Save the Date: Upcoming Workshops

Subjects and Objects of Law: A Workshop on Animals and Vulnerability
University of Leeds, Centre for Law & Social Justice, UK on May 31, 2017

A Workshop on Property, Vulnerability, and Resilience
University of Essex, England on September 22-23, 2017

A Workshop on Vulnerability and Professionalism
University of Leeds, Centre for Law & Social Justice, UK on October 27-28, 2017

A Workshop on Legal Migrations: Locating Vulnerability and Fostering Resilience in Law’s Dynamism
Emory University, Atlanta GA on December 8-9, 2017

A Workshop on Autonomy and Vulnerability: An Uncomfortable Conversation
Emory University, Atlanta GA on February 23-24, 2018

Fall Presentations & Publications

Deborah Dinner
Publication

Martha Albertson Fineman
Publications
- Privatization, Vulnerability, and Social Responsibility: A Comparative Perspective, Martha Albertson

Stu Marvel
Publications
- Polymorphous Reproductivity and the Critique of Futurity: Toward a Queer Legal Analytic for Fertility Law - Book Chapter in New Intimacies, Old Desires: Law, Culture and Queer Politics in Neoliberal Times, Oshik Sircar and Dipika Jain (eds.), Zubaan Books, 2017

Presentations
- Reproductive Justice and Public Health: Bridging Theory and Practice - Discussant for Vulnerability in Conversation, Emory School of Law, February 2017
- Challenges Ahead: A Review of the Legal Landscape for Reproductive Health in the Southeast - Invited Speaker on Panel Organized by Planned Parenthood Southeast Young Professionals, Atlanta, GA, March 2017
- Queer Kinship and Reproductive Justice - Guest Lecturer (via Skype) in Course on Reproductive Justice taught by Dr. Carrie Baker, Smith College, Northampton, MA, March 2017
- Donor Sibs and Lateral Kinships: Queerly Reproductive Families and the Vulnerability of Kin - Invited Talk at University of Washington-Bothell, Seattle WA, April 2017
- Governing Assisted Reproductive Technology in Canada: Feminist Influences and Queer Analytics - Paper Panelist at Berkshire Conference on the History of Women, Genders, Sexualities, Hofstra University, Hempstead NY, June 2017
- Donor Sibs and Lateral Kinships: Family Rhizomes and the Materiality of Kin - Paper Panelist at Law and Society Association Conference, Mexico City, June 2017

Atieno Mboya Samandari
Publication

Presentation

Greetings from the Vulnerability and the Human Condition Initiative! We have enjoyed hosting more visiting scholars than ever before throughout the course of this academic year. We are looking forward to further developing these exciting relationships and to continued conversations on vulnerability theory across the globe.

Included in this issue are highlights from our recent workshops, programming updates, exciting announcements, and important save the dates. You will also find information on recent presentations and publications by FLT/VHC members, website information, and visiting scholar profiles.

A Semester of Recognition: A Lifetime of Meaningful Work

On January 10, 2017, The American Bar Foundation named Martha Albertson Fineman, Robert W. Woodruff Professor of Law at Emory University School of Law, a Life Fellow of the American Bar Foundation in recognition of her “exemplary dedication to the highest principles of the legal profession, commitment to the welfare of society, and support for the ideals, objectives, and work of the American Bar Foundation.”

In honor of Emory Law’s centennial celebration, 100 individuals were recognized for having made “extraordinary contributions to the law school and the world at large.” Martha was one of 100 selected honorees from Emory’s past and present to be recognized with this special distinction.

In January, The Women in Legal Education Section of the Association of American Law Schools (AALS) awarded Martha the Ruth Bader Ginsburg Lifetime Achievement Award for “excellence in legal education.”
Paula Ahumada successfully defended her doctoral dissertation, “La Configuración Constitucional de la Libertad de Expresión y el Interés Público en Chile” (The Constitutional Form of Freedom of Speech and Public Interest in Chile) on December 19, 2016, earning her doctoral degree summa cum laude from the University of Chile School of Law. Her doctoral committee was chaired by Vice Dean Dra. Marcíucz Gomez de la Torre and additionally composed of Dr. Pablo Ruiz-Tagle, Dra. Liliana Galdamez and Dr. Salvador Millaseo from the University of Chile, Dr. Roberto Gargarella (University of Buenos Aires, Argentina) and Dr. Domingo Lovera (University of Diego Portales, Chile).

2016 - 2017 Fullbright-Nehru Fellow & VHC Visiting Scholar

Amita Pitre has a Master's in Public Health and is currently working towards her PhD in Women's Studies at the Tata Institute of Social Sciences in Mumbai, India. She has worked for nearly 15 years in the development sector, mostly on issues of gender and health.

Her research looks at how systemic gender, class, and caste discrimination operate within society, and is directed at making recommendations for policy change. Working with leading human rights organizations such as UNFPA (United Nations Population Fund) and Oxfam India (an Oxfam International confederate) has helped Amita develop a gender-informed framework. Her current project looks at judgments and trial court data in rape cases in order to understand how recent amendments to the law are interpreted by the courts. Amita’s research also explores the ways in which these laws generate discourse on the body, sexuality, and morality.

In Summary: A Workshop on the Environment & Vulnerability

On April 14-15, 2017, the VHC Initiative held an interdisciplinary workshop on “The Environment and Vulnerability: The Anthropocene in the Time of Trump” at Emory. Panels presented on a range of topics, including theoretical approaches to the environment, climate science, climate finance, legal pathways to deep decarbonization, and environmental protection. This multidisciplinary platform made it possible for participants to discuss various conceptualizations of vulnerability within different fields and address the need to move beyond stigma when speaking of environmental issues. The law was seen to successfully expose various layers of managing a given environmental issue, with fisheries being one such example. Participants noted that given the global interconnection of Earth’s ecosystems, deeper cooperation and collaboration between countries is the way forward. Hence an ‘America First’ agenda is not only regressive in addressing environmental problems like climate change, but can also result in the United States losing its position as a global leader in the world community.

Sex, Violence, and Vulnerability: An Uncomfortable Conversation

On November 4-5, 2016, Risa Lieberwitz (Cornell) and the VHC hosted an Uncomfortable Conversation on Sex, Violence and Vulnerability. Participants used a vulnerability lens in thinking through current campus issues of sexual violence and sexual harassment, as well as uncomfortable tensions between the voluntary character of legal migration. The panels were organized according to common themes. These included questions about the allocation of responsibility for the costs of migration across legal statuses; the way in which such migration produces new forms of privilege and disadvantage; the role that the boundaries between market and state plays in legal change; and the coerced or voluntary character of legal migration.

Legal Migrations, Vulnerability, and Resilience: A Recap

On December 9-10, 2016, the Initiative held a workshop on “Legal Migrations, Vulnerability, and Resilience.” Suzanne Kim (Rutgers School of Law) served as a co-convener along with Deborah Dinner and Martha Fineman. The workshop interrogated the experience of traversing borders between legal forms. Vulnerability theory recasts the paradigmatic legal subject as dynamic rather than static, as ever-evolving across the life course and also as susceptible to change. The December workshop built upon this insight to explore how individuals experience the process of legal change and how institutions function to support or hinder transitions such as the status of non-married to married, migrant to citizen, and employee to manager. Such migration exposes multiple forms of social, political, and economic vulnerability. The law may either entrench or mitigate such vulnerability. The panels were organized according to common themes. These included questions about the allocation of responsibility for the costs of migration across legal statuses; the way in which such migration produces new forms of privilege and disadvantage; the role that the boundaries between market and state plays in legal change; and the coerced or voluntary character of legal migration.

The "Vulnerability in Conversation" series encourages Emory University students to engage VHC’s innovative theoretical framework and explore its relevance across a wide variety of subjects. Each program highlights a social issue through guided discussion and open dialogue. On February 20, 2017, VHC held a round-table discussion on the intersection of reproductive justice and vulnerability theory with directors of the new Center for Reproductive Health Research in the South East (RISE) from Rollins School of Public Health. As a RISE co-investigator, and VHC visiting scholar, Rachel Rebouche facilitated the conversation. Questions posed to both RISE and VHC representatives examined the ways in which vulnerability theory’s emphasis on state and institutional responsibility can help frame public health research methods and improve the provision of comprehensive services. Questions for discussion included:

- How can we build resilience in this region by supporting better reproductive health throughout the life course?
- Why focus only on biological reproduction - why not the reproduction of society as a whole, which occurs within institutions such as the family, the community, and health organizations?
This spring, Dr. Stu Marvel taught “Sexuality and Gender.” This (regularly offered) seminar aims to explore the socially constructed norms and frameworks enabling the legal regulation of human sexuality. It offers students a comparative law perspective on issues of sexual orientation and gender identity, while providing a range of critical tools including postcolonial theory, queer studies, and vulnerability theory. We look at emerging case law from common and civil law jurisdictions around the world to analyze how certain types of sexual behavior and gender identity are regulated (topics include freedom of assembly; association, and expression; freedom of religion; asylum and immigration; universality and equality), while also examining the judicial response to ‘deviant’ sexual bodies in action.

Julia Teebken - April 2017 - May 2017
Julia Teebken is a Ph.D. candidate at the Graduate School of East Asian Studies and the Environmental Policy Research Centre at Freie Universität Berlin. During her M.A. program “Ethics, Peace and Global Affairs” at American University in Washington D.C., Julia developed a focus on international climate ethics. Back to local levels, Julias dissertation aims to compare how subnational governments in China and the US deal with who has been labelled ‘social vulnerability’ in light of climate change. In particular, Julia is interested in the aspect of recognition as part of adaptation planning and/or disaster risk reduction frameworks. With high degrees of social vulnerability, Jinhua city in Eastern Zhejiang province and Metro Atlanta in the state of Georgia serve as her case studies. After an initial research phase in China from January to April 2017, Julia returned to the U.S. to conduct field research and the second round of interviews in metro Atlanta. At VHC, Julia engaged in exploring human vulnerability and the underlying socio-political factors that lead to disproportionate (climate) affectedness within a society, as well as the roles state institutions (can) play. Julia will use Vulnerability Theory to critically question the suitability of the Social Vulnerability Paradigm as a way to increase community resilience to climate change.

Hui Wang - January 2017 - January 2018
Hui Wang is a lecturer of law at the College of Humanities and Law, South China Agricultural University, in Guangzhou, China. She has been an Amicus Curiae of the Guangzhou Juvenile Court since 2008, and a mediator at the Tianhe District Court of Guangzhou since September 2014. Her current research focuses on juvenile welfare legislation, with an emphasis on child protection rights. She has published several articles in Chinese academic journals which take a closer look at migrant children’s education rights, welfare law, and custody laws. The goal of her project is to demonstrate the need for a government that effectively responds to the rights of children through the creation and implementation of child welfare legislation, while also acknowledging the role of Chinese society in hindering such objectives. While at Emory, Hui intends to apply a vulnerability theory framework to her research, and to further explore vulnerability theory within a Chinese socio-legal context.

Stephen R. Goodwin - March 2017 - February 2018
Stephen R. Goodwin has been an assistant professor in the Department of Political Science and International Relations at Yeditepe University in Istanbul, Turkey since 2006. He is a specialist in Balkan societal reconstruction, serving as a part-time consultant in this area. After receiving his Ph.D. from the University of Edinburgh in 2005 where he wrote his dissertation on nation building and peace building in post-war Bosnia-Herzegovina, Stephen completed a post-doctoral research fellowship at Marmara University in Istanbul. Prior to his post-graduate study in the United Kingdom, he spent more than a decade in the NGO sector as an active participant in post-communist social reconstruction in Poland and the Netherlands. Soon after the signing of the Dayton Accord (1995) brought a measure of stability to the Balkans, he shifted his focus to peace-building, reconstruction, and humanitarian aid in Bosnia-Herzegovina, Macedonia, and Kosovo. His published works cover issues ranging from civil restoration, religious cohesion in times of conflict, perspectives of nationalism, peace building, and inter-religious dialogue between Muslims and Christians. Stephen’s current research seeks to examine the dynamics of conflict zones vis-a-vis the limitations of the 2005 UN norm of a sovereign state’s Responsibility to Protect its own citizens.

Professor Risa Lieberwitz (Cornell) visited Emory University on April 4, 2017, to host a series of conversations across campus about Title VII, Title IX, and academic freedom. The VHC co-sponsored an afternoon round-table discussion led by Professor Lieberwitz entitled “Protecting Academic Freedom: What’s Wrong with Civility?” with a response prepared by Emory Law Professor, Julie Seaman.

Discussion ranged widely across “civility” policies/codes on university campuses, and included engagement with the implications of law and university policy on academic freedom and free speech rights of faculty and students.
VHC-SJD End-of-the-Year Gathering!

A Presentation and A Potluck

The Vulnerability and the Human Condition Initiative and the SJD graduate student group organized an afternoon of scholarship, dialogue, community building, and food.

Amita Pitre, Fulbright-Nehru Fellow and VHC visiting scholar, presented her work, “Raising of Age of Consent in India: A Vulnerability Analysis.” Following Amita’s presentation and subsequent discussion, students, faculty, and staff enjoyed the food, culture, and company of their peers.

(In the photo: Amita Pitre, with fellow visiting scholars Hui Wang, Julia Teebken, Stephen Goodwin, Sarah Brown, and Program Coordinator, Rachel Ezrol)

VHC Affiliates Present at Emory

Fall 2016 Presentations

“Family Planning Models: The Challenge of Abusive and Neglectful Parents”
A Paper and Presentation by Carter Dillard (Animal Legal Defense Fund)
Discussion led by Stu Marvel
October 28, 2016

“The Pitfalls of Competitive Vulnerability”
A Paper by Charisa Smith (Hastie Fellow, Wisconsin Law School)
Discussion led by Falguni Sheth
November 7, 2016

Spring 2017 Presentations

“The Movement against the Commercial Sexual Exploitation and Trafficking of American Youth”
A Paper by Carrie N. Baker (Smith College)
January 23, 2017

“Embodyed Integrity, Shaping Surgeries, and the Profoundly Disabled Child”
A Presentation by Michael Thomson (Leeds University)
March 27, 2017

“Raising of Age of Consent in India: A Vulnerability Analysis”
A Paper and Presentation by Amita Pitre (Fulbright-Nehru Fellow and VHC Visiting Scholar)
May 3, 2017

Spring Student Symposium

On Friday, April 28, 2017, VHC Postdoctoral Fellow, Atieno Mboya Samandari, attended the First National Conference of Lawyers Committed to Addressing the Climate Emergency, which was held at American University Washington College of Law, one day before the climate march in Washington D.C. Presentations and discussion by leading lawyers and academics covered a variety of topics including: the role of states in climate leadership; the need to recognize that climate change is as much a question of democratic accountability and social equity as it is one of carbon pollution; the fact that virtually everything in society is built around predictable weather systems; the urgency of the need to counter misinformation campaigns that are being waged on climate change; and the need to educate lawyers and policymakers on the far-reaching impacts of climate change. The conference ended with plans in place to address the climate emergency by forming a lawyers committee which would develop! a strategic plan to support the goals set out by the U.S. under the Paris Agreement.

Fall 2016 seminar students from “Law and Vulnerability” and “International Environmental Law and Vulnerability” were invited to present their vulnerability theory-centered research projects on April 3, 2017 for a symposium modeled after our workshop panels. The five 20-minute presentations were followed by a Q&A, during which those in attendance were able to offer feedback and insight, creating a platform for constructive dialogue.

The Role of Lawyers in Addressing Climate Change

On Friday, April 28, 2017, VHC Postdoctoral Fellow, Atieno Mboya Samandari, attended the First National Conference of Lawyers Committed to Addressing the Climate Emergency, which was held at American University Washington College of Law, one day before the climate march in Washington D.C. Presentations and discussion by leading lawyers and academics covered a variety of topics including: the role of states in climate leadership; the need to recognize that climate change is as much a question of democratic accountability and social equity as it is one of carbon pollution; the fact that virtually everything in society is built around predictable weather systems; the urgency of the need to counter misinformation campaigns that are being waged on climate change; and the need to educate lawyers and policymakers on the far-reaching impacts of climate change. The conference ended with plans in place to address the climate emergency by forming a lawyers committee which would develop! a strategic plan to support the goals set out by the U.S. under the Paris Agreement.

Fall 2016 seminar students from “Law and Vulnerability” and “International Environmental Law and Vulnerability” were invited to present their vulnerability theory-centered research projects on April 3, 2017 for a symposium modeled after our workshop panels. The five 20-minute presentations were followed by a Q&A, during which those in attendance were able to offer feedback and insight, creating a platform for constructive dialogue.

The Role of Lawyers in Addressing Climate Change

On Friday, April 28, 2017, VHC Postdoctoral Fellow, Atieno Mboya Samandari, attended the First National Conference of Lawyers Committed to Addressing the Climate Emergency, which was held at American University Washington College of Law, one day before the climate march in Washington D.C. Presentations and discussion by leading lawyers and academics covered a variety of topics including: the role of states in climate leadership; the need to recognize that climate change is as much a question of democratic accountability and social equity as it is one of carbon pollution; the fact that virtually everything in society is built around predictable weather systems; the urgency of the need to counter misinformation campaigns that are being waged on climate change; and the need to educate lawyers and policymakers on the far-reaching impacts of climate change. The conference ended with plans in place to address the climate emergency by forming a lawyers committee which would develop! a strategic plan to support the goals set out by the U.S. under the Paris Agreement.

Fall 2016 seminar students from “Law and Vulnerability” and “International Environmental Law and Vulnerability” were invited to present their vulnerability theory-centered research projects on April 3, 2017 for a symposium modeled after our workshop panels. The five 20-minute presentations were followed by a Q&A, during which those in attendance were able to offer feedback and insight, creating a platform for constructive dialogue.

The Role of Lawyers in Addressing Climate Change

On Friday, April 28, 2017, VHC Postdoctoral Fellow, Atieno Mboya Samandari, attended the First National Conference of Lawyers Committed to Addressing the Climate Emergency, which was held at American University Washington College of Law, one day before the climate march in Washington D.C. Presentations and discussion by leading lawyers and academics covered a variety of topics including: the role of states in climate leadership; the need to recognize that climate change is as much a question of democratic accountability and social equity as it is one of carbon pollution; the fact that virtually everything in society is built around predictable weather systems; the urgency of the need to counter misinformation campaigns that are being waged on climate change; and the need to educate lawyers and policymakers on the far-reaching impacts of climate change. The conference ended with plans in place to address the climate emergency by forming a lawyers committee which would develop! a strategic plan to support the goals set out by the U.S. under the Paris Agreement.