

CALL FOR PAPERS

Vulnerability, Resilience, and the State

March 12 - 13, 2010

Emory University School of Law

Atlanta, Georgia

**In past FLT workshops we have considered the concept of “Vulnerability,” arguing that it is universal and constant, inherent in the human condition. Further, while vulnerability can never be totally eliminated, society and its institutions confer certain “assets,” such as wealth, health, education, family relationships, or marketable skills that give individuals “resilience” in the face of their vulnerability. Ensuring meaningful equality of opportunity requires that a responsive state monitor access to these institutions, paying attention to and addressing any unequal distribution of privilege, going beyond concern with discrimination based on identity categories. Our shared vulnerability is the basis for claims upon the state.

**In this workshop we will focus on understanding how the relationship between “resilience” and “the state” can be theorized. Thus far resilience as a theoretical concept has been addressed primarily in the disciplines of developmental psychology, terrorism preparedness, and ecology and climate change. These broad fields approach the concept in slightly different ways, but they share an emphasis on hardiness and the ability of individuals to survive despite hardship. Suniya S. Luthar defines resilience as “the manifestation of positive adaptation despite significant life adversity.” Tuppet Yates, Egeland Byron, and Alan Sroufe define resilience as an “ongoing process of garnering resources” that enables successful adaptation when one is confronted with significant transitions, misfortunes, opportunities, or trials in life. When used primarily to describe individuals, resilience is a highly relational concept, emphasizing the importance of understanding individuals within family and community contexts. In its individual emphasis it encompasses more than a catalogue of protective factors. There is recognition that the same individual can display resilience in one circumstance but not another, or at one point in time, but not another. What has not been fully developed, however, is the scope and nature of the state’s responsibility to facilitate the processes of building individual resilience – what is an appropriately responsive state?

** How can feminist law, culture, and society scholars use the concept of resilience to think about existing norms and structures? What is the relationship between those processes and equality? In particular, how should we shape a more responsive state and what would be the implications of doing so for existing institutions such as the family, public education, the workplace, and the financial system?

WORKSHOP CONTACT:

Feminism and Legal Theory Project: Martha L. A. Fineman, Emory University School of Law

SUBMISSIONS PROCEDURE:

Please email a paper proposal of several paragraphs length by February 1st to: mfineman@law.emory.edu and cdomozi@emory.edu

Working paper drafts to be duplicated and distributed prior to the Workshop will be due March 1st.

WORKSHOP DETAILS:

The Workshop begins Friday at 4PM in room 575 of Emory Law School, followed by dinner in the Hunter Atrium. The Law School is located at 1301 Clifton Road, Atlanta, GA.

Presentations and panels continue on Saturday from 10AM to approximately 5PM. Lunch will be provided.

Possible paper topics include:

- **What characterizes a feminist approach to resilience and how does this differ from other approaches?*
- ** How is or can the environment, whether built or natural, be structured to foster resilience?*
- **How is resilience manifest or attenuated in human bodies?*
- **What is the relationship between resilience and equality? Privilege or disadvantage? Autonomy or self-sufficiency?*
- **How is privilege manifested in current institutional relationships and practices and how should that be changed?*
- **What would be the necessary to give more equality of access to structures of resilience and lessen existing, entrenched privilege?*
- **Does a focus on discrimination in favor of an individual (privilege) instead of discrimination against an individual change the debates about equality? How?*
- **What are the forms of resilience currently conferred through the workplace? The family or kinship structure? Education? Identity, religion, ethnicity, or other bases for group affiliation?*
- **Can the concept of resilience help in making a claim for a more responsive and equitable state?*
- **How might the responsibilities of the state be redefined if the subject of the social contract is considered vulnerable, rather than autonomous?*
- **What are the dangers inherent in a more responsive (thus active) state and how might they be addressed?*
- **How do different societies address vulnerability and resilience?*