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# Afterword: The Perils and Pleasure of Activist Scholarship

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# AFTERWORD: THE PERILS AND PLEASURES OF ACTIVIST SCHOLARSHIP

ELIZABETH M. SCHNEIDER\*

There are many things I want to say in closing this amazing volume. A book like *Battered Women and Feminist Lawmaking* is an enormous project. The book took me almost ten years to complete. At many times I could not work on it and was not sure why I had undertaken it. Writing is always hard—we who write as a necessary part of our work as academics, or as “public intellectuals”, frequently minimize this. We admit it to others in personal conversations, but we do not much talk about it publicly. It is lonely and frustrating, and it is difficult to find the time and energy to focus on ideas in the midst of so many pressing, and often conflicting, professional responsibilities. I know that I was only able to finish the book because four of my women colleagues at Brooklyn Law School—Stacy Caplow, Susan Herman, Nan Hunter and Minna Kotkin—and several years ago I formed a “writing buddies” group that met regularly. They truly spurred me on, encouraged me, read and critiqued drafts, and gave me a place to talk about the difficulties and logistics of writing.

There are two issues that I want to discuss in these final pages, issues that I suspect face many of us—the special contradictions of writing about activist work and the problems of writing/scholarship as conversation. Both of these issues highlight the perils and pleasures of activist scholarship.

The first problem was one that I felt throughout the process of writing this book. Any major scholarly project requires us to make

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\* Rose L. Hoffer Professor of Law, Brooklyn Law School. Special thanks to Ann Shalleck for all her wonderful work in putting this Symposium together, and to Dean Claudio Grossman for supporting it. Thanks to the editors of the *American University Journal of Gender, Social Policy & Law* for their terrific work, to the amazing group of women who participated in the Symposium and who have contributed to this issue, to Cynthia Bowman, Tom Grunfeld, Susan N. Herman, Nan Hunter, Elliott Milstein and Ann Shalleck for comments on an earlier draft, and to the Brooklyn Law School Faculty Research Program for support. This essay is based on the luncheon talk that I gave at the Symposium on April 20, 2002.

hard personal/family decisions to withdraw. But during the years that I was focusing on *Battered Women and Feminist Lawmaking*, a book that was generated by many years of commitment and activism on women's rights and domestic violence, I had to refuse to do much activist work—participate on cases, write amicus briefs, assist with organizational work, speak at conferences—in order to find the time to write about the very things that I was saying no to. Yet this was the work, the collaboration with others toward the goal of making a difference for battered women, that had generated the ideas in the book and fed the passion for the work itself. In order to write the book, I had to cut myself off from the very work that had stimulated the book in the first place.

This was a dilemma that I experienced in many ways. Isolating myself to focus on the writing frequently felt selfish and individualistic, and, most important, counterproductive. I was most energized, as I think many of us are, by interacting and brainstorming with other people—giving us a sense of common struggle with others who share our passions and commitments. But the longer it took me to write the book, the more I felt detached from the very activist efforts that had always given me a sense of purpose and community. My hope was that this was only a temporary withdrawal and that ultimately the book would be a way of contributing to activist work in a more permanent and accessible form that would, to invoke Marge Piercy's wonderful phrase, "be of use."<sup>1</sup> The book, I told myself, was another, a different form of activism. But I had many doubts.

The second issue is the ideal of scholarship as conversation. Many of the times that I felt most stimulated to write the book were when I was at meetings with many of the contributors to this symposium—at a program that Holly Maguigan and I did for the National Clearinghouse on Defense of Battered Women many years ago, or a program at New York University Law School several years ago, or the American University Law School Women and the Law Program discussions that Ann Shalleck put together at Association of American Law Schools ("AALS") Annual Meetings, or the Law and Society panels on domestic violence in Glasgow in 1996. Then, when I was on panels or talking with other people also engaged in this work, I would feel that I really was part of a conversation, and that was the ideal of scholarship. But so many times, writing by myself, I felt that surely all of you who also are in this field would know the things I

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1. Marge Piercy's poem, "To be of use," has long been an inspiration to me. *To be of use*, in MARGE PIERCY, *CIRCLES ON THE WATER* (1982).

was saying, and to all of you they would be obvious, and people outside "the choir," as the phrase goes, would never read it. So who was my audience? As it turns out, I have discovered there are many more people out there who have found the book useful than I would have thought—and, of course, I am enormously grateful for that. I also believe that the book has actually moved our work forward, and that is most important. But the contradictions of scholarship as dialogue are real, when other people who are part of the conversation are so busy with so many responsibilities that we cannot be physically, psychologically or intellectually present for each other much of the time.

These are special problems perhaps for all legal writers/scholars, but I think they are particularly so for activist academics, and particularly for feminists. We question and attempt to resist the hierarchy and traditions of the academy, but it is quite another thing to make our own liberated spaces where we can acknowledge the difficulties, encourage each other, gain the strength to go on, and be stimulated and challenged in important ways by each other. Although I had to withdraw from the activist work that had generated the ideas in the book in order to write it, I was very lucky to have another community—my writing group—to support me. I have learned that there can be many different communities that can help sustain us during the time that we will each have to spend alone writing; perhaps there is even a dialectical dimension to our participation in these various communities.<sup>2</sup> I know that each person who wrote for this Symposium also had to turn away from pressing activist work in order to write her article. I hope that this volume is also a way of giving back for each of you, of moving our collective work forward.

For me, having all of the participants together at the Symposium and all of the contributors here together in this volume, engaging with and challenging my work and ideas, taking off from my efforts in new directions that I could never have imagined, and in conversation with each other, has been and continues to be thrilling. I know that this experience will tide me over the lonely writing humps for quite a while, and I am deeply grateful to all of you who have made it possible.

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2. I am grateful to Susan Herman who pointed out the dialectical aspects of this insight as a resonance of my own work before I saw it myself, yet another reason why it is so special to have colleagues. See Elizabeth M. Schneider, *The Dialectic of Rights and Politics: Perspectives From the Women's Movement*, 61 N.Y.U. L. REV. 589 (1986).

