

Plenary on Ideas for the Future
Ideas for future work on gender equality

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I am currently writing an article tentatively entitled “Why Is There No Socialist Feminist Legal Theory in the United States (or Is There?)?” Many of the first generation of feminist legal theorists (among whom I count myself) came of age during a period of intense political activity, and many worked with civil rights, anti-imperialist, antiwar, and feminist groups. During the 1960s and 1970s, many of these groups were heavily influenced by Marxist and socialist theory. When these women went to law school, they were influential, in turn, in establishing courses about women and the law, advancing litigation on behalf of women, and developing the field of feminist jurisprudence. Yet, with very few exceptions, socialist feminist theory appears to have been forgotten in this development. That is, although socialist feminist theory was quite highly developed during the 1970s and 1980s and has continued to be refined in other academic disciplines, that strand of feminist thought did not make its way into feminist legal theory. My article is an attempt to recapture that strand, ask why it was forgotten, and suggest ways in which its recovery would be helpful to the feminist agenda for both research and legal reform.

My idea for a five-minute presentation would be to summarize what this perspective would bring to feminist legal theory that is currently lacking. Coming out of a socialist feminist background myself, I remain convinced that genuine equality will elude women in the absence of systemic changes in our economic system. In this sense, women can be seen as a “revolutionary class” because their personal lives – their roles both in production and reproduction -- are incompatible with the dominant organization of work under capitalism. (Isn't this really what the work-family struggle is about?) A socialist feminist perspective allows us to see the ways in which this is so and to ponder what the impact of various reforms may be, given that we are certainly not close to a revolutionary situation in the United States. Nonetheless, many have come to think that capitalism isn't working for 99% of the people; the enormous popularity of Thomas Piketty's book *Capitalism in the Twenty-First Century* is evidence of this fact.

In my presentation I would not only briefly state what a feminist socialist legal theory would look like, but also present some concrete descriptions about what strategies for legal reform it might suggest and what types of legal research would be fruitful to advance those strategies.