

Call for Papers

Feminist Disability Theories and the Law

December 11-12, 2009

The Feminism and Legal Theory (FLT) Project at Emory University is holding a workshop to explore the intersection between disability studies and feminist legal theory. We hope to forge a greater alliance between the rapidly-growing field of disability studies and the already rich field of feminist research in legal studies. Both feminist legal theory and feminist disability studies have interrogated diverse experiences and aspects of gendered embodiment in regard to disability, including disability discrimination, access to medical care and reproductive technologies, bodies and embodiment, illness and pain, birth regulation, childcare, and sexuality. In some areas, however, the synthesis has not been easy. The majority of feminists defend reproductive choices, while disability activists and scholars warn against eugenic impulses in structural contexts.

We hope to prompt transnational conversations among feminist legal scholars— including those who are new to disability. Disability studies scholars who have been incorporating feminist theories and exploring gendered issues and scholars who approach gender and disability as inseparable categories and take an intersectional approach from a feminist disability studies perspective are also welcome.

Two recent developments in the legal realm provide rich opportunities to reexamine disability from comparative perspectives: The UN Convention on the Rights of Persons with Disabilities points out that women and girls with disabilities are important groups to be recognized and the Americans with Disabilities Act Amendments Act in the United States significantly broadens the definition of disability. Meanwhile, new biotechnology may give rise to a notion of disability that is tied to predictive medicine. A narrow view of disability is preferred in many jurisdictions in order to limit screening at the preimplantation and prenatal stages to instances of “serious disability” and to determine when or whether withdrawal or withholding of life sustaining treatment is appropriate. We believe this is a critical time to generate discussion about what constitutes disability and what political implications are involved.

Potential questions to be addressed include but not limited to:

- How can feminist legal theory and disability studies be mobilized in a project of transforming and reconceptualizing both law and disability?
- How do legal definitions of disability regulate, exclude, and/or protect marginalized populations based on their physical and mental differences, gender, economic status, race, ethnicity, and sexual orientations?
- What are the roles of human rights, formal equality, and anti-discrimination legislation in feminist approaches to disability and what can people with disabilities offer to reconfigure existing law?
- How can existent feminist legal scholarships in family, labor, caretaking, reproduction and sexuality be reformulated to incorporate the experiences and perspectives of women with disabilities?
- What kinds of support should be generated for people with disabilities who are blocked from entering—or choose not to enter—employment, marriage and intimate relationships, and parenting?

We encourage proposals from all disciplines. Proposals should only be a few paragraphs in length and are due by October 15, 2009. Working papers are due by November 30, 2009. Please email abstracts to Corina Domozić cdomozi@emory.edu.

Workshop Organizers:

Martha L.A. Fineman, Professor, Emory University, School of Law

Isabel Karpin, Professor of Law, University of Technology, Sydney

Rosemarie Garland-Thomson, Professor, Emory University, Women's Studies

Eunjung Kim, Postdoctoral fellow, Emory University, School of Law