerning the connections between law and literature.



LEONIE STEINL
UNIVERSITY OF MÜNSTER, GERMANY
PRINCIPLES FOR CRIMINALIZING SEX BY DECEPTION

Prof. Dr. Leonie Steinl is an Assistant Professor of Criminal Law, International Criminal Law and Interdisciplinary Legal Studies at the University of Münster, Germany. She also serves as the Head of the Criminal Law Commission of the German Women Lawyers Association. Her research interests include gender and (international) criminal law as well as critical approaches to (international) criminal law.



OLGA JURASZ AND KIM BARKER
OPEN UNIVERSITY; UNIVERSITY OF LINCOLN
SEXUAL VIOLENCE IN THE DIGITAL AGE:
A CRIMINAL LAW CONUNDRUM?



Professor Barker and Professor Jurasz are experts in online violence against women. They co-founded and co-direct the Europe's first Observatory on Online Violence Against Women (ObserVAW). They are authors of *Online Misogyny as a Hate Crime: a challenge for legal regulation* (Routledge, 2019) and *Violence Against Women, Hate and Law: perspectives from contemporary Scotland* (Palgrave 2022), alongside numerous publications addressing online violence against women, online misogyny, online harms, regulation of online content and the law. Barker's and Jurasz's expertise informed law and policy making in the UK and internationally.

The German Law Journal is one of the world's most prominent fora for publishing ground-breaking legal scholarship from a transnational perspective, including comparative law, international law, and European law. It is the #1 ranked journal in the field of "European Law" (W&L Law Library's law journal rankings; Google Scholar journal rankings). Since 2020, the Journal has published in a unique collaboration with the prestigious academic publisher Cambridge University Press, where it is the most downloaded journal in CUP's law list. The GLJ is in the top 15% (Scopus) and top 11% (Web of Science) of all law journals in the world based on citation impact-factor. The GLJ pioneered the online and open-access publishing model that has become the standard for academic publishing. For almost a decade, W&L law students have been involved in editing, administering, and publishing the GLJ. Their work complements the efforts of a global editorial board featuring prominent scholars from around the world.

PANEL 2 1:00 PM–2:30 PM

SEXUAL VIOLENCE AND THE LAW: LESSONS FROM AROUND THE WORLD



MODERATED BY CLARA RIGONI

GERMAN LAW JOURNAL/W&L GLOBAL
TEACHING FELLOW

Clara Rigoni is Maître Assistante at the Faculty of Law, Criminal Sciences and Public Administration of the University of Lausanne and Research Affiliate at the Max Planck Institute for the Study of Crime, Security and Law (Freiburg, Germany), where she previously worked as Senior Researcher. She is a regular visiting professor at the University of Trento. During the WS 2023 she joined W&L as W&L/German Law Journal Global Teaching Fellow.



CAROLINE DAVIDSON

WILLAMETTE UNIVERSITY, COLLEGE OF LAW
A COMPARATIVE LOOK AT SEXUAL VIOLENCE IN THE
LAW: THE ICC, THE US, AND COLOMBIA

Caroline Davidson is the Norma J. Paulus Professor of Law at Willamette University, College of Law. Prior to becoming a law professor, she worked as a prosecutor at the International Criminal Tribunal for the former Yugoslavia and at the State Court of Bosnia and Herzegovina and as an assistant federal public defender in Portland, Oregon. Davidson's scholarship explores the intersection of international criminal law and human rights. In recent years, her work has examined criminal law responses to sexual and gender-based violence at the ICC and in the United States, Chile, and Colombia.



BORIS BURGHARDT

UNIVERSITY OF MARBURG
BETWEEN EMANCIPATORY ASPIRATIONS AND PENAL
POPULISM: AN OVERVIEW ON GERMAN SEXUAL
OFFENCE LAW SINCE 2016

Prof. Dr. Boris Burghardt is a professor of criminal law, criminal procedure law, legal philosophy and contemporary legal history at the University of Marburg in Germany. Prof. Dr. Burghardt examines the legitimacy of criminal regulations from the perspective of legal philosophy and legal theory and studies the role of criminal law in the commission and management of systematic injustice, namely international crimes. One focus of his research is sexual criminal law.



LINNEA WEGERSTAD

LUND UNIVERSITY, SWEDEN
FIVE YEARS WITH A RAPE LAW BASED ON
VOLUNTARINESS: LESSONS FROM SWEDEN

Linnea Wegerstad is Associate Professor in criminal law at Lund University, Sweden. Her central research interest is the intersection of law, gender and sexuality, with a focus on criminal law theory, criminal justice, and sexual violence in a socio-legal perspective.



AYA GRUBER

UNIVERSITY OF SOUTHERN CALIFORNIA GOULD
SCHOOL OF LAW
SEX EXCEPTIONALISM IN US CRIMINAL LAW

Aya Gruber is a professor at the University of Southern California Gould School of Law and an expert on criminal law, violence against women, and critical theory. In 2020, Gruber published her debut monograph, *The Feminist War on Crime: The Unexpected Role of Women's Liberation in Mass Incarceration*. Her latest article *Sex Exceptionalism in Criminal Law*, Stanford Law Review (2023), is the first comprehensive exploration of the origins and development of sex crimes' unique status in American criminal jurisprudence and legal practice. She is currently writing *The Crime of Sex* (Basic Books forthcoming 2025).



KALIKA MEHTA AND AVANTIKA TIWARI

HUMBOLDT UNIVERSITY OF BERLIN, GERMANY;
INDIAN LAW INSTITUTE
UNPACKING THE COMPLEX WEB OF THE CRIMINAL
LEGAL FRAMEWORK ON SEXUAL VIOLENCE IN INDIA



Kalika Mehta is a human rights lawyer and postdoctoral researcher at Humboldt University of Berlin, Germany. She works as a legal consultant specializing in international criminal law and international human rights law. Her book, based on her doctoral dissertation, entitled 'Strategic Litigation and Corporate Complicity in Crimes Under International Law: A TWAIL Analysis' published by Routledge will be out in October this year.

Avantika Tiwari is a Ph.D. candidate at the Indian Law Institute. Her work explores the liminal subjectivity of female perpetrators of homicide and is titled "Criminal Responsibility in Female Perpetrated Homicide: Beyond the Binaries". She worked at the Jindal Global Law School as an Academic tutor before starting her Ph.D.



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