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A SYMPOSIUM ON SOCIAL JUSTICE FEMINISM: INTRODUCTION

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Feminism. A highly freighted term that conjures up myriad images, mostly pejorative: from humorless and overly “politically correct,” to privileged and mired in the past. Small wonder that so many have cringed at its mention or distanced themselves from it altogether. Indeed, with the statistics about women achieving parity in higher education, on interscholastic and intercollegiate athletic fields, or even breaking glass ceilings at the nation’s leading corporations, the term seems almost quaint.

Of course, it doesn’t take much digging to unearth a counter-narrative. Women from all walks of life confront too much violence in their homes, workplaces, or college campuses. More than fifty years after the passage of the Equal Pay¹ and Civil Rights² Acts, women still earn less than men, struggle to balance work and family obligations, and even struggle to keep their jobs if they become pregnant. Despite the many successes of the modern women’s movement, much work remains to be done.

In a study, the Center for the Advancement of Women made that point vividly. It found that women of color—particularly African American and Latina women—wanted a

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¹ Equal Pay Act of 1963, Pub. L. No. 88-38, 77 Stat. 56. (codified at 29 U.S.C. § 206(d)).

² Civil Rights Act of 1964, Tit. VII, Pub. L. No. 88-352, 78 Stat. 241 (codified at 42 U.S.C. §§ 2000e to 2000e-17).

stronger, more robust movement to address their concerns.³ Undeterred by the connotations of the “f word,” these women were much more likely to identify with the term “feminist.”⁴ Inspired by these findings, the Ford Foundation, Astrea Foundation, and the Third Wave Foundation convened activists from organizations large and small, academics, and others, to determine how to recharge the women’s movement, particularly with the goal of empowering the women perpetually at the margins. After three years of meeting and strategizing, attendees simultaneously named what was lacking and what they wanted to pursue: social justice feminism. Indeed, as Linda Burnham, one the participants, stated, they didn’t want to “do feminism anymore unless it [was] social justice feminism.”⁵

Intrigued by both the name and the notion, we (Kalsem and Williams) set about the task of determining the contours of social justice feminism and what it might mean for a newly invigorated women’s movement. Canvassing history (including lost histories of feminist organizing⁶, theory, and case law), our article *Social Justice Feminism*⁷ determined that social justice feminism (SJF) had deep roots in women’s organizing for freedom,⁸ including legal battles for fairness in the workplace,⁹ and is linked inextricably to critical race feminism.¹⁰ From these sources, we discerned the central tenets¹¹ and methodologies of SJF, and applied them to analyze the Supreme Court’s decision in *Long Island Care at Home v. Coke*,¹² which upheld the denial of wage

³ CENTER FOR ADVANCEMENT OF WOMEN, PROGRESS AND PERILS: NEW AGENDA FOR WOMEN 3 (2003).

⁴ *Id.*

⁵ Kristin Kalsem & Verna L. Williams, *Social Justice Feminism*, 18 UCLA WOMEN’S L.J. 131, 132 (2010).

⁶ *Id.* at 161-74 (discussing the 1977 National Women’s Conference).

⁷ *Id.*

⁸ *Id.* at 141-47.

⁹ *Id.* at 151-55.

¹⁰ *Id.* at 157-61.

¹¹ *Id.* at 165-75 (describing key SJF principles of being productive, constructive, and healing); and 175-84 (identifying SJF methods: looking to history to understand subordinating structures, examining the interrelationships between interlocking oppressions, and focusing on bottom-up strategies).

¹² 551 U.S. 158 (2007).

protections for home health care workers. We saw the *Coke* case as a missed opportunity for the Court and feminist legal advocates to provide much needed relief to low income women of color.¹³

When we published *Social Justice Feminism*, we hoped to start a conversation about many things, including: coalitions between activists and academics; the meaning of feminism in the twenty-first century; and next steps beyond the path-breaking work on anti-essentialism and intersectionality. It has been so heartening to see the fruitful ways that these discussions are developing on paper.

For example, Martha Chamallas in *Past as Prologue: Old and New Feminisms*, identifies social justice feminism's emphasis on activism leading toward concrete policy changes as part of "the future of feminist legal theory" and as demonstrating "the capacity of feminist legal theory to generate new insights for a new generation."¹⁴ She sees in the bottom up and practical approach, a touchstone of social justice feminism, connections with John Powell's "targeted universal programs."¹⁵ Such programs, while set out in terms that benefit everyone, in fact, target and benefit certain people on the margins because of the ways in which they are differently situated. Chamallas sees more of a push for these types of programs "under the banner of social justice feminism."¹⁶

Kathleen Kelly Janus, in her article *Finding Common Ground: The Role of the Next Generation in Shaping Feminist Legal Theory*,¹⁷ offers social justice feminism as the way to bridge the divide between second- and third-wave feminists. Janus sees much potential in the way that social justice feminism views history—not as something to be discounted or used to create generational divisions—but rather as something to reflect upon and learn from. Specifically, Janus argues that "social justice feminism

¹³ Kalsem & Williams, *supra* note 5, at 191.

¹⁴ Martha Chamallas, *Past As Prologue: Old and New Feminisms*, 17 MICH. J. GENDER & L. 157, 159 (2010).

¹⁵ See John A. Powell, *Post-Racialism or Targeted Universalism?*, 86 DENV. U. L. REV. 785 (2009).

¹⁶ Chamallas, *supra* note 14, at 174.

¹⁷ Kathleen Kelly Janus, *Finding Common Feminist Ground: The Role of the Next Generation in Shaping Feminist Legal Theory*, 20 DUKE J. GENDER L. & POL'Y 255 (2013).

is a way to build on the theoretical ideas of the second-wave that have continued in the third-wave, while embracing new methodological ways of implementing feminism in practice.”¹⁸

Social justice feminism has been linked to and associated with other promising moves toward more pragmatic feminist work such as the “feminist legal realism” proposed by Mae Quinn.¹⁹ As Quinn analyzes, both social justice feminism and feminist legal realism offer more “reality-based and rooted responses to lived inequity.”²⁰ Social justice feminism also has been situated within critical race theory as a strategy for countering color-blindness and developing a more inclusive society by Margalynne J. Armstrong and Stephanie Wildman, as they examined the late Professor Derrick Bell’s work.²¹ Deborah Brake and Joanna Grossman use SJF methods to critique the cramped readings of the Pregnancy Discrimination Act²² and, in so doing, illustrate how recent court decisions have had particularly dire consequences for low income women and women of color.²³

To broaden and deepen this ongoing conversation, we hosted a conference at the University of Cincinnati College of Law in October 2012. Activists, academics, and attorneys from across the nation answered our call for papers to discuss the potential and reality of SJF to effect systemic change. This interdisciplinary gathering featured a wide variety of panels: Feminist History Revisited; (Re) Visioning Citizenship: Resisting Legal and Social Regulatory Boundaries for Minority Groups in North America, Europe, and Southeast Asia; “The Dinner Table of Power”: Food Security and Social Justice Feminism; and Feminist Documentary through the Lens of Social Justice Feminism: A Conversation.²⁴

¹⁸ *Id.* at 282.

¹⁹ Mae C. Quinn, *Feminist Legal Realism*, 35 HARV. J.L. & GENDER 1 (2012).

²⁰ *Id.* at 54.

²¹ Margalynne J. Armstrong & Stephanie Wildman, *Homage to Derrick Bell*, 36 SEATTLE U L. REV. v, vii (2013).

²² Pregnancy Discrimination Act of 1978, Pub. L. No. 95-555, 92 Stat. 2076 (codified at 42 U.S.C. 2000e(k)).

²³ Deborah L. Brake & Joanna L. Grossman, *Unprotected Sex: The Pregnancy Discrimination Act at 35*, 21 DUKE J. OF GENDER & L. 67 (2013).

²⁴ “The Third Annual Center for Race, Gender, and Social Justice Conference: Social Justice Feminism” (on file with authors).

Patricia Hill Collins, Distinguished University Professor at the University of Maryland and Charles Phelps Taft Distinguished Emeritus Professor of Sociology at University of Cincinnati, gave the keynote address, which provided a history of intersectionality theory.

Over the course of two very full days, we fully examined, critiqued, and applied SJF. And, we continue to do so in this special issue of the *Freedom Center Journal*, which comprises a set of truly diverse and interdisciplinary pieces, each individually interpreting and performing social justice feminism in original and unique ways. Collectively, these pieces demonstrate how SJF can be constructively employed across academic disciplines and through lived realities and, further, how SJF can be used to connect theory to our own individual and collective advocacy and activism.

While SJF prioritizes how to connect theory to practice, one of its intellectual precursors is intersectionality theory, originated by leading critical race feminist Kimberlé Crenshaw in the early 1980s. As such, this special issue opens with Professor Martha Chamallas' *Social Justice Feminism: A New Take on Intersectionality*,²⁵ in which Chamallas provides an overview of intersectionality theory and then situates SJF in relation to it. Professor Sumi Cho, in *Intersectionality and the Third Reconstruction*,²⁶ then further situates SJF by "locat[ing] the origins of both the early and modern women's movement in Black freedom struggles."²⁷ In this article, Cho also demonstrates how intersectionality theory has been misunderstood and misused (by both the right and the left) to counter and weaken specifically anti-racist and feminist struggles. In beckoning a "Third Reconstruction," Cho argues that intersectionality theory should be used to (re-) build the type of social justice feminist movement that Kalsem and Williams describe in *Social Justice Feminism*. By both "looking to history" and "examining inter-relationships between oppressions," Cho calls on us to employ intersectionality

²⁵ Martha Chamallas, *Social Justice Feminism: A New Take on Intersectionality*, FREEDOM CENTER J., Fall 2014, at 11.

²⁶ Sumi Cho, *Intersectionality and the Third Reconstruction*, FREEDOM CENTER J., Fall 2014, at 21.

²⁷ *Id.*

theory more effectively to strategize “bottom-up” strategies and remedies. In this sense, Cho’s “performance” of SJF through *Intersectionality and the Third Reconstruction* provides a comprehensive framework for the following pieces in this special issue.

Following Cho’s article, Barbara Y. Phillips, in *Reflections: Philanthropy and Social Justice Feminism*,²⁸ provides a specific contemporary snapshot, in the age of the “non-profit industrial complex,”²⁹ of the still-existing fissures between anti-racist and mainstream feminist movements. A former Program Officer at the Ford Foundation and long-time social justice feminist, Phillips’ description of the fate of the New Women’s Movement initiative (an initiative also discussed by Cho) within the larger, mainstream feminist movement paints an all-too-familiar picture of, in Cho’s words, a still “dysfunctional extended family.”³⁰ Yet, Phillips, who has been working valiantly for decades to heal that dysfunction, remains hopeful, calling on us to “collectively ... transform the movements for social justice and women’s human rights.”³¹

Professor Stephanie Wildman takes up that call in the next piece, *Practicing Social Justice Feminism in the Classroom*, within the specific context of the law school classroom. In so doing, she reminds us of how feminism, in its many forms, was “forged by action.”³² Moreover, while SJF can be theorized and analyzed on a grand scale, Wildman also urges us to use it in our “near environments”³³ so that we can transform the “organizations, institutions, and relationships in which we live and work on a daily basis.”³⁴ By providing compelling examples and analyses of how

²⁸ Barbara Y. Phillips, *Reflections: Philanthropy and Social Justice Feminism*, FREEDOM CENTER J., Fall 2014, at 47.

²⁹ INCITE! WOMEN OF COLOR AGAINST VIOLENCE, *THE REVOLUTION WILL NOT BE FUNDED: BEYOND THE NON-PROFIT INDUSTRIAL COMPLEX* (2009).

³⁰ Cho, *supra* note 26, at 39.

³¹ Phillips, *supra* note 28, at 56.

³² Stephanie M. Wildman, *Practicing Social Justice Feminism in the Classroom*, FREEDOM CENTER J., Fall 2014, at 57.

³³ Jill Morawski, *The Science Behind Feminist Research Methods*, 533 J. SOC. ISSUES 667, 667 (1997).

³⁴ PATRICIA MAGUIRE, *DOING PARTICIPATORY RESEARCH: A FEMINIST APPROACH* xv (2d ed. 2000).

she has used SJF in her classrooms, Wildman also provides those of us who are teachers with a template for how to do the “bottom-up” work that SJF emphasizes.

Shauntrice L. Martin’s *Towards Restorative Practices: Girls of Color and Alternatives to Incarceration*,³⁵ which opens and closes with spoken-word verse (which Martin also performed at the live conference), next transports us from Wildman’s law classroom into another kind of classroom, that of the Oak Hill Youth Detention Center, near Washington, D.C., where Martin taught and became interested in restorative justice. The daughter of a mother who was incarcerated for stealing to provide essentials for her family, Martin’s verse and essay poignantly demonstrate the power and reach of the theory that she brought to her students at Oak Hill and how it can be used to empower young Black girls, who are increasingly entering the school-to-prison pipeline. Thus, in performing her own brand of SJF, Martin dispels the widely held belief that theory and reality/practice cannot be bridged.

The next two pieces also explore how SJF can be used to address entrenched educational inequalities, although in the more conventional educational institutions of primary, secondary, and higher education. In *The Possibilities and Perils of Social Justice Feminism: What We Can Learn from the Single-Sex Public Education Debates*,³⁶ Dr. Juliet A. Williams explores how the terms “feminism” and “social justice” have been rhetorically deployed to effect yet another iteration of the debilitating divide between feminist and anti-racist movements, this time in the context of the debates over public, single-sex education for Black boys and adolescents. Williams urges us, in particular, to recognize and reckon with the “highly contested” meanings of the term “social justice” and to more clearly articulate in our work as SJF activists and scholars its intersectional nature. Professor Erin E. Buzuvis next discusses in *Title IX Feminism, Social Justice, and*

³⁵ Shauntrice Martin, *Towards Restorative Practices: Girls of Color and Alternatives to Incarceration*, FREEDOM CENTER J., Fall 2014, at 79.

³⁶ Juliet A. Williams, *The Possibilities and Perils of Social Justice Feminism: What We Can Learn from the Single-Sex Public Education Debates*, FREEDOM CENTER J., Fall 2014, at 87.

NCAA Reform,³⁷ how SJF can be applied to address gendered and raced inequalities in college athletics. By taking aim at the history of the commercialization of amateur sports and the neoliberalization of higher education, Buzuvis makes a strong case, using SJF as her playbook, for a return to the first principal of *educating* college and university students.

The next three pieces shift this issue's critical focus, just slightly, from institutions in which we work, learn, and play, to institutions that literally help us sustain life. In *The Right to Food: A Global Agenda for the Women's Movement*,³⁸ Professor Peggy Rivage-Seul urges us to enact SJF as citizens of the world through her structural analysis of the global agribusiness industry and discussion of the need for an SJF approach to the global (and local) issue of food security. Dr. Rhonda Pettit's poem *Eve Gathering Apples*³⁹ follows, inviting us to ruminate on a possibly metaphorical Garden of Eden, and on life, fear, hunger, strength, womanhood, beauty, and more. Lauren Wales' *Anesthetic/Aesthetic*,⁴⁰ is a different type of rumination, one that viscerally reveals the often schizophrenic nature of childbearing, both with respect to its overwhelming oppressiveness, particularly for women without access to adequate reproductive health care and support, as well as the overwhelming joy and empowerment that many women experience in childbearing. Each of Pettit's and Wales' literary pieces performs a fundamental aspect of SJF by accounting for and reconciling difference and tension, both internal and external and both physical and intangible. They echo a central tenet of SJF, that reality and real experiences must inform any liberatory theory.

Finally, this issue closes with Dorothy Quincy Thomas' essay, *The Feminist Patriot: Oxymoron or More Perfect Union?*,⁴¹ wherein Thomas challenges us to reclaim the terms "feminist" and

³⁷ Erin E. Buzuvis, *Title IX Feminism, Social Justice, and NCAA Reform*, FREEDOM CENTER J., Fall 2014, at 101.

³⁸ Peggy Rivage-Seul, *The Right to Food: A Global Agenda for the Women's Movement*, FREEDOM CENTER J., Fall 2014, at 123.

³⁹ Rhonda Pettit, *Eve Gathering Apples*, FREEDOM CENTER J., Fall 2014, at 137.

⁴⁰ Lauren Wales, *Anesthetic/Aesthetic*, FREEDOM CENTER J., Fall 2014, at 139.

⁴¹ Dorothy Quincy Thomas, *The Feminist Patriot: Oxymoron or More Perfect Union?*, FREEDOM CENTER J., Fall 2014, at 145.

“patriot” by *practicing* social justice feminism in our work and personal lives. In the pages that follow, the many authors who have contributed to this special issue of the *Freedom Center Journal* share with us the many ways in we can empower ourselves and our communities by performing—and indeed living—social justice feminism.

