

RESEARCH ARTICLE

# Introduction to special issue: Feminist manifestos and global constitutionalism

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## Abstract

Feminists and women activists use manifestos to express their frustrations with legal and political systems, expose the harms suffered in their lived experiences under patriarchy, colonialism and capitalism, and call for radical political, legal and social change. This special issue on feminist manifestos and global constitutionalism considers the role of feminist manifestos in global constitutionalism. It interrogates the role of feminist manifestos in bringing about legal and political reform, their role as historical texts and sources of global constitutionalization, and their limitations as tools that are potentially both exclusionary and de-political. In their article, Ruth Houghton and Aoife O'Donoghue outline a role for feminist manifestos within feminist approaches to constituent power. Sheri Labenski uncovers from the archives the Women's International League for Peace and Freedom manifesto from 1924 and the outline for a 'New International Order'. Gina Heathcote and Lucia Kula centre Lusophone African feminist action in Luanda, Angola, to problematize an approach to feminist manifestos that reiterates dominant feminisms, and instead argue for active silence by those more dominant feminist voices. In her conclusion to the special issue, Emily Jones uses posthuman feminism to interrogate and critique the claim of universality in global constitutionalism. Across this special issue, key themes emerge: the potential of inclusion and exclusion, and the role of manifesto as a method in knowledge production.

**Keywords:** constitutionalism; feminism; global constitutionalism; manifestos; universality

## I. Introduction: Manifestos in global constitutionalism

As a discipline, global constitutionalism is rife with manifestos. Global constitutional scholars and international lawyers study manifestos that include war manifestos,<sup>1</sup> political

<sup>1</sup>Oona Hathaway and Scott Shapiro, *The Internationalists: How A Radical Plan to Outlaw War Remade the World* (Simon & Schuster, 2017); Oona A Hathaway, William Holste, Scott J Shapiro, Jacqueline Van De Velde and Lisa Wang, 'War Manifestos' (2018) 85 *University of Chicago Law Review* 1139; Anna Geis,

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manifestos<sup>2</sup> and parties' political manifestos as historical evidence of constitutionalization and to uncover contemporary trends.<sup>3</sup> Some manifestos are utilized as philosophical or political texts that can underpin governance structures; such as 'The Communist Manifesto' or populist manifestos.<sup>4</sup> As a discipline, global constitutionalism also has its own manifestos: Jean L Cohen's *Globalization and Sovereignty*<sup>5</sup> is analysed as a 'constitutional manifesto' reduced to 'a passionate call for utopian reform',<sup>6</sup> while the inaugural editorial of *Global Constitutionalism*<sup>7</sup> is also positioned as a manifesto.<sup>8</sup> There are also academic manifestos within international law and global constitutionalism that seek to break from traditional scholarship and offer new departure points for the discipline.<sup>9</sup> There are even legal texts conceptualized as manifestos; The Atlantic Charter 1942 is heralded as 'a global manifesto of the New World Order'<sup>10</sup> and UN Security Council Resolution 1325 is labelled

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'Outlawing War is Not Enough to Promote International Peace: The Ambivalence of Liberal Interventionism' (2018) 7 *Global Constitutionalism* 342, 347–350.

<sup>2</sup>See Markus Patberg, 'Challenging the Masters of the Treaties: Emerging Narratives of Constituent Power in The European Union' (2018) 7 *Global Constitutionalism* 263, which cites DiEM25 'A Manifesto for Democratising Europe' (2016); Daniel Cohn-Bendit and Guy Verhofstadt, *For Europe! Manifesto for a Postnational Revolution in Europe* (2012); Citizens Pact, 'Citizens Manifesto for European Democracy, Solidarity and Equality: For the 2014 European Elections' (2013). See also Manhattan Declaration (2009), cited in Susanna Mancini, 'Global Religion in a Post-Westphalia World' in *Handbook on Global Constitutionalism*, edited by Anthony F. Lang and Antje Wiener (Edward Elgar, Cheltenham, 2017). See Ruth Kinna, Alex Prichard and Thomas Swann, 'Occupy and the Constitution of Anarchy' (2019) 8 *Global Constitutionalism* 357, 369; Zoran Oklopčic, 'Three Arenas of Struggle: A Contextual Approach to the Constituent Power of "the People"' (2014) 3 *Global Constitutionalism* 200, 221.

<sup>3</sup>See Silvia Suteu, 'The Scottish Independence Referendum and the Participatory Turn in UK Constitution-making: The Move Towards a Constitutional Convention' (2017) 6 *Global Constitutionalism* 184; Luis Moreno, 'Europeanisation and Catalonia's In(ter)dependence' (2017) 6 *Global Constitutionalism* 218, 232; Tamas Györfi, 'The Legitimacy of the European Human Rights Regime – a View from the United Kingdom' (2019) 8 *Global Constitutionalism* 123, 124; Cédric M Koch, 'Varieties of Populism and the Challenges to *Global Constitutionalism*: Dangers, Promises and Implications' (2020) 10 *Global Constitutionalism* 1; Tania Groppi and Nicoletta Scatone, 'Italy: The Subsidiarity Principle' (2006) 4 *I-CON* 131, 132; Eoin Carolan, 'Ireland's Constitutional Convention: Behind the Hype About Citizen-led constitutional Change' (2015) 13 *I-CON* 733, 738–39; Peter Leyland, 'The Multifaceted Constitutional Dynamics of UK Devolution' (2011) 9 *I-CON* 251.

<sup>4</sup>Richard D Parker, *Here the People Rule: A Constitutional Populist Manifesto* (1994) cited in Jorge González-Jácome, 'From Abusive Constitutionalism to a Multi-layered Understanding of Constitutionalism: Lessons from Latin America' (2017) 15 *J-CON* 447, 457.

<sup>5</sup>Jean L Cohen, *Globalization and Sovereignty: Rethinking Legality, Legitimacy, and Constitutionalism* (Cambridge University Press, Cambridge, 2012).

<sup>6</sup>Ming-Sung Kuo, 'Federation is Not Only About Function: Where a Neo-federalist Plan for Global Constitutionalism falls Short' (2014) 15 *Melbourne Journal of International Law* 271, 286.

<sup>7</sup>A Wiener, AF Lang Jr, J Tully, M Poiras Maduro and M Kumm, 'Global Constitutionalism: Human Rights, Democracy and the Rule of Law' (2012) 1 *Global Constitutionalism* 1, 4.

<sup>8</sup>Wojciech Sadurski, 'Supranational Public Reason: On Legitimacy of Supranational Norm-producing Authorities' (2015) 4 *Global Constitutionalism* 396, 398 (refers to the editorial as an 'article-manifesto').

<sup>9</sup>BS Chimni, 'Third World Approaches to International Law: A Manifesto' (2006) 8 *International Community Law Review* 3; Sabino Cassese, 'New Paths for Administrative Law: A Manifesto' (2012) 10 *I-CON* 603; Cormac Cullinan, *Wild Law: A Manifesto for Earth Justice* (Chelsea Green, Chelsea, VT, 2011). See also Aoife O'Donoghue and Ruth Houghton, 'Can Global Constitutionalisation Be Feminist?' in *Future of Women's Engagement with International Law*, edited by Susan Harris Rimmer and Kate Ogg (Edward Elgar, Cheltenham, 2019) 81.

<sup>10</sup>Hathaway and Shapiro (n 1) 191–92, cited in Tarak Barkawi, 'From Law to History: The Politics of War and Empire' (2018) 7 *Global Constitutionalism* 315, 325. See also Oliver Diggelmann, 'The Internationalists as Grand Narrative: Key Elements and Dilemmata' (2018) 7 *Global Constitutionalism* 297, 299.

as a women's manifesto.<sup>11</sup> Yet feminist manifestos are rarely centred as part of global constitutionalist debates.

Within feminist comparative constitutional work, Ruth Rubio-Marín calls for the writing of a “her-story” of feminist engagement with constitutionalism.<sup>12</sup> For Rubio-Marín, this includes women's unsuccessful attempts to bring about political and legal reform. Part of these her-stories are the manifestos and draft constitutions written and disseminated by women.<sup>13</sup> Blanca Rodríguez Ruiz and Ruth Rubio-Marín use the 1996 ‘manifesto of ten in favor of parity’, published in *L'Express*,<sup>14</sup> to demonstrate the role of manifestos written by women in highlighting the shortcomings of the law:<sup>15</sup>

If the law had played a central role in the age-old exclusion of women from the sphere of democracy, it was claimed [in the manifesto], it would now be incumbent upon the law to make amends, as it were, and thus guarantee women's inclusion in a genuine democracy.<sup>16</sup>

Reading these feminist manifestos (and studying the related feminist activism) reminds us to reorient the search for evidence of constitutionalization so it is not just focused on public, institutional or formal spaces of constitution-making, but also the informal and private spaces of collective feminist action.

Despite the work of feminist comparative constitutionalists in highlighting the role of feminist activism, feminist manifestos are largely absent within the international law literature and global constitutionalism.<sup>17</sup> For example, The Declaration by Burundian Women's Rights Organisations (2012) and the Manifesto for Rural Women (2015) both emerged from conflict and women's experience of post-conflict transitions, yet their political aims are not reflected within the purview of transitional justice.<sup>18</sup> This special issue aims to critique, consider and reflect on the use of feminist manifestos – femifestas<sup>19</sup> or womanifestos<sup>20</sup> – as forms of academic, legal and political interventions and their impact on the development of constitutional and international law.

Manifestos take various forms – indictments, oaths, poems, essays, letters, demands, principles, performance, art, craft, movement, theatrical, and ephemeralities or laws –

<sup>11</sup>Dianne Otto, ‘The Exile of Inclusion: Reflections on Gender Issues in International Law Over the Last Decade’ (2009) 10(1) *Melbourne Journal of International Law* 11.

<sup>12</sup>Ruth Rubio-Marín, *Global Gender Constitutionalism and Women's Citizenship: A Struggle for Transformative Inclusion* (Cambridge University Press, Cambridge, 2022) 248.

<sup>13</sup>Ibid 40–41. See also Helen Irving, *Gender and the Constitution: Equity and Agency in Comparative Constitutional Design* (Cambridge University Press, Cambridge, 2008) 7–9.

<sup>14</sup>*Manifeste pour la Parité* [Manifesto for Parity], *L'Express*, 6 June 1996.

<sup>15</sup>Blanca Rodríguez Ruiz and Ruth Rubio-Marín, ‘The Gender of Representation: On Democracy, Equality, and Parity’ (2008) 6 *I•CON* 287, 292.

<sup>16</sup>Ibid 292.

<sup>17</sup>However, see Reva B Siegel, ‘Dignity and Sexuality: Claims on Dignity in Transnational Debates Over Abortion and Same-sex Marriage’ (2012) 10 *I•CON* 355, 359; Ruiz and Rubio-Marín (n 15) 292.

<sup>18</sup>Conference of Burundi Development Partners, *Declaration by Burundian Women's Rights Organisations* (2012); Northern Ireland Rural Women's Network, *Manifesto for Rural Women* (2015) in Penny A Weiss, *Feminist Manifestos: A Global Documentary Reader* (New York University Press, New York, 2018) 570, 655.

<sup>19</sup>Anne Harris, ‘An Adoptee Autoethnographic Femifesta’ (2017) 10 *International Review of Qualitative Research* 24, 26.

<sup>20</sup>Patricia Leavy and Anne Harris, *Contemporary Feminist Research from Theory to Practice* (Guilford Press, New York, 2018) 225.

intermixing political, theoretical, legal and activist forms. The boundaries of manifesto as a genre are not always clear,<sup>21</sup> and at times manifestos are difficult to separate from self-help guides,<sup>22</sup> petitions<sup>23</sup> or documents establishing associations or collectives, overlapping with other forms of political intervention and iterations of self-constitution. This diversity of form makes them a powerful accessible tool for a range of groups, allowing for different voices and forms of expression.<sup>24</sup> The use of the manifesto by groups across political spectrums demonstrates the genre's powerful pull as people turn to manifestos to create voice.<sup>25</sup> Manifestos are also the form favoured by far-right activists, inciting violence or linked with violent acts.<sup>26</sup> As manifestations of political agency, manifestos construct politics but can do so through exclusionary us/them binaries.<sup>27</sup> Thus, as a genre, the form and content of manifestos necessitates study, but the political and extremist claims they make requires careful consideration.

In the *Research Handbook on Feminist Engagement with International Law*, Aoife O'Donoghue and Ruth Houghton offer a seven-point feminist manifesto that seeks to provoke debate about what was needed for global constitutionalization to empower women.<sup>28</sup> In that manifesto, O'Donoghue and Houghton argue that global constitutionalization needs to engage with the wealth of literature on feminist critiques of international law and constitutional law.<sup>29</sup> The manifesto provides for:<sup>30</sup>

1. women [we mean all those who self-identify as such] as active agenda setters
2. women's co-authorship of global constitutions
3. women's substantive participation in 'living' global constitutions
4. a right of rejection

<sup>21</sup>Religious manifestos are creeds and in many Christian sects are part of regular ceremonies, including the Nicene Creed of 325 CE. Early political manifestations include the Baghdad Manifesto of 1011, which disputed claims of political and religious authority within the Islamic world. See Farhad Daftary, *The Ismā'īlīs: Their History and Doctrines* (Cambridge University Press, Cambridge, 1992) 109–10, available at <[http://self.gutenberg.org/articles/eng/Baghdad\\_Manifesto?View=embedded%27%27s%20anatomy000](http://self.gutenberg.org/articles/eng/Baghdad_Manifesto?View=embedded%27%27s%20anatomy000)>.

<sup>22</sup>See for example, Catherine Redfern and Kirsten Aune, *Reclaiming the F Word: Feminism Today* (Zed Books, New York, 2013); Bennett, *Feminist Fight Club: An office Survival Manual* (Zed Books, New York, 2016); Sheryl Sandberg, *Lean In: Women, Work and the Will to Lead* (Knopf, New York, 2013). See discussion in Julian Hanna, 'Manifestos: A Manifesto: The 10 Traits of Effective Public Declarations, an Object Lesson' (*The Atlantic*, 24 June 2014), available at <<https://www.theatlantic.com/entertainment/archive/2014/06/manifestos-a-manifesto-the-10-things-all-manifestos-need/372135>>.

<sup>23</sup>The Levellers dismissed the petition as a self-abasing request to an authoritarian figure and replaced it with 'we' as a new civic voice. Janet Lyon, *Manifestos: Provocations of the Modern* (Cornell University Press, Ithaca, NY, 2018 [1999]) 20–21.

<sup>24</sup>Weiss (n 18) 50.

<sup>25</sup>Lyon (n 23) 67, 69.

<sup>26</sup>For a discussion about how to distinguish the far-right manifestos, see Breanne Fahs, 'Writing with Blood: The Transformative Pedagogy of Teaching Students to Write Manifestos' (2019) 115 *Radical Teacher* 33, 37. For an example of a feminist manifesto later linked with violence, see Avital Ronnell, 'Deviant Payback: The Aims of Valerie Solanas' in Valerie Solanas, *SCUM Manifesto* (Verso, New York, 2015).

<sup>27</sup>Lyon (n 23) 2–3.

<sup>28</sup>O'Donoghue and Houghton (n 9) 81.

<sup>29</sup>O'Donoghue and Houghton (n 9) 81, 82.

<sup>30</sup>Reproduced in Aoife O'Donoghue and Ruth Houghton, 'A Manifesto for Feminist Global Constitutionalist Order' *Critical Legal Thinking*, 1 August 2018, available at <<https://criticallegalthinking.com/2018/08/01/a-manifesto-for-feminist-global-constitutionalist-order>>.

5. abandoning the idealized citizen so constituent and constituted power reflects who we really are
6. the 'global' in global constitutionalism requiring a move beyond a Euro-centric gaze
7. the right to revolt.

This special issue aims to subject that manifesto and the use of the manifesto genre to critique, deliberation and reflection. It interrogates the role of feminist manifestos in bringing about legal and political reform, their role as historical texts and sources of global constitutionalization and their limitations as tools that are potentially both exclusionary and de-politicalized.

In their article in this issue, Houghton and O'Donoghue outline a role for feminist manifestos within feminist approaches to constituent power. As calls for recognition as constitutional actors, feminist manifestos are a claim to constituent power. In her article, Sheri Labenski uncovers from the archives the Women's International League for Peace and Freedom manifesto from 1924 and the group's outline for a 'New International Order'. Labenski uses this manifesto to expose the constructed limitations of the sources of customary international law, which has the effect of narrowing the types of sources that can be evidence within global constitutionalization and the constitutionalization of international law. In their article, Gina Heathcote and Lucia Kula centre Lusophone African feminist action in Luanda, Angola, to 'unsettle the frame of a feminist manifesto, to argue for a place for active silence'. Moving beyond the mere inclusion of women in political decision-making (a common call within the 'participatory' strand of constitutionalism),<sup>31</sup> Heathcote and Kula use the manifesto of silence to draw attention to the exclusionary methods of knowledge production in global constitutionalism, in particular how the conceptualization of the 'global' excludes the 'local'. In her conclusion to the special issue, Emily Jones uses posthuman feminism to interrogate and critique the claim of universality in global constitutionalism. Using Donna Haraway's *Cyborg Manifesto* (1985) and the *Xenofeminist Manifesto* (2018), Jones offers an alternative starting point for a conversation on global climate constitutionalism. Across this special issue, key themes emerge: the potential of inclusion and exclusion; the role of manifestos as a method; and the role of manifestos in knowledge production.

Manifestos are written and created by women with many lived experiences around the world: queer and trans women; women of different ethnicities and races; Irish Traveller or gypsy women; immigrant women; refugees; the poor; and the marginalized. They all use manifestos as 'assertion[s] of agency'.<sup>32</sup> Manifestos make oppression visible and demand legal and political change. By reading these manifestos, we learn who the law excludes and how they are excluded. Failure to engage with feminist manifestos risks missing critical insights into law and its impacts. As Jones highlights in her article, posthuman feminist manifestos expose the questions that often go unasked and unanswered in global constitutionalization – for example, the interests of non-humans. Reflecting on the role of manifestos, Heathcote and Kula emphasize the need for processes of active listening, which 'can be used to open up silences within feminist knowledge frames, which then work backwards to become a tool to also challenge or decolonize the space of global constitutionalism'. In centring feminist manifestos, this special issue contributes to the burgeoning literature on feminist global constitutionalism.<sup>33</sup>

<sup>31</sup>Ruth Rubio-Marín, 'Women and Participatory Constitutionalism' (2020) 18 *I•CON* 233–59, 235.

<sup>32</sup>Weiss (n 18) 3.

<sup>33</sup>Jenna Sapiano and Beverley Baines, 'Feminist Curiosity about International Constitutional Law and Global Constitutionalism' (2019) 1 *Journal of the Oxford Centre for Socio-Legal Studies* 1–21; Ruth Houghton

## II. Feminist manifestos as inclusion/exclusion

As a genre, manifestos are linked by their hortatory rhetorical style.<sup>34</sup> Through manifestos, writers call for action or change, and they intend to bring about a particular effect or outcome. Manifestos often proffer statements as if they were uncontested and accepted truth. Manifestos can thus be critiqued for being dogmatic and exclusionary because they do not allow for counter-argument.<sup>35</sup> Janet Lyon argues that 'manifesto refuses dialogue or discussion'.<sup>36</sup> Similarly, both Mary Ann Caws and Breanne Fahs outline that manifestos do not have to rely on references to other texts.<sup>37</sup> Martin Puchner argues that manifestos often feature 'exaggerated shrill declarations'.<sup>38</sup> However, examples of feminist manifestos rebut that reading of manifestos.

There is dialogue between feminist manifestos. As Houghton and O'Donoghue demonstrate in their article, one pertinent feature of feminist manifestos is the dialogue across manifestos, either between feminist texts or through the imitation or parody of constitutional texts and masculine manifestos. It is by understanding this dialogical relationship between manifestos that the exclusion of women and marginalized groups is exposed – for example, as Olympe de Gouges and Elizabeth Cady Stanton mimic men's calls for rights or declarations of independence, they expose how women were excluded from these constituent moments.<sup>39</sup>

The use of dogmatic rhetoric within feminist manifestos can be understood as claiming space and claiming authority.<sup>40</sup> Utilizing this tone, rhetoric and argument strategy to demand visibility, manifestos do not allow legalese to 'mute the passion or the sense of crisis'.<sup>41</sup> The anger and emotion expressed within manifestos is telling as it demonstrates the anger of women and marginalized groups having to negotiate with the state and elites about aspects of their lives that are non-negotiable, including on their rights.<sup>42</sup>

However, manifestos are by their nature exclusionary.<sup>43</sup> As Lyon argues, the manifesto form 'aims to establish the legitimacy of the group for which it speaks, even while it performatively calls that group into being'.<sup>44</sup> In their article in this special issue, Heathcote and Kula highlight how dominant white feminist manifestos have excluded the concerns and interests of diverse feminisms, including critical race feminisms, Black feminisms and transnational feminisms, as well as the concerns of queer, postcolonial, indigenous and disability activists. Manifestos exclude through their constructions of groups, such as 'Dora Marsden's "Freewomen" [and] SCUM's "freewheeling, groovy females"', which 'constitute

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and Aoife O'Donoghue, "'Ourworld": A Feminist Approach to *Global Constitutionalism*' (2020) 9 *Global Constitutionalism* 38–75; Rubio-Marín (n 12); Ruth Houghton, 'Feminist Approaches to *Global Constitutionalism*' in Anthony F Lang Jr and Antje Wiener (eds) *Handbook on Global Constitutionalism* (Edward Elgar, Cheltenham, forthcoming).

<sup>34</sup>Lyon (n 23) 9.

<sup>35</sup>Martin Puchner, 'Manifesto = Theatre' (2002) 54(3) *Theatre Journal* 449, 456.

<sup>36</sup>Lyon (n 23) 9.

<sup>37</sup>Mary Ann Caws, 'The Poetics of the Manifesto: Nowness and Newness' in Mary Ann Caws (ed), *Manifesto: A Century of Isms* (University of Nebraska Press, Lincoln, NE, 2001) xxv; Fahs (n 26) 9.

<sup>38</sup>Puchner (n 35) 451.

<sup>39</sup>For a discussion, see Ruth Houghton and Aoife O'Donoghue's article in this issue. See also Irving (n 13) 7.

<sup>40</sup>Fahs (n 26) 9; Weiss (n 18) 3.

<sup>41</sup>Weiss (n 18) 5.

<sup>42</sup>For a discussion of anger in manifestos see David Graham Burnett, discussed in Lyon (n 23) 14.

<sup>43</sup>Lyon (n 23) 172.

<sup>44</sup>Janet Lyon, 'Introduction: Manifestoes from the Sex War' in Bonnie Kime Scott (ed) *Gender in Modernism: New Geographies, Complex Intersections* (University of Illinois Press, Champaign, IL, 2007) 67, 69.

a small elite of “individuals” who are defined in part by their contrast to the “Daddy’s Girl”<sup>45</sup> Manifestos – both feminist forms and conservative constitutional constructions – can mirror each other’s processes of community creation and potentially recreate the violence of exclusion. Feminist approaches to manifestos must be alert to these exclusions, and heeding the calls of Heathcote and Kula, and of Jones, feminist approaches should reject the global claim to universality and utilize ‘active silence’ and ‘active listening’ to ensure a process of reiterative unlearning so frames of reference are not calcified.

Both the critique of dogmatism and the exclusionary nature of manifestos raises a question about the audience of manifestos. This question of audience and reception reoccurs across the special issue as articles highlight how the studies of feminist manifestos expose the passive and active audiences. Drawing on theories of law as performance, JM Balkin and Sanford Levinson, for example, argue that, ‘Legal, musical, and dramatic interpreters must persuade others that the conception of the work put before them is, in some sense, authoritative.’<sup>46</sup> Similarly, the writers of feminist manifestos are seeking to persuade their audience and, as Puchner argues, ‘convincing other voices are part of the task the manifesto has to accomplish if we are to call its speech acts successful’.<sup>47</sup> Yet, as this special issue indicates, feminist manifestos are often ignored and sidelined, and dismissed as being unpersuasive.<sup>48</sup> How authority is constructed over time is also pertinent. Labenski’s article explores the reception of the Women’s League for International Peace and Freedom manifesto by the International Labour Organization staff, compared with her own response to finding the text in the archives. The dismissal of these feminist manifestos by the elite at the time does not mean that the academic scholarship should ignore them now; indeed, the dismissal of these texts by contemporaries still tells us something about the nature of authorial authority within constitutional law, such that only some texts are perceived, received and accepted as constitutional texts.

### III. Feminist manifestos as method

While Puchner studies the effectiveness of manifestos based on their ‘outcomes’, a study of feminist manifestos demands an investigation into the process of manifesto writing.<sup>49</sup> For Anne Harris, the femifesta as a genre offers a way of doing research, and therefore offers something more than an ‘output’ or text:

So any femifesta that is politically and academically effective, [she] argue[s] must be doing rather than a graphy, must go beyond the auto into the collective (particularly those collectives that continue to be erased by majoritarian practices), must go beyond a project of classifying or characterising ethnos into problematising the notion of culture itself.<sup>50</sup>

<sup>45</sup>Lyon (n 23) 172.

<sup>46</sup>JM Balkin and S Levinson, ‘Interpreting Law and Music: Performing Notes on “The Banjo Serenader” and “The Lying Crowd of Jews”’ (1999) *Cardozo Law Review* 1518, 1518–19.

<sup>47</sup>Puchner (n 35) 463. See also Jacqueline Rhodes, *Radical Feminism, Writing, and Critical Agency: From Manifesto to Modem* (SUNY Press, New York, 2005) 67.

<sup>48</sup>Rhodes (n 47) 20.

<sup>49</sup>Weiss (n 18) 2.

<sup>50</sup>Harris (n 19) 26; AM Harris, ‘Ethnocinema and the Impossibility of Culture’ (2014) 27 *International Journal of Qualitative Studies in Education* 546.

The femifesta is more than a call for action, it is a way of *doing*. Indeed, Harris argues that 'all calls to action are doings'.<sup>51</sup> In this respect, feminist manifestos are part of a 'tradition of feminist praxis'.<sup>52</sup> Understanding feminist manifestos as a method and as a form of knowledge production reoccurs throughout the special issue through explorations of the role of collectives, utopias and writing histories.

One specific methodological feature centred in this special issue is the role of feminist collectives and collaborations in manifesto writing. Collaboration on feminist manifestos 'permitted women not only to negotiate gender norms but also to challenge and reshape them'.<sup>53</sup> Both Labenski and Jones draw on collectively written manifestos, Houghton and O'Donoghue reflect on what the collective process of writing manifestos can tell us about feminist approaches to constituent power, and Heathcote and Kula centre the collective work of women in Luanda in Angola, as well as reflect on their own academic collaboration and processes of unlearning. The 'common representation of collectively authored manifestos' is that they are 'applied' and 'activist', rather than theoretical work, which Penny Weiss suggests might explain why they are overlooked.<sup>54</sup> The articles in this special issue centre these collaborations as a key method for doing feminist global constitutionalist work.

Manifestos can offer 'visions' of alternative ways of doing things, whether that is in the home, the workplace, media, law or politics.<sup>55</sup> In this respect, there are links to the utopian genre and other types of feminist political interventions.<sup>56</sup> Kathi Weeks argues that manifestos 'generate estrangement from the present and ... provoke hope for a better future'.<sup>57</sup> Lyon draws a distinction between a 'utopian manifesto', which advocates for radical change imminently, and a 'political manifesto' that is concerned with 'the actual processes of transformation'.<sup>58</sup> Within this special issue, Labenski and Heathcote and Kula explore the relationship between utopianism and manifestos as important feminist methodologies. While, for Heathcote and Kula, the manifesto for silence is not a utopian manifesto but rather 'one that holds the history of feminist peace, feminist labour and feminist anti-racism as active histories of reimagining social relations', for Labenski, 'utopias [are] an important tool in the rethinking of international law'. These reflections on the interrelationship between utopia and manifesto build on the use of feminist utopian thinking across international law and global constitutionalism,<sup>59</sup> and open up further conversations about the role of utopianism within international law and global constitutionalism.

Feminist manifestos are part of the her-stories of feminist constitutionalism. Labenski's excavation of the 1924 manifesto is one her-story, and Houghton and O'Donoghue identify a range of examples that have been ignored in a history of constituent power.

<sup>51</sup>Harris (n 19) 26.

<sup>52</sup>Weiss (n 18) 1.

<sup>53</sup>Ibid 2.

<sup>54</sup>Ibid 1.

<sup>55</sup>Ibid 3.

<sup>56</sup>Kathi Weeks, 'The Critical Manifesto: Marx and Engels, Haraway, and Utopian Politics' (2013) 24 *Utopian Studies* 216, 218; Puchner (n 35) 452.

<sup>57</sup>Ibid 218.

<sup>58</sup>Lyon (n 23) 194.

<sup>59</sup>Di Otto and Anna Grear, 'International Law, Social Change and Resistance: A Conversation Between Professor Anna Grear and Dianne Otto' (2018) 26 *Feminist Legal Studies* 351–63; Houghton and O'Donoghue (n 33) 38–75.

Manifestos obscure a linear reading of history, as they present ‘revised historical perspectives’.<sup>60</sup> Lyon argues that ‘the manifesto yields an alternative historical narrative, one that foregrounds the group’s grievances’.<sup>61</sup> Indeed, for Puchner, the manifesto creates a rupture in history, ‘a revolutionary overturn’, through a construction of history.<sup>62</sup> Reading feminist manifestos reaffirms that ‘history is nonsynchronous and multidirectional’.<sup>63</sup> Labenski uses the historical manifestos to inspire current law-making projects, and Houghton and O’Donoghue revisit historical manifestos to highlight their exclusionary nature.

#### IV. Concluding thoughts

Some scholars have announced ‘the end of the manifesto genre’.<sup>64</sup> Naomi Klein, for example, argues that ‘labored manifestos are fading into the background, replaced instead by a culture of constant, loosely structured, and sometimes compulsive information-swapping’.<sup>65</sup> Michael Hardt and Antonio Negri declare manifestos ‘obsolete’.<sup>66</sup> However, this ignores the upsurge of feminist publishing in the manifesto genre; some prominent examples include Chimamanda Ngozi Adichie’s *Dear Ijeawele, or A Feminist Manifesto in Fifteen Suggestions* (2017),<sup>67</sup> Jessa Crispin’s *Why I am Not a Feminist: A Feminist Manifesto* (2018)<sup>68</sup> and Cinzia Arruzza, Tithi Bhattacharya and Nancy Fraser’s *Feminism for the 99%: A Manifesto* (2019).<sup>69</sup> For centuries, women have utilized manifestos to demand constitutional, societal, economic, legal and political change.<sup>70</sup> The articles in this special issue demonstrate the continued vibrancy of manifestos and the importance of the study of manifestos for global constitutionalism.

<sup>60</sup>Lyon (n 23) 15.

<sup>61</sup>Ibid 15.

<sup>62</sup>Puchner (n 35) 451–52. See also Matt Applegate, ‘Virtuality and Resistance: Situating the Manifesto Between Command and Political Metamorphosis (2012) 11(3) *Borderland: e-journal* 1, 14.

<sup>63</sup>Lyon (n 23) 206.

<sup>64</sup>For a discussion, see Applegate (n 73) 1.

<sup>65</sup>Naomi Klein, ‘The Vision Thing: Were the DC and Seattle Protests Unfocused, or are Critics Missing the Point?’ in R Hayduk and B Shepard (eds), *From ACT UP to the WTO: Urban Protest and Community Building in the Era of Globalization* (Verso, New York, 2002) 267, cited in Applegate (n 62) 1.

<sup>66</sup>Michael Hardt and Antonio Negri, ‘Declaration’ (Argo Navis, 2012) 1, cited in Applegate (n 62) 8–9.

<sup>67</sup>Chimamanda Ngozi Adichie, *Dear Ijeawele, or A Feminist Manifesto in Fifteen Suggestions* (HarperCollins, London, 2017).

<sup>68</sup>Jessa Crispin, *Why I am Not a Feminist: A Feminist Manifesto* (Melville House, London, 2018).

<sup>69</sup>Cinzia Arruzza, Tithi Bhattacharya and Nancy Fraser, *Feminism for the 99%: A Manifesto* (Verso, New York, 2019).

<sup>70</sup>Weiss (n 18) 1.