



Queen's
UNIVERSITY

**Feminist
Legal Studies**

Radical Collaboration(s) for a Better World:

*Reckonings, (R)evolutions, Life and Love... Towards the Elimination
of All Forms of Inequalities*

*International Women's Day Annual Conference, Feminist Legal Studies and the
Faculty of Law Queen's University
Kingston Ont., March 10-11, 2023*

Biographies and Abstracts



Keynote Speaker: Dr. Debra Thompson

Bio: Dr. Debra Thompson is an Associate Professor of Political Science and Canada Research Chair in Racial Inequality in Democratic Societies at McGill University. She is a leading scholar of the comparative politics of race and a member of the Royal Society of Canada’s College of New Scholars, Artists and Scientists. Her research, teaching, and public scholarship seek to analyze the complex historic and contemporary relationships among race, the state, and inequality in Canada and other democratic societies. Dr. Thompson’s award-winning first book, *The Schematic State: Race, Transnationalism, and the Politics of the Census* (Cambridge University Press, 2016) is a study of the political development of racial classifications on the national censuses of the United States, Canada, and Great Britain. Her best-selling second book, *The Long Road Home: On Blackness and Belonging* (Scribner Canada, 2022) was one of Indigo’s top 100 books, CBC’s best non-fiction of 2022, the Hill Times top 100 books of 2022, and was also a finalist for the prestigious Hilary Weston Writers’ Trust Prize for Nonfiction.

Abstract: “Roots, Routes, and Reckonings: On Blackness and Belonging in North America”

Through an intimate exploration of the roots of Black identities in North America and the routes taken by we who have crisscrossed the world’s longest undefended border in search of freedom and belonging, this lecture journeys back and forth across the Canada/US border, and from coast to coast, combining memoir and analysis to highlight the tensions, contradictions, translations, and complications that anchor our understandings of race. It examines key, competing facets of Canadian and American manifestations of racism, including the intersection of racial formations and settler colonialism, analyzes the transnational dynamics and contours of the African diaspora in North America, and ultimately seeks to think through what it means to be in a place, but not be of that place. Across time and space, this research asks: where is home for those of African descent, and is belonging within the confines of the nation-state either possible or desirable?



Ladan Adhami-Dorrani

Bio: In a world that has increasingly become violent, Ladan Adhami-Dorrani writes on the importance of plurality, care and love as she advocates about the significance of peace through non-violent resistance. She is in the last stage of finishing her Ph.D. dissertation in Social and Political Thought at York University. Her dissertation, titled, "The Law, the State of Exception: Spatialization of Emotions and Engulfed Apathy" is an interdisciplinary project. Ladan's focus is on what lies beyond the law and the state of exception and the spatialization of emotions leading into engulfed apathy. She therefore looks at the space of exception, Guantanamo Bay detention camp (GTMO), where fifteen-year-old Omar Khadr, a Canadian citizen by birth was held captive. She maintains that GTMO is the epitome of engulfed apathy, where hegemony is transmuted into sheer force in the state and the space of exception. While apathy is generally understood as lack of concern or care, in Thomas Scheff's articulation (1997), engulfment refers to the tripartite of alienation which indicates blind obedience and conformity at the expense of curiosity, intuition or feelings. Ladan's personal interest encompasses the elderly health care in Canada and issues surrounding intersectional inequalities. Her poetry reflects on the importance of care and love in one's personal, political and social existence as well as the world. Ladan is of the belief that without care for "the other" peace cannot be realized. Currently, Ladan is working on a book, titled, *The Mainstay of the Law and the Perpetuation of Inequalities* to be published by Lexington Books.

Abstract: "The Significance of Methodology in Re-imagining a more Equitable World"

Living and breathing in a world that is saturated with myriad forms of inequalities based on race/ethnic background, gender, class, and sexual orientation to name just a few, one may ask what is the significance of methodology in one's trajectory of perspective as well as one's ethical values? Drawing on the breadth of knowledge of texts including, Iris Marion Young's *Justice and the Politics of Difference*, Edward Said's *Representations of the Intellectual*, Genevieve Lloyd's *The Man of Reason: "Male and Female" in Western Philosophy* and Catherine Lutz's *Unnatural Emotion: Everyday Sentiments on a Micronesian Atoll and Their Challenge to Western Theory*, the focus of this paper presentation is not only on the systemic disparities in Western dichotomous thinking, but also the significant role of methodology in the realm of knowledge-making and perpetuation, or mitigation of inequalities. This paper through a postmodern, critical, and interpretive analysis sheds light onto the myth of value neutrality evident in a rationalistic method that has been oblivious to human emotions and their

significant role in the proliferation of care and the furtherance of inclusive love.



Sharry Aiken

Bio: Sharry Aiken is an Associate Professor of Law at Queen’s University and Academic Director of the University’s new Graduate Diploma in Immigration and Citizenship Law. She is an expert on immigration law and has appeared before the Supreme Court of Canada in a number of precedent-setting immigration cases. Professor Aiken is a past president of the Canadian Council for Refugees (CCR), a board member of FCJ Refugee Centre in Toronto, co-editor of the PKI Global Justice Journal, and former Editor-in-Chief of the journal *Refuge*. She is the author and co-editor of Canada’s leading casebook on Immigration and Refugee Law, currently in its third edition. Her research focuses on immigration detention and border policies.

Abstract: “Equally unequal: the erasure of substantive equality for non-citizens in Canada”

The intersecting and mutually reinforcing dynamics of “race”, gender, class, and ableism are routinely erased by Canadian courts in their consideration of legal challenges to unfair and oppressive immigration laws and policies. From endorsing immigrant selection policies that categorially bar immigrants with certain disabilities save for those who demonstrate an “ability to pay” (*Hilewitz v Canada*, 2005), refusing access to basic health care to migrant women with precarious legal status (*Toussaint v. Canada*, 2011), to a more recent decision denying the salience of a woman’s claim to substantive equality in relation to the processing of her asylum claim (*Canadian Council for Refugees et al v. Canada*, 2020, 2021), racialized, poor and disabled migrant women face compounding disadvantage in achieving recognition of their equality rights in Canada. This paper draws on the aforementioned emblematic cases to highlight the persistent and deeply entrenched exclusions embedded in Canadian immigration law and supports the call for a “thoughtful pause” (Mooten, 2021) on how both the courts and the federal government address discrimination experienced by non-citizens.



Bitia Amani

Bio: Bitia Amani, B.A. (York University, with Distinction), LL.B. (Osgoode), S.J.D. (UofT), is Associate Professor at the Faculty of Law, Queen’s University in Kingston, Canada and Co-Director of Feminist Legal Studies Queen’s. She is adjunct faculty at Osgoode Hall Law School, in Toronto. Dr. Amani teaches courses in intellectual property (IP), information privacy, and feminist legal studies (workshop), and is

currently working on a number of issues related to AI governance, algorithmic error and discrimination, food law and governance, and race and IP. Her publications include books, *State Agency and the Patenting of Life in International Law: Merchants and Missionaries in a Global Society*, (Aldershot: Ashgate Publishing Company, 2009); *Trademarks and Unfair Competition - Cases and Commentary on Canadian and International Law Second Edition* (Toronto: Carswell, 2014, with Carys Craig); and the *Elgar Companion on Intellectual Property and the Sustainable Development Goals*, (Northampton: Edward Elgar, with Caroline Ncube and Matthew Rimmer (ed.), forthcoming 2023).

Dr. Amani has served as consultant to the provincial government on gene patenting, on the e-Laws project for the Ministry of the Attorney General (Ontario) Office of the Legislative Counsel (OLC) as editor and annotations editor for the online delivery of access to laws, and was co-investigator on a report on the policy implications for women and children of recognizing foreign polygamous marriages in Canada, funded by the Status of Women Canada and the Department of Justice. She has served as a legislative drafter with the OLC, is a lawyer in practice with Spark Law, and is called to the Bar of Ontario (2000).

Abstract: “Some More Equal Than Others: Forbidden Arts and Critical Contexts for the (False) Promises of Intellectual Property Rights”

Shervin Hajipour’s song “Baraye” (meaning “For” in Farsi) recently won the first Special Merit Grammy Award for Best Song for Social Change; the song explains why the feminist led movement of Women Life Freedom transformed from protests into a revolution, with this song as its anthem. The lyrics are comprised of posts by other Iranians on social media. The recording was viewed some 40 million times in its first 48 hours and was shared and reshared, translated, performed, rerecorded by artists and ordinary persons alike, gaining status as a "revolutionary anthem". One may ask the copyright questions while recognizing that the assertion of exclusive intellectual property rights here (or proactive self-censorship as perceived compliance) would be antithetical to the socio-political purpose and context for this song. As public policy tools, intellectual property rights (IPRs) regimes are state derived instruments that are said to generate necessary incentives for cultural production, invention, and meaning making with the promise of economic gains through the grant of exclusive rights. While formally equal, there is exclusivity of such rights with disparate harms and, in many contexts, existential regulatory disincentives further direct the output of cultural production with criminalization. In these contexts, artist and author motivations (and radical collaborations) lay outside of state granted IPRs as life, liberty, and security are risked to express and disseminate

forbidden art. Expression becomes an intimately political and polemical act that humanizes the struggle against the state as resistance to narrated identity in regulating cultural production; it offers alternative bottom up ways of knowing, being, and belonging. Substantive equality makes law reform of domestic IPRs regimes imperative, though remediation may be seen as pressure valves at best for faulty colonial property regimes that are ostensibly neutral. Examining the oft neglected socio-political context in which people live and create, (some in adverse relation to the state and others as stateless persons), can show how the baseline of nationality and citizenship, the *belonging to* a state - and as its beneficiary - assumed in IPRs regimes may prove illusory as some are more equal than others. This paper argues that when assessing the capacity of such instruments to meet global institutional objectives, as with SDG 10 to reduce inequalities within and among countries, and UN 2030 Pledge to start with the most behind first, cultural, and socio-political contexts are critical to understanding the role and limits of IPRs.



Elahe Amani

Bio: Elahe Amani is a gender equality, peace, and human rights, activist and followed global women’s movement since 1985. She served California State University System in the capacity of Director of Academic Technology & Women Studies lecturer for 31 years. She is a trained mediator and Faculty of Mediators Beyond Borders (MBB) Training Institute. Elahe has been with Women’s Intercultural Network (WIN) for 26 years and served as Chair of Global Circles of WIN prior to her current role as Chair of the WIN. She is well- published in English and Persian.

Abstract: “The Future is Female, Equal and Radical- Women Life Freedom”

The Revolutionary Women, Life, Freedom movement grows out of the death of Jina Mahsa Amini, a young Kurdish woman visiting Tehran with her family. Morality police detained her in Tehran for an "inappropriate Hijab. Jina died after falling into a coma. The protests and civil unrest started hours after her death at the hospital, intensified, spread to all 31 provinces, and reached at least 152 cities within days. Although more than 500 people have been killed, and more than twenty thousand have been arrested, the protest uniting the young and old continues. The radical notion of Women, Life, Freedom is a popular slogan in the Kurdish movement. Within days it became the rallying cry during the protests in 152 cities in Iran. The hashtag Mahsa Amini trended on Twitter and repeated 80 million times. Women, Life, Freedom is a radical slogan that has evolved into an inspiring, intersectional, and collaborative movement that manifests the collective imagination of an equal future for Iranian

women and all women in Muslim-majority societies in the MENA region. Women born and raised in the Islamic Republic of Iran are at the forefront of this movement that has leaped Iran to the point of no return. The Women, Life, Freedom movement challenges the deep roots of patriarchal power relations and authoritarianism in public and private spheres, home, and society. The light of an equal future came from the darkness of the misogynistic regime in Iran.



Oyedeji Ayonrinde

Bio: Dr. Oyedeji Ayonrinde is an Associate Professor, Departments of Psychiatry and Psychology, Queen's University and Clinical Director, Community Mental Health at Providence Care. He has been a scholar of race, racism and mental health for over 25 years with contributions to clinical, ethical, legislative and policy matters as well as race-related guidance and advocacy in Australia, UK, Canada and USA. His MBA thesis regarding multinational and multicultural teams in healthcare, modules on race and health as well as the decolonization of racially harmful issues in healthcare continues to evolve.

Abstract: “Racism and (Micro) aggressions: an allostatic “geological” model of conceptualizing the impact on mental health”

Microaggressions and racial incidents have an insidious and often serious impact on the lives of racialized people. Characterised by intentional or unintentional microassaults, microinsults, microinvalidations situated in environmental milieus these may be experienced throughout the lifespan. The immediate, medium, and long-term impacts can have enduring physical and mental health consequences that may be difficult to articulate. While associated with autonomic, affective, and behavioural mechanisms, the individual experience, consequences, and sequelae of microaggressions are poorly understood and can be difficult to conceptualize by those without lived experience.

The nature and severity of experiences and events can have a deleterious effect on mental health, help-seeking behaviours, appropriateness and satisfaction with care and health outcomes. Racism has been associated with anxiety, depression, posttraumatic stress disorder, the psychoses and other mental health conditions.

This allostatic “geological” theoretical framework highlights cognitive, affective, and behavioural mechanisms to further our understanding of the cumulative impact of racism and microaggressions on individuals through the lifespan.



Bev Baines

Bio: Beverley Baines is a Professor of Public and Constitutional Law with a passion for illuminating the legal strategies the patriarchal state deploys to deny women their right to equality which is guaranteed in the Canadian Charter of Rights and Freedoms. Her passion dates from her involvement as a feminist constitutional consultant, first to the Canadian Advisory Council on the Status of Women and then to the Ad Hoc Committee of Women on the Constitution during the Charter debates of 1980-1982.

Professor Baines co-edited two books on women and constitutional law: *The Gender of Constitutional Jurisprudence* (2005) and *Feminist Constitutionalism: Global Perspectives* (2012). She has published papers and delivered international conference presentations that focus on giving voice to the intersectional claims of religious women living polygamously, accessing faith-based family law arbitrations, and wearing the niqab in Ontario courtrooms or when delivering and receiving public services in Quebec. She also writes about gender and the legal profession, including the Trinity Western law school controversy, United States Supreme Court Justice Ruth Bader Ginsburg's call for the appointment of nine women justices on the American Supreme Court, and the history of women law professors in Canada.



Parmida Barez

Bio: Author of “Becoming your Own Hero”, Award-winning speaker, Educator, Songwriter, & Activist. Parmida has worked and volunteered with numerous non-profit organizations & corporations in Canada and internationally throughout the last 15 years, including focused work with marginalized groups and communities. Parmida has taken on roles such as board member, grant advisor, advocacy, mentorship, coaching & fundraising. Throughout the years, her appearances in media, television, radio & stages across the globe have inspired, influenced, and empowered individuals from all walks of life.

Parmida's educational background is vast, ranging from an Honours degree in Political Science & Business, a post-graduate degree in Education, a license in Real Estate & multiple ongoing education certifications & training in a variety of fields. She is also a member of the Ontario College of Teachers (OCT).

Throughout her life, Parmida's personal mission statement has remained steadfast in serving others and her community, remaining a student of life, rooting for truth & justice, striving to become the best version of herself, & helping others do the same throughout life's obstacles & adversities.

Over the last 6 months, Parmida has played an active role in the Women, Life, Freedom movement both in the media and in the political arena.

Abstract: Women, Life, Freedom - Poetry, Music & Activism in Iran's Women-led revolution

On September 16th, 2022 Mahsa Jhina Amini died in the custody of Iran's brutal "Morality Police." Her crime? Showing a few locks of her hair under her compulsory hijab. Across the globe Mahsa Amini's death mobilized outpours of solidarity and protests against 44 years of the Islamic Republic's terror reign. Women, in particular, have been at the forefront of the resistance, fighting bravely against Iran's gender apartheid regime. Amongst other forms of activism -- art, music & poetry have played a crucial role in the mobilization of Iran's current revolution. In response, the government has cracked down heavily on musicians, artists, writers, and those who use prose, as a tool to spread the principles of freedom, democracy, equality & self-determination. To Iran's current authoritarian regime, freedom of speech, expression & assembly is a threat to its very existence.



Lindsay Borrows

Bio: Lindsay Borrows is an Assistant Professor at Queen's University, Faculty of Law, where she teaches special topics in the field of Indigenous law. Previously she worked as a lawyer and researcher at the Indigenous Law Research Unit (University of Victoria Faculty of Law), and as a staff lawyer at West Coast Environmental Law. In both positions she provided legal support to Indigenous communities and organizations engaged in the revitalization of their own laws for application in contemporary contexts. She has worked on community-engaged projects with different legal traditions including Anishinaabe, Denezhu, Haítzaqv, Nlaka'pamux, nuučaanuł, St'át'imc, Syilx and Tsilhqot'in. Lindsay is Anishinaabe and a member of the Chippewas of Nawash First Nation.

Abstract: "Decolonizing Law and the Academy through Story and Oral Traditions: Knowings and the Teachings of a Grand Mother"

In this presentation I bring together the work of two Indigenous Trickster Feminists and Grandmothers – Dr. Val Napoleon and Jean Borrows – to explore decolonial approaches to law. Professor Napoleon co-developed a ground-breaking adapted case briefing method called the "Narrative Method", that has been applied extensively across the country by Indigenous communities in the revitalization of their own legal traditions. I show how this method can (re)centre women's voices in community-based decision-making. Jean Borrows is an elder and my grandmother, and she draws from her own life stories to teach law students during the

land-based Anishinaabe law camps that have been hosted in her community of the Chippewas of Nawash First Nation since 2014. These women are tricksters in the way they playfully cause us to question our very understanding of law and the work it must do in the world.



Mehraneh Ebrahimi

Bio: Mehraneh Ebrahimi is an assistant professor of English at York University and the author of *Women, Art, and Literature in the Iranian Diaspora* (Syracuse UP 2019). Her research focuses on the poetics and politics of exile. She is currently revising her second manuscript on refugee narratives.

Abstract: "Seeking Justice in Exile; Iranian Diasporic Voices"

This presentation looks at the “boom” in Iranian diasporic voices especially of women. Looking at the works of Dina Nayeri, Golriz Ghahraman, and Shirin Neshat, it argues that the publication of life stories are empowering acts of subject formation in the face of the mechanism of discipline and control that governments have built to abjectify, shun, and ignore the existence of millions of forcibly displaced people. I argue that refugee narratives subvert the systematic silencing of the asylum seekers. Bringing these intimate stories of injustice to the “free world” they fortify a social bond that eventually envisions a community of witness. These apparently natural acts of personal story telling can requalify the foreclosed space of the refugee camp and transform it into an active aesthetico-political locus for change.

Although refugees have been hypervisible in news sensationalism in a menacing way, the literary connotations of individual refugee stories haven’t been fully explored. Images of alarming swarms of women and children in need of immediate rescue in the news media has desensitized people to the dilemma of those forcibly displaced from their homes. Migrants are pictured as homogenous, silent masses. Numbing images such as these are met with the averted gaze in the age of compassion fatigue and over stimulation. On the other hand the legal discourse has its own narrow frames of reference when responding to life stories. A reference which depends on each nation’s unique culture of affection, hospitality, and patterns of trust. Memoirs that access modes of narrative production can incite political change and drive international attention to bare human lives.

Although denied the physical space of asylum, many authors create one for themselves through memoir writing. As a viable response to a ban, refugees iterate and reclaim their personhood through their autobiographical acts to create a sanctuary or in the words of Phillipe

Lejeune an “asylum in space” and an “archive in time” (324). They take up space where space was denied to them, the space reserved for the political subject with a right to say no and express dissensus. These diaries thus are an archive in time by beckoning and addressing different communities of spectators: the general public, journalists, humanitarian activists, and law makers. Gillian Whitlock asserts that writing from the camp produces “a chronicle of the occupation, a performative space where the diary narrative enables a visceral and intimate account” (180).



Aileen Editha

Bio: Aileen Editha is a second-year PhD candidate at Queen’s Faculty of Law. Supervised by Professor Bitá Amani, her thesis explores the property-personhood relationship from a critical legal lens, namely anti-colonial, critical race, and feminist theories. She has previously researched and written on broader issues relating to bioethics, health inequalities, and property in the human body. She was born and raised in Surabaya, Indonesia but now lives in Katarokwi, the traditional lands of Anishinaabe and Haudenosaunee peoples.

Abstract: “Reconstructing Rights: Property and Personhood Through The Lens of Critical Race and Feminist Theories”

Property rights in common-law jurisdictions have long been considered as flawed; bearing a dark and discriminatory past, the philosophical concept of and justifications for property have oft been challenged and scrutinized for its contribution in the production and entrenchment of inequitable outcomes. However, despite much effort to alleviate—or, at the very least, reduce—property inequalities, little has been done to address the issue at its very core. This paper argues that a meaningful reconstruction of (property) rights must begin by first unpacking and redefining the relationship between property and personhood, through the lens of critical race and feminist theories. Reliance on these critical legal methodologies will aid us in better understanding—and, consequently, dismantling—both concepts’ reliance on a Eurocentric, colonial, and patriarchal structure. In making this argument, I will specifically explore the legal recognition of tangible and intangible property rights over human biological materials. Due to their unique status as simultaneously being metaphorically considered as “a part of” yet literally “separate from” the person, these materials provide notable insight into the relationship between property and personhood. Taking a contextual approach from feminist and critical race methodologies, I will explore cases on disputed property rights over biological materials such as the stories of Henrietta Lacks, John Moore, and Myriad Genetics’ BRCA patents. I will show how the property-personhood relationship is

the root of these property inequalities and, additionally, how reconstruction through critical race and feminist lenses would improve equality.



Debra Haak

Bio: Debra M Haak is an Assistant Professor in the Faculty of Law at Queen’s University. She holds a BA(Hons) from Western University, an LLB from the University of New Brunswick, an MPhil from the University of St Andrews, Scotland, and a PhD from Queen’s University. Dr Haak’s research focusses on how the state contends with interests, rights, and values in tension. She is particularly interested in how legal decisions are made when women’s interests do or appear to conflict, and on the role of social science research evidence in areas of complex and contested public policy. Her doctoral research project considered the intractable debate over the role of law in regulating the commercial exchange of sexual touching. Her recently completed postdoctoral project, *Not all Women: Individual and Group Rights Under the Canadian Charter*, considered constitutional challenges where women’s interests, rights, and values were mobilized in opposing arguments about the constitutionality of Canada’s criminal commodification offences. She currently teaches Criminal Law and Constitutional Law at Queen’s Law.

Abstract: Intersection(ality) and Divergence: Equality Discourse in Constitutional Litigation about Commercial Sex Laws in Canada

Attending to intersectional identities has long been central to the feminist legal project. In some law and policy spaces, differently situated women make competing demands on the state, mobilizing equality and intersectionality in support of divergent and, at times, oppositional claims about what a just world looks like. The commercial exchange of sex is one such policy space. In 2014, Parliament enacted the *Protection of Communities and Exploited Persons Act*, making prostitution itself unlawful for the first time in Canada. In the legislative preamble, Parliament highlighted the importance of protecting the “human dignity and the equality of all Canadians by discouraging prostitution, which has a disproportionate impact on women and children.” In 2021, the Canadian Alliance for Sex Work Law Reform commenced a constitutional challenge to new criminal laws enacted with PCEPA, based on a claim that criminal laws directly targeting the commercial exchange of sex between adults violate “the animating norm of substantive equality.” Attorneys General for Canada and Ontario responded to the challenge, and 17 interveners were given leave to participate in the case. This paper uses discursive analysis to explore how equality and intersectionality are mobilized by the parties and interveners in their written submissions, revealing convergences and

divergences associated with contextualized identities of sex, gender, race, Indigeneity, (dis)ability, and economic status.



Terry Hancock

Bio: Professor Hancock is Counsel, Judicial Education with the National Judicial Institute in Ottawa . She received her Bachelor of Commerce degree from the University of Ottawa, a Bachelor of Law degree from Queen's University and a Master of Laws degree from the University of Toronto before embarking on a civil litigation and public law career in Toronto . Professor Hancock has written on a wide number of topics, including the regulation of telecommunications, LGBTQI2S+ equality, judicial review, and class proceedings. She is currently working on a book on public law litigation.

Abstract: “Virtual Reality: (In) Equality and the Impact of Technology in the Justice System”

Building on Ursula Franklin’s acclaimed *The Real World of Technology*, this paper explores the impact of technology in the justice system in the context of the “real” world where inequality persists. Although heralded as a facilitating, among other things, access to justice and reducing backlog, technology in the courtroom, the rise of big data as a profiteering opportunity in a capitalist system, the use of algorithms in dispute resolution require a closer examination of the real impact of technology as a an accelerant for (in)equality.



Lisa Kelly

Bio: Lisa M. Kelly is an Assistant Professor at Queen’s University, Faculty of Law, where she teaches criminal law, evidence, and sexual and reproductive justice. Her research lies at the intersection of criminal law and family law. She studied history and political science at the University of British Columbia (B.A) and is a graduate of the University of Toronto, Faculty of Law (J.D.) and Harvard Law School (S.J.D.). She previously served as a law clerk to Justice Marshall E. Rothstein of the Supreme Court of Canada. In 2018, Lisa received the Stanley M. Corbett Award for Teaching Excellence.

Abstract: “Feminisms Divided: On Voluntariness and the Criminal Law”

Courts, lawmakers, and feminist advocates have transformed the criminal law’s treatment of extreme intoxication over the past three decades. In 1994, the Supreme Court of Canada held that it was unconstitutional to convict a person of *any* crime, regardless of the level of cognitive intent

required, where an accused could show they were in a state of intoxication akin to automatism at the time of the alleged offence. Feminist backlash to the decision was swift. Commentators excoriated the Court for excusing violence based on a “drunkenness defence.” Parliament responded by enacting section 33.1 of the *Criminal Code*. Section 33.1 deprived accused persons of an extreme intoxication defense in cases where they interfered with or threatened to interfere with the bodily integrity of another person while in a state of self-induced intoxication. That limiting provision stayed on the books for nearly three decades until a trilogy of cases – *R. v. Sullivan*, *R. v. Chan*, and *R. v. Brown* – reached the Supreme Court in 2022. In *R. v. Brown*, the Court held that section 33.1 unconstitutionally substituted the mental intent to consume an intoxicant with the mental intent to commit an offence. Unlike the near uniform feminist criticism of the Court in 1994, however, the decision in *Brown* landed on a more divided feminist terrain.

As part of a new feminist judgment re-writing project, I re-write the *Brown* decision to engage with the distinct feminist positions on extreme intoxication that have emerged since *Daviault*. I identify three main feminist positions: (i) a dominance feminist view that situates extreme intoxication cases in the larger context of male violence against women and children, often fueled by drugs and alcohol, to which criminal liability should attach; (ii) a liberal or due process feminist position that emphasizes the importance of safeguarding defendant rights, particularly those of Indigenous, Black, and racialized accused persons, while still preserving a role for the criminal law to respond to interpersonal violence; and (iii) an anti-carceral feminist approach that questions or rejects the utility of criminal law responses to interpersonal violence, including and perhaps especially in cases of extreme intoxication. One of my aims in rewriting *Brown* is to use the extreme intoxication context as a window onto larger feminist cleavages over questions of voluntariness, violence, and criminal punishment.



Kathleen Lahey

Bio: Kathleen Lahey is a Professor and Queen's National Scholar, Faculty of Law, Queen's University, Patricia Monture Distinguished University Scholar, Co-director, Feminist Legal Studies Queen's, cross-appointed to Queen's Gender Studies, and affiliated faculty, Queen's Cultural Studies Interdisciplinary Graduate Program. She is a member of the Ontario and Illinois bars, Advisor, Garden Court Chambers, UK, steered restructure of the UK-based Tax Justice Network, and is a member of the Africa-based Global Alliance for Tax Justice's steering committee for the Tax and Gender Working Group, which addresses gender, Indigenous, and diverse issues in all regions of the globe.

Specializing in all forms of taxation, corporate, property, human rights laws, Indigenous peoples, LGBTTIQ2S rights and laws, feminist impact analysis domestically and internationally, her current research revolves around three core questions: Until substantive equality of outcomes for all individuals can be attained, how can societies eliminate deeply-rooted structural inequalities and discriminatory practices? How can the power and wealth concentrated in both global 'north' and 'south' corporations and individuals through unequal property, political, tax, and budget laws be replaced with redistributive policies that maintain dignified and secure individual sustain/abilities throughout life? And, what truths arise from Indigenous and diverse peoples' living knowledges and learnings about how to match rates of human innovation and development with evolutionary rates of other members of the biosphere in order to increase the sustain/abilities of all forms of life? She has pursued these questions while on numerous government commissions, while meeting with and advising governments, civil society, academic groups in Canada, across China, Russia, and on every continent, as well as when working with the European Parliament, EU governments, the UN and other treaty bodies, international financial institutions, and with Indigenous, Circumpolar North Countries, human rights, and diverse peoples' organizations, watching and learning how to expand current research and dissemination methods capable of addressing the urgent issues surrounding gender, Indigenous, diversity, and development equality issues.

Abstract: “Looking at the World from the Top Side Down: Gender Equality, Indigenous, and Migrating Women in the Circumpolar North Countries”

The Circumpolar North region of the world includes parts of Canada, the US, Russia, Finland (including Greenland and the Faroe Islands), Finland, Norway, and Sweden. It is home to both Indigenous peoples and to migrant or hereditary peoples, all of whom have widely diverse histories, talents, and capabilities. This paper addresses the fact that despite expanding exploitation and development of this region, little concrete progress has been made in attaining gender/identity equalities or in addressing longstanding development and governance gaps between Indigenous and migrant or hereditary peoples and calls for action on these issues.



Danielle Macdonald

Bio: Dr. Danielle Macdonald has been an Assistant Professor at the Queen’s University School of Nursing since 2020. During the past 2 years she has taught in the undergraduate and graduate nursing programs, collaborated with interprofessional colleagues at Queen’s Health Sciences (and beyond) for global health, and initiated her research program – the CIRCLE. Her research interests are focused on global birthing experiences, including the experiences of midwives, nurses, women and birthing people, and families. Dr. Macdonald was recently appointed the Interim Director of the Kaleidoscope Institute, at Queen’s Health Sciences. The Kaleidoscope Institute a growing global health community of scholars, students, and community members across Queen’s and beyond, who collaborate in radical ways to produce, share, and use knowledge to advance health for all.

Abstract: “(Re)imagining global health – Kaleidoscopic collaborations”

In the fall of 2021, an interdisciplinary group of researchers with shared values of equity and inclusion were brought together to create an institute for population and global health at Queen’s Health Sciences. With the support of the Dean, this group created a disruptive, relational, and critical vision for the new institute. Rooted in the principles of equity, diversity, inclusion, Indigeneity, and accessibility (EDIIA), anticolonialism, and antiracism, the aim of the Kaleidoscope Institute is to nurture radical approaches to create, share, and use knowledge to improve health for all. Fostering collaborations across faculties and disciplines, and between researchers, students, and community members, the Kaleidoscope Institute offers a (re)imagined approach to global health and collective ways of working to address health issues locally and around the world. In this presentation, we will share the Kaleidoscope Institute’s (re)imagined vision of global health, the Institute’s potential to nurture radical collaborations for a better world, and how you can become involved.



Michele J. McIntosh

Bio: Clinically, I am an award-winning women’s health nurse (sexual and reproductive health, violence) with expertise in child and adolescent health (NICU, suspected child abuse, breastfeeding). I am a qualitative researcher and have contributed to the methods and ethics of qualitative inquiry. My research has explored the stigmatization of sex-workers in hospital, whether participant distress in in-depth interviews constitutes harm, contra-indication of breastfeeding among HIV+ mothers, and many other topics that elucidate women’s experiences through qualitative methods. I am a frequent presenter at the International Congress of

Qualitative Inquiry. I sit on the Editorial Board of Qualitative Health Research Journal. My thesis students have won CIHR Health Professional Student Awards.

Abstract: "A Shot in the Dark? Girls, Cervical Cancer Prevention Strategies, and Harm"

Canadian cervical cancer prevention strategies have resulted in significant iatrogenic harm to girls. In this paper I will evidence: 1. how school-based HPV vaccination programs abrogate girls' human rights and discount the Ontario Health Care Consent Act. I will present the findings of my research study that investigated girls' decision-making regarding HPV vaccination and whether their decisions were sought, informed or volitional; and 2. how recent changes to cervical cancer screening guidelines have resulted in a significant reduction in screening for sexually transmitted infections and an exponential increase in sexually transmitted infections including syphilis, HIV, chlamydia and gonorrhea. There is no doubt that these individual prevention strategies are evidence based: HPV vaccines prevent specific serotypes of HPV and delaying pap smears till 25 does not increase risk of cervical cancer. However, girls are caught within the political triad of policy decision-making: ideas (who should consent to vaccination?), interests (cost savings to province of eliminating pap smears for years), and institutions, (Ontario Cervical Screening Program that failed to consider the iatrogenic effects of changes to cervical screening guidelines). As a result, girls are uniquely harmed. Recommendations urging compliance with human rights and the law are made.



Vrinda Narain

Bio: Dr. Vrinda Narain is Associate Professor at the Faculty of Law, McGill University and a Research Fellow at the University of the Free State, Bloemfontein, South Africa. Professor Narain's research and teaching focus on constitutional law, social diversity and feminist legal theory. She is the author of two books: *Reclaiming the Nation: Muslim Women and the Law in India* (University of Toronto Press, 2008) and *Gender and Community: Muslim Women's Rights in India* (University of Toronto Press, 2001). She was Associate Dean, Academic, at the Faculty of Law from 2016 to 2019. She is a Board Member of the transnational research and solidarity network, Women Living Under Muslim Laws (WLUML) and President of the Executive Committee of the South Asian Women's Community Centre in Montreal.

Abstract: "Fatal Attraction: Love, Politics and the Death of Secular Democracy in India"

Since 2014, with the election of the Hindu right wing BJP government with Narendra Modi as Prime Minister, there has been a sharp rise in state-sponsored religious violence in India, targeting Muslims in particular. Love jihad is a crude anti-Muslim conspiracy theory created by the Hindu Right essentially purporting that Muslim men are luring Hindu women through false promises of love and marriage in order to convert them to Islam and effect a Muslim demographic domination. This paper examines the so-called Anti-Love Jihad campaign launched by the Hindu Right in India. It argues that this campaign illustrates state power mixed with community power with dangerous implications for religious freedom, gender equality and minority rights. While casting Muslim men as sexual predators preying upon innocent Hindu women, so too Hindu women are cast as lacking agency and autonomy. The narrative of a necessary guardianship of Hindu women leaves them subordinate to the Hindutva nation as property to be controlled. Fueled by an adherence to a retrograde religious nationalism, the mechanism of Love Jihad as a trojan horse for state policing reinforces a particular gendered notion of the ideal citizen, national belonging and identity that constructs the Indian state as (preferably upper caste) Hindu – and casts aside all Others, including women. Rarely have such campaigns that emerged engaged with issues of social justice or inequality. On the contrary, these initiatives seek to Otherwise and cast out religious minorities while simultaneously reinforcing state and community control over women. These issues are examined through the lens of the Indian Supreme Court’s decision in the Hadiya case (2018) 16 SCC 368, AIR 2018 SC 1933).



Usha Natarajan

Bio: is Edward W Said Fellow at Columbia University. Her international law scholarship utilizes interdisciplinary postcolonial methods and Third World Approaches to International Law (TWAIL) to provide an interrelated understanding of development, environment, migration, and conflict. She is a leader in the TWAIL movement and a founding editor of the TWAIL Review. With over forty publications, her books include *Locating Nature: Making and Unmaking International Law* (CUP 2022) and *Third World Approaches to International Law: On Praxis and the Intellectual* (Routledge 2018). Natarajan was tenured at the American University in Cairo and prior to that worked with the United Nations in Asia and the Pacific.

Abstract: “Radical Global Collaboration for Environmental Justice”

Environmental justice movements began amid Black and Indigenous communities in North America with women playing key leadership and mobilization roles. These movements understood contemporary

environmental injustice in North America as stemming from five hundred years of colonialism, genocide, slavery, apartheid, racism, sexism, and other forms of discrimination operating globally. The Environmental Justice Principles were articulated with keen awareness of links between local, transnational, and global patterns of exploitation. Thus, these Principles envisioned a global movement of solidarity among all peoples of color to tackle environmental injustice in all its forms, including distributional, procedural, restorative, and social injustice. This presentation considers the challenges and opportunities that such movements offer to international laws and institutions. They stretch conventional understandings of international laws and organizations to accommodate plurality, hybridity, and diversity in more productive, respectful, and dignified ways. Crucially, they help illustrate the inextricable link between the way people treat each other and the way they treat the environment, necessitating more holistic approaches when tackling either type of concern.



Juliane Okot Bitek

Bio: Juliane Okot Bitek is a poet and scholar. Her collection of poetry, *100 Days* (University of Alberta 2016) was nominated for several writing prizes. It won the 2017 IndieFab Book of the Year Award for poetry and the 2017 Glenna Lushei Prize for African Poetry. She lives in Kingston, Ontario, on the traditional territory of the Haudenosaunee and Anishinaabe people. Juliane is an assistant professor at Queen's University, in Kingston and the author of the chapbook, *Gauntlet* (Nomados Press 2018), and most recently, *A is for Acholi* (Wolsak and Wynn, 2022).

Abstract: Excavating Joseph Conrad's Heart of Darkness Three Letters at a Time

At the heart of *A is for Acholi* are 13 pages of poetry that reflect, abstract, challenge and contend with meaning after Joseph Conrad's *Heart of Darkness*. In this section, I grapple with Conrad's reductive and harmful presentation of the African woman in this canonical novel that has been read both as a critique of colonialism, and as a paradox: the long reach of this novel retains its harmful potency a century after publication and is still read as an example of masterful storytelling. How might I, a poet, an Acholi poet, and a woman, respond to Conrad's depiction of the savage woman who speaks "like a fury"? In my presentation, I discuss how erasure and abstraction, both poetic devices, to recuperate the African woman in Conrad's novella as a person with agency, presence, and form in her own homeland.



Elizabeth Peprah-Asare

Bio: Elizabeth Peprah-Asare (she/her) is a second-year doctoral student in the Cultural Studies program at Queen's University. As a scholar-activist, she is interested in the social history of marital violence in pre-colonial and colonial Ashanti communities in Ghana and its contemporary manifestations.

Abstract: “UN Women’s SDGs Encounter Afrofuturism: Considerations for African-Heritage Women’s Wellbeing & Futurities”

For many scholar-activists, artists, and creatives, Afrofuturism has become a beacon of hope. Coined by Mark Dery (1994) in his essay “Black to the Future”, Afrofuturism as a concept was birthed out of the cultural lived experience of Black America but has since evolved into a cultural tool for continental Africa and its diaspora (Bould, 2019; Capers, 2019; Womack, 2017). Described as the marriage of cultural production and scholarly thought, Afrofuturism is a tool that promotes Black agency and subjectivity and can be used to transcend, “Alternative places, times, or realities” (English, 2017, 1). Further, Mark Bould (2019) contends that Afrofuturism is both, “An archive and a living memory” (174). It is marked by three distinctions: 1) The normalcy rather than “Otherness” of Blackness, 2) The power to shape the present and the future, 3) and Finally, the idea that the past, present, and future are one (English, 2017; Womack, 2017). Ytasha Womack (2017) argues that Afrofuturism is “seeing beyond our present circumstances...it is a way of looking at the future and alternate realities through a black cultural lens” (preface xi.). Since Afrofuturism is also a creative tool of the imagination to transcend present circumstances and challenge the erasure of people of African descent from the historical record, I contend that when it comes to discussions concerning the physical, mental, and emotional wellbeing of African-heritage women, Afrofuturism as a methodology is needed now more than ever to assist us in our efforts to re-assess the current erasure of the Black female dead from the public sphere. By framing Afrofuturism as a pedagogy of hope, in this talk Peprah-Asare asks, “In what ways can United Nations Women utilize the critical-creative power of Afrofuturism within its SDGs project to ensure that African-heritage women are not only seen within public policy and human rights campaigns, but also given the opportunity to lives free from violence?” Through the employment of speculative thinking and Afrofuturist technological projection(s), Peprah-Asare offers a cutting-edge presentation on African-heritage women’s safety which transcends the limitations of misogynoir—both in and out of the United Nations.



Sule Tomkinson

Bio: Dr. Sule Tomkinson is an Associate Professor in the Department of Political Science at Université Laval and is currently a visiting scholar at the Peter A. Allard School of Law and the UBC Centre for Migration Studies. Her research is in administrative justice, qualitative methodology, and research ethics, and is supported by various organizations such as the Social Sciences and Humanities Research Council, The Fonds de recherche du Québec, The Canadian Foundation for Legal Research, The Quebec Bar Foundation, and The Department of Justice. She is currently working on her first book titled "The Quest for Administrative Justice in Canada," which examines who defines and implements the values at the core of the quasi-judicial tribunals and how they do so.

Abstract: "Revisiting Administrative Justice Values for a Caring Public Administration"

Tribunal adjudicators that determine rights and entitlements play a unique role in public administration. Often appointed for limited terms, they assume powers similar to traditional court judges but do so as employees of the executive branch of government and contribute to ensuring an accountable government. Traditionally, impartiality and independence are the key principles that balance the arm's-length but simultaneously judicial and executive orientation of their position. This view, I argue, conceptualizes administrative adjudication principally through its relationship to political superiors and courts but ignores the people who seek justice. Adjudicators themselves offer a different understanding of this role, emphasizing their links to people who seek justice through tribunals, describing it as, "being empathetic", "hearing people", "empowering individuals", "restoring trust in the state", "healing relationships", and "being a spokesperson for the society". This article builds on and contributes to theoretical reflections on administrative justice values and a relational public administration. The underpinning principle of care can enable greater access to tribunals. Yet, its realization is contingent on adequate organizational support. This argument is based on interviews with former and current adjudicators who have experience in health, social security, worker's compensation, human rights, immigration and refugee law in Canada.



Yuanjin Xia

Bio: Yuanjin Xia is a Ph.D. student at Queen's University, department of philosophy. Her research interests are in contemporary political philosophy, philosophy of law, and practical ethics. She takes particular interest in questions related to labour and distributive justice. Her current research project focuses on how the reality of care-related occupations invokes critical examination of mainstream theories of distributive justice and philosophical debates related to labour value and exploitation.

Abstract: Exploitation, Vulnerability, and Fairness: How Should We Account for the Exploitation of Care Workers?

When analyzing the exploitation of care workers, existing theoretical approaches focus on the vulnerability of care labourers with respect to their employment relations. According to these theories, exploitation is a sort of interpersonal wrongdoing in which one party economically profits from the other party's vulnerability disrespectfully. When applied to the case of care workers, it is argued that the workers' intrinsic motivation makes them vulnerable when bargaining for wages. This paper pushes back on this vulnerability-based approach by showing that care labourers can also be exploited when there is no attributable wrongdoing within an employment relationship, and there are situations in which parties outside of the transaction should be accountable for care labourers' exploitation. Based on this critical reflection, I propose that a fairness-based approach can better make sense of care labourers' exploitation. I argue that the shift toward the fairness-based approach enables people to reconsider what is implied in our civic obligation to address everyone's basic need for care. It is not merely about supporting a system in which the needs of care recipients are largely addressed, it also requires that the need for care be addressed not on the basis of exploitation. To achieve this, we need to reframe the way we think of marketable care labour not simply as a private transaction but also as a process of producing public goods.