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# PERILS and Possibilities

Social Activism  
and the Law

BYRON SHELDRICK



# Perils And Possibilities Social Activism And The Law

**Elya M. Durisin, Emily van der  
Meulen, Chris Bruckert**



## **Perils And Possibilities Social Activism And The Law:**

*Organize!* Aziz Choudry, Jill Hanley, Eric Shragge, 2012-05-30 What are the ways forward for organizing for progressive social change in an era of unprecedented economic social and ecological crises How do political activists build power and critical analysis in their daily work for change Grounded in struggles in Canada the United States Aotearoa New Zealand as well as transnational activist networks *Organize Building from the Local for Global Justice* links local organizing with global struggles to make a better world In over twenty chapters written by a diverse range of organizers activists academics lawyers artists and researchers this book weaves a rich and varied tapestry of dynamic strategies for struggle From community based labor organizing strategies among immigrant workers to mobilizing psychiatric survivors from arts and activism for Palestine to organizing in support of Indigenous Peoples the authors reflect critically on the tensions problems limits and gains inherent in a diverse range of organizing contexts and practices The book also places these processes in historical perspective encouraging us to use history to shed light on contemporary injustices and how they can be overcome Written in accessible language *Organize* will appeal to college and university students activists organizers and the wider public Contributors include Aziz Choudry Jill Hanley Eric Shragge Devlin Kuyek Kezia Speirs Evelyn Calugay Anne Petermann Alex Law Jared Will Radha D Souza Edward Ou Jin Lee Norman Nawrocki Rafeef Ziadah Maria Bargh Dave Bleakney Abdi Hagi Yusef Mostafa Henaway Emilie Breton Sandra Jeppesen Anna Kruzynski Rachel Sarrasin Dolores Chew David Reville Kathryn Church Brian Aboud Joey Calugay Gada Mahrouse Harsha Walia Mary Foster Martha Stiegman Robert Fisher Yuseph Katiya and Christopher Reid **Poverty** Margot Young, Susan Boyd, Gwen Brodsky, Shelagh Day, 2011-11-01

Recent years have seen the retrenchment of Canadian social programs and the restructuring of the welfare state along neo liberal lines Social programs at both the federal and the provincial levels have been cut back eliminated or recast in exclusionary and punitive forms *Poverty Rights Social Citizenship and Legal Activism* responds to these changes by examining the ideas and practices of human rights citizenship legislation and institution building that are crucial to addressing poverty in this country The essays in this volume investigate current trends in social political and legal anti poverty activism They challenge prevailing assumptions about the role of governments and the methods of accountability in the field of social and economic justice Through their analysis of rights advocacy and the interconnectedness of law and politics the contributors also demonstrate that the fight for social and economic justice is vibrant and of critical importance

*The Sociology of Shari'a: Case Studies from around the World* Adam Possamai, James T Richardson, Bryan S. Turner, 2014-12-04 This edited volume offers a collection of papers that present a comparative analysis of the development of Shari'a in countries with Muslim minorities such as America Australia Germany and Italy as well as countries with Muslim majorities such as Malaysia Bangladesh Turkey and Tunisia *The Sociology of Shari'a* provides a global analysis of these important legal transformations and analyzes the topic from a sociological perspective It explores examples of non Western

countries that have a Muslim minority in their populations including South Africa China Singapore and the Philippines In addition the third part of the book includes case studies that explore some ground breaking theories on the sociology of Shari'a such as the application of Black Chambliss and Eisenstein's sociological perspectives The Sociology of Shari'a Adam Possamai, James T. Richardson, Bryan S. Turner, 2023-04-10 This edited collection focuses on the comparative analysis of the application of Shari'a in countries with Muslim minorities e.g. USA Australia Germany and Italy and majorities e.g. Malaysia Bangladesh Turkey and Morocco Most chapters in this new edition have been revised and the book as a whole has been updated to give even more international coverage This text provides a sociological and global analysis of a phenomenon that goes beyond the West versus the rest dichotomy One example of this is how included are case studies in Muslim minority countries not exclusively located in the West Although the contributors of this book come from various disciplines such as law anthropology and sociology this volume has a strong sociological focus on the analysis of Shari'a The final part of the book indeed draws out from all the case studies explored some ground breaking theories on the sociology of Shari'a such as the application of Black Chambliss and Eisenstein's sociological theories This text appeals to students and researchers working in the sociology of religion

**Canada's Rights Revolution** Dominique Clément, 2009-01-01 In the first major study of postwar social movement organizations in Canada Dominique Clément provides a history of the human rights movement as seen through the eyes of two generations of activists Drawing on newly acquired archival sources extensive interviews and materials released through access to information applications Clément explores the history of four organizations that emerged in the sixties and evolved into powerful lobbies for human rights despite bitter internal disputes and intense rivalries This book offers a unique perspective on infamous human rights controversies and argues that the idea of human rights has historically been highly statist while grassroots activism has been at the heart of the most profound human rights advances

Immigrant and Migrant Workers Organizing in Canada and the United States Jorge Frozzini, Alexandra Law, 2017-11-08 Across Canada and the United States immigrant workers face important obstacles at work and in the broader society whether their immigration status is temporary permanent or nonexistent Hyper precarious workers of all status groups and their allies in unions and worker centers are organizing to improve their conditions In this book Jorge Frozzini and Alexandra Law two longtime volunteers with a Canadian worker center draw on their own experience in depth interviews and academic work from the fields of law communication studies and social movement theory to produce a tactically focused theoretically informed introduction to immigrant worker organizing in a neoliberal era Frozzini and Law describe the phenomenon of employment precarity in the context of U.S. and Canadian labor history explaining how union certification and collective bargaining function under the law Without directing activists toward any single best strategy they cover tactical and ethical questions raised when organizers offer casework as a recruitment and research tool The royalties from this book will go to the Immigrant Workers Centre Montreal

Perils and Possibilities Byron M. Sheldrick, 2004 The

legal system is presented as a political resource in this examination of how Canadian American and British law can be used by social justice activists to negotiate with and leverage the power of lawyers courts tribunals and commissions of inquiry The opportunities and dangers that the law presents the activist community are covered in detail with discussions of the contradictions behind personal rights discourse and the importance of administrative boards Strategic practical and tactical questions are addressed to facilitate understanding and encourage activists to carefully navigate the contradictions inherent in laws

**Exploring Disability Identity and Disability Rights through Narratives** Ravi Malhotra, Morgan Rowe, 2013-10-30 Building on David M Engel and Frank W Munger s work analyzing the narratives of people with physical and learning disabilities this book examines the life stories of twelve physically disabled Canadian adults through the prism of the social model of disablement Using a grounded theory approach and with extensive reporting of the thoughts of the participants in their own words the book uses narratives to explore whether an advocacy identity helps or hinders dealings with systemic barriers for disabled people in education employment and transportation The book underscores how both physical and attitudinal barriers by educators employers and service providers complicate the lives of disabled people The book places a particular focus on the importance of political economy and the changes to the labour market for understanding the marginalization and oppression of people with disabilities By melding socio legal approaches with insights from feminist critical race and queer legal theory Ravi Malhotra and Morgan Rowe ask if we need to reconsider the social model of disablement and proposes avenues for inclusive legal reform

**Organizing for Sex Workers' Rights in Montréal** Francine Tremblay, 2020-02-13 This book is based on a case study about Stella l amie de Maimie a Montr al sex workers rights organization founded by and for sex workers It explores how a group of ostracized female identified sex workers transformed themselves into a collective to promote the health and well being of women working in the sex industry Weighed down by the old and tenacious whore symbol the sex workers at Stella had to find a way to navigate the criminality of sex work and sex workers in order to do advocacy and support work and create safer spaces for sex workers to engage in such advocacy This book focuses on sex workers but the advocacy challenges and strategies it outlines can also apply to the lives of other marginalized groups who are often ignored pitied or reviled but who are seldom seen as fully human

**The Evolving Physiology of Government** O. P. Dwivedi, Byron M. Sheldrick, Tim A. Mau , 2009-06-20 Canadian public administration has provided a rich ground for examining the changing nature of the state Currents of political change have rippled through the administration of the public sector often producing significant alterations in our understanding of how best to organize and administer public services This volume brings together some of the leading Canadian and international scholars of public administration to reflect on these changes and their significance Providing a historical perspective on public administration in Canada the volume examines the shift from a traditional model of administration to newer forms such as new public management and governance and explores current debates and the place of Canadian public

administration within a broader comparative perspective      *Gender, Race & Canadian Law*, 2020-11-26T00:00:00Z Gender Race Canadian Law explores feminist and critical race approaches to Canadian law The collection which is suitable for undergraduate courses begins with a basic overview of Canadian law and an introduction to critical concepts including the official version of law race and racialization privilege and heteronormativity Substantive themes include the Montreal massacre hegemonic and other masculinities equality rights sexual assault and other gendered violence trans colonialism immigration and multiculturalism Contributors Constance Backhouse Gillian Balfour M lissa Blais Karen Busby Wendy Chan Sandra Ka Hon Chu Elizabeth Comack Raewyn Connell Pamela Downe Deborah H Drake Rod Earle Eve Haque Joanna Harris Margot A Hurlbert Lisa Marie Jakubowski Peter Knegt Ruth M Mann Peggy McIntosh Marilou McPhedron Martin Rochlin

*Expanding Perspectives on Human Rights in Africa* M. Raymond Izarali, Oliver Masakure, Bonny Ibhawoh, 2019-03-14 This book draws attention to emerging issues around the rights of minorities marginalized groups and persons in Africa It explores the gaps between human rights provisions and conditions showing that although international human rights principles have been embraced in the continent various minority groups and marginalized persons are denied such rights through criminalization and persecution African countries have a good record of signing and ratifying international and regional rights instruments but the political will and capacity for enforcing these with respect to minorities remain weak International contributors to the book provide new perspectives on the rights of marginalized and minority groups in different parts of Africa and the extent to which they are deprived or denied entitlement to the universality and equality articulated in law The authors show that human rights while having come of age as a moral ideal has not been fully entrenched in practice towards groups such as children indigenous populations the mentally ill persons with disabilities and persons with albinism This volume is geared toward scholars students human rights groups policy makers social workers international organizations and policy makers in the fields of criminology security studies development studies political science sociology children studies social psychology international relations postcolonial studies and African Studies      *The People's House of Commons* David E. Smith, 2007-04-21 Canada's House of Commons has come under considerable attack in recent years Many critics have contended that the House has been unresponsive to public opinion and that its party leaders have too much control while leaving individual MPs essentially powerless The House has also faced challenges by the courts since the introduction of the Charter a powerful bureaucracy equipped with specialized knowledge and new telecommunications systems that are redefining the transfer of information Through an examination of academic judicial political and legal commentary The People's House of Commons explores the role of the House as a public institution While addressing much of the criticism that has been levelled at the House David E Smith considers the competing political models and inherent tensions and their affect on public understanding Smith maintains that court decisions are transforming the political system from one dominated by parties to one that promotes individual participation He argues that reforms such as

fixed election dates or stronger parliamentary committees have constitutional significance since their implementation would alter the practice of responsible government which for more than a century has been a party government A definitive work by one of Canada's foremost experts in the field of political science The People's House of Commons explores the ramifications of many of the changes currently being proposed to Canada's political system with particular reference to their affect on prerogative power parliamentary privilege party discipline bicameralism and the role of the opposition

**Blocking Public Participation** Byron Sheldrick, 2014-03-25 Strategic litigation against public participation SLAPP involves lawsuits brought by individuals corporations groups or politicians to curtail political activism and expression An increasingly large part of the political landscape in Canada they are often launched against those protesting boycotting or participating in some form of political activism A common feature of SLAPPs is that their intention is rarely to win the case or secure a remedy rather the suit is brought to create a chill on political expression Blocking Public Participation examines the different types of litigation and causes of action that frequently form the basis of SLAPPs and how these lawsuits transform political disputes into legal cases thereby blocking political engagement The resource imbalance between plaintiffs and defendants allows plaintiffs to tie up defendants in complex and costly legal processes The book also examines the dangers SLAPPs pose to political expression and to the quality and integrity of our democratic political institutions Finally the book examines the need to regulate SLAPPs in Canada and assesses various regulatory proposals In Canada considerable attention has been paid to the legalization of politics and the impact on the Charter in diverting political activism into the judicial arena SLAPPs however are an understudied element of this process and in their obstruction of political engagement through recourse to the courts they have profound implications for democratic practice

Between Possibility and Peril Chris Kendall, 2024-07-16 How domestic courts in newly democratized states become willing and able to enforce international human rights law When do domestic courts protect international human rights By the end of the twentieth century the world had witnessed an unprecedented flourishing of international human rights law and a growing number of democratic states whose domestic institutions promised to protect those rights A single institution often became the center of these efforts the court Advocates in newly democratized states could look to high courts to demand that their governments comply with international law and bring policy into line with liberal rhetoric This process however put these young courts in a difficult position With no deep well of historical legitimacy to draw on in new political environments courts had to weigh high minded legal principles against the limited resources or political preferences of elected governments In such situations how did these courts respond and what strategies allowed some to successfully build their legitimacy over time while others faltered succumbing to political pressure or suffering political backlash In Between Possibility and Peril Chris Kendall explores this dynamic in three states Colombia Mexico and South Africa in the twenty years following each country's democratic transition The case studies reveal a common pattern what matters most is not international law itself but a court's ability to control its procedural environment

Control over these rules of the game allows a court to selectively engage international human rights issues that can enhance its legitimacy and build public support while avoiding those issues likely to put it in direct conflict with hostile political actors. The result is paradoxical: the most successful courts in the long term are those who in the short term often choose to disappoint rights advocates.

Red Light Labour Elya M. Durisin, Emily van der Meulen, Chris Bruckert, 2018-09-01 In 2013 the Supreme Court ruled in *Canada v Bedford* that key prostitution laws were unconstitutional. The decision provoked wide interest but little new insight into sex work. *Red Light Labour* addresses Canada's new legal regime regulating sex work through the analysis of past and present policy approaches and consideration of how laws and those who uphold them have constructed, controlled, and criminalized sex workers, their clients, and their workspaces. This groundbreaking collection also offers nuanced interpretations of commercial sexual labour that foreground the personal perspectives of workers and activists. The contributors highlight the struggle for civic and social inclusion by considering sex workers' advocacy tactics, successes, and challenges. *Red Light Labour* promotes social and economic justice within a sex work as labour framework. This book is a timely intervention that showcases up-to-date legal policy and social analysis of sex work in Canada. **Searching for Contemporary Legal Thought** Justin Desautels-Stein, Christopher Tomlins, 2017-12-28 For more than a century law schools have trained students to think like a lawyer. In these times of legal crisis, both in legal education and in global society, what does that mean for the rest of us? In this book, thirty leading international scholars, including Louis Assier Andrieu, Marianne Constable, Yves Dezalay, Denise Ferreira da Silva, Bryant Garth, Peter Goodrich, Duncan Kennedy, Martti Koskenniemi, Shaun McVeigh, Samuel Moyn, Annelise Riles, Charles Sabel, and William Simon, examine what is distinctive about legal thought. They probe the relation between law and time, law and culture, and legal thought and legal action: the nature of current legal thought, the geography of legal thought, and the conditions for recognition of a new contemporary style of law. This work will help theorists, social scientists, historians, and students understand the intellectual context of legal problems, legal doctrine, and jurisprudential trends in the current conjuncture. *Human Rights and the Criminal Justice System* Anthony Amatrudo, Leslie Blake, 2014-09-15 We now live in a world which thinks through the legislative implications of criminal justice with one eye on human rights. *Human Rights and the Criminal Justice System* provides comprehensive coverage of human rights as it relates to the contemporary criminal justice system. As well as being a significant aspect of international governance and global justice, Amatrudo and Blake argue here that human rights have also eclipsed the rhetoric of religion in contemporary moral discussion. This book explores topics such as terrorism, race, and the rights of prisoners, as well as existing legal structures, court practices, and the developing literature in Criminology, Law, and Political Science in order to critically review the relationship between the developing body of human rights theory and practice and the criminal justice system. This book will be of considerable interest to those with academic concerns in this area, as well as providing an accessible yet sophisticated resource for upper-level undergraduate and postgraduate human rights courses. American



Book Publishing Record ,2005      **The Criminal Trial in Law and Discourse** T. Kirchengast,2010-10-13 This book examines how the modern criminal trial is the result of competing discourses of justice from human rights to state law and order that allows for the consideration of key stakeholder interests specifically those of victims defendants police communities and the state

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