

CALL FOR PAPERS

Vulnerability as a basis for justice and equality in the Nordic countries

Workshop with Professor Martha Albertson Fineman

Oslo, 14–15 August 2012

Organised by the Nordic Women's University (Kvinneuniversitetet i Norden) in cooperation with the research group Law and Vulnerabilities (Rätt och utsatthet), Faculty of Law, Lund University

Martha Albertson Fineman, Robert W. Woodruff Professor of Law at Emory University School of Law (Atlanta, GA, USA), has for several decades been a leading feminist legal theorist and is among the founders of the field. She is the director of the Feminism and Legal Theory Project, and her current research programme, the Vulnerability and the Human Condition Initiative, is directed at finding new ways to reformulate existing legal and social bases for global justice. By taking the shared, human condition of vulnerability as a point of departure, her vulnerability approach reorganizes the relations between individuals and society. It emphasizes state obligations to provide the resources and institutions that generate resilience towards the inevitable dependencies and misfortunes that define human life. Vulnerability analysis subsequently critiques the view of the individual as free and autonomous, as commonly expressed in most other theories of justice and traditional jurisprudence. If we instead ground our understanding of the human being through concepts of 'vulnerability' and 'dependency', we come to the conclusion that there is a need for a more responsible and responsive welfare state. The implications of Fineman's vulnerability analysis are possibly far-reaching, with wide-ranging implications even for Nordic countries, which are renowned abroad for our public socioeconomic support system. We invite other researchers and social scientists to join us in exploring the relevance and possible uses of the vulnerability approach in a Nordic context, during a workshop over two days with Martha Fineman.

We welcome contributions from different disciplines and perspectives. Papers may be based on empirical, theoretical, philosophical, legal or other approaches, including but not limited to:

- 1) The vulnerability approach's application to current empirical research in Nordic

countries, whether individual nations or parts of the region.

2) The possible relevance of vulnerability as a theoretical basis for justice, separately or in relation to other contemporary theories of justice in the Nordic context and elsewhere (for instance Nussbaum, Rawls, Fraser, Benhabib, Honneth, Levinas, and others). What are the advantages and disadvantages of the vulnerability approach, particularly in the Nordic region?

3) Vulnerability and law: What kind of legislation would be needed and which law reforms would be necessary if the vulnerability approach should become the basis of justice: regionally, nationally, and globally? What might be vulnerability's relation to ongoing reforms within the Nordic region of laws, including the regulation of equality and inclusion, as well as the integration of human rights and international conventions into national law?

4) Vulnerability and institutions: How do existing institutions in our societies produce or modify inequality, privilege and resilience in groups and individuals? What kind of institutions would be needed if vulnerability were the basis of justice? To what extent do the Nordic welfare states provide resilience? How are institutions in the Nordic countries vulnerable, in danger of co-optation, or undermined by global economic recessions and privatization? Given Fineman's strong belief in the ombudsman/commissioner-function modeled in part on the Nordic countries, how do these institutions function in the nations that invented them today? Are there any problems, from a vulnerability perspective?

Abstracts should be sent to margunn.bjornholt@gmail.com

by 31 March 2012.

Submission of paper by 31 July 2012.

Read more about Martha A. Fineman at this page:

<http://www.law.emory.edu/faculty/faculty-profiles/martha-albertson-fineman.html>

Key references

Fineman, Martha:

The Vulnerable Subject: Anchoring Equality in the Human Condition, *Yale Journal of Law and Feminism* 20:1(2008).

http://web.gs.emory.edu/vulnerability/zpdfs/20_Yale_J.L._Feminism_1_.PDF

The Vulnerable Subject and the Responsive State, forthcoming in *60 Emory Law Journal* (2011). <http://web.gs.emory.edu/vulnerability/zpdfs/Vuln%20Subject.pdf>

“Grappling with Equality: One Feminist Journey” in *Transcending the Boundaries of Law: Generations of Feminism and Legal Theory* (2011)

Further references and downloadable articles

<http://web.gs.emory.edu/vulnerability/resources/Publications.html>

Law and Vulnerabilities, Faculty of Law, Lund University

http://www.jur.lu.se/law_and_vulnerabilities