



Towards a Radical Feminist Resignification of Vulnerability: A Critical Juxtaposition of Judith Butler's Post-Structuralist Philosophy and Martha Fineman's Legal Theory

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ABSTRACT

This research article aims to theoretically reconstruct a positive feminist conceptualization of vulnerability via a thorough systematization and critical comparison of Martha Fineman's socio-legal philosophy and Judith Butler's post-structuralist ethico-political theory. Through the introduction, the reader becomes familiar with numerous interdisciplinary re-articulations of vulnerability within the realms of contemporary feminist theory. The second subsection illustrates Fineman's vulnerability approach in terms of an alternative ontological paradigm deriving from the recognition of our fundamentally fragile universal condition. It explores Fineman vulnerability theory's normative implications in relation to the legitimate political organization of democratic societies and the fair function of their central institutions. The third subsection systematizes the dual texture of the Butlerian radicalization of vulnerability as an existential condition of irreducible relationality and a socio-historically contextualized and differentially allocated distribution of precarity among differently gendered, racialized, sexualized and nationalized subjects. Incidentally, the article elucidates the differentiations between the Butlerian conceptions of vulnerability, precariousness, precarity and dispossession and additionally investigates Butler's revolutionary constellation of vulnerability and resistance. In the third subsection, this article designates the similarities and divergences between the two vulnerability frameworks and critically evaluates their epistemological capacity to reconstitute a politically empowering conceptualization of vulnerability within

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the heart of contemporary feminist theory. To that end, the author develops a critical assessment of Fineman theory's epistemological, political and conceptual limitations in regard of its gender-blind universalistic structure. The author conclusively argues that Butler's two-fold vulnerability perspective entails more nuanced theoretical conceptions and more empowering political devices for contemporary feminist struggles.

INTRODUCTION

From the moral philosophy of Levinas and Ricœur to Gilligan, Tronto and Kittay's feminist ethics of care and fro Goodin's utilitarianism and McIntyre's virtue ethics to Martha Nussbaum's Aristotelian/Marxist approach, the notion of vulnerability intersects the theoretical reflections of major intellectual traditions. Since the beginning of the 1980s, vulnerability moves from the realms of philosophy to a wide array of scientific disciplines, such as legal theory (Fineman 2008; Fineman 2010; Fineman 2014; Fineman 2017; Fineman 2019), human rights discourse (Ippolito & Sanchez 2015; Peroni & Timmer 2013; Turner 2006), bioethics (Thomson 2018), environmental studies, anthropology and ethnology (Farmer 2004; Marino & Faas 2020), as well as sociology, psychology, communication studies, disability studies and international relationships. At the same time, vulnerability dynamically emerges as a novel legal conception in the case law of numerous Supreme Courts in the Western world. Vulnerability's cardinal interdisciplinarity becomes even more evident in the field of feminist theory, epistemology and research practice. More specifically, the conceptual plasticity and interpretative openness of vulnerability is manifested in the multiple and heterogeneous re-utilizations of the term in plural areas of feminist inquiry, such as ethics of care, feminist phenomenology, feminist jurisprudence, studies on gender violence and sexual abuse, eco-feminism, feminist bioethics, feminist epistemology and research ethics, feminist post-humanism, feminist moral and political philosophy, feminist deontology and psychoanalysis (e.g. Bergoffen 2009; Cavarero 2009; Code 2015; Gilson 2014; Gilson 2015; Luna 2009).

Koivunen, Kyrölä and Ryberg (2018) systematize the notion's conceptual multiplicity within the realm of contemporary critical feminist, queer and race theory. Within this context, the above feminist scholars trace four major distinct yet interpenetrating and interconnecting typologies for the progressively augmenting feminist theoretical of production on vulnerability (Koivunen, Kyrölä & Ryberg 2018, 10–12) as follows: 1) A first phenomenological perception of vulnerability in terms of a primal-lived ontological condition of the embodied, relational subject; 2) a second psychoanalytical signalization of vulnerability in terms of an obscure complex of psychic, social and emotional traumas and imprints; 3) a third neo-materialistic conceptualization of vulnerability within the emergence of radically novel bio-technological achievements and forms of knowledge, science and information; 4) a fourth critical perspective of vulnerability in terms of a socio-historically contextualized, politically produced condition of asymmetry, alienation, austerity and precaritization.

Notwithstanding, the most common feminist typology of vulnerability is based on a two-fold distinction. The dyadic conceptualization of vulnerability is adopted by contemporary collective volumes devoted to the further exploration and theoretical systematization of the term (Casalini 2016; Mackenzie, Rogers & Dodds 2014; Re 2016)

and is further captured within the significant oeuvre of influential feminist thinkers such as Erinn Gilson, Estella Ferrarese, Ann Murphy, Judith Butler and Martha Fineman.

Following the dual signification of the term, vulnerability is firstly reconceptualized within contemporary feminist scientific discourse in terms of the constitutive, universal and insurmountable condition of our social ontology. In light of this perspective, vulnerability becomes reconstructed as a central existential notion, adept at destabilizing the hegemonic liberal phantasmagoria of possessive individualistic autonomy and capable of unveiling our systematically invisibilized sociality, relationality and interdependency (Fineman 2008, 9–10; Gilson 2014, 4). By reinterpreting vulnerability as the constitutive existential human condition, this radical philosophical venture, in reality, relocates inter-subjective relationality, embodied fragility and infinite openness to otherness in the epicentre of the question of the subject formation. At the same time, this novel reconceptualization of vulnerability drastically revitalizes feminist perspectives on moral responsibility, social organization, post-identitarian solidarity and agonistic politics.

Under these terms, the recognition of our constitutive vulnerability inaugurates an alternative philosophical paradigm beyond social contractualism by critically problematizing the archetypical emergence of an apriorically male, adult, independent, rational, self-interested and self-sustained subject, which equally, freely and consensually forms mutual contractual bonds and social relationships with others.

The second dominant conceptualization of vulnerability within the realms of feminist theory functions complementarily – or, in some cases, even competitively and deconstructively – in reference to the first theorization of the term. In this second context, vulnerability is argued to inflict, in particular, distinct and disproportionate ways, certain social categorizations and populations on the basis of their sex, race, sexuality, nationality, age, religion, class, ethnicity, legal status and geopolitical location, as well as on the grounds of the complex and irreducible interconnections of the above. According to this critical social analysis, vulnerability is re-articulated in a socialized and historized content in terms of a synthetic product of power relations, structural socio-economic injustices and historical oppressions that inflames specific subjectivities' radical exposure to violence, death, trauma, discrimination, displacement, civil rights deprivation, labour market exploitation, economic precaritization, fiscal insecurity, cultural appropriation, absence of political recognition, social marginalization and institutional invisibilization. Under this prism, vulnerability functions more as a powerful critical and diagnostic framework which designates multiple intertwined and stratified forms of domination, alienation and stigmatization rather than as a philosophical inauguration of a novel universalized theory of the subject.

The conceptual identification of vulnerability with its etymological origins (*vulnerare* in Latin is best translated as 'to hurt' or 'to traumatize' and the noun *vulnus* as 'trauma' or 'wound' respectively) can lead to a profoundly negative signification of the term as a synonym for passivity, injurability, weakness, pain and damage or mortality and as the mirroring opposite of agency, power, self-control and autonomy. The discursively constructed bipolarity invulnerability–vulnerability is mainly intertwined with gendered discursive and symbolic patterns, which connect masculinity with energy, agency and intentionality and femininity with passivity and fragility. More specifically, the correlation of the Western phallogocentric subject's agency, invulnerability, autonomy and rationality is inextricably associated with the synchronous construction of the stigmatized, dependent, feminized, racialized, fragile and anonymous 'Others' that serve

as his subordinate pole within Western metaphysical thought's complex hierarchical dichotomies. In addition to the above remark, the entirely negative historic signalization of the term within the emblematic feminist vindications against sexual abuse and gender violence in the 1970s contributed to the early feminist rejection of vulnerability as a potentially productive, empowering or nuanced notion for feminist theory and practice.

Therefore, a positive feminist re-signalization of vulnerability constitutes an extremely aspiring feminist venture (Murphy 2012, 67; Xin 2019, 8). Such a strenuous gnosisotheoretic project unavoidably aims at the problematization of the hegemonic idealization of the individualized modern liberal subject's unattainable invulnerability, as well as at the critical deconstruction of the hallucinative dichotomous distinction between agency and vulnerability. More crucially, a feminist re-acquisition of vulnerability accomplishes a certain radicalized re-invention of the term as an existential openness towards the complex bonds of sociality that intertwine us with a heterogeneous, plural and unfamiliar plexus of innumerable Others. By dredging up fragility, care, interdependence and relationality from the gendered and racialized domestic sphere of the private and re-establishing them within the heart of philosophical and moral reflection as crucial epistemological, methodological and conceptual frameworks, positive feminist reconceptions more drastically re-politicize vulnerability. In this effort, positive feminist reconceptualizations of vulnerability confront the historically crystallized phallogocentric discursive functions and symbolic signalizations of the term by attempting to liberate vulnerability from its – almost intrinsic – association with paternalistic practices, asymmetrical power impositions, victimizing, invisibilizing, discriminatory representational tropes, unequal scientific, research and epistemological relations and quotidian naturalizations of sexist stereotypizations (Luna 2009; Marino & Faas 2020).

By illuminating the above-described epistemological difficulties that feminist vulnerability theorists have to overcome in order to positively re-articulate the term under examination without resulting in victimization tropes or universalization mechanisms, we can more efficiently re-approach the significance of the steadily augmenting feminist theoretical production that concentrates on the positive re-signalization of vulnerability. In our view, prominent feminist scholars, such as Pamela Sue Aderson, Margrit Shildrick (2000), Erinn Gilson (2014), Estella Ferrarese (2016) and Adriana Cavarero (2009), have contributed to this theoretical attempt in influential, distinct and multiple tropes. However, this paper focuses on the feminist oeuvre of post-structuralist philosopher Judith Butler (Butler 2004; Butler 2009; Butler & Athanasiou 2013; Butler 2015; Butler 2020; Butler, Gambetti & Sabsay 2016) and critical legal theorist Martha Fineman (Fineman 2008; Fineman 2010; Fineman 2012; Fineman 2013a; Fineman 2013b; Fineman 2014; Fineman 2015; Fineman 2017; Fineman 2019) on vulnerability for three central reasons. First, these two selected vulnerability approaches are constructed in terms of detailed, generalizable and holistic theoretical frameworks, which *both* develop critical social ontologies revealing the primal vulnerability of the human condition *and* further historize and contextualize their feminist reflections on vulnerable subjectivity and relational interconnectedness through specific radical political and socio-legal applications. For this reason, in our view, these two feminist perspectives on vulnerability are equally adept at problematizing the phantasmal self-reliance of Western-centric individualism through the reconstitution of novel, plural, embodied, hybrid, fragmented and relational forms of political subjectivity. They simultaneously concentrate on the critical subversion of hegemonic neoliberal governmentality mechanisms of responsabilization, pathologization and quasi-penalization of vulnerable subjectivities and precarious social categories.

Second, the comparative analysis of a post-structuralist and a critical legal perspective on vulnerability underlines, in practice, the constitutive intersectionality of the term in question by elucidating crucial dialectical connections between the anti-essentialist heritage of feminist post-humanism and the inherent normativity of the law. The proposed introduction of vulnerability approaches within the realm of legal theory and judicial practice echoes, in our belief, a more critical understanding of the law as the turbulent and contentious localization of multiple intersections between abstract legal doctrines, lived social reality, political vindications and conceptual struggles for meaning. In this regard, the intentional juxtaposition of the post-structuralist Butlerian framework to Martha Fineman's legal theory instead of more relatable contemporary critical legal perspectives, such as those developed by Costas Douzinas or Marinos Diamantides, relies on the author's explicit aim to locate this theoretical comparison within the discipline of feminist theory. Moreover, the systematic utilization of vulnerability as the central guiding principle for the reconstruction of legal subjectivity as well as legislative practices constitutes a unique feature of Fineman's legal theory that needs to be emphasized and compared with other theoretical frameworks that also prioritize vulnerability in the same extend, such as Butler's ethico-political approach. Third, the below-mentioned feminist dialogue between a normative, universalized and horizontal conceptualization of vulnerability and a relational, anti-essentialist and stratified reinterpretation of the same term presents a standalone scientific interest. The present dialogical interconnection and critical theoretical comparison between Butler and Fineman is characterized by a great amount of scientific innovation. Given that their vulnerability frameworks' relation has never been studied before with one very recent exception (Davis & Aldieri 2021) and their multiple common elements, points of departure, theoretical assumptions, sociopolitical implementations and philosophical backgrounds reveal, in my opinion, a fertile theoretical spatiality for future feminist research.

THE DISCREET CHARM OF MARTHA FINEMAN'S VULNERABILITY THEORY: ASSOCIATING THE ONTOLOGY OF THE VULNERABLE SUBJECT WITH THE SOCIOPOLITICAL RECONSTRUCTION OF THE RESPONSIVE STATE

Mostly known for her early feminist scholarship on various aspects of the American family law reform, American feminist legal theorist Martha Albertson Fineman has systematically developed her influential vulnerability theory in her more recent academic articles and books. Meanwhile, a germinal thought process of her core theoretical insights on vulnerability could be traced in her prior conceptualization of dependency (Fineman 2004). In the last decade, Fineman's re-intervention of vulnerability has been theoretically applied in multiple realms of public policy both by Fineman herself and by other legal scholars and political theorists (Carr 2013; Fouladvand & Ward 2019; Rosenblum 2011). Moreover, Fineman's highly contested vulnerability approach has sparked nuanced theoretical reconstructions and fruitful conceptual refinements that both elucidate and critically re-articulate the more paternalistic and essentializing features of her argumentation (Cloud 2013; Cooper 2015; Davis & Aldieri 2021; Dowd 2013; Kohn 2014).

According to Fineman, the abstract autonomous subject of Western metaphysics does not accurately reflect the universally vulnerable human condition. Dominating the West's political imaginary – the self-reliant, rational, independent, apriorically

adult and archetypically masculine liberal subject – constitutes the hegemonic paradigm for the formation of modernity's political and legal subjectivity by establishing individual liberty and personal responsibility as the fundamental juridico-political ideals that structure the relationship between the individual and the State. Under this paradigm, 'the messy aspects of what it means to be human' (Fineman 2020, 54), namely vulnerability, dependency, embodiment, openness and injury, are systematically invisibilized from the institutional organization of society and ostracized from the development of public policies, legal doctrines and juridical practices. By problematizing the paradigmatic liberal subject on the grounds of his unachievable invulnerability and hallucinative independence, Fineman re-articulates a novel conception of political subjectivity organized around the recognition of vulnerability as 'the primal human condition' (Fineman 2017, 142). According to Fineman, vulnerability emerges from human embodiment and its inevitable exposure to harm, injury and misfortune. It further manifests itself through the subject's inexorable entanglement with institutional relations, social interactions and political and economic arrangements, representing a constant yet mutable and universal yet individually experienced unavoidable susceptibility to change.

Methodologically, Fineman conceptualizes her notion of vulnerability by strategically designating a historically under-theorized term characterized by profoundly negative connotations linked to passivity, femininity, victimhood and dependence. In this horizon, she attempts to radically reconstruct vulnerability in positive terms as the core of a universal and transcultural social ontology. In her view, vulnerability is capable of critically problematizing the post-capitalist (neo)liberal apotheosis of personal responsibility, individualistic ideology, accelerated privatization and systemic dissolution of the Social State, by providing a novel descriptive framework for the re-signaling of substantive equality, political responsibility and social justice.

More concretely, Fineman distinguishes four fundamental conceptual characteristics of vulnerability, namely universality, constancy, complexity and particularity (Fineman 2010, 266–269). *Universality* primarily solidifies vulnerability as a horizontally shared human condition that is inevitably experienced by the totality of human subjects and societal institutions. In this context, the universal applicability of vulnerability reflects Fineman's primary ambition to reconstruct a holistic, unified and robust subject. In her opinion, this type of subject can demonstrate the necessary level of abstraction and generalization in order to adequately substitute the liberal subject as the dominant paradigm of subjectivity in the law as well as the political organization of society. It is important to observe that, contrarily to the last two decades' voluminous feminist production of critical, intersectional, post-structuralist and post-colonialist forms of multiple, fragmented, nomadic and decentred subjectivities, Fineman's vulnerable subject is constituted in equally abstract, exclusionary and monistic terms as the autonomous Cartesian subject it aspires to replace.

The second conceptual element of vulnerability, *constancy*, illuminates the inevitable immanence of human dependency on legal and political institutions, social interconnections, emotional relationships, material infrastructures, natural environments and biological processes. In Fineman's perspective, vulnerability accompanies the entire course of life of a person regardless of her sociopolitical positioning within the complex hierarchies and stratifications of modern societal structures. In this regard, Fineman subverts the illusionary attribution of vulnerability to certain developmental stages of life, such as infancy, childhood and old age, or to specifically targeted social categorizations with pre-stigmatized biological and/

or sociocultural characteristics. In this theoretical trajectory, the designation of the continual and insurmountable condition of vulnerability leads Fineman to the conclusion ‘that there is no position of either invulnerability or independence’ (Fineman 2020, 57). Social interdependence and inevitable reliance on the State and its various institutions compose the unsurpassed lived reality for the totality of human beings.

Vulnerability is also theorized as profoundly *complex*, in that it is manifested in a heterogeneous, ever-changing and irreducible plurality of modalities throughout a person’s lifetime. The final characteristic, *particularity*, echoes the asymmetrical experience of the generalized vulnerable condition on the basis of ‘embodied differences.’ Fineman utilizes this term in order to depict physical, mental and intellectual variations in the human embodiment that ‘are not socially neutral, and historical reaction to some human variations, particularly race and gender, has led to the creation of hierarchies, discrimination and even violence’ (Fineman 2013b, 637). Moreover, particularity refers to differences in social location that are structurally produced and systemically reinforced through accumulative institutional practices and complex sociopolitical operations:

While all human beings stand in a position of constant vulnerability, we are individually positioned differently. We have different forms of embodiment and also are differently situated within webs of economic and institutional relationships. As a result, our vulnerabilities range in magnitude and potential at the individual level. Vulnerability, therefore, is both universal and particular; it is experienced uniquely by each of us. Important in regard to this particularity point is the fact that our individual experience of vulnerability varies according to the quality and quantity of resources we possess or can command. While society cannot eradicate our vulnerability, it can and does mediate, compensate, and lessen our vulnerability through programs, institutions, and structures. (Fineman 2010, 269)

According to Fineman, societal institutions provide, in complex, variant, unequal and differential ways, political subjects with material, cultural, legal, social, cultural, ecological, financial and existential resources that collectively construct their resilience to the vulnerable condition. Reconstituted in terms of the ‘essential but incomplete antidote to our vulnerability’ (Fineman 2014, 113), the pivotal notion of resilience does not represent, in Fineman’s philosophical thinking, a natural or essentialized characteristic of the individual subject. Contrarily, Fineman’s resilience ‘is a product of social relationships and institutions’ (Fineman 2020, 57). In this regard, it manifests an accumulative nexus of resources, qualities, materialities, opportunities, values and guarantees that are attributed to a socio-historically contextualized political subject over the course of her lifetime by the simultaneous, generative and interpenetrating functions of different societal institutions and structures. These are both public and private and include but are not limited to the family, community, educational system, job market, economy, social welfare system and State. In her early writings on vulnerability, Fineman identified physical, human, social and environmental assets as the core typologies of resources that conjointly synthesize resilience to vulnerability, partially drawing upon Peadar Kirby’s political works on vulnerability and violence.

Based on the above theoretical clarifications, we could assume that resilience towards the vulnerable human condition is both socio-structurally produced and unequally accumulated by different social actors on the grounds of an intersection of decisive factors, such as their geopolitical position, sociocultural heritage, historical

stigmatization, nationality, ethnicity, class, gender, race, sexuality, religion, legal status and appearance. According to Fineman, the vast systemic inequalities that dominate the access and distribution of such resilience-building resources constitute a profound institutional pathogeny that shall be adequately recognized and subsequently confronted through the development of an alternative paradigm of societal organization based on the acknowledgment of human vulnerability and the reconstruction of a responsive State. Hence, certain political subjects' structural exposure to maximized forms of vulnerability does not reflect an absence of individual responsibility, as it is hegemonically depicted in various neoliberal ideological discourses. On the contrary, this fundamental absence of resilience-conferring assets reveals an institutional failure:

In other words, the role of society's institutions in providing the assets or resources that give us resilience is to actually produce, or fail to produce, social, political, and economic opportunity. Access to them can confer privilege, while exclusion acts to disadvantage. Individual failure in this way should not be seen as merely the failure of individual responsibility, but it is also, perhaps primarily, the failure of society in its institutions.
(Fineman 2014, 115)

According to Fineman, 'while vulnerability theory begins with vulnerability, it does not end there' (Fineman 2019, 21). The enthronement of vulnerability instead of autonomy as the immanent characteristic of humanity unavoidably leads to the following question: 'If to be human is to be universally and constantly vulnerable, how should this recognition inform the structure and operation of our society and its institutions?' (Fineman 2019, 21). Through the association of the ontological aporia of our shared fragile and interdependent condition with the sociopolitical inquiry for the fair reconstruction of societal institutions, Fineman accomplishes persuasively developing an alternative prescriptive framework for the justification of an expansive and responsive social State (Fineman 2010; Fineman 2015). In Fineman's view, the State shall become capable of affirmatively compensating for the constitutive human vulnerability via the equal and fair distribution of resilience-conferring resources such as education, healthcare, security, opportunities and stability, and the provision of symmetrical access to the operation of its main resilience-building societal institutions. Fineman's core argumentation about the sociopolitical necessity of a broad, efficient and responsive welfare State aims at the radical re-articulation of the notion of political responsibility and the dynamic redefinition of the context and breadth of State obligations. This is to be achieved by subverting the dominant American paradigm of a restrained State operating under a political dogma of non-interference. Therefore, she emphatically opposes the neoliberal glorification of a 'lesser' State as well as to the idealized self-regulation of the free market and the systemic privatization of vital societal functions.

In this regard, Fineman convincingly argues that a contemporary model of social justice shall encompass an active and responsible State, which not only establishes and legalizes its primary societal institutions in the first place, but also constantly monitors, reforms and ameliorates their operation. Only under continual state regulations could the main societal institutions ensure their compatibility with egalitarian visions of social justice as well as progressively enhance their responsiveness to the fundamental dependencies and vulnerabilities of their members. Fineman's vulnerability approach also aims at the drastic redefinition of a progressive sociopolitical vision of substantial equality beyond the dominant juridical exemplar of formal equality and the prominent legal principle of the sameness of treatment. More specifically, Fineman theorizes the State's affirmative

social obligation to ensure all its members a substantive equality of opportunity by problematizing legal responses that systematically erase structural economic and material injustices in favour of an elusive equal treatment of unequal social actors.

Fineman heavily criticizes the dominant liberal archetype of formal equality as a ‘conservative jurisprudence,’ which solely invests the State with a negative obligation not to treat the members of its political community differently – and respectively provides the citizen with a negative right not to be treated differently. According to Fineman, vulnerability theory carves an alternative paradigm of substantive equality by designating a universally shared positive right to acquire equal access to resilience-conferring resources through the just and efficient co-dependent operation of all societal institutions. In this regard, Fineman additionally argues that anti-discrimination legislation on the basis of gender, race or ethnicity cannot provide a nuanced and effective socio-legal framework for the confrontation of broader institutional injustices that derive from the asymmetrical distribution of power, advantages and wealth, given that it is only in the position to protect the civil rights of members of specific historically disadvantaged and essentialistically constructed identity groups in individualized court cases.

BUTLER’S DUAL ETHICO-POLITICAL CONCEPTUALIZATION OF VULNERABILITY: A FEMINIST TOPOLOGY OF AMBIGUOUS RELATIONALITY AND SOCIOPOLITICAL CRITIQUE

The latest theoretical production of the post-structuralist feminist philosopher Judith Butler represents one of the most influential re-conceptualizations of vulnerability within contemporary feminist thought (Butler 2004; Butler 2009; Butler & Athanasiou 2013; Butler 2015; Butler 2020). The development of the Butlerian ethicopolitical theory of vulnerability signifies for many critical scholars of the Butlerian oeuvre (Coole 2008; Segal 2008; Shulman 2011), an unavailing ‘Levinasian turn’ towards an apolitical and abstract moralism. Contrarily, for others (Gilson 2016; Petherbridge 2016; Schippers 2014), this theoretical shift represents a welcoming progression towards the systematic articulation of normative foundations for the transparent definition of ethical obligations and the critical evaluation of sociopolitical injustices. In my view, the Butlerian ‘ethical turn’ under examination can neither be perceived as a moralistic de-historized ‘escape from the political’ nor problematized in terms of a deliberate abandonment of the explicit political targeting of her earlier theoretical production. Contrarily, the radical Butlerian reconceptualization of ethical obligations is inexorably intertwined, in an Adornian sense, with social critique.

Socio-historically contextualized within the unprecedented collective precaritization of the American society in the aftermath of the 9/11 terrorist attack, Butler attempts to re-navigate the abrupt national experience of mourning from revengeful violence and privatizing ethnocentric convulsion to an alternative horizon of critical ethical reflection and empathetic political responsiveness. In this realm, the American thinker designates vulnerability and interdependency as the constitutive and insurmountable condition of social existence. According to Butler, the collective experience of this unthinkable mass human tragedy reveals a – formerly uncharted and inconceivable – liminal sense of closeness and proximity with the invisibilized Others, which are unceasingly exposed to augmented forms of violence, inequality and deprivation:

One insight that injury affords is that there are others out there on whom my life depends, people I do not know and may never know. This fundamental dependency on anonymous others is not a condition that I can will away. No security measure will foreclose this dependency; no violent act of sovereignty will rid the world of this fact. [...] To be injured means that one has the chance to reflect upon injury, to find out the mechanisms of its distribution, to find out who else suffers from permeable borders, unexpected violence, dispossession, and fear, and in what ways. (Butler 2004, xiii)

At the first level, the sudden and unanticipated collective exposure to violence, death and injury destabilizes American society's illusive invulnerability and reveals the constitutive fragility of the human condition. In Butlerian terms, the lived reality of vulnerability encompasses, first and foremost, the recognition of the inherent dependency of life on the social bonds, intersubjective relationalities, psychic imprints, material infrastructures, social institutions, right acquisitions, cultural conventions and political liberties that are provided in differentiated scales to each social subject. In this respect, the retrospective acknowledgement of our constitutive vulnerability critically subverts the hegemonic narratives of the inaugural autonomy, transparency and self-reliance of the autonomous and auto-poetic Self of the Western metaphysical tradition:

It is not as if an 'I' exists independently over here and then simply loses a 'you' over there, especially if the attachment to 'you' is part of what composes who 'I' am. If I lose you, under these conditions, then I not only mourn the loss, but I become inscrutable to myself. Who 'am' I, without you? When we lose some of these ties by which we are constituted, we do not know who we are or what to do. On one level, I think I have lost 'you' only to discover that 'I' have gone missing as well. (Butler 2004, 22)

Interestingly enough, Butler's theoretical re-signalization of vulnerability does not exclusively identify the term with the insuperable susceptibility of the human condition to mortality, trauma, loss and grief. At the same time, vulnerability is not idolized as a utopian spatiality for the emergence of harmonious and meaningful interactive relationalities. Reconstructed in terms of an embodied openness to the indissoluble non-selected and non-controllable Otherness, Butlerian vulnerability constitutes, in reality, the eternally ambivalent struggle of the inter-relational subject's ecstatic morphology (see Lloyd 2015, 173). Vulnerability is, therefore, characterized by irreducible contingency and radical ambiguity, since violence, exploitation, trauma, injury and deprivation as well as love, support, care, passion, affection and desire are mutually entailed in the inevitable existential captivity of the apriorically dissolved subject by the total plexus of the social bonds that both maintain and precaritize her life. As Cousens eloquently explains, 'vulnerability is more closely understood as responsiveness and openness than susceptibility to harm' (Cousens 2018, 43).

In opposition to Martha Fineman's socio-legal vulnerability approach, Butler does not intend to articulate a robust universal humanism by developing a novel paradigmatic ontology of vulnerability as the quintessence of human nature. Furthermore, Butler does not aim at a re-essentialization of vulnerability in terms of a homogenized and unified identity. In this realm, Butler argues that this constitutive relational openness represents, in reality, a conceptual feature of the intersubjective bond between irreducibly different forms of social subjects rather than an individualized inherent quality of a universal subject. Under the above prism, she attempts to recodify human vulnerability as a non-

essentialist, non-exclusionary and non-constraining condition of the lived existence, namely as an embodied and relational social ontology, which is both plurally stratified and distinctively experienced by differently sociopolitically positioned subjectivities (see [Hekman 2014](#); [Murphy 2011](#)). In this regard, Butler critically supports that the institutional recognition of a social subject's vulnerability depends on the hegemonic frames of recognition and the dominant schemas of intelligibility which authoritatively define, in each sociocultural contextualization, *who does and who does not count as human*.

To better understand the above theoretical claim, it is important to elucidate the crucial Butlerian interconnection between the recognition of vulnerability and the critical political examination of the unequal gendered, geopolitical, classist, cultural, social and financial distribution of precarity. According to Butler, the asymmetrical allocation of vulnerability is constantly reproduced by complex sociopolitical, cultural, discursive and interpretative frameworks of grievability. Consequently, it was demonstrated by a hegemonically constructed 'hierarchy of grief.' Through the aforementioned power mechanisms, certain human losses are designated as apriorically significant and grievable, while others are constituted as anonymous, unrecorded and unimportant through their reduction to depersonalized statistics or via their complete erasure from public discourse. Under this Butlerian prism, the accelerated vulnerability of a life that cannot be represented or recognized as grievable within the dominant sociocultural frames derives from her – prior to her actual loss – expulsion from the restrictively established ontology of humanity. According to Butler, the symbolic ostracism of the un-grievable life from the sphere of intelligibility signalizes the subject's exposure to the profoundly precarious condition of a prolonged 'social death,' namely to an irreversible entrapment within the realms of a systemic process of social alienation and cultural phantasmization (see also [Polychroniou 2021](#)). Hence, for Butler, the unequal attribution of vulnerability primarily emerges from the exclusionary reproduction of a normative ideotype of humanity. This limitedly entails and actively establishes certain dominant forms of subjectivity as the apriorically human by simultaneously stigmatizing non-complying forms of subjects as dehumanized, pathological or dangerous deviations from the monolithic norm.

Based on the above theoretical reflection, Butler envisions the collective development of an agonistic political practice that radically transforms, relocates and re-assembles the monopolistic normativities of the human intelligibility via the plural and heterogeneous designation of multiple, fluid, hybrid and formerly unthinkable, forms of human existence:

It is not a matter of a simple entry of the excluded into an established ontology, but an insurrection at the level of ontology, a critical opening up of the questions, What is real? Whose lives are real? How might reality be remade? Those who are unreal have, in a sense, already suffered the violence of derealization. What, then, is the relation between violence and those lives considered as "unreal"? Does violence effect that unreality? Does violence take place on the condition of that unreality? ([Butler 2004, 33](#))

Hence, Butler develops a dual interpretation of vulnerability. On the one hand, Butlerian vulnerability manifests the inevitable relationality, sociality and dependency of the dissolved subject on the non-controllable and non-selected Others, as well as on the infrastructural, societal, institutional and political conditions that conjointly support her existence. On the other hand, the term reflects the differentiated exposure of certain racialized, feminized and nationalized social subjects to systemic violence,

structural inequality, cultural misrecognition and social ostracism on the grounds of their hegemonic categorization as less grievable, and, therefore, less worthy of protection, in comparison with other forms of subjectivities.

This dual conceptualization of vulnerability is further specialized and illuminated through the critical Butlerian distinction between the notion of precariousness and the notion of precarity. This important distinction is introduced in Butler's *Frames of War* (2009) and follows her theoretical reflections on vulnerability ever since. More specifically, the first term, precariousness, echoes the apriorical existential condition of embodied openness, relational sociality and ambivalent exposure to Otherness. Accordingly, the second conceptual categorization, precarity, reflects the sociopolitically contextualized, historically and culturally shifting and unequally allocated manifestation of the first universalized condition. Under Butler's theoretical prism, complex plexuses of bio/thanatopolitical mechanisms unevenly precaritize certain non-interrelated social categorizations and whole populations through their exposure to plural, interrelating and stratified forms of violence, deprivation, loss, abandonment, detention, exploitation, persecution, social stigmatization and death:

Precariousness and precarity are intersecting concepts. Lives are by definition precarious: they can be expunged at will or by accident; their persistence is in no sense guaranteed. In some sense, this is a feature of all life, and there is no thinking of life that is not precarious- except, of course, in fantasy, and in military fantasies in particular. Political orders, including economic and social institutions, are designed to address those very needs without which the risk of mortality is heightened. Precarity designates that politically induced condition in which certain populations suffer from failing social and economic networks of support and become differentially exposed to injury, violence and death. Such populations are at heightened risk of disease, poverty, starvation, displacement, and of exposure to violence without protection. (Butler 2009, 25–26)

Under the above dual conceptualization, vulnerability seems to function in identical and mutually interchanging terms with the first, existential and universalized, signalization of precariousness. Nevertheless, while many commentators of the Butlerian oeuvre interpret this later theoretical distinction as a nuanced substitution of the former unified conceptual construction of vulnerability, feminist scholar Erinn Gilson attempts to thoroughly trace the imperceptible differences between the Butlerian notions of vulnerability and precariousness. In this light, Gilson observes that the first term is characterized by a broader conceptual depth and is accompanied by more intense normative connotations in comparison with the latter, since it manifests the intrinsic plasticity, fluidity and openness of all – human and non-human – lives and the inherent susceptibility of all natural procedures, ecosystems, cultural conventions, discursive constructions, psychic dispositions and sociopolitical institutions to transformation, alteration and change. On the contrary, the second Butlerian notion is more closely connected to the materialities of life and the radical contingencies of injury, violence and loss. As Gilson explicitly claims:

Thus, vulnerability is a more general notion than precariousness, with a broader scope and application, in a few ways. First, it involves a more pervasive uncertainty and instability; it is openness to destabilizing alterations in general, not to losses in particular. Second, although vulnerability pertains to life, it is not a condition that is limited to life as

precariousness is. Life is precarious and vulnerable, but precariousness in this conceptualization pertains only to life whereas other things can be regarded as vulnerable. For instance, if we consider the vulnerability of ecosystems or the feeling of sensitivity that we call emotional vulnerability, then we see that neither necessarily involves loss in the aforementioned sense. What makes these examples both instances of vulnerability? The ecosystem is vulnerable to change, to shifts in the conditions and relations that compose it, and the sensitivity of emotional vulnerability might be understood as a greater attunement, an openness to feeling. Vulnerability, thus, concerns ways of being affected, what we can call affectivity. So, third, the outcome of increased vulnerability is not inevitably loss although it may be in some cases. Whereas increased precariousness produces increased exposure to “injury, violence, and death[,]” the consequences of increased vulnerability are indeterminate. (Gilson 2014, 46–47)

To effectively approach the enigmatic dialectic between the two aforementioned conceptualizations, it is important to briefly refer to the interactive philosophical dialogue between Judith Butler and Athena Athanasiou. In their book *Dispossession: the Performative in the Political* (Butler & Athanasiou 2013), the two feminist thinkers vigorously trace the dual conceptual morphology of the term *dispossession*. In their view, dispossession manifests the aporetic construction of a semantic paradoxality. The term firstly signifies the process of the subject formation via the inevitable subjection of the subject-to-be to the hegemonic life-giving norms of intelligibility. Driven by a quasi-Spinozic desire for existence, the becoming-subject enters into the symbolic order of the culturally intelligible by submitting herself to the power of the norm and preemptively sacrificing her non-compliant psychic attachments. The dispossessed subject is apriorically dissolved not only by the dominant norms of intelligibility, but also by her ethical encounter with the Other. In this regard, Butler and Athanasiou conceptualize our inevitable exposure and unavoidable commitment to the radical Otherness that we have not chosen nor met in terms of a ‘hetero-nomic condition for autonomy’ (ibid, 2). Second, dispossession reflects the subject’s fundamental dependence on the normatively regulated and unequally allocated socio-economic phenomena of violence, displacement, deportation, intensified financial precaritization, biopolitical regulation, accelerated social exclusion and neoliberal governmentality. Attempting to conceptualize the hybrid relationality between these two distinct conceptualizations of dispossession, Butler and Athanasiou claim that our primordial embodied vulnerability constitutes the foundation for the potential deprivation of social bonds, legal enshrinements, material infrastructures, political liberties and financial resources in the course of one’s lifetime:

The second sense of dispossession is bound to the first. For, if we are beings who can be deprived of place, livelihood, shelter, food, and protection, if we can lose our citizenship, our homes, and our rights, then we are fundamentally dependent on those powers that alternatively sustain or deprive us, and that hold a certain power over our very survival. Even if we have our rights, we are dependent on a mode of governance and a legal regime that confers and sustains those rights. And so we are already outside of ourselves before any possibility of being dispossessed of our rights, land, and modes of belonging. In other words, we are interdependent beings whose pleasure and suffering depend from the start on a sustained social world, a sustaining environment. (Butler & Athanasiou 2013, 4)

In light of the above theoretical clarifications, we are in a position to re-approach the Butlerian reconceptualization of vulnerability both as a point of departure for the emergence of political coalitions and collective public mobilizations and as a quasi-normative philosophical foundation for the articulation of intersubjective ethical obligations. Within this context, Butler argues that the alternative social ontology of vulnerability could forge, at a political level, critical non-identitarian solidarity bonds among plural, irreducible and heterogeneous precaritized populations, such as coalitional strategies between feminist and LGBTQA+ movements with anti-racist, anti-militarist, migrant, refugee struggles and broad democratic vindications against neoliberal governmentality. The recognition of our existential dependency on mutual and shared environmental conditions, financial systems and societal structures further re-writes the imaginary borders of the political community beyond the limitations of the modern Nation-State. It does so by emphatically transforming our ethical duties towards others from a prefixed obligation of a contractual agreement between free, autonomous and formally equal partners to an inevitable after-effect of our uncontrollable and unintended interconnectedness with the enigmatic and ambivalent Otherness. In this regard, our moral responsiveness towards the Other does not manifest a personalized obligation dictated by deontic individualistic moralism, but contrarily constitutes, in terms of a radical re-politicization of the Levinasian legacy, a strenuous sociopolitical exercise aiming at the visibilization of the hegemonical unrecognized Other.

Finally, it is important to notice that, for Butler, vulnerability is dialectically intertwined with collective social mobilization and political resistance. Contrarily to the dominant bipolarity between vulnerability and agency, Butler attempts to trace a subversive alternative potentiality for understanding collective political struggles of precaritized populations. She achieves this by reconceptualizing vulnerability as the core precondition, the fundamental manifestation and the agonistic purpose of resistance. For Butler, this dual interconnection between vulnerability and resistance is emphatically manifested in the collective political action of contemporary heterogeneous and multi-participatory demonstrations against neoliberal governmentality and austerity policies in many parts of the world. According to Butler, these drastically emerging forms of public assemblies actively demonstrate the recognition of precarity as a mutually shared social condition, as well as a legitimate foundation for the utterance of political claims and democratic vindications. More specifically, Butler argues that the precarious material and political preconditions of the public protest simultaneously constitute the vibrant target of the revolting subjects' vindications. In this light, material infrastructures, as the street, the square, the roof, the public building, as well as juridico-political insurances, such as the safe access to the spatiality of the political action and the democratic enshrinement of the right to protest and to assembly, represent necessary institutional and material parameters for the enactment of political action, as well as intended outcomes of the collective political actions that wish to protect the political preconditions of public appearance and collective assembly.

Collective mobilizations against precarity do not acquire, according to the Butlerian theoretical analysis, a foundational or essentialistic structure. These novel forms of public protest do not revolve around a single, solid and homogeneous class, cultural, gender or ideological identity, which has been stably forged and explicitly crystallized before the actual enactment of the public political vindication. Contrarily, the political claims and social vindication of public assemblies are shaped through continuous, antagonistic and even unexpected interactions among heterogeneous political discourses, democratic

coalitions and revolutionary practices. In this sense, an ephemeral, interdependent and spontaneous ‘we’ emerges performatively during the climactic temporality of collective political struggle in terms of ‘a collective acting without a preestablished collective subject’ (Butler 2015, 59). Reconstituted as multiple, performative and embodied political renegotiations of possessive individualistic neoliberalism, public assemblies against precarity are, characterized by the emphatic plurality of their demands, the political fluidity of their means and manifestations and the irreducible positionalities of their participants. By highlighting the hybrid post-identitarian texture of contemporary political movements against neoliberal governmentality, Butler, in my view, reconceptualizes vulnerability as the non-identitarian foundation of solidarity between distinctively precaritized political subjects.

FINEMAN VIS-À-VIS BUTLER: A CRITICAL EVALUATION OF EACH VULNERABILITY FRAMEWORK’S COMPATIBILITY WITH CONTEMPORARY FEMINIST STRUGGLES

For the past 20 years, Fineman and Butler have enthroned vulnerability in the heart of their socio-structural theory and ethico-political reflection, respectively. In both feminist frameworks, vulnerability is positively re-signalized and radically denaturalized. The term is moreover meticulously reconstituted in both philosophical redescriptions as the inaugural point for the revelation of an alternative social ontology based on relationality, interdependency, sociality and fragility, adept at deconstructing the illusive foundational narratives and unachievable ideal principles of liberal possessive individualism’s autonomy, invulnerability, personal responsibility and self-sustainment. In this regard, both Fineman and Butler critically engage with the downing liberal Hobbesian and Lockean political imaginary (Butler 2020; Fineman 2004; Fineman 2008), in order to underline and subvert the apriorically maleness, adulthood and self-reliance of the primal liberal political subject as well as criticize the contractual, formally equal and rationally decided texture of his social bonds and political relations. Interestingly enough, both Fineman and Butler transform their early theoretical reflections on the vulnerable condition to rigorous sociopolitical critiques towards the alienating effects of the intensification of the neoliberal governing paradigm in the last decade in the West (Butler 2015; Butler 2020; Butler, Gambetti & Sabsay 2016; Fineman 2017; Fineman 2019). Under this prism, the two feminist thinkers equally problematize the responsabilization, depoliticization and self-isolation of the a-relational neoliberal subject and reject the dissolution of social state, the privatization of public services, the derailment of social coherence and the authoritative austerity practices that collectively characterize the rationalizing logics of neoliberal governmentality.

Nevertheless, the two vulnerability frameworks present significant divergences, which mostly derive from each feminist theorist’s differentiated theoretical and political targeting. Fineman invests her vulnerability theory with universalistic, unifying and normative connotations, in order to efficiently interconnect the recognition of the horizontally fragile human condition with an explicit sociopolitical theory of the responsive State. Under Fineman’s prism, the empirical acknowledgement of our universal vulnerable humanity serves as a legitimization basis for the normative definition of extensive public obligations and the drastic reconstruction of resilience-building societal institutions towards an alternative policy exemplar of substantive equality and post-identitarian social justice. On the opposite site, Butler does not aspire

to normatively substitute one monolithic and exclusionary hegemonic paradigm of political subjectivity with another, by replacing the abstract and universal ideal of liberal autonomy with the equally abstract and universal conception of the vulnerable subject. On the contrary, Butler retheorizes vulnerability as the inherent conceptual feature of intersubjective sociality bonds between apriorically relational, fragile, heterogeneous, dissolved, plural and irreducible subjects. Aiming at the radical re-politicization of the term, Butler introduces the crucial conceptual distinction between precariousness and precarity, in order to provide her ethico-political framework with nuanced and critical theoretical devices, that do not only reconstitute an alternative social ontology in the centre of Western metaphysics, but additionally problematize the present socio-historically contextualized asymmetry in the allocation of precarity among different social categorizations and geopolitically differentiated populations.

The absence of such a critical differentiation between the universal existential condition of vulnerability and the actual unequal exposure of certain social subjectivities to accelerated manifestations of precarity weakens, in my view, Fineman's one-dimensional vulnerability approach and limits her applicability in the realms of feminist political theory and practice. More specifically, I argue that Fineman's tenacious persistence on the post-identitarian texture of her theoretical framework illusively invisibilizes the structural morphology of institutional gendered and gendering processes, leading to the undervaluation of patriarchal oppression, sexist stereotypization and gender-based violence as non-crucial parameters for the unequal distribution of resilience-building resources between differently gendered social subjectivities. For instance, Fineman develops an ambiguous theoretical dichotomy between 'individual characteristics,' which surprisingly entail gender, race and sexuality, and 'societal structures,' which encompass complex webs of power, privilege and wealth. By shifting her theoretical focus from the examination of individual characteristics to the macroscopic observation of 'the characteristics of social institutions and relationships,' Fineman drastically erases gender analysis from the socio-structural theorization of injustice, resulting in aphoristic conclusions apropos of the continuing gender inequality within the family structure:

In other words, it is the nature of and significance given to the social task of caretaker that operates to disadvantage the individuals who occupy that role, not the gender of the caretaker. If men become caretakers, they also suffer economically and professionally. The market is structured so as to assume no responsibility for the reproduction of society. When the state concedes it has some responsibility, it is only to serve as a highly stigmatised backup when the family 'fails'. All caretakers, regardless of sex, will be subordinated by this structure and the ideology of family autonomy, independence and self-sufficiency that supports it. At that time, I realised that what I had been analysing as a gender problem was actually a societal problem that extends well beyond a gender equality frame. (Fineman 2017, 141)

From a feminist standpoint, I believe that the above argumentation by Fineman significantly ignores the historical reality of female economic subordination and underestimates the phallogocentric symbolic economy of the patriarchal order. In my view, the structurally vulnerabilized position of the caretaker is not produced in a cultural or historical vacuum, but it instead historically associated with the hegemonic naturalization and feminization of care, motherhood, domesticity and nurturing, as well

as with the bipolar discursive construction of gender within the Western metaphysical tradition. Partly echoing Cooper's critical race perspective (Cooper 2015), I think that Fineman erroneously confuses the critical problematization of heteronormative gender dualities with the denial of the actual material and sociopolitical consequences that are inevitably produced by the dominant gender essentialism of our sexist societies. Under the above prism, the assumption that 'If men become caretakers, they also suffer economically and professionally,' constitutes an argument that irrationally turns our empirical reality upside down in order to prove the structural character of inequality by disregarding the fact that the principal discursive, ideological, social and political processes of core institutional structures, such as the educational system, family, public administration, legal and juridical system, church, mass media, political sphere and the organization of labour are not only profoundly gendered, but also gendering, in that they constantly foster, reproduce and regulate the ideotypical production of heterosexist and dichotomous gender subjectivities.

In equally disputed terms, Fineman rejects gender analysis as a restrictive form of identity-focused discourse, which, in opposition to the universality of the vulnerable subject, obscures the structural investigation of broader social justice issues. In this light, Fineman particularly claims that the analytical reduction of contemporary social inequalities to the mistreatment of some identity-based social categories 'detracts from the development of a systemic analysis of the political and economic organization of the United States at the beginning of the twenty-first century and the ways in which subordination and inequalities are generated and shared across identities' (Fineman 2013b, 628). However, in my opinion, the universality of vulnerability signifies that no human being can escape its primordial and fundamental dependency on a wide plexus of both natural and infrastructural, as well as social, political, cultural, linguistic, legal and juridical resilience-building assets. In this regard, Butler's acknowledgement of the profoundly asymmetrical allocation of rights, opportunities, resources and social goods to differently positioned political subjects and socio-culturally constructed categories does not obscure, as Fineman fears, the universal condition of the vulnerable human ontology. On the contrary, it vividly highlights the grave consequences of the withdrawal of the resilience-building nexus that sustains, enhances and supports some individuals to a greater extent than others. It does so by further providing a more nuanced sociopolitical analysis of the complex modalities, through which class and privilege intersect with gender, race, ethnicity and sexuality in the construction of contemporary structural and systemic injustices. In this respect, the removal of gender from a structural analysis of poverty illusively invisibilizes crucial factors, such as the gender pay gap, the economic vulnerabilization of caretakers or the institutional abandonment of single mothers as gendered aspects of the demolition of the social State via neoliberal governmentalities.

For the above reasons, I argue that contemporary feminist theory can reconstruct the crucial analytical category of vulnerability beyond the constitutive limitations of Fineman's gender-blind universalistic approach by moving towards Judith Butler's radical post-structuralist theory of precarity. In comparison to Fineman's vulnerability approach, the Butlerian framework demonstrates three crucial strengths that have been systematically analyzed in this article. First, the nuanced Butlerian distinction between the primordial susceptibility to Otherness and the socio-politically differentiated exposure to certain demonstrations of precarity, abuse, fear and alienation, is in a position to reflect the horizontal character of vulnerability without erasing the systemic gender- and sexuality-related injustices that lead to

the intensification of vulnerability for specific social categories. Second, the radical re-politicization of vulnerability through the Butlerian theorization of a constellation between precarity and resistance can elucidate the complex heteronormative and patriarchal structures that produce asymmetrical vulnerabilities for certain gendered subjects, such as women's augmented exposure to sexual violence or domestic abuse, without depriving the social subjects that are exposed to those maximized forms of precarity from their agentic, self-conscious and resistant capabilities. Third, the Butlerian reconceptualization of vulnerability as a mediating topology for the development of non-identitarian political coalitions between distinctively precaritized subjects could be proven essential for the re-invention of a non-essentialist foundation of solidarity between multi-fragmented feminist struggles, LGBTQA+ demands and other manifestations of political resistance.

By supporting the Butlerian vulnerability framework's compatibility with contemporary feminist struggles, I would, finally, like to briefly engage with the corpus of feminist contributions that critically contest the above notion's epistemological capacity to be implemented in feminist studies on gender-related violence. More generally, Butler's dual theorization of vulnerability has been subjected to extensive criticism within the realm of feminist theory on the grounds of its eschatological attachment to the pain and suffer of the Other (Shulman 2011), its mortalist humanism (Honig 2010; Honig 2013), the passivization and depoliticization of ungrivable forms of life (Lloyd 2015; Ruti 2017; Walker 2015), the ambiguous normativity of its ethico-political principle (Fraser 2011; Petherbridge 2016) and its incapacity to designate intersectional forms of specific socio-economic inequalities and systemic racialized, gendered and class-related injustices (Cyfer 2019; Thobani 2007).

In this regard, it is important to notice that many feminist scholars have problematized the Butlerian vulnerability framework's inability to respectfully capture the experience of female survivors of sexual assault, domestic violence and gender-related abuse. For instance, Mari Ruti argues that the Butlerian substitution of an autonomous, auto-poetic and rational agent with an ecstatic and ruptured form of subjectivity under the Levinasian prioritization of the Other demonizes the importance of free will and self-determination. According to her, the construction of the Butlerian subject in the above terms undermines the therapeutic and empowering function of the retrieval of autonomy and intentionality in the example of female survivors of gender violence (Ruti 2017, 106).

From a different standpoint, Emily Cousens problematizes the Butlerian reconceptualization of vulnerability as an ignorant deflection of the second-wave feminist significations of the term that were thoroughly cultivated during the 1970s feminist struggles against gendered violence. More specifically, Cousens believes that Butler's positive conception of apriorical embodied openness is not compatible with feminist literature on gender violence and sexual abuse, given that Butler sacrifices, in the name of her post-structural anti-essentialism, her theory's ability to develop an empowering feminist account against contemporary forms of gender violence. According to Cousens, Butler systematically de-feminizes vulnerability, by erasing the profoundly gendered character of sexual violence and by further invisibilizing the power mechanisms that allocate vulnerability towards structural phenomena of gender-based violence asymmetrically among differently gendered subjectivities.

Second, Cousens supports that the apriorical investment of Butler's positive account of vulnerability with resisting capacities and agentic opportunities ignores the actual conditions in which gendered violence takes place. In this regard, she argues that the

Butlerian constellation of vulnerability and resistance fails to acknowledge the complex corporeal, socio-structural and psychoemotional parameters that systematically hinder the victim's capability to actively resist or successfully defend herself during the attack. According to Cousens, the drastic erasure of this lived empirical reality can lead to the obstruction of the feminist struggle for a wider, fairer and more efficient institutional and judicial recognition of the survivors. As she characteristically claims, 'by presenting it as ambivalent and coupling it with resistance, the vulnerability of the many women who cannot or do not resist in Butler's terms (through the formation of "certain forms of feminist self-defence and institutions" (2015, 141)) are rendered invisible' (Cousens 2018, 50).

In our view, both of the above feminist critiques are based on an erroneous interpretation of the dual signification of vulnerability within the Butlerian corpus. The Butlerian designation of an existential condition of relationality, interdependency and connectivity does not re-essentialize vulnerability in terms of an inherent identitarian feature of certain sociopolitically disadvantaged subjects. At the same time, the horizontal recognition of the subject's primary embodied openness to the Other does not equate the profoundly asymmetrical exposure of differently gendered, racialized, nationalized and sexualized subjects to extensive forms of sexual violence and abuse in the given patriarchal and heterosexist historical reality. On the contrary, the dual Butlerian conceptualization of vulnerability denaturalizes, problematizes and repoliticizes the unequal distribution of violence, abuse, insecurity, marginalization and deprivation, by critically underlining the dominant bio/thanatopolitical mechanisms that vulnerabilize certain forms of subjectivities in more systematic and extensive ways than others based on the multiple intersections of their gender, class, race, religion, nationality, ethnicity, sexuality, legal status and geopolitical position. Under the above prism, the reconstructed Butlerian signification of the term contributes to the de-essentialization of vulnerability in terms of an inherent or natural feature of female subjectivity, without erasing or invisibilizing the structural sociopolitical, historical, cultural, linguistic, symbolic, economic and discursive frames that systematically precaritize contemporary femininities. Therefore, Butler's dual conceptualization of vulnerability is adept at highlighting the profoundly gendered allocation of the exposure to sexual assault, rape, harassment and domestic violence, since it reconstructs female subjects' maximized subjection to systemic forms of gender-based violence as the structural pattern of patriarchal power relations, within which culture of rape, toxic masculinity, internalized sexism and female bodies' commodification are both naturalized and reproduced.

Furthermore, the recognition of the survivor's resistant capabilities does not intend to relocate the burden of victimization to the attacked subject and does not attempt to reduce the gravity of her inflicted damage. The vulnerabilized subject's agency is not translated, in Butlerian terms, into a normative demand for the heroic personal overcome of her assault via a successful act of self-defense during the time of the attack. On the contrary, the acknowledgment of the vulnerable subject's intentionality and resistance aims at the deconstruction of the simplistic discursive ideotypization of the victimized gendered subject in terms of a passive, irrational, infantilized abject, while further designating the complex psychological reality of the victim as an amalgam of both trauma and pain, as well as desire, rage, will, ambition, empathy and political mobilization.

We finally notice that the constitutive ambiguity of the relational construction of Butler's embodied vulnerable Self can be characterized as compatible with many contemporary feminist attempts to re-introduce a radically redefined notion of vulnerability within the study of sexual assault and gender-related violence. For

instance, prominent feminist theorists, such as Bergoffen, Code and Gilson, have developed similarly reconstructed conceptions of vulnerability in order to subvert the gendered invulnerability–vulnerability bipolarity, deconstruct the discursive construction of victimhood and problematize the re-victimization of female gender violence survivors via passivizing media representations, judicial practices, legal discourses and socio-cultural codifications. By rejecting the sole identification of vulnerability with susceptibility to harm, these scholars develop positive and ambivalent notions of vulnerability, by articulating novel feminist epistemologies of gender violence, sexual assault and rape (Bergoffen 2009; Bergoffen 2011; Code 2009). As Gilson characteristically claims, the dual reconceptualization of vulnerability

provides a framework that enables us to question and challenge the perceived correlation between gender and vulnerability/invulnerability and to comprehend the exploitation of vulnerability in a more complex manner rather than imagining it to be a natural response to a preexisting condition of weakness. It calls for taking stock of the ambiguity of sexual vulnerability (rather than requiring a clear categorization that belies the complexity of experience) and recognizing the coexistence of both strength and susceptibility, receptivity and assertion, agency and infringement. (Gilson 2016, 95)

CONCLUSION

The positive re-articulation of the philosophical notion of vulnerability represents an enigmatic paradox within the realm of contemporary feminist theory and political practice. By systematically designating the plurality, interdisciplinarity and complexity of feminist reconstructions of vulnerability within the last decade, this academic venture aspired to contribute to the elucidation of the nuanced theoretical reflections, novel methodological and hermeneutic devices, empowering political potentialities, resistant spatialities, alternative social ontologies, solidarity alliances and normative juridico-political obligations that can derive from the positive re-invention of the term under feminist premises. At a first level, I attempted to theoretically reconstitute a positive feminist conceptualization of vulnerability through the thorough systematization and critical comparison of Martha Fineman's socio-legal philosophy and Judith Butler's post-structuralist ethico-political theory. We thus presented the central axes of Fineman's normative vulnerability approach and Butler's two-fold vulnerability theory, by designating their complex philosophical foundations and constitutive conceptual characteristics. At a second level, the above theoretical analysis attempted to critically evaluate the aforementioned vulnerability frameworks in reference to their epistemological capacity to reconstitute a positive, politically empowering and non-exclusionary conceptualization of vulnerability within the heart of contemporary feminist theory and agonistic practice. To that end, I developed a critical assessment of Fineman theory's epistemological, political and conceptual limitations. My explicit theoretical ambition, in this regard, was to claim that the ambiguous post-identitarian texture of Fineman's vulnerability theory concealed the socio-structural texture of dominant gendered and gendering processes and, as a result, dismissed systemic sexism as a non-important analytical category for the theorization of the asymmetrical allocation of resilience-building resources among differently gendered, sexualized and commodified subjects. Under the above prism, I argued that the transition from Fineman's socio-legal approach

to Judith Butler's radical post-structuralist theory of vulnerability can rescue the crucial analytical category of vulnerability from the constitutive restrictions of a gender-blind perspective. In this light, I argued that the distinction between precarity and precariousness, the constellation between vulnerability and resistance and the mediating and coalitional qualities of vulnerability invest Butler's post-structuralist perspective with comparatively more nuanced analytical devices for the revolutionary re-politicization of vulnerability within the realms of feminist theory.

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The author has no competing interests to declare.

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