

Researching the Irrelevant and the Invisible: Sexual Diversity in the Judiciary

Speaker:

Prof. Leslie Moran
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Professor Moran has an international reputation for his theory informed multi-disciplinary legal research on sexuality and law. Using poststructural theory, particularly the work of Michel Foucault, feminist scholarship, queer theory and the writings of scholars working in various areas of cultural studies, his work explores sexuality in a number of legal settings from criminal law, criminal justice and human rights to sexuality discrimination within the legal profession. His current research develops his theoretical and methodological interests in the context of a multi-jurisdictional legal research project on the judiciary.

In undertaking research on sexual diversity in the judiciary in various jurisdictions key informants suggested that sexuality was different from other strands of diversity. One suggestion was that sexuality was and ought to remain invisible. Another was that in contrast to other strands of diversity such as gender, race and ethnicity, sexuality was largely irrelevant to judicial decision-making and the institution of the judiciary more generally. At the same time I was finding evidence that suggested that sexuality was not as invisible and irrelevant as these findings might suggest.

Taking this apparently contradictory state of affairs as my point of departure and drawing upon the insights offered by Queer Theory, that sex is always in public, my research began to focus upon the wider social and cultural contexts in which the lives of members of the judiciary are made and made public. This presentation focuses upon one context, judicial portraiture. Having examined the tradition of judicial portraiture found in the English legal tradition and explored how sexuality is (or is not) represented in that tradition as a virtue of judicial office the presentation considers two portraits of Justice Michael Kirby, a gay man who is a judge of the High Court of Australia. By way of an examination of 2 portraits of Justice Kirby I seek to answer the question: how might sexual difference not only be represented in the figure of the judge, but also how (if at all) might sexual difference be figured as a virtue of

Date: 3 September 2008 (Wednesday)

Time: 12:30 p.m. – 2:00 p.m.

**Venue: Room 122, Chen Kou Bun Building,
Chung Chi College, CUHK**

Chairperson:

Dr. Chiu Man-chung Andy
Department of Law and Business
Hong Kong Shue Yan University

*All interested are welcome!

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email to genderstudies@cuhk.edu.hk**