


2003

Feminist Inquiry and Action: Introduction to a Symposium on Confronting Domestic Violence and Achieving Gender Equality: Evaluating Battered Women & Feminist Lawmaking by Elizabeth Schneider

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Recommended Citation

Shalleck, Ann. "Feminist Inquiry and Action: Introduction to a Symposium on Confronting Domestic Violence and Achieving Gender Equality: Evaluating Battered Women & Feminist Lawmaking by Elizabeth Schneider." *American University Journal of Gender Social Policy and Law* 11, no. 2 (2003): 237-250.

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FEMINIST INQUIRY AND ACTION:
INTRODUCTION TO A SYMPOSIUM
ON *CONFRONTING DOMESTIC
VIOLENCE AND ACHIEVING GENDER
EQUALITY: EVALUATING BATTERED
WOMEN & FEMINIST LAWMAKING BY
ELIZABETH SCHNEIDER*

ANN SHALLECK*

This extraordinary volume of essays emerged from a workshop sponsored by the Women & the Law Program at American University, Washington College of Law in which feminist scholars and activists came together to consider the contribution of Professor Elizabeth Schneider to the evolution of feminist thought and to an understanding of intimate violence in the lives of women.¹ Professor

* Professor of Law and Carrington Shields Scholar, Director, Women & the Law Program, *Washington College of Law, American University*; J.D., *Harvard Law School*, 1978; A.B., *Bryn Mawr College*, 1971. I thank all the members of the *American University Journal of Gender, Social Policy & the Law* who have worked passionately, tirelessly and creatively to realize the full potential of this symposium. In particular, I thank Athena Chang, Amy Bowles, Allison Fultz, Natalie Koss, and Patrick Kapios, who, over the course of two years of work, embraced the intellectual excitement of this project in feminist lawmaking. This symposium would not have been possible without the intellectual and financial support of Dean Claudio Grossman of the American University, Washington College of Law.

1. The symposium, held in April 2002, was entitled *Confronting Domestic Violence and Achieving Gender Equality: Evaluating BATTERED WOMEN & FEMINIST LAWMAKING by Elizabeth Schneider* (transcript on file with the *American University Journal of Gender, Social Policy & the Law*). The Women & the Law Program at the American University Washington College of Law, which sponsored the symposium, outlined its purpose and format:

In this symposium, academics and activists who have been critical in developing both our knowledge about domestic violence and strategies for achieving changes that can affect women's lives evaluate the relationship between a quarter century of activism around domestic violence and the long struggle for gender equality. Analyzing both theoretical understandings of gender violence and practical work with women who experience that violence, the participants will assess how domestic violence theories and activities relate to questions that are fundamental to feminist thought and practice. In particular, they will examine the contradictory and

Schneider's expansive, nuanced, creative and generative work, culminating in her book, *Battered Women & Feminist Lawmaking*,² presents a model of feminist legal scholarship that both maintains the critical edge of feminist inquiry, while providing accessible and concrete approaches to the daily recurring practices that comprise gender subordination in our society. She addresses overlapping, classic dualities—such as theory and practice, analysis and advocacy, particularity and generality, the discursive and the material, victimization and agency, and the public and the private—that appear throughout feminist thinking and exposes the false dichotomies that the dualities present, while exploring the complex realities that the dualities reveal. In framing her analysis around the concept of feminist lawmaking, Professor Schneider brings together multiple strands of feminist thinking and action to explore in the legal realm the development of legal categories, institutions and activism in light of different feminist approaches to inquiry, action and experience. Professor Schneider seeks to understand the process of feminist lawmaking through the experience of battered women, a term she has included in her title after careful and sustained analysis of the implications of choosing any words to describe a range of phenomena that are in tension with all descriptive terms.

In addition to creating a critically important and innovative mode of feminist legal scholarship, Professor Schneider provides a model of feminist understanding of violence that occurs in intimate relationships. Drawing upon the enormous wealth of scholarship, both within law and other disciplines, about domestic violence, Professor Schneider consistently develops helpful and provocative frameworks for examining and evaluating research, theory and advocacy concerning the abuse of women. She remains constantly aware of the central role of gender in all theoretical approaches and advocacy strategies, whether gender is made explicit or remains

frequently contested developments within various communities and institutions around understandings of and experience with programs and procedures regarding abuse of women. This in-depth exploration of domestic violence from various feminist perspectives will not only enrich our understanding of women's experiences and conceptions of gender equality, but also provide direction for future work regarding violence against women.

The symposium included Professor Schneider's reflections on her book and explored the following topics:

- (1) Domestic violence and feminism;
 - (2) The importance of race, ethnicity, culture and class in shaping our changing conceptions of and responses to violence against women;
 - (3) The law school as a site for theory, education and advocacy;
 - (4) Developing understanding and changing practices.
2. ELIZABETH M. SCHNEIDER, *BATTERED WOMEN & FEMINIST LAWMAKING* (2000).

2003] FEMINIST INQUIRY AND ACTION: INTRODUCTION 239

invisible. She helps us understand the consequences for women and for social, political and legal institutions of adopting each framework, as well as the changing interpretations that emerge within each context when any framework is applied. Thus, her book reveals the dynamic nature of our understanding of gender and domestic violence. Despite the prevalence and persistence of intimate abuse of women throughout the world, Professor Schneider shows how understanding and interpreting that experience must be driven by constant attention to the diverse contexts within which women are abused and within which any effort to explain or change the world occurs.

An understanding of the multiple forms of violence against women— of intimate violence, of violence in the daily lives of women, of institutionalized violence— has been one of the major strands of feminist theory and practice for more than three decades. This strand has both enriched other strands of thought and advocacy within feminism and has benefitted from analyses within those other strands: for example, those that address health, sexuality, employment, race, culture, poverty, caretaking, property, crime, citizenship, reproduction, and family. The dialogue among these different strands has not always been easy, and the integration of advocacy work from different areas has not always been smooth. Feminists have confronted contradictions and tensions. Strategic decisions have sometimes widened the divides. Professor Schneider, through her work, helps feminist activists and scholars working on issues of abuse against women to embrace the insights from other branches of feminism and other critical movements and to sustain a commitment to achieving a broad feminist understanding of the operation of violence against women. Simultaneously, her constant inquiry into the nature of violence against women from the perspective of women themselves, rooted in the diversity, contradictions and complexities of women's lives, contributes to a sophisticated feminist analysis of gender in which an understanding of violence against women is an integral part of feminist understandings of all strands of woman's experience.

In addition, feminists working on issues involving the battering of women have sometimes found themselves oddly positioned in relationship to institutions and forces in society and the state that have not always been receptive to feminist ideals or practice. Repeatedly, feminists have found their ideas and their actions turned against them in unpredictable and distorted forms. Nonetheless, feminist activists and theorists of domestic violence have continued to struggle to change the world that women who are abused confront on

a daily basis and to deepen feminist understanding of violence in the elaboration of theories that reflect the experience and expand the vision of all women. Professor Schneider assists all feminists in challenging the distortions and in anticipating the unexpected from mainstream institutions. Feminist activists who work with and within institutions have learned to create space for feminist projects, to develop ways to occupy and shape that space, and to predict efforts to narrow, confine or restrict that space. Feminists have had to decide when and how to challenge those restrictions and when and how to accommodate to them. Through her work, Professor Schneider fosters a feminist theory of violence against women in their intimate lives that has shaped the development of all feminism.

Third, as perhaps best represented in this symposium, Professor Schneider creates a framework that, while enhancing our understanding of feminist thought and practice generally, and feminist thought and practice about battering of women particularly, invites those who wish to expand upon her work the opportunity to do so. By embracing the concepts of critique and transformation as mechanisms for extending and deepening our understanding, Professor Schneider welcomes others to the project of reconceiving our collective understanding of feminism and the battering of women. This symposium is testimony to this collective project. The distinguished, determined and innovative contributors to this symposium all draw upon the work of Professor Schneider in describing and interpreting their own projects about violence against women. Professor Schneider's book, however, is not the focus of their essays. Rather, it offers a framework, an inspiration, an insight or an account that for each instigates further inquiry and proposals for action. For all familiar with the work of Professor Schneider, we could offer no more significant tribute to her efforts than the product of these essays. Her work, culminating with this book, expresses a commitment to a vision of scholarship that does not just sum up, reframe, or propound, but designs for others multiple spaces to enter and recast the dialogue and reimagine potential activities. In both content and form, this form of scholarship is deeply feminist. The contributors have engaged fully with that feminist project.

The diverse and provocative essays that comprise this volume, taken together, provide insight into some of the major themes that characterize the work of achieving a feminist understanding of domestic violence. Rather than discuss these essays from the perspective of the issues they address, I will identify several of the themes that cross over among the very different types of work and the areas of focus that the essays represent. These themes give us a

2003] FEMINIST INQUIRY AND ACTION: INTRODUCTION 241

window into the challenges and opportunities facing feminist thought at this historical moment.

First, many of the contributors to this volume continue in the long tradition of feminist critique of our own beliefs, assumptions and choices for action, critiques that invite internal debate among feminists. For example, Brenda Smith challenges feminists to include in their analyses of domestic violence a greater understanding of the dynamics of redemption and forgiveness, concepts that have not engaged much feminist thinking about violence against women. This limitation has perhaps thwarted an understanding of some women who are abused, restricted capacity to reach certain communities, and encouraged advocacy for policies such as mandatory arrest that are in deep tension with ideas of redemption and forgiveness.

Similarly, Leslie Espinoza Garvey problematizes the now familiar call to narrative. In the context of a particular case handled by her students in a clinical program, she explores whether, in seeking narratives from clients, narratives that are already often difficult to elicit from women who have experienced abuse, a lawyer for the woman should inquire into the race of the perpetrator, when the woman has not offered that information as part of her own narrative. She examines the multiple assumptions behind the lawyer's desire to know that information, assumptions at least partially rooted in awareness of the importance of the intersectionality of gender and race, as well as in racial stereotyping. She also explores the student's and supervisor's surprise upon learning, when appearing in court on behalf of an African American women, that the respondent was white. While knowing that race mattered in the handling and disposition of the case, Professor Espinoza Garvey wonders whether the seeking of the narrative should have included an explicit reference to race, whether or not the woman chose to frame her narrative that way.

Holly Maguigan, too, raises serious questions about dominant feminist approaches to domestic violence. She highlights problems with the theoretical and practical consequences of strong support among some feminists for mandatory criminal justice responses to domestic violence, such as mandatory arrest and no-drop policies. Recognizing that some criminal response may be appropriate, she argues that racial disparities in the operation of the criminal justice system have been clear since feminists first advocated for mandatory criminal mechanisms and that these disparities are even clearer now. Many feminists pursue policies mandating state criminal just intervention both as a symbolic means to label domestic violence as a crime, like any other, and as a vehicle to remove discretion that

242 JOURNAL OF GENDER, SOCIAL POLICY & THE LAW [Vol. 11:2

provided inadequate protection to women of color. Without empirical evidence that these policies would not further harm women of color, without attending to the serious misgivings of feminists of color deeply affected by and concerned about violence against women, without calculating the dangers to all women of mandatory interventions, and without assessing the known harms of reliance upon further criminalization, feminists have endangered women, especially the most vulnerable. Feminists, argues Holly Maguigan, should now seek to undo the harm. Likewise responding to the problem for feminists of “aggressive” prosecution policies, but advocating a very different response, Deborah Epstein, together with co-authors Lisa Goodman and Margaret Bell, calls for reform of prosecutorial policies that focus upon short-term punishment of the offender, rather than long-term victim well-being, an approach they label “prosecution-in-context.”

The spirit of critique, supported by Professor Schneider’s work, suffuses the entire volume, as feminists seek to analyze their successes and their failures, recognizing throughout that their urge to change their theory and their practice is rooted in the uncertainties and unpredictability of engaging fully with the complexities and power structures of the world, as well as in a belief that continuing feminist efforts are worth the risk of mistakes. For example, Laurie Kohn questions the consequences of foregrounding women’s fears about violence. Sally Goldfarb and Julie Goldscheid probe the limitations of the civil rights provisions of the Violence Against Women Act. Jane Murphy, through empirical study, examines the limitations of the effect on women’s lives of civil protection orders. Zanita Fenton, revisiting her own prior work, wonders whether the process of making private violence public benefits women, especially when the public visions of violence are powerfully shaped by race and poverty. Leti Volpp interrogates the differential meanings and the explanatory power attributed to a static and monolithic vision of culture when violence is analyzed in nonwhite, non-mainstream communities, as distinct for white communities, with the effect of devaluing those “other” communities and the experiences of women within them who are abused. Rhonda Copelon underscores the need to move beyond the rhetorical gains achieved in establishing gender violence as a human rights issue to implementation of the rights enunciated in human rights documents. Naomi Cahn insists that feminists understand abused women, not just as individual, autonomous human beings, but within the context of their relationships with their children. Further, she provides an inclusive vision of abused women as mothers, by highlighting the difficulties

2003] FEMINIST INQUIRY AND ACTION: INTRODUCTION 243

and injustices faced by incarcerated women, often, prior to imprisonment, primary caretakers of children, who have suffered abuse at disproportionately high rates, whether jailed for harming their batterers, for “failure to protect” their children, or for any other crime. Linda Ammons, in analyzing clemency for women who have killed their batterers, questions the effectiveness of this remedy, which is applied arbitrarily and often with little understanding of the complexities of women’s situations. Kathleen Waits documents the sophisticated questioning by feminist activists on the FIVERS listserve of state support for shelters for abused women. Jody Raphael, Karen Czapanskiy and Sarah Buel, from different perspectives, all reject feminist analysis and action that fails to take seriously the economic barriers that shape women’s experience of dealing with intimate violence. These authors, as well as the others in this volume, demand of themselves and others, that their feminist thought and action be subjected to continuing reexamination and change.

In this process of critique, the contributors to this symposium expand and modify the paradigms that guide our approach to violence against women. For example, Lenora Lapidus, in her explanation of the ACLU’s litigation theory underlying advocacy on behalf of women evicted from their publicly-assisted housing because they are abused, expands upon and changes the civil rights paradigm. In challenging as sex-based discrimination the eviction of battered women from public housing with no-violence policies, she enlarges our vision of the goal of legal advocacy beyond seeking protection for the woman and inflicting punishment on the abuser to establishing the necessary components of full participation for battered women in social and political life. She also changes the vision of the harm from one based solely on the experience of gender-motivated violence to one based on the denial of fundamental services because of domestic violence. In addition, she develops a paradigm that challenges the restriction of a basic component of women’s citizenship the right to petition the government for a redress of grievances. When women petition the courts for a redress of the harms against them in the seeking of civil protection orders, the state punishes them by evicting them from state subsidized housing.

Karen Czapanskiy, through her analysis of the Family Violence Option in the operation of mandatory work provisions and benefit limitations in current welfare laws, and Jody Raphael, in her analysis of domestic violence as a means to separate women from the economic sphere of life, thereby increasing their poverty and their dependence on men, both develop a paradigm of domestic violence as an instrument of structural unemployment of women. This

economic paradigm, like Lenora Lapidus' paradigm of citizenship, fosters stronger links between violence against women and women's participation in all spheres of social life. Furthermore, they both move their analyses away from a narrow focus on protection and punishment toward a strategy of holding the economic and social sectors of society, both public and private, responsible for the abuse of women.

Naomi Cahn also seeks to integrate an analysis of women's poverty and domestic violence, but with a focus upon the connections among abuse, poverty and women's separation from their children. She, as well as Joan Meier and Justine Dunlap, condemns the actions of the state through the child welfare system in punishing and further harming women and children for the actions of abusers and shows how domestic violence systematically increases the likelihood that women will be caught up in that system. By increasing women's poverty and decreasing their ability to participate in work, domestic violence concomitantly increases the likelihood that women will be targeted by the child welfare system. Also, by isolating women from the world of work, as from other social spheres, abusers obstruct women's efforts to establish networks that assist them in caring for their children, whether or not the women choose to remain in or leave the abusive relationship. The poverty occasioned and exacerbated by abuse denies women access to the resources, both material and psychological, that foster their ability to attend to their children. This expansion of paradigms for analyzing domestic violence as part of societal institutions that subordinate women by interfering in their care of their children, and harming children in the process, leads feminists to envision new strategies for addressing the interconnectedness of the spheres of life in which women experience inequality, exclusion and privation.

As with the commitment to critique, the urge to expand feminist understanding and action beyond punishment and protection permeates this volume. For example, Sally Goldfarb and Julie Goldscheid explore the opportunities and limitations of the civil rights paradigm, as it took shape in the Violence Against Women Act (VAWA"),³ creating a right to be free of gender-motivated violence and a remedy for violations of that right, despite the subsequent invalidation by the Supreme Court of this part of VAWA.⁴ Rhonda Copelon demonstrates how feminists have used the international

3. Pub. L. No. 103-322, 108 Stat. 1902 (1994) (codified in relevant part at 42 U.S.C. § 13981).

4. See *United States v. Morrison*, 529 U.S. 598 (2000).

2003] FEMINIST INQUIRY AND ACTION: INTRODUCTION 245

human rights framework and activism for human rights to expand conceptions of gender violence. Placing gender violence in the paradigm of torture or enslavement reveals the gravity of the systemic harm inflicted on women. Leti Volpp, in locating the tension between universality and particularity in the search for an understanding of domestic violence that neither deculturalizes stories of violence against women nor recreates and reinforces damaging and inaccurate cultural stereotypes, counsels a paradigm that recognizes the economic and political content of various cultural practices within all cultures. Bette Garlow presents the innovative efforts of the ABA Commission on Domestic Violence to create and widely disseminate a coloring book for children in families where their mother is being abused. Kathleen Waits demonstrates the skepticism of the participants on the FIVERS list about the effectiveness for women of using the criminal justice system, as well as their commitment to obtaining a broad array of services to meet the diverse needs of women who have experienced intimate violence. Judith Greenberg and Cynthia Bowman look to work in other countries and other regions in the world to expand our vision of possible paradigms within which to locate violence against women. Judith Greenberg, in exploring domestic violence paradigms in India, examines the reasons for, problems with and consequences of conceptualizing intimate violence as connected to dowry practices. Within descriptions of advocacy work in various African countries, Cynthia Bowman seeks implicit theoretical paradigms for understanding intimate abuse of women and finds concepts of democratic reform, human rights, urbanization, and colonialism to be important components of the conceptualization of domestic violence. Through a focus on international child custody disputes, Merle Weiner integrates the principles and practices of public and private international law with an appreciation for the predicament of women fleeing to protect their children from harms associated with domestic violence.

A central component of this expansion of paradigms is a deepening acknowledgment of the importance to any feminist analysis of domestic violence of race and cultural difference, without reliance on racist stereotypes or essentialized and static depictions of culture. Leslie Espinoza Garvey, Zanita Fenton, and Holly Maguigan identify the importance and complexity of attending to race. Women's vulnerability caused by battering must be addressed within the context of other oppressive structures within their lives. Feminists must place at the center of their inquiries the ways that battered women's experience of racism within social and political

institutions may profoundly shape their understanding and experience of intimate violence in their lives, the possibilities for obtaining resources or help from society for dealing with the violence and their attitudes toward potential responses to that violence. While women may or may not tell their stories in terms of race, advocates must be aware of the potential for race to be relevant to their own and others' understanding of the story. Rhonda Copelon stresses the importance of integrating a gender perspective into international efforts to eliminate racial discrimination. Leti Volpp stresses the need to address all cultural practices, not just those of outsider communities, in describing the experience of domestic violence, while not seeing outsider groups' experience of domestic violence as culturally determined, or interpreting abuse within dominant groups as only deviant. Cultural understanding is distorted and dangerous when it is treated as applicable only to "others" and when it is treated as a set of unchanging rituals that cement the subordination of women in a static system of social priorities. When cultural practices can be evaluated within all societies as contested and fluid and as shaped by economic and political forces, then it is possible to understand and discuss how violent acts against women can be committed in culturally specific ways, without condemning an entire culture or just particular cultures.

Simultaneously attending to race, culture, poverty, mothering, and battering, the authors identify the almost unending stereotypes that can be turned against women who experience abuse. This attention, however, also prompts advocacy strategies to challenge harmful stereotyping. Laurie Kohn demonstrates how the idea of a "typical" victim can undermine the credibility of women who, for many reasons, do not express fear of their batterer, and she suggests statutory changes to remove the fear requirement. As Justine Dunlap shows, stereotypes of battered women as unable or unwilling "to leave" increase the likelihood that their children will be removed from their care, as the actions of the mothers to protect their children are invisible and their remaining is seen only as endangering their children. She also recounts, however, how a lawsuit challenging child welfare practices in New York City succeeded in educating the judge about the inaccuracy and harm of the stereotype and in obtaining remedial measures not just to educate child welfare workers about the destructive stereotyping, but also to provide services to assist women with addressing violence. Examining the possibilities and pitfalls for women in transnational child custody litigation, Merle Weiner elucidates the ways that inconsistent stereotypes of battered women harm them whether they

2003] FEMINIST INQUIRY AND ACTION: INTRODUCTION 247

remain in an abusive relationship or seek to escape it: if women remain, they are harming their children; if, in desperation, women escape to another country, they are irrational abductors in a system that assumes child abduction to be harmful. She stresses the need for lawyering that reinterprets women's actions as rational. Karen Czapanskiy documents how stereotypes about women's inability or unwillingness to leave abusive relationships severely limits their access to the Family Violence Option when seeking welfare assistance. Because of this stereotype, women are denied services—such as child care, training, transportation or counseling—that might help in dealing with violence and are unable to alleviate the harshness of limitations on receipt of welfare. Cataloguing the multiple forms of stereotyping by race and gender that affect African American women, Zanita Fenton warns that making the private violence suffered by African American women public may serve to reinforce, rather than challenge, existing stereotypes. Judith Greenberg explicates how the stereotyping of the mother-in-law in depictions of dowry violence in India protects the position of a husband as head of the family. Linda Ammons identifies how stereotypes of battered women affect their treatment in the clemency process. Jane Murphy identifies how “success” for battered women is defined stereotypically as receiving a protection order, when that order may not actually provide for a woman's needs, may not reflect her view of the possibilities for some ongoing involvement with the abuser, may not serve the interests of her children or may increase her risk of harm from the person who abused her. Based on her empirical research, Murphy advocates for an increased level of services in many areas of women's lives that will assist them, in whatever situation they choose, to deal with the battering.

When feminists create new paradigms for understanding and action and increasingly view women as enmeshed in oppressive systems of which domestic violence is only a part, they face the difficult theoretical and strategic question of whether to seek particularized remedies for women who experience violence. Several of the contributors, although not directly addressing this question, confront the contradictions and complexities posed by focusing upon intimate abuse of women when abuse is interwoven with other systemic harm. For example, Karen Czapanskiy questions whether the Family Violence Option is an important site for feminist effort when it is part of a system of welfare that is structurally harmful to all vulnerable women and their families. Naomi Cahn is especially attentive to the ways that the prison system and the child welfare system are destructive for all women with children. Brenda Smith

recounts how her mother's experience of abuse from her father could not be separated from the abuse of poverty and racism. Jane Murphy presents data about how women's experience of problems with housing, employment and economic security weigh exceedingly heavily upon them, sometimes more heavily than the violence, when they are simultaneously struggling with multiple problems. Zanita Fenton, Leslie Espinoza Garvey and Holly Maguigan identify ways that comprehending the operation of race and racism should pervasively shape feminist approaches to understanding of and action concerning domestic violence. Taken together, these articles illuminate how, for feminists working on domestic violence, increasing engagement with the interconnectedness of the spheres of oppression in women's lives will produce questioning about strategies focused on battered women, inquiries that will reveal contradictions requiring creativity and expansive vision.

The significance of the articles in this volume rests not only in their content, but also in several aspects of their approaches to the process of legal analysis. First, virtually all the articles begin from the perspective of the women who experience abuse. Sometimes this perspective is in the telling of stories about the lives of women who have experienced abuse, as in the accounts used in the analyses of Brenda Smith, Lenora Lapidus, Leslie Espinoza Garvey, Laurie Kohn, Joan Meier, Kathleen Waits and Naomi Cahn. Other times this starting point is evident in research designed around women's own experiences and accounts of their lives, as in the work of Jane Murphy, Karen Czapanskiy, Laurie Kohn, Jody Raphael, Julie Goldscheid and Holly Maguigan. Perhaps, as feminists, we take this starting point for granted, but its importance goes beyond the use of narrative as a device for legal analysis. The iterative return to the individual, the particular, the personal is part of a system of accountability in which theory is constantly derived from and tested against the experiences of individual women.

Second, the authors are as concerned about the actions of lawyers, as about the opinions of courts. Some, such as Leslie Espinoza Garvey, Lenora Lapidus and Brenda Smith analyze the process of lawyering as intrinsic to their analysis of the law. Others, such as Laurie Kohn, Sarah Buel, Merle Weiner, Karen Czapanskiy, Justine Dunlap, Julie Goldscheid, and Deborah Epstein and her co-authors examine the effects of the law from the perspective of a lawyer litigating cases involving domestic violence. Bette Garlow describes the extensive outreach and education that the ABA Commission on Domestic Violence has undertaken to train lawyers about high quality representation of women who have been abused. Finally, the absence

of a lawyer, as well as the presence of one, is the subject of inquiry for Ann Freedman, Jane Murphy, Sarah Buel and Bette Garlow. For feminist theory, analysis of the law goes beyond the pronouncements of legislatures and courts to the operation of the law in the actions of those who practice it.

Third, the contributors are not content to identify problems, nor even to propose solutions. They seek to connect the process of advocacy concerning the battering of women to the process of feminist change in society. For example, Julie Goldscheid and Sally Goldfarb explore not just how the Violence Against Women Act has affected the legal situation of battered women, but also how it reflects and has affected the understanding of gender in our society and the potential of legal rules and procedure to accomplish change. Rhonda Copelon shows how the feminist movement to make domestic violence a human rights issue, by splintering the rigid distinction between public and private action, successfully challenged a state-centric view of the human rights paradigm. Holly Maguigan, Zanita Fenton and Naomi Cahn seek to direct feminist change to challenge, and not reinforce, the interlocking features of women's experience of violence and oppression. Feminist theory and feminist advocacy proceed interactively.

Fourth, the authors understand legal education as an important site for the creation of law. Zipporah Wiseman reminds us how the contributors to this volume have transformed the substance and process of legal education and are thereby changing law and culture. Having taught in clinical courses where students represent women who have been abused and a specialized course on battered women, Sarah Buel presents a multifaceted program for integrating a study of battered women into the law school curriculum. Leslie Espinoza Garvey describes her work with a student in a clinical program in which she teaches. Bette Garlow highlights the work of the ABA Commission on Domestic Violence to advance the inclusion of courses addressing domestic violence throughout the law school curriculum. The Women and the Law Program here at American University, Washington College of Law hosts this symposium as part of its efforts both to foster an understanding of gender throughout its own curriculum—in clinical and non-clinical classes, in advocacy and analytic projects—and to facilitate a national dialogue about feminist legal pedagogy. The students on the staff of the *American University Journal of Gender, Social Policy & the Law* have not only facilitated all aspects of this symposium, from conception through publication, but have made the creation of this volume a central component of their own legal education. Feminist law professors, such as the ones in this

250 JOURNAL OF GENDER, SOCIAL POLICY & THE LAW [Vol. 11:2

symposium, work tirelessly in their own institutions to bring the themes of this symposium into their teaching. They teach the practice of critique. They introduce students to paradigms of legal understanding based on an analysis of gender that is embedded in an understanding of social institutions and practices characterized by interrelated oppressions. They challenge the distorting stereotypes that appear throughout the materials of the law. They create pedagogies that treat law as not just a set of texts. Law emerges in the classroom as it is interpreted, transmitted and understood by people in the experiences of their daily lives, by lawyers in the representation of clients, and by officials in the sometimes congealed and sometimes contested practices of social and political institutions. Thus, the feminist theory represented in this volume takes life in the classroom.

In their content and in their approach, these articles draw upon Professor's Schneider's work. More importantly, they expand that work in new directions. Liz Schneider has gives an approach to feminist thought and action that helps us shape our own projects, while we contribute to an ongoing discussion and a collective project. We, with her, are shaping feminist lawmaking.