



Martha L.A. Fineman, Director

Spring 2009

Settled at Emory University and Celebrating 25 Years

By Jean Wynn

It Started in 1984

When women looked at the legal avenues available for addressing gender inequality in the early 1980s, they encountered the same biased assumptions about men and women they experienced in everyday life. In 1984 Martha Albertson Fineman gathered other legal scholars together for the first conference of the newly formed Feminism and Legal Theory Project. It was held at the University of Wisconsin Law School and the topic was women and differences. In the subsequent years the FLT Project and the scholars associated with it have forged new language and concepts that have challenged and reshaped the very foundations of traditional legal thought and doctrine.

Expanding Success

The number of workshops held each year has increased since the Project's Wisconsin days. When FLT moved to New York City and Columbia University with Martha in 1990, it began to hold several workshops during the academic year instead of just one during the summer. When Martha accepted the first endowed chair in the U.S. in feminist jurisprudence at Cornell University in 1999, the FLT Project again adapted to a new environment. The workshops continued, but Visiting Scholars became an important addition to FLT, and its focus expanded by instituting some international exchanges. This also was the period of time in which very successful "uncomfortable conversations" sessions began. Moving once again in 2004 to Emory University, FLT has increased the number of workshops and expanded the Visiting Scholar opportunities. While at Emory, FLT also has partnered with other schools in developing programming, spreading its unique workshop design to schools such as the University of Colorado, American University and the University of Wisconsin. Things just keep on growing and getting better!

How FLT Is Unique

Regular attendees to FLT events have come to expect certain standards of warmth and openness. Fiona de Londras, a FLT Visiting Scholar from Dublin in both 2006 and 2009, commented during the 25th Anniversary events in November:



In the 25th anniversary celebrations I found all of the hallmarks one associates with the Project: a warm, international gathering of people, from junior scholars to world-renowned professors; edgy and politically astute conversation available at every opportunity; provocative papers spanning an enormous range of subjects; and an environment at once challenging and safe, with Martha at the helm quietly steering us all through it.

Fiona de Londras
Dublin



25 Years of Commitment

No celebration of the longevity and successes of the FLT Project would be complete without recognizing the work of its founder and director. During the Anniversary Dinner the gift of a collage—planned and presented by Laura Spitz, a former student now visiting at Emory Law—was presented to Martha. Autographed by many of the scholars attending the anniversary conference, it included the covers of all Martha's books.

Pamela Bridgewater, who has been associated with the project for 10 years, offered a tribute to the personal and professional commitments of Martha Fineman:



"I had a bit of an existential crisis trying to describe my connection to Martha Fineman and the FLT project, and I have learned that others feel the same way. There exists, in Martha's orbit, a cadre of folks whose relationship to her is hard to define because it transcends concrete labels and fixed categories.

"We are those who are not: her students, but can recite with great appreciation the lessons she has taught us; her teachers, but hear Martha graciously proclaim that she has learned from us; her colleagues, but have few professional allies that we cherish more; her offspring, yet can attest to the nurturing (and forgiveness!) we have received.

"It is on behalf of these folks who have priceless, beautiful, wonderful – yet unnamable – relationships to Martha, her work and the FLT Project that I offer a heartfelt thank you to one of the brightest and warmest stars in our orbit."

Congratulations, Martha!





Motherhood *at the* Intersection of Race *and* Class

RESILIENCE IN THE FACE OF ADVERSITY

An Atlanta Consortium of Colleges and Universities and Emory Race and Difference Initiative Event

The combined efforts of the Feminism and Legal Theory Project, Emory's new Race and Difference Initiative (RDI), and the Atlanta Consortium of Colleges and Universities (ACCU) brought two related exhibits, curated by activist/author Rickie Solinger, to Emory's Schatten Gallery this spring. These images—60 photographs of mothers designated as “unfit” (Beggars and Choosers) and eight linked multi-media installation pieces both about and by inmates (Interrupted Life)—brought to light the dignity of women who practice their motherhood in the face of exclusion and marginalization. The exhibits are a vivid appeal for justice. Solinger won the 2000 Prelinger Award of the Coordinating Council for Women in History; her book *Beggars and Choosers* (Hill and Wang) related to this exhibit was published in 2001.

In conjunction with the exhibits, an important series of eight interdisciplinary events was organized under the banner of “Motherhood at the Intersection of Race and Class.” The planning committee included Professors Esther Jones (Emory), Amy D’Unger (Georgia Tech), Georgianne Thomas and Josephine Bradley (Clark Atlanta), as well as Martha and Emory’s Senior Vice Provost for Community and Diversity, Ozzie Harris. Professors Jones and D’Unger taught two spring semester courses related to the exhibits: “Bad Black Mothers” and “Social Issues and Public Policy,” at their respective institutions.



JUDGE VANESSA D. GILMORE (U.S. District of Southern Texas) delivered a stirring address at the public opening of the Solinger exhibits. Noted for her commitment to public interest law, she shared insights on criminal law, family law and public policy. Gilmore wrote *A Boy Named Rocky: A Coloring Book for Children of Incarcerated Parents* (2008), with Dr. Janice Beal.

Angela Davis Presents Keynote Address

The culminating speaker of the Motherhood/Race/Class series and the highlight of Emory’s celebration of Women’s History Month was **Angela Y. Davis**, professor at UC Santa Cruz.



Davis’ commitment to prisoners’ rights dates to her own imprisonment in 1970. Davis calls prisons “agents of sexual assault” against women and notes that in the current “incarceration epidemic,” states “stupidly” spend triple the

amount to jail each prisoner than they devote per student in public schools. Davis is co-founder of a prison-Industrial complex-abolition organization and a champion off the “multitudes of nameless women whose efforts have brought social justice to the forefront in the U.S.” Her advice is: “work with contradictions, build movements and push for broader meanings of freedom.”

A Workshop: Incarceration, Women and Human Rights

One of the major events of the Motherhood series was a February workshop in which both scholars and advocates presented papers on topics related to the growing rate of incarcerated women in the U.S. The presenters tied imprisonment to broader social justice concerns, as well as detailing the vulnerability of incarcerated women and their children. Issues such as sexuality and reproductive justice for the incarcerated complimented feminist critiques of prison policy. Questions about the relevance and effectiveness of feminist theory in prison advocacy were raised.

The plight of older women and transgendered people in prison also were addressed. A documentary film, “A Sentence for Two” by Randi Jacobs, highlighted issues facing pregnant inmates. Participants included professors (Giovanna Shay, Western New England Law; Josh Price, Emory/SUNY; Kim Buchanan, UC Davis; Brett Dignam, Yale) as well as activists: Donna Willmott, Legal Services for Prisoners with Children; Cole Thaler, Lambda Legal; Cynthia Chandler, Justice Now; and Fran Ansley, of Knoxville, Tenn., on immigration workplace raids.

Revisiting Legal Boundaries at the 2008 Anniversary

The theme for the 25th anniversary conference of the FLT Project was “Transcending the Boundaries of Law.” This title reflects back to the title of very first anthology of feminist legal theory, “At the Boundaries of Law: Feminism and Legal Theory,” published by Routledge in 1991. A 25th anniversary anthology, also published by Routledge and edited by Martha will appear in 2010 (see “For Your Bookshelf,” p.4). Panel topics at the anniversary celebration included: “From Women in Law to Feminist Legal Theory,” “Engaging Equality,” “Engaging Bodies,” “Engaging Universals and Identities,” and “Engaging the State.”



Pictured here are presenters at “Engaging the Family;” from left to right, they are Martha, Twila Perry, Laura Kessler and Adam Romero.

Conflicts and Transitional Justice and Comparative Family Law

Report on Two Workshops in 2008-09

SEPTEMBER

Presentations at “Conflict and Transitional Justice: Feminist Approaches” ranged from issues facing women in post-conflict Bosnia and Herzegovina (Dina Francesca Haynes) and sexualized violence during Peruvian internal armed conflicts (Pascha Bueno Hansen) to restorative justice projects of Oakland youth (Sujatha Baliga). Other panelists included experts such as Estelle Zinsstag of Queen’s University in Belfast, Fionnula Ni Aolain from the University of Ulster and Wui Ling Cheah from the National University of Singapore.



HYUNAH YANG

FEBRUARY

The FLT Project and Seoul National University co-hosted a comparative workshop on the family in law and society. American scholars were Nancy Dowd (U. of Florida)—discussing juvenile justice, Martha Fineman—looking at religious resistance to family law reform, and Barbara Bennett Woodhouse (U. of Florida, and now at Emory) - considering individualism and early childhood, as well as on child support systems in Italy. Whasook Lee (Yonsei University) described the matrimonial property system in Korea, and Hyunah Yang (Seoul National University) reflected on the roles of tradition, colonialism and social change in the history of Korean family law reform. The discussion revealed stark differences in the legal cultures of the nations. A volume of the *Korean Law Journal*, for which Hyunah Yang (pictured above) will serve as the Symposium Editor, will be one result of the workshop.

Planning for Fall Workshops

Masculinities

Sept. 11-12, 2009

The male body: how privileged is it? How does the law regulate male reproductivity? How does masculinity intersect with the categories with which feminism has been concerned, such as race, class, sexuality and disability? Can masculinity fit into a philosophy of universal vulnerability? Please consult the FLT webpage for a schedule of speakers and other information.

MASCULINITIES PANELS

Fri., 4-6:30 p.m.—Cultural, Social and National Masculinities
Sat., 9-11 a.m.—Sex, Violence and Masculinities
Sat., 11:15 a.m.-1 p.m.—Essentialized Masculinity
Sat., 2-3:45 p.m.—Masculinities at Work
Sat., 4-5:15 p.m.—Masculinities in Parenting

CALL FOR PAPERS

Violence and Vulnerability

November 12-14, 2009

Conference with Emory’s Institute for Developing Nations

This conference breaks open the traditional approaches to gender violence and considers how violence in various forms is experienced across society and its institutions. We begin with the premise that we need a better and more complex understanding of the relationships between individual and collective acts of violence and the organization of societies. We are concerned with how the state acts in conjunction with religious, cultural, social and economic institutions to both alleviate and perpetuate the vulnerability of individuals to violence. What is the relationship

between institutional arrangements and instances of violence? We are particularly interested in comparing the different approaches of these institutions and exploring the diverse perspectives on violence reflected in disciplines such as law, medicine, public health, anthropology, political science, ethics and religion.

Send presentation proposals to Martha Albertson Fineman (mfinem@emory.edu) and Sita Ranchod-Nilsson (sranchod@emory.edu) by July 31, 2009. (More details on the FLT webpage)

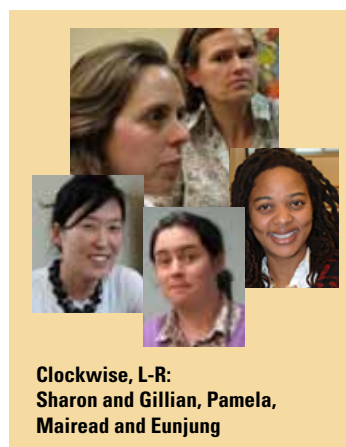
MORE INFO?
Visit www.law.emory.edu/flt.

FLT Hosts a Variety of Visiting Scholars in 2008-2009

Fiona de Londras—University College, Dublin—a member of the Institute of Criminology. Her areas of interest include law and terrorism, human rights, international legal theory, social inclusion and property law.

Michelle Oberman—Santa Clara University. Her book, *When Mothers Kill: Interviews from Prison* (NYU Press) was awarded the 2008 Outstanding Book Award from the Academy of Criminal Justice Sciences.

Mairead Enright—University College, Cork, Centre for Criminal Justice and Human Rights. Her PhD work is on Gender, Multiculturalism and the Law and is funded by two Irish agencies.



Clockwise, L-R:
Sharon and Gillian, Pamela,
Mairead and Eunjung

Renee Romkens—Tilburg University—chairs the International Institute of Victimology and has written extensively in the area of gendered victimization.

Rose Corrigan—Drexel University—while at Emory, she presented a paper: “What’s wrong with rape? Failures of law and feminism.”

Margaret Thornton—Australian National University—interests include discrimination law and policy.

Pamela Bridgewater—American University—co-organized FLT’s workshop on Incarceration,

Women and Human Rights. Her forthcoming book is *Breeding a Nation: Reproductive Slavery and the Pursuit of Freedom*.

Debra Jackson—California State University, Bakersfield—focuses on how constructions of social knowledge shape the recognition of (and/or failure to recognize) sexual assault.

Harriet Musoke—a researcher from Uganda—her interest is in women’s reproductive and sexual health in the African human rights system.

Ann Bartow—University of S. Carolina—considers the intersection of intellectual property law, cyberspace law and public policy concerns.

Hyunah Yang—Seoul National University—considers Korean family law from feminist and historical perspectives.

Sharon Cowan—University of Edinburgh—co-directs the Centre of Law and Society at Edinburgh and recently edited *Feminist Engagements with the Law and Subjectivity*.

Gillian Calder—University of Victoria—researches feminism and legal theory and law school pedagogy on equality.

Eunjung Kim is a postdoctoral fellow in Vulnerability Studies in the School of Law and the Race and Difference Initiative at Emory. Her PhD in disability studies is from the University of Illinois. Research interests include: genealogy of asexuality, disabled women in South Korea, and the sex industry.

INTERESTED?

FLT Scholar visits range from a few days to a year in length. See: www.law.emory.edu/flt.

CONTACT US

Email mlfinem@emory.edu with a CC to fltproject@emory.edu.

For Your Bookshelf

Feminist and Queer Legal Theory: Intimate Encounters, Uncomfortable Conversations, M.A. Fineman, J. Jackson, A. Romero, Eds. (Ashgate, 2009) Major voices in feminist and queer theory explore gender and sexuality in an interdisciplinary dialogue that will define the terms of the debates in those areas for the next decade.

What Is Right for Children? The Competing Paradigms of Religion and Human Rights, M.A. Fineman, K. Worthington, Eds. (Ashgate, 2009). Scholars compare law and policy in the U.S. with that of countries where the idea of children as separate from families is more accepted, emphasizing the role of religion in shaping resistance to children’s rights and state obligations. This collection contains theoretical, as well as practical approaches.

Transcending Boundaries of the Law: Generations of Feminism and Legal Theory (Routledge, 2010). In 2008 an international group of feminist scholars convened to mark 25 years of the FLT Project. They were asked to write a chapter for a new anthology of feminist legal theory assessing the past transformative power and ongoing viability of feminist legal theory, both inside and outside of the academy. *Transcending the Boundaries of Law* engages 25 years of theoretical evolution in regard to gender and law. It includes important new pieces from some of the contributors to the very first anthology of feminist legal theory—At the Boundaries of Law—as well as chapters from the newest generation of theorists.

Year-Long by Eunjung Kim

Last year scholars from across Emory University began wide-ranging and paradigm-shifting discussions on vulnerability. They considered risk and insurance from theorists such as Ulrich Beck, Mitchell Dean, and Francois Ewald, and reviewed reproductive policy history as explicated by Rickie Solinger (*Pregnancy and Power*). Some discussion focused on literary representations, like Tony Morrison’s *A Mercy*. Arthur Klienman’s *What Really Matters: Living a Moral Life Amidst Uncertainty and Danger* was also instructive. The series began with Martha Fineman’s “The Vulnerable Subject: Anchoring Equality in the Human Condition,” which argues that vulnerability, rather than being an attribute of certain “vulnerable populations,” is a universal feature of the human condition. Peadar Kirby, who visited the Project last year, describes how the concept of vulnerability is being used by global actors like the UN, the World Bank, and international NGOs; his latest article argues that economic globalization as currently practiced increases human vulnerability.



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