

Feminist Legal Studies Queen's



*Indigenous, Diversity, Inclusion, and Post-Covid Paths to
Gender Equalities, Sustain/abilities, and Leaving No One Behind*

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Biographies and Abstracts



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, its State of Exception: the Spatialization of Emotion 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 emotion 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.

Abstract: Meritocratic World Alienation: Perpetuation of Intersectional Inequalities

Along with xenophobic fervor, nationalistic perversion and exclusionary discourses and practices post 9/11, which speak of division rather than unity at the sociocultural and political landscape of the West, the aim of this interdisciplinary paper is to shed light onto how the meritocratic system is the mirror image of world alienation, and the perpetuation of intersectional inequalities based on gender, race/ethnic background, and economic disparities in society. This paper draws on several texts including Hannah Arendt's *The Human Condition*, and *Between Past and Future*, Hannah Arendt: *Key Concepts* edited by Patrick Hayden, Michael Sandel's *The Tyranny of Merit: What's Become of the Common Good?* and Jo Little's *Against Meritocracy: Culture, Power and Myths of Mobility*. Through a post-modern and interpretive methodology, this paper through a critical analysis tries to show the importance of a common world which speaks of inclusion to minimize meritocratic world alienation.



Bitá Amani

Bio: Bitá 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. She teaches courses in intellectual property (IP), information privacy, and feminist legal studies (workshop), and is currently working on a number of issues related to food law and governance, race and IP, and discrimination and algorithmic errors. Her publications include two books: *State Agency and the Patenting of Life in International Law: Merchants and Missionaries in a Global Society*, (Aldershot: Ashgate Publishing Company, 2009) and *Trademarks and Unfair Competition - Cases and Commentary on Canadian and International Law Second Edition* (Toronto: Carswell, 2014, with Carys Craig). 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), 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 and is called to the Bar of Ontario (2000).

Abstract: Voice, Value, Vulnerability: Indigenous Knowledge, Food Sovereignty, and Sustain/abilities for (Post Pandemic) Food Security

This paper will reflect on converging trends that continue to demote women in the stories of creation, promote certain forms of knowledge and productive capacities, and amplify existing sites of vulnerabilities for Indigenous People's food security, food sovereignty and self-determination. The human right to food is embedded within the right to a standard of living adequate for the wellbeing of a person and their family and advances the right to be free from hunger, a separate right given independent consideration in international law. Particular attention is given in this context to Indigenous women's knowledge and wellbeing in relation to food, its cultural expression, and their sustain/abilities for customary and local foods for (post-pandemic) food security.



Bev Baines

Bio: Bev Baines professes law in Public Law, Constitutional Law, and Equality Rights and the Charter courses at the Faculty of Law Queen's University. She recently analyzed the patriarchal dominance of, and intersectionality issues within, women's campaigns for Canada's ERAs, i.e., sections 28 of the Charter, 35(4) of the Constitution Act 1982, and 50.1 of the Quebec Charter of Human Rights and Freedoms; see SSRN for: "Federalism and Women's Equality Rights Campaigns in Canada" in Jill Vickers, Joan Grace and Cheryl Collier eds., *Handbook on Gender, Diversity and Federalism* (Edward Elgar, 2020) 149.

Abstract: Fraser v Canada and "the public good"

In *Fraser v Canada* 2020 SCC 28, one of the most puzzling features of the joint dissenting reasons of Justices Russell Brown and Malcolm Rowe is their claim that "our colleague's [aka the majority's] relaxed approach also risks overlooking the interests of the public good" [178]. Their authority for associating "risks" with "overlooking the interests of the public good" is not self-evident. They do not cite legislation, the common law, or even a precedent case. Instead, they cite ONCA Justice Bradley W. Miller's chapter, "Majoritarianism and Pathologies of Judicial Review," in Grégoire Webber et al., *Legislated Rights: Securing Human Rights through Legislation*. Their citation puzzles: is it more than a source for the "risks overlooking the interests of the public good"? Does it hint that Justices Brown and Rowe would swap out judicial review's "Pathologies" in favour of rights secured "through Legislation"? And, if so, would they swap out judicial review of all Charter rights, equality rights, sex equality rights -- or only women's sex equality rights? What do their reasons reviewed in their entirety convey about this puzzle?



Cheryl Bruce

Bio: Cheryl Bruce is a second-year PhD student in Cultural Studies at Queen's University. Her research examines the exclusionary position of the orchestral conductor, and imagines the ways in which tradition, gender, media and education could work to shape a more inclusionary field. Cheryl is a classically-trained clarinetist, and holds a Masters degree in Performance and Literature from Western University. She currently teaches in the Department of Media and Access at Loyalist College.



Sharon Wei

Bio: Sharon Wei is a dynamic and varied musician, establishing herself as one of the most respected violists on the scene today. She has appeared as soloist, chamber musician, and guest principal violist throughout North America and Europe. In 2006, Sharon and pianist Angela Park co-founded Ensemble Made in Canada, which includes violinist Elissa Lee and cellist Rachel Mercer. EMIC began as Ensemble-in-Residence at Western University in 2014. The ensemble has toured across Canada and given masterclasses and workshops at many universities and conservatories. Sharon is also the violist in the Supernova String Quartet that is in residence at Scotiafestival in Halifax. Sharon has given masterclasses throughout China, the US, and Canada. She was on the faculty at Yale University and Stanford University and began her appointment as Assistant Professor of Viola at Western University in 2014.



Heather Brandon-De Souza

Bio: Heather Brandon-De Souza is a musician and arts educator based in London, Ontario. After completing her BMus in voice and violin at the University of Western Ontario, she obtained a BEd from the Artist in the Community Education program at Queen's University, with a focus on arts education beyond the traditional classroom setting. Heather has performed and taught in England, the United States, and Canada. In Chicago, Heather appeared onstage with companies such as Haymarket Opera, Light Opera Works, and Vox3 Vocal Collective. Since returning to Ontario, she has directed for Original Kids Theatre Company, and performed with Chor Amica and Kammerchor. Her private vocal students have appeared in shows for Mirvish Productions, the Stratford Festival, the Grand Theatre, and Drayton Entertainment. She currently serves as the coordinator of the Junior Division for Forest City String School, and is the K-8 music teacher at Nicholas Wilson Public School.



Janet Loo

Bio: A native of Toronto, mezzo-soprano Janet Loo has performed with Fanshawe Chorus London, Arcady, London Singers, the International Symphony Orchestra, Orchestra London/Pacific Opera Victoria, and Summer Opera Lyric Theatre. She received critical acclaim for her portrayal of Madame Flora in Menotti's *The Medium*, which was performed at the 2007 London Fringe Festival.

Janet is also an experienced choral conductor and vocal coach, having led choirs for well over a decade from Toronto to Taizé, France. Presently, she is a music education lecturer at the Don Wright Faculty of Music, conductor/artistic director of the King's University College Chamber Choir, and director of music ministry at King's University College. In past years, she has served as choral conductor at St. Peter's Cathedral Basilica (London), Holy Rosary Church (Toronto), and the University of St. Michael's College in the University of Toronto. She is an appointed member of the National Council for Liturgical Music, a consultative body that provides guidance and direction in the area of liturgical music to Catholic bishops, dioceses, and parishes across Canada.

Abstract: Gender Inequality Case Study: Silenced Song: The Covid-19 Pandemic and Women in Music

The current pandemic has had widespread implications across employment sectors, but the music industry, in particular, has been negatively impacted in several ways. Many musicians, without access to live audiences or rehearsal spaces, are out of work. The music industry has not traditionally been a welcoming place for women, particularly in positions of power, and with concerns being voiced on many different platforms that COVID-19 has disproportionately affected women, what will this mean for women in music? Will those hard-won gains be lost, or is this an opportunity to start afresh and to further amplify the voices of female musicians? Janet Loo (Western University, Conductor King's University College Chamber Choir), Sharon Wei (violinist and Associate Professor, Western University), and Heather Brandon-DeSouza (educator, musical theatre director) will discuss the current situation and what this might mean for the future of music performance and education.



Nancy Coldham

Bio: Nancy Coldham, founding partner of the public affairs consulting firm The CG Group, has spent the past three decades channeling her talents for strategic communication, consensus-building and mentorship to improve the lives of women and girls. Nancy's passions revolve around breaking barriers to greater representation of women at political decision-making tables, in boardrooms and as successful entrepreneurs.

Coming from a family of five sisters, supporting women through advocacy work comes naturally to Nancy. Her passion for advancing the status of women led to her early involvement with the Women's Legal Education and Action Fund (LEAF), which empowers women to come forward with legal challenges. She has mentored women entrepreneurs for years through organizations such as the Verity Women's Club in Toronto, the Step-Up Women Entrepreneurs Mentorship program in Atlantic Canada, the Institute for the Economic Empowerment of Women's Entrepreneur Mentorship program focused on women in Afghanistan and Rwanda, and, most recently she has been recruited as a Mentor to young women in the YWCA Toronto's mentorship program.

Nancy is an Order of Ontario recipient (2019) acknowledging her life-long efforts to advance women and girls in Canada and abroad. Nancy earned the Governor General Gold Medal Award for her Master's-level research in the Peace through Business (Rwanda) entrepreneurship training and mentorship program and for her post-graduate thesis, "The Gendered Enterprise of Nation-Building." Nancy abhors injustice, particularly gender-based discrimination. Nancy's advocacy work, impacting women and girls, has been in the areas of anti-poverty, anti-bullying, anti-domestic violence and in ending mental illness stigma affecting women including building resilience among young women.

Abstract: Saffron to Nene: Entrepreneurship Education as Sustainability Tools in Afghanistan

This presentation takes the perspective of the gendered enterprise of nation-building (Coldham, 2013, Master's Thesis), and uses participatory action research (PAR) principles to examine the impact of women entrepreneurship training in conflict countries such as Afghanistan, focused on two Peace Through Business women-owned enterprises. One is a saffron farm and the other the launch of an infant clothing fashion line.

The position taken in this paper is that subsistence or survivalist entrepreneurship by women in conflict countries can in fact be transformational in keeping with the UN sustainability goals by creating

a new category of gendered transformational survival (GTS) entrepreneurs. This transformational and sustainable impact is the result of women-centric entrepreneurial education. The researcher posits that emerging research into the area of subsistence entrepreneurship, studied as a dominant trend in developing countries, may be viewed differently through the lens of gender empowerment and UN Women's Empowerment Goals 4 and 5. This premise is consistent with the Selvalamavayadurai & Sohail (2011) study on impact of women entrepreneurship in war-torn North East Sri Lanka.

Schoar (2010) argued that there are two distinct types of entrepreneurs in the developing world: subsistence entrepreneurs, survivalist entrepreneurs (Viswanathan et al. 2012) or necessity entrepreneurs (Acs 2006) -- or entrepreneurs who create dynamic businesses generating income beyond their immediate needs (Lerner & Schoar 2010; Schoar 2010), also referred to as transformational entrepreneurs.

Key words: women entrepreneurship, conflict, transformational and subsistence entrepreneurship, sustainability



Julie DeWolf

Bio: Julie E. DeWolf (she/her), BA, MES, JD, LL.M
PhD Student, Osgoode Hall Law School

I am a first year PhD student at Osgoode Hall Law School and am currently riding out Ontario's second Covid-19 wave in Halifax, Nova Scotia. For my dissertation, I am exploring how race factors into the experiences of Indigenous sex workers whose parenting abilities are challenged in Child Protection proceedings. The inspiration for my project came from my (now very limited) legal practice: I run a small legal clinic where I provide free summary legal advice for sex workers in cooperation with Maggie's: Toronto Sex Workers Action Project.

Abstract: Sex workers and the best interests of their children: Identifying issues faced by sex workers involved in custody and access legal proceedings

Sex workers often lose custody of their children. The purpose of this research was to determine what impact the status of a parent—most often a mother—as a past or present sex worker has had on judicial decision-making in custody and access disputes. Through doctrinal legal research, I explored judicial treatment of sex workers in custody and access disputes in Ontario Child Protection and Family Law case law. Involvement in sex work was often presented as an unfavourable aspect of the mother, or otherwise had a negative influence on their claim. Sex work was treated as a negative quality in the mother rather than an aspect of their life warranting further factual exploration. I argue that stigma against sex workers appears to carry more weight in custody and access disputes than evidence concerning the impact that a parent's engagement in sex work has on a child.



Rachel Hay

Bio: Rachel Hay is a 3L student at Queen's Law. She is a Mohawk/Kanien'ke:ha (pronounced "Gahn-yen-geh-hah") woman who grew up in Tyendinaga Mohawk Territory. She is currently an executive member of the Indigenous Law Students' Alliance (ILSA) at Queen's Law. Her social interests include intersectional and Indigenous feminism, critical race theory and queer theory, the Black Lives Matter, Idle No More and Land Back Movements, as well as decriminalized and safe sex work (aka: Sex Work is Real Work). Rachel is also committed to working with others from her home territory to reinvigorate Mohawk language and culture among her generation. Rachel's legal endeavours and interests are centred around criminal law, family and children's law, Aboriginal law and mental health law. Rachel plans to become a criminal defence lawyer after articling.



Kathleen Lahey

Bio: Kathleen Lahey is 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, Associate member, Garden Court Chambers, UK, sits on the boards of the UK-based Tax Justice Network and the steering committee of its global parent, the Global Alliance for Tax Justice, and specializes in tax, corporate, gender, international tax, property, and international gender equality and human rights law.

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 global 'north' corporations and individuals through unequal property, political, tax, and budget laws be replaced with redistributive programs 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 the 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 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 Arctic, human rights, and diverse peoples' organizations, watching and learning how to expand current research and dissemination methods capable of addressing these increasingly urgent issues.

Abstract: Gender, Indigenous, Inclusion, and Poverty Effects of Personal, Social Protection, Corporate, and Consumption Taxes: Fiscal Space for Equality and the SDGs, the Ecosphere, and Covid19?

Originally ranked #1 internationally in promoting gender equality in the 1980s and early 1990s, women in all walks of life in Canada are now going backward economically and in terms of governance influence, a long process that is now, most recently, exacerbated by Covid19. Canada apparently has infinitely expansive "fiscal space" to fund major corporate bailouts during crisis and non-crisis periods, let its largest corporations take advantage of international tax minimization schemes, and actively seeks out "public-private partnerships" that are rapidly

privatizing core government public functions like health care, education, transportation, housing, and social benefit programs that increase corporate/investor wealth and influence. Along the way, Canadian governments do say a lot of good things about the many major "gender equality" and poverty reduction programs they have announced over time, but they do not seem to be able to actually put those programs into effect in ways that actually increase post-tax and post-redistributional equalities. Canadian governments also actively take budgetary directions from major international financial institutions (IMF, World Bank, OECD, and regional equivalents), including advice on how to act like Canada is dedicated to attaining substantive gender equality for all groups in Canada, but that do not. This paper addresses the broad outlines of how this is actually impacting women and other marginalized groups, and what can be done to rectify this situation.



Liza Leshchynska

Bio: Liza is a first-year student in the JD program at the Queen's University Faculty of Law. Prior to law school, she graduated from Wilfrid Laurier University with an Honours Bachelor in Business Administration, focussing primarily on entrepreneurship and finance. She aspires to use her legal education to empower vulnerable groups and is interested primarily in criminal and constitutional law.

Abstract: A (Constructive) Criticism of Canada's Response to Women facing Homelessness

Canada has committed itself to multiple international treaties aimed at the reduction of poverty. These include the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the 1995 Beijing Declaration and Platform for Action. These commitments emphasize the need for a rights-based approach to solving the homelessness crisis in Canada. In 2019, these commitments culminated in Canada's Housing Strategy Act, which ratified the right to housing as "essential to the inherent dignity and well-being of the person." Unfortunately, Canada has fallen short on providing adequate solutions for homeless women, especially those facing instances of violence. Women facing violence often stay with their abusers to avoid the shelter system, or resort to alternative means of housing, such as couch surfing or living in encampments. These problems have been further exacerbated by COVID-19, which has exposed the vulnerabilities with current homelessness solutions. This presentation will propose a rights-based approach to solving the homelessness crisis for women facing violence.



Rachel Lutz

Bio: Rachel Manko Lutz obtained her B.A. from Memorial University of Newfoundland in political science and philosophy, with a focus on bio-medical ethics. She went on to earn her B.Ed. with a speciality in at-risk children, and her J.D. at Queen's University. She lives on Cape Breton Island, in Nova Scotia.

Abstract: Coexistence for Harm-Reduction: Pro-Abortion and Disability Rights

Disability rights and pro-choice advocacy or abortion rights have long been seen as being at odds with each other. Even for those who may feel they can be pro-disability and pro-abortion, simultaneously, holding both views publicly can lead to more complex discussions of competing rights, rather than a positive and productive discussion of rights and access to services. Within pro-choice activism, and disability rights activism, abortion rights have divided disability activism. The added history of eugenics, and those activists who still support eugenics-based practices today, further complicates the issue for those who simply want pregnant people to have the right to access an abortion, if they desire one. Yet, there continue to be arguments to suggest one is capable of being pro-choice, and pro-disability, and that these two stances need not exist in opposition to each other. The debate between disability and abortion crosses ideological lines, and forces questions to be asked, such as What is a life worth living? What is the cost of disability in a first world country? What does choice look like with a disability diagnosis in utero? What would it look like, if we supported parents who had disabled children, but also supported adults with disabilities? In this paper, I will argue that in fact, being pro-abortion is pro-disability, and vice versa, if a harm-reduction model were to be applied. A harm-reduction approach would see no baby born to a situation in which it will be neglected, unloved, abused, or live a life without joy or dignity. Until we are able, as a society, to provide those things not just for healthy people, but also for those living with a disability, and support for those who care for them, we must acknowledge that abortions have to be available, non-judgemental, and safe, for those who need and want them. I will use several key sources to demonstrate the need for a harm-reduction model to be applied to this issue, including J. J. Thomson's *A Defense of Abortion*, the criminal case of *R. v. Latimer*, and Ian Brown's book *The Boy in the Moon*. These three texts will serve as case studies, and will lay the foundation of my argument.



Wajiha Mehdi

Bio: Wajiha Mehdi is pursuing her PhD at Institute of Gender, Race, Sexuality and Social Justice at University of British Columbia. Her research interests include Islamophobia, rise of right-wing nationalism, geographies of domination and geographies of resistance. Specifically, her work studies how Muslim women negotiate access to public spaces in India at the intersection of rising nationalism and Islamophobia and how bodies materialize in space through affectual reading by other bodies. Her work exists at the intersection of postcolonial, critical race theory, and intersectional feminist work to develop an understanding of Muslim subjectivity in India. At UBC, Wajiha holds the Vanier Canada Graduate Scholarship, IDRC Doctoral Research Award, Graduate Global Leadership Fellowship, and Nehru Humanitarian Award.

Abstract: Reclaiming Citizenship: Indian Muslim women’s protest against the Citizenship Amendment Act, 2019

The coronavirus pandemic has brought global attention to concepts of national frontiers and who constitutes a citizen. In India, leaders of the ruling Hindu nationalist BJP have accused Muslims for conducting a campaign to spread Covid-19 to the Hindu majority through “Corona terrorism” and “Coronajihad.” This rhetoric is indicative of growing demonization of Indian Muslims and takes place in the backdrop of recent events aimed at bodily-spatial displacement of Muslims through procedural erosion of formal citizenship for Indian Muslims (Jayal, 2019). In December, 2019, the Hindu nationalist government of Prime Minister Narendra Modi passed the Citizenship Amendment Act (CAA) which would grant citizenship to six religious minority communities (Hindus, Sikhs, Buddhists, Jains, Parsis and Christians) from Pakistan, Bangladesh, and Afghanistan. Under the CAA, persecuted Muslims from these countries are not permitted to apply for citizenship. The Citizenship Amendment Act (CAA) needs to be understood and studied along with the proposed National Register of Citizens (NRC) and its ‘paper shadow’ (Sengupta, 2020) National Population Register (NPR) aimed at systemic displacement of Muslim presence from India. On the verge of statelessness, protest sit-ins led by Muslim women in Shaheen Bagh (Delhi) led to a wave of country- wide protests where reclaiming the Indian Constitution became a major protest act. These protests have continued through the pandemic in digital space and disparate urban spaces by Muslim women. Through media content and discourse analysis, this paper is interested in understanding these protests in the context of gendered citizenship, and will show how the Constitution comes alive and laws and policies are negotiated by marginalized populations (Rohit De, 2018) seeking to reshape the notion of nation, citizenship, and identity.



Vrinda Narain

Bio: Vrinda Narain is Associate Professor in the Faculty of Law, McGill University. Professor Narain is a Member of the Centre for Human Rights and Legal Pluralism, Faculty of Law at McGill University. She was the Associate Dean Academic of the Faculty of Law from 2016 to 2019. She is the recipient of the Canadian Institute for the Administration of Justice's 2017 Charles D. Gonthier Fellowship. Her research and teaching focus on constitutional law, social diversity, and feminist legal theory. Her publications include: *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 is a Board member of the transnational solidarity network, Women Living Under Muslim Laws (WLUML) and a member of Executive Council of the South Asian Women's Community Centre (SAWCC) in Montreal.

Abstract: Legal Responses to the Climate Crisis: Institutional, Women's Equality and Constitutional Law

This paper is concerned with the intersection of gender, water, and power, framing the issue of access to water as an integral part of the political economy of gender. I propose to study how women experience environmental change differently. Studies show that due to the intersection of gender with ethnicity, socio-economic position, and religion, women experience environmental challenges differently than men. (Biechler and Hanson p. 7; <https://www.tandfonline.com/doi/full/10.1080/02508060.2019.1652990>)

. Yet the gendered study of socio-environmental issues is still considered to be marginal. This paper will attempt to frame a constitutional approach and to develop a gendered analysis of environmental issues including access to water. In recent decades, a wave of water governance reforms has swept across the developing world (Aagaard & Ravnborg, 2006; Burchi, 2012; Jacobi et al., 2014; Ravnborg, 2015; van Koppen, 2007). A diversity of approaches, laws, and policies have been proposed, challenged, and fiercely contested in numerous countries (Boelens et al., 2012; Burchi, 2012; De Vos, Boelens, & Bustamante, 2006; Ravnborg, 2015). This paper will contribute to a better framework of water governance that builds upon an inclusive, supportive legal and institutional framework. (Burchi, 2012; UN-Water, 2013). Using a multidisciplinary analysis, this project seeks to combine dimensions of legal analysis with the social and economic contexts, to construct a framework for effective governance. The methodology will be informed by feminist political ecology which considers how socio-environmental identities impacted by cross cutting and intersectional identities such as caste and gender inequality, shape access to water and environmental

resources. I will draw on constitutional law, doctrine, jurisprudence, case studies, legislation and regulation to develop such a framework. This framework will also include an assessment of social networks and cultural practice. Rather than introducing the idea of the gendered impact of the climate crisis on women, this framework centres women within the analysis. It considers the issue from the dimension of the political economy of the climate crisis; the economic dimensions of 'development' and the social aspects of culture, ethnicity, religious. Using an intersectional methodology, this multidimensional significance will inform the aspect of the legality and the utility of a rights based approach to environmental protection.



Hon. Justice Ngozika Okaisabor

Bio: Hon. Justice (Dr.) Ngozika U. Okaisabor is the first female Judge of the Customary Court of Appeal, Federal Capital Territory Judiciary, Abuja. (June 18th 2009).

Prior to her elevation to the Bench, she served in several capacities in the Federal Ministry of Justice as a State Counsel, Chief Legal Officer and Legal Adviser to Parastatals.

The Hon. Justice Okaisabor graduated from the then Imo State University -- now Abia State University Uturu, Okigwe -- in 1988 and was called to the Nigerian Bar in 1989. She thereafter proceeded to the University of Wisconsin- Madison USA and did a Master's in Legal Institutions (MLI). She has a Master of Laws (LL.M) with specialization in International Business and Trade Law from John Marshal Law School Chicago, USA. She also has a Doctorate (Ph.D) from Trinity College, Delaware. She is a Fellow of the Chartered Institute of Arbitrators (Nigeria) (FCI Arb); a Fellow of the International Dispute Resolution Institute (IDRI) and a Fellow of the Institute of Chartered Mediators and Conciliators (ICMC).

Her membership in several professional Associations includes the International Association of Women Judges as well as the National Association of Women Judges. As a life member of the International Federation of Women Lawyers, she served as the Regional Vice-President (Africa) from 2002-2005. She is also a member of the International Bar Association and Nigerian Bar Association.

As a prolific speaker, committed to the field of research and development with the aim of improving standards of legal practice in our evolutionary law, she has delivered papers in several National and International Conferences such as "recording of evidence and use of interpreters in the Customary Courts" during one of National Judicial Institute (NJI) trainings; Empowering the victims of fraud and abuse- "empowering the victims: The panacea for treating the prodigious virus"- Cambridge University, UK.

Abstract: Better Africa, Better World: Reimagining African Women in Leadership

There is a harsh reality about women's leadership in Africa. Whilst women are gradually penetrating historical barriers that have up till very recently been closed to them, there are still systemic barriers that continue to limit women's attainment of the highest levels of power and leadership in important sectors of society. From the African perspectives, this presentation highlights the developments in women's leadership in

Africa, addresses systemic barriers, and recommends ways by which the barriers can be sidestepped. It concludes that a change in this inexplicable narrative will have a domino effect on the African society and the world at large



Lori Oliver

Bio: Lori Oliver is a doctoral student in the Department of Political Studies at Queen's University and a SSHRC Joseph-Armand Bombardier Doctoral Scholar. Her research interests include gendered welfare state politics, poverty, housing/homelessness policies, and intersectional inequalities. Lori's current PhD research is critically assessing gaps in social safety nets and homelessness initiatives that relate to increasing levels of family homelessness. Lori previously worked on community-based research projects with ACORN Canada, Adsum for Women & Children, and the IWK Health Centre.

Abstract: The Right to Housing in Canada: Imagining an Inclusive Future

Abstract: Adequate housing has been touted as a frontline defence against coronavirus since the intensification of the global pandemic. Article 25 of the United Nations Universal Declaration of Human Rights asserts that everyone has the right to an adequate standard of living, which includes the right to housing. This right is significant for individuals at the intersection of multiple forms of oppression—especially for mothers at these intersections. Without adequate, secure housing, the necessary social reproductive work expected of mothers is harder to complete. Since re-entering the housing policy arena, the Canadian federal government has shown signs of understanding the significance of housing for low-income families. The National Housing Strategy involves a commitment to dedicate at least 25% of funding to initiatives designed to assist women and women led families. Additionally, in 2019 the federal government passed the right to housing into law. However, initiatives to provide housing for families continues to be market-based. Market-based solutions often further perpetuate housing exclusions and insecurities. Thus, these policy measures do not fulfill a legal right to housing. For an inclusive right to housing to truly exist, vulnerability in the housing market not only needs to be recognized but also needs to be properly addressed through greater subsidized and supportive housing options. Making these changes are especially important moving forward in a covid-19 world.



Harpreet Singh

Bio: Harpreet Singh is a third-year student in the Faculty of Law at Queen's University. Prior to joining Queen's University as a law student, she attended Queen's as a MA student in the department of sociology and attended the University of Waterloo where she completed her BA degree in sociology and legal studies. During her time as a MA student, she became involved with the Feminist Legal Studies workshops, which she continued as she entered law school. In 2020, Harpreet founded a Women's Legal Education and Action Fund (LEAF) branch in Kingston, which she hopes to continue growing after graduation. Harpreet hopes to continue to champion feminist causes and bring awareness to issues pertaining to women as she embarks upon her legal career.

Abstract: Pornhub on Trial: Tort Liability of Websites hosting Non-Consensual Pornography

This paper will explore the possible tort claims individuals can pursue against websites that upload intimate images and/or videos without their express consent. It will begin with an overview of non-consensual pornography and the different types of porn websites. It will then consider the legal developments in non-consensual pornography, considering case law in both Canada and the United States. It will then apply the torts of public disclosure of private facts, negligence, defamation and the tort of internet harassment to porn websites and consider whether these could succeed as a cause of action.

While there is some American jurisprudence which discusses the viability of a civil action against websites for non-consensual pornography, particularly focusing on the difficulties imposed by section 230 of the Communications Decency Act, there is a dearth of equivalent Canadian scholarship in this area. This is an important area of law which warrants consideration as the absence of penalties for websites has allowed non-consensual pornography to flourish and be disseminated far and wide. Porn websites should strictly adhere to a gold standard of porn – porn which involves consenting and willing participants over the age of majority. By applying strict standards to verify the consent of the participants, this goal is far more likely to be realized.



Emily Snyder

Bio: Dr. Emily Snyder is an Assistant Professor in Indigenous Studies and Women's and Gender Studies at the University of Saskatchewan. She is a white settler originally from Haudenosaunee and Anishinaabe territories/the Waterloo region in southern Ontario. Her research interests are in the areas of Indigenous legal issues, Indigenous feminisms, HIV criminalization, gendered violence, and anti-colonial feminist approaches to legal education. She is the author of *Gender, Power, and Representations of Cree Law* and has published in the *Dalhousie Law Journal*, *UBC Law Review*, *Alberta Law Review*, *The Ethics Forum*, the *Canadian Journal of Women and the Law*, and the *Canadian Journal of Law and Society*. Dr. Snyder completed her PhD in Sociology at the University of Alberta, and was awarded a SSHRC Postdoctoral Fellowship which she held at the Indigenous Law Research Unit in the Faculty of Law at the University of Victoria.



Christy Anderson

Bio: Christy Anderson is Anishinaabekwe (Ojibwe/Saulteaux) from Pinaymootang First Nation in Treaty 2 Territory (Manitoba), and she is settler Mennonite in her maternal heritage. Ms. Anderson is a doctoral student in Indigenous Studies at the University of Saskatchewan where she applies Indigenous feminist frameworks to examine settler colonial gendered violence against Indigenous women. She received her BA in Communications and Media Studies from Canadian Mennonite University (2011) and her MA in Native Studies from the University of Manitoba (2017). Christy works as a Research Assistant at the University of Saskatchewan and she is the Indigenous Engagement Advisor for Canadian Mennonite University in Winnipeg. Ms. Anderson is a recipient of the Joseph Armand-Bombardier Canada Graduate Scholarship (2020-2023) and she has been awarded several other scholarships and bursaries including the 2020 Indigenous Achievement Award for Academic Excellence at the University of Saskatchewan. For her part in giving back to the community, Christy is currently working on the creation of an Indigenous cultural and historical supplement for the RE/ACT program, a self-help style of program that addresses complex childhood trauma and addictions. She is a long-term resident of Winnipeg in Treaty 1 Territory, the heart of Turtle Island, and the homeland of the Métis Nation.

Abstract: In the spring of 2020, we formed a partnership between researchers from the University of Saskatchewan and legal practitioners from the Indigenous Bar Association, to examine and document the impacts of COVID-19 on Indigenous legal advocacy in the settler state of Canada. Important research examining socio-legal issues, gendered issues, and Indigenous issues related to the COVID-19 pandemic is

emerging. However, there is an urgent need for research that brings all of these areas into conversation. To date, there is a paucity of primary research findings and much of the available literature has been limited to commentaries and preliminary observations based on previous global pandemics. In June 2020, we launched an online survey that was completed by 122 participants which included both Indigenous and non-Indigenous lawyers working in the area of Indigenous legal advocacy. In this working paper, we examine the survey findings that help us to better understand the gendered socio-legal impacts of COVID-19 in Canada. The findings speak to cumulative impacts on Indigenous women, and to gendered issues in the legal profession specific to the experiences of Indigenous and non-Indigenous women lawyers. Our approach in this research is shaped by Indigenous feminist legal analysis, a theoretical framework which necessitates intersectional decolonial analysis and an attentiveness to the operation of gendered power relations in all forms of law, be it settler or Indigenous. We will reflect on post-COVID paths for gender equality that denaturalize heteropatriarchal settler colonial violence and that centre legal futurities attentive to gender, Indigenous legal agency, sovereignty, and self-determination.



Paula Tatyane Cardozo Stemberg

Bio: Paula Tatyane Cardozo Stemberg is a master's student in Law, in the concentration area of State Law, line of Perspectives of Critical Dogmatics, by the Federal University of Paraná (UFPR), scholarship holder (CAPES/PROEX – 2019/2021). Member of the NPTDE and of the Pro Polis research groups at the Federal University of Paraná (UFPR / PPGD / CNPq) and the Taxation, Complexity and Development research group at the Pontifical Catholic University of Paraná (PUC-PR / PPGD / CNPq). Tax attorney at law in Brazil, and Researcher.

Abstract: Gender Economic Inequality in the Tax Reform Proposals in Brazil: analysis of Constitutional Amendment Proposal n. 45/2019 and n.110/2019

In Brazil, according to IBGE (Brazilian Institute of Geography and Statistics) data, in 2018 the average salary of women, between 25 and 49 years, was R\$2,050, corresponding to 79.5% of the average salary of men that was R\$2,579 (1). In the following year, the average salary according to the age group for both men and women decreased, but this difference between genders increased, while for men the average was R\$2,555, for women, the average was R\$1,985, corresponding to 71, 3% of men's salary (2). In addition to income inequality, data from the Central Bank of Brazil shows that the sum of assets and rights of women and men are also very different. In relation to the year 2017, while the sum of all declarations made by women resulted in R\$2.275 billion, the sum of those made by men resulted in R\$5.857 billion, which is represented by the woman/man ratio of 0.39 (3). On one hand, gender inequality is legally discouraged -- as shown by Law 12.693 / 2012, which requires, in the case of divorce, that the property financing contract have to be transferred to the ownership of women - inclusively being one of the Sustainable Development Goals adopted by member countries of the United Nations (UN) -- which translates into goal 5.a (Guaranteeing equal rights, access and control over economic resources, land and other forms of property, financial services, inheritance, and natural resources in a sustainable way, through credit, training, technical assistance, land reform, and housing policies, among others, especially for women in the countryside, the forest, the waters, and the urban peripheries). But on the other hand, public policies continue to be built in order to maintain inequalities. This is the case with two Constitutional Amendment Proposals (CAP), n.45/2019 and n.110/2019, which are being processed in the National Congress. Both proposals maintain the already consolidated taxation system that has as its matrix the tax impact on consumption, under the promise of simplification, more transparency, and a more neutral system. These proposals, by establishing a single rate, ignore the principles of progressivity and selectivity, unevenly aggravating groups in society, and

in particular women, maintaining taxation on products that are only used by women who menstruate, as in the case of tampons and contraceptives; that is mostly acquired by women, due to their responsibility for domestic care, as in the case of infant and geriatric diapers; that are used by women who are no more menstruating, such as hormonal medication for the treatment of menopause. In final words, the purpose of this presentation is to expose a synthesis of a panorama of gender economic inequality in Brazil, indicating the need for changes in tax reform proposals (CAP n.45/2019 and n.110/2019) in the sense that they contribute to the reduction and not to the maintenance and aggravation of this inequality, suggesting the application of the principle of selectivity as an outspread of the principle of equality (art. 5º, Federal Brazilian Constitution), exempting from taxation those products consumed or acquired exclusively or mainly by women.

KEYWORDS: Gender economic inequality; CAP n.45/2019 and n.110/2019; Principle of selectivity.

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