



Queen's
UNIVERSITY

**Feminist
Legal Studies**

Gender, "Progress", and Development:
Equality, Sustainability, and Dimensions of Care

*International Women's Day Annual Conference, Feminist Legal Studies and the
Faculty of Law Queen's University
Kingston Ont., March 8-9, 2024*

Biographies and Abstracts

Featured Opening Panel and “Fireside” Conversations



Bev Baines

Bio: Beverley Baines is a Professor of Public and Constitutional Law with a passion for illuminating the legal strategies the patriarchal state deploys to deny women their right to equality which is guaranteed in the Canadian Charter of Rights and Freedoms. Her passion dates from her involvement as a feminist constitutional consultant, first to the Canadian Advisory Council on the Status of Women and then to the Ad Hoc Committee of Women on the Constitution during the Charter debates of 1980-1982. She co-edited two books on women and constitutional law: *The Gender of Constitutional Jurisprudence* (2005) and *Feminist Constitutionalism: Global Perspectives* (2012). Professor Baines published papers and delivered international conference presentations that focus on giving voice to the intersectional claims of religious women living polygamously, wearing the niqab in Ontario courtrooms, and delivering and receiving public services in Quebec. She also has talked and written about gender and the legal profession, including the Trinity Western law school controversy, United States Supreme Court Justice Ruth Bader Ginsburg’s call for the appointment of nine women justices on the American Supreme Court, and the history of women law professors in Canada. Her current SSHRC research projects focus on how judges might decide women’s equality rights cases from the perspective of feminist constitutionalism.

Abstract: Supreme Rights

Section 52(1) of the Constitution Act 1982 declares that the “Constitution of Canada is the supreme law of Canada”. How should we talk about the rights and freedoms guaranteed in the Canadian Charter of Rights and Freedoms? Are they “supreme”? Do they remain “supreme” when judges balance them against policies that governments have enacted into legislation rather than against other Charter rights and freedoms. In the judicial discourse of contestation about the “values” of rights and limits, are Charter rights and freedoms protected or silenced? What are the pros and cons of feminist constitutionalism re-opening this controversy?



Kerri Froc

Bio: Dr. Froc received her Ph.D. from Queen’s University (2016), her Master of Laws from the University of Ottawa (2009); her Bachelor of Laws from Osgoode Hall Law School (1996); and her Bachelor of Arts from the University of Regina (1993). Her research focus is women’s rights and constitutional interpretation.

A well-known media commentator, she has been quoted as a constitutional expert in regional, national and international media outlets. She recently completed her term as the Chair of the Canadian law reform organization, National Association of the Law.

Abstract: The State of Charter s.28 and Why it Might Matter for Reproductive Rights in Canada

On February 29, 2024, the Quebec Court of Appeal in *Hak v Quebec* provided the first comprehensive examination of *Charter* section 28’s function in Canada. It found that section 28, which guarantees rights equally to “male and female persons,” had a limited interpretive function only. It could not be used independently to invalidate a law.

In its constitutional challenge to New Brunswick’s *Regulation 84-20*, the Canadian Civil Liberties Association refers only to sections 7 and 15 of the *Canadian Charter of Rights and Freedoms* in its pleadings. The Regulation excludes clinic surgical abortions from Medicare funding. A 2023 report by University of New Brunswick researchers found that women in the province still face practical barriers in obtaining abortion access and link these problems to Regulation 84-20. The New Brunswick government’s Statement of Defence in the action asserts, among other things, that there is no “constitutional right to abortion” enshrined in the *Charter*, that there is no positive obligation under the *Charter* to provide Medicare funding for surgical abortions outside hospitals, and that Regulation 84-20 does not discriminate on the basis of sex. Therefore, the Regulation does not offend the *Charter*.

In my presentation, I will argue that *Charter* section 28 is applicable and should be considered by a court deciding the constitutionality of Regulation 84-20. Contra the Quebec Court of Appeal, section 28 has a broad interpretive function, mandating that courts employ a “gender lens” over the entire *Charter*. It also functions as an independent right violation and has a protective function, blocking the effect of other *Charter* provisions that could result in unequal rights. All of these functions are potentially relevant in the aforementioned litigation.

Many anticipate that *Hak* will be appealed to the Supreme Court of Canada. I will discuss whether and how, should the Quebec Court of Appeal's interpretation of section 28 hold, this could negatively affect reproductive rights in Canada. Conversely, if the Supreme Court overturns *Hak* and provides a robust interpretation of section 28, this would enhance the likelihood that courts will recognize provincial healthcare funding decisions restricting abortion access, as violating the *Charter*.

Jennifer Nedelsky



Bio: Jennifer Nedelsky received her Ph.D from the interdisciplinary Committee on Social Thought at the University of Chicago in 1977. She held a Killam Post-Doctoral Fellowship at Dalhousie, during which she took 6 law courses. She began her full-time teaching career in 1979 at the Politics Department at Princeton University. She joined the University of Toronto in 1985 and held a joint appointment between the Faculty of Law and the Department of Political Science until 2018. She left to join Osgoode Hall Law School at York University in part because Osgoode created a 50% appointment for her. Her first book was *Private Property and the Limits of American Constitutionalism*, followed by *Law's Relations: A Relational Theory of Self, Autonomy, and Law* (2011). Her latest book is jointly authored with Tom Malleon, *Part Time for All: A Care Manifesto* (Oxford University Press, 2023). She is now returning to her book manuscript, "Judgment in Law and Life," building on the unfinished theory of judgment of Hannah Arendt, her dissertation supervisor. She is also returning to her work on property, to re-envision property law as founded on a sense of mutual care for and from the earth. The property project will be part of a larger project on revisioning constitutionalism from a more than human perspective. She is married to Joe Carens and the mother of two sons, Michael (1987) and Daniel (1990); their care and relationship have shaped all her work. Her appointment at Osgoode will end December 2024 and she looks forward to exploring new opportunities.

Abstract: Communities of Care with Part Time for All

Part Time for All (PTfA) calls for life long participation in unpaid care from everyone who is able. The norm would be about 22 hours a week, enabled by a norm limited paid work to 30 hours a week. The crisis in care cannot be resolved without restructuring both work and care, since the two are interdependent. And equality can never be achieved with care is organized around hierarchy . PTfA would end the care/policy divide that arises when those in power have almost no experience of care and those with experience of care cannot access position of power. As long as one group of people make the policy and a different group provides the

care, we will have ignorant policy makers and devalued care and care-givers. When the immediate care needs of family and friend recede, we envision people forming chosen “communities of care.” The long term reciprocal obligations of mutual care would generate a kind of gift economy. This would be part of the fundamental revaluing of care that we see Part Time for All accomplishing.

Conference Panelists



Ladan Adhami-Dorrani

Bio: In a world that has madly become violent, Ladan after finishing her Ph.D. dissertation (waiting defence) in Social and Political Thought at York University decided to stay a student for life. She has embarked on a journey to learn how to unlearn what she has learned. In a manuscript book entitled *The Mainstay of the Law and the Perpetuation of Inequality* that will be published by Lexington Books, an imprint of Rowman & Littlefield, Ladan questions Western reason and the value neutrality at the self-centered liberal democratic and legal system in the United States. From racial/ethnic inequality, to gender disparity, from class discrepancy to unequal treatment of those whose sexual orientation has historically relegated them to the periphery, Ladan with a passionate conviction joins the counter-hegemonic voices raised by postmodern, postcolonial and critical feminist perspectives. Given that there is no way to accept defeatism, Ladan calls for political participation accompanied with inclusive Love that invites substantial changes for a peaceful and sustainable future.

Abstract: The Ingrained Emotional Alienation in Amor Mundi

The brilliant and ever relevant Hannah Arendt, whose intellectual activities made her one of the most outspoken anti-authoritarian and anti-totalitarian figures of the 20th century, in *The Human Condition* speaks about world alienation. Arendt's texts shed light onto the covert and overt violence of modernity proliferated by modern nation states that call for political participation in order to create a strong political bulwark against authoritarian and totalitarian ideas, movements and governments. Arendt's love of the world, or what she calls *amor mundi*, is derived from her political and ethical conviction that plurality is the law of existence. Although Arendt invites the inhabitants of the world to love the world, she considers emotions not only as part of the heart; but also, believes that, 'there is no continuity or certainty in man's ever-changing moods and the radical subjectivism of his emotional life.' While appreciating Arendt's significant contribution to the world and well beyond, there is an ingrained emotional alienation in Arendt's *amor mundi*. Arendt's disapproval of the entrance of emotions in the public sphere is well-rooted in her phenomenological essentialism which does not look at non-Western societies where emotional connectivity sets the tone for everyday interaction among the inhabitants of those localities promoting *amor mundi*, or the love of the world.



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 (since its inception), co-organizing an annual International Women's Day event for well over a decade. 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 several issues related to equality, AI governance, algorithmic error and discrimination, food law and governance, race and IP, and care and caring relations. Her publications include books, *State Agency and the Patenting of Life in International Law: Merchants and Missionaries in a Global Society*, (Aldershot: Ashgate Publishing Company, 2009); *Trademarks and Unfair Competition - Cases and Commentary on Canadian and International Law Second Edition* (Toronto: Carswell, 2014, with Carys Craig); and *The Elgar Companion to Intellectual Property and the Sustainable Development Goals*, (Northampton: Edward Elgar, 2024, with Caroline B. Ncube and Matthew Rimmer (eds)).

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

Abstract: Blue Sky Solutions: A Transformative Vision for the 2030 Agenda (non-presenting authors Caroline B. Ncube and Matthew Rimmer)

The coda draws out several reoccurring themes at the heart of the relationship between IPRs and SDGs. These include: (1) the relationship between human rights and sustainable human development; (2) the role of international institutions and instruments; (3) the centrality of the nation state in reconciling competing obligations under trade-related intellectual property rights and human rights law; (4) the politics of private power and public law animating the inequalities between systems of exclusion with intellectual property rights exclusions and counter-movements and claims for inclusion through human rights instruments and pursuant to the global commitment made to the SDGs; and (5) the significance of partnerships and sustainable finance.

This presentation will also incorporate elements of her independently contributed chapter on Sustainable Development Goal 10, to *reduce inequality within and among countries*.



Elahe Amani

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

Abstract: The Vicious Cycle of Feminization of Poverty and Violence Against Women

This presentation explores the nexus between the feminization of poverty and violence against women. While gender is becoming a primary driver of poverty, research suggests that women living in poverty are disproportionately affected by domestic violence. Globally, women-led households and single parents are the poorest, perpetuating a cycle of poverty. Black women face higher rates of divorce and poverty compared to White women. Poverty exacerbates vulnerability to violence, including domestic abuse and trafficking. Solutions include employment opportunities, paid leave, legal support, and global initiatives aimed at empowering women to break the cycle of poverty.



Carolina Araujo

Bio: Master's student in Constitutional Law at the Law School of the University of São Paulo (USP). Visiting researcher at Queen's University, Canada, focusing on 'Gender and University' studies. Researcher at the Center for Constitutional Studies at the University Center of Brasilia (UniCEUB), specializing in feminist constitutionalism. Author of the book 'Constituent Power of Women in Brazil'

Abstract: Charting progress: Women's contributions in the 1988 National Constituent Assembly and the legacy of Women's Rights in Brazil

My research explores the relationship between women and the exercise of constituent power in Brazil, with a focus on the collaborative efforts of 26 female deputies during the 1988 National Constituent Assembly. I

examine the “suggestions” and “amendments” concerning gender-related issues that these deputies presented to the Assembly’s eight thematic committees. Beyond the deputies' contributions, the women's civil society movement, known as the "Lipstick Lobby", marked the largest female mobilization in Brazil's history. My empirical research reveals that 32% of popular “suggestions” originated from women in civil society. The movement effectively collaborated with parliamentarians, achieving the approval of approximately 80% of activist demands, which included the recognition of gender equality, maternity and paternity leave, free childcare in daycare centers, and the right to a domain title, irrespective of marital status. While the research underscores the significant impact of women deputies on shaping contemporary Brazilian society, some feminist movement demands did not find inclusion in the constitutional text such as retirement for housewives, full rights for domestic workers, and the legalization of abortion. The lasting legacy of the Constituent Assembly, in addition to the rights achieved, lies in the organization of women around their agendas and in the recognition of the fundamental role of women's participation in the public and civil spheres in ensuring women's progress.



Oyedeji Ayonrinde

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

Abstract: The Cuckoo and the Mockingbird: A Tale of Two Birds in the Incubation of Systemic Bias

The literary depiction of oppression, loss of liberty, institutional processes and the distressed mind in the book "One Flew over the Cuckoo's Nest" unwittingly reinforced systemic gender bias and stigma regarding mental illness and psychiatric care for decades. Immersed in the collective asylum identity, human rights and individualization were curtailed in an aviary of censorship.

Another literary piece, "To Kill a Mockingbird" seeds in the young reader's mind images of a dangerous Black man, suspect of the most heinous of crimes, the sexual assault of a woman, a White woman. Denigrated and disparaged, systemic biases are incubated, hatching and

feeding dehumanizing narratives of poverty, oppression, fear, and ultimate salvation by the "fine feathered" privileged lawyer.

How many harmful prejudices and biases have we been incubating or hatched in our individual cognitive and structurally collective nests in the name of offering safety?

It is through a humanistic and kaleidoscopic lens of understanding and appreciating each individual's plumage, against the backdrop of their structural and systemic ecologies, that we truly honour their iridescent intersections. It is only then that we can "Know Why the Caged Bird Sings".



Chante Barnwell

Bio: Chante Barnwell (she/her) is a full-time Ph.D. student in Socio-Legal Studies and a graduate teaching assistant in Human Rights and Law within the Department of Social Science at York University. Born and raised in Toronto, Canada, Her Ph.D. dissertation will unpack the intersections of visual jurisprudence, public policy, race, image digitalization and crime media archives. She holds a Master of Arts degree in Public Policy and Administration and a Master of Fine Arts degree in Documentary Media, both from Toronto Metropolitan University (recently renamed). In addition, Chante obtained her Honours Bachelor of Arts degree from the University of Toronto, where she specialized in Art and Culture, Majored in Studio (Visual Arts) and Minored in Art History. During her past graduate studies, she completed two Master's Research Papers (MRPs) and a solo self-curated MFA gallery exhibition. Her MRP topics ranged from Afro-diasporic Caribbean Canadian carnival celebrations and their relationship to Emancipation Day commemoration practices in Ontario. To urban governance and the collective implications of geographic inequity in heritage designation and planning policy within the City of Toronto. She has also presented her research papers at numerous conferences and symposiums across Canada, the United States and Europe, both in person and virtually. Beyond her academic endeavours, Chante's artistic practice includes documentary photography, narrative soundscapes and gallery installation. In addition, she has actively volunteered across the City of Toronto, contributing thousands of hours to various local, national and international reaching initiatives and organizations.

Abstract: Black Femininity and the Corporatization of Allyship Through "Woke" Advertising.

In 2020, amidst the COVID-19 Pandemic and following global demonstrations against police brutality and acts of racism experienced by

Black communities in America and beyond its borders, corporations of consumer goods and services vowed to address the role they hold in processes of anti-Black racism. As corporations strategized, new waves of seemingly culturally attuned forms of care and advertising content emerged. Defined as *woke advertising*, this marketing style is characterized by various discourses which evoke both “postrace and postfeminism” (Kanai & Gill, 2020, p. 22) while co-opting the African American antiracist and activist origins from which the original term *woke* is derived (Kanai & Gill, 2020). Drawing from arguments found in corporate law scholarship, Black feminist theory, and Cultural and Media studies, I aim to examine how corporations have employed Western neoliberal heteronormative notions of Black femininity and hip-hop cultural influence in *woke advertising* to establish a record of performative allyship disguised as a form of care for members of racialized communities particularly Black women. I argue that a corporation’s tendency to enact *woke* tactics, combined with overtly intersectional “feminist” declarations of support, perpetuate “masculine ascendancy” (Hoskin & Blair, 2022, p. 4) and “gender hegemony” (Hoskin & Blair, 2022, p. 5) over racialized women’s bodies. Furthermore, to “win identification” (Hall, 1997) with consumers, I contend that corporations use *woke* tactics to alleviate public anxieties of complicity in racist and discriminatory practices, doubling the monopolization of corporate capitalist aims. To illustrate this, I will examine a corporate advertising campaign that subverts traditional mythical Eurocentric folklore narratives by utilizing North American pop culture-based definitions of Black femininity, in particular, “Black Girl Magic”(Halliday & Brown, 2018, p. 222) and Girl Boss aesthetic (Alexandersson & Kalonaityte, 2021) thus evoking the visualization of “woke bravery” (Sobande, 2019, p. 2724), through their advertising practices.



Lindsay Marie Brant

Bio: Lindsay Brant is an Associate Director, Indigenous Curriculum Development, working with the Weeneebayko-Queen's Health Education Campus project team. She is also an Adjunct Assistant Professor in the Smith School of Business at Queen’s, and co-developed and co-taught a course called Relationships and Reconciliation in Business and Beyond. Lindsay has been recognized with two awards in 2021, an *Educational Leadership Award* from the Educational Developer’s Caucus and an *Idea’s Worth Teaching Award* from the Aspen Institute, which recognized her course in the Commerce program at Smith. She also won two Principal’s Teaching & Learning awards in the category of Indigenous Education in 2022-2023 for her work on two separate interdisciplinary and cross-institutional research teams at Queen’s University’s Faculty of

Health Sciences. Lindsay is also an accomplished storytelling, writer and poet.

Abstract: Pedagogy of Peace as Critical Indigenous Pedagogy

Lindsay (Kawennenhá:wi) Brant, M.Ed., PhD(c.) research focuses on imagining, dreaming and building decolonial futures. Through a storied approach to describing her process of developing an educational framework “Pedagogy of Peace” (Brant & Morcom, 2021) she illustrates how this transformative teaching and learning approach contributes to the inclusion of Indigenous Ways of Knowing and Being in the Critical Pedagogies spaces in higher education and beyond. Lindsay’s doctoral thesis explores the various ways in which the framework has been used, adopted and adapted across disciplines, educational, social and community contexts and more. Her research moves decolonial thought from the theoretical margins of the academy into a space where transformative praxis, through ethical engagement with Indigenous knowledges and ways of knowing, peoples, places and spaces and institutions can occur.



Nancy Coldham

Bio: Nancy is the founding partner of The CG Group, a public affairs management consulting firm based in Toronto, Canada. Nancy leads the strategy practice as well as issues, crisis and reputation management. In addition to her career highlights and recognitions, Nancy is dedicated to advancing women through entrepreneurship and political advocacy. Nancy’s volunteer commitment was recognized by her Order of Ontario (2019).

Nancy, with her social enterprise CriticalMassWomen, was the 2017 recipient of the Global Compact Network Canada Gender Equality Award in the category United Nation Women’s Empowerment Principle 4, the promotion of education, training and professional development of women. In 2014, Nancy’s commitment to advancing women and girls was acknowledged with the YWCA Toronto Women of Distinction Award for Advocacy & Political Action. Nancy has been a mentor in the Peace Through Business program of the Institute for Economic Empowerment of Women (IEEW) since 2011, working with women entrepreneurs in Afghanistan and Rwanda.

Nancy’s commitment to women entrepreneurship in post-conflict countries provided the foundation to her Master’s thesis entitled “The Gendered Enterprise of Nation-Building” which earned her, in 2013, the Governor General Gold Medal Award for academic excellence. Nancy completed her Masters in International and Intercultural Communication,

MAIIC, at Royal Roads University. Her undergraduate degree in Journalism and Political Science was completed at Carleton University.

Nancy is currently pursuing a Doctorate of Social Sciences at Royal Roads University, Victoria, B.C. Her doctoral research is focused on addressing the systemic barriers to women's leadership at the political C-level.

Abstract: Shecession, Momcession, Femboomcession: Gender Reality of Aging Precariously

Canada is a signatory to the UN Sustainability Development Goals (SDG's) Agenda, facing a 2030 deadline. Six years remain to meeting 17 goals with SDG-5, Women's Equality, standing as the enabling goal to achievement of the full agenda. Women's equality, as a global UN priority, was declared in 1975, almost 50 years ago. It is unachieved. Many of the women who celebrated the 1975 International Year of Women with its bold and clear declaration for action are now part of a greying tsunami of aging Baby Boomers, many of whom have no desire and no plan to age in a long-term care facility. Numerous studies, conferences and commissions in Ontario, Canada and the USA have been examining the potential impact the Boomer Generation will have on an already crumbling long-term care infrastructure. It's referred to as the "2030 Problem" (Knickman & Snell, 2022). The oldest of the Baby Boomers are about to turn 80. By 2040, Ontario's population over that age will nearly double. The majority of both the aging Boomers and the predicted 2040 elderly population will be women. The majority of the caregivers self-identify as women according to the Ontario Caregiver Organization's 2021 Spotlight Report. Public policy recommendations are informed by the dominant profile of the women Boomers entering their Eighties by 2030 ill-prepared for the undignified shocks associated with institutional aging. The recommendations date back 30 years based on data from the 1996 census exposing the disproportionality of women in this growing vulnerable, under-served population. A review of the federal and Ontario governments plans for investments in home care and long-term care will be assessed against the SDG-5 goal and commitments over a half-century to women; it's a Femboomcession and it can wait no longer.



Carys Craig

Bio: Dr. Carys Craig is a faculty member at Osgoode Hall Law School, York University, where she is the Associate Dean (Research & Institutional Relations), Director of the Law & Technology Program (IP Osgoode), Academic Director of the Professional LLM Program in IP, and Editor-in-Chief of the Osgoode Hall Law Journal. She teaches and researches in the areas of copyright law, trademarks, law and technology, and feminist legal theory. She is the recipient of the Outstanding Service Award from the Institute of International Education, the David Watson Memorial Prize, and multiple teaching awards including the President's University-Wide Award for Teaching Excellence. Her scholarship has been cited with approval in several landmark rulings of the Supreme Court of Canada. Dr. Craig holds an LL.B. (1st Class Honours) from the University of Edinburgh, an LL.M. from Queen's University, and an S.J.D. from the University of Toronto.

Abstract: Intellectual Property and Gender Inequality: Towards Sustainable Development – or Sustaining the Status Quo?

This chapter is concerned with the connections between the global intellectual property (IP) system and gender inequality. Goal 5 of the United Nations (UN) Sustainable Development Goals (SDGs) aims to 'achieve gender equality and empower all women and girls.' While the connections between IP and gender are not widely acknowledged, this chapter identifies the IP system's complicity in sustaining and compounding gender inequality and considers the possibility that changes to the IP system could bring about a more equal society. Part 1 begins by acknowledging some scepticism around the transformative promise of the SDGs and the potential for IP law to meaningfully advance them. Part 2 explores the relationship between gender inequality and patent law, describing and critically reflecting on the significance of the patent gender-gap. Part 3 then turns to consider copyright law and the growing evidence of its gendered implications. In both respects, the discussion critiques the World Intellectual Property Organization (WIPO) for its complacent certainty that an expansive international IP system will support innovation and creativity, which will in turn advance sustainable development and gender equality. The chapter concludes by bringing a relational feminist argument to bear to critique the neoliberal assumptions that pervade the SDGs and WIPO's response to them.



Heidi Cramm

Bio: As an occupational therapist, I worked extensively with children living with mental health issues—often some combination of anxiety, depression, learning disorders, Attention Deficit Hyperactivity Disorder (ADHD) and Autism Spectrum Disorder (ASD)—as well as with their families and schools to ensure that they were able to successfully participate in the occupations of childhood. I worked in child and adolescent psychiatry in Kingston, Ontario, a small city with a large military base. Although military families were disproportionately represented in my caseload, I could find no literature to help me understand why that might be.

When I started in my tenure-track faculty position in 2013, I had an opportunity to draw on this clinical experience and focus my interests on the mental health of military families within the Canadian Institute for Military & Veteran Health Research (CIMVHR), a pan-Canadian research network based in the School of Rehabilitation Therapy at Queen’s University. At that time, there was scant Canadian academic research focusing on military families, and a need to redress that gap. As a spouse in a public safety family, I also saw many parallel challenges and a need to extend this research to families of public safety personnel.

Through my research, I am to advance and translate research to better understand and serve the health experiences and outcomes of military and veteran families, veterans, and public safety personnel and their families in Canada, vulnerable populations with unique and historically neglected health issues. This research program has the potential to inform how government leaders, policy makers, health care providers, employers, insurers, educators, families, military personnel, veterans, and public safety personnel come to understand, recognize, and act, especially when it comes to mental health issues.

In 2021, I consolidated my research under the banner of the Families Matter Research Group (FMRG). Through the FMRG based at Queen’s University, I lead a variety of SSHRC- and CIHR-funded health and well-being applied and collaborative research designed to improve the lives of military, veterans, public safety personnel and their families. While I contribute to a variety of work across these populations, I lead a family-centred research program exploring how the occupational risks and requirements of military and public safety service shape the roles, routines, and rhythms of family life, with a keen eye to how mental health and impacts of trauma can affect families and how, in turn, families can affect the serving personnel.

Abstract: Families Matter Research Group & Garnet Families Network



Debra Haak

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

Abstract: The Status of Women in Canada

Established in 1947, the United Nations Commission on the Status of Women remains exclusively focussed on the experiences, interests, and rights of women and girls. With the recent transition from Status of Women Canada (SWC) to the Department for Women and Gender Equality Canada (WAGE), there is no longer an agency or department in the federal government in Canada that is exclusively focussed on the experiences, interests, and rights of women and girls. This paper maps the transition from SWC to WAGE to better understand what has changed and whether that change represents progress in advancing equality for women and girls in Canada. The Royal Commission on the Status of Women was created in 1967, with a mandate to “inquire into and report upon the status of women in Canada, and to recommend what steps might be taken by the federal government to ensure equal opportunities for women in all aspects of the Canadian society”. The first Minister responsible for the Status of Women was appointed within the Privy Council Office in 1971 in response to a recommendation from the *Report of the Royal Commission on the Status of Women in Canada*. SWC became a departmental agency in the federal government in 1976. In December of 2018, SWC was given departmental status. However, both its name and mandate changed. The mandate of WAGE is “to advance equality with respect to sex, sexual orientation, and gender identity or

expression through the inclusion of people of all genders, including women, in Canada’s economic, social, and political life.” The application of this “modernized” gender and diversity lens focusses on the intersection of sex and gender with other identity factors including race, national and ethnic origin, Indigenous origin or identity, age, sexual orientation, socio-economic condition, place of residence and disability. Only time will tell what this means for women’s equality in Canada. This paper begins the work of documenting the shifting landscape of women’s rights in Canada.



Terry Hancock

Bio: Terry Hancock is the Senior Legal Counsel with the Federal Court of Appeal and the Court Martial Appeal Court of Canada in Ottawa and Adjunct Lecturer in Property Law at the Faculty of Law, University of Windsor and Public and Constitutional Law at Queen’s University. A graduate of Queen’s Law (’90) and the University of Toronto (LLM ’91), Terry was called to the Bar of Ontario and practiced public and commercial litigation in Toronto for many years before returning to Ottawa to focus on judicial education. She has been actively involved in 2SLGBTQI+ advocacy and was the founding Chair of the Ontario Bar Association’s Sexual Orientation and Gender Identity Committee, the first professional organization to recognize its 2SLGBTQI+ members. Terry has written extensively on an array of subject matters, the core of which is how the law can address inequalities. Her property law course is a “lesson in history” to engage students in a better understanding of Anglo-Canadian property law concepts in the context of colonization and the ugly fiction of *terra nullius*, Indigeneity, gender and gender identity, sexual orientation, race, systemic anti-Black racism, and socio-economic class dynamics facilitated by property laws that maintain wealth accumulation and reinforce inequalities.

Abstract: “Not in my (Dog) Park”: Homelessness and The Ethics of Caring

Building on the seminal work of Carol Gilligan and the ethics of care, this presentation explores homelessness through the prism of caring ethically. It is a positive action to ensure the most basic of human existence: shelter. Women, particularly Indigenous women, are disproportionately impacted by homelessness, including hidden homelessness not easily quantifiable.

In the face of political abdication, criminalization of homelessness has, to date, been the dominant legal response. An ethic of caring, in contrast, grounds the law as a moral response to the injustice of homelessness in the context of relationships and hierarchies.

Consciously or unconsciously, Canadian courts, in some instances, have demonstrated an ability to apply the ethics of caring, but are, nonetheless, constrained from fully embracing it within the traditional winners versus losers paradigm of legal discourse. The presenter advocates for a more transparent acceptance, consistent with *Charter* values, of the ethics of caring as it relates to homelessness, the end of its criminalization, and a more robust response to the lived experiences of those who are without shelter.



Gail Henderson

Bio: Professor Gail Henderson joined Queen's University Faculty of Law in July 2016. She researches and teaches in the areas of financial regulation, securities regulation, corporate law and contracts. Her research focuses on the concerns and interests of vulnerable financial consumers.

Professor Henderson also serves as a board member and treasurer of the Canadian Community Economic Development Network and sits on the Consumer Protection Advisory Committee of the Financial Consumer Agency of Canada. She served as Associate Dean of Queen's Law from July 2020 to June 2022.

Abstract: “Dare to Dream of a Feminist Dean”: The story of Mary Jane Mossman and the human rights complaint against Osgoode Hall Law School

As an “early woman” in the Canadian legal academy, Mary Jane Mossman already had a history of making waves when, in 1987, she applied for the position of Dean of Osgoode Hall Law School. Although she had experience in senior university administration, and was a popular teacher, prolific scholar and well-connected to the legal profession in Ontario, she was passed over in favour of an “outsider” male candidate. Had she been appointed, she would have been the first woman – and first feminist – dean of Osgoode. The outraged response to the decision was a groundbreaking complaint to the Ontario Human Rights Commission brought by 121 women law students, faculty and lawyers alleging that the decision was part of a pattern of systemic gender discrimination at Osgoode and had consequences for women in the legal profession across the province. The complaint eventually settled and by the time I was a student at Osgoode, the complaint was merely a casually-mentioned anecdote. This is my attempt to tell the story of the human rights complaint from the perspectives of Professor Mossman and a few of the other women involved. It is a story of resistance, but also of care, for each other, and for the future of the legal profession. It is important that we tell

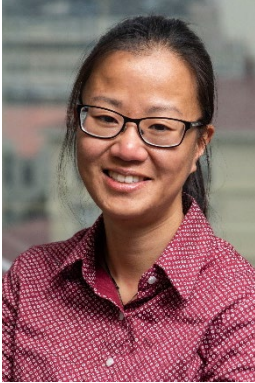
and re-tell these stories, to remind ourselves that sometimes care involves loudly identifying when gender and other forms of discrimination occur and using the legal tools at our disposal to make change.



Kathleen Lahey

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

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



Jessica Lai

Bio: Jessica is Professor of Commercial Law at Victoria University of Wellington, New Zealand. She specialises in patent law, particularly in relation to Mātauranga Māori and women. Jessica is the author of *Indigenous Cultural Heritage and Intellectual Property Rights* (Springer, 2014) and *Patent Law and Women* (Routledge, 2022), as well as numerous articles and chapters, and the editor of multiple books. She studied law and chemistry at Victoria University of Wellington, where she obtained an LLB Hons (First Class), MSc (First Class) and BSc. Jessica obtained her doctorate from the University of Lucerne, Switzerland, in 2013. Between February 2015 and July 2016, she was a Swiss National Science Foundation Postdoctoral Fellow, based at the Max-Planck Institute for Innovation and Competition in Munich. In 2021, the New Zealand Royal Society named Jessica a Rutherford Discovery Fellow.

Abstract: Intellectual Property's Other: A New Social-Natural Contract for the Advancement of Access to Clean Water and Sanitation

Intellectual property is premised on a social contract that states that society is willing to put up with an artificial reduction in competition in exchange for creation and knowledge about that creation. This is anthropocentric, triangulating individuals, society and intellectual property. But what about nature? This chapter examines how there could be natural contracts, the ways in which this could affect intellectual property law, including potentially allowing non-Western and Global South perspectives to undergird intellectual property, and whether this could improve access to clean water and sanitation. It also reflects on the gendered aspects of the social contract and how a social-natural contract might be less gendered.



Danielle Macdonald

Bio: Dr. Danielle Macdonald is a Registered Nurse and an Assistant Professor at the Queen's University, School of Nursing in Canada. Her research interests are focused on global birth and birthing care experiences, including the experiences of women and birthing people, families, and health care providers. She uses critical methodologies such as feminist poststructuralism and case study to understand and challenge the status quo. Danielle also has expertise using JBI methodologies. She facilitates the CIRCLE (Creating Inclusive Relationships to Collaborate and Learn about global Experiences of birth), to bring together people interested in birth experiences.

Abstract: Engaging in Shared Humanity Through Birth and Birthing Care

Birth connects everyone because we have all experienced at least one birth, our own birth. Some people experience several births during their life – giving birth, attending birth, or providing birthing care. As an experience that threads our shared humanity, birth fosters connections, memories, and outcomes that can influence our ongoing health and wellness. When we apply a kaleidoscopic lens to birth and birthing care, we can support personcentred approaches so that all persons involved – women and birthing people, family members, and health care providers are honoured, respected, and have opportunities to flourish.



Michele J. McIntosh

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

Abstract: Dis/location of self: Rural end-of-life caregiving

Most informal caregivers in Canada are women. Women caring for dying persons at the end-of-life have been identified in the literature as those most likely to experience negative physical and mental health outcomes such as declines in health status, depression and anxiety from caregiver burden. Researchers have noted the paucity of attention to place, particularly rural and remote locations, upon palliative care . This article contributes to the remedy of this gap; our research study aimed to better understand female provided end-of-life care-giving in rural and remote Ontario communities. In particular, we were interested in the extent to which geography intersects with gender; that is, to what extent (if any) does rural location impact end-of-life care-giving?



Claire McMenemy

Bio: Claire McMenemy Savage is a lawyer, social worker and community activist. A graduate of Cambridge University and the University of Toronto, she is currently completing her PhD at Carleton University and is a recipient of the Canadian Institutes of Health Research Doctoral Scholarship for her innovative research on the needs of family caregivers for people living with dementia. She works as a poverty lawyer and is the Gender-Based Violence Team lead at the Community Advocacy and Legal Centre in Ontario, where she provides legal advice and representation to diverse clients, including caregivers.

Abstract: Embracing Complexity: The Importance of Feminist and Transformative Mixed Methods Research on Caregiving

Unpaid, family caregiving is a complex activity that is impacted by dynamic and complex interactions of personal, community and structural factors. However, much of this complexity has been overlooked in research, creating gaps in our understandings of the diverse experiences of caregivers. These types of gaps, in turn, undermine our ability to reliably and comprehensively assess the nature, impacts and sustainability of caregiving in Canada. Focusing upon the experience of unpaid caregivers for people living with dementia (PLwD), this paper will explore the potential and limitations of dominant, single-method approaches to understanding caregiver experience. It will then outline underlying principles and examples of feminist and transformative mixed methods research on caregiving. It will highlight their potential to build the types of comprehensive understandings that are needed to assess the ways in which Canada is, and is not, meeting its stated commitments to gender equality and empowerment.

Jennifer Nedelsky



Bio: Jennifer Nedelsky received her Ph.D from the interdisciplinary Committee on Social Thought at the University of Chicago in 1977. She held a Killam Post-Doctoral Fellowship at Dalhousie, during which she took 6 law courses. She began her full-time teaching career in 1979 at the Politics Department at Princeton University. She joined the University of Toronto in 1985 and held a joint appointment between the Faculty of Law and the Department of Political Science until 2018. She left to join Osgoode Hall Law School at York University in part because Osgoode created a 50% appointment for her. Her first book was *Private Property and the Limits of American Constitutionalism*, followed by *Law's Relations: A Relational Theory of Self, Autonomy, and Law* (2011). Her latest book is jointly authored with Tom Malleon, *Part Time for All: A Care Manifesto* (Oxford University Press, 2023). She is now returning to

her book manuscript, “Judgment in Law and Life,” building on the unfinished theory of judgment of Hannah Arendt, her dissertation supervisor. She is also returning to her work on property, to re-envision property law as founded on a sense of mutual care for and from the earth. The property project will be part of a larger project on revisioning constitutionalism from a more than human perspective. She is married to Joe Carens and the mother of two sons, Michael (1987) and Daniel (1990); their care and relationship have shaped all her work. Her appointment at Osgoode will end December 2024 and she looks forward to exploring new opportunities.

Abstract: Care in More than Human Constitutionalism

More than human constitutionalism is a lens for reassessing how humans should organize themselves into cooperative communities when we take “all our relations’ into account as fellow participants in cooperative structures. I am particularly interested in the importance of care, both in terms of care for the earth and care as a mode of human to human interaction. The paper considers the core values that must be the foundation for such new forms of constitutionalism, what of traditional western constitutionalism remains useful, what are the institutional forms we should consider, what existing law and policy must be transformed if this new constitutionalism is to be sustainable, and the challenges of treating all our relation as fellow *subjects* rather than *objects* of concern. I see this essay as the starting point for a project that will bring together my earlier work on property, on a relational approach to law, on restructuring work and care, and on judgement.



Marguerite Russell

Bio: Marguerite Russell has a wide-ranging criminal practice and is regularly instructed to lead in complex criminal cases. She has built up considerable expertise in all current areas of expert evidence such as DNA, cell-site, firearms, computer systems, handwriting, psychiatric evaluations, drug trace evidence.

She has acted as Leading Junior in a significant number of high profile trials. The range of her defence work includes murder, attempted murder, manslaughter, wounding with intent, riot, and serious frauds, including multi million pound internet and carousel frauds and bribery and offences under the Modern Slavery Act, as well as major drug cases of importation and supply

Abstract: Women and Trafficking Implications for Canada and the Arctic Region

For at least the last three decades, there has been increasing global recognition that women and girls are the core victims of crime and abuse, whether emanating from traditional custom, domestic and sexual abuse and exploitation, discriminatory enforcement of laws, or the ever-increasing transnational crimes of sex and labour trafficking.¹ A decade ago, it was estimated that some 80 percent of the world's refugee and displaced populations were women and children.² Trafficking is a crime that leads to enslavement and death --whether internally within a country or internationally. Canada, despite its wealth, constitutional rights, and democratic commitments, is not immune to the trafficking of persons within its borders. And, for women and girls, especially those trafficked from Indigenous communities, death is all too often at the end of the road. This paper suggests that there are some ways to reduce and restrict some of these harms to women.



Leah Sookhoo

Bio: Leah is a registered nurse and master of nursing science student at Queen's University. With a passion for obstetrical care, she is driven to provide compassionate support to new mothers during their postpartum journey. Through her thesis work, Leah is dedicated to understanding the postpartum experiences of immigrant mothers. Committed to advocacy, she strives to amplify the voices of immigrant mothers and advocate for their unique needs within the healthcare system. Leah's dedication to compassionate care and research underscores her commitment to improving maternal health outcomes for all.

Abstract: “Culturally Sensitive Postpartum Care for Immigrant First-Time Mothers” (non-presenting co-author Danielle Macdonald)

Maternal and infant well-being is a global priority (World Health Organization, 2022). However, in Canada, the cultural needs of immigrant mothers are not always adequately addressed. Despite initiatives to support postpartum mothers, a noticeable gap exists in the delivery of health care that is tailored to the unique needs of immigrant first-time mothers during the postpartum period. The absence of targeted programs and services underscores a deficiency in providing culturally sensitive and gender-inclusive care. With a growing immigrant population in Canada, there is increasing need for postpartum care that

In the 2015 UNCHR Report, “World at War” the forced displacement of people was found to have reached unprecedented levels. At the beginning of 2014 an estimated 51.2 million fell into this category by the end of the year the number grew by 8.3 million, the highest increase ever recorded- a displaced population equivalent to that of the UK.

² *Trafficking in Persons Report*, Washington: US Department of State; 2003 and 2004; available at www.state.gov/g/tip/rls/tiprpt/2003 and www.state.gov/g/tip/rls/tiprpt/2004. See also *Trafficking in Persons Report*, Washington: US Department of State, available: www.state.gov/j/tip/rls/tiprpt/2014/index.htm.

recognizes and addresses the intersectionality of cultural and gendered factors. In this study I explore the postpartum experiences of South Asian immigrant first-time mothers in Canada, with a focus on their postpartum care experiences.



Myra Tawfik

Bio: Myra Tawfik is the Don Rodzik Family Chair in Law and Entrepreneurship and Distinguished University Professor at the Faculty of Law, University of Windsor. She is also a senior fellow at the Centre for International Governance Innovation (CIGI). She is an expert in intellectual property law, especially copyright law and capacity-building in IP literacy. Her most recent scholarship includes a monograph on the history of Canadian copyright law: *For the Encouragement of Learning: The Origins of Canadian Copyright Law* (University of Toronto Press, 2023), and a co-authored chapter (with Marcia Valiante) “SDG 9: Innovation, Intellectual Property and Gender Equity” in Bitu Amani, Caroline B. Ncube and Matthew Rimmer, *The Elgar Companion to Intellectual Property and the Sustainable Development Goals* (Edward Elgar, 2024).

Active at federal and provincial policy levels, she served on the province of Ontario’s expert panel on the commercialization of public sector IP, whose recommendations were adopted by the province in the Ontario IP Action Plan (2020). Recommendations in her co-authored report *Study of the Underrepresentation of Women and Women-Identifying IP-Rights Holders, Company Founders and Senior Leadership* (with Heather Pratt, 2021) were adopted by the House of Commons Standing Committee on Science and Research (*Support for the Commercialization of Intellectual Property* -November 2023).

Abstract: Innovation, Intellectual Property and Gender Equity (non-presenting co-author: Marcia Valiante)

One of the universal principles underlying the 2030 Agenda for Sustainable Development is 'leave no one behind'. Another is gender equality and women’s empowerment. Commentary on SDG 9 (industries, innovation and infrastructure) emphasizes the needs and aspirations of women and called for funding technological entrepreneurship and fostering innovative entrepreneurship.

Entrepreneurship is also intimately tied to women’s empowerment, gender equality and the eradication of poverty. Women-led enterprises also play a vital role in sustainable development as studies suggest that women are more committed to green entrepreneurship and sustainability.

Strengthening women’s entrepreneurial participation is critical to successfully achieving the global shift to the green economy. However, gender bias and stereotypes place women at a disadvantage from the very beginning of their entrepreneurial and innovative activities. They confront societal expectations and gender roles that discourage their entrepreneurial aspirations. Women are frequently primary caregivers and have little societal acknowledgment, let alone concrete support, for the multiple roles they play to permit them to thrive as inventors and entrepreneurs. The gender barriers exist at every point along the commercialization pipeline – from ideation to venture scale-up and every step in between.

National innovation and IP policy strategies that provide IP education, IP funding and access to IP strategic services are important first steps to achieving the objectives of SDG 9, including in supporting women. Greater IP literacy can help to build equal, fair, inclusive IP practices to foster innovation and industry. Similarly, affordable access to sophisticated IP strategy insights and advice plays a vital role in levelling the field for all. However, these mechanisms perpetuate the current gendered model of IP because they largely ignore the lived experiences of women:

“I’m the leader of the business, I’m the CEO, but I’m not the point person for the patent lawyer - my partner is on that, and largely because we find it’s easier to send an old white man to deal with lawyers than it is to send a younger lady.”³



Jessica Vapnek

Bio: Jessica Vapnek spent almost 15 years as a Legal Officer with the United Nations Food and Agriculture Organization (FAO) in Rome, travelling to member countries, drafting legislation on agriculture and natural resources, and publishing a number of articles and books. An Associate Dean and Professor of Practice at University of California College of the Law, San Francisco (formerly UC Hastings), Jessica has worked in or traveled to more than 90 countries in her career. She continues to do occasional work as an expert for the United Nations, for example reviewing the veterinary legislative frameworks of Malawi and Bhutan and a draft food safety law in Nepal. She is a graduate of Yale University and Berkeley Law School, where she was Editor-in-Chief of

³ Myra Tawfik, Heather Pratt, *Study of the Underrepresentation of Women and Women-Identifying IP-Rights Holders, Company Founders and Senior Leadership: Final Report to Innovation Asset Collective* (2021).

the California Law Review. Jessica lectures annually on agricultural legislation at Tulane Law School's International Legislative Drafting Institute, which gathers drafters from around the world for an intensive two-week course. She also lectured there – in a hybrid format with Don Revell, former Chief Legislative Counsel for Ontario, Canada – on gender-silent legislative drafting, during the pandemic.

Abstract: Gender-Silent Legislative Drafting in a Non-Binary World
(non-presenting co-author Don Revell)

Language is only a small part of discrimination, yet its effects are pervasive. Drafting conventions shifted over time to reflect women's changing legal status, and the premise of this presentation is that a similar change is needed to reflect and support the legal recognition of non-binary genders. Although some jurisdictions are already accounting for non-binary genders in legislation and government forms, other jurisdictions (and legislative drafting offices) could and should do more. To account for non-binary genders, the presentation proposes a legislative drafting style entitled "gender-silent legislative drafting" and it offers practical guidance on how to implement the style.



Rosemary Wilson

Bio: I am an Associate Professor in the School of Nursing/ Department of Anesthesiology at Queen's University and a Nurse Practitioner in chronic pain care at Kingston Health Sciences Centre. I am currently the Associate Director, Graduate Nursing and Health Quality Programs in the School of Nursing and the Deputy Director of the Queen's Collaboration for Health Care Quality. I have been a nurse for 31 years and an NP in pain care since 2000 and have practiced in diverse settings: home care, acute care medicine and surgery and outpatient specialty care in Canada and in sub-Saharan Africa. I have expertise in opioid prescribing, deprescribing and risk prevention. I do research in topics related to acute and chronic pain care in all kinds of settings.

Abstract: Gathering Care Resources for Persons Experiencing Complex Health Challenges

Cassell (2002) challenges us to conceptualize suffering as including loss of integrity and intactness as persons: it is intertwined with well-being and meaning-in-life. The lens that has informed how I have moved through academic and clinical practice is consistent with this conceptualization and has focused my activities toward bringing resources to that persons that need them for meaning making and the achievement of optional well-being. Caring for persons experiencing complex chronic conditions - specifically chronic pain - in the clinical environment has meant

recognizing the social, financial, existential AND physical impacts on access to resources for meaning making in our local community and in other contexts. I am a gatherer of things, people, ideas and answers.



Yuanjin Xia

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

Abstract: Towards a Care-Focused Theory of Contributive Justice

Within recent empirical studies of the labour market, there are three topics with a disproportionate impact on care labourers: the “second shift” thesis focuses on the unequal division of unpaid domestic labour within families; the “comparable worth” thesis investigates the unfairness within ways different occupations are valued and compensated; the “emotional labour” thesis focuses on the distinct form of alienation care workers experience within the instrumentalization of their caring practices. However, not all of these empirical concerns are adequately addressed by mainstream theories of justice represented by Rawls and luck egalitarians. While egalitarianism provides an abundance of theoretical resources for thinking about injustice within the “second shift” phenomena, it doesn’t provide normative foundations for comparable worth and anti-alienation. To fill this gap, I suggest that we develop a theory of contributive justice for care labour. Contributive justice concerns the normative principles for dividing and organizing works and labour that contribute to social goods. Instead of relying on a single theoretical canon, theories of contributive justice mobilize resources from multiple theoretical traditions to enrich the normative compass for the social organization of contributive activities. My paper argues that enabling contributive justice to be of service to care labour requires that we invoke multiple feminist theoretical traditions. More specifically, a care-focused theory of contributive justice should take advantage of the following philosophical canons: 1) first, it incorporates the ethics of care as a theoretical foundation for anti-alienation; 2) second, it employs elements within liberal perfectionism as a theoretical foundation for anti-exploitation; 3) finally, it makes reference to the Marxist social reproduction theory for the thinking of what justice requires on the social division of care labour.