

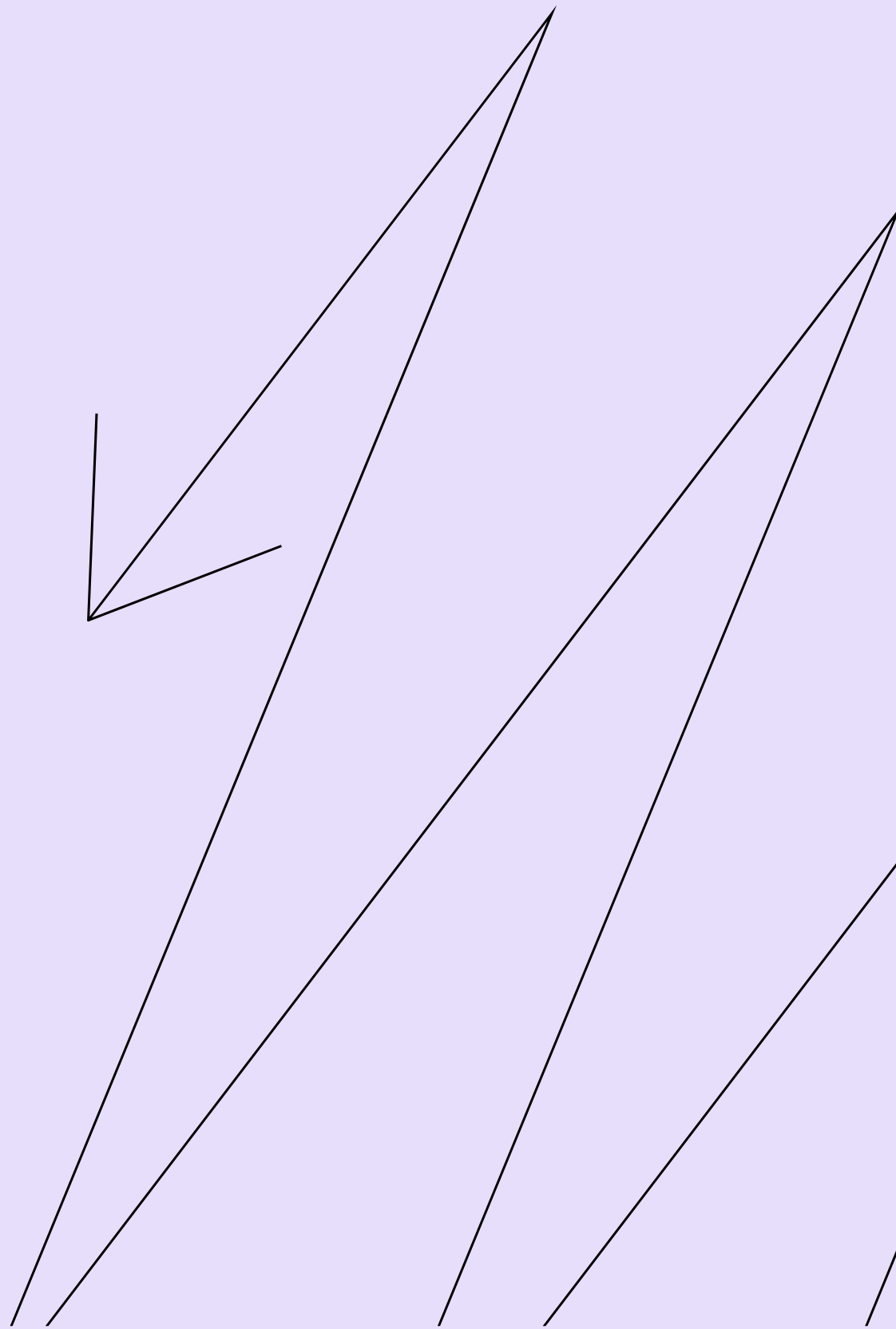
Sexual Violence: Sociopolitical Issues and Community Movements

Justine Chenier, M.Sc. & Gabrielle Comtois, LLM

**Regroupement québécois des centres d'aide et de
lutte contre les agressions à caractère sexuel
(RQCALACS)**

Preface

- Land acknowledgement
- Trigger warnings



RQCALACS and CALACS: In a few words



Who we are: The Regroupement québécois des centres d'aide et de lutte contre les agressions à caractère sexuel (RQCALACS) is a Quebec-wide non-profit feminist organization that brings together its member CALACS (Centres d'aide et de lutte du contre les agressions à caractère sexuel).


Our mission: RQCALACS is committed to sharing expertise between its member centres, finding solutions to eliminate sexual assault, and ensuring intersectional feminist intervention services for women and girls.

Our holistic approach: We are developing an intersectional approach, both to better understand the different ways oppression operates in adults' and children's lives, and to adapt our practices to everyone's unique needs and lived experiences.

We've been operating for over 40 years. The first CALACS opened its doors in the 1970s and the association was created in the 1980s.

Our structure: RQCALACS brings together member CALACS who share an approach. There are also non-member CALACS.

Presentation Outline



First Part

Sexual Violence at the Heart of Feminist Movements

I

1.A Feminist Approach to Sexual Violence: More Than Power Dynamics.

1.1 Why Must Sexual Violence Be Viewed through a Feminist Lens?

1.2 Numbers That Say It All: Data Collected by RQCALACS in 2018-2019:

1.3 A Feminist Response to Gendered Violence: “Shame Must Change Sides”

II

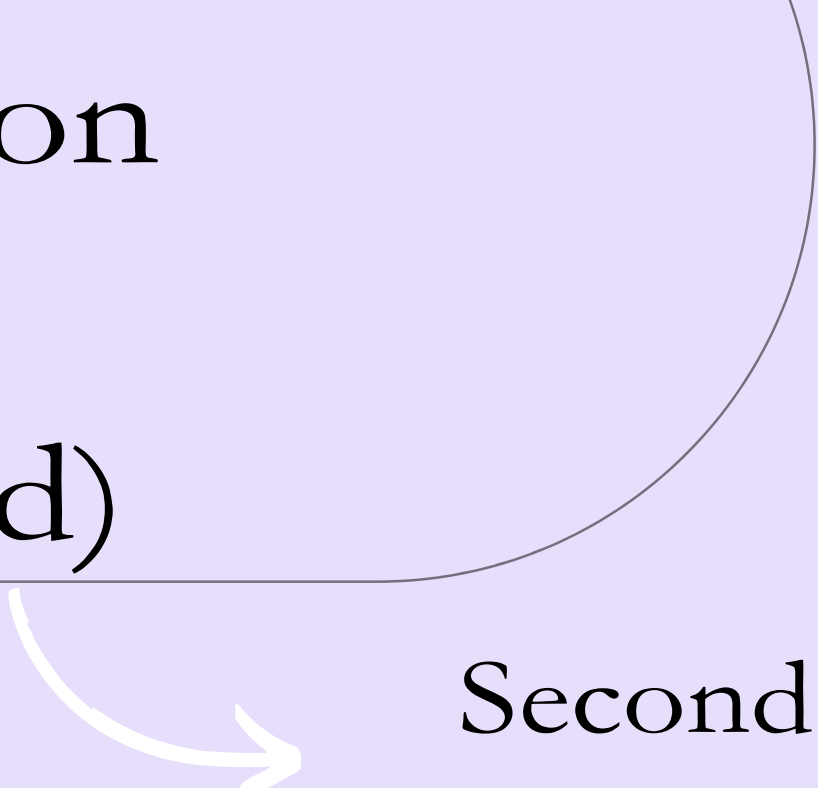
2. Why Is an Intersectional Feminist Approach Crucial to Analyzing Sexual Violence?

2.1 : A Quick Reminder: What Is Intersectionality?

2.2 : An Intersectional Feminist Approach to Intervention: The Basics

2.3 Barriers to Integrating an Intersectional Feminist Approach and Impacts on Feminist Movements

Presentation Outline (continued)



Second Part

Socio-Legal Analysis of Sexual Violence

I

1. Statistical Overview And History

- 1.1 Who Is Most Affected by This Issue?
- 1.2 Deconstruction of "Real Rape" Stereotypes
- 1.3 Revisiting the History of Canadian Law on the Subject of Sexual Violence

II

2. Current Issues


- 2.1 National Action Plan to End Gender-Based Violence
- 2.2 Defamation Charges
- 2.3 Deprivation of Parental Authority
- 2.4 Legal System Reform

1. A Feminist Approach to Sexual Violence: More Than Power Dynamics.

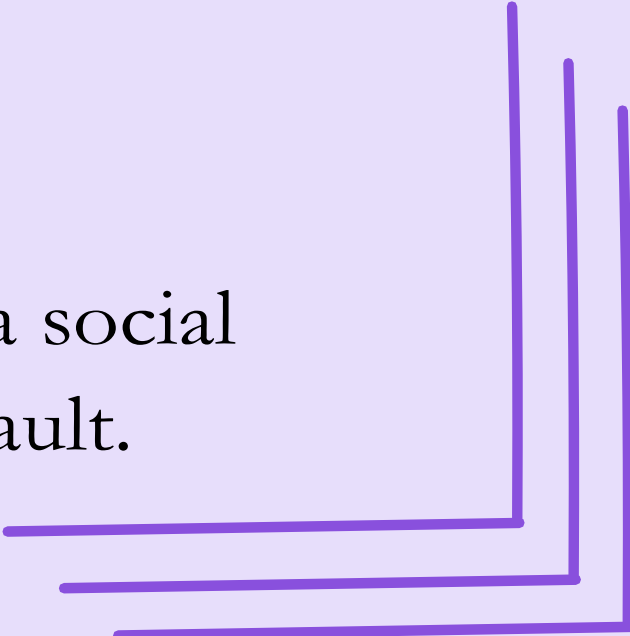
Sexual assault is the imposition of sexual attitudes, words or gestures against the person's will, using intimidation, threats, blackmail, verbal, physical and psychological violence.

At CALACS, sexual assault is first and foremost an act of domination, humiliation, abuse of power and violence.

1.1 Why Must Sexual Violence Be Viewed through a Feminist Lens?



Sexual violence is a part of a larger issue of violence against women.



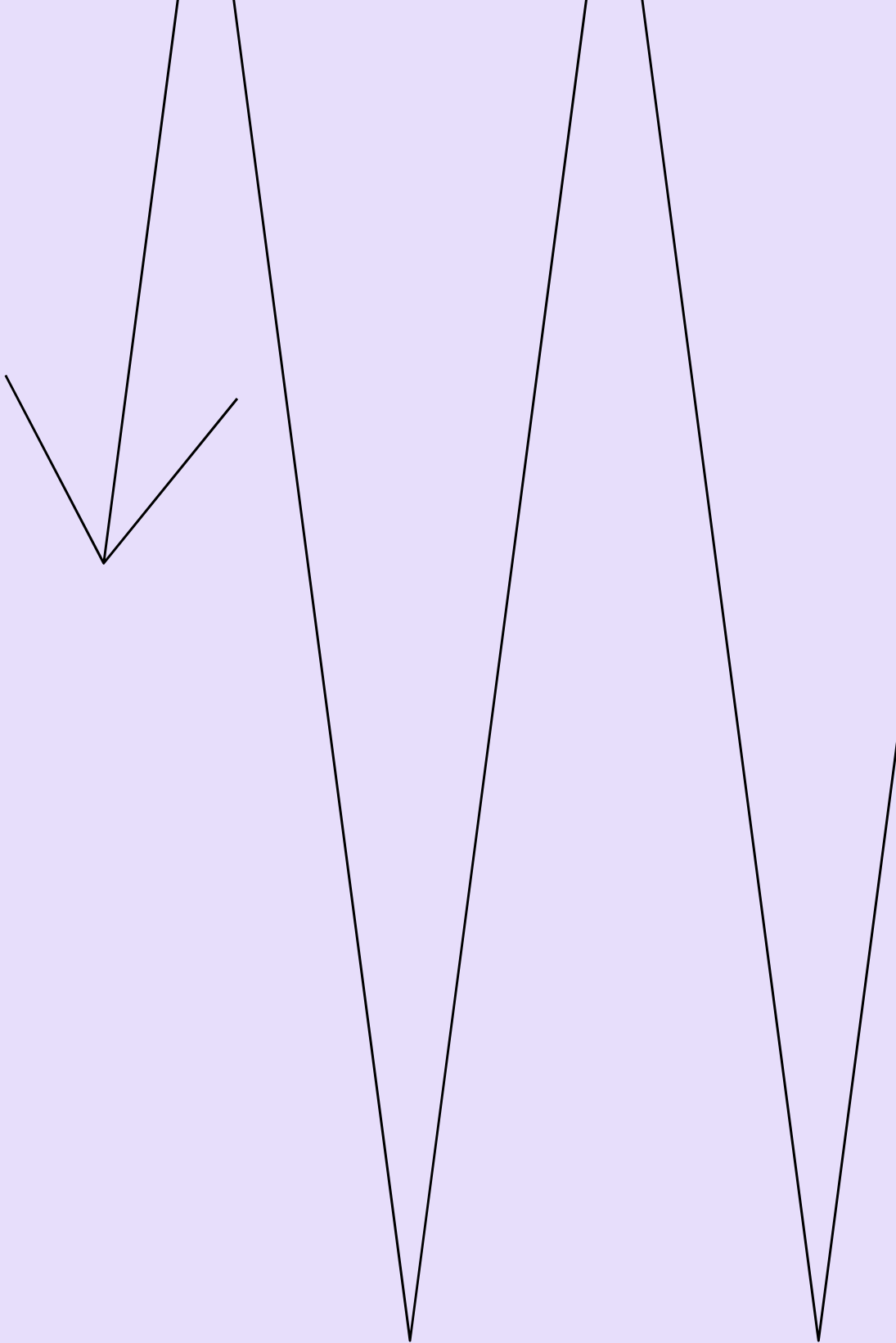
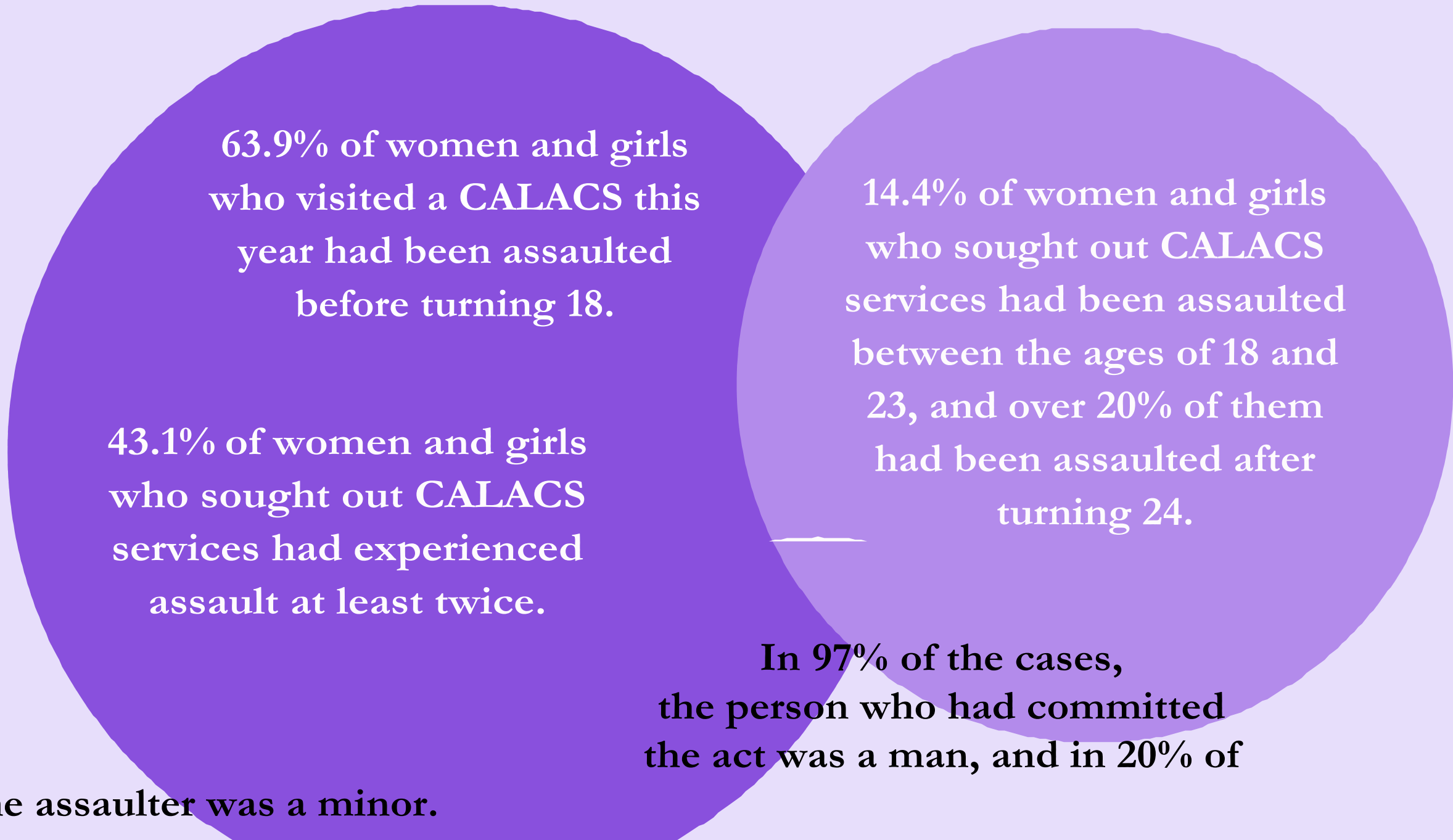
CALACS centres offer a social analysis of sexual assault.

Women and girls represent 82% of victims of sexual violence.



The fight against sexual violence must account for the factor of gender—which is deeply entrenched in societal power dynamics.

1.2 Numbers That Say It All: Data Collected by RQCALACS in 2018-2019



1.3 A Feminist Response to Gendered Violence: “Shame Must Change Sides”

“Where there is power
and violence, there is
resistance”



Women’s groups and feminist activists
have a long track record in the fight
against gender-based violence.

Creating
resources for
and by women



In Quebec

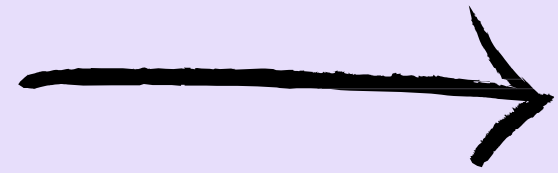
1970 Shelters

1975 First CALACS (MCVI)

1979 RQCALACS



ISSUES



Women and girls aren't one homogenous group.
Inequalities also exist between women.



Exclusion and discrimination from certain women's groups
within larger feminist community movements



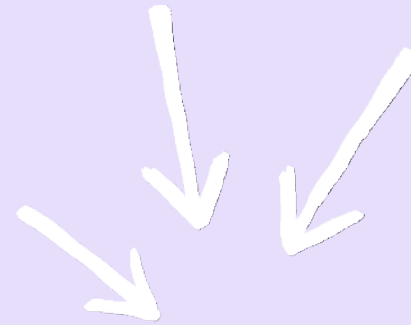
**Resources for whom? Policies for whom? Justice for whom? Whose
voices? Whose spaces?**

2. Why Is an Intersectional Feminist Approach Crucial to Analyzing Sexual Violence?

“The location of women of color at the intersection of race and gender makes our actual experience of domestic violence, rape, and remedial reform qualitatively different than that of white women.”

-Kimberlé Crenshaw

Intersectional Feminist ANALYSIS in the Fight against Sexual Violence



Considers the relationship between sexual violence and the patriarchy while accounting for other systems of oppression, like racism, homophobia, transphobia, ableism, etc.

= AND

How these different systems of oppression impact each other simultaneously, which means that certain groups of women can be more vulnerable to sexual violence. The intersection of these contexts results in the exploitation of women and is conducive to sexual assault and violence.

2.1 A Quick Reminder: What Is Intersectionality ?

Intersectionality is a concept developed by Black American legal scholar and feminist activist Kimberlé Crenshaw. It describes the interdependence of different forms of discrimination and oppression that people can experience due to their belonging to many marginalized groups.

According to this concept, individuals can be affected by multiple forms of discrimination related to race, gender, social class, sexual orientation, age, religion, etc. These different lines of oppression intersect and compound, resulting in unique and complex life experiences.



2.2 : An Intersectional Feminist Approach to Intervention: The Basics



OBJECTIVES

Promote dialogue between diverging perceptions due to different experiences, enriching our analyses and diversifying our courses of action;

Build a coherent political struggle between different social movements;

Recognize and counter power dynamics that exist between women / Go beyond inclusion

discrimination, inequality, and violence.

Address the causes behind

TOOLS

Building an Intersectional Approach in Community Organizations

GBA+: Contexts of
vulnerability

The many forms
violence can take

Survival strategies



Specific barriers

Survivors' specific needs

The multi-faceted and
inclusive nature of the
movement against
sexual violence

2.3 Barriers and Resistance to Integrating an Intersectional Feminist Approach and Impacts on Feminist Movements



Public policies

The political elite's failure to recognize intersectionality and its fair-weather approach to GBV+



“It's not our vision of feminism”

Says the cabinet of Martine Biron, Minister responsible for the Status of Women in Quebec

”



2.3 Barriers and Resistance to Integrating an Intersectional Feminist Approach and Impacts on Feminist Movements

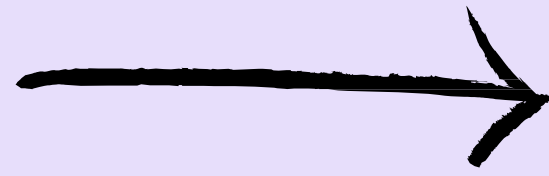


Organizations and
institutions:

The Whitening of Intersectionality

“ A set of discourses and disciplinary practices evacuate critical race theory from the contemporary apparatus of intersectionality and marginalize racialized intersectional knowledge producers in current academic debates and spaces.”

Sirma Bilgue,
"The Whitening of
Intersectionality"



White Supremacy Culture

 Some examples:

Concernant la culture de la suprématie blanche

Tema Okun. dRworks : www.dismantlingracism.org

- Le présent texte est dédié à feu Kenneth Jones, collègue, mentor et ami de longue date qui a su infuser plusieurs sphères de ma vie de sagesse. Pour tout le reste, il m'a poussé à rester sincère. Je t'aime et tu me manques plus que tout.
- Cette introduction à la culture de la suprématie blanche s'appuie sur le travail de plusieurs personnes, dont : Andrea Ayvazian, Bree Carlson, Beverly Daniel Tatum, Eli Dueker, Nancy Emond, Kenneth Jones, Jonn Lunsford, Sharon Martinas, Joan Olsson, David Rogers, James Williams, Sally Yee ; les organisations *Grassroots Leadership*, *Equity Institute Inc*, *People's Institute for Survival and Beyond*, *Lillie Allen Institute*, *Western States Center* ; l'atelier « Challenging White Supremacy » ; ainsi que les contributions inestimables de centaines de personnes ayant participées au processus de démantèlement du racisme (DR).

**Les sections marquées d'un astérisque sont largement inspirées du travail de Daniel Buford, formateur principal à la People's Institute for Survival and Beyond, où des recherches approfondies sur la culture de la suprématie blanche ont été conduites.*

Vous trouverez ici une liste des principales caractéristiques qui composent la culture de la suprématie blanche tel qu'elle se manifeste dans nos organisations. La suprématie blanche tire sa puissance précisément du fait qu'elle constitue une culture omniprésente et invisible, difficile à percevoir, à identifier, à dénoncer. Les caractéristiques énumérées ci-dessous sont préjudiciables puisqu'elles sont à l'origine de normes bien souvent imposées tacitement sur les membres d'un groupe. Elles sont préjudiciables, aussi, parce qu'elles favorisent par-dessous tout la logique de la suprématie blanche. Parce que nous vivons toutes et tous au sein de cette culture de la suprématie blanche, ses modalités se manifestent dans les attitudes et les comportements de chacune et chacun d'entre nous, que nous soyons des personnes racisées ou blanches. Par conséquent, ces attitudes et comportements peuvent se manifester dans n'importe quelle organisation ou groupe, qu'il s'agisse d'organisations composées entièrement ou principalement de personnes blanches ou de personnes racisées.



It's related to systemic racism

Part 2: Socio- Legal Analysis

Sexual Violence in Canada: A Statistical Overview



The rate of sexual assaults against **Indigenous women** is **approximately 3 times higher** than against non-Indigenous women.



The rate of sexual assaults against **people with a disability** is **approximately double** than against non-disabled people.



The rate of sexual assaults against **people who identify as gay or bisexual** is **6 times higher** than against people who identify as heterosexual.

Canada's Legal Framework: A Historical Perspective



1892:

**First codification in
Canada's Criminal Code**

“The act of a man having
carnal knowledge of a
woman who is not his wife
without her consent.”

1983:

**Major reform to
sexual assault
legislation**

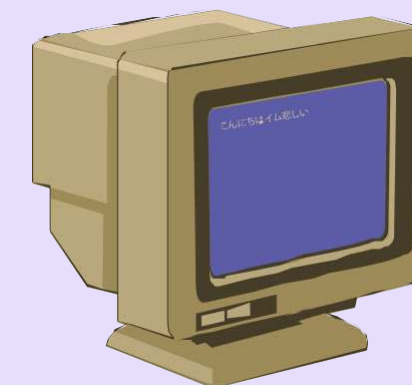
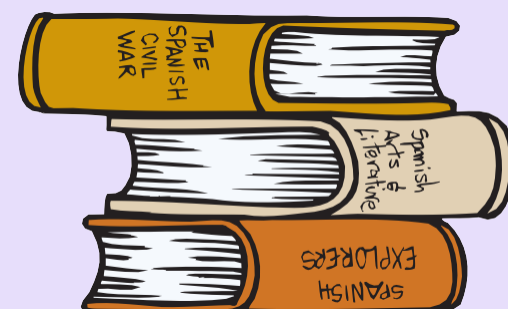
Includes all sexual
contact without consent.

The gendered
component of assault is
also removed.

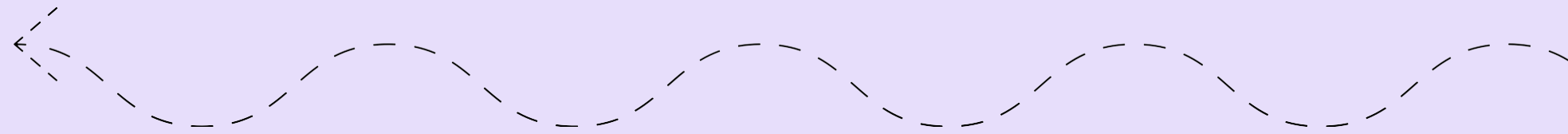
1992:

**Definition of consent in the
Criminal Code.**

How does past legislation
feed into current
stereotypes?



The Modern Definition of Sexual Assault in Canadian Law



Articles 271 to 273.2 of the Criminal Code



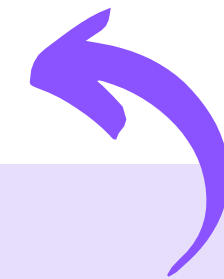
Sexual assault is an act in which one intentionally sexually touches another person without that person's consent or believing that the other person had consented through recklessness or wilful blindness.

Consent in Canadian Law



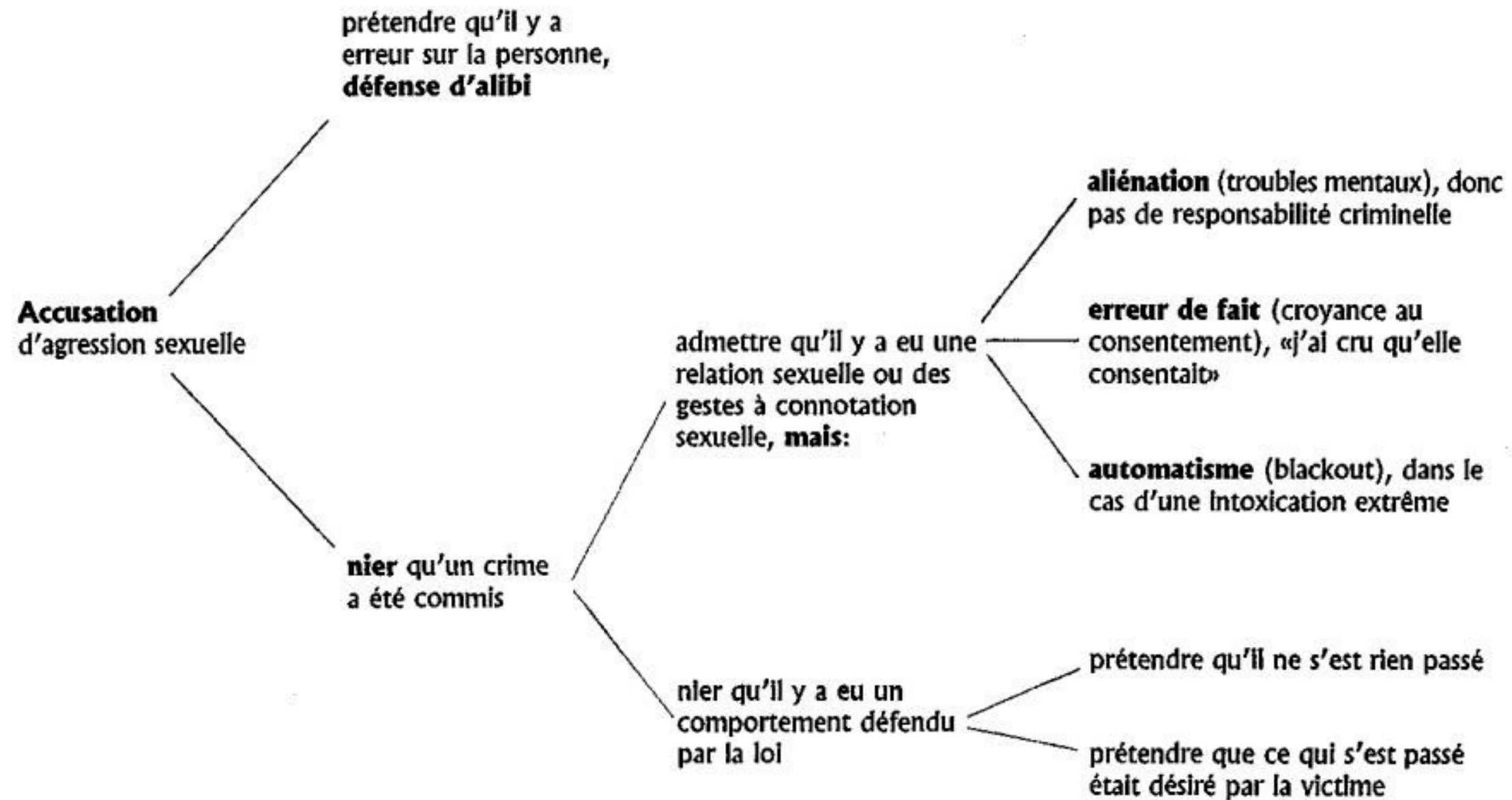
The voluntary agreement of the complainant to engage in the sexual activity in question.

Conduct short of a voluntary agreement to engage in sexual activity does not constitute consent as a matter of law.



Paragraph 273.1(1) of the Criminal Code

Defence Strategies



Illegal Defence Strategies

- Self-induced intoxication
- Recklessness or wilful blindness
- Failure to take reasonable steps
- The victim's sexual past
- Victim's "implied" consent (The R v Ewanchuk case)



Current Issues

National Action Plan to End Gender-Based Violence



- Mobilize the entire Canadian population
- Address social and economic factors
- Improve health, economic and social conditions, and the legal system

Quebec's Unique Context



≡ EQUALITY ≡



Defamation Charges



- Intentionally saying or writing unpleasant or negative things that are untrue about another person.
- Intentionally saying or writing unpleasant or negative things that you should know to be untrue about another person.
- Intentionally saying or writing unpleasant or negative things about another person without just cause, whether or not they are true.



Deprivation of Parental Authority

According to the Ministry of Justice, over 170 children are born from sexual assault every year in Quebec.



Draft Bill 12

- Allows a mother who is a rape victim to refuse to establish paternity.
- The assaulter is still required to contribute to meeting the child's needs.
- The child is eligible to inherit from the assaulter after the assaulter's death.

Legal System Reform (Specialized Court)



Conclusion

