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## CALL FOR PAPERS

### A Workshop on Legal Migrations, Vulnerability, and Resilience

December 9-10, 2016

Emory University School of Law, Atlanta, GA

This workshop will interrogate the experience of traversing borders between legal forms through the lens of vulnerability theory. Contemporary legal scholarship most often devotes attention to status categories conceived as static positions of relative privilege or disadvantage. Vulnerability theory, which challenges the dominant conception of the universal politico-legal subject as an autonomous, independent, and static adult, shifts us toward a dynamic lens of analysis. Vulnerability theory focuses on the evolution of human needs across a life course, asking how law does and should respond to dependence and foster resilience over time. The theory recognizes that human beings are constantly susceptible to change, positive and negative, in our bodily, social, and environmental circumstances. This workshop will explore how we might understand the processes of ‘legal migration’ as dynamic responses to human and institutional vulnerability.

We are concerned, in particular, with legal migration processes as opportunities to foster resilience. Vulnerability is both universal and constant. Resilience, by contrast, may be created and fostered by the distribution of assets: social, political, environmental, economic, and cultural. The workshop asks how law might foster resilience as individuals and groups migrate between legal forms. In what ways does this migration foster resilience, reorder dependencies, or expose different forms of vulnerability? How do “legal migrants” change the institutions and categories they inhabit? The advent of same-sex marriage, for example, provides the occasion to study the migration of tens of thousands of couples from civil unions or a status of legal non-recognition to the privileged status of marriage. We invite scholars to consider multiple experiences of legal migration: from non-married to married; child to adult; not guilty to guilty; migrant to asylum seeker and possibly citizen; contractual agents to partners; union member to sovereign nation.

We encourage participation from scholars in multiple disciplines including law, the social sciences, and humanities, and welcome papers which address the response to human and institutional vulnerability occasioned by processes of migration. Papers are invited to examine social experience as well as legal formalities, while topics may vary widely from transitions in corporate entity or financial institution status (particularly in contexts of economic development or flux); shifts in intellectual property treatment; the migration process of immigrants, asylum seekers, or business entities across sovereign borders; to the criminal justice process. Papers which engage vulnerability theory as a central tool of analysis are most warmly welcomed.

#### Issues For Discussion May Include:

- What effect does legal migration have on individuals, groups, or entities, and how do those who migrate change the institutions and categories they inhabit?
- How we might understand the process of ‘legal migration’ itself as a dynamic response to human and institutional vulnerability?
- In what ways does the law fragment the legal and social identities of individuals who occupy varied status positions?
- How does the law respond to individuals and groups engaged in the process of migrating between legal forms?
- How does legal regulation of the migration process variously reproduce, entrench, or construct vulnerability and resilience?

**Issues For Discussion May Include: (CONT.)**

- What shared questions of theory and methodology can ground interdisciplinary approaches to these questions of legal structure and subjectivity?
- Under what circumstances do contract-based relationships and communities or status-based legal recognition foster resilience?
- How does law respond to liminality? Do status positions exist outside law and, if so, what opportunities and risks does this status entail?
- How does the process of becoming a subject of law discipline social forms, and how do individuals and groups reorganize their social relationships as their legal statuses shift?
- Are there alternative metaphors to migration that may better capture the questions of risk, protection, autonomy, dependency, and equality that arise from the movement across boundaries of legal forms?

*The workshop is being convened by:*

*Deborah Dinner ([deborah.dinner@emory.edu](mailto:deborah.dinner@emory.edu)); Suzanne Kim ([skim@kinoy.rutgers.edu](mailto:skim@kinoy.rutgers.edu));  
and Martha Albertson Fineman ([mlfinem@emory.edu](mailto:mlfinem@emory.edu)).*

**Vulnerability and Resilience Background Reading at:**

<http://web.gs.emory.edu/vulnerability>

**Submissions Procedure:**

Email a proposal of several paragraphs as a Word or PDF document by **September 16, 2016** to Rachel Ezrol, [rezrol@emory.edu](mailto:rezrol@emory.edu).

Decisions will be made by **September 30, 2016** and working paper drafts will be due **November 23, 2016** so they can be duplicated and distributed prior to the Workshop.

**Workshop Details:**

The Workshop begins Friday, December 9 at 4PM at Emory University School of Law. Dinner follows Friday's session. Panels continue on Saturday, December 10 from 9 AM to 5 PM; breakfast and lunch will be provided.