Feminist Engagement with Law: Challenging Gender-Based Violence Gender and Women's Studies 3356 FDE/ FDF Fall 2023 – Tuesday, 7-10 pm, zoom Dr. Lori Chambers Ichambe2@lakeheadu.ca

Course Description

The objectives of this course are: 1) for students to develop a critical analysis of policies, policing, and criminal processing of gender-based violence; and 2) for students to explore feminist responses/on-going protest in multiple forms. With an intersectional lens, we will focus on sexual assault, intimate partner violence, and disappeared Indigenous women (and more). The materials we will study are emotionally difficult and may be triggering for some. Self-care is important.

The format for the class will be that at the beginning of each unit, I will provide a summary lecture. After the first week of each of the three units, the entire class time will be spent in discussion. On the three lecture dates, I will give the lecture live on Zoom. I will tape the lecture and post it after class on D2L. Because I will be taping, I ask that you not ask questions during lecture except in the chat function. This is to ensure that only I am recorded, since we have not asked for your permission in the recording process. Once I turn off the taping function, questions in all forms are welcome. I remind all of you that the taped lectures are for this class ONLY. You are not to share the lectures with others.

Land Acknowledgement

As participants together in this course, we acknowledge that Lakehead Thunder Bay is located on the ancestral lands of the $\triangleleft \sigma \mathcal{J} \dot{\circ} \mathsf{V} \cdot \triangleleft \mathsf{P}$ (Anishinabe) people, signatories to the Robinson Superior Treaty of 1850. Lakehead Orillia is located on the traditional territory of Ojibwe, Odawa, and Pottawatomi nations, collectively known as the Three Fires Confederacy. In this class, we express our commitment to positive relationships with First Nations, Métis, and Inuit peoples based on the principles of mutual trust, respect, reciprocity, and collaboration. We recognize the continual commitment needed by non-Indigenous people and institutions to learn from and about Indigenous peoples, to acknowledge the enormous harms colonialism has perpetuated and continues to perpetuate, and to reconcile this relationship.

Required Texts

You do not need to purchase any texts for the weekly readings for this course. However, you may wish to purchase the book/film you will review for one of your assignments (list of choices below). Order such materials early as delivery may take a while.

Weekly readings are listed below. Do not be alarmed by the volume of material listed. Only some of the reading is required. Required readings are listed first for each week; read them all. In addition, you should read materials of particular interest from the recommended list. (Of course, you can also choose movies and podcasts etc. in lieu of reading for these extra items). Listen to your peers who will have read other things. Try to integrate the themes from all the readings and viewings. Recommended materials are intended to provide you with a comprehensive bibliography for your own interest and reference. You should NOT expect to complete all the recommended material.

NOTE: The reading list is a work in progress. You should feel free to post other things. I am happy to be given additions to the recommended readings, films, music, art, and podcasts.

Evaluation

Seminar participation: 20% (grade delivered in two portions of 10%)

Book or film review: 30% Due: week 5, October 5, 2023 Unit response journal: 30% Due: week 10, November 9, 2023 Creative portfolio: 20% Due: week 12, November 23, 2023

Participation

Discussions require that everyone participates (speaks, writes on D2L, and listens) in a meaningful and civil way. While there will be lots of disagreement and debate, everyone is expected to be respectful of others in the class. This requires that we listen to and value ideas and political positions that are different from our own. Personal attacks, gender and racial slurs, disrespectful comments on ability or sexuality, or other such behavior is not respectful, constitutes academic misconduct, and will not be tolerated. We must also be mindful of less overt comments that may be harmful. For example, racism is not only evident in meanness, but also in beliefs such as 'equality is color-blind' or 'I am not racist because I have a Black/Indigenous friend'. Finally, in dealing with these difficult subjects, personal details may be shared in the classroom. While these connections can be important sources of learning, be mindful not to traumatize your classmates with detail. We will work together at the end of class to decompress/process the anger, frustration, and hurt we will inevitably confront in studying these topics.

Please note that I understand some students are very shy about speaking in class. However, you must listen attentively (and be careful that you are not doing things in the background that are distracting for others). I will post questions about the readings each week, and students may respond on D2L instead of speaking in class if they are more comfortable with this approach. I will also monitor the chat function during discussion; you can comment and ask questions from there. While you are welcome to exchange ideas with one another, both as a group and privately, in chat, I remind everyone that all conversations are visible to me via the recording function; you should only say things in chat that you would say out loud in front of people. Ideal engagement will involve BOTH participation in class (speech or chat comments) and online via D2L.

Participation grades will reflect attendance, willingness to contribute to class discussions, and ability to listen respectfully to others. A full mark out of 20 will be subtracted for each absence from class for which the student does not provide alternative evidence of reading and participation by posting on D2L. Disrespectful participation is worse than no participation and will be graded accordingly. Marks will be delivered twice, in sections of 10%, to provide feedback for improvement and ensure that all students have received 25% of their final grade by the drop and add date, as per senate regulations.

NOTE: I understand that we are dealing with exceptionally difficult material and that for many this material is also all too personal. I respect the fact that you may have to come and go from class. While some departures may have to be sudden, to the extent that you are able, keep me informed about when you can and can't be in class. You must still engage with the course materials and participate in other ways.

Written Assignments

1. Book or Film/TV Review – Due Week 5, October 5, 2023

For this assignment, you may review any one of the following books, films, or podcasts:

Sexual Assault

Non-Fiction Books

- Jane Doe, *The Story of Jane Doe: A Book About Rape* (Vintage Books, 2004).
- Elaine Craig, *Putting Trials on Trial: Sexual Assault and the Failure of the Legal Profession* (McGill Queen's University Press, 2018).
- Chanel Miller, *Know My Name: A Memoir* (Viking Press, 2019).
- T. Christian Miller and Ken Armstrong, *Unbelievable* (Broadway Books, 2015).

Movies and TV

- *Victim/Suspect*, Netflix (2023).
- *Unbelievable*, Netflix (2019).
- *Shiny, Happy People,* Amazon Prime (2023).
- *The Hunting Ground*, directed by Kirby Dick (2015).
- *The Accused*, directed by Jonathon Kaplan (1988).

Novels

- Stieg Larsson, *The Girl with the Dragon Tattoo* (Penguin, 2008).
- Emma Donoghue, *Room* (Harper Collins, 2010).
- Amber Smith, *The Way I Used to Be* (Margaret McElderry Books, 2016).
- Chris Lynch, *Inexcusable* (Atheneum Books for Young Readers, 2007).

Podcasts

• BBC, *After: Surviving Sexual Assault:* https://www.bbc.co.uk/programmes/p07fzbg8.

Intimate Partner Violence

Non-Fiction Books

• R.L. Snyder, *No Visible Bruises: What We Don't Know About Domestic Violence Can Kill Us* (Bloomsbury Publishing, 2019).

- Nadia Verrelli and Lori Chambers, *No Legal Way Out: R. v Ryan, Domestic Abuse, and the Defence of Duress* (University of British Columbia Press, Landmark Cases in Canadian Law Series, 2021).
- Elizabeth Sheehy, *Defending Battered Women on Trial: Stories from the Transcripts* (University of British Columbia Press, 2014).
- Nancy Janovicek, *No Place to Go: Local Histories of the Battered Women's Shelter Movement* (Vancouver: University of British Columbia Press, 2007).

Movies and TV

- The Burning Bed, directed by Robert Greenwald (1984).
- Fried Green Tomatoes, directed by Jon Avnet (1991).
- *Killer Sally*, directed by Nanette Burnstein (Netflix, 2022).
- I Just Killed My Dad, directed by Skye Borgman (Netflix, 2022).
- *Depp v. Heard*, directed by Emma Cooper (Netflix, 2023).
- *Maid*, directed by Molly Smith Metzler (Netflix, 2021).

Novels

- Anna Quindlen, *Black and Blue* (Delta Fiction, 1998).
- Paula Hawkins, *The Girl on the Train* (Riverhead Books, 2015).
- Liane Moriarty, Big Little Lies (Penguin Books, 2014).
- Colleen Hoover, *It Ends with Us* (Atria Books, 2016).
- Jane Harper, *The Lost Man* (Flatiron Books, 2018).

Podcasts

• Mo Blackwell, *Targeted: True Crime, Domestic Violence:* https://www.spreaker.com/show/targeted-podcast-true-crime-domestic-vio.

Disappeared and Murdered Indigenous Women (and more)

Non-Fiction Books

- Sherene Razack, *Dying from Improvement: Inquests and Inquiries into Indigenous Deaths in Custody* (University of Toronto Press, 2015).
- Tanya Talaga, Seven Fallen Feathers: Racism, Deaths, and Hard Truths in a Northern City (House of Anansi, 2017).
- Kim Anderson, Maria Campbell and Christi Belcourt, eds., *Keetsahnak: Our Missing and Murdered Indigenous Sisters* (University of Alberta Press, 2018).
- Kent Roach, Canadian Justice, Indigenous Injustice: The Gerald Stanley and Colten Boushie Case (McGill Queen's University Press, 2019).
- Jessica McDiarmid, *Highway of Tears* (Penguin, 2019).
- Amber Dean, Remembering Vancouver's Disappeared Women: Settler Colonialism and the Difficulty of Inheritance (University of Toronto Press, 2015).
- Maggie De Vries, Missing Sarah: A Vancouver Woman Remembers Her Vanished Sister (Penguin, 2003).
- Leanne Betasamosake Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resistance* 3rd edition (University of Minnesota Press, 2017).

Movies

- *The Body Remembers When the World Broke Open*, directed by Kathleen Hepburn and Elle-Maija Tailfeathers (2019).
- Finding Dawn, directed by Christine Welsh (2006).
- Nipawistamasowin: We Will Stand Up, directed by Tasha Hubbard (2019).

Novels and Poetry

- Katherena Vermette, *The Break* (House of Anansi, 2016).
- Gregory Scofield, *Witness, I Am* (Nightwood Editions, 2016).

Podcasts

- CBC, *Boushie*: https://www.cbc.ca/listen/cbc-podcasts/180-boushie.
- CBC, Missing and Murdered: https://www.cbc.ca/listen/cbc-podcasts/180-boushie.

The purpose of the book, podcast, or film review is to consider how protest can be registered through academic criticism, documentaries, journalistic studies, fiction, TV, and film. You must consider the central argument/purpose of the book, podcast, TV series or film and assess its effectiveness in presenting a vision of gender-based violence, and system responses to it, which challenges current myths and beliefs.

Content of the Review:

In your introduction:

Identify the book or film - do NOT do this just as a list. Include the information in your intro paragraph.

Summarize the content – Briefly outline the central /objective of the book or film but do not give a detailed description.

State your thesis about the effectiveness of the book or film.

Cleary set out how your paper will prove this argument. I call this giving the reader a 'road map'.

In the body of your essay:

Describe the Story or Argument – This should not be lengthy but should provide your reader with a precis of what happens or is argued in the book or film.

Evaluate – This is the most important component of the review and should form the majority of the paper. In this section, you must critically assess ("review") the book or film.

Your critique should be based on issues such as:

- What is the purpose of the book or film from a perspective of promoting social change?
- Does the story line or argument provide a critique or alternative vision that will be convincing for the public?
- Does the story or argument engage the reader or viewer?
- Are their weaknesses/problems in either the story line or the argument?
- What was the objective of the author/producer? Is it met?

Do not just answer these questions one after another. Think about these issues and pick themes on which to concentrate your critique. Note that critique can be both positive and negative. You can love a book/film/podcast and have only great things to say about it.

In your conclusion:

Summarize your arguments. Your conclusion should not introduce new points but should re-state the points you have made in the body of the review. The book or film review should be 5-6 double-spaced, typed pages (12 pt Times New Roman with 1-inch margins).

2. Unit Response Journal – Due Week 10, November 9, 2023

For this assignment you will select one of the units/themes for the term and write a personal paper integrating the readings/things you have watched with your own experience/thoughts about the law and social myths regarding gender-based violence. Because each of the units is complex/large, you will need to narrow the topic and should focus on only one or two readings. For example, within sexual assault, you could focus entirely on how police respond to victims of rape. You could comment on *Unbelievable*, in addition to readings on the topic, setting out a list of suggested priorities for police in empathetic, trauma-based responses to victims. Or you could do a review of art projects memorializing disappeared and murdered Indigenous women, integrating readings about the importance of remembering the disappeared/promoting change. These are just examples. You should let your interest be your guide but should discuss the focus of the paper with me in advance. The unit review journal should be 5-6 double-spaced, typed pages (12 pt Times New Roman with 1-inch margins).

3. Creative Portfolio – Due Week 12, November 23, 2023

For this assignment, you must choose one of the three themes we will study. You must either: 1) collect a minimum of 5 articles or other media sources about this issue over the term; 2) create 5 artistic, musical, or dramatic responses to the issue; or 3) a combination of 1) and 2) to total five entries. The objective of the portfolio exercise is to produce a series of different short writings (5 in total). The writings should engage, discuss, explore, or reflect upon ideas raised in class. Show the relevance of these ideas to the world around you in your media review, a scrap book, reflective journal, zine, web page, artwork, music, or creative writing. A complete assignment will contain 5 different pieces of writing, reflecting on the media pieces or creative pieces. Each entry should be a minimum of 250 words (1 typed, double-spaced page) in length. You may incorporate any materials (clippings from the newspaper or magazines, music, stories, creative writing, artwork) into the work that you wish. Such additions do not replace, but supplement, and provide a focus for, the written work that is required in this assignment. You are encouraged to experiment and to have fun with this work. It is important to refer to specific ideas from the course. This is a reflexive exercise which must take into consideration ideas outside the realm of the personal (although relating them to personal experience is encouraged). The written component of the creative portfolio should be 5 double-spaced, typed pages (12 pt Times New Roman with 1-inch margins).

Issues for Student Information

Academic Dishonesty and Plagiarism: Plagiarism is a serious academic offence. Plagiarism is the unacknowledged use of someone else's words and/or ideas. Not acknowledging your debt to the ideas of a secondary source, failing to use quotation marks when you are quoting directly, buying essays from essay banks, copying another student's work, or working together on an individual assignment, all constitute plagiarism. Resubmitting material you have previously or simultaneously submitted in another course

is also academic dishonesty. The minimum penalty for academic misconduct is a 0 on the assignment in question. Students may also be subject to more severe academic penalties, up to and including expulsion for multiple offences. All students are required to know what constitutes plagiarism and how to avoid it. Please review the university guidelines at https://www.lakeheadu.ca/academics/academic-support/skills-for-success/responsibilities, or speak with the professor. All cases of plagiarism will be dealt with in accordance with the Code of Student Behaviour and Disciplinary Procedures approved by Senate and the Board of Governors.

GenAI Use:

Generative artificial intelligence (Generative AI or GenAI) is a category of AI systems capable of generating text, images, or other media in response to prompts. These systems include ChatGPT and its variant Bing (built by OpenAI) and Bard (built by Google) among several others. Other Generative AI models include artificial intelligence art systems such as Stable Diffusion, Midjourney, and DALL-E. GenAI tools can provide valuable assistance and support in academic work. However, it is essential to use them responsibly and ethically. The following information and guidelines apply to the use of AI-based tools in this course:

- a) **Student Responsibility** It is the responsibility of the student to understand the limitations of AI-based tools. While these tools can provide suggestions and insights, final decisions and critical thinking should come from the student's own understanding and effort. Before submitting, review your work with this in mind. If you don't understand what type of GenAI usage is appropriate, ask the course instructor for clarification.
- b) **Formative Usage** In this class, you may use GenAI for formative, but not summative, work. That means it can be used as a "possibility engine" (brainstorm tool), a "study buddy," a "collaboration coach," a "guide on the side," a "personal tutor," a "co-designer," etc. to help you learn course content, but it cannot be used as the primary vehicle for any work that is submitted for marks or evaluation.
- c) **Error & Bias** AI content is created by computer algorithms that have been trained using large amounts of data. The AI learns from patterns and examples in the data to generate new content that resembles what it has been trained on. If the training data used to train the AI model is biased or limited in scope, the AI may reproduce content that is inaccurate, incomplete, offensive, and/or biased. Students should weigh this as they consider material produced by AI.
- d) **Trustworthiness** Generative AI can be vulnerable to manipulation and misuse. It can be used to generate fake news, misinformation, or deepfake content, which can have harmful consequences. Students should check AI generated content against reputable sources.
- e) **Plagiarism** Since [writing and critical thinking ability] are learning outcomes of this course, all work submitted for evaluation must be the student's original work. Using the work of others (including content curated/generated by AI) without proper citation is considered plagiarism.
- f) Citation of Sources If you use material generated by an AI program for an assignment in this course, it must be cited like any other source (with due consideration

for the quality of the source, which may be judged as poor). Failure to do so will be considered a violation of academic integrity.

Accommodations: I make every effort to meet the varied needs of students. Please feel free to speak to me directly about your needs. You are also encouraged to contact <u>Student Accessibility Services (SAS)</u> and to register with them as early as possible. For more information, please email <u>sas@lakeheadu.ca</u> or view https://www.lakeheadu.ca/faculty-and-staff/departments/services/sas.

Assignment Due Dates: Due dates are suggestions to keep you on track for timely course completion. I am flexible and will accommodate your health/work/family obligations. I am happy to adjust dates, but you need to communicate with me. Accommodations can include incomplete standing (see below).

Incomplete Standing (from the Lakehead University Calendar): An incomplete grade may, at the discretion of the instructor and in consultation with the student, be assigned to a course when the instructor considers that for a valid reason the student has not yet completed all the requirements of the course. Please talk to me in advance if this is something we need to consider. I will not automatically provide an incomplete if you have not talked to me.

Expectations and Marking: All written work will be evaluated based on organization, presentation, grammar, and clarity as well as content. Writing is a process. It is only learned through practice and repetition. Writing is an important skill you can take into the workplace and the wider world. Written communication can be very powerful. However, your first draft is unlikely to be the best possible work you can produce. For this reason, I strongly encourage you to submit rough drafts of papers for review. I will mark your paper as many times as you want to submit it, and only the final mark will count towards your grade. This is true for all assignments. Good writing does not happen the night before an assignment is due. You should expect to spend a significant period of time on each assignment. These are guidelines to assist:

- 1. Start assignments early.
- 2. Read the instructions for your assignment carefully and ask questions if there is anything which is unclear.
- 3. Seek support. I am happy to read rough drafts for all assignments in this course. You can (and should) also get writing support from the Student Success Centre.

Student Success Centre: You can visit the Academic Support Zone at https://www.lakeheadu.ca/students/academic-success/student-success-centre/academic-support-zone or make an appoint for assistance at mysuccess@lakeheadu.ca.

Health and Well-Being: We will be dealing with difficult material. Self-care is very important. If you are experiencing academic stress, difficult life events, or feelings of anxiety or depression, or if you are triggered by the content in this course, Student Health and Wellness is available to help: 343-8361 or http://healthservices.lakeheadu.ca/. Their services are free for Lakehead students and appointments are available. If you require immediate support regarding a mental health crisis, call Crisis Response at 346-8282 (24 hours/day). For non-crisis issues, please call Good To Talk at 1-866- 925-5454. Please monitor your well-being, keep me informed if you need accommodations, and seek help as needed.

Weekly Schedule for Lectures and Readings

Week 1 – September 5

Introduction

NOTE: I will be in Florence for a conference this week. Because of the time difference, we will not meet on zoom. Instead, I will post a video on D2L in which I will explain all the requirements of the course and introduce myself. Your homework, in addition to completing the readings for September 14, will be to introduce yourselves to me and to each other on D2L.

Week 2 – September 12

Whose Law is it Anyway? Or Can We Use the Master's Tool to Dismantle Violence Sanctioned by the State?

NOTE: I will be in Iceland for a conference the week of this class. All students are expected to respond to questions on D2L. We will commence zoom meetings on September 21 but participation online for this week is important and the readings set the background for questions we will explore all semester.

This week we will explore the contradictions and problems of law as a tool of oppression/liberation. We cannot avoid law, as it sets the parameters in which we live. But the common law is based in and reinforces sexism, racism, and other isms. How can this be challenged? How can we think differently about law? How might Indigenous legal systems and thinking challenge western legal traditions and help us to find better solutions to gender-based violence? What might feminist-inspired/intersectional/antiracist/Indigenous-focused law look like?

Required Readings:

- Rahki Ruperalia, "Legal Feminism and the Post-Racism Fantasy", *Canadian Journal of Women and the Law* 26 (1) (2016), 81.
- Emily Snyder, Val Napoleon, and John Borrows, "Gender and Violence: Drawing on Indigenous Legal Resources", *UBC Law Review* 48 (2) (2015), 593.

Recommended Readings:

• Katharine Bartlett, "Feminist Legal Methods", *Harvard Law Review* 103 (1990), 829.

• Emily Snyder, "Indigenous Legal Feminist Theory", *Canadian Journal of Women and the Law* 26 (2) (2014), 365.

Week 3 – September 19 Sexual Assault I

This week I will give a lecture about definitions of sexual assault, the history of sexual assault law, the problems of sexual assault myths, the on-going challenges in policing, prosecution, and public understanding of sexual violence, and the history of activism for reform

The readings this week will focus on definitions, the wide range of behavior that constitutes sexual assault/violence, and myths about rape.

Required Readings:

- The Facts About Gender Based Violence: https://www.canadianwomen.org/the-facts/sexual-assault-harassment/.
- The Law of Consent in Sexual Assault: https://www.leaf.ca/the-law-of-consent-in-sexual-assault
- Sexual Violence Myths and Misconceptions: https://www.acesdv.org/about-sexual-domestic-violence/sexual-violence-myths-misconceptions/.
- End Rape on Campus: https://endrapeoncampus.org/new-page-3.
- Breaking the Binary: Working Towards an Inclusive Understanding of Sexual Violence: https://sassk.ca/breaking-the-binary-working-towards-an-inclusive-understanding-of-sexual-violence/.
- S. Matsuzaka and D.E. Koch, "Trans feminine sexual violence experiences: The intersection of transphobia and misogyny", *Affilia: Journal of Women and Social Work* 34 (1) (2019), 28-47.

Recommended Materials:

- Debra Ferreday, "Game of Thrones, Rape Culture and Feminist Fandom" *Australian Feminist Studies* 30 (83) (2015), 21-36.
- D.J. Angelone, Damon Mitchell and Laura Grossi, "Men's Perceptions of an Acquaintance Rape: The Role of Relationship Length, Victim Resistance and Gender Role Attitudes" *Journal of Interpersonal Violence* 30 (12) (2014), 2278-2303.
- Shannon Sampert, "Let Me Tell You a Story: English Canadian Newspapers and Sexual Assault Myths", *Canadian Journal of Women and the Law* 22 (2) (2010), 301-328.
- Kyle Kirkup, "Sex, Gender Identity and Strip Searches in Canadian Criminal Law", *Canadian Journal of Law and Society* 24 (2009), 107-125.
- *The Hunting Ground*, directed by Kirby Dick (2015).
- BBC, *After: Surviving Sexual Assault:* https://www.bbc.co.uk/programmes/p07fzbg8.

Week 4 – September 26 Sexual Assault II

This week the readings will focus on police and court responses to sexual violence.

Required Readings:

- Holly Johnson, "Why Doesn't She Just Report It? Apprehensions and Contradictions for Women Who Report Sexual Assault to the Police", *Canadian Journal of Women and the Law* 29 (1) (2017), 36-59.
- Jodie Murphy, Lori Chambers, Karen McQueen, Alexa Hiebert, and Ainsley Miller, "Sexual Assault: Indigenous Women's Experiences of Being Disbelieved by Police", Violence Against Women, April 14, 2021. DOI: https://doi.org.10.1177/10778012211013903.
- Constance Backhouse, "The chilly climate for women judges: Reflections on the backlash from the *Ewanchuk* case", *Canadian Journal of Women and the Law* 15 (1) (2003), 176-193.

Recommended Materials:

- *Unbelievable*, Netflix, particularly episodes one and two.
- Jodie Murphy, Lori Chambers, Karen McQueen, and Ainsley Miller, "Investigative Challenges: Police Experiences of Responding to Sexual Assault", *Police Practice and Research*, (forthcoming 2023).
- T. Christian Miller and Ken Armstrong, *Unbelievable* (Broadway Books, 2015).
- Margaret McGregor, Ellen Wiebe, Stephen Marion and Cathy Livingstone, "Why Don't More Women Report Sexual Assault to the Police?" (Research Letter), Canadian Medical Association Journal (2000), 659-662.
- Jane Doe, *The Story of Jane Doe: A Book About Rape* (Vintage Books, 2004).
- #AllisNotLost Part 1 and Part 2: https://ukafn.org/allisnotlost-part-1-video-sexual-assault-awareness and https://ukafn.org/allisnotlost-part-1-video-sexual-assault-awareness.
- R. v. Ewanchuk [1999] 1 SCR 330.
- Elaine Craig, "The Ethical Obligations of Defense Counsel in Sexual Assault Cases", *Osgoode Hall Law Journal* 51 (2) (2014), 427-467.
- J. W. Shultz, "Supporting transmasculine survivors of sexual assault and intimate partner violence: Reflections from peer support facilitation", *Sociological Inquiry* 90 (2) (2020), 293–315.
- Janine Benedet, "The Sexual Assault of Intoxicated Women", 22 (2010) Canadian Journal of Women and the Law 22 (2) (2010), 435-461.
- Ruthy Lazar, "Negotiating Sex: The Legal Construct of Consent in Cases of Wife Rape in Ontario, Canada", *Canadian Journal of Women and the Law* 22 (2) (2010), 329-396.
- Tamara Small and Kate Puddister, "Play-by-Play Justice: Tweeting Criminal Trials in the Digital Age", *Canadian Journal of Law and Society* 35 (1) (2020), 1-22.
- Isabel Grant and Janine Benedet, "The 'Statutory Rape' Myth: A Case Law Study of Sexual Assaults against Adolescent Girls", *Canadian Journal of Women and the Law* 31 (2) (2019), 266-292.

- Janine Benedet and Isabel Grant, "Breaking the Silence of Father-Daughter Sexual Abuse of Adolescent Girls: A Case Law Study", *Canadian Journal of Women and the Law* 32 (2) (2020), 239-287.
- Sarah Swan, "Triangulating Rape", New York University Review of Law and Social Change 37 (2013), 403.
- The Accused, directed by Jonathon Kaplan (1988).

Week 5 – October 3 Sexual Assault III

This week the readings will focus on protest, advocacy, and prevention.

Required Reading:

• https://www.mamamia.com.au/brock-turner-victim-statement/.

Recommended Materials:

- Angela Onwuachi-Willig, "What About #UsToo? The Invisibility of Race in the #MeToo Movement", *Yale Law Journal Forum* 128 (2018-2019), 105.
- Aliosha Hurry, "Defamation as a Sword: The Weaponization of Civil Liability Against Sexual Assault Survivors in the Post #MeToo Era", *Canadian Journal of Women and the Law* 34 (1) (2022), 82-108.
- Morgan PettyJohn, Finneran Muzzy, Megan Maas, and Heather McCauley, "#HowIWillChange: Engaging Men and Boys in the #MeToo Movement", *Psychology of Men and Masculinities* 20 (4) (2019), 612-622.
- Kristen Yule and John Grych, "College Students' Perceptions of Barriers to Bystander Intervention", *Journal of Interpersonal Violence* 35 (15-16) (2020), 2971-2992.
- Elaine Craig, *Putting Trials on Trial: Sexual Assault and the Failure of the Legal Profession* (McGill Queen's University Press, 2018).
- Chanel Miller, *Know My Name: A Memoir* (Viking Press, 2019).
- T. Christian Miller and Ken Armstrong, *Unbelievable* (Broadway Books, 2015).
- Amber Smith, *The Way I Used to Be* (Margaret McElderry Books, 2016).
- Stieg Larsson, *The Girl with the Dragon Tattoo* (Penguin, 2008).
- Emma Donoghue, *Room* (Harper Collins, 2010).
- Chris Lynch, *Inexcusable* (Atheneum Books for Young Readers, 2007).
- Lady Gaga, "Til It Happens To You", (2015).
- Petrol Girls, "Touch Me Again", (2016).
- Angel Haze, "Cleaning Out My Closet", (2012).
- The Raincoats, "Off Duty Trip", (1979).

NOTE: Book or film review is due today.

Week 6 – October 10 Reading Week

Week 7 – October 17 Intimate Partner Violence I This week I will give a lecture about definitions of intimate partner violence, the history of domestic violence law, myths about intimate partner and familial violence, on-going challenges in policing, prosecution, and public understanding of intimate partner violence, and the history of feminist activism for reform.

This week the readings will focus on academic understanding and popular myths about intimate partner violence and coercive control.

Required Readings and Viewings:

- Fact sheet: Intimate partner violence Women and Gender Equality Canada
- Fact Sheet: Violence Against Aboriginal Women: https://www.nwac.ca/wp-content/uploads/2015/05/Fact_Sheet_Violence_Against_Aboriginal_Women.pdf.
- Domestic Violence and Abuse and the Lesbian, Gay, Bisexual and Transgender Communities: www.galop.org.uk/wp-content/uploads/Domestic-Violence-and-Abuse-and-the-LGBT-communities.pdf.
- What is Coercive Control?: https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/coercive-control/.

Recommended Materials:

- J. B. Kelly, and Michael Johnson, "Differentiation among types of intimate partner violence: Research update and implications for interventions", *Family Court Review* 46 (3) (2008), 476-499.
- Evan Stark, "Re-Presenting Women Battering: From Battered Woman Syndrome to Coercive Control", *Alberta Law Review* 58 (4) (1994-1995), 973.
- Delanie Wooklock, "The Abuse of Technology in Domestic Violence and Stalking", *Violence Against Women* 23 (5) (2017), 584-602.
- Lesley Laing, "Secondary Victimization: Domestic Violence Survivors Negotiating the Family Law System", *Violence Against Women* 23 (11) (2017), 73.
- Lisa Young Larance, Leigh Goodmark, Susan Miller and Shamita Das Dasgupta, "Understanding and Addressing Women's Use of Force in Intimate Relationships: A Retrospective", *Violence Against Women* 25 (1) (2019), 56-80.
- Mo Blackwell, *Targeted: True Crime, Domestic Violence:* https://www.spreaker.com/show/targeted-podcast-true-crime-domestic-vio.

Week 8 – October 24 Intimate Partner Violence II

This week the readings will focus on police and court responses to intimate partner violence.

Required Readings:

• Lori Chambers and Nadia Verrelli, "A Missed Opportunity: The Investigation of the RCMP in Matters Related to *R. v. Ryan*", *Canadian Journal of Law and Society*, 32 (1) (spring 2017), 117-136.

• Lori Chambers, Deb Zweep, and Nadia Verrelli, "Paternal Filicide and Coercive Control: A Review of the Evidence in *Cotton v. Berry*", *University of British Columbia Law Review* 51 (3) (2018), 671-704.

Recommended Readings:

- Karen Dubinsky and Franca Iacovetta, "Murder, Womanly Virtue and Motherhood: The Case of Angelina Napolitano, 1911-1922", Canadian Historical Review 72 (1991), 505-531.
- Nadia Verrelli and Lori Chambers, "R. v. Whynot (Stafford): The Forgotten Predecessor to R. v. Lavallee", in Rethinking Feminist History and Theory, ed. Julia Smith and Lisa Paseolli (Toronto: University of Toronto Press).
- R. v. Lavallee [1990] 1 SCR 852.
- Jane Goodman-Delahunty and Anna Corbo Crehan, "Enhancing Police Responses to Domestic Violence Incidents: Reports from Client Advocates in New South Wales", *Violence Against Women* 22 (8) (2016), 895-922.
- Marianne Hester, "Portrayal of Women as Intimate Partner Domestic Violence Perpetrators", *Violence Against Women* 18 (9) (2012), 1071.
- Nadia Verrelli and Lori Chambers, *No Legal Way Out: R. v Ryan, Domestic Abuse, and the Defence of Duress* (University of British Columbia Press, Landmark Cases in Canadian Law Series, 2021).
- Jason MacLean, Nadia Verrelli and Lori Chambers, "Battered Women under Duress: The Supreme Court of Canada's Abandonment of Context and Purpose in *R. v. Ryan*", *Canadian Journal of Women and the Law* 29 (1) (2017), 60-82.
- Elizabeth Sheehy, *Defending Battered Women on Trial: Lessons from the Transcripts* (University of British Columbia Press, 2014).
- Bailey Gerrits, Nadia Verrelli, and Lori Chambers, "From Pride to Lies: English-Language Print Media Coverage of Supreme Court of Canada Decisions on Women's Defensive Violence", *Journal of Canadian Studies*, (forthcoming 2023).
- Jennifer Koshan, "Challenging Myths and Stereotypes in Domestic Violence Cases", *Canadian Journal of Family Law* 35 (1) (2023), 33-81.
- Wendy Chan and Rebecca Lennox, "This Isn't Justice: Abused Women Navigate Family Law in Greater Vancouver", *Canadian Journal of Family Law* 35 (1) (2023), 81-130.
- Wanda Wiegers, "The Intersection of Child Protection and Family Law Systems in Cases of Domestic Violence", *Canadian Journal of Family Law* 35 (1) (2023), 183-240.

Week 9 – October 31 Intimate Partner Violence III

This week the readings will focus on protest, advocacy, and prevention.

Required Readings:

- Donna Coker, "Domestic Violence and Social Justice: A Structural, Intersectional Framework for Teaching About Domestic Violence", *Violence Against Women* 22 (12) (2016), 1419-1425.
- Stephanie Ehret, "You Can't Look the Other Way": Justice as 'Recognition' for Intimate Partner Violence", *Canadian Journal of Women and the Law* 34 (1) (2022), 146-173.

Recommended Materials:

- Nancy Janovicek, *No Place to Go: Local Histories of the Battered Women's Shelter Movement* (Vancouver: University of British Columbia Press, 2007).
- R.L. Snyder, *No Visible Bruises: What We Don't Know About Domestic Violence Can Kill Us* (Bloomsbury Publishing, 2019).
- Liane Moriarty, Big Little Lies (Penguin Books, 2014).
- Anna Quindlen, *Black and Blue* (Delta Fiction, 1998).
- Paula Hawkins, *The Girl on the Train* (Riverhead Books, 2015).
- Colleen Hoover, *It Ends With Us* (Atria Books, 2016).
- Jane Harper, *The Lost Man* (Flatiron Books, 2018).
- The Burning Bed, directed by Robert Greenwald (1984).
- Fried Green Tomatoes, directed by Jon Avnet (1991).
- *Maid*, directed by Molly Smith Metzler (Netflix, 2021).
- *Killer Sally*, directed by Nanette Burnstein (Netflix, 2022).
- I Just Killed My Dad, directed by Skye Borgman (Netflix, 2022).
- Tracy Chapman, "Behind the Wall" (1987).
- Eminem (with Rihanna), "Love the Way You Lie" (2009).
- Dixie Chicks (now Chicks), "Goodbye Earl" (2004).

Week 10 – November 7

Class cancelled as I will be at my book launch in Toronto.

Week 11 – November 14

Disappeared Indigenous Women (and more) I

This week I will give a lecture about the facts/statistics and history of violence against Indigenous peoples, myths about Canada as a peaceful society, the failure of police to protect Indigenous peoples from harm and violence, and the history of Indigenous activism for reform.

This week the reading will focus on the history/background of the marginalization of Indigenous people.

Required Readings:

- Amnesty International, "Stolen Sisters": http://www.amnesty.ca/stolensisters/amr2000304.pdf.
- Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls: https://www.mmiwg-ffada.ca/final-report. It is very long. You may not be able to read all of it right now (but eventually you should).

• <u>Missing White Women Syndrome</u>, and why it never goes away — The Big Story (thebigstorypodcast.ca)

Recommended Readings:

- Joan Sangster, "Criminalizing the Colonized: Ontario Native Women Confront the Criminal Justice System, 1920-1960", *Canadian Historical Review* 80 (1) (March 1999), 32-60.
- Yasmin Jiwani and Mary Lynn Young, "Missing and Murdered Women: Reproducing Marginality in News Discourse", *Canadian Journal of Communication* 31 (4) (2006).
- Shiri Pasternak, Sue Collins, and Tia Dafnos, "Criminalization at Tyendinaga: Securing Canada's Colonial Property Regime through Specific Land Claims", *Canadian Journal of Law and Society* 28 (1) (2013), 65-82.
- Kristen Gilchrist, "Newsworthy Victims? Exploring differences in Canadian local press coverage of missing/murdered Aboriginal and white women", *Feminist Media Studies* 10 (4) (2010), 373-390.
- Karen Stote, "The Coercive Sterilization of Aboriginal Women in Canada", *American Indian Journal of Culture and Research* 36 (3) (2012), 117-150.
- Gwen Brodsky, "*Indian Act* Sex Discrimination: Enough Inquiry Already, Just Fix It", *Canadian Journal of Women and the Law* 28 (2) (2016), 314-320.
- Jane Bailey and Sara Shayan, "Missing and Murdered Women Crisis: Technological Dimensions", *Canadian Journal of Women and the Law* 28 (2) (2016), 321-341.

NOTE: Unit review assignment is due today.

Week 12 – November 21 Disappeared Indigenous Women (and more) II

This week the readings will focus on police and court failures to protect Indigenous people.

Required Readings:

- Sherene Razack, "Gendered Violence and Spacialized Justice", *Canadian Journal of Law and Society* 15 92) (2000), 91-130.
- Pamela Palmater, "Shining Light on the Dark Places: Addressing Police Racism and Sexualized Violence against Indigenous Women and Girls in the National Inquiry", *Canadian Journal of Women and the Law* 28 (2) (2016), 253-284.

Recommended Readings:

- Sherene Razack, "Gendering Disposability", Canadian Journal of Women and the Law 28 (2) (2016), 285-307.
- Sherene Razack, "'It Happened More than Once': Freezing Deaths in Saskatchewan", *Canadian Journal of Women and the Law* 26 (1) (2014), 51-80.
- Katherine Morton, "Hitchhiking and Missing and Murdered Indigenous Women: A Critical Discourse Analysis of Billboards on the Highway of Tears", *The Canadian Journal of Sociology* 41 (3) (2016), 299-326.

- Sherene Razack, *Dying from Improvement: Inquests and Inquiries into Indigenous Deaths in Custody* (University of Toronto Pres, 2015).
- Tanya Talaga, Seven Fallen Feathers: Racism, Deaths and Hard Truths in a Northern City (House of Anansi Press, 2017).
- Kent Roach, Canadian Justice, Indigenous Injustice: The Gerald Stanley and Colten Boushie Case (McGill Queen's University Press, 2019).
- Jessica McDiarmid, *Highway of Tears* (Penguin, 2019).

Week 13 – November 28 Disappeared Indigenous Women (and more) III

This week the readings will focus on resistance and remembering.

Required Readings:

- https://www.rebeccabelmore.com.
- Josephine Savarese, "Challenging Colonial Norms and Attending to Presencing in Stories of Missing and Murdered Indigenous Women", *Canadian Journal of Women and the Law* 29 (1) (2017), 157.

Recommended Materials:

- Finding Dawn, directed by Christine Welsh (2006).
- *The Body Remembers When the World Broke Open*, directed by Kathleen Hepburn and Elle-Maija Tailfeathers (2019).
- Leanne Betasamosake Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resistance* 3rd edition (University of Minnesota Press, 2017).
- Leanne Betasamosake Simpson, *Dancing on the Turtle's Back* (ARP Press, 2011).
- Katherena Vermette, *The Break* (House of Anansi, 2016).
- Gregory Scofield, *Witness, I Am* (Nightwood Editions, 2016).
- Amber Dean, Remembering Vancouver's Disappeared Women: Settler Colonialism and the Difficulty of Inheritance (University of Toronto Press, 2015).
- Maggie De Vries, Missing Sarah: A Vancouver Woman Remembers Her Vanished Sister (Penguin, 2003).
- Kim Anderson, Maria Campbell and Christi Belcourt, eds., *Keetsahnak: Our Missing and Murdered Indigenous Sisters* (University of Alberta Press, 2018).
- Elizabeth Kalbfleisch, "Bordering on Feminism: Space, Solidarity, and Transnationalism in Rebecca Belmore's *Vigil*", in Cheryl Suzack, Shari Huhndorf, Jeanne Perrault and Jean Barman, eds., *Indigenous Women and Feminism: Politics, Activism, Culture* (University of British Columbia Press, 2010), 278-297.
- Shelly Johnson and Alessandra Santos, "REDressing Invisibility and Marking Violence Against Indigenous Women in the Americas through Art, Activism and Advocacy", *First People Child and Family Review* 7 (2) (2013), 97-111.
- Rachel Ariss, "Bearing Witness: Creating the Conditions of Justice for First Nations Children", *Canadian Journal of Law and Society* 36 (1) (2021), 113-133.
- Nipawistamasowin: We Will Stand Up, directed by Tasha Hubbard (2019).
- CBC, *Boushie*: https://www.cbc.ca/listen/cbc-podcasts/180-boushie.
- CBC, Missing and Murdered: https://www.cbc.ca/listen/cbc-podcasts/180-boushie.

NOTE: Creative journal is due today.

Wrap-Up

What have you learned in this course? What methods of resistance do you see as most effective in combatting gender-based violence and why? What can we do, collectively and as individuals, to build a world free of gender-based violence? I will also ask each of you to submit your list of favorite/most impactful readings and least favorite/least impactful readings for future reference/improvement of the course.