

Volume 45, Number 4 (Winter 2007)

Law and Feminism

Guest Editor: Mary Jane Mossman

Article 8

Book Review: The Ursula Franklin Reader: Pacifism as a Map, by Ursula Franklin

Mary Jane Mossman

Osgoode Hall Law School of York University, mjmossman@osgoode.yorku.ca

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/ohlj>

Book Review

Citation Information

Mossman, Mary Jane. "Book Review: The Ursula Franklin Reader: Pacifism as a Map, by Ursula Franklin." *Osgoode Hall Law Journal* 45.4 (2007) : 821-827.

<http://digitalcommons.osgoode.yorku.ca/ohlj/vol45/iss4/8>

This Book Review is brought to you for free and open access by the Journals at Osgoode Digital Commons. It has been accepted for inclusion in Osgoode Hall Law Journal by an authorized editor of Osgoode Digital Commons.

THE URSULA FRANKLIN READER: PACIFISM AS A MAP BY
URSULA FRANKLIN (TORONTO: BETWEEN THE LINES, 2006)
384 pages.¹

BY MARY JANE MOSSMAN²

This collection of Ursula Franklin's essays offers an unparalleled opportunity to explore the work of an important Canadian scholar and activist, whose ideas about justice offer important challenges to law and lawyers. Beyond her contributions as a scientist, environmentalist, and engaged civic activist, her writings provide cogent analyses of new technologies, militarism, and education. They reveal a woman whose life and work represent a profound commitment to a vibrant and just community. As Michelle Swenarchuk explains in her Introduction, "Ursula considers that her pacifism provides an alternative map to view the world,"³ and that only "a commitment to ethical means and non-violence in all human actions can ... lead to a peaceful, just, and egalitarian world."⁴ This belief has guided her approach to science, to her teaching and political activism, and to her life's work. Understanding her pacifism as the "map" for her insights and inspiration, Swenarchuk identifies Franklin's commitment to the Quaker dictum to "live adventurously" and recognizes that her map does not include "borders separating thought from action"; instead, there is "a seamless connection [which] characterizes her practice of pacifism."⁵

Born in Germany, Franklin spent time as a prisoner in Nazi concentration camps during the Second World War, where she lost members of her family; she also lived through the bombing of Berlin and the Soviet occupation. Franklin completed her Ph.D. in experimental physics after the war in 1948. She immigrated to Canada

¹ [*Ursula Franklin Reader*].

² Professor of Law at Osgoode Hall Law School

³ Michelle Swenarchuk, "Introduction" in *Ursula Franklin Reader*, *supra* note 1 at 2. Michelle Swenarchuk, LL.B. (Osgoode), is a former Executive Director of the Canadian Environmental Law Association and the author of numerous policy papers and submissions on issues of environmentalism in Canada and elsewhere.

⁴ *Ibid.* at 1.

⁵ *Ibid.* at 35.

the following year and obtained an appointment in the Department of Metallurgy and Materials Science at the University of Toronto, many years later, in 1967. She became a full professor in 1973, and was the first woman to become a University Professor in 1984.⁶ Franklin's pacifism and feminism are intimately connected: in all her activities, "she has asked questions that are different than those asked by her male colleagues, and she has provided different answers using language and imagery from women's experience."⁷ Grounded in these beliefs, the collection offers challenges that need to be taken seriously—especially by lawyers and other advocates for social justice.

The essays and speeches—some of them not previously published—span much of the 1980s and 1990s, but also include one essay from as early as 1978 and a handful of others from post-2000, and especially post-September 11 (9/11). The essays are grouped into four parts: the pursuit of peace; the technological world; coping with and changing the technological world; and the challenges of teaching and learning. Part One focuses on peace and pacifism and the need to resist violence and war. In the transcript of Franklin's interview with Paul Kennedy for CBC Radio on 13 September 2001, for example, she emphasizes the urgent need to consider what it would take "not to avoid war, but to promote peace"⁸ in the aftermath of the 9/11 attacks. In response to Kennedy's skeptical musing about whether—or how—one could move toward peace in the days immediately following 9/11, Franklin's advice is pointed:

How does one move towards justice? Step by bloody small step. ... If it isn't now, in the face of the horror, that one says, "Force, terrorism, more force, more violence doesn't achieve anything," when do we say it? ... The rational thinking that force does not work, even for the enforcer, is staring us in the face. ... I think this is the moment to say, "We are on a path of no return if we do not look at the roots of violence, if we do not look at the indivisibility of peace."⁹

⁶ "Ursula M. Franklin" in *Ursula Franklin Reader*, *supra* note 1, 369 at 369-70. Among her many public honours was the Order of Ontario in 1990 for "significant contributions to the life of Ontario as a scientist, educator, citizen, and humanitarian."

⁷ Swenarchuk, *supra* note 3 at 2.

⁸ "How the World has Changed" in *Ursula Franklin Reader*, *supra* note 1, 128 at 128 ["How the World"].

⁹ *Ibid.* at 129.

Franklin's pacifism is clearly illustrative of a direct "link between faith and practice."¹⁰ Indeed, the first essay is an unpublished background paper for a *Charter* challenge (based on freedom of religion) in relation to the "conscription" of citizens' taxes for the purposes of waging war. As Franklin and others argue, legal recognition of the principle of conscientious objection to *physical conscription* should be extended to include *resource conscription*. Despite paying their taxes into a trust fund, those who participated in this initiative were charged with tax offences; moreover, the *Charter* challenge was unsuccessful at trial and on appeal, and leave to appeal to the Supreme Court of Canada was denied.¹¹

Franklin defines peace as the absence of fear—fear of nuclear war, environmental destruction, arrest and imprisonment, as well as fear of hunger, loss of employment, or that one's "life will not count for much." She continues to assert that "the central element needed to bring peace ... and to reduce fear is justice."¹² Moreover, because overcoming dominance is part of overcoming war, Franklin sees pacifism and feminism as intimately connected: "the struggle for women's rights and the opposition to militarism in all its forms are two sides of the same coin."¹³ As these essays demonstrate, Franklin understands peace as "the prerequisite of a civilized and just society, as the foundation for constructive work and collaboration in the great tasks of finding ways for people to live together."¹⁴

Parts Two and Three both focus on technology, describing the consequences of, and strategies for coping with, a technological world. Many of these essays reflect Franklin's work on the Report of the

¹⁰ "The Nature of Conscience and the Nature of War" in *Ursula Franklin Reader*, *supra* note 1, 46 at 48 ["Nature of Conscience"]. See also "Quaker Witness in a Technological Society" in *Ursula Franklin Reader*, *supra* note 1, 80 at 80; Peter Brock & Nigel Young, *Pacifism in the Twentieth Century* (Toronto: University of Toronto Press, 1999); and *Christian Faith and Practice in the Experience of the Society of Friends* (London: London Yearly Meeting of the Religious Society of Friends, 1960).

¹¹ "The Pursuit of Peace: Pacifism as a Map" in *Ursula Franklin Reader*, *supra* note 1, 43 at 43-44 ["Pursuit of Peace"]. See also "Nature of Conscience," *ibid*.

¹² "Reflections on Theology and Peace" in *Ursula Franklin Reader*, *supra* note 1, 61 at 69-70. Franklin pays tribute to Kathleen Lonsdale, a prominent British Quaker, who gave lectures during the Cold War in the 1950s: see Kathleen Lonsdale, *Removing the Causes of War: Swarthmore Lecture*, 1953 (London: George Allen and Unwin Ltd, 1953).

¹³ "Women and Militarism" in *Ursula Franklin Reader*, *supra* note 1, 100 at 102.

¹⁴ "Pursuit of Peace," *supra* note 11 at 44-45.

Science Council of Canada¹⁵ and her well-known Massey lectures.¹⁶ For Franklin, technology is about “*practice*: the way things are done around here.”¹⁷ Yet, as she explains, while there have always been technologies, we are experiencing a historically unique process: “the ability to separate message from messenger, sound from speaker, and picture from depicted ... has become one of the driving forces behind a new and complex way of doing things.”¹⁸

Three essays explore how technology may impact negatively on our aspirations for liberty,¹⁹ access to justice,²⁰ and human rights.²¹ Franklin argues that the nature of modern technology limits and circumscribes the scope of law and regulation in terms of their enabling access to justice. For example, she identifies legal issues relating to bar-coded cards which can be used to create access, but also to enable surveillance: “We need a much clearer understanding as to who should take responsibility and be accountable for the installation of a technology that has the potential for serious misuse, in terms of justice and infringement of human rights.”²² Franklin sees a need for practices that reinforce the strength of community and accountability of government.²³ She urges us to continue the struggle to preserve

¹⁵ Science Council of Canada, *Canada as a Conserver Society: Resource Uncertainties and the Need for New Technologies*, report no. 27 (Ottawa: Science Council of Canada, 1977).

¹⁶ Ursula Franklin, *The Real World of Technology* (Toronto: House of Anansi Press, 1999) [*Real World*]. In her view, there is an urgent need to protect diversity in social systems, as in nature, for the future viability of the world. Thus, she argues that not all social institutions should be driven by the same considerations of efficiency, technology and market: “Gertrude Stein made clear that a rose is a rose is a rose, but it is not always self-evident that a university is a university is a university.” See “Environments versus Nature” in *Ursula Franklin Reader*, *supra* note 1, 139 at 147.

¹⁷ “Coping with and Changing the Technological World” in *Ursula Franklin Reader*, *supra* note 1, 205 at 205 [emphasis in original].

¹⁸ “Beyond the Hype: Thinking about the Information Highway” in *Ursula Franklin Reader*, *supra* note 1, 235 at 237 [“Beyond the Hype”].

¹⁹ “Liberty, Technology and Hope” in *Ursula Franklin Reader*, *supra* note 1, 169.

²⁰ “New Issues of Access to Justice raised by Modern Technology” in *Ursula Franklin Reader*, *supra* note 1, 183 [“New Issues”].

²¹ “New Threats to Human Rights through Science and Technology: The Need for Standards” in *Ursula Franklin Reader*, *supra* note 1, 198.

²² “New Issues,” *supra* note 20 at 187.

²³ In several essays, Franklin uses the metaphor of vertical and horizontal slices of a cake to imagine how a community (the vertical slices) may be disoriented or dislodged by too many horizontal cuts, which fundamentally disrupt the fabric of a local community. In her view, the increasing movement of information, images, goods, services, and money beyond community

communities, fashioning new “legal and structural instruments that can enable citizens to deal with the uncivil use of civil power.”²⁴

Franklin also addresses the need for women to be participants in shaping communities and in redefining the impact of technologies. At the same time, she writes poignantly about the continuing problems encountered by women who choose professional careers, particularly in science and engineering.²⁵ She highlights the tragedy at L’Ecole Polytechnique on 6 December 1989, where fourteen women were murdered.²⁶ In reflecting on the fact that these women “were abandoned by their fellow (male) students,” Franklin argues for changes to ensure respect for women’s presence in the academy:

[A woman] has the right to be there on her own terms, not just by gracious permission of the dominant culture, not only as long as she keeps her mouth shut and goes through the prescribed hoops, but because ... each of us has an inalienable right to be, and to fulfil our potential.²⁷

She concludes that “we must face” the realities of violence and sexism in our society, as well as in our educational institutions.²⁸

The final Part of this collection reveals Franklin’s longstanding interest in the practices of teaching and learning. She expresses concern about society’s increasing reliance on scientific expertise in political decision making, an approach that systematically excludes and silences informed citizen participation.²⁹ She also examines the ways in which biases continue to limit the participation of women in science.³⁰ Her description of the process of scientific research as the “making of facts”—a sandbox in which boys are busy making facts with their tools, and the *possibility* that the boys may invite a few girls to enter the

boundaries undermine structures of participation and accountability within communities: “the cake becomes a heap of crumbs.” See “Beyond the Hype,” *supra* note 18 at 237.

²⁴ “Citizen Politics: Advocacy in the Urban Habitat” in *Ursula Franklin Reader*, *supra* note 1, 289 at 295.

²⁵ “Will Women Change Technology or will Technology Change Women?” in *Ursula Franklin Reader*, *supra* note 1, 243 at 243.

²⁶ “Commemoration for the Montreal Massacre Victims” in *Ursula Franklin Reader*, *supra* note 1, 263 at 263.

²⁷ *Ibid.* at 264.

²⁸ *Ibid.*

²⁹ “Reflections on Science and the Citizen” in *Ursula Franklin Reader*, *supra* note 1, 315.

³⁰ “The Sandbox and the Tools” in *Ursula Franklin Reader*, *supra* note 1, 323 [“Sandbox”].

sandbox, so long as they use the boys' tools to make the same kinds of facts—has often resonated among feminist law students and lawyers as well.³¹ As Franklin notes, the problem occurs when the girls want to use *their own* tools to make *their own* facts, and perhaps even to have *their own* sandbox:

I think the challenge of feminist scholarship is in fact the struggle for the sandbox and the tools. That one can go around having a different process of fact-making, finding a different methodology, finding a different process of consensus and sanctioning, is indeed at the heart of feminist scholarship.³²

Franklin further explores these ideas about feminism and science in her letter to a graduate student about the life of Margaret Benston, a scientist, unionist, environmentalist and feminist. In this letter she demonstrates how “each aspect of her life was linked to and informed by all other aspects of her being.”³³ Similarly, in her address to the Canadian Committee on Women in Engineering in 1992, she warned engineering students not to forget feminism and the need for solidarity with other women: “[F]eminism is not an employment agency for women; feminism is a movement to change relations between people.”³⁴ For Franklin, moreover, education is not just the production of information or facts (the “sausage-making” model of education),³⁵ but rather a process of *social* learning for good citizenship that may be seriously impeded by technologies that separate people in time and space. As she asks, “[w]here, if not in school and workplace, is society built and changed?”³⁶ Franklin responds that education should be a process that engages children in becoming “personally happy and publicly useful,”³⁷ indeed, it is her engagement with students at the

³¹ See T. Brettel Dawson, ed., *Women, Law and Social Change: Core Readings and Current Issues*, 4th ed. (Concord, ON: Captus Press, 2002).

³² “Sandbox,” *supra* note 30 at 324.

³³ “Letter to a Graduate Student, from Ursula Franklin” in *Ursula Franklin Reader*, *supra* note 1, 336 at 336.

³⁴ “Looking Forward, Looking Back” in *Ursula Franklin Reader*, *supra* note 1, 345 at 351: “Feminism provides a way of life that our society ... desperately requires and that we need to practise.”

³⁵ “Personally Happy and Publicly Useful” in *Ursula Franklin Reader*, *supra* note 1, 353 at 361 [“Personally Happy”].

³⁶ *Real World*, *supra* note 16 at 172-73 [emphasis added].

³⁷ “Personally Happy,” *supra* note 35 at 363, citing Pauline Laing.

Ursula Franklin Academy in Toronto which now encourages her hopes for the advancement of peace and justice in the world.³⁸

All the same, Franklin's views on peace and justice are not much in abundance in our present world. Indeed, in her Prelude, she voices some disappointment that her maps are not currently popular: "I often feel very lonely trying to use them to navigate this violent and disoriented world."³⁹ Yet, as her essay collection so clearly reveals, there are alternative ways of seeing the world, different approaches to solving conflict, and new strategies for cooperation in building just communities. For lawyers and others, Franklin's essays offer much-needed inspiration, as well as concrete suggestions on how to use her maps of pacifism and feminism to help achieve justice, "step by bloody small step."⁴⁰

³⁸ "Teaching and Learning" in *Ursula Franklin Reader*, *supra* note 1, 311 at 314.

³⁹ "Prelude" in *Ursula Franklin Reader*, *supra* note 1, 39 at 41.

⁴⁰ "How the World," *supra* note 8 at 128.

