

Upcoming Workshops

A Workshop on the Environment and Vulnerability
Smith College, Northampton, MA
April 8-9, 2016

A Workshop on Vulnerability and Social Justice
Northeastern University School of Law, Boston, MA
April 29-30, 2016

A Workshop on Vulnerability and Social Justice
Leeds University, Centre for Social Justice
June 17-18, 2016

Fall Presentations

Deborah Dinner

“Equal by What Measure? The Struggle for Universal Protective Laws” (presentation, Employing Vulnerability Theory: Challenges and Opportunities, Edgbaston, Birmingham, United Kingdom, August 28, 2015).

“Working Fathers: The Origins and Consequences of Sex Neutral Parental Entitlements,” as part of panel titled “Constructing Fatherhood: Mediating Institutions and the Legal Regulation of Paternity from the Romantic Period to the Clinton Era” (presentation, American Society for Legal History, Annual Meeting, Washington DC, October 17, 2015).

“Neoliberal Antidiscrimination Law: The Case of Title VII” (presentation, A Workshop on Vulnerability at the Intersection of the Changing Firm and the Changing Family, Atlanta, Georgia, October 17, 2015).

Martha Albertson Fineman

“Vulnerability and Social Justice” (presentation, the inaugural address for the Centre for Social Justice at Leeds University, United Kingdom, September 16, 2015).

“Vulnerability and Resilience: A New Paradigm for Law and Society” (presentation, University of Birmingham, United Kingdom, September 14, 2015).

“Vulnerability and Disability” (presentation, co-sponsored by The Independent Living Movement, Strathclyde Centre for Disability Studies, and the Institute for Innovation and Research in Social Services, University of Glasgow, Scotland, September 11, 2015).

Stu Marvel

A Conversation About Solidarity Activism Roundtable - A Volunteer Emory Social Justice Dialogue (presentation, Emory University, Atlanta, Georgia, November 10, 2015).

Vulnerability Theory and Sexual Violence on Campus (presentation, Conference on Sexual and Reproductive Health through a Social Justice Lens, Organized by the Emory Reproductive Health Association, Rollins School of Public Health, Atlanta, Georgia, November 14, 2015).

The 'Nature' of Queer Families: Tracking the Socio-Technics of the Fertility Clinic (presentation, Science and Technology Studies Circle at Harvard University, Co-sponsored by Harvard Women and Gender Studies, Boston, MA, November 23, 2015).

Atieno Samandari

Human Vulnerability Theory, The International Poverty Law's Community of Practice (group session, Law, Justice and Development Week, Washington DC, November 19-20, 2015).



Feminism Legal Theory Project

Martha Albertson Fineman, Director

Season's greetings from the Vulnerability and the Human Condition Initiative! We hope your new year is off to a great start. It has been an exciting semester for the Vulnerability and the Human Condition Initiative and we look forward to sharing with you the many projects and possibilities to come.

The VHC Family Welcomes Newest Addition, Mateo William Marvel Jimenez



Proud parents Stu Marvel and Marta Jimenez welcome Mateo William Marvel Jimenez, born on September 8, 2015.

Congratulations to Deborah Dinner!

Deborah Dinner received the William Nelson Cromwell Foundation Research Fellowship, which will support her work on her book in progress, *Contested Labor: Social Reproduction, Work, and Law in the Neoliberal Age*. The fellowship was announced at the American Society for Legal History's annual meeting held in Washington, D.C., on October 31, 2015.



Affiliated Faculty Continues to Champion Advocacy



Barbara Bennett Woodhouse, L. Q. C. Lamar Professor of Law, co-authored, in collaboration with the Emory Law School Supreme Court Advocacy Project, a friend of the court brief in a recent case involving the finality of adoptions. In the case of *V. L. v. E. L.*, the Supreme Court of Alabama voided the Georgia adoption of three children born to a lesbian couple and raised by them as more than eight years after the decree had been entered. The case is of obvious importance to parents and children in LGBTQ families, who continue to be vulnerable to discrimination in many jurisdictions. If followed by other courts, it could pose a threat to the finality and stability of all adoptions. As the brief stated, "A society cannot function if the status of parent and child comes and goes as families move from one state to another."

In Summary: A Workshop on Vulnerability at the Intersection of the Changing Family and the Changing Firm

A Workshop on Childhood, Vulnerability and Resilience was held at Emory law School on December 10-11, 2015. The workshop investigated how reconceiving the legal subject from the perspective of the child might illuminate state responsibility to build resilience across the life course. Presenters discussed vulnerability in childhood from historical and contemporary perspectives, as well as within different geographic locations including the USA, Europe and India. Participants examined the utility of rights-based frameworks, analyzed the construction of minors in US Supreme Court decisions, and explored how rapid advances in technology changed the experience of vulnerability. By the end of the workshop, it was apparent that a lot of work remains to be done in instituting legal regimes that promote resilience for children in all parts of the world.



Emerging Conversations: The World Bank Meets Vulnerability Theory



On November 19 & 20, 2015, VHC's Postdoctoral Fellow, Atieno Mboya Samandari, participated in the World Bank's Law, Justice and Development Week in Washington DC. Dr. Samandari gave a presentation on human vulnerability theory at the International Poverty Law's Community of Practice group session. The group's goal is to examine how the legal frameworks of World Bank Projects impact poverty and poverty alleviation around the world. A key aspect of the discussions centered on the need to find a common theoretical framework that would inform the group's work. It was noted that a human rights approach has shortcomings that make it incompatible with a lot of the Bank's work. There was genuine interest in possibilities that can be generated by adopting a human vulnerability approach, which emphasizes not adversarial rights between parties, but the role of institutions in increasing resilience for members of society. A follow-up meeting will be held in April 2016 to launch at least one pilot project for the group, the results of which will be used to generate more widespread engagement with choosing legal approaches that will help reduce poverty and thereby increase resilience, for communities living in the Bank's member countries.

A Workshop on Childhood, Vulnerability, & Resilience: Recap



A Workshop at the Intersection of the Changing Family and the Changing Firm invited a range of authorities in the areas of family and labor law, corporate law, welfare history, economics and policy to explore questions of human dependency in the context of public and private responsibility. Over the course of two lively days, scholars connected institutional and human vulnerability in the context of work, family, neoliberalism and the new information age. Panels ranged across questions of greed, altruism and corporate responsibility, as well as corporate vulnerability, economic inequality and the limitations of anti-discrimination law in tackling contemporary questions of justice.

(Pictured left with Martha Fineman, Ellen Marrus and Daphne Robinson of the University of Houston Law Center)

The Intimacy Lecture Series Features Professor Fineman



"Contemporary intimacy - the realm of love, romance, sex and sexuality - is the site of profound social transformations globally. As patterns of intimacy shift, they reflect and reverberate within other major social phenomena, including changing structures of gender, class, and nation, revolutions in technology, new modes of organizing work, and the increasing influence of market logics. These trends have contributed to the cultural ascendance of romantic love in long term partnerships around the globe, new and ongoing tensions with practices of "arranged marriages," the intertwining of new subjectivities with new intimacy forms, the rise of certain kinds of sex work and sex trafficking, and other social phenomena. Contemporary intimacy is thus the convergence of global, macro-level, structural changes experienced at the most micro, private level of lived experience, getting right at the heart of what it means to be human. Current scholarship on contemporary intimacy echoes the vast expanse of this topic, transcending disciplinary boundaries, with important work being done in sociology, anthropology, gender studies, communications, psychology, philosophy and other fields."

The Intimacy Lectures, hosted by the University of Virginia Law School, consist of a series of talks, each thoughtfully selected, to be held from January 2015- January 2016. On December 3, 2015, program organizers welcomed Professor Martha Albertson Fineman as a featured lecturer. During her talk, Professor Fineman situated the examination of intimacy using a framework of universal vulnerability and resilience.

Visiting Scholars

Charisa Smith: At Emory December 7-12, 2016

Charisa Smith is the 2015-2017 Hastie Fellow at the University of Wisconsin Law School. Smith focuses on the state's impact on the intimate lives of families and children. She explores the impact of legal norms and processes upon members of society while questioning rights-based approaches. Smith's recent articles in the *Stanford Law & Policy Review*, *Law & Psychology Review*, the *Charlotte Law Review*, the *Quinnipiac Health Law Journal*, and the *Journal of Applied Research on Children* have addressed the legal treatment of parents with mental disabilities and the efficacy of the current juvenile justice system. Her forthcoming work focuses on statutory responses to the domestic sex trafficking of minors, the legal treatment of "sexting" and cyberbullying by children, and discrimination in special education law. Smith applies lessons from psychological, anthropological, and human rights literatures to articulate theoretical frameworks that can improve the law's effect upon society and the economy. Smith likewise incorporates Vulnerability Theory and other critical theories to address the limits of those literatures, and to argue for a more egalitarian purposing of law and public systems.



Jack Jackson: At Emory November 2015

Jack Jackson is an Assistant Professor of Politics at Whitman College. He received his Ph.D. from the University of California, Berkeley and earned his J.D. from the Cornell Law School with a certificate in public law. He is a co-editor, with Martha Fineman and Adam Romero of *Feminist and Queer Legal Theory: Intimate Encounters, Uncomfortable Conversations* (Ashgate Press). He has also published in *History of the Present* and the *Harvard Civil Rights-Civil Liberties Law Review*. While at Emory, Jack worked on two projects. The first project entailed an exploration of the potential challenges to constitutionalism posed by political movements on behalf of a so-called "culture of life." The second project offers a justification of the welfare state by pluralizing the concept of political freedom. He imagines that both projects will benefit from a sustained conversation with vulnerability theory.

