AGENDA

Friday, November 3, 2006

8:30-9:15 a.m. Registration and Continental Breakfast

9:15-9:30 a.m. WELCOME AND INTRODUCTION

DEAN AARON D. TWERSKI
Hofstra University School of Law
LINDA MCCLAIN
Hofstra Law School

9:30-10:45 a.m. KEYNOTE ADDRESS:
EQUALITY: STILL ILLUSIVE AFTER ALL THESE YEARS?
MARTHA ALBERTSON FINEMAN
Emory University School of Law

10:45-11 a.m. Break

11 a.m.-12:30 p.m. I. CONSTITUTIONAL CITIZENSHIP AND GENDER
BEVERLEY BAINES
Queen’s University Faculty of Law
MARY ANNE CASE
University of Chicago Law School
TRACY HIGGINS
Fordham University School of Law
ROGERS SMITH
University of Pennsylvania Department of Political Science
Moderator/Commentator
LINDA MCCLAIN
Hofstra Law School

12:30-2 p.m. LUNCHEON AND PRESENTATION

MEDIA PRESENTATION: VISUALIZING THE BORDERS OF WOMEN’S CITIZENSHIP
REGINA AUSTIN
University of Pennsylvania Law School
Leeds Morelli & Brown Atrium, Second Floor, Hofstra Law School

2-3:45 p.m. II. DEMOCRATIC CITIZENSHIP AND GENDER
KATHRYN ABRAMS
University of California at Berkeley School of Law
JANE MASLOW COHEN
University of Texas School of Law
NANCY HIRSCHMANN
University of Pennsylvania Department of Political Science
ANNE PETERS
University of Basel Faculty of Law
Moderator/Commentator
AMY BAEHR
Hofstra University Department of Philosophy

3:45-4 p.m. Break
III. CULTURAL CITIZENSHIP AND GENDER
KARIMA BENNOUNE
Rutgers University - Newark, Center for Law & Justice
ZIBA MIR-HOSSEINI
Hauser Global Law Faculty Fellow, NYU School of Law
ANISSEH VAN ENGELAND-NOURAI
Institut d'Etudes Politiques

Moderator/Commentator
MARGARET ABRAHAM
Hofstra University Department of Sociology

6-8:30 p.m.
DINNER AND PHOTOGRAPHY PRESENTATION: CAPTURED IN THE DARK: 19TH CENTURY SPECTATORSHIP AND THE CONSTRUCTION OF GENDER, RACE, AND NATIONALITY
LISA MERRILL
Hofstra University Department of Speech
Communication Rhetoric and Performance Studies
Lowenfeld Exhibition Hall, 10th Floor, Axinn Library

Saturday, November 4, 2006

8:30-9:15 a.m.
Continental Breakfast

9:15-11:15 a.m.
IV. SEXUAL AND REPRODUCTIVE CITIZENSHIP AND GENDER
BRENDA COSSMAN
University of Toronto Faculty of Law
JANET HALLEY
Harvard Law School
MAXINE EICHNER
University of North Carolina School of Law
CAROL SANGER
Columbia University School of Law
MARY LYNDON SHANLEY
Vassar College Department of Political Science
CHERYL MWARIA
Hofstra University Department of Anthropology

Moderator/Commentator

11:15-11:30 a.m.
Break

11:30 a.m.-1 p.m.
V. SOCIAL CITIZENSHIP AND GENDER
MARTHA MCCLUSKEY
SUNY Buffalo School of Law
KATHERINE SILBAUGH
Boston University School of Law
JOAN WILLIAMS
University of California, Hastings College of Law

Moderator/Commentator
JOANNA GROSSMAN
Hofstra Law School

1-2:15 p.m.
LUNCHEON
Leeds Morelli & Brown Atrium, Second Floor, Hofstra Law School

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VI. GLOBAL CITIZENSHIP AND GENDER
DEBORAH ANKER
Harvard Law School
SUSANNE BAER
Humboldt University Faculty of Law
ELIZABETH SCHNEIDER
Brooklyn Law School
DEBORAH WEISSMAN
University of North Carolina School of Law

Moderators/Commentators
NORA DEMLEITNER & BARBARA STARK
Hofstra Law School

About the Conference

This conference brings together an interdisciplinary group of distinguished scholars to examine the multiple dimensions of women's equal citizenship and take stock of progress made toward securing such citizenship and impediments to this goal. The equal citizenship of women is a common political value. A commitment to gender equality and the equal rights and responsibilities of men and women features in the constitutional, statutory and common law of many countries, and in international law and human rights instruments. Despite great steps in recent decades toward securing women's equal citizenship, a wavering commitment to — and cultural ambivalence about — gender equality remains. Gender equality can be furthered or inhibited by public initiatives, institutional culture and private conduct. A perennial debate exists over whether fundamental differences between men and women warrant different roles in public and private life, and explain or justify economic, social and political inequality. Is gender equality an appropriate goal in the realm of political self-government and public life, but not in the realm of the family and the rest of civil society? These debates seem to pit fostering women's equality against preserving strong families, cultural integrity and religious values. In the constitution-making process in many societies in transition, a challenging issue has been how to affirm a commitment to sex equality along with rights to family, cultural and religious life. And, in U.S. foreign policy, appeals to elevating the status of women have served as rationales for military intervention in other countries.

This is the inaugural conference of the Institute for the Study of Gender, Law & Policy at Hofstra Law School, co-directed by Professors Joanna L. Grossman and Linda C. McClain. For more information about the conference, please visit http://www.hofstra.edu/law/equalcitizenship.

I. Constitutional Citizenship and Gender: What role do constitutions play in declaring and fostering women's equal citizenship? In securing formal and substantive equality? Is there a "gender gap" in contemporary comparative constitutional analysis — an inattention to matters of women's rights and the role of constitutions in fostering them? What explains the gap between constitutional norms of equality and continuing social practices of inequality in the family and other parts of civil society? When constitutional rights to sex equality conflict with rights to religious freedom and to cultural life, how do or should legislatures and courts resolve such conflicts? In countries with newer constitutions, in which women's participation in the constitution-making process has shaped the equality norms embedded in constitutions, what have the consequences of constitutionalism been for women's equality? What are the limits of constitutionalism as a means of securing gender equality?

II. Democratic Citizenship and Gender: One dimension of equal citizenship is democratic, or political, self-government. What gains have been made in fostering women's active participation in political deliberation and self-government? What challenges remain? What are the preconditions for such participation, and what institutional forms encourage it? Have gender-specific measures aimed at increasing women's political participation, such as quotas, been effective? How do rates of voting and political representation in countries employing such measures compare with those in countries that do not? How do forms of disability bear on democratic citizenship? And how might a feminist conception of the state's obligation to warrant individual safety and foster basic liberties, including liberty of exit, help to realize democratic citizenship? Women are diverse and do not speak with one voice about the extent to which gender equality is a proper political goal and, if so, in what spheres of society to foster it. How should this diversity inform considerations of democratic citizenship?
III. Cultural Citizenship and Gender: The idea of cultural citizenship connotes enjoying and actively shaping cultural life, including participating in interpreting and transmitting culture. Some feminist work has posited a sharp tension between women's equality and the preservation of cultural and religious traditions. Other feminists resist framing the issue as women's rights versus culture or women's rights versus religion and speak of women's rights within culture and religion. They urge attention to cultural and religious resources supporting women's equality. Culture, far from static, is continually subject to internal contestation and revision. When governmental authorities must interpret and adjudicate cultural and religious issues, are there accounts of culture and religion that facilitate dissent and protect against endorsing the most patriarchal accounts? How, for example, have Muslim women engaged Islamic law and feminism in their quests for equal rights? How have systems with constitutional commitments to gender equality and to cultural and religious rights reconciled or harmonized these commitments? And what stance should government take when individuals within a protected minority group face discrimination from their community?

IV. Sexual and Reproductive Citizenship and Gender: How do matters of sexuality and reproduction bear on women's citizenship? Rhetoric about a vital link between strong families and a strong nation implies a powerful governmental interest in how citizens form and maintain families. Debates over marriage (particularly, same-sex marriage) and sex education implicate the question of government's interest in regulating sexuality and reproduction and the social institution of the family. How do such debates implicate women's equal citizenship and resistance to it? Is social cooperation between women and men on terms of equality possible in the domain of sexuality, family and reproduction? Have feminist theorists offered adequate accounts of sexual and reproductive citizenship? Is it necessary (as Janet Halley argues) to “take a break from feminism” to do so, or is feminist theory one of a number of critical theories that can contribute to an apt account of sexuality, power and citizenship? How should notions of equal citizenship shape understandings of reproductive justice and the ongoing debate over assisted reproductive technology? How do issues of racial inequality and economic inequality work in tandem with gender equality to shape sexual relationships and reproduction in contemporary societies? How might visions of women's equal citizenship address these intersecting problems of inequality?

V. Social Citizenship and Gender: How does social citizenship, or economic citizenship, bear on women's equal citizenship? The term “social citizenship” connotes social rights to the material preconditions for effectively participating in society (for example, the economic security that Franklin Delano Roosevelt included in a “Second Bill of Rights”). How does a focus on gender inform understandings of social citizenship? Accounts of social citizenship have often focused on paid work as the avenue to citizenship, leaving out the contribution to citizenship made by the family work of women. Contemporary feminist accounts attempt to speak of men's and women's right both to economic security and to decent work and of a principle of governmental responsibility to support the vital work of social reproduction undertaken when families care for children and other dependents. Is it possible to advocate social citizenship in a way that does not reinforce gender role stereotypes and inequality at home and work? Would it better secure gender and economic equity to shift away from using marital status to structure access to governmental support for workers and families to a non-marriage based system of allocation? How should appeals to women's social citizenship reckon with the impact of global migration on work and family?

VI. Global Citizenship and Gender: This round table examines the global dimensions of women's equal citizenship. One aspect of global citizenship is the rights and responsibilities and norms of equality embodied in international human rights treaties and international law. “Gender mainstreaming” is increasing, and is increasingly controversial. How have nongovernmental organizations devoted to securing women's equality formed alliances across national boundaries? Where do immigrants fit into appeals to equal citizenship? How have patterns of economic globalization as well as problems of war and displacement shaped women's migration across borders?
Please return completed registration form on or before October 27, 2006, to:
Dawn Marzella, Director of Special Projects
Hofstra Law School, 121 Hofstra University, Hempstead, NY 11549-1210
Fax: (516) 463-6091 • E-mail: lawdmm@hofstra.edu

Name: ___________________________________________________________
Affiliation: ______________________________________________________
Address: _________________________________________________________
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Fees: Full registration fee includes two continental breakfasts, coffee breaks, and luncheons.

Friday and Saturday, November 3 and 4 $100
Friday and Saturday, November 3 and 4 plus dinner on Friday evening $125
Friday, November 3 (no dinner) $60
Saturday, November 4 $40

Hofstra Alumni, Public Sector and Nonprofit Attorneys/Employees
Friday and Saturday, November 3 and 4 $65
Friday and Saturday, November 3 and 4 and dinner on Friday evening $80
Friday, November 3 (no dinner) $35
Saturday, November 4 $30

All events, with the exception of meals, are free to the Hofstra community upon presentation of a current HofstraCard. Please register in advance. Unfortunately, free admission to conference events cannot be extended to family and friends of members of the Hofstra community. With a valid student identification card, students may register free of charge.

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Hofstra University School of Law is an accredited New York State CLE provider. 13.5 New York CLE credits (non-transitional) are available for this conference. Lawyers admitted in jurisdictions other than New York should check with those jurisdictions to determine CLE requirements in their states. Scholarships are available. To apply, please contact Dawn Marzella at (516) 463-6889 or visit http://www.hofstra.edu/law/equalcitizenship.
Hofstra University
School of Law and the Institute for the Study of Gender, Law & Policy present a conference

Dimensions of Women’s Equal Citizenship

Friday and Saturday
November 3 and 4, 2006
13.5 NYS CLE Credits