

LawFemme

The Newsletter of the CFLS

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Being a feminist lawyer

Susan Boyd & Camille Israël

Last spring, W. Anita Braha gave an inspiring talk titled “A Feminist Practice: A Chronicle of Issues Over the Years” in the Centre for Feminist Legal Studies lecture series. She spoke to students, faculty and members of the public about her experiences as a feminist and a human rights lawyer. Her stories showed us that her work on feminist projects as a student gave her experience and contacts that paid off in future opportunities.

Law was not Anita’s first career choice – she told us she used to want to be a comedian, and certainly her sense of humour was evident in her talk. Once she settled on law, though, her clear goal was to be a human rights lawyer. She went to graduate school to pursue a Master’s in Political Science at the University of Toronto, where she was part of a coalition of students and administrators who, after a long struggle, got the university to pass

one of the first sexual harassment policies in Canada. Anita then studied law at Osgoode Hall Law School, which in the 1980s could be a hard and hostile environment for feminists and lesbians. While there, she was active in the National Association of Women and the Law (NAWL), which had a number of caucuses across Canada. In her third year, she undertook a directed research project on the issue of pay equity, meeting feminists who were working in the field, such as Carole Geller of the Pay Equity Coalition, with whom she later worked.

After graduating in 1986, Anita articulated with the Official Guardian of Ontario (now the Children’s Lawyer), which provided an interdisciplinary environment due to its focus on child protection and mental health. Her principal was Susan Himel, now a judge on the Ontario Superior Court, who recently over-

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LAWFEMME IS:

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We wish to acknowledge the Musqueam people, whose traditional territory we are on, and thank them for allowing us to be here.

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turned three key anti-prostitution laws in a ruling last September (*Bedford v. Canada*, 2010 ONSC 4264). That decision is currently being appealed to the Supreme Court of Canada.

In the late 1980s, Anita moved to Vancouver, where, through her involvement with NAWL, she met a number of feminist lawyers, such as Gwen Brodsky and Shelagh Day, who hired her as a researcher on their important 1989 publication *Canadian Charter Equality Rights for Women: One Step Forward or Two Steps Back?* She then (re)articled at the BC Public Interest Advocacy Centre, and was offered a position despite the fact that they did not normally hire back articling students.

During this time, she was asked to represent the first complainant under the University of Toronto's sexual harassment policy, who was an engineering student. At issue was whether leering constituted sexual harassment. The defendant, 60-year old chemical engineering professor Richard Hummel, was accused of following and intensely staring at female swimmers at Hart House Pool. The board held that his actions did constitute sexual harassment. The decision was immediately appealed, and the defense hired Morris Manning, a prominent criminal litigator. As co-counsel, Anita retained Kate Hughes, who later represented LEAF in its intervention in *Meoirin (British Columbia (Public Service Employee Relations Commission) v. BCGSEU*, [1999] 3 SCR 3), the landmark gender discrimination case. Anita's client won the appeal, but the decision was not uncontroversial. Maclean's columnist Barbara Amiel strongly criticized the case as "the utter debasement of the genuinely serious nature of sexual harassment."

Anita worked on other groundbreaking cases, including a worker's compensation case that established Rape Trauma Syndrome (RTS) as a compensable injury. In that case, the victim had been brutally attacked and raped, but had no lasting physical injuries. Anita worked with Vancou-

ver feminist legal consultant Sandra Goundry and an expert witness to show that RTS constituted an injury, and her client received a full disability pension.

Anita started her own law firm with a colleague in 1992, sharing a library and other resources with another small firm. She eventually ended up taking institutional as well as individual clients, and has, somewhat unusually, worked for unions, employers and individuals. She has done policy work as well as litigation and education. She has also collaborated with other lawyers on many files. She was an appointed adviser to the City of Vancouver Women's Task Force.

Anita's talk contained many nuggets of wisdom. She told students interested in pursuing a feminist/social justice legal career to follow their passion, and that volunteering with people or organizations doing the kind of work that interested them is a great way to make connections, which could turn into paid opportunities down the line – sometimes in unexpected ways! It is important to help other lawyers and activists and they will reciprocate sooner or later. She said that creativity, persistence, preparation and hard work were crucial in her pursuit of the kind of career she wanted. Most of all, she reminded students to stand by their convictions and principles and to draw strength from them. In her experience, people are drawn to those who have strong core principles, including feminist principles. It is important to speak up and to "stand up and be counted" whenever possible. You may be attacked for your convictions, but others will rally around you. Finally, Anita told us that it is important to be respectful of one's clients and that she had learned a tremendous amount from her own clients about strength and grace in the face of hardship.

Anita Braha was recently elected to the board of directors of the Vancity Credit Union. She sees this work as a continuation of her commitment to social and economic justice issues.

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CFLS Mentorship Program

Danielle Lewchuk and Juliana Dalley, 2L

We are very happy to announce that the CFLS mentorship program will be up and running again this fall. The 2011-2012 coordinators will be Danielle Lewchuk and Juliana Dalley (2L).

The CFLS mentorship program focuses on supporting students who are interested in social justice and/or who experience systemic forms of marginalization within society and the legal profession. Our goals are to foster a sense of community among students and legal professionals who identify with a social justice perspective and allow for exchange of thoughts, ideas, knowledge and experiences. To that end, the mentorship program has two components: students and their mentors will develop one-on-one relationships, but we also invite participants to take part in small-group events with several students and professionals in an informal setting. These events will take place once or twice a semester.

The CFLS mentorship program is unique in that students and mentors are matched carefully, with

input from both student participants and mentors. Mentor bios are made available to students, who then select a mentor that matches their interests. The coordinators will then contact the prospective mentor and see if a connection can be made. The goal of this system is increased flexibility, both for students and for mentors. Students will be able to select a mentor and mentors will be able to coordinate with the Centre as their availability changes.

We are currently recruiting legal professionals to participate in the program, and will be soliciting student involvement in mid-September.

Participation in the mentorship program is a great opportunity for both students and legal professionals. If you are interested in participating in the mentoring program, please email us at cfls@law.ubc.ca with the subject heading "Mentorship Program." We hope to hear from

you!

Congratulations!

The **2011 Marlee Kline Essay Prize** was awarded to JD student **Kate Mulherin** for her paper, "A Role for Intersectionality? Critique and Reform of Advertising Regulation in Canada." The award honours Marlee Kline, former colleague and teacher, and is awarded for excellence in student research on issues involving feminist and intersectional analysis.

The **2011 Auriol Gurner Young Memorial Award in Law** was awarded to JD students **Patricia Barkaskas** and **Bree Makohn**. This award is given to students who have made significant contributions to feminism and the law, for instance through academic achievement, volunteer work, community activism, or work with a feminist organization.

The inaugural winner of the **Hilda Janzen Memorial Award** is **Jessie Magalios**. Jessie's commitment to feminism and feminist activism through her involvement with a variety of different initiatives, as well as her incredible energy and enthusiasm in the face of a number of significant barriers, very much impressed the Committee. The Committee had no doubt that Jessie will make a significant contribution to women's equality in the future. The Committee was very impressed with the quality of the applications received and by the various forms of feminist activism and commitment applicants demonstrated. Clearly, there is a healthy and vigorous feminist community among our law students!

The NAWL Leadership Summit: Teachings in Feminism and the Power of a Legal Education

Catherine Kim, 3L

The National Association of Women and the Law (NAWL) is a non-profit feminist organization that raises public awareness about legal issues affecting women. The NAWL Leadership Summit in February was a unique experience for me. The Summit brought together female law students from across Canada to share and learn from each other's experiences. From my three days in the company of these outstanding women, I returned to Vancouver with greater clarity in what feminism means to me. The Summit also highlighted the kinds of changes and causes promoted with the help of an education in law and provided me with an opportunity to meet some of the remarkable people that comprise the feminist legal community.

Feminism has always been a mysterious concept for me. When I think of what it would be like to gather every person I've known to identify as a feminist under one roof, I wonder whether feminism aside, these people would have many other things in common. I've always had a difficult time conceptualizing and defining feminism and the conclusion I've reached for myself is that feminism is a topic best approached with acceptance and an openness to learn. Feminism is characterized by goals such as promoting access in the form of equity and equality. Beyond that however, how feminism presents itself (or should present itself) in practical terms in many current and ongoing issues varies depending on who you talk to. Integrating a feminist perspective on the way we look at issues brings to light discrepancies and gaps that are unjust and lack good reason. Identifying these problems is simple. What gets complicated is agreeing on solutions that best fit the people affected by these problems.

I arrived at this Summit without a very comprehensive or academic idea of what feminism was. I

arrived at a reception surrounded by women who were incredibly intelligent and accomplished in representing important causes, many of which I didn't know much about. I was intimidated to say the least and initially, I let them do most of the talking. What struck me at this Summit was how accepting everyone was. People wanted to share their experiences and passions and weren't condescending in doing so. Nobody cared how much I knew or didn't know about anything. Everyone seemed to be there to take in the different perspectives people had to contribute. What I took from my observations and conversations at the Summit is that feminism as a concept means different things and is manifested in different ways to different people. What counts is the willingness to be able to share information with others and to allow for better-informed opinions and decisions – all for the common goal of raising an awareness of issues that many overlook. Discussions were honest and covered some difficult topics such as sexual assault and prostitution. In the face of conflicting opinions that would inevitably arise, each individual was given respect and an opportunity to elaborate on their stance. The Summit created a forum that gave individuals, who were effectively strangers to each other, the strength and confidence to speak freely about their thoughts and experiences. From this, everyone left the Summit thinking about at least a few issues that were new to them or stories that they would share with friends. The feminist community, like any community comprised of a diverse individuals, will always contain within it differences in stances or opinions. What matters is that those individuals are provided with the respect, acceptance and openness needed to facilitate a flow of knowledge that people can learn from.

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Law Students For Choice

Jessie Lee Cameron, 2L

Hello and welcome (back) to law school. The lazy (or not so lazy) days of summer are gone, and it's time to head back to the books. And to the clubs!

I just wanted to take the opportunity to educate LawFemme readers on a super fun totally awesome club that doesn't involve running with a ball or giving free law advice (not that there's anything wrong with those clubs, I'm in them both).

Law Students for Choice is a student group that has been around UBC Law for several years now, but sometimes flies under the radar. I mean, NO ONE will forget our annual 80's prom! It truly was my favourite law school event of 1L. But that's not the only thing we want to be remembered for.

We also did some fundraising for the Sexual Assault Support Centre on campus. We sold some kickass Morgentaler t-shirts, with a design from

one of our more artistically gifted club members. And of course there were the 'Got Consent' panties and boxers. Awesome Xmas gifts I am told, although I only bought them for myself actually...

I am the club 'president' for the upcoming year. Along with keeping the usual traditions alive, I have a few ideas of how to get ourselves more involved in the law school community and on campus with our fellow pro-choicers and allies. My ideas include movie nights (Dirty Dancing, anyone?), speaker's nights (I promise it won't be me speaking... all the time), joint events with fellow pro-choice UBC groups, and anything else we can drum up between our regular jam-packed schedules of lectures and papers and Friday beers at Koerner's. Please look for us at the "Clubs Day" table and chat about what YOU want from your LSFC club. You can also email us at anytime with your questions: ubc.lsfc@gmail.com

CFLS Visiting Scholars

Over the summer, the Centre welcomed several visiting scholars: **Loveday Hodson**, University of Leicester, UK (international law and women's rights), **Nikki Godden**, Durham Law School, UK (rape victims and the criminal justice system) and **Maria Jimena Avila**, UNSTA, Argentina (research interests: Aboriginal women).

The Centre is pleased to host two visiting scholars this upcoming year.

Chao-ju Chen is an assistant professor at National Taiwan University College of Law, where she teaches legal history and feminist legal theories. Her research bridges legal history and feminist theory, suggesting ways that historical investigation can improve feminist legal theories, as well as ways that feminist legal theories can contribute to historical research. Her publications explore how male dominance has been "preserved through transformation" in colonial and postcolonial Taiwan, and how the agency/victimization binary is a false dichotomy. She will

be visiting the Centre September-December 2011.

Yvonne Zylan is an associate professor of sociology at Hamilton College in Clinton, NY and is a graduate of the University of San Diego School of Law. She has published articles in the Michigan Journal of Gender & Law, Michigan Journal of Law Reform, Gender & Society, Social Forces, American Journal of Sociology, American Sociological Review, and Signs: Journal of Women in Culture and Society. Zylan's book - a study of sexuality, social theory and the law titled States of Passion: Law, Identity, and the Social Construction of Desire - was published by Oxford University Press in spring 2011. Her areas of scholarship include law and society, sexuality, social theory, political sociology, and the state and social policy. Prior to joining the Hamilton faculty, Zylan practiced law for three years at Pillsbury Winthrop Shaw Pittman LLP. She will be visiting the Centre September 2011-April 2012 and teaching LAW 305.

The NAWL Leadership Summit (cont.)

Catherine Kim, 3L

Opportunities like the Summit remind me of the kinds of doors that law school can open for students. The speakers, who included Alison Dewar, Pam Cross, Sheila McIntyre and Cindy Blackstock, helped us remember that a legal education is both a privilege and a tool. The Summit covered an array of topics including advocacy, legal reform, and the power of media. The overarching message seemed to be that as a privileged minority in our society, law students as a whole should value their legal education and hold their skill sets as instruments to be shared. We were also reminded that the knowledge we make accessible

to those who may not share the same privileges can go an extremely long way. With this in mind, one of NAWL's projects is to create an orientation manual for incoming law students across Canada. Through this publication, we hope to share with others the knowledge we've gained from a variety of feminist scholars and lawyers. Led by Julie Shugarman of NAWL, we hope that this orientation manual will be available for the incoming class of 2014 by fall 2011.

Find out more about NAWL at www.nawl.ca

F Word Undergraduate Conference: Fostering Feminist Communities and Scholarship

Miriam Sabzevari and Amin Sabzevari, 3L

My sister and I attended the second annual F-Word Conference at UBC on April 30th, 2011. The conference was organized and run by a committee of undergraduate Women and Gender Studies students and was open to students, faculty and the general public. We had a great time and were inspired to write this joint event review.

The conference started bright and early with registration check-in and breakfast. After a brief introduction, there was a choice between two parallel Speaker Series: Conceptions of Violence – Feminist Perspectives and Feminist Perspectives of Sexualities. Each session involved several student paper presentations.

Miriam: I really enjoyed Lau Mehes' paper, "It's Hip to be Sexist: American Apparel and the Ironic Politics of Sexist Consumption." Lau spoke to the common sentiment of my generation to see itself in a post-feminism world, as if feminist issues were all solved in the 20th century. She discussed the fleeting nature of "hipster" culture and how its characteristic irony allows for overt sex-

ism and ridicule of feminist views. Lau argued convincingly that sexist commercial mediums (such as American Apparel) take advantage of such consumers by perpetuating "ironic" sexism. I was impressed by her ability to analyze such a contemporary cultural movement without hindsight.

Amin: I found "Forgotten: Exploring the History and Representation of Sexual Violence in Conflict" by Genevieve Barrons to be particularly interesting. She compared the historical and scholarly treatment of sexualized violence in World War 2 with more recent wars. Genevieve emphasized that despite the wide variance of historical statistics, sexualized violence during warfare is not a new development and is not limited to particular geographical regions or cultural spheres.

The term "battered woman" has had legal resonance since *R v. Lavallee*, and has been used to help vulnerable women in some legal cases. Joanne Farall focused on the potential stereotype

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Mayan women's rights in Guatemala

Christina Gray, 2L

After completing my undergraduate degree I took part in an internship in Guatemala where I worked with Mayan youth and women for six months. The degree of exposure to discrimination, poverty, sexism, and violence Mayan women and youth experience in Guatemala is incredibly high. While there is a lot of international support for Guatemalan human rights issues, the government circumvents the efforts of outside actors in many ways.

The other two female interns and I arrived in Guatemala City at the end of August. We began our work with the *Movimiento de Jovones Mayas (Mojomayas)* in early September. As interns, our primary duty was to attend workshops that the *Mojomayas* were facilitating throughout the country.

The *Mojomayas* were officially incorporated into the *Coordinadora Nacional de Viudas de Guatemala (CONAVIGUA)* in 2001. They were established to promote human rights and support the protection of the rights of children. They have partnered with various international non-government organizations to continue their operations.

The organization consists of nine *Mojomayas* who each speak a regional Mayan dialect. Each regional representative leads youth workshops on various topics. Similar to the organization of *CONAVIGUA*, the representatives are divided by language because the youth in their region primarily speak their own Mayan dialect. The youths are exposed to issues and ideas such as international human rights regulations, globalization, and self-esteem.

It was empowering for me to partake in these workshops. In my undergraduate courses, I had studied international regulations, like the *International Labour Organization Convention 169*, which protects Indigenous people's rights. Because the workshops were held in Spanish, it was as though I was learning about these basic human

rights for the first time. I imagine that it was empowering for these youths to learn that the international community cares about the protection of their rights, with regard to their freedom to express their own language, culture, and religion.

Another one of our duties was to partake in workshops with women who came to the *CONAVIGUA* office from different regions around Guatemala. *CONAVIGUA*'s mission is to promote respect for life and observance of the rights to life and movement. During the 1980s, there was mass forced recruitment into the military by President's Efraín Ríos Montt (1982-1983) and Romeo Lucas García (1980-1983). Rosalina Tuyuc Velázquez formed this organization because of the systemic oppression resulting from the time of armed conflict, which lasted from 1962-1996.

This oppressive regime was mainly directed towards the Mayans but also some Ladino peoples. Mayans were a targeted group because they largely formed the counter-insurgency of guerillas who fought against state oppression. In Guatemala during this period the *Commission for Historical Clarification* found that 93% of human rights violations and acts of violence were inflicted by the state.ⁱ Over 200,000 people were estimated to be killed or disappeared as a result of confrontations.ⁱⁱ

Cycles of violence continue in the small state of Guatemala. More specifically, violence that targets Guatemalan women is a pressing and substantial issue. I learned a lot from listening to Rosalina Tuyuc Velázquez, who is a Maya-Kaqchikel woman and speaks Spanish and Maya-Kiche. Mrs. Tuyuc Velázquez recounts in *Tejedoras de Paz: Testimonios de mujeres en Guatemala* (Workers of Peace: Testimonies of women in Guatemala) that she was directly affected by the time of armed conflict when her husband and father disappeared.ⁱⁱⁱ This incited Mrs. Tuyuc to begin one of the first widows' organizations in Central America for women who are affected by

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F Word Undergraduate Conference (cont.)

Miriam Sabzevari and Amin Sabzevari, 3L

the “battered woman” in “Permeable Boundaries: (De)Constructing the Term ‘Battered Woman.’” Joanne deftly argued that the term “battered woman” is sometimes used to categorize, marginalize and oppress rather than protect vulnerable persons. As lawyers, we should be aware of the powerful impact that such terminologies can have on people who have experienced domestic violence.

After the first Speaker Series, there were three parallel community organization workshops.

Amin: I attended FIRST: Sex Worker Made Media – Centering Voices from the Margins. In the workshop, we reviewed media and art created by sex workers. We broke into smaller groups and discussed various perspectives on the sex trade, autonomy and decriminalization. There was a good mix of faculty, students and the public and we had some lively discussions.

Miriam: I attended the workshop held by the UBC Coalition of Women Who Have Experienced Abuse. The workshop featured a new group on campus set up to support female students who have experienced violence and “have unique academic needs and lack institutional support” at UBC. After a neurobiological lesson on post-trauma “triggers,” we discussed the pressing issue of sexual violence experienced by people right here on our campus. I learned of the barriers that such students face in receiving support, such as dismal access to daycare, being forced to sit in class near one’s abuser, the distance of rape relief centres, being rejected for academic concessions, and other forms of institutional neglect. Their website can be found here: coalitionofwomen.wordpress.com.

After a lunch break, there was another choice between two parallel speaker sessions: Feminist Perspectives of Health and Feminist and Pop Culture.

Miriam: I don’t often think about prisons and prisoner issues, but Mandavni Kaur Dhami’s presentation “Undoing Erasure: Addressing the Support Needs of Youth Prisoners Living With HIV” definitely made me consider this society outside society. Mandavni made the case that the particular needs of youth prisoners living with HIV were being neglected. While research on prisoners with HIV being done at all is an improvement from past circumstances, she found flaws with the current methodology. In her analysis of statistics on prisoners with HIV, she revealed how youth were being included in broader age categories; the lumping together of all prisoners with HIV made the unique needs of youth invisible.

Amin: Katie Maher described the vast differences in available maternal health care in Canada in “The Geography of Choice and Maternal Health Care in Canada.” Women in rural and remote communities and Aboriginal reserves face particular difficulties accessing health care. As maternal health care has a serious impact on the health and future life of mother and child, research in this area is of vital importance. I am particularly interested in health care and health law issues, so I really enjoyed this paper and the others in this speaker series.

Next up was a choice between three student-led workshops. Miriam and I ended up attending the same workshop, *What If Our Feminism Was Truly Intersectional?* by Kalamity Hildebrandt (2L). We discussed the wide number of possible systems of oppression and their potential interactions and intersections, delving into the theory in this area and some applications. Our group had some interesting discussions and we both learned a lot from this workshop.

Afterwards, there was a third set of parallel speaker sessions: Re/presentations of Women in the Media and Economy and Feminism and Technology.

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F Word Undergraduate Conference (cont.)

Miriam Sabzevari and Amin Sabzevari, 3L

Amin: “Ban of the Burqa” by Nur Syahidah Binte Ismail reviewed the public ban of the Burqa in France and analyzed French President Sarkozy’s speech on the issue. She argued that the ban was paternalistic and ultimately part of a general “ethno-nationalist” reaction against immigrants and immigration in France. The presentation and resulting Q&A and discussion at the end was one of the highlights of the conference.

Miriam: Two presentations focused on rap music: “The Female Presence in Rap” by Kim Villagante and “There is so much in a name and so much more in you: misogyny, hip hop and Common” by Kat Davidson. These two speakers discussed rap culture and its strides towards equity. We were given insight into the local rap culture of Vancouver and the unique ways in which female artists have to step into the industry, connect with others, and get their voice out. This was complemented by Kat’s analysis of hip hop artist Common’s recent music video, who we learned, was challenging sexist themes (for the most part). I found both presentations to be generally uplifting in their reports on feminist progress in rap culture.

Finally came dinner and the closing reception, with a talk given by Sunera Thobani. Sunera talked about how far feminism and feminist studies had come in recent years, but also about how much work remains to be done. While accepting that academic feminism has its role, Sunera emphasized the importance of community feminism and contributions outside of the university environment. Sunera reviewed how feminists outside the West were making great strides in recent years and argued that Western feminists can help, but should do so on an equal basis, taking care not to support, directly or indirectly, the systems of oppression that their global compatriots are challenging.

It was a good end to a great conference, one that we both highly recommend to others for future years. Not only is it a good conference to attend, but it would also be an excellent venue to present a relevant legal paper, to gain presentation experience and garner constructive feedback from a supportive and genuinely interested audience.

For more information about the F Word conference, visit wagsconference.wordpress.com



**The Centre for Feminist Legal Studies
is part of the UBC Positive Space program and welcomes all LGBTTTQI* students.**

The Positive Space Campaign is an initiative intended to help make UBC more receptive to and welcoming of its lesbian, gay, bisexual, queer, questioning, transgender, transsexual, gender variant, two-spirit and intersex (LGBTTTI) communities, individuals and issues of sexual and gender diversity on campus. It aims to foster a welcoming atmosphere and inclusive, respectful dialogue on campus for people of all sexual orientations and gender identities by identifying spaces where sexual and gender diversity is supported and valued.

Find out more at <http://positivespace.ubc.ca/>.

Mayan women's rights in Guatemala (cont.)

Christina Gray, 2L

armed conflict.

Many people in Guatemala share Mrs. Tuyuc-Velázquez's experience. During this oppressive regime, people who disappeared were assumed to have been murdered by state officials. Many mass-burial graves are being found throughout the country, especially in the Northern regions. The massacres that occurred during this time have yet to be thoroughly investigated by the democratically elected state.

One of the initiatives that CONAVIGUA has undertaken is to investigate, research, and bring attention to the genocide that occurred in Guatemala. Cases are being brought forward regarding the genocide of Guatemalan people, though at a very slow pace. Meanwhile, those who committed crimes against humanity continue to live in the same communities as their victims' family members.

Extreme acts of violence continue to be a pertinent issue in Guatemala even though the country is under a democratic government. Between 2000 and 2008, approximately 4,300 women were killed violently, and 98% of the cases remained unsolved.^{iv} The government has yet to investigate these deaths, although there are numerous international and domestic human rights instruments that protect the rights and dignity of women.

In March of this year, in Antigua, Guatemala, the Organization of American States held the *Third Conference of States Parties of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women*. This international instrument protects women's rights through the prevention, punishment and eradication of any act of physical, sexual or psychological violence against women. The conference commended Mexico, Venezuela, and Guatemala in continuing their efforts to *eliminate, punish and eradicate violence against women*.

In 2008, the Congress of Guatemala passed a *Convention on the Prevention, Punishment and Eradication of Violence against Women*. This Convention gains its power from paragraph (a) of Article 171 of the Constitution of the Republic of Guatemala. The aim of this Convention is "to promote and implement measures aimed at the eradication of physical, psychological, sexual, economic or any type of coercion against women, guaranteeing them a life free of violence, as stipulated in the Constitution of the Republic and international instruments on women's human rights ratified by Guatemala".^v

I came home from my internship in Guatemala remembering my friends who encounter daily struggles of safety, security, and poverty. It's troubling to consider that all of my Mayan and Ladino friends had a family member or friend who had disappeared during the time of conflict.

The Constitution of Guatemala codifies and protects women's rights; however, it has yet to fully implement basic criminal laws to deter, denunciate, and rehabilitate those who have inflicted violence against women. Few violent acts are investigated but perhaps the government under President Álvaro Colom in Guatemala will uphold the rule of law within the country more so than in the past.

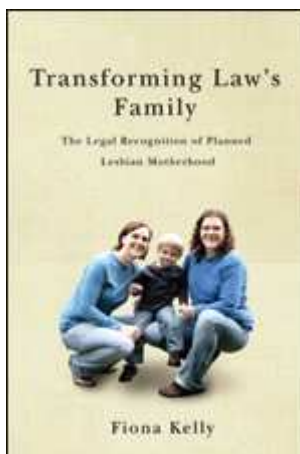
- i. "Guatemala Memory of Silene: Tz'Inil Na'Tab'al, Report of the Commission for Historical Clarification: Conclusions and Recommendations" (1994) Commission for Esclarecimiento (CEH) 96.
- ii. "Guatemala Memory of Silene: Tz'Inil Na'Tab'al, Report of the Commission for Historical Clarification: Conclusions and Recommendations" (1994) Commission for Esclarecimiento (CEH) 17.
- iii. Tuyuc-Velázquez, Rosalina. *Tejadoras de paz: Testimonios de mujeres en Guatemala*. (Guatemala: Magna Terra Editores, 2008) at 104.
- iv. "Guatemala's Femicide Law: Progress Against Impunity?" (2009) Guatemala Human Rights Commission 1. Online: <http://www.ghrc-usa.org/Programs/ForWomensRighttoLive/2009VAWReport_execsum.htm>.
- v. Raúl, Estevez, Luís, OAS, *Follow-up Mechanism: Convention of of Belem do Para: Third Convention of State Parties, OEA/Ser.L/II.7.10* (2011) at 1.

Recent Faculty Publications

***Transforming Law's Family: The Legal Recognition of Planned Lesbian Motherhood* by Fiona Kelly (Vancouver: UBC Press, 2011)**

About the book

In the past few decades, gays and lesbians, along with their families, have become more visible members of Canadian society, enjoying increasing levels of legal recognition. In Transforming Law's Family, Fiona Kelly explores the complex issues encountered by planned lesbian families as they work to define their parental rights, roles, and family structures within the normatively heterosexual tenets of family law.



While Canadian courts recognize lesbian parenthood, they do so only to the degree that lesbian families are equivalent to heterosexual families in form and structure. Issues that are largely unique to planned lesbian families, such as the legal status of known sperm donors or non-biological mothers, remain undefined within the existing legal framework. Drawing on numerous interviews with lesbian mothers, Transforming Law's Family sheds light on changing definitions of family and suggests a model for law reform that allows for the legal recognition of alternative forms of parentage.

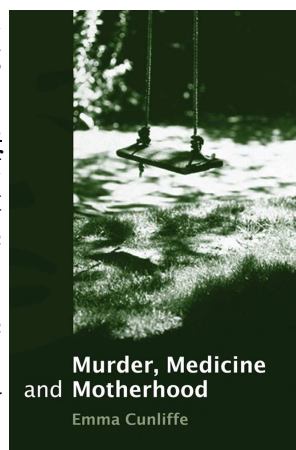
The first empirical study in Canada to address the legal dimensions of planned lesbian families, this book makes an important contribution to family law, queer studies, and law reform literature.

***Murder, Medicine and Motherhood* by Emma Cunliffe (Hart Publishing, 2011)**

About the book

Since the early 1990s, unexplained infant death has been reformulated as a criminal justice problem within many western societies. This shift has produced wrongful convictions in more than one jurisdiction. This book uses a detailed case study of the murder trial and appeals of Kathleen Folbigg to examine the pragmatics of proof beyond a reasonable doubt. It explores how legal process, medical knowledge and expectations of motherhood work together when a mother is charged with killing infants who have died in mysterious circumstances. The author argues that Folbigg, who remains in prison, was wrongly convicted.

The book also employs Folbigg's trial and appeals to consider what lessons courts have learned from prior wrongful convictions, such as those of Sally Clark and Angela Cannings. The author's research demonstrates that the Folbigg court was misled about the state of medical knowledge regarding infant death, and that the case proceeded on the incorrect assumption that behavioural and scientific evidence provided independent proofs of guilt. Individual chapters critically assess the relationships between medical research and expert testimony; the operation of unexamined cultural assumptions about good mothering; and the manner in which contested cases are reported by the press as overwhelming.



The CFLS Library contains over 500 books on feminism, social justice and law! Visit Allard 424 or browse online at <http://www.librarything.com/catalog/cfls>

Auriol Gurner Young Memorial Award in Law

The **Auriol Gurner Young Memorial Award in Law** is generously endowed in memory of Auriol Gurner Young for students in the J.D. Program who have made significant contributions to feminism and the law, for instance through academic achievement, volunteer work, community activism, or work with a feminist organization.



This \$3000 award honours the memory of Auriol Gurner Young, who died in 2005 after a lengthy and determined struggle with cancer. She was a remarkable woman with a lifelong love of learning and a great intellectual curiosity. In her 50's, Auriol started her university education, graduating with first class honours in 1983. She loved life, people and ideas.

Marlee G. Kline Essay Prize

The Centre for Feminist Legal Studies will award a \$250 prize to the best essay written by a J.D. student attending the University of British Columbia during the 2011-2012 academic year, addressing the themes identified in the quotation below in relation to a topic dealing with law or legal regulation. The prize is offered in the name of Marlee Kline, a feminist UBC law professor who died in November 2001. The essay should be written for a UBC course, seminar, or directed research project and must incorporate feminist research and analysis. The submissions will be reviewed by a committee consisting of feminist law professors and graduate students.



“The various intersections between gender, race, class, sexual orientation, and other differentiating characteristics, affect *how* and *when* all women experience sexism.” (Marlee Kline, 1989)

Hilda Janzen Memorial Award in Feminist Legal Studies

The Hilda Janzen Memorial Award in Feminist Legal Studies will be granted annually to a male or female student in good academic standing who has demonstrated leadership in feminist issues and faces financial or systemic barriers to accessing or continuing a legal education. Donor Sonya Wall was inspired to establish the award by the commitment shown by her aunt, the late Hilda Janzen, to the advancement of women in professional fields, and by the costs and other barriers students face in pursuing a legal education.

At \$18,000 annually, the award will cover the current costs of tuition and books for the recipient, as well as offset living expenses for the year. This amazing new award recognizes two important facts: first, that there is an ongoing need for lawyering inspired by a feminist ethic and, second, that many students who are committed to bringing their feminist approach to law encounter barriers in the course of obtaining a law degree.

For application information and deadlines, visit

http://faculty.law.ubc.ca/cfls/feminist_legal_studies/prizes_scholarships.html

CFLS 2011 FALL LECTURE SERIES

Lectures are held each Tuesday from 12:30-1:45, room TBD unless otherwise noted.

EVERYONE IS WELCOME TO ATTEND!

September 13th, 2011	<p>CFLS Open House, Marlee Kline Room (Allard 424)</p> <p>Come learn about the CFLS and discuss feminism in law school with feminist faculty and classmates. Hosted by Susan Boyd (CFLS Director) and Camille Israël (Student Coordinator)</p>
September 20th, 2011	<p>Yvonne Zylan, CFLS Visiting Scholar</p> <p>“Same Sex Marriage, ‘Don’t Ask, Don’t Tell,’ and Legal Discourses of Inclusion”</p>
September 27th, 2011	<p>Ros Salvador, BC Public Interest Advocacy Centre</p> <p>“Confronting Racism, Sexism, Ableism and Poor Bashing: Case Examples from the BC Public Interest Advocacy Centre”</p>
October 4th, 2011	<p>Maureen Maloney, Professor, SFU School of Public Policy</p> <p><u>Topic</u>: ASEAN Commission on Women’s and Children’s Rights</p>
October 11th, 2011	<p>POLYGAMY PANEL DISCUSSION</p> <p>Kasari Govender, West Coast LEAF B.J. Wray, Department of Justice Grace Pastine, BCCLA</p>
October 18th 2011	<p>Habiba Zaman, Associate Professor, SFU Women’s Studies</p> <p>"Asian Immigrant Women’s Labour in Canada: Contemporary Trends, Practices, and Women’s Agency"</p>
October 25th, 2011	<p>Chao-Ju Chen, CFLS Visiting Scholar</p> <p>“Choosing the Right to Choose: Roe v. Wade and the Legalization of Abortion in Taiwan”</p>
November 1st, 2011	<i>TBA</i>
November 8th, 2011	<p>Harsha Walia, activist, rabble.ca, No One Is Illegal</p>
November 15th, 2011	<p>Shirley Nakata, UBC Ombudsperson for Students</p> <p>“Law, Feminism and the Pursuit of Happiness”</p>

Contact Us

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Faculty of Law**

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**Visit our new space at our upcoming
Open House, September 13th, 12:30-
1:45pm, Marlee Kline Room (Allard
Hall 424)!**

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Further donations are welcome, and we will send you a tax receipt. Please fill out the form below and forward it to the Centre.

Thank you very much for your support!!

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