

Research for Development

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Elena Fioretto
Angela Colonna
Federico Bucci *Editors*

Knowledge Models and Dissemination for Sustainable Development

Italian UNESCO Chairs on the 2030
Agenda for Sustainable Development
Goals



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Research for Development

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Nora Lombardini · Elena Fioretto ·
Angela Colonna · Federico Bucci
Editors

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Italian UNESCO Chairs on the 2030 Agenda
for Sustainable Development Goals



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Preface

The complexity that we have to deal with at this historic moment of accelerating change and transition towards a new, more sustainable way of life on the planet highlights the need for discussion and dialogue; with a look as broad, inventive, versatile and confident as possible we need to consider the future we want to create, in order to find effective and virtuous solutions to the challenges of our time. The creative process to take inspiration from is the one of cooperation, the type to be achieved in collaborative effort.

The growing sense of complexity is also the result of an increasing evidence of the interconnection and interdependence between phenomena, between people, between actions and their consequences, on a progressively global scale. The understanding of this makes evident the need to consider any other person a precious resource. Everyone, with all the tools at their disposal, with their own wealth of knowledge and experience, is precious and necessary, to discover the solutions we seek, to take, each and every one of us, the responsibility for the choices we make, not only for our own sake, but also for future generations.

UNESCO's orientation towards the principles of peace, human rights, harmonious relationship with the Earth's ecosystem and the recognition of biological and cultural diversity as an evolutionary resource constitutes the basis for discourse on sustainability, through the focus of knowledge. As UNESCO points out, culture, in all aspects ranging from scientific research to education, is at the same time a means and an end for sustainable development, a vehicle for a dialogue between people, between nations, between different traditions; thus peace is a pre-requisite of sustainable development as a condition for dialogue, and at the same time as the subject of dialogue, stimulating a virtuous spiral (Culture for 2030 Agenda, UNESCO 2018: www.unesco.org/culture/flipbook/culture-2030/en/Brochure-UNESCO-Culture-SDGs-EN2.pdf).

For the goals set by the UN 2030 Agenda for Sustainable Development—which is an action programme for people, the planet and prosperity—the common search for solutions and good practices, the sharing of tools and strategies, collaboration and participation at different scales are all key elements to succeed in the enterprise.

The UNITWIN/UNESCO Chairs Programme, launched in 1992, aims to provide for inter-university international cooperation and networking in key priority fields in UNESCO's areas of competence—education, natural and social sciences, culture and communication—combining expertise and resources of different universities to face urgent challenges together and contribute to the development of societies. UNITWIN Networks and the UNESCO Chairs are designed as poles of excellence and innovation in research and teaching, promoting cultural diversity, but also as builders of bridges between academia, civil society, local communities, research and decision-making processes.

The experience of the project “Dialogues of UNESCO Chairs: a laboratory of ideas for the world to come” (project launched in October 2020 by the UNESCO Chair “Mediterranean Cultural Landscapes and Communities of Knowledge” of the Università degli Studi della Basilicata, and coordinated by the same Chair together with the Chair “Architectural Preservation and Planning of World Heritage Cities” of the Politecnico di Milano-Campus di Mantova, the Chair “Water Resources Management and Culture” of the Università per Stranieri di Perugia, the Chair “Education, Growth and Equality” of the Università degli Studi di Ferrara, to which were added the Chair “Sustainable Development and Territory Management” of the Università degli Studi di Torino, and finally the Chair “Intersectorial Safety for Disaster Risk Reduction and Resilience” of the Università degli Studi di Udine, and the Chair “Mediterranean Landscape in Context of Emergency” of the Università Mediterranea di Reggio Calabria) facilitated the collaboration among all the Italian UNESCO Chairs and led to their networked organization. The action that started the process was a programme of Webinar meetings on the themes of the global challenge for Sustainable Development, organized by the Italian UNESCO Chairs which, also through the comparison with other international scholars and experts, was expanded towards a large audience. At the end of the Webinar cycle, the Chairs co-authored their own Sustainability Declaration.

The virtuosity of the process implemented has made “Dialogues” a model of good practice, so much so that the results achieved were presented in November 2022 in Paris at the UNESCO International Conference for the thirtieth anniversary of the UNITWIN/UNESCO Chairs Programme.

With “Dialogues” the Italian UNESCO Chairs have begun to converse in an organized and continuous manner with each other, with the participation of all, in an atmosphere of enthusiasm and lively confrontation. “Dialogues” Webinars have been a tool and a strategy to explore complexity through transdisciplinary practices, to initiate the construction of a Community of Knowledge, to facilitate co-creation processes in order to find effective answers to current challenges.

For the challenge of sustainability, humanity must aim at the development of its awareness and full responsibility towards the subject. At the start of the “Dialogues” project, the premise was that in order to achieve a new paradigm of human development in harmony with the planet that hosts us, we need to cultivate and increase integrated thinking, to stimulate everyone's commitment, and to produce a profound change in our outlook on ourselves and on the world, recovering the awareness of unity between things, and increasing the ability to understand and use the complexity

of our world. In an increasingly complex and interconnected world, we must all get involved, each taking responsibility to achieve the future we desire. We must first of all confront ourselves on this common level, which is the level of aspiration. Only if we succeed in building together this common horizon towards which to commit all our knowledge, our intelligence, our abilities, we will be able to face the profound crisis underway, with creative, effective and evolutionary solutions for all of the humanity. Many thanks to Sofia Velichanskaia for the editing work.

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About This Book

The book was created as part of the project “Dialogues of UNESCO Chairs: a laboratory of ideas for the world to come”; it presents a collection of results of the rich discussion on sustainability issues that had been launched in that context.

The initial idea of “Dialogues” was to invite each of the Italian UNESCO Chairs to create a webinar for a cycle of online conversations on sustainability, through which to address the polyphony of the themes, approaches, disciplinary points of view of the Italian UNESCO Chairs on the complex and urgent global challenges of our time.

With the series of webinars, the Italian UNESCO Chairs explored many themes and aspects of contemporaneity, observing it in the light of sustainable development. In some cases, the UNESCO Chairs have presented the synthesis of their work, concerning scientific research, training or dissemination, in other cases they have addressed an exemplary aspect, a specific and significant case study, as a contribution of ideas and experiences put in place for sustainability.

By proposing a dialogue between experts, which was also aimed at a non-expert audience, the webinars helped to reinforce the idea of the need for a transdisciplinary approach to face the complexity of the current context and the challenge it poses to us.

The webinar cycle was an opportunity for dialogue between the UNESCO Chairs, and indicates the possibility to bring together the wealth of experience and academic disciplinary expertise with other types of knowledge: local, communal, traditional, practical, skillful, informal and transversal. In this way, the idea of encounter between different fields of knowledge is expanded, and dialogue becomes the tool that can activate collective intelligence. It is a strategy to keep together the multiplicity of points of view, through which to handle complexity, and to be able to learn together in a dynamic way, to become a fully sustainable humanity.

The webinar cycle, which was held between May and September 2021, involved the participation of twenty-nine UNESCO Chairs, with a total of one hundred and forty-nine speakers, and with a total audience of over a thousand listeners.

The book contains most of the contents of the webinar cycle and aims to leave traces of the richness of a dialogue started, but it can also help to relaunch the impulse of “Dialogues”, further expanding its scope.

The book is organized in two parts, with an addition of an appendix: the first part focusses on the “Dialogues” project, the second part collects the contributions of UNESCO Chairs in the dialogue on sustainability. The Appendix consists of: the list of objectives of the UN 2030 Agenda for Sustainable Development and, combined with a brief introduction, the text of the “Declaration of Italian UNESCO Chairs for Sustainability”, a document which contains the vision and strategic lines of action of the network of Chairs and constitutes an important goal of the “Dialogues” project.

The first part includes two texts, one that illustrates the birth of the idea of “Dialogues” in the framework of UNESCO cultural policies (A. Rondinella), and the other, detailing the process and method that have made the “Dialogues” project a successful experimentation worthy of being appreciated in the UNESCO environment as a good practice (A. Colonna).

The second part collects twenty texts from as many UNESCO Chairs, as a restitution of contents of the webinars of “Dialogues”, in some cases as a precise transcription of the webinars, in other cases as a re-elaboration of the topics presented.

The contributions of the UNESCO Chairs, collected in the second part of the book, are organized in the index all together and in a deliberately arbitrary sequence, to leave open all possible aggregations of meaning with respect to points of intersection, associations, reflections or counterpoints between themes, approaches, methodologies, proposals for solutions. In fact, on the whole, the twenty contributions of as many UNESCO Chairs represent a rich panorama of disciplinary points of view, themes and methodological approaches, and showing a variety of focusses and solutions that for this reason can more effectively deal with complex topics.

Each reader can thus navigate through the contributions of the UNESCO Chairs, building their own route across the suggested materials.

By way of example, let’s try to build a possible navigation map, bringing out some traces and identifying some nodes between discussions of various themes. At the same time each trace of discussion is crossed by several themes, and the possible intersections are therefore multiple. To give an example, we highlight some of them.

We can systematically connect some of the aspects covered by the contributions of the UNESCO Chairs with some of the current structural emergencies. These are the themes that are daily in the news on a daily basis, concerning the energy crisis, the fragility of territories stressed by natural catastrophic phenomena, health, migration.

The contribution of the UNESCO Chair “Energy for Sustainable Development” of the Politecnico di Milano (E. Colombo, A. Adeleke, D. Shendrikova, M. Nebuloni) is on the link between access to energy and sustainable development and illustrates the activities of the Chair that, in various areas of research, training and scientific diplomacy, aim at a people-centred approach.

The intervention of the UNESCO Chair “Prevention and Sustainable Management of Geo-Hydrological Hazards” of the Università degli Studi di Firenze (P. Canuti, N. Casagli, V. Tofani, W. Frodella) illustrates the commitment of the Chair

to applied research in the field of geo-hydrological hazards that threaten human life, property, cultural heritage, natural and built environment.

The contribution of the UNESCO Chair “Intersectoral Safety for Disaster Risk Reduction and Resilience” of the Università degli Studi di Udine (S. Grimaz, A. F. De Toni, P. Malisan, J. Torres, A. Aristei, A. Maiolo) presents some reflections on why is it important, in an increasingly complex world exposed to a multiplicity of dangers, to address the problem of disaster risk reduction and resilience in terms of a new paradigm of “intersectoral security”.

The issue of health is addressed in several contributions. The UNESCO Chair “Training and Empowering Human Resources for Health Development in Resource-limited Countries” of the Università degli Studi di Brescia (F. Castelli, B. Formenti) addresses the issue of human resources for health as key predictors both for assessing the quality of care for each population, and for improving the health of the population, ensuring universal health coverage and the achievement of broader development goals.

Still on the theme of health, the UNESCO Chair “Biotechnology and Bioethics” of the Università di Roma Tor Vergata (M. Potestà, V. Roglia, D. Mezzana, G. Cappelli, C. Montesano, V. Colizzi) focusses on the need for new forms of integrative research to be carried out by linking scientific investigation and traditional medicine, implementing a process of validation of traditional medicine and involving traditional healers and local communities in this process of integration, to make it possible to share positive practices.

Another theme that intersects the discussions of all the Chairs, sometimes directly, is the question of knowledge as a strategic factor for change, with two of its branches that are training/education and technological development.

The UNESCO Chair “Sustainable Development and Territory Management” of the Università degli Studi di Torino (D. Padovan, C. Peano, M. Tonon, S. Sciascia, S. Bonelli, M. Giardino, M. Salomone) investigates both the profound transitions that have occurred throughout the history of humanity, and the current socio-ecological impacts caused by global changes together with the transformative potential of contemporary societies towards new ecological horizons, also in terms of new forms of social organization, new political forms, new forms of transdisciplinary knowledge production, new technologies and new educational approaches, such as those proposed by the 2021 UNESCO document, “Reimagining our Futures Together: A new Social Contract for Education”.

The intervention of the UNESCO Chair “Population, Migrations and Sustainable Development” of the Università di Roma Sapienza (C. Giudici, E. Miaci, A. Priulla) focusses on the recent commitment of higher education institutions to addressing the challenge of migration, noting the role of universities in discovering inclusive ways to facilitate migrants’ and refugees’ access to university education and academic research, and indicating the need to strengthen collaboration between the international community and among academic institutions around common priorities such as this.

In this case, attention is paid to how educational institutions (in this case universities) can also have a significant direct impact on solving social problems.

The contribution of the UNESCO Chair “Education for Human Development and Solidarity Among Peoples” of the Università Cattolica del Sacro Cuore di Milano (A. Akkari, D. Simeone, R. Locatelli) reflects on the need to rethink education, both in the paradigms of international cooperation, and on the way in which education, academic studies and economy are organized and for the purposes they pursue, providing some ideas for proposals.

The article of the UNESCO Chair “Education, Growth and Quality” of the Università degli Studi di Ferrara (V. Mini, J. Al Sahily) links education to investment in human capital from the point of view of the indicators of the 2030 Agenda, and through an example of monitoring educational issues, taking the Sustainable Development Goal 4 (SDG) to measure the level of human capital and economic growth of a country, comes to suggest some policy solutions in the sector.

The UNESCO Chair “Bioethics and Human Rights” of the Ateneo Pontificio Regina Apostolorum di Roma (A. García Gómez, S. Montefusco) deals with the theme of bioethics that turns the spotlight on the process of advancement of biotechnology and the related challenges, with a view of safeguarding human dignity, solidarity and health, for all the inhabitants of the earth.

There are two themes discussed in some contributions of the Chairs in this book, which are currently at the focus of attention for UNESCO, either as priorities or as subjects of programmes: one is the emancipation of women and gender equality, the other is related to the city, which is the predominant housing model on the planet.

Gender equality is one of the two global priorities (the other is Africa) identified by UNESCO’s Medium Term Strategy 2022–29 (the Strategy was approved in 2021 during the 41st UNESCO General Conference), which represents the strategic vision and programmatic structure of UNESCO’s action in the fields of education, science, culture, communication and information worldwide, regional and national.

The UNESCO Chair “Gender Equality and Women’s Rights in the Multicultural Society” of the Università degli Studi dell’Insubria (B. Pozzo) addresses the issue of women’s education, with a historical retrospective and with a focus on the current situation, highlighting how investing in girls’ education is strategic for the emancipation of women and for overcoming prejudices and stereotypes that still characterize large parts of the world.

Also, the contribution of the UNESCO Chair “Architectural Preservation and Planning in World Heritage Cities” of the Politecnico di Milano–Polo di Mantova (F. Bucci, E. Pellicchia, S. Sancassani, N. Lombardini) addresses the issue of women in relation to the world of work and training and work choices within Italian Universities. The paper offers an insight into the role of women by analysing the lack of participation in studies of STEM subjects (Science, Technology, Engineering and Mathematics); the difficult relationship with a University that still approaches with a male mentality; the need to find teaching methods and strategies that are able to overcome an “obvious” way of seeing the world of female study and work and offers, finally, a review of statistical data relating to the role of women in the STEM student world and in building labour market.

The other theme, that of the city, is at the attention of global agendas: the “Habitat III” conference of 2016, promoted by the United Nations, produced the

New Urban Agenda, and in the context of World Heritage, the theme of cities and their conservation is the subject of the UNESCO Cities Programme; in 2011 the UNESCO General Conference adopted the new Recommendation on the Historic Urban Landscape; in the field of sustainable urban development, UNESCO is also committed to promoting the Creative Cities network, the Learning Cities network and the International Coalition of Inclusive and Sustainable Cities.

In the book the contribution of the UNESCO Chair “Social and Spatial Inclusion of International Migrants—Urban Policies and Practices (SSIIM)” of the Università IUAV di Venezia (G. Marconi), exploring cases of inclusive and exclusionary policies and practices in some cities of Northern Italy, explores the crucial challenge for contemporary cities of negotiating differences in urban public spaces, and reflects on the potential role that urbanism and design have in perpetuating diversity and accommodating differences.

The text of the UNESCO Chair “Sustainable Urban Quality and Urban Culture, Notably In Africa” of the Università di Roma Sapienza (L. V. Barbera, A. I. Del Monaco) deals with the theme of the current city as a complex reality in which different aspects of tradition and modern reality have to coexist, and proposes relevant themes about the current training of architects. It also contemplates ways to rethink a realistic approach to the profession of architect in the light of the tradition of architectural and heritage studies.

Another theme refers directly to UNESCO and one of its specific and best-known tasks: the tangible and intangible heritage of humanity. This is another trace that can be identified among the treatments of the UNESCO Chairs in this book.

The contribution of the UNESCO Chair “Intangible Cultural Heritage and Comparative Law” of the Università di Roma Unitelma Sapienza (P. L. Petrillo, C. Honorati) examines the implementation of the UNESCO Convention on Intangible Cultural Heritage (ICH), adopted in 2003, in the Italian context, both at national and regional levels, and links the ICH with sustainable development, stressing the need to establish an international discipline on the subject in order to protect the ecosystem in which we live and the cultural traditions of the living communities we inhabit.

Another identifiable concept in the book is that of the landscape, which is interpreted as a biocultural landscape, as an emergency landscape, as a healing landscape, or in the dual meaning of external and interior landscape.

The emphasis on the biocultural landscape can be found in the contribution of the UNESCO Chair “New Paradigms and Instruments for Bio-Cultural Landscape Management” of the Politecnico di Torino (G. Mondini, P. Borlizzi, S. Soldano, M. Valle, I. C. de Assis Berg), which deals with the conservation and participatory management of material heritage (cultural and natural), building models based on sustainability, promoting social involvement, monitoring the territory, assessing vulnerability and risks and managing tourist accommodation capacity.

The landscape of the emergency in the Mediterranean area is the specificity of the UNESCO Chair “Mediterranean Landscape in Context of Emergency (MeLANinE)” of the Università Mediterranea di Reggio Calabria (P. Raffa), which intends to contribute to validation of physical and human landscapes that are currently subject

to drastic changes, also in the form of accentuated multiethnicity and multiculturalism, by working with institutions and local communities with the goal of shared management of the landscape.

The “healing” landscape is highlighted in the contribution of the UNESCO Chair “Anthropology of Health–Biosphere and Healing Systems” of the Università degli Studi di Genova (A. Siri, A. Gavazzi, G. Perotti, T. Re, A. Guerci). By promoting a scientific integration between the families of knowledge that promotes well-being and harmonious relationship between humanity and the environment, the text suggests a multiple world vision of health built around the places, forms and ways of healing, recognizing the value of the indigenous gaze impressed on the territory.

The landscape in the dual meaning of exterior and interior, as both physical and psychological environment, and the relationship between the two aspects through narration, is explored in the text by the UNESCO Chair “Mediterranean Cultural Landscapes and Communities of Knowledge” of the Università degli Studi della Basilicata (A. Colonna, P. Paoletti, A. Percoco, D. Colangelo, A. Faretta, A. Bruno, T. Tonin, A. Dias da Silveira, M. Villagomez, M. C. Masciopinto). It focusses on the idea of self-awareness as an essential skill for sustainability which is able to increase one’s sense of responsibility towards others and the community, and to choose the narrative useful to point the future of places and people towards sustainability.

The question of method, although touched upon in many contributions, is specifically the subject of discussion in the contribution of the UNESCO Transdisciplinary Chair “Human Development and Culture of Peace” of the Università degli Studi di Firenze (P. Orefice, S. Vitali, E. Varagone). It deals with the concept of transdisciplinarity, exposing the principles and describing two experiences of Transdisciplinary Participatory Action Research, one in the field of urban planning, and another in the field of education.

The approach shared among all of the contributions of the book is showing deep levels of reading of the phenomena, where it is possible to find the resources for effective solutions. The depth of the analysis must be shared, albeit in a popular language, with the real recipients of every policy of governing the phenomena and project of the future, and these recipients are people and communities.

In almost all the contributions emerges an attention to the involvement of local communities and local development, the strategic importance of human resources and human capital is emphasized, the focus is on participation from below, inclusion and dialogue are encouraged.

It also emerges, in many texts, the testimony of a laboratory work of the UNESCO Chairs, with field experimentation, where scientific research produces a virtuous circuit between analysis, design and repercussions on the territories. The constant commitment to create effective circuits between research, training and dissemination is also highlighted. In addition, the work of the UNESCO Chairs implements international research environments and objects of investigation and projects involving several countries and multiple continents, as it emerges in the various contributions collected in the book.

This book, giving back the panorama of the dialogue undertaken by the UNESCO Chairs, lends itself to being used to continue the work undertaken by the network,

in harmony with what was announced in the “Declaration of the Italian UNESCO Chairs for sustainability”, and to relaunch the challenge of becoming a community of knowledge capable of creatively seizing the opportunities of our time.

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Educated Women Are Dangerous: The Long Struggle for Women's Access to Higher Education



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Abstract According to UN statistics, by 2030, more than half of all young people won't have the basic skills needed to succeed in the work-force. Among these, girls and young women are particularly likely to be left behind, facing considerable barriers to education. Girls with an education are less likely to be forced into child marriage, experience violence, or suffer from poor health. Nonetheless, from a historical point of view, educated women have always been considered something unnatural, even dangerous, for the stability of society. Investing in girls' education means having autonomous, economically independent women and thus a possible risk to domestic and family stability in a society that has been patriarchal for millennia. Thus, retracing the stages of women's access to education in the West allows us to understand the overcoming of prejudices and stereotypes that still characterize large parts of the world today.

Keywords Women · Education · Equality · Justice · Discrimination · SDG 5: Gender Equality—Achieve gender equality and empower all women and girls

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1 Introduction

The issue of girls' and women's right to education was brought to the fore by Malala¹ after she became a victim of an assassination attempt in 2012, when an extremist militant shot her in the head as she was boarding a school bus. She then became an emblem of the fight for girls' right to education, especially after speaking at the United Nations in 2013.

Nonetheless, the claim of girls' right to education has a very long history even in the West, where for several centuries in Europe, female education was considered useless, not to say dangerous. Most often confined to an education limited to learning dogmas, precepts, and religious values, women's education was strongly linked to the role of wife and mother that they aimed to accomplish.

In Britain, as well as in France, since the nineteenth century many voices rose in favor of the emancipation of women, first of all Mary Wollstonecraft,² who published *A Vindication of the Rights of Woman: with Strictures on Political and Moral Subjects* in 1792.³ Wollstonecraft's political thought is strongly linked with her critique of female education models and the proposal to rethink education to allow women to be independent and rational.⁴ As she herself reports in her work's *Dedication to M. Talleyrand-Périgord*:

“Contending for the rights of woman, my main argument is built on this simple principle, that if she be not prepared by education to become the companion of man, she will stop the progress of knowledge and virtue; for truth must be common to all, or it will be inefficacious with respect to its influence on general practice. And how can woman be expected to cooperate unless she knows why she ought to be virtuous? Unless freedom strengthen her reason till she comprehend her duty, and see in what manner it is connected with her real good? If children are to be educated to understand the true principle of patriotism, their mother must be a patriot; and the love of mankind, from which an orderly train of virtues spring, can only be produced by considering the moral and civil interest of mankind; but the education and situation of woman, at present, shuts her out from such investigations”.

In Wollstonecraft's view, education would free women from ignorance and would have the immense advantage of estranging them from the art of *coquetry*,⁵ superstition, and sensual egoism.⁶ But at that time formal schooling for girls was very poor. The private schools that existed, were more inclined to provide middle-class girls with girlish manners for a competitive marriage market, than promoting intellectual achievement. Notwithstanding the wide spreading ideals of the Enlightenment, that stigmatized the prejudices concerning the female mind, no institutions of higher education admitted women at that time.⁷

¹ Malala Yousafzai (2013).

² On the life of Mary Wollstonecraft, see William Godwin's biography of his late wife Mary Wollstonecraft (1798).

³ Wollstonecraft (1792).

⁴ Cossutta (2017).

⁵ Taylor (2003), p. 13.

⁶ Taylor (2003), p. 15.

⁷ Taylor (2003), p. 44.

Along with the first forerunners of English Feminism, who contributed to an awareness raising of the women's legal conditions, arrived the first reforms. The works of Harriet Taylor⁸ and his husband John Stuart Mill,⁹ certainly contributed to this aim. In her *The Enfranchisement of Women*¹⁰ Taylor Mill points out that “*women have as good a claim as men have, in point of personal right, to the suffrage*”, and that they have been excluded from the public sphere not on the ground of women's intellectual gaps, but much more because of the relations of force that had come to establish between the two sexes in the course of the history. According to Taylor Mill: “*That those who were physically weaker should have been made legally inferior, is quite conformable to the mode in which the world has been governed. Until very lately, the rule of physical strength was the general law of human affairs*”.¹¹

Harriet Taylor Mill deplored the lack of formal education for women that along with the restrictions on women's social experience, constituted a dire restriction on their cultural education.¹² In her perspective, education of women became even more critical because of their special role as teachers of children, and therefore of the whole community. That is why women should study subjects like mathematics for the same reason that men do: to improve their overall intelligence, not merely to solve mathematical problems.¹³

This line of argument is also to find in John Stuart Mill's *The Subjection of Women*,¹⁴ where the Author underlines that the condition of the woman, her subordination, and her emancipation, depend on the marriage relationship. In his view, women were educated according to a particular goal: the transition from the family of origin to that of the husband.¹⁵ He campaigned for women's suffrage, in particular during the debate on the *Second Reform Act*, that took place in the British Parliament in 1867. The aim of the Act was to include working men in the towns and cities among eligible voters, while agricultural workers were not taken into consideration as far as voting rights were concerned. On June 5, 1867, John Stuart Mill delivered a speech defending a special amendment to the *Second Reform Act*, aimed at recognizing women the right to vote.¹⁶ The Second Reform Act was approved, but Mill was defeated, and his amendment did not pass.

⁸ Jacobs (1998), Seiz and Pujol (2000).

⁹ Mill (1869).

¹⁰ *The Enfranchisement of Women* was published in the Westminster Review (July 1851): 295–96, under the name of John Stuart Mill.

¹¹ *The Enfranchisement of Women*. <https://www.laits.utexas.edu/poltheory/jsmill/diss-disc/eow.html>.

¹² Jacobs (1998), p. 4.

¹³ Jacobs (1998), p. 5.

¹⁴ Mill (1869).

¹⁵ Smith (2001), Shanley (1981).

¹⁶ Pugh (1980).

2 Education and Discrimination: The Fight for the Access to Education

Until the nineteenth century education was characterized by social and gender inequality. The current idea then was that education should be as adapted as possible to the future of everyone. Thus, a girl of the people had to be satisfied at best with the first notions of elementary education. Brought up for the house, the hearth, women had to learn about domestic work. The woman was made for the family, hence the scandal caused after 1848 by the first professional schools for women.

The education of young girls of a higher social category did not bring them closer to their brothers. The role played by religion was essential. Since the Catholic Reformation, the Church, which has the supervision of education, marks a particular solicitude for that of girls. The woman is felt as a factor of rechristianization through the influence she was able to play in the family. For reasons of morality, the education of girls had to remain separated from that of the boys and, in fact, during the nineteenth century girls' schools were subject to separate regulations. The "Loi Falloux" of 1850¹⁷ imposed, for the first time, to municipalities with more than 800 inhabitants to open a primary school for girls. It further established financial restrictions for female education: lightly loaded of instruction, but rich in domestic apprenticeships, the education of girls had to be much cheaper than that of boys.¹⁸

Girls' education was not foreseeing Latin or philosophy, as they should not compete with boys, even if the century develops the theme of the "*mère éducatrice*".¹⁹ Having come to power in 1877, the Republicans, developed higher primary education for girls which opened to them the inferior employments of commerce and the public service. The law of 1880,²⁰ which created secondary education for young girls, still shows several gaps: classical humanities and philosophy, gateway to *baccalauréat* and higher education, are still absent. The high school system of young girls is still inspired by the ideal woman, who will be a wife and mother, guardian of family and social order.²¹

3 The Admission of Women to Higher Education

In Europe, the admission of women to higher education depended heavily on the national legal regime in force, but also on the autonomy recognized to universities.

¹⁷ Loi du 15 mars 1850 relative à l'enseignement, called "Loi Falloux" after the name of Minister who proposed it.

¹⁸ Mayeur(1980), p. 153.

¹⁹ Françoise Mayeur, Garçons et filles du XIXe au XXe siècle, cit., p. 154.

²⁰ Loi sur l'enseignement secondaire des jeunes filles 21 décembre 1880, called "Loi Camille Sée" after the name of Minister who proposed it.

²¹ Lécuyer (2005), Sigrist (2014).

From a comparative law perspective, it is interesting to underline that women's access to universities in Europe was not necessarily linked with the conquest of a role in the public space through the gaining of voting right.²²

Just to give a few examples, French universities gradually opened their courses to women in the second half of the nineteenth century, but it is only in 1880,²³ when the admission of girls to high schools and the possibility to get a *baccalauréat* was established by law,²⁴ that women began to gradually flow to universities.²⁵ Notwithstanding this first success that opened a new space toward autonomy and independence for French women, they had to wait until 1944 to gain voting rights.²⁶

Looking to some data, while there were only 965 women enrolled at French universities in the academic year 1899–1900 (that is to say 3.2% of total student numbers), by the eve of the First World War, their number had increased considerably, becoming about the 10% of the total.

Although formally admitted to universities, their presence, especially in some faculties, met with much resistance. Female students were finally accepted even in the most traditional universities, but they had to cope with a sexist school system which did not prepare them adequately to university. In most cases, women's success depended, therefore, on a considerable amount of personal work to achieve the required level. Further, from a social point of view, female students were often considered under a negative light: they were named «*cervelines*», women capable to go against nature and social order, rejecting their primary mission of wives and mothers.²⁷

In Italy, the official recognition of the right for girls to enroll at universities was introduced few years after the Unification of the Italian Kingdom, as early as 1875 by the Bonghi Decree,²⁸ whose article 8 provided that "*Women can be enrolled in the register of students and auditors, if they present the required documents*". However, in addition to a "*certificate of good conduct*", the documents required for enrollment at the university also included the "*original high school diploma*", a requirement that was difficult for girls to obtain, since their access at high schools was regulated only in 1883.²⁹ Women's suffrage in Italy was introduced only on the 1st of February 1945.³⁰

²² Rodríguez-Ruiz and Rubio-Marín (2012).

²³ Sigrist (2014), Condette (2003), Lécuyer (1996).

²⁴ Loi sur l'enseignement secondaire des jeunes filles 21 décembre 1880, called "Loi Camille Sée" after the name of Minister who proposed it.

²⁵ Christen-Lécuyer (2000), who points out that the Loi Camille Sée was aimed more to train cultured wives and mothers than future college students.

²⁶ Art. 17 of the Ordonnance du 21 avril 1944—portant organisation des pouvoirs publics en France après la libération, signed by Charles De Gaulle, Journal Officiel n° 34 du 22 avril 1944, p. 325–327.

²⁷ Condette (2003): 38–61.

²⁸ Regio Decreto n° 2728 del 3 ottobre 1875, in Gazzetta Ufficiale del Regno, 22 October 1875 n. 247.

²⁹ Gaballo (2016), S. Uliveri (1986), Liroso (2015).

³⁰ Decreto Legislativo Luogotenenziale 1 febbraio 1945, n. 23, Estensione alle donne del diritto di voto, in Gazzetta Ufficiale, Serie Generale n.22 del 20 febbraio 1945.

We find a different situation in Germany, where voting right to women was established already in 1918,³¹ at the end of the World War I, much earlier than in the two other legal systems already taken into consideration, but where women struggled to be admitted to universities for a long while.³² This is most probably due also to the circumstance that during the nineteenth century, German higher education was strongly characterized by the idea that university years were the test of whether inside the young person there was a “man”.³³ German universities were organized in fraternity-type student associations, the so-called *Studentenverbindungen* that carried out a model of masculinity, which had to test itself with the sense of honor, with fencing and duels, but often also with extraordinary drinks, which put a strain on the admission of women.³⁴

In this context, immoral excess and dissipation were to be considered part of the educational process and the price of academic freedom according to the theologian Friedrich Schleiermacher, an aspect that distanced the girls even more from the university environment.³⁵

In Germany, as in Italy and France, a further difficulty derived by the fact that to be admitted to university, a high school diploma was needed: in Italy, this was called *maturità*, in France *baccalauréat*, in Germany: *Abitur*. As girls' schools were generally not offering the *Abitur*, this was an additional obstacle to women's admission to universities.³⁶

Education was not and is not of federal competence in Germany, so that important differences were possible among the different *Länder*: Baden opened its universities to women in 1900, Bavaria in 1903, Württemberg in 1904, Saxony in 1906, Thuringia in 1907, Hesse and Prussia in 1908, Mecklenburg in 1909.³⁷

United Kingdom offers again a significantly different picture, partly deriving by the status of universities and colleges that render the British system of higher education unique in the European context. Just to quote the most famous two, Oxford granted women full membership to the University in 1920, but Cambridge University did not grant degrees to women until the late 1940s, the last British university to do so, more than twenty years after women had achieved the right to vote.³⁸

Even more puzzling appears to European eyes the situation of American women. The legal right of women to vote was established in the United States nationally in 1920, although even before, women were enfranchised in different states: in

³¹ Verordnung über die Wahlen zur verfassungsgebenden deutschen Nationalversammlung vom 30. November 1918.

³² Mazón (2003).

³³ Mazón (2003) p. 19.

³⁴ Elm, Heither, Schäfer (1992), Kurth (2004).

³⁵ Mazón (2003) p. 35.

³⁶ De Nicolò, Luggin (2009) p. 344.

³⁷ De Nicolò, Luggin (2009) p. 348.

³⁸ Cowman (2012) p. 273.

Wyoming Territory in 1869, in Utah in 1870, in Colorado in 1893, and Idaho in 1896.³⁹

Nonetheless, it was only in the late 1960s and early 1970s that two laws were enacted to prohibit sexually discriminatory admissions by the nation's law schools.⁴⁰ In particular, it was only in 1972 that the American Congress passed the Higher Education Act, which prohibited sex discrimination in the employment as well as in the admissions policies and practices of all higher educational institutions receiving any federal aid.⁴¹

In this already complex situation, the study of law seemed to be the most unfeminine career, even more than other professions full of responsibilities, like the study of medicine.⁴² As it has been suggested by a French commentator, in continental Europe, the faculty of law remained for a long time "*a territory reserved for men*".⁴³ In most European countries, women gained access to medical schools before they could study law, in some case several decades earlier.⁴⁴ In Austria, for example, women could not matriculate in the legal faculties of the universities until 1919, while the medical profession was opened to women already in 1895.⁴⁵ Most likely it was believed that women were—by their very nature—capable of caring for other human beings, especially if they were other women or children. The society of the time, on the other hand, was much less inclined to consider that women had that rationality and that capacity for abstract logic, required for the legal profession.

4 The International Setting

In 1946 the United Nations Commission on the Status of Women (UNCSW) was established as a mechanism to promote, report on, and monitor issues relating to the political, economic, civil, social, and educational rights of women. As declared during its first session, the Commission proclaimed as one of its guiding principles: "*to raise the status of women, irrespective of nationality, race, language or religion, to equality with men in all fields of human enterprise, and to eliminate all discrimination against women in the provisions of statutory law, in legal maxims or rules, or in interpretation of customary law*".

Since then, many international legal instruments have been introduced or modified to deal specifically with women's rights.⁴⁶ Among these, international law doctrine

³⁹ Braun and Kvasnicka (2009).

⁴⁰ Fossum (1983).

⁴¹ Fossum, (1983) p. 224.

⁴² Corcos (1997).

⁴³ Christen-Lécuyer (2000) p. 35: "*Certaines facultés s'ouvrent plus facilement aux femmes que d'autres: le droit demeure longtemps un territoire réservé aux hommes*".

⁴⁴ Albisetti (2000).

⁴⁵ Albisetti (2000).

⁴⁶ Hevener (1978).

has identified different paths to deal with gender issues, that characterize the approach concerning the entrance of women into the public sphere.

A first path is the one followed by so-called *protective conventions*,⁴⁷ that deal with specific economic issues that women had to face moving beyond the domestic sphere, but—at the same time—implicitly accept the traditional social definition of a woman as wife and mother. Among these conventions we find the conventions concerning the prohibition of night work for women in industry and the ILO *Convention Concerning the Employment of Women on Underground Work in Mines of All Kinds*.⁴⁸ This first approach did not treat women as equal to men since women are generally treated as subordinates when they act outside their traditional domestic sphere. International laws aiming at protecting women could therefore authorize permanent inferiority and facilitate the maintenance of this situation.⁴⁹

A second path, following a *corrective approach*, assumes that women are not treated equally in certain areas and that therefore the law must intervene to introduce corrective mechanisms. Among the conventions that followed this approach were the ones that attempted to regulate prostitution at an international level through prohibitions on the transporting of women and children for immoral purposes.⁵⁰ A second example worth mentioning is the *Convention concerning the nationality of married women*⁵¹ that intervened to correct a situation where no legislation existed to protect married women's right to retain or renounce national citizenship in the way that men could.

Finally, a third path is the one that is adopting a *nondiscriminatory approach*, which is based on the principle that whatever difference may exist between the sexes should not become the ground for differential treatment. Among the Conventions that adopt this approach there are some general conventions like the *United Nations Charter*, the founding document of the United Nations, that was signed on 26 June 1945. The principle of non-discrimination receives various formulations in the Charter, as in the Preamble it is stated that the United Nations are determined, among others, “to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women...”. Further Article 1, among the Purposes of the UN includes the promotion of respect for human rights

⁴⁷ Hevener (1978), p. 134.

⁴⁸ Adopted by the General Conference of the International Labour Organization June 21, 1935, as modified by the Final Articles Revisions Conventions, 1946, 40 U.N.T.S. 63.

⁴⁹ Hevener (1978) pointed out: “Under the protective approach, the identity of the woman who moves beyond the domestic sphere does not alter, and she continues to be treated by the law with regard to this primary role. The focus of legislative attention is not on her actual activity but rather remains on her domestic role, and it is the perceived characteristics of this role that the law allegedly seeks to protect”.

⁵⁰ Hevener (1978) p. 138: conventions on this matter were established already in 1910, 1921, 1933, while in 1949, the United Nations adopted the *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others* (Approved by General Assembly resolution 317 (IV) of 2 December 1949), which entered into force on the 25 July 1951.

⁵¹ The *Convention on the Nationality of Married Women* was adopted on 20 February 1957 and entered into force in 1958.

and fundamental freedoms "for all without distinction as to race, sex, language, or religion".⁵²

Another important acknowledgment of the principle of non-discrimination is to find in the *Universal Declaration of Human Rights*, adopted by the General Assembly in 1948, which in Article 2 establishes that: "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status". The Universal Declaration of Human Rights further dictates principles that impact directly also on the private law dimension, introducing the equality principle in the marriage and family law dimension. In particular, art. 16 establishes:

1. *Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.*
2. *Marriage shall be entered into only with the free and full consent of the intending spouses.*

To further boost the application of the Universal Declaration of Human Rights, two covenants on human rights were drafted and opened for ratification in 1966, both reinforcing the principle of equal rights.⁵³

Other international conventions of a nondiscriminatory nature, which focus specifically on gender issue were further adopted.⁵⁴

Finally, in 1979 the United Nations adopted the *Convention on the Elimination of all Forms of Discrimination Against Women* (CEDAW), which is generally referred

⁵² Other references to the non-discriminatory theme appear in Articles 13(1)(b), 55(c), 56, 62(2) and 76(c) of the Charter, in which members of the Organization pledge to take separate and cooperative action to promote universal respect for human rights and fundamental freedoms of all without regard to sex or other distinctions. See Kaufman Hevener *International Law and the Status of Women*, cit., p. 141.

⁵³ The International Covenant on Civil and Political Rights foresees in Article 2, 1, that "Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status". Article 3 further stipulates that "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant". In an analogous way, The International Covenant on Economic, Social and Cultural Rights establishes at Article 2 the following principle: "The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant".

⁵⁴ These are: The ILO Convention Concerning Equal Remuneration for Men and Women Workers for Work of Equal Value adopted in 1951; the UN Convention on the Political Rights of Women adopted in 1953; The UN Convention Against Discrimination in Education adopted in 1960; the UN Convention on the Consent to Marriage, Minimum Age for Marriage and Registration of Marriages adopted in 1962.

to as the *International Bill of Rights for women*.⁵⁵ The Convention aims to reach three aims: to ensure full equality of women before the law and protection against discrimination in the public as well as the private sphere; to improve the de facto position of women; and to address prevailing gender relations and the persistence of gender-based stereotypes.

In particular, CEDAW recognizes the full equality of women and men under the law and proscribes discrimination against women in education, employment, political participation, healthcare, and economic life. It further affirms the right of women to vote and to stand for elected office; to receive equal pay for equal work; to own and dispose of property; to obtain loans, mortgages, and other forms of credit independently of husbands or male relatives; to enter into or dissolve marriage freely and with full consent; and to exercise equal parental rights. State parties are obligated, among other things, to provide equal educational opportunities, paid maternity leave, and access to family planning services, and to suppress prostitution and the trafficking of women.

In conclusion, we can see that the legislative frame in order to allow girls and women to have access to education is now very well defined. Unfortunately, it will take long time before it will become a reality in all parts of the world.

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⁵⁵ A. Facio and Martha I. Morgan, Equity or Equality for Women—Understanding CEDAW's Equality Principles, 60 ALA. L. REV. 1133 (2009), H. M. T. Holtmaat, *CEDAW: A holistic approach to women's equality and freedom*, in Henriette.

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