

LawFemme

The Newsletter of the CFLS

Volume 9, Issue 2

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Check out our website at <http://faculty.law.ubc.ca/cfls>

IN THIS ISSUE	
Welcome!	1
Feminism in Law School	2&4
Award Winners	2
Volunteering	3
CFLS Mentoring	5
Let's Talk About It!	5
CFLS Library	6
CFLS Peer Support	7 & 10
Not My Laws	8, 13, & 14
CFLS Equity	9
CFLS Public Lectures	11
Anti-Sexist Male Allies	11
The Imbalancing Act	12 & 15
Feminist Awards	16
CFLS Lecture Series	17

Welcome to the Centre For Feminist Legal Studies!

Everyone is welcome at the CFLS!

The Centre is a vital part of the law school. As well as offering a fantastic lunchtime lecture series and organizing the annual Marlee Kline Lecture in Social Justice (see page 11) the CFLS provides students with a **safe haven** – it is a space to which you can retreat when law school feels like too much, and a place to meet other students committed to **social justice** and a critical approach to legal issues.

We have a lounge, wireless access, use of a kitchen area, a phone, a lending library and a computer that you can use whenever the Centre Coordinator isn't working on it. Stu-

dents who are willing and able to pay the rather large (we're sorry!) key deposit, can request keys and volunteer to keep the Centre open—it is kind of like having your own office on campus!

We also have an exciting new **volunteer program** (see page 3) that you can become involved with, and through this program, the Centre now provides a number of **services to students**, including a mentoring program (page 5), and a peer support program (page 7), which you are invited to make use of.

Services and volunteer opportunities are available to students of all genders.

LAWFEMME IS:

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CFLS Steering Committee

- Susan Boyd
- Janine Benedet
- Emma Cunliffe
- Kalamity Karen Hildebrandt
- Fiona Kelly
- Pooja Parma
- Margot Young

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

Where Would I Be Without Feminism in Law School?

Patricia Barkaskas, Law III

It is an unfortunate truth that law school can be a harrowing experience. Among the first examples that spring to my mind of the more difficult issues one must face are: first year's onerous schedule and the brutal introduction to the Socratic method, which makes first year notoriously difficult to endure; the anxiety invoked by the approach of 100% exams in second year; the need to resist the persistent push toward big firm practice – a push that results from the profession's influence on the law school... I have spent many sleep-bereft nights wondering: *Why am I doing this to myself?*

Of course, I should qualify my characterization of law school by highlighting several facts: I am an Aboriginal, anti-racist feminist with a BA in History and Women's Studies and a MA in History focusing on Aboriginal women's political activism; I have been an activist for many years; and I am in my thirties and a mother. All of the above

separate me in many ways from the average law school student, a fact that is obvious to me daily in my interactions with some other students and professors, and the law school as an institution.

I perceived law school as such a foreign and hostile environment in my first term that I almost dropped out on several occasions. The constant sense of lack of belonging and my general confusion about what a JD degree would do for me and the people that I want to work with – namely, urban Aboriginal populations within a social justice context – persisted day in and day out. So, why did I stay?

I owe that to the amazing women, and a few fabulous men, I met at law school, in my own small group and year, and those in L2 and L3 who I had the privilege of getting to know who inspired me to stay the course. (You all know who you are and you rock!) I met most of these women and men,

(Continued on page 4)

Marlee Kline Essay Prize Award Winners

The Marlee Kline Essay Prize for 2009-2010 was awarded to Ava G. Murphy and Jaime Sarophim. The Prize is for the best submitted legal essay by a UBC J.D. student exploring intersectional feminist analysis.

Ava G. Murphy's paper was entitled "Sentencing Circles and Victims of Domestic Violence." Jaime Sarophim's paper was entitled "Access Barred: The Effect of the Cuts and Restructuring of Legal Aid in B.C. on Women Attempting to Navigate the Provincial Family Court System."

Their papers can be read online at the CFLS website under News and Events: Awards. See p. 16 for information on next year's deadline for nominations and applications.

Auriol Gurner Young Memorial Award Winners

The 2010 Auriol Gurner Young Memorial Award in Law was awarded to Jodie Gauthier and Kalamity Hildebrandt, in recognition of the range of their feminist contributions at the law school and in the larger community.

This award is for a student in the J.D. program who has made significant contributions to feminism and the law, for instance through academic achievement, volunteer work, community activism, or work with a feminist organization.

Please see p. 16 for information on next year's deadline for nominations and applications.

Volunteering at the CFLS

The Centre has a really exciting volunteer program, and you are invited to get involved!

Volunteers will have the opportunity to receive training, create needed services for other law students, and (always on our minds, I know) receive a reference letter reflecting the quality of the work done.

Volunteers can choose from the following programs:

Equity Education Program – Jen Flood (Law I) and Katie McConchie (Law II) and other volunteers will be working hard this year to promote equity awareness within the law school. *See page 9 for more information about Equity at the CFLS.*

Peer Support Program – Our Peer Support Coordinator, Catherine Kim (Law II) will work with volunteers to provide peer support for students who are experiencing distress, with particular sensitivity to addressing the needs of students who face barriers as a result of systemic forms of inequity such as sexism, racism, ableism or any of the many other systems of injustice out there. Volunteers will receive training in basic peer support skills and anti-oppression awareness in order to ensure that our peer support services are accessible to all students. *See page 7 for more information about the Peer Support program.*

Mentoring Program – Amy Lowe (Law II) and Megan McConnell (Law II) are our Mentoring Coordinators this year – they will work with volunteers to create opportunities for legal professionals to mentor law students who are interested in social justice and/or who are members of marginalized groups. *See page 5 for more information about this program.*

There may also be opportunities to volunteer with our **library**, and if there was someone out there who wanted to be the CFLS ‘**gardener**’ that would be great!

Volunteer opportunities are open to students of all genders who support the aims of a feminist centre and who are committed to promoting equity and social justice in the law school and the community.

If you are interested in volunteering with any of these projects, please email us at cfls@law.ubc.ca, or drop in to see us at the Centre.

And if you have other ideas for projects, let us know!

Thoughts On Why We Need Equity Awareness in Law School...

The Faculty of Law, like many other professional programs, is a “tight” community. This is true in the sense that the Faculty fosters camaraderie, and it is also true in the sense that the program densely packs together a large group of very diverse students. Unfortunately we do not always succeed in interacting with each other with the respect that we all deserve. Many of us know the feeling of having our views, which arise out of our diverse social locations, be met with rolling eyes and passive disapproval. Incidents like these can leave us feeling isolated and frustrated, and when this happens, a “tight” community can feel less like the closeness of camaraderie, and more like confinement, and collegial friendliness more like superficial politeness than sincere good intention.

- Catherine Kim (Law II)

Where Would I Be Without Feminism... *continued*

feminists and/or activists, through the Centre for Feminist Legal Studies. In my first semester at UBC Law, the CFLS was my refuge from the generally unwelcoming atmosphere of “Curtis High.” In the Centre respectful, meaningful, and relevant discussions – and arguments I might add – about how the law, legal system, and legal profession intersect with politics, social justice, and culture (among other things!) took place on a regular basis. The women and men, who worked with and in the Centre on a regular basis gladly shared knowledge with me, mentored me, and gave me advice about how to survive life as a law student.

The Centre was also where I met and started to get to know feminist professors and those interested in social justice more broadly. Having no feminist professors assigned to my small group, my first year legal education was entirely lacking of any of the rigorous intellectual social, cultural, or political critique that I was used to, given my academic background. I felt that without this perspective and context the case law and legal procedure I was learning about had no real value.

I was so grateful and inspired by my experiences with the Centre in my first few weeks of law school that I applied for the position as the Student Coordinator of the CFLS. Imagine my joy and surprise when I got the position! Working as the Student Coordinator changed my first year law school experience from one in which I dreaded getting up to face every day to one that I was excited about. I met the new challenges of helping to run the Centre while attending my classes, doing my readings, and meeting my deadlines with a renewed sense of hope and determination.

As the Coordinator, one of my responsibilities was to assist in the running, and then the planning of, the Lecture Series for the Centre. The weekly talks, which I had been attending already, were (and remain) a source of interdisciplinary discourse about the law, legal issues, and the broader socio-cultural, political, and intellectual issues affected by legal norms. My involvement with the Lecture Series and the activists and intellectuals who took part reassured me constantly that there were people who cared about more than the ratio of a case and/or IRAC analysis. I saw that there were other people who were asking questions about and interrogating the law and power – two concepts intrinsically linked and rarely discussed in law school classrooms.

So, as I enter my third year of law school, much changed, much inspired, much determined, and much prepared for the long fight ahead of me, I wish to thank the friends, colleagues, professors, academics, activists, and/or community members who have inspired, and who continue to inspire, me to keep my head up and rail against injustice as I see it within and without the walls of UBC Law. Without all of you, this journey would have ended before now and with a different outcome.

And, to those of you just entering the halls of this seemingly hallowed institution – I only hope that I can provide some of the wisdom, mentorship, and friendship that was given to me, in the hopes of making your journey through law school better.

In solidarity...

**Check Out the
Centre for Feminist Legal Studies Website!**

<http://faculty.law.ubc.ca/cfls/>

The CFLS Mentoring Program

Coordinators: Amy Lowe, Law II
& Megan McConnell, Law II

Hello! My name is Amy Lowe, and I am one of two Mentoring Coordinators at the CFLS. I will be working with Megan McConnell to develop this program over the next year.

The focus of the Mentoring Project is on offering support to students of any gender who are committed to social justice and/or who experience systemic forms of marginalization within society and the legal profession. Enthusiastic students (like you!) will be able to meet experienced legal professionals and exchange thoughts, ideas, and knowledge.

The mentoring program will consist of THREE types of mentorship activities.

#1

The first of these is traditional one-on-one mentoring. Mentor bios will be made available to student participants, who will select mentors with matching interests.

#2

Students can also sign up to take part in small group get-togethers. These events will involve three or four lawyers meeting up with three or four students, perhaps with a specific set of questions to discuss.

#3

A third option for students will be to attend panel discussions which will address issues faced by segments of the law student population. We hope, for example, to address topics such as dealing with sexism in law school and at work, what it is like for students and lawyers from working class and poor backgrounds, and tips and strategies for students whose appearances are 'non-normative' in some way (perhaps because of gender presentation, piercings, body size or other reasons). This is by no means intended as an exhaustive list of possibilities, and we welcome suggestions from you about what sort of topics you think would be useful!

We are really eager to put this program in place and a lot of work has already been put in writing invites and finding mentors. Of course, we are just getting started, and there is still a lot to be done!

If you are interested in **volunteering** with this program, and/or if you are interested in **participating** in one or more of these types of mentoring activities, please email us at cfls@law.ubc.ca with the subject heading "MENTOR PROGRAM."

Let's Talk About It!

CFLS Communication Liaison: Stacey Cameron Law II

You can try to deny it but most of us actually enjoy casual conversations about interesting legal issues. Not only is it enjoyable, it can be extremely enlightening as well. My name is Stacey Cameron, and I will be working with the CFLS this year as the Communication Liaison. In that role I will be focusing on two main goals; one to communicate information about the CFLS programs and events, and two, to generate discussion about relevant issues.

Once a week the CFLS will have a table in the UCLL during the first year morning break where we will be

promoting awareness of current legal issues related to oppression and eliciting your reactions and viewpoints. The table will also provide an opportunity to provide comments on topics covered in the Lunch Time Lecture Series as well as to find out more about the Centre.

By asking difficult questions and participating in controversial discussion we can expose oppression and together we can create positive change. Keep an eye out for the table and come share your thoughts!

The CFLS Lending Library

Hi, my name is Jen, and I'm a first year law student who has been helping to set up the library at the Centre for Feminist Legal Studies.

The CFLS library contains a collection of books, journals, articles and facta related to feminism, social justice issues and the law.

This library is a great resource! Do a little digging and you can find many rare and hard-to-find items. And, for the first time, the CFLS library will be a lending library, so you can

sign out whatever you need for your research.

But it doesn't have to be all about work! There will also be a collection of novels to read and borrow, so come in, relax and enjoy some leisure reading in the lounge area, where you'll meet other students interested in social justice.

Everyone is welcome at the Centre, so I hope you'll come and check it out!

New Books!

New Books at the CFLS Library include:

- **Men's Work: How To Stop The Violence That Tears Our Lives Apart**
by Paul Kivel
- **Colonize This! Young Women Of Color On Today's Feminism**
eds, Daisy Hernandez & S. Bushra Rehman
- **The Mask of Benevolence: Disabling the Deaf Community**
by Harlan Lane
- **The Fat Studies Reader**
eds, Esther Rothblum & Sondra Solovay
- **Inside The Gender Jihad: Women's Reform in Islam**
by Amina Wadud
- **My Gender Workbook: How to Become a Real Man, a Real Woman, the Real You, or Something Else Entirely**
by Kate Bornstein
- **The Ugly Laws: Disability in Public**
by Susan M. Schweik

The CFLS Peer Support Program

Coordinator: Catherine Kim, Law II

I am so happy to be able to announce that the Centre for Feminist Legal Studies, in affiliation with UBC's AMS Speakeasy, is introducing a new Peer Support program!

Student volunteers with the CFLS Peer Support Program offer confidential emotional support, and information about faculty, university and community resources. Support will be available via email (cfls@law.ubc.ca) or in person, either by appointment or on a drop-in basis during preset times.

Why We Need To Support Each Other:

The life of a law student is full of unique stressors, including (but not limited to) the pressure to tackle dense workloads, to excel academically while being graded on a curve against a student body made up of high-achievers, to become involved in extra curricular activities and to network with peers, faculty and professionals within the legal community. We can sometimes feel that it is absolutely necessary that we do all of these things, while at the same time feeling that nothing we can do will be sufficient to 'succeed' in this environment. For many students, law school also represents a transition — students may be faced with the challenges of being on our own for the first time, of leaving our hometowns, and for some of us, of stepping out of our socioeconomic or cultural environment, into another — very different — one. Add to all of this the inevitable pull of life outside the law school bubble: obligations to family, friends and significant others, commitments to employers, teams or volunteer organizations, financial issues and of course, the many unforeseeable events in life that catch us by surprise.

Sometimes we can get overwhelmed, and none of us should have to feel alone in dealing with all of this.



In preparing to launch this program, I did a lot of reading, and one article* I read noted that research had shown that graduate students who need support are most likely to turn to a peer in their program; from this the author drew the following conclusion — “the best way to support graduate students is to empower

them to help themselves as a community.” This is what the CFLS Peer Support program seeks to do. We are a group of students who are committed to this community, and we recognize that our classmates of today are also the friends and colleagues of our future. We invite you to join us — whether as a volunteer, as someone seeking support, or both.

What the CFLS Peer Support Program Does:

This is a PEER support program.

We do not claim to be experts on anything that a student might be going through. Rather than provide advice, our goal is to help fellow students identify their needs and to support their right to make choices based on what they feel would be best.

We cannot provide ‘counseling services,’ but we can serve as an approachable and convenient source of support, and as a starting point for students who may want to be directed to more specialized resources such as UBC Counseling Services or Kaila Mikkelsen, Assistant Dean, Students. We represent an additional resource that we hope will complement the other resources available to students, for example, advisors, faculty members and counselors.

This is a CONFIDENTIAL service.

We know that most of us will be entering the legal profession upon graduation, and that there is real reason for concern about the impact that gossip can have on our future careers. We cannot emphasize enough that

(Continued on page 10)

These Are Not My Laws

Patricia Barkaskas, Law III

“...these are not my laws, these are not my rules.”

- Ani Difranco

There are few forums in law school for addressing the ways that one’s contextualized reality impacts her/his individual law school experience. One learns quickly in first year that the classroom is not the place for nuanced discussion about critical perspectives on the law. Having come to law school with the hope of deconstructing the multiple ways that law and society intersect I was profoundly disappointed that this generally does not happen in law school classrooms.

When I think about *the law* – Canadian law – I readily acknowledge that there is much I do not know or understand. My identity as an Aboriginal woman shapes my encounter with Canadian laws and my perception of my formal legal education. As I sit in classrooms learning about *the law* I often wonder – What about *our* laws? And, when I voice this, I often find myself needing to defend my assertion that the legal traditions of Indigenous peoples, albeit legal systems which may have been altered and/or almost lost through various manifestations of the colonial project, do exist and are vital to the peoples to whom they belong. Thankfully, at UBC Law some forums encourage critical perspectives on the law and welcome my thoughts as an Indigenous anti-racist feminist.

The Centre for Feminist Legal Studies weekly Lecture Series, which runs one lunch hour every

week throughout the academic year, provides a much-needed space for students, professors, and community members to engage with the work of legal academics and activists. The talks highlight the importance of social, cultural, and political issues as these intersect with the law, the legal profession, and the legal system. The topics are diverse and focus on everything from local to international contexts. Each year, to some degree, the subtle influence of the specific Student Coordinator may be observed in the theme(s) of the Lecture Series. The Coordinator changes every year and each brings different areas of interest with her to the position. With the guidance of the CFLS Steering Committee the Coordinator plans a spectrum of speakers whose work reflects some of her areas of interest in legal theory and practice. Along with creating an interesting array of lecturers, this provides an opportunity for a student to have an impact on the atmosphere of the law school.

Throughout my two years at law school, the CFLS weekly presentations has offered me an opportunity to apply my lived reality and academic knowledge to legal issues in ways that law school classrooms, with the exception of some seminars, generally do not allow. Each week the talk ends with a question and answer / discussion period which gives audience members a chance to engage with the speaker about her topic, ask questions, and comment on the issues raised. Even when I do not participate in these discussions, I walk away from each lecture

(Continued on page 13)

The CFLS Equity Education Program

The CFLS is committed to promoting **equity** and **social justice** within the Centre, the law school, and the larger community.

As a **feminist** centre, we start with an **anti-sexist lens** and at the same time, we recognize that there can be no gender justice without the elimination of all forms of oppression, and thus strive to employ an **intersectional** approach in all that we do.

This year will see the launch of the CFLS Equity Education Program. Jen Flood (Law I) and Katie McConchie (Law II) will coordinate the program.

We invite everyone who is interested in working to promote awareness of equity and anti-oppression issues in law school to join us. We plan to create informative publications, hold workshops and discussion groups, bring in speakers, and support one another in our struggles as we make our way through this program.

Equity education volunteers will receive basic

anti-oppression training and other training as needed, for example, training in workshop facilitation.

Men who are interested in doing work around anti-sexism are invited to join our Anti-Sexist Male Allies group (see page 11).

If you are interested in volunteering with the Equity Education Program this year, [email us at cfls@law.ubc.ca](mailto:cfls@law.ubc.ca), or talk to the CFLS Student Coordinator, Kalamity, or the Education Equity Coordinators, Jen and Katie.

What is Equity All About?

This is about **justice**, not charity.

This is about creating **access** and **inclusivity** right here in the law school, with the people who surround us each day.

This is about having **integrity**— ensuring that our actions match up with our **values**. This is about **expecting more** of ourselves and each other when it comes to learning about and promoting **equity and diversity**.

Because **we can do better**.

Learn!

Equity Articles at the CFLS Lounge

The CFLS Lounge has articles on equity issues, including:

- Re-Reading Difference: Feminist Critiques of the Law School Classroom... By Banu Ramachandran
- 8 Things Never to Say to a Mixed-Race Colleague By Yoji Cole
- The Niqab in the Courtroom: A New Guise for “Whacking” Sexual Assault Complainants? By Joanna Birenbaum & Kerri A. Froc
- Telling the Truth? Disclosure, Therapeutic Privilege and Intersexuality in Children By Anne Côté
- Queering Legal Education: A Project of Theoretical Discovery By Kim Brooks & Debra Parkes
- Audism By Gary Malkowski
- Legal Education: Nemesis or Ally of Social Movements? By Janet E. Mosher

CFLS Peer Support Program *continued...*

volunteers must sign and abide by a strict confidentiality agreement. The benefits of a peer support program can only be achieved if students are willing to take the risk of trusting volunteers, and if volunteers respect that trust by taking the matter of confidentiality very seriously.

This service reflects a FEMINIST, ANTI-OPPRESSIVE framework.

This means that we recognize that a wide range of equity issues impact us within the law school - and of course, also within the legal profession and the larger community. These issues include, but are not limited to, sex/gender, sexual orientation, gender identity, Indigeneity, racialization, ability status, faith tradition, social class, body size/weight. All of these shape who we are, the particular experiences we confront, and how we perceive those experiences. Again, we do not claim to be experts in relation to any of these issues, but we are committed to working towards ever greater awareness, and to ensuring that we are attentive to concerns that arise out of systemic inequity.

Who These Services Are For:

The CFLS Peer Support Program is open to ALL students at the Faculty of Law.

While we who volunteer to provide this service must be committed to social justice in order to ensure that our service is truly accessible for all students, this does not mean you have to be interested in these issues to make use of our services. There is no test that anyone has to pass to qualify

for peer support – all you need is an interest in talking respectfully with another student about what is going on for you.

Who Can Help Provide These Services?

YOU can! As a student-based volunteer program, we are always seeking caring and committed students who are interested in promoting wellness and social justice within the law school. Volunteers will help build a healthy UBC Law community, while gaining valuable experience in providing peer support. No previous peer support experience is necessary.

We have great hopes for the CFLS Peer Support program. As the Coordinator for this program, I look forward to this upcoming school year and to working to provide students with meaningful assistance. Please feel free to contact me if you are interested in volunteering with the program or with any questions or concerns you may have.

Some “Thank You’s” — We have been fortunate to receive guidance and resources from organizations and programs on and off campus such as AMS Speakeasy, the Positive Space Campaign, the UBC Sexual Assault Support Centre, Women Against Violence Against Women as well as SFU’s Peer Support program, Nightline.

* **“Peer Support: Taking Advice from a Friend” by Barun Singh, in the March/April 2005 edition of the Massachusetts Institute of Technology (MIT) Faculty Newsletter, which can be found at <http://web.mit.edu/fnl/volume/184/singh.html>.**

Save the Dates!

September 9th, 2010

The CFLS and the Law & Society Speaker Series are co-sponsoring a talk by Susan Bazilli, and a screening of her film, *Constitute!* Popcorn! Beverages!

October 6th, 2010 6:30– 8:30pm

Forum on Specialized Domestic Courts

At the Vancouver Public Library — Co-sponsored by the Jane Doe Legal Network, PIVOT Legal Society and the CFLS.

Lectures at the CFLS

The Centre for Feminist Legal Studies offers both a **weekly lecture series**, and the annual **Marlee Kline Lecture in Social Justice**

—see “*These Are Not My Laws*” (page 8) for one student’s experiences with these lectures.

The **weekly lecture series** provides an opportunity for critical reflection on law and society. This year’s line up of speakers will address a wide array of topics, including feminism and international criminal law, the *Charter* and Indigenous women, and the controversy around Quebec’s anti-veiling law, Bill 94. For the complete list of Fall speakers, see page 17, or check out the CFLS website.

The **Marlee Kline Lecture in Social Justice** honours the memory of Marlee Gayle Kline. Professor Kline died in 2001 after a lengthy and determined struggle with leukemia. Her work on feminist legal theory, child welfare law and policy, laws continuing colonialism, and restructuring of the social welfare state is internationally acclaimed.

Save the Date!!

The Marlee Kline Lecture in Social Justice will be held on the evening of March 3, 2010. This year’s speaker will be Professor Ruthann Robson of the City University of New York Law School.

Anti-Sexist Male Allies at UBC Law

Amin Sabzevari, Law III

The CFLS is a great organization to get involved with during your time here at UBC Law. Men are invited to join any of the programs run by the Centre, and the CFLS is particularly interested in finding men who want to become part of an anti-sexist allies group.

Most men here at UBC law would say that we support gender equality, and some of us seek out opportunities to learn about gender issues while in law school. While it is great that we hold these views, and that we study equality and theories of justice in our classes, this really isn’t enough. Law school is a time, not only for learning about the law, but for learning more about our society, and for pushing beyond our comfort zones to discover

what we are truly capable of. It is so important that we do more than think about gender equality – we need to put our beliefs into action, and joining the allies group is a great way to do this.

I have found the CFLS to be a very welcoming place to volunteer. The lending library is full of great resources, including a new book specifically for male anti-sexist allies, by Paul Kivel entitled *Men’s Work: How to Stop the Violence That Tears Our Lives Apart*. If you are interested in doing some work in the service of gender justice, contact myself, Amin, the CFLS Equity Education Coordinators, Jen Flood and Katie McConchie, or the student coordinator at the CFLS, Kalamity. You can email any of us at: cfls@law.ubc.ca.

The Imbalancing Act

Catherine Kim, Law II

I had a lot of questions coming into law school. I wondered what law school would be like, how one coped with law school stress, and how people found the transition from student to fledgling lawyer. For nearly every question I had, the answer given to me from lawyers, students and faculty alike contained a word that now sends a shiver down my spine: balance.

I was told law school involved a reasonable balance of work and fun, that the law school student body was composed of a good balance of diverse personalities. I was told the best way to cope with the stressors of law school was to maintain a healthy balance by making time for non-law pleasures, to maintain a balanced diet and to exercise. At various wine & cheeses and firm tours, I was even convincingly told by the odd lawyer that they were indeed able to maintain balanced lives.

Looking back on my first year of law school, I feel like the far more pertinent word would be “imbalance”. There were many times when my diet was anything but balanced — when I was so overwhelmed with pressures that I felt chemically and mentally imbalanced. I had been given so many glorified spiels on “balance” that, because I wasn’t able to maintain such a balance, I felt I’d deceived UBC Law into thinking I was a worthy *Juris Doctor* candidate. This balance may well come more easily for some people, but I can’t help but feel cynical now for being led to think balance would be so simple when for many peo-

ple, it feels like the proverbial holy grail.

The notion of ‘balance’ also reminds me of an encounter which also led me to question my place and potential for success in the legal profession. A partner of one of Vancouver’s large firms drew my attention to a couple of disheartening trends. First, he noted the high turnover rate among female lawyers, both within and beyond his firm, and second, he described the relatively high number of female lawyers who drop out of the profession altogether. He stated that this seemed to happen when women were confronted with the choice of “family” versus “career” Again, the idea of balance. I appreciated his candor. The struggle to balance family and career is an undeniable reality for everyone, though somehow this is usually framed as something only women need to consider. A second lawyer pointed to another phenomenon: while so many of the highest achieving students in law school are female, most of the highest achieving lawyers in the profession are male. He further added that while we like to think of the legal profession as a level playing field, the reality is that it’s the furthest thing from it.

He was right — the legal profession is largely characterized by power *imbalance*. Legal and political decisions are made by a very strong and still quite homogenous minority. Long before anyone arrives at law school, social forces have worked to boost some along the path to law, while barring others. Once we are here, the hard work and merit that leads one

(Continued on page 15)

These Are Not My Laws *continued...*

with new understandings about the broader impact of legal concepts outside of precedents and courtrooms. I leave with ideas about how to utilize the legal principles I am studying to do the work that I hope to commence once I graduate. I walk away reminded that everything I am learning in law school will help me in challenging oppression and trying to create change.

Another event that highlights critical perspectives on the law is the annual Marlee Kline Lecture in Social Justice. Once a year, a distinguished guest speaker is invited to speak in honour of the late UBC Law Professor and her work. The importance of this lecture cannot be overstated. The work that the guest speakers are doing is in the same spirit as that of Professor Kline – anti-racist feminist work that often addresses the legacy of colonialism.

The 2010 Marlee Kline guest speaker was Dr. Tracey Lindberg, Faculty of Law, University of Ottawa. Her talk entitled, “DE(CON)STRUCTION: Canadian Law and Indigenous Women” was especially meaningful for me as an Aboriginal woman of Métis and non-status Cree heritage. Dr. Lindberg is of Cree and Métis citizenship and her talk focused on the importance of Indigenous legal traditions. Through a series of letters written to her niece, to whom she is a “little mother,” Dr. Lindberg’s address focused on the significance of Indigenous knowledges for Aboriginal women in their everyday lives. Her correspondence with her niece was more than a

series of letters giving advice and offering support; her missives were truly *words of wisdom* passing on legal theory and traditions from one generation to the next.

At one point, Dr. Lindberg described her own position within and as a part of the Canadian legal system. She stated that Canadian law is not her law and that she is a translator, someone who has the power to interpret from one realm of legal tradition into the other, and to see how the dominant legal system and colonialism have influenced the traditional legal systems of her peoples. Given my personal context, I was riveted by Dr. Lindberg’s words. But, I was not the only one. In my class the following week, the course component for the First Nations Legal Clinic, a non-Aboriginal student articulated how deeply affected she had been by Dr. Lindberg’s talk. This student spoke about how attending the Marlee Kline lecture had further helped her to appreciate the point of view of many of the Clinic’s clients, all self-identifying Aboriginal peoples, in their interactions with the Canadian legal system.

In this moment, I was yet again reminded of how essential it is that avenues for critical thought about the law be present in law school. These spaces have the potential to bring people with totally different lived experiences and, therefore, outlooks on the law and legal systems, together. These types of events open doors for cross-cultural discourse and allow people from different backgrounds to ex-

(Continued on page 14)

These Are Not My Laws *continued...*

change ideas about how, for example, Canadian law functions as a continuing mechanism of the colonial project.

I am grateful for the venues for analytical thought and critical discussion about *the law* that do exist at UBC Law. Although few, they matter because I know that I am not alone in how I feel about Canadian law. For a multitude of reasons there are likely quite a few law students who feel the same way – that Canadian law does not necessarily reflect or embody their values, traditions, and/or ways of being and knowing. What we learn about in most UBC law school classrooms is the laws and rules acknowledged by the Canadian courts. Without other forums for discussion people for whom that law is only one part of the legal context that they work with and within would not have opportunities to connect with others who desire to question, deconstruct, and confront the

ways in which the dominant legal system effectively overshadows other legal traditions. The CFLS Lecture Series and the Marlee Kline Lecture in Social Justice are two examples of places to find alternative riffs on *the law* at UBC. It is my hope that in time the conversations like the ones that occur in these spaces will more commonly be found as a part of formal legal education.

*Note: Even as I was writing this piece the Indigenous Legal Traditions course, which was being offered for the first time this year at UBC Law, was cancelled. While I do not doubt that there may have been good logistical reasons for this and that the cancellation was deemed necessary, I have to ask, why was this the course that had to be excluded? Why wasn't this course considered vital when it came down to making a decision about necessary changes to the courses offered?



Welcome to the newest member of the feminist community at UBC Law: Maia Kelly!

The Imbalancing Act *continued...*

to success in law school can often be overshadowed in the legal community by factors like who you know, what your class background is. Or what you look like. I remember, last year, after the largest wine & cheese event of the year, the conversations at school centered on who got invited out to dinners and drinks, and with which firms. What struck me was that these invitations didn't seem completely — or even primarily — merit-based. The thinly-veiled trend appeared to be that, especially for the female law students, many of the invitees happened to also be very attractive. I find it both fascinating and disturbing that, on this law school “playing field,” where all the players are educated and intelligent adults, it remains true that things are not “level” at all — the factors that can give one law student an edge over another can be of the most superficial nature.

To my mind, these themes of ‘balance’ and ‘imbalance’ tie in with feminism and a commitment to anti-oppression. Feminism and other anti-oppression frameworks promote an awareness of factors that lead to power imbalance, be it gender, race, class, religion, disability or age, and aim to reduce these imbalances through empowerment. This sense of empowerment enables us to resist the dominant notion of ‘balance’ that is tossed around in law school and the legal profession. That vision of ‘balance’ was concocted by a powerful minority. It reflects their experience of privileged access to resources and their interests, but it does not reflect the interests and experiences of everyone. We do not have to let the

world view of the dominant group determine our choices.

Having become increasingly aware of the reality of power imbalances within the legal profession, and of feminist, anti-oppression theory, I'm feeling more motivated than ever. Like many of us here, I like a challenge, and the rewards of overcoming a challenge become far sweeter when the obstacles seem especially daunting. I now frequently remind myself that definitions of ‘balance,’ like definitions of ‘success’ are relative. Setting our own standards in a competition-driven environment such as law school is no easy feat, but it is important to remember that there is no one optimal way to achieve a ‘balanced’ lifestyle or peace of mind. We each arrive at law school facing different challenges, some personal, some imposed by an inequitable society; we must be true to ourselves and make the choices that work best for us.

The balance we achieve while juggling the law school workload and other demands like those of family/parenting, work and/or disability might look nothing at all like the ‘ideal’ — that holy grail that we are all told to strive for, but which may, for many of us, literally be out of reach. So, as we start this new academic year, I encourage us all to remain compassionate and nonjudgmental when it comes to the state of ‘imbalance’ we each find ourselves in, and to confront with a critical perspective the endless admonitory chorus of “balance, balance, balance!”

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 50s, Auriol started her university education, graduating with first class honours in 1983. She loved life, people and ideas.

Nominations or applications for the award must be submitted to Professor Susan Boyd, Chair in Feminist Legal Studies, by Friday, April 2, 2011. Please submit via email to boyd@law.ubc.ca. Please provide a letter explaining the candidate's contributions to feminism and law and attach the candidate's resume.

Marlee G. Kline Essay Prize



The **Centre for Feminist Legal Studies** will award a \$250 prize to the best essay written by an J.D. student attending UBC during the 2010-2011 academic year, addressing the themes identified in the side quotation in relation to a topic dealing with law or legal regulation. The prize is offered in the name of Marlee Kline, a feminist U.B.C. law professor who died in November 2001. The essay should be written for a U.B.C. course, seminar, or directed research project and must incorporate feminist research and analysis.

Length: The essay shall be between 4000 and 10,000 words, and shall be typewritten and double-spaced, using 12 point font.

Selection: The submissions will be reviewed by a committee consisting of feminist law professors and students.

Submission: Students should send essay submissions to Professor Susan Boyd, Director of the Centre for Feminist Legal Studies, Faculty of Law, University of British Columbia, 1822 East Mall, Vancouver, B.C. V6T 1Z1. boyd@law.ubc.ca

DEADLINE: May 7, 2011

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

(Marlee Kline, 1989)

CFLS 2010 FALL LECTURE SERIES

Lectures are held each Tuesday from 12:30-1:30 Usually in Room 107, UCLL

Susan Boyd CFLS Director and Professor, UBC Law & Kalamity Hildebrandt CFLS Student Coordinator	WELCOME! Come to Room 107 in the UCLL and Learn about the CFLS, its programs and services and discuss feminism in law school with feminist faculty and law students	September 14, 2010
Susan Boyd , CFLS Director and Professor at UBC Law Feminist Faculty and Staff	CFLS Open House! Meet us outside of the UCLL and we will walk you over to the Centre, OR, just meet us at the Centre in Rooms 114 and 116 of Mary Bollert Hall	September 21, 2010
Julie Shugarman National Association of Women and the Law, Caucus Revitaliza- tion Project	“National Association of Women and the Law”	September 28th, 2010
Darcie Bennett PIVOT Legal Society, Re- searcher and Jane Doe Legal Network Coordinator	“Enhancing Access to Justice for Women who have Experienced Violence: Providing Services and Taking on the System”	October 5th, 2010
Andrea Vollans YWCA Legal Educator, Researcher with the UBC Centre for Women and Gender Studies, Community Visitors Program	“It’s Not Over Yet: Court-Related Abuse and Harassment of Women Leaving Abusive Relationships”	October 12th, 2010
Doris Buss Associate Professor, Carleton University, Department of Law	“Is International Criminal Law Feminist?”	October 19th, 2010
Efrat Arbel SJD candidate, Harvard Law; Canada Research Fellow at Harvard’s Weatherhead Center for International Affairs	“Regulating Rights: Gender, National Identity and the Human Rights Paradigm in Canadian Refugee Law”	October 26th, 2010
Nicole Barrett Director of International Crimi- nal Law, International Centre for Criminal Law Reform and Criminal Justice Policy	“International Gender-Based Crimes”	November 2nd, 2010
June McCue Assistant Professor, UBC Law <i>to be confirmed...</i>	“Peace and Security: The Charter and Current Legislative Reviews that could Impact Indigenous Women in Canada”	November 9th, 2010
UBC Law Feminist Faculty and Upper Year Students	Exam Tips	November 16th, 2010

Contact Us!

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