

One Family Law for All

Alia Hogben

At issue was a proposal to bring faith-based arbitration to family law in Ontario. Thanks to the power of grassroots activism, encouragement from international organizations, and strong support from prominent and ordinary citizens, the coalition of organizations for **No Religious Arbitration** including the National Association of Women and the Law was able to convince the Premier of Ontario to make a just and fair decision.

We applaud the Premier for recognizing that the use of religious law in legally binding private arbitration for family matters is against fundamental Canadian values of equality and the welfare of families.

We worked to focus the discussion so that it was about women's equality rights and the privatization of justice. We argued that the issue was neither multiculturalism nor religious freedom and that raising these obscured the real issues. We also tried to explain why the focus should not be Muslims/Islam/Sharia/Muslim family law, as this essentially discriminates against one group of citizens.

Two professors of law, Jean Francois Gaudreault-Desbiens and Lorraine Weinrib, have stated clearly in recent articles why the use of religious arbitration jeopardizes the rights of the person as stated in the *Canadian Charter*. Gaudreault-Desbiens says fundamental questions are raised such as:

- ▲ what is the role of the State in the issue of religious arbitration?
- ▲ are there limits in private justice?
- ▲ are all issues amenable to arbitration?
- ▲ what exactly is understood about multiculturalism within the framework of Canadian citizenship?
- ▲ and what is the balance between the rights of the individual and the rights of the group?

His thesis is that the State should not intrude in matters of religion, while at the same time the State must enforce core constitutional values

Volume 24 No. 1 Winter 2006

One Family Law for All	1
Supreme Court Decision Gives Some Mothers Reason to Celebrate	3
Coalition for Women's Equality Makes Encouraging Progress	4
Government Inaction on Pay Equity	5
Women's Global Charter	6
Urgent Action Fund	7
Bonnie: We'll Miss You!	7
Section 15 - NAWL/West Coast LEAF 20th Anniversary Conference.....	8

Jurisfemme is a publication of the National Association of Women and the Law (NAWL), 1066 Somerset West, Suite 303, Ottawa, Ontario K1Y 4T3, Telephone: (613) 241-7570, Fax: (613) 241-4657, E-mail: info@nawl.ca, Website: www.nawl.ca

NAWL is a feminist non-profit women's organization that promotes the equality rights of women through legal education, research and law reform advocacy. We recognize that each woman's experience of inequality is unique due to systemic discrimination related to race, class, sexual orientation, disability, age, language and other factors. In our view, a just and equal society is one that values diversity and is inclusive of it. We are committed to working collectively and in coalition with other groups to dismantle barriers to all women's equality.

Editors

Louise Langevin, Maneesha Deckha

Jurisfemme Co-ordinator

Rachel Cox

Contributions of articles, notices and resource information are encouraged. We reserve the right to edit submissions.

NAWL gratefully acknowledges the financial support of the Women's Program, Status of Women Canada. ISSN 0835-0892

NAWL Staff

Executive Director

Bonnie Diamond

Director of Legislation & Law Reform

Andrée Côté

Administrative Officer

Pam Mayhew

Communications Officer

(Position vacant)

National Steering Committee

Louise Langevin (*Québec*)

Kerry Lynn Okita (*Vancouver*)

Yvonne Peters (*Winnipeg*)

Chantal Richard (*Ottawa*)

Alana Patterson (*Halifax*)

Regional Representatives

Ontario

Alison Dewar, Ottawa

Atlantic

Louise Aucoin, Moncton

West/NWT

Sarah Lugtig, Winnipeg

Québec

Louise Riendeau, Montreal

BC/Yukon

Maneesha Deckha

such as equality and non-discrimination in all its policies. The State should have a strong interest in retaining control over constitutional values such as the "dignity and equality" of the person. Even if there is a slight risk of conflict between interpretations of religious laws and the values of international laws, the State must not allow for private arbitration. Further, he says that it is incorrect to set the argument as one of equality versus religious freedom or multiculturalism. The principle of equality is an over-arching principle in the *Charter*.

Women's rights cannot be taken for granted, and can easily be jeopardized even in a liberal, western democracy.

Professor Weinrib writes that the discussion about religious arbitration has raised "the highest principle within the modern state (...) which is to recognize and affirm the full personhood of every member

of society." She agrees that the *Charter* enshrines our values of equality, religious freedom and multiculturalism, with equality of all persons overriding other rights. The individual personhood and equality of men and women take precedence over religious life and communal membership. The state cannot justify "any encroachment upon gender equality on the basis that the encroachment respects or forwards multiculturalism."

She concludes, "it would be contrary to our constitutional framework to allow state endorsement of religious rulings that may undermine the full personhood of members of Canadian society."

From this experience of activism and advocacy, we learned some valuable lessons.

- ▲ Women's rights cannot be taken for granted, and can easily be jeopardized even in a liberal, western democracy.
- ▲ Because some see women's rights as less valuable than religious rights, there can be a huge disconnect between religion and equality rights for religious women. We learned that the issue could be manipulated by raising the spectre that multiculturalism is under threat and suggesting that valuing pluralism means promoting the practice of different legal systems by minority groups.

- ▲ We learned that for some, the rights of minority groups have become paramount, without proper consideration for the rights of the individual within the group. In a liberal democracy, religious diversity should mean that each person has the freedom to practice her or his own faith without discrimination or hindrance. The state should ensure this right so that no one group can impose its religious teachings on others.
- ▲ Muslim women must educate themselves so that the messages of Islam are not filtered and distorted through others, and we can understand the humane teachings of the faith.
- ▲ The civil justice system in Ontario has many problems - it is overcrowded, it can be racist, it is difficult for newer immigrants to access - that must be addressed so that all Ontarians will have true access to their public justice system.
- ▲ The means of creating change is through public discussion and a democratic process. We learned that we had to create partnerships and collaborate with a number of national and international organizations. We were extremely fortunate in having more than 100 organizations take on this issue, not because they felt sorry for Muslim women but because they understand that the issue is universal, fundamental, and affects more than one group of women and children. Our success showed the strength of the coalition based on justice and equality of all Canadians regardless of ethnicity, race or religion.

The means of creating change is through public discussion and a democratic process.

The work of the coalition continues. The next step is to

ensure that the government revises the Arbitration Act, reviews the Family Law Act to address its shortcomings, and enhances the court system by providing legal aid and cultural interpreters so that it is more accessible for all, including for newer immigrants.

Though there were periods when we were discouraged and disillusioned, the strength of the coalition and our belief in our goal kept us going. It has been a heartening experience and we are convinced that the partnerships will endure to work together on other issues.

Alia Hogben is the Executive Director of the Canadian Council of Muslim Women.

Supreme Court Decision Gives Some Mothers Reason to Celebrate

Lorna Turnbull

Twenty years after the Charter's equality guarantee came into effect, the Supreme Court of Canada breathed some life into the concept of substantive equality as it pertains to bearing and caring for children. We might even look at this decision as coming full circle, back to 1989 when the Court first pronounced in *Brooks v. Canada Safeway*, that "those who bear children and benefit society as a whole thereby should not be economically or socially disadvantaged..." The case is Reference re *Employment Insurance Act (Can.)*¹. In upholding the federal power to provide maternity and parental benefits as part of the Employment Insurance scheme, the unanimous Court recognized the economic costs of motherwork and stepped away from the current tendency to reprivatize women's social reproifteen weeks surrounding the birth of her child. Section 23 provides for the payment

¹2005 SCC 56

of parental benefits for a total of 35 weeks to qualifying parents of a newborn or child placed for adoption. To qualify for either of these benefits the parent claiming them must have worked at least 600 hours in the preceding 52-week period. The benefit payable is 55% of the recipient's weekly wage to a maximum of \$413/week. In families that can afford a 45% cut in income, it is the lower income earning parent who will take the leave and in a heterosexual relationship this is usually the mother. Recent figures show that 98% of maternity/parental benefits recipients are women.

Inequalities

Only claimants with sufficient workforce attachment are eligible for maternity or parental benefits, thus workers who are self-employed, working part-time or on contract and other contingent workers are excluded from the benefit. As

In upholding the federal power to provide maternity and parental benefits as part of the Employment Insurance scheme, the Court recognized the economics cost of motherwork.

a result, more than one third of new mothers do not have access to maternity or parental benefits. These inequalities are at the root of the many criticisms levelled at the scheme over the years. Women's groups have argued that the scheme was designed to meet the needs of the ideal male worker, one who worked full-time, year round, and who had a partner at home taking care of all domestic labour.

Québec

In Québec, some of these concerns have been addressed. Throughout the 1990s women's groups and organized labour worked with

the government to develop a broader and richer maternity and parental benefits scheme under the opt-out provisions of the *Employment Insurance Act*. Negotiations between the province and the federal government on cost-sharing dragged on for years. In March of 2002 the Québec government asked the Court of Appeal to rule on the constitutionality of Sections 22 and 23 of the *Employment Insurance Act*. The Court determined that the federal government did not have the power to provide maternity and parental benefits through the unemployment insurance scheme. It narrowly construed the federal power stating unemployment insurance could only cover loss of employment for economic reasons. In contrast, maternity or parental benefits were seen as part of a social program aimed at a situation that is personal in nature and therefore properly belonging within provincial jurisdiction. The Court stated that such matters of personal choice could not be covered by an insurance scheme intended to protect against unforeseeable risk.

Mixed Message

The decision of the Court of Appeal sent a mixed message. On the one hand, the more progressive Québec plan that had been hard won by a broad coalition of community activists was upheld. On the other, a finding that the scheme was outside of federal jurisdiction raised serious concerns for the continued availability of any maternity/parental benefits elsewhere in Canada. And, the regressive language of voluntariness was contrary to feminist theorizing about women's equality and social reproductive work. This mixed message perhaps explains the absence of any feminist interveners before the Supreme Court.

Supreme Court Decision

In October 2005, in a decision where a majority of the judges were women, the Supreme Court upheld the constitutionality of the maternity/parental benefits on two grounds. On the division of powers, the court held that the maternity/

parental benefits were in pith and substance a “mechanism for providing replacement income during an interruption of work. This is consistent with the essence of the federal jurisdiction ... namely the establishment of a public insurance program the purpose of which is to preserve workers’ economic security and ensure their re-entry into the labour market...”.

The Court rejected the narrow original intent approach of the Court of Appeal, although it did acknowledge the political elements at play and affirmed that the “task of maintaining the balance between federal and provincial powers falls primarily to governments”.

The Court also implicitly brought a substantive equality approach to this case. Madam Justice Deschamps recognized that, “...the benefit derived from procreation extends beyond the benefit to the parents. Children are one of society’s most important assets, and the contribution made by parents cannot be overstated.... The decision to offer women the possibility of receiving income replacement benefits when they are off work due to pregnancy is therefore a social policy decision that is not incompatible with the concept of risk in the realm of insurance, and that can moreover be harmoniously incorporated into a public unemployment insurance plan”.

This language underlines the benefit society derives from women’s reproductive labour and the collective responsibility to support women in their roles as workers and mothers. The decision also seems to recognize that maternity/parental benefits are designed to meet the particular needs of women: “An interruption of employment due to maternity can no longer be regarded as a matter of individual responsibility.”

This decision represents the strongest statement of the public, collective responsibility for the work of raising future generations since *Brooks*. At the same time, it affirms an existing mechanism for providing at least some level of that public support. The challenge it presents is that many feminists and other activists in this area agree that maternity and parental benefits are best provided outside of the unemployment scheme, where they could be expanded to cover many marginalized women who are now excluded. The current scheme is still far from meeting the needs of the most vulnerable women in Canadian society and has significant regressive implications even for the more privileged among us.

The strategic question facing activists now is how to continue to promote a broad social program with minimum national standards while advocating additions and enhancements that call into question the program’s continued existence within the *Employment Insurance Act*. As we grapple with this challenge we should not forget to celebrate the victory this case represents for women who are struggling to reconcile their roles as mothers and workers in contemporary Canadian society.

Lorna Turnbull is Associate Professor of Law at the University of Manitoba. She is the author of Double Jeopardy: Motherwork and the Law.



Coalition for Women's Equality Makes Encouraging Progress

Charlotte Thibault

This is a good time to review the agenda and accomplishments of the Coalition for Women's Equality. Formed in the fall of 2003, the Coalition for Women's Equality (CWE) works with all political parties to create mechanisms that will ensure that the government delivers on the equality guarantees for women set out in the *Canadian Charter*, the *Canadian Human Rights Act* and in international agreements such as the *Convention on the Elimination of All Forms of Discrimination Against Women*. The Coalition's members are the Canadian Feminist Alliance for International Action, the Canadian Research Institute for the Advancement of Women, the Fédération des femmes du Québec, Mediawatch, the National Action Committee on the Status of Women, the National Association of Women and the Law, the National Organization of Immigrant and Visible Minority Women of Canada, the Native Women's Association of Canada, Womenspace and the YWCA-Canada.

The Coalition has been working for:

- ▲ adoption of an Act for Women's Equality;
- ▲ a parliamentary standing committee on the status of women;
- ▲ a full-time minister on the status of women, with relevant experience;
- ▲ an adequately funded status of women ministry with a full deputy minister to oversee implementation of the Act;

- ▲ a requirement that the Auditor General regularly conduct an audit of government performance in the area of women's equality;
- ▲ an increase in the budget of the Women's Program of Status of Women Canada (SWC), and the restoration of the core funding component of this program.

The Coalition and other women's organizations successfully secured the Parliamentary Standing Committee on the Status of Women shortly after the 2004 election. This Committee then confronted the Government, inviting it to adopt measures to ensure that women actually attain the equality they are guaranteed by law. The Minister Responsible for the Status of Women, Liza Frulla, commissioned an Expert Panel on Accountability Mechanisms for Gender Equality to recommend actions towards this goal. In November 2005, she tabled the Panel's report in the House of Commons. Amongst other recommendations, the report calls on the Government to:

- ▲ Recognize that the Parliamentary Standing Committee on the Status of Women has an authoritative, ongoing role of leadership and oversight;
- ▲ Ensure that overarching policy priorities and key departments (such as the Department of Finance) include gender-based analysis;
- ▲ Introduce accountability mechanisms;
- ▲ Make NGOs an ongoing and important part of efforts to achieve equality for women;
- ▲ Strengthen the role of Status of Women Canada;

- ▲ Adopt an Act for Women's Equality, intended to guide the Government in setting up internal government mechanisms to help achieve substantive equality for women;
- ▲ Set up a complaints mechanism overseen by an authority with powers comparable to those of the Canadian Human Rights Commission or the Office of the Commissioner of Official Languages to act as a *Commissioner for Women's Equality* or an *Ombudsperson for Women*.

The Government fell the day after the report was tabled. And while Minister Frulla made public her intentions to increase funds to the Women's Program at SWC and to reinstate core funding to women's groups, these ministerial commitments remain unfulfilled.

The CWE is employing two electoral strategies that were successfully used in the 2004 federal election campaign: a website (canadaelection.net) and a document called *Still in Shock*. Both of these tools empower women to question candidates about the issues and concerns of women in Canada. The latest version of *Still in Shock* will help women question candidates on their will - and that of their parties - to deliver on the commitments made by Minister Frulla.

Charlotte Thibault is chair of the Governmental Relations Committee of the Feminist Alliance for International Action.



Government Inaction on Pay Equity

Andrée Côté

Federal sector workers have been fighting since 1977 to get their employers - Bell Canada, Telus, Canada Post, Air Canada, and the Treasury Board, for example - to meet their pay equity obligations. They have been waging epic battles, some lasting 10, 15, and even 20 years, against these big companies. The failure of the current system, triggered by complaints to the Canadian Human Rights Commission, is glaringly obvious. Isn't it time the federal government required employers to promote equality and respect pay equity? What are they waiting for?

In May 2004, after long consultations and in-depth research, the Pay Equity Task Force tabled its comprehensive report and recommended the passage of proactive pay equity legislation.

PEN Campaign

In February 2005, the Pay Equity Network (PEN), of which NAWL is an active member, unveiled its "Pay Equity is at the Heart of Equality" campaign on Parliament Hill. More than 200 women's groups, community organizations, and unions have endorsed the campaign, which calls on the federal government to implement the Task Force recommendations.

In spring 2005, PEN conducted intense lobbying in Ottawa. We met with policy advisors and MPs as well as Minister of Justice Irwin Cotler, Minister of Labour and Housing Joe Fontana, and Minister Responsible for the Status of Women Liza Frulla. All of the ministers declared their support for pay equity as a fundamental right, but this commitment has yet to translate into concrete action.

Standing Committee Motion

In May 2005, NAWL and the Canadian Labour Congress testified before the Standing Committee on the Status of Women regarding federal government inaction on the Task Force recommendations. The committee members expressed their impatience with the delays and, in a unanimous motion, called for the tabling of a pay equity bill:

The Committee believes that steps need to be taken as quickly as possible to address the wage gap between women and men. The Committee wants to see concrete action on implementation of the recommendations contained in the Pay Equity Task Force report...[T]he Committee wrote to the Ministers of Justice and Labour and Housing asking them to introduce draft pay equity legislation to implement the recommendations of the Pay Equity Task Force Report. The Committee wishes to reiterate this request by recommending:

That the Departments of Justice and Human Resources and Skills Development draft and table legislation based on the recommendations of the Pay Equity Task Force by 31 October 2005 and that the legislation be referred to the Standing Committee on the Status of Women.

Despite our lobbying, the government did not table a pay equity bill. Using an obscure parliamentary procedure - acting on the sly, to state it plainly - the government informed the Standing Committee on the Status of Women that it had no intention of tabling a bill before late 2006 or early 2007. It announced its intention to create a new task force and begin new consultations on issues such as pay equity and collective bargaining, employer and union obligations, the role of pay equity committees and the definition of an “establishment”.

Why did the government decide to reopen issues that were analyzed in depth by its own Pay Equity Task Force? Did it succumb to pressure from employers' groups? Was it putting on a show to give the impression of being interested in pay equity while doing absolutely nothing to move the issue ahead?

Many women will remember the government's empty words and broken promises when they go to the polls in January.

Andrée Côté is NAWL's Director of Legislation and Law Reform.

Women's Global Charter for Humanity

Nancy Burrows and Brigitte Verdière

The World March of Women is a global feminist action network supported by close to 6000 women's groups in 163 countries and territories throughout the world. Its primary objective is to fight poverty and violence against women.

In December 2004, following a long process of consultation, discussion and debate with women's groups in 60 countries, the Women's March adopted a **Women's Global Charter for Humanity**. This Charter describes the world that we, as women, want to build. It is based on five key values: **equality, liberty, solidarity, justice and peace**.

Between March 8th and October 17th 2005, the Charter travelled around the world, and women organized actions to raise awareness of its content, challenge decision-makers in their countries, organize debates and support their daily campaigns. During this World Relay, a solidarity patchwork quilt was constructed with a cloth

square from each country. Furthermore, on October 17, 2005, women the world over followed the sun around the earth in an action called 24 hours of feminist solidarity. At noon, in all time zones on the planet, women took to the streets to show their support for the Women's Global Charter for Humanity and the values therein and to publicly express their solidarity!

To read the Women's Global Charter for Humanity and to learn more about the World March and the actions that took place in 2005, visit this web site: www.worldmarchofwomen.org.

"The Charter is very important because it is our world view and we have built that view with the women of the world."

(Michèle, Québec)

"All the values are important. In our organization, Kilos Kabaro, there are groups who work on the environment, others on sexual trafficking and still others on food security, access to housing, lesbian rights. So each value is important since we all work on issues of equal importance."

(Jing, Philippines)

"This is an irreplaceable value for humanity to carry on."

(Ruth, Cameroun)

"The Charter contains important values if we want to build a peaceful world. In our opinion, as long as we don't understand that men and women are equal beings; as long as we don't understand that women must have freedom to take initiative and express themselves, to live and be considered persons; as long as we don't understand that tolerance is the key to everything and that solidarity allows us to go forward, we will not have peace."

(Awa, Burkina Faso)

"Greetings and love to my African sisters and friends. Before the WMW we could only share our sorrows, but now we may also share our dreams for the other world we want to build. Women for so long have tried subordination, submission, all kinds of phobias, and imitating male violence. Now it's time to try persistence in solidarity. We will win sooner or later."

(Solidarity blog on the World March's Web site, Iran)

"A special message of solidarity with African women, whose land today is the rallying point for women from all over the planet. Today we all speak with your voices and declare that we reject this world and are determined to change it."

(Solidarity blog, World March's web site, Spain)

"Our message in these 24 hours of feminist solidarity is one of compassion and hope. Because, however long the night, the sun will return, the world will change and so will women's lives."

(Solidarity blog, World March's web site, Democratic Republic of the Congo)

Nancy Burrows is the Liason Officer and Brigitte Verdière is the Communications Officer at the International Secretariat of the World March of Women.



Urgent Action Fund

Amy LaBorde

Since its inception in 1997, the Urgent Action Fund has promoted the rights of women and girls around the world through **rapid response grantmaking** and by sharing the unique knowledge and experience of its grant-recipients through research and publications. Although UAF's main office is located in Boulder, Colorado, it makes grants to women's human rights groups in more than 70 countries around the world.

Grant requests must involve projects that fall into one of the following three categories: 1) response to situations of armed conflict, escalating violence, or politically volatile environments; 2) precedent-setting legal or legislative action; or 3) protection of women human rights defenders.

Grant proposals must demonstrate all of the following characteristics: **1) strategic** - the action is related to a predetermined plan to create structural change that will advance women's human rights; **2) unanticipated** and Time-Urgent - the situation or opportunity is unanticipated and action must happen quickly in order to be effective; **3) sustainable** - the group is able to carry out the proposed action effectively, and can secure funding for future work related to the strategy; and **4) supported** - the group has the support of others involved in women's human rights or related fields, locally or globally.

This year, UAF made a grant to the National Association of Women and the Law (NAWL). In early 2005, Ontario officials unexpectedly announced that they were considering allowing the use of religious law in family disputes. NAWL contacted UAF after learning that

international experts on religious law, feminism and Islam from the Women Living Under Muslim Law network would be attending a conference in Ottawa. With a grant from UAF, NAWL held a meeting in Ottawa entitled "International Perspectives on Religious Arbitration in Family Law" to take advantage of the expertise present at the conference. The meeting resulted in the formation of the No Religious Arbitration Coalition, which launched a campaign, and on September 11, 2005 the Premier of Ontario announced that no religious arbitration would be allowed in Ontario.

If you would like to know more about UAF please visit the **website at:**
www.urgentactionfund.org.

Amy LaBorde is the Development & Communications Officer at the Urgent Action Fund for Women's Human Rights.

Bonnie: We'll Miss You!

Margret Denike and Rachel Cox

After nine years as Executive Director of NAWL, Bonnie Diamond will be retiring on February 1, 2006. Her departure is a great loss. Members, staff and volunteers at NAWL can confirm that from the moment she was hired and throughout the years of her leadership she has brought tremendous vitality to NAWL. She has shown us her remarkable skill and commitment to creating respectful and productive working relations between women within and beyond the NAWL office. Bonnie has ensured that NAWL plays a critical role in advancing the status of women nationally and internationally.

Bonnie has been a mentor and a friend to many young women, reaching out to the next generation of feminists with warmth, generosity and respect for difference. She has also demonstrated her tireless commitment to empowering women world-wide, as is evident in her work with women's organizations in Beijing, China. To give just one example of Bonnie's coalition-building skills, NAWL recently played a crucial role in the formation of the Coalition for Women's Equality, a lobby group that has been instrumental in the creation of the Parliamentary Standing Committee on the Status of Women. Bonnie also leaves NAWL with a more secure funding base, enabling the organization to freely pursue its agenda of law reform.

Bonnie's achievements are widely recognized: on November 15th, 2005, she received the Governor General's Award in Commemoration of the Person's Case. In her speech, Governor General Michaëlle Jean saluted Bonnie's courage, commitment and generosity as a steadfast champion of women's human rights.

On behalf of everyone at NAWL, we wish to extend our heartfelt thanks to Bonnie for her years of dedicated service and brilliant lobbying efforts to secure law reform for women. Bonnie, we wish you the best of luck in your future endeavours!

Margaret Denike is a professor of Gender Equality & Social Justice at Nipissing University, former Coordinator of NAWL's NSC and a member of various NAWL working groups. Rachel Cox works on contract at NAWL.

Section 15 - NAWL/ West Coast LEAF 20th Anniversary Conference

Kim Brooks

NAWL and West Coast LEAF jointly hosted a conference in celebration of the 20th anniversary of the equality provision (section 15) of the *Canadian Charter*. Women from across Canada and around the world came together in Vancouver from April 28 to May 1, 2005 to reflect on the successes and challenges that section 15 of the *Charter* has represented for women and women's equality-seeking organizations, and to strategize around how we might continue to advance women's equality interests.

The almost 400 women who attended the conference all came with enthusiasm and commitment to the workshops and plenaries. It was a pleasure to meet women who had advocated for the inclusion of section 15 in the *Charter*, and to gather with old friends.

The presentations in both the workshops and the plenary sessions covered an extraordinary range of topics. Over the four days, there were 55 workshops which covered issues from the effects of colonialism on Aboriginal women to same-sex marriage.

Three plenary sessions brought all of the delegates together. The first plenary session focused on the history of equality rights. Sharon McIvor opened the plenary with remarks on "Aboriginal Women Unmasked: The History of Aboriginal Women and Section 15 of the Charter." Mary Eberts' talk was titled, "Forged in Hope", and Andrée Côté

completed the first plenary with her assessment of “The Evolution of Equality Rights: Taking Stock of Law Reform”.

The second plenary session focused on the continuing equality deficit. Natasha Bakht addressed women, religious arbitration and culture. Suzanne Laforest discussed the daily life of deaf women, Sacha Fink drew our attention to the need for an independent women’s movement, and Carolyn Ji Jong Goossen rounded up the second plenary by raising equality issues relevant to new immigrant youth.

The third plenary session was the historic first sitting of the “Women’s Court of Canada”. The judges on that (self-appointed) high court have rewritten some of Canada’s most significant equality judgments, and delivered some of those rewritten judgments from the bench.

The Women’s Court of Canada was just one of the theatrical highlights, however. Six women presented “rants”, performance pieces with a critical focus. A highlight of those rants was Agnes Huang, who showed up fully attired as the Charter. Over lunch on the second day, Ros Salvador, Prama Tagore, and Robin Taylor provided a moving and thoughtful poetry performance. Judge Corrine Sparks’ presentation on the social and legal constructs of modern feminism and section 15 of the Charter of Rights and Freedoms concluded a very successful conference.

Kim Brooks is Assistant Professor of Law at UBC and out-going Coordinator of NAWL’s National Steering Committee.

