

CALL FOR PAPERS

Feminist Approaches to State and Governance

December 15-16, 2023

Emory University School of Law and Virtually

This year marks the 40th anniversary of the Feminism and Legal Theory Project (FLT). During that time, we have held workshops, hosted visitors, and sought to encourage and facilitate feminist analyses of law and institutions. The Project was designed to move thinking from the more assimilationist tendencies of a “women in the law” perspective to explore the transformative possibilities of feminist theory. The participants over the years have contributed important pieces to both the books and special issues of law reviews that FLT has organized, as well as publishing innumerable individual articles on their own. But these influential publications are not the only FLT legacy.

The FLT archive (preserved at Emory University) contains the audiovisual recordings of each workshop. It also includes the calls for papers and hard copies of working drafts from sessions over the years (also available in HeinOnline). The archive offers an interesting roadmap for understanding the evolution of the distinctive FLT approach – it is a unique historical record of the processes whereby feminist concepts were explored and applied in conversations and contestations that ultimately helped shape the direction(s), not only of feminist legal theory but critical theory itself. Unfortunately, the archive is an (as of yet) underutilized resource for scholars. In order to pique interest in and encourage more use of the FLT archive, we are holding several workshops centered around some of the past themes the Project explored that remain critically relevant today.

For this session, we seek working papers exploring what a feminist legal theory approach to the State or the process of governance should entail. We set out some tentative questions to consider on the next page – one set that might benefit (but does *not* require) using the archive material, as well as a set of some more unanchored suggestions. We also include below a list of some of the past workshops documented in the archive relevant to this session in particular, along with information as to how to possibly access the archive remotely.

Past FLT Workshops related to this session that are part of the FLT Archive)

- “Women in the Welfare State” (1989), “Revisiting Equality” (1993); “Feminism Confronts Economic Theory” (1995); “Women, Children and Poverty” (1995); “Feminism Confronts Economic Theory: Exploring Economic Concepts” (1996); “Feminist Economic Theory and the Difference it Makes” (1997); “Feminism Confronts Economic Theory: Policy Initiatives and Economic Rhetoric” (1997); “Discrimination and Inequality” (1998); “Economic Discourse and the Family” (1998); “Discrimination and Inequality II” (1999); “Children: Public Good or Individual Responsibility” (1999); “Comparative Concepts of Equality” (2000); “Corporations and Capitalism: Policy and Protest” (2001); “Corporate Citizens in Corporate Cultures” (2002).
- **Accessing the FLT Archive:** You may access workshop workbooks, calls for papers, and schedules electronically through HeinOnline in the [Women in the Law repository](#). For more information on workshops, PDFs, Calls for Papers, or workshop schedules, or if you do not have access to HeinOnline, please email Mangala Kanayson at mkanays@emory.edu.

Limited electronic access to videos from previous workshops may be available. Contact us for information.

Vulnerability and Resilience Background Reading at: <http://web.gs.emory.edu/vulnerability>

Submissions Procedure: Email a proposal as a Word or PDF document by Friday, October 27, 2023, to Mangala Kanayson at mkanays@emory.edu. Decisions will be made by Friday, November 3, 2023, and working paper drafts will be due Monday, November 27, 2023, so they can be duplicated and distributed prior to the Workshop.

Workshop conveners: [Martha Albertson Fineman](#) (Emory University School of Law), [Martha T. McCluskey](#) (University at Buffalo School of Law), and [Samuel S. Burry](#) (University of Oxford).

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Questions that might benefit from using the FLT archive might include:

- Are there insights from previous decades of feminist legal scholarship which can help explain or illuminate the current anti-feminist backlash?
- How compatible is feminist theory with principles (and limitations) of legal theory?
- How does the past help us to understand current feminist critiques of liberal legal theory centered on concepts such as autonomy, equality, and neutrality?
- How do ideas from the past illuminate current attacks on liberal ideals?
- Does the history of FLT suggest some approaches enshrined in contemporary critical (including feminist) theory may be in need of conceptual reevaluation and reimagining?
- How does the methodology used in the FLT workshops differ from that found in academic events today and might these differences affect perception of issues and their possible resolutions?

More general (non-archive oriented) areas to explore include:

- When and where is there a need for state action and involvement?
- Do feminist principles justify a more or less expansive notion of public interest in and influence over providing for human needs and social well-being?
- Is there a feminist view of the state that differs from those presented in many other critical approaches?
- How should we conceive of the state and its relationship to “private” institutions and alternative systems or centers of power (religion, corporations, culture, etc.)?
- How have feminist proposals for expanded state welfare support or regulatory protections grappled with the problems of abusive state power?
- How can feminist scholarship focused on expanding state responsiveness address the critical turn that increasingly focuses primarily on authoritarianism in law, culture, and government?
- What is the contemporary role of the concept of gender in law and does it differ from understandings of gender and law in the past?
- What have been the unique feminist contributions to critiques of the legal division between public and private?
- How has feminist legal scholarship analyzed the role of the law in shaping the social and economic institutions that structure intimate relationships?
- How has feminist legal theory critiqued conceptions of autonomy as the basis for resolving conflicts about the legal treatment of intimacy?
- What insights from feminist debates can inform current questions of how to protect privacy and intimacy and relate to questions of democracy and justice?