Fall 2015 Course Offerings

International Environmental Law & Vulnerability
(Martha Albertson Fineman, Atieno Samandari)

From the syllabus:
- This seminar will examine the development of international environmental law (IEL) focusing on the major areas of global environmental protection including climate change and biodiversity. The course will trace the evolution of IEL and explore the development of its theoretical underpinnings, including sustainable development, the “polluter pays” principle, precaution and vulnerability among others.

Law and Social Movements: Historical and Theoretical Perspectives
(Deborah Dinner)

From the syllabus:
- This course will examine how law shapes the political imagination of social movement actors. What are the legal frameworks that have influenced social movements’ identities and goals? How has rights consciousness functioned both to inspire and to constrain social change? Another set of questions will focus on the impact that social movements have on law. We will explore these theoretical issues via case studies drawn from twentieth-century U.S. history including the labor, civil rights, feminist, gay rights, and conservative movements.

Gender and Human Rights
(Stu Marvel)

From the syllabus:
- Readings will analyze the current legal discourse of the human rights of women in the context of regional, cultural and religious norms, and examine how such rights have been framed within the context of international legal instruments as well as within global governance and activism. It will survey the historical framework of contemporaneous ‘rights culture’ and explore both feminist and vulnerability theory approaches to and critiques of the language of rights.

Publications & Presentations


Law in Context by Sayali Bapat, SJD Candidate (2016)

This past summer, the Centre for Socio-Legal Studies at the University of Oxford and the International Journal of Law in Context organized a workshop in Oxford to bring together early-career scholars. The workshop was organized by Sayali Bapat, an SJD Candidate at University of Oxford. The workshop was held in conjunction with the annual meetings of the Law & Society Association. This is Bapat’s account of the workshop.

I was lucky to be selected as one of ten junior scholars to present at this workshop. Projects and papers had to be contextually related to the relationship of law with other social science disciplines, and it offered an excellent opportunity to receive topical feedback from my peers, senior research staff at the Centre, and the editors of an international peer-reviewed journal.

I was able to travel to Oxford for the workshop thanks to the support I received from the Law School and the Vulnerability and the Human Condition Initiative. My fellowship included a few graduate students like myself, some postdoctoral research fellows, and some associate professors. We all came from various backgrounds and from different parts of the world. Not all of us were lawyers, and we represented different continents:

North and South America, Asia, and Europe. Conversations with this diverse group gave me a lot of interesting perspectives on my doctoral research, and the comments and questions helped me to further develop and clarify my project. After the two-day workshop was completed, each of us was given the opportunity to have individual conversations with faculty at the Centre for Socio-Legal Studies. The individualized feedback I received has been especially useful while trying to revise and edit my paper to render it publication worthy. The editors of the International Journal of Law in Context have also invited us to send in revised drafts that may be published in a special collection; for some of us, this may be our first opportunity to get published in an international peer-reviewed journal.

Many researchers working in different parts of the world have been experimenting the limits of liberal theory and human rights law, albeit in different ways. Having detailed conversations with attendees during and after the workshop allowed me to generate real interest in the cutting-edge legal research that is being conducted by the Vulnerability and Human Condition Initiative at Emory Law. I am grateful for the generous support of Vice-Dean Abdikhan, the Law School, Professor Fineman, and the Vulnerability and the Human Condition Initiative.
memorative poster. I visited their class after they had spent
of the Frattura earthquake.

dates the Christian era and exists in many cultures, as a promise
of San Antonio, children lead mules down from the mountain
cultural festivals that solidify the town’s identity. For the festival
fit for consumption by elementary aged children. But Scanno’s
pastures in Puglia. You could argue that this sad story is not
known as Old Frattura and killing 120 people, mostly women
night in 1915, completely destroying the neighboring village
versary of a devastating earthquake that struck one January
This year, Scanno is commemorating the 100th anni

giant white Abruzzi sheep dogs, but now the shepherds are all
out Italy. You will still see shepherds herding their flocks with
1800, when the wool from Scanno’s sheep was famous through
back to pre Roman times, but its glory years were from 1500 to

Since 2012, I have been study
ing the ecology of childhood in
small mountain village of
Scanno, Italy. Scanno serves as
my petrie dish for observing how
children’s social and physical environs
influence their development. Scanno, popula
tion 1,890, is nestled in a remote
mountain area of the Abruzzi
Region, about three hours drive

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versary of a devastating earthquake that struck one January
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back to pre Roman times, but its glory years were from 1500 to

many weeks on their beautiful drawings. They had agreed that
a group that the poster must show the devastation of 1915,
but they also wanted to show how New Frattura had risen out
of the ruins of Old Frattura. Many of them lived in the group
of stone houses that had been built in a new and seismically
safer location. In preparation for the project, they talked with
family members who remembered hearing accounts of the
earthquake from survivors. They learned, some for the first
time, about ancestors who had been orphaned by the quake and
were absorbed into other families. They studied old
photographs of the stricken village, visited its ruins, and read
100 year old newspaper stories. They knew it had taken more
than 15 years to rehouse those who had lost their homes. But
the survivors had not given up their dream of rebuilding their
community which, ironically, was realized by the government of
Benito Mussolini.

by some quirk of chance, on the day I was visiting their
class, our conversation was interrupted by an ear-splitting
siren. Instantly, at the first blast, each child dropped to
the floor and scooted under a desk. On hearing a double
blast, they formed an orderly line and walked quickly down
the stairs. They did not giggle or whisper or stop, until they
reached a pizza 200 meters from the school, far from any
buildings. Mystified, I caught up with them and they explained
that I had just seen was an earthquake drill. Earthquakes are
an unavoidable reality that comes with living in such a
beautiful place. The children have experienced the power of
seismic shifts in their own lives. Their school gym and cafete
ria had been damaged by a recent tremor and only re-opened
part is Frattura struck
ed to represent an eye,
In our picture we want
to describe the complex subject and justify government action. Qi will apply this theoretical frame

needs and rights-one that sees children not as isolated auton
ous beings as humanity in general, but as members of their
family, school, community and culture. The CRC Implementation
Project, in which I participated this year, is a multinational
working group that convenes annually to focus on various arti
acles of the Children’s Rights Convention. This year’s gathering
explored “the best interest of the child.” This vague and am
pous concept is incorporated into many of the articles of the
CRC. It expresses a universal value, yet it plays out differently
from context to context and from culture to culture.

This year, the workshop was hosted by Stirling Univer
sity in Edinburgh from June 8th to 11th. Papers were presented by anthropologists, legal scholars and historians.
My paper focused on different approaches to defining the “best interest of the child” as illustrated by differences in Italian and
U.S. interpretations of the roles of race and gender selection in
laws regulating international adoptions and assisted reproductive
technology (ART). Cambridge University Press plans to pub
lish a book gathering the papers in one volume. Several of
the participants, in addition to myself, highlighted Emory’s Vul
nerability and the Human Condition Initiative and proposed
vulnerability theory as an essential tool in reimagining “rights” in
a more organic and less conflictual frame. The CRC, in com

Quansheng Chen: At Emory April- October, 2015
Professor Chen is a nationally recognized environmental law scholar in China. She has been
granted “special subsidies from China State Council for outstanding experts” since 1997 for
her outstanding achievements in legal research. She is also the vice chair of the China Environ
ment & Resources Research Committee. Chen served as the Dean of Fuzhou Law School from
2001-2008, has been the director of the Environmental Law Research Center in Fuzhou Law
School since 2001, and has supervised PhD candidates since 2006. Chen’s scholarly interest over the
past years has revolved around the philosophical foundations of environmental law. She has
published eight books and dozens of articles. She has also received awards for her writing,
including two first prize awards in Social Science from Fujian Province and one third prize award
from the Chinese Ministry of the Justice. During her stay at Emory, she plans to explore vulnerability theory and its implications for Chinese environmental law. Chen will also avail herself of this visiting opportunity to develop a better understanding of U.S. environmen
tal theory, law, and policy.

Zhang Qi: At Emory August 2015- August 2016
Zhang Qi is a lecturer at Jinlin University Law School’s Center for Jurisprudence Research (JRC),
one of the key national research institutes ratified by the Chinese Ministry of Education. Her re
search centers on rethinking the concept of equality in transforming China. She proposes for
an alternative notion of equality that is both non-individualistic and historical. While at Emory, Qi
will specifically focus on equality and transition in China. Social transition in China refers to
the decline of the welfare system alongside the rise of the market economy, socialist public ownership,
and privatization. The characteristics of transition in China shape the complexity of its subjects.
She is interested in modeling a particular relationship of citizen and state. Her research will show that both traditional
concepts of socialist equality and current concepts of equality are based on an inadequate notion of liberal individualism. Thus, it is essential to develop a more desirable value-in-kind in order
to describe the complex subject and justify government action. Qi will apply this theoretical frame
work to the politics of land expropriation.

Vulnerability, Resilience and the Ecology of Childhood by Professor Barbara Bennett Woodhouse

Vulnerability and Religion: Emerging Conversations by Silas W. Allard

Visiting Scholars

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