

Pecans Workshop 2008

Day 2: Thursday 24 April – ‘Reconfiguring Resisance’ Day Conference

Abstracts

9:30 – 11:00am: Session 1 – Resisting violence against women

Chair: tbc

Nisrine Mansour, (LSE): ‘Women Groups as Actors of Resistance or Negotiation: The Case of Family Laws Reforms in Post-Conflict Lebanon’

Abstract: The last decade witnessed a proliferation of scholarly research adopting the Violence Against Women (VAW) approach to gender inequality and reaffirming the position of women groups as main actors of resistance in this area. International and national policy makers also adopted this approach through interventions placing women groups and women-focused programmes at the centre of their policies.

This paper questions the validity of these claims by looking at the case of women groups who used the VAW approach to address gender inequality in religious family laws in post-conflict Lebanon (post 1991). It argues that a heavy focus on the centrality of women groups and women-focused VAW interventions is problematic because it conceptualises women groups as autonomous actors that hold ideal universal feminist norms. This perspective thus ignores the broader institutional influences that construct women groups’ norms and action within a set of socio-cultural interconnections and glosses over the inter and intra-space power dynamics between them and other relevant actors, not least the women they are meant to represent.

The argument highlights the role of intersecting global and local dominant discourses in shaping the policy process in a set of overlapping and competing policy spaces. These spaces constitute sites for power negotiations whereby women groups are institutionalised within the broader setting and their role in resisting gender equality is continuously redrawn and contested.

Anupma Kaushik and Ms Suman (Banasthali University, Rajasthan, India): ‘Resisting Domestic Violence: A Case Study of M.Phil Students of Banasthali University’

Abstract: The constitution of India guarantees equality to women and various laws have been enacted to empower women. Some women have definitely benefited from these provisions and have achieved some success in life. These upper and middle class women in urban areas generate the impression that Indian women's status has substantially improved. Moreover, there are many examples of articulate, capable, efficient, powerful women with political, administrative and economic clout, which reinforces this impression. However for majority of women life is an unending series of compromises in a very traditional, patriarchal and feudal society. This society starts discriminating against female since she is in the womb in the form of female feticide. the discrimination continues throughout life in form of female infanticide, high female infant mortality due to neglect, low female literacy, child marriage, dowry, repeated pregnancies, malnutrition, unattended child birth, purdah, low female paid workforce participation, bride burning, rape, molestation, eve teasing, domestic violence etc.

Domestic violence has been prevalent in every age and every section of society in India. However, the tendency for long has been to push the issue under the carpet. At the most it was dismissed as a practice common among poor and illiterate people. It was not even acknowledged among the educated and affluent class due to the social stigma attached to it. However, on 26th October 2006 'The Protection of Women from Domestic Violence Act 2005' came into effect. The Act which aims to protect women against physical, sexual, verbal, emotional and economic abuse by husbands, live-in –partners and other male relatives has generated a lot of debate in the media.

A study was conducted employing questionnaire, interview and observation tools to find out the response of all 62 M. Phil students of Basnasthali University on the issue. The study conducted in December 2007 shows that these young, Hindu, upper caste women studying in a university for women are aware of the law passed by the government to prevent domestic violence. They believe that the law will facilitate women in eradicating domestic violence and is a step in the right direction. They also believe it will affect the hierarchical nature of family in India by bringing in more equality among men and women. 29% ie 18 respondents have faced domestic violence themselves but only four of them took recourse to law to stop domestic violence. 74.19% ie 46 women said they know some other woman who has faced domestic violence. Of these 'known' victims of domestic violence only 15 took recourse to law while 20 took no steps to bring an end to domestic violence. Most respondents think that a combination of effective implementation of law as well as economic and educational empowerment of women can help in containing domestic violence.

Máiréad Enright (University of Cork/Manchester Metropolitan University): 'Resistance and Exit'

Abstract: In liberal multicultural theory the dominant representation of minority women is that of the passive victim of a patriarchal culture. Suspicious of justice claims made from the standpoint of identity, liberalism tends to reduce cultural and religious practice to oppression. The right to exit a cultural network has consequently become a key element both of multicultural theory and state practice. However, minority women's victimhood is played out again in the process of exit. Problems of agency arise when women are left to bear the cultural, emotional and economic burdens of choosing exit and attempting "entry" to the society beyond their cultural network.

To date, liberal multicultural accounts have said little about the woman who chooses not to exit at all despite the ostensible presence of oppression. Such women are the focus of this paper. The cases of Shabana Begum and Aisha Azmi, for example, highlight the sense of empowerment which many women take from religious and cultural orders. This paper argues that, by their subversion of the liberal state's expectation of victimhood, such women create new spaces for resistance to political domination.

11:00 – 11:30am: Coffee Break

11:30 – 1:00pm: Q & A session with Bonnie Honig, (Northwestern University):
Chair: Sarah Lamb (Kent)

Title: 'Antigone's Anachronism: Mourning, Tragedy and Transition in Democratic Athens'

Abstract: Sophocles' Antigone is most often read as the story of an admirable civil disobedient (Antigone), who represents democratic, popular, or dissident principle by heroically resisting the overreaching sovereign power of her authoritarian uncle (Creon).

Antigone buries her brother, although it is prohibited, and dies for her cause. This dissident Antigone is the object of Judith Butler's admiration in her quest for resources with which to counteract contemporary efforts to enlist state power on behalf of feminist causes. Butler's Antigone speaks the language of sovereignty. Appropriating and borrowing from Creon's vocabulary, she iteratively re-performs and re-cites sovereignty's discourse and power. As I read her, however, Antigone represents an alternative sovereignty and a rival form of life. In contradistinction to Creon, who represents Athenian democracy, Antigone represents a Homeric table of values and a 5th century Athenian aristocratic form of life that are opposed to Athenian democracy and from which contemporary democracies might yet usefully learn. Antigone's critique of the democratic order in the 5th century may still have relevance to modern democracies today. In particular, she gives expression to the concern that democracy, especially in its imperial capacity, treats its war dead as meaningless, and betrays them by sending them to die in war while offering a pretense of the honour and memorialization they deserve, a pathetic substitute for the real (Homeric) thing.

1:00pm – 2:00pm: Lunch

2:00pm- 3:30pm Session 3 – Subverting law's desires?

Chair: tbc

Sarah Lambie (University of Kent): 'What's "Radical" About Activist Knowledge? Rethinking the relationship between law, social movements and knowledge production'

Abstract: Many scholars have pointed to the conservative effects of law on social movement politics. But what is the impact of law on the production of activist knowledge? Does law dull the critical edge of radical knowledge, or does radical knowledge transform law? How do we identify radical, transgressive or counter knowledges and what are the political consequences of such determinations? Drawing from the example of grassroots transgender activism in Canada, this paper interrogates the process of knowledge production at the interface of law and social movements. This paper explores how legal and activist knowledges interact to challenge, co-opt and reconfigure the possibilities for radical transformative politics.

Suzanne Jenkins (Keele): 'Understanding Sex Workers' Techniques of Resistance'

Abstract: Prostitution is overwhelmingly considered to be undertaken in response to a lack of choice in how to adequately meet financial demands, with sex workers consistently stereotyped as victims of economic inequity. When sex workers do offer additional and even alternative explanations for their engagement in sex work, such explanations, which tend to emphasise the more positive aspects of their work, are usually either denied or given far less credence. In this paper, using findings from my research with male and female Escorts, I highlight how this victimhood status being is consistently challenged. Drawing on concepts of sexual well-being and holistic health, the particular strategies of resistance utilised by sex workers demonstrate a range of empowering techniques designed to reframe their work as a one which performs a valuable social function. Rather than constituting a technique of denial, such resistance does represent a genuine, legitimate challenge to the disempowering discourse of mainstream society. By understanding engagement in sex work as more than simply a survival mechanism, it is possible to see the lives of sex workers more clearly from *their* perspective and so challenge the tendency to deny what, for some, can constitute personal aspirations and ambitions that require recognition over and above, as well as alongside, monetary demands.

Elaine Craig (Dalhousie Law School, Canada): 'Laws of Desire: The Political Morality of Public Sex'

Abstract: In this paper I discuss the Supreme Court of Canada's 2005 decision revising the definition of indecency and obscenity under the *Criminal Code*. I argue that the reasoning in *Labaye* signals the possibility of a new approach, by the Supreme Court of Canada, to the regulation of sex. An approach which allows for the legal recognition of pleasure behind, beyond or outside of, legal claims regarding identity, anti-subordination, relationship equality, and straight forward privacy rights. I suggest that it reveals the possibility of developing an approach which recognizes the importance of, and potential benefit to, challenging some mainstream beliefs about sexuality, or subverting certain dominant sexual norms, while still maintaining an analysis which doesn't fall prey to some of the problems of queer theory. I describe this approach as iconoclastic rather than subversive, in an attempt to distinguish between a justice project whose aim is to subvert hegemonic norms and one interested in challenging or disrupting certain norms, not for the sake of subversion itself, but rather in an attempt to achieve some other substantive goal.

3:30pm – 4:00pm: Coffee Break

4:00pm – 5:00pm: Session 4 – Agency, Silence and Resistance in Refugee Claims

Chair: **Rosie Harding** (Keele)

Sarah Keenan (University of Kent): 'Spatialising desire: law, space and identity in women's refugee claims on the basis of sexuality'

Abstract: Of the published decisions on sexuality-based refugee claims, very few involve women claimants. With a general lack of knowledge and resources about what it means to be a lesbian asylum-seeker, tribunals and courts faced with this type of claim often use themes of spatial, gendered and sexualised identity when making their decisions. This paper will explore those themes, looking in particular at how the decisions conceive and create space sometimes as static and blank, sometimes as deeply particular and inseparable from the identities of the subjects moving in it, but always as strangely innocent and apolitical. By contrast, a woman's sexual desire for other women, as well as her desire to move to a different nation-state, are both conceived as guilty and political, and dealt with in terms of dichotomies of public and private, inside and outside, near and far, permanent and transient. These themes will be explored through court and tribunal decisions from Canada, Australia and Britain, using theories from legal geography.

Toni Johnson (University of Kent): 'On Silence, Sexuality and Skeletons: Imagining agency, speaking the self'

Abstract: How can we construct agency through silence? If agency is active, empowered and vocal, is silence a retreat into subjugation? Avery Gordon in her text *Ghostly Matters*, has written of the silences, gaps and omissions within speech. Gordon uses the idea of 'haunting' in order to conceptualise the way in which these omissions render themselves present, she notes 'the apparition is one form by which something lost, or barely visible, or seemingly not there to our supposedly well-trained eyes, makes itself known or apparent to us, in its own way.' In this paper I intend to consider a 'barely visible' restive silence, conceived as impatient and uneasy, dwelling just beneath the surface of the skin. Restive silence, similar to Gordon's spectre, is intangible but infuses and embodies its host with an unrepentant energy barely contained.

The unease of restive silence speaks to a malcontent. I will engage in a consideration of what propagates this malcontent, is there a utopic vision which is being denied, is there an imaginary within which one can envisage one's optimum life and is this being curtailed? The delimiting of the way in which an individual wishes to live out their life or conceptualise their identity can lead to frustration, and such frustration can lead to in/visible manifestations of displeasure. I will be considering the issues of silence and imaginary through the framework of an asylum tribunal, viewing the way in which lesbian and gay refugee's restive silence manifests itself in court. I intend to question whether a re-imagining of restive silence, would allow for an agentially infused reconceptualisation of self and whether the creative space of the imaginary is a useful site through which to begin that process.

5:00pm – 5:30pm: Closing Discussion and Feedback Session