

Criminal Law Stacks The Odds Against Women

OTTAWA (CUP) — “The content of criminal law is incredibly stacked against women,” says Queen’s University law professor Kathleen Lahey.

Lahey and Dalhousie University law professor Christine Boyle gave an address on feminist perspectives on criminal law reform to mark the beginning of a three-day workshop at the University of Ottawa on women and criminal justice issues. The workshop was sponsored by The National Association of Women and the Law, a group “dedicated to improving the legal status of women in Canada”, and the U of O’s Women’s Law Caucus.

Boyle reminded her predominantly female audience that the “criminal justice

system is not a thing of our (women’s) creation.” Consequently, she said, women should not be satisfied with merely tinkering or updating the system.

She expressed wonder at a criminal justice system that often questions the credibility of women and children who recount experiences of sexual abuse.

She warned that “knowledge of reality is influenced by male perspectives,” in a society where a crime such as rape is not “gender neutral” and pre-menstrual syndrome (PMS) is sometimes treated as a personality disorder.

Despite the guarantee of equality enshrined recently in the constitution, Lahey said that “inequalities mark us as women.”

Lahey reminded her audience about a past before the 1982 guarantee of equality when “women were harnessed to male-owned economic apparatus” and men “appropriated women’s productive capacities.”

She said that during the three-year period between the passage and adoption of the 1982 constitution, it was expected the courts would be flooded by women to contest cases on the new equality provision, and that male lawyers feared being overwhelmed by a group of “rad fems”, but this didn’t happen to the extent feminists wished.

Lahey suggested there be a new set of crimes that people could be tried for: domestic terrorism, enslave-



CEREAL KILLINGS

Graphic/The Silhouette

ment of women, and use of women as reproductive chattels.

She called for a repeal of abortion laws, lawful access to artificial insemination and legalization of prostitution. She lauded women lawyers as a voice for women

in the courtroom and said she was not surprised that only women seem to need to use “defense of necessity” as a course of defense.

Lahey also said there are times when civil disobedience is necessary in obtaining justice for women.

Commonwealth countries urge end to differential fees

VANCOUVER (CUP) Wealthy commonwealth countries should abolish the high differential fees posing financial barriers to foreign students, the commonwealth secretary told delegates to the recent conference.

Differential fees make it easier and cheaper for commonwealth students to enter universities in non-commonwealth countries like France, Japan, the Soviet Union and the U.S., rather than Canada, Britain or Australia, Secretary Shridath Ramphal told delegates.

Diplomats and heads of commonwealth states discussed the issue at the commonwealth conference held in Vancouver from October 13 to 18.

James Mitchell, keynote speaker and prime minister of Caribbean country St. Vincent and the Grenadines, called on Canada and other wealthy commonwealth countries to reduce the “exorbitant fees” levied upon foreign students.

Mitchell is also an alumnus of the University of British Columbia.

Rod Fowler, student representative to the Simon Fraser University (SFU) board of governors, is also opposed to differential fees.

“It doesn’t, to my way of thinking, cost any more to educate visa students than to educate any other student,” said Rod Fowler, a student representative on the Simon Fraser University board of governors.

“If you’re going to have a damn commonwealth, then you should share the damn wealth,” said Fowler.



SFU president Bill Saywell defends his policies regarding foreign students and differential fees, placing the issue in an international context.

“I would love to be able to eliminate differential fees,” said Saywell. “But unfortunately we are not in this position. If we can’t do it unilaterally for financial reasons — then someone else has to donate (the money).”

Saywell said the federal government is the appropriate agency to pressure for an elimination of differential fees.

He believes differential fees could be reduced either by the Canadian International Development Agency funding scholarship and grant programs for their visa students, or by increased transfer payments from the federal government.

Saywell said the movement of students through

the commonwealth is a national issue and the best use of Canada’s foreign aid dollars would be in the training and education of foreign students.

But the real value of a university degree is difficult to estimate in the context of the Canadian economy, let alone in the context of a foreign country such as Malaysia, says SFU foreign student Desmond Ho.

“I plan on going into business administration,” said Ho. “I have interests in finance and marketing. I guess with a degree in that, it will be easier for me to find a job back home.”

“But we are still in the middle of a recession back home, so getting a degree might not mean anything,” said Ho.

“I try not to think about that.”

