
CALL FOR PAPERS

A Workshop on Reproductive and Sexual Justice

April 29-30, 2016

A Vulnerability and the Human Condition Initiative and Northeastern School of Law Workshop

Northeastern University School of Law, Boston, MA

A focus on reproductive and sexual rights has long been a cornerstone of the feminist movement in the United States. The reproductive rights movement has largely been concerned with access to safe and legal abortion, while sexual rights have included a variety of issues related to sexuality including autonomy, privacy, freedom from violence, and reproductive health. In more recent years, the turn to Reproductive Justice (RJ) has sought to contextualize questions of reproduction and sexuality within a race-conscious framework of social inequality and reproductive oppression. RJ seeks to move beyond matters of individual rights, choice and personal health to address more systemic and institutional impediments to realizing full reproductive and sexual freedom. Importantly, this has also included a concern with government obligations and duties, as well as the legal instruments responsible for producing such inequalities across communities both local and global. The shift to the RJ framework has also led to greater inclusivity of the concerns facing a broader set of individuals, including an enhanced focus on marginalized populations as well as the needs of gay, lesbian, bisexual and transgender people.

Questions of institutional responsibility, government action and the limitations of individualized models for justice are also of deep concern to vulnerability theory. This workshop will seek to reflect upon the issues of reproductive rights, sexual health, and sexual violence through the lens of vulnerability as a way to advance discussion on related issues of social justice. It invites engagement with the social reality of inequality developed by the Reproductive Justice model, while highlighting the role played by social institutions in promoting or preventing the resilience needed to control our reproductive and sexual destinies. In moving away from anti-discrimination models, vulnerability theory aims to focus on the operation of our most critical public and private institutions, including healthcare and education, the prison system, the judicial system, and the workplace. By foregrounding the operation of these institutional structures, and the uneven distribution of social goods and resilience they provide, it is hoped that new claims for state responsiveness and public welfare may emerge. Papers which take up these tools of institutional analysis to think through longstanding questions of reproductive rights and justice, sexual health and sexual violence are warmly welcomed.

Issues For Discussion May Include:

- How does a social justice approach to reproduction differ from that of individual rights?
- Is there a role for the social or community concerns and norms in regard to individual decisions about reproduction?
- Within a social justice framework, are reproductive decisions considered "private" or "public" and does it matter?
- Given the present turn to austerity, how should we understand the role of public institutions in the context of the struggle for reproductive justice? How does that differ from the role of private institutions?
- How have public health initiatives affected the distribution of resources for sexual and reproductive health?
- Are there distinctive contributions that vulnerability theory can make to articulating state responsibility for sexual and reproductive health?
- If we conceive of vulnerability theory as a means of understanding social justice, how does this effect how we understand and articulate resilience in the context of sexuality and reproduction?

Issues For Discussion May Include: (CONT.)

- How have questions of dependency and care been addressed by the reproductive justice movement?
- How does a vulnerability approach differ from that of a "rights-based" approach when it comes to the issue of abortion? In a moment where access to abortion services is quickly decreasing in both public and private facilities, who is to be seen as 'vulnerable' and how?
- What are the upsides and downsides that emerge from identity based responses to sexual and reproductive injustice? Should we resist or encourage the segmentation of women, men and trans people of reproductive age into “discrete” vulnerable populations?
- Similarly, what are the upsides and downsides of individual versus collective strategies for change?
- How might a foregrounding of the 'vulnerable legal subject,' rather than our present 'liberal legal subject,' provoke different claims for justice and distribution in the context of reproductive justice?
- What is the role of the criminal law or civil litigation in producing vulnerable subjects? How do fetal torts and wrongful life suits impact the production of legal subjects?

The workshop is being convened by:

Stu Marvel (smarvel@emory.edu), Aziza Ahmed (az.ahmed@neu.edu), and Martha Albertson Fineman (mfinem@emory.edu)

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 March 3, 2016 to Rachel Ezrol, rezrol@emory.edu.

Decisions will be made by March 7, 2016 and working paper drafts will be due April 8, 2016 so they can be duplicated and distributed prior to the Workshop.

Workshop Details:

The Workshop begins Friday at 4PM at Northeastern 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.