"*If respect for persons as autonomous agents is a basic ethical principle, then the vulnerability of the human condition does not make sense. It does not lead to constructive action and intervention.*"
- Henk ten Have, *Vulnerability: Challenging Bioethics*

This workshop asks participants to consider how the apparent opposition between vulnerability and autonomy may be reframed. Vulnerability and autonomy have long been thought of as oppositional concepts. While vulnerability has generally been referenced as a state of insecurity and dependence, autonomy has most often been prized as a goal for individual wellbeing and self-fulfillment. From the perspective of autonomy as a normative ideal, vulnerability is understood as diminishing autonomy. This polarization is common across a range of disciplines including medicine, politics, philosophy, sociology, economics, and law.

When vulnerability is not understood as a synonym for incapacity or diminished will (for which autonomy is the cure) how might we rethink the primary role of our institutional structures in providing individuals with the prerequisites for the exercise of self-governance (however defined)? The consideration of vulnerability as an inescapable and generative aspect of the human condition, not as a negative or lack, may have helpful consequences for related concepts of dependency, powerlessness, control, agency and consent. Rather than aiming at the goal of individual autonomy, this conceptual shift may allow us to think about the production of resilience - as a set of tools and assets including educational, financial and social capital - both within institutions and through social relationships. This workshop seeks to interrogate the ideas, discourses, and norms of autonomy, in order to better understand the implications for law and policy that may result. This includes questioning, not only the supposed vulnerability/autonomy dyad, but concepts such as "relational autonomy" and "relative autonomy" which have sought to bridge this conceptual divide.

While health is one area that has received much attention in terms of autonomy, these questions are also of relevance to the workplace, to the home, to schools, to prisons, to government, and other institutional locations. Some commentators have argued that a claim for state response in these areas may more easily justify paternalistic and coercive forms of intervention. What problems in the relationship between the individual and the institutional are being flagged by the idea of 'paternalism,' and how might a rethinking of our concept of autonomy help to address some of these issues?

Issues For Discussion May Include:
- What is the purpose of autonomy? What benefits flow from the declaration and/or recognition of autonomy? What burdens?
- What does an insistence upon the desirability of autonomy (and the undesirability of vulnerability) reflect about our conceptions of what it means to be human?
- The concept of dignity is viewed as important for the realization of autonomy. Is there also dignity to be found in vulnerability?
- What does the term 'relational autonomy' signify? How does it modify understandings of individual autonomy? Can it account for commercial transactions? Employment relationships? Other social relationships?
- Can children be autonomous? What is the position of the child in relational autonomy?
- How might the social production of autonomy differ from the social production of resilience?
- Does autonomy only refer to individuals? Can we also think about the autonomy of the family, the collective, the workplace?

Issues For Discussion May Include (CONT):

- How might a focus on the role of institutional relationships shift the conceptualization of autonomy away from the individual?
- What is the relationship between autonomy and state responsibility, liberty and privacy? The relationship between autonomy and agency?
- How does one acquire autonomy? What are we dependent upon for the creation of our autonomy?
- Is it possible to simultaneously pursue policies directed at both our autonomy and our vulnerability? How do these individual forms of recognition also depend on institutional structures and processes?
- What are the problems encompassed by the term paternalism? What relationship issues between the individual and the institution do we seek to identify by referring to paternalism? Is paternalism always a problem?
- How does this reshaping of autonomy also change questions of consent, decision-making and personal integrity?
- How might the introduction of the term 'resilience' help to shift our thinking about autonomy? What is the role of our professions and institutions in producing resilience?

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 **November 20, 2017** to Rachel Ezrol, rezrol@emory.edu.

Decisions will be made by **November 27, 2017** and working paper drafts will be due **February 5, 2018** so they can be duplicated and distributed prior to the Workshop.

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

The workshop is being convened by:
Martha Albertson Fineman (mlfinem@emory.edu) and
Stu Marvel (smarvel@emory.edu).