THE NEW FEMINIST

P. O. Box 597, Station A, Toronto, Ontario M5W 1E4 Canada

Volume 4, Number 1
March 1973

CONTENTS:

MAGAZINE COMMITTEE
(Alphabetical)

Christine, Dorothy
Linda, Pat, Val

UP TIGHT

Mind is buttoned up too tight,
Nerves clenched with all their might,
Dare not say what you like,
What else?

Do what others say you should,
Might as well be made of wood,
ANY change is not good,
Can't be yourself.

Dress in fashion's latest thing
If you want to stay in the swing;
Either puppet on a string
Or on the shelf.

It has always been this way,
Don't expect to have your say!
Sex and violence rule the day,
Silly elf!

Speak of love and golden rule,
Must be some kind of fool!
Taught to use these tools
Against yourself.

by Val Perkins

IT'S A BOY!

by Val Perkins

It's A BOY! he announced
Proud as can be
(He will be A MAN
Just like ME)

It's A BOY! he cried
(I admit it's true
I'm glad he's not
A girl like you)

It's A BOY! he crowed
Filled with joy
(The stronger sex)
He'll be ALL BOY

It's A BOY! he boasted
(Perhaps he'll be
A Football Hero
Just like ME)

It's A BOY! he shouted
I know he'll be
As smart as paint
Just wait and see

It's A BOY! he bragged
Could grow up to be
Prime Minister of
The whole country

It's A BOY! he rejoiced
Happy as can be
MY son will grow
Really close to ME

It's A BOY! he beamed
(Named after ME
MY life will go on
To Eternity)

It's A BOY! he glowed
(Not named after you
You don't need an ego
As much as I do)

It's a girl, he said
Pleased as can be
(I have two sons
So it's O.K. with ME)

It's A BOY! he laughed
Filled with glee
(The Superior Sex
Just like ME)

It's A Boy! she smiled
Proud as he
(Not the second sex
like me)

(a little girl with doll and carriage
playing house (a make-believe marriage)
with tiny dishes and miniature stove
in high-heeled shoes and mother's clothes)

(lively girl, clever and quick
at reading writing arithmetic
affectionate, teasing, full of fun
tossing jokes and riddles at everyone)

(tomboy nimbly climbing trees
swiping the neighbours'garden peas
ignoring dolls and other toys
playing hockey with the boys)

(athletic youngster sharp in shorts
socking balls on the tennis court
a whiz on skis, daring, frightening
cutting snow into zig-zag lightning)

(teenage girl, vibrant, glowing
in love with life, blossoming, growing
curious student going to college
mind and body seeking knowledge)

(young woman idly dreaming dreams
building bubbles full of schemes
wondering whether to graduate
or live his life and abdicate)

(charming woman, poised, mature
with a sense of humour, self-assured
polished, groomed and styled for life,
gentle, sensitive, brand-new wife)

(pregnant woman, life in flower
prepared from childhood for this hour
in pain of labour, fear and joy
giving him their baby boy)

(woman ready from her her birth
as source of life upon the earth
loving mother, loyal wife
finding a family, losing a life)

(most beautiful woman ever born
sparkling, radiant, unadorned
raven hair a shining crown
dynamic beauty world-renowned)

(lawyer with several college degrees
psychologist holding a Ph.D.
famous actress of screen and stage
most talented woman of the age)

(president of the richest company
ruler of the biggest country
royal princess, famous queen
most brilliant person ever seen)

cases relied on for the proposition that women were not entitled to hold public office and concluded:

> ...their Lordships do not think it right to apply to Canada of today the decisions and the reasons which commended themselves, probably rightly, to those who had to apply the law in different circumstances, in different centuries, to countries in different stages of development.

The reasons for reversing the Supreme Court's decision were summed up by the Lord Chancellor as being that: 1. the object of the British North America Act was to provide a constitution for independent developing states; 2. the word "person" is ambiguous; 3. in at least some sections of the Act the word must include females; 4. in some sections of the Act the expression "male British subject" is used; 5. the Interpretation Act extends the meaning of the masculine pronouns in the section to include the feminine. In addition, if Anglin, C.J. were right in his interpretation of the word "person" in s. 24, there is no reason why the word should not be given the same interpretation in s. 11; thus women who are now eligible to vote for and sit in Parliament could not become members of the cabinet.

The issue of whether women were "persons" for the purpose of rights and privileges conferred by statute had been argued in two provinces on behalf of a woman seeking admission to the practice of law as a qualified "person". She lost in both cases, the courts deciding that the common law meaning of "person" was restricted to males. The issue of whether women were qualified to hold public office was litigated in a case where an accused appealed conviction on the ground that a woman could not be appointed as police magistrate. The court refused to apply authorities from other jurisdictions asserting the ineligibility of women, and declared instead:

> I therefore think that applying the general principle upon which the common law rests, namely that of reason and good sense as applied to new conditions, this Court ought to declare that in this province and at this time in our presently existing conditions there is at common law no legal disqualification for holding public office in the government of this country arising from any distinction of sex.

Although the right of women to participation in public life has now been established, few have run for office, and only 22 have been elected to Parliament in the last 50 years. In the last 40 years, only 9 women have been appointed to the Senate, as against 230 men, and only 2 women are in the judiciary at the provincial superior court level, with none on any of the federal courts. Since the balancing of appointments to the bench and the senate is obviously within the power of the federal governments, the Royal Commission on the Status of Women has recommended that the government adopt an informal quota system in making new appointments to ensure a larger proportion of women. The Commission makes no suggestion that the quotas should be written into the B.N.A. Act, nor indeed does it make any recommendations for constitutional change. The United

States, in its century of struggle to achieve equality before the law for Negroes through constitutional amendments, and in its recent passage of a sex discrimination amendment has also chosen not to adopt any formal quota procedures.

Canadian Bill of Rights

Undoubtedly the Canadian Bill of Rights offers much more hope of breaking down barriers of sex discrimination, though it took some ten years before the first tangible results began to be seen. Unfortunately, the drafters of the statute did not achieve in the preamble that equality in the law which the act sets out to guarantee before the law: after referring in the first paragraph to "the dignity and worth of the human person", the preamble goes on to speak of "a society of free men and free institutions" and repeats the latter phrase in the second paragraph. The rest of the Bill clings scrupulously to the use of "person" or "individual", however.

The key sections of the Bill are sections 1 and 2, which read in part:

> 1. It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely...
>
> (b) the right of the individual to equality before the law and the protection of the law....
>
> 2. Every law of Canada shall, unless it is expressly declared by an Act of the Parliament of Canada that it shall operate notwithstanding the Canadian Bill of Rights, be so construed and applied as not to abrogate, abridge or infringe or to authorize the abrogation, abridgment or infringement of any of the rights or freedoms herein recognized and declared...

The history of these two sections at the hands of the courts was not particularly fortunate for the first few years. In 1962 the British Columbia Court of Appeal found in the Gonzales case that equality before the law meant only that all those to whom a particular law applied had the right to be treated equally under it; discrimination against some groups on account of "age, ability, characteristics and other things" was a necessity in a "civilized society" and "equal laws for everyone" were a "practical impossibility". The law in question was s. 95 of the Indian Act, which made it an offence for Indians to be drunk anywhere outside a reservation, even in private places where other citizens could be drunk without being guilty of an offence. By this reasoning, Parliament could validly pass a law making it a criminal offence for a woman to be drunk anywhere outside her own residence, and this new enactment would not infringe s. 1 of the Bill because all women are equally subject to the penalty. In the same case, Davey, J.A. was prepared to hold that the section of the Indian Act could stand even if it did deny equality before the law:

> The very language of s. 2, "be so construed and applied as not to abrogate" assumes that the prior Act may be

sensibly construed and applied in a way that will avoid derogating from the rights and freedoms declared in s. 1. If the prior legislation cannot be so construed and applied sensibly, then the effect of s. 2 is exhausted, and the prior legislation must prevail according to its plain meaning.

The Drybones case expressly overruled the Gonzales reasoning 8 years later in a decision involving the same section of the Indian Act:

> ...without attempting any exhaustive definition of "equality before the law" I think that s. 1(b) means at least that no individual or group of individuals is to be treated more harshly than another under that law, and I am therefore of the opinion that an individual is denied equality before the law if it is made an offence punishable at law, on account of his race, for him to do something which his fellow Canadians are free to do without having committed any offence or having been made the subject of any penalty.

The Supreme Court also decided that a conflict with the Bill of Rights rendered a prior provision "inoperative", a situation which was likened to the effect of federal occupation of a field so as to displace a provincial statute under the paramountcy doctrine. This analogy is an interesting one, as it implies that the inoperative section remains on the books, just like the displaced provincial statute, lying dormant until the obstacle of the Bill of Rights is removed, when it suddenly and automatically is reinstated to full force. It is a far cry from the American system of declaring statutes unconstitutional, in which case the offending provisions are gone forever.

One area where the issue of sex discrimination has been raised in a Bill of Rights argument is the old vagrancy section of the Criminal Code, which read, in part:

> 175.(1) Every one commits vagrancy who...
>
> (c) being a common prostitute or night walker is found in a public place and does not, when required, give a good account of herself...

The use of the word "herself" clearly indicated that the section applied only to females. Two superior courts found that the section did not constitute discrimination on the basis of sex at all, and so did not bring the Bill of Rights into operation:

> This proscription is not one of sex simpliciter, but because [a prostitute], after completion of a certain stage of physical development, voluntarily....attains membership in and participates actively as a member of the category designated by the subsection. It is only a particular female who, "being a common prostitute or night walker"...commits vagrancy. A male person is excluded from the subsection because, by reason of sex, he is not a she and cannot be a "common prostitute or night walker".

> For the same reason a male cannot commit infanticide under [s. 216] of the Code.
>
> There are crimes in the Criminal Code which only a male person can commit...[citing examples of rape, etc.]
>
> The examples of crimes mentioned in the two preceding paragraphs manifest a recognition of "discrimination by reason of...sex" on the basis of biological differences between a female and male person.

The courts fell into the trap of the Gonzales reasoning again: the important fact was that only female prostitutes were liable to prosecution for conduct which was no offence under the criminal law when done by a male. Indeed, the court said that "a male person is excluded from the sub-section...by reason of sex." Nor was this provision based on any biological differences between males and females, as are some of the sexual offences in the Code and the infanticide section, which operates only while the effects of having given birth are still present. In reaching the conclusion that s. 175(1)(c) was inoperative because it was a denial of equality before the law, an Ontario Provincial Court relied on the principles enunciated in Drybones.

> ...it becomes apparent that [s. 175(1)(c)] of the Criminal Code...creates an offence whereby a female person having a specific status which is not an offence punishable at law, and I emphasize those words, is denied the right to do something her fellow Canadians are free to do without having committed any offence or having been made subject to any penalty...

The weight of judicial authority is now on the side of the section's validity, however, by reason of the two cases mentioned above. Accordingly, the Government repealed it and replaced it with a provision which applies equally to men and women.

The most recent sex discrimination case arose under the Indian Act. The relevant section follows:

> 12.(1) The following persons are not entitled to be registered [as Indians], namely...
>
> (b) a woman who married a person who is not an Indian, unless that woman is subsequently the wife or widow of [an Indian].

In Lavell v. A.-G. Canada, the Federal Court of Appeal held the section inoperative because there was no equivalent disqualification of a male Indian who married a non-Indian. Although there was no offence or penalty created, the "consequences" of marriage outside were made "worse" for women than for men, and an inequality before the law was created. An Ontario court has since followed that decision in declaring the same section inoperative.

The Lavell case pointed out that for the Bill of Rights to be brought into play, the aggrieved person had to show discrimination in a law which caused an abridgment of one of the fundamental freedoms enumerated in the Bill. The area of private contract is thus not covered by the Bill, and individual statutes must be looked to

for protection in those cases. As well, it would seem that s. 5(2) of the bill restricts its operation to only federal acts and regulations, and the Alberta Supreme Court has so held. Virtually all jurisdictions have passed acts to prohibit sex discrimination in areas of private contract.

American Experience

The United States has had over a century of experience with anti-discrimination amendments in the Constitution and it appears that another one is about to be added. The important provisions regarding sex discrimination are to be found in the Fourteenth Amendment and in the Twenty-Seventh Amendment if it is ratified.

> XIV 1....No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
>
> XXVII. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

In a series of 10 cases decided by the U.S. Supreme Court beginning in 1972 and extending to 1961, women found little comfort in the guarantees of equal protection contained in the Fourteenth Amendment. In the first case, a woman was refused a licence to practice law on account of her sex, though she had established her good character and had met the academic standards. The right to admission to a profession when one has complied with the regulations was not one of the privileges protected by the Constitution, said the court. Three judges wrote a separate concurring opinion in which they stated that:

> ...in view of the peculiar characteristics, destiny and mission of woman, it is within the province of the legislature to ordain what offices, positions, and callings shall be filled and discharged by men...

The right to vote was also held to be one which the legislature could properly deny to women as a privilege not protected under the equal protection clause.

The next Supreme Court case on women and the Fourteenth Amendment was one concerning a law introducing maximum working hours and other health and safety regulations designed for women. The court said that an act designed merely to limit hours of work for both sexes would have been (at that time) unconstitutional as an invasion of freedom of contract between employer and employee. No doubt the legislators, feeling that half a loaf is better than none, enacted this statute to provide for the health and welfare of half the population, and the act was upheld as an effort to promote the health and welfare of women, children and families in general. The Muller reasons have often been cited, but in contexts very different from the situation of an attempt to promote health and welfare. The court in Muller outlined its reasons for a difference in treatment in maximum hours laws:

> The two sexes differ in structure of body, in the functions to be performed by each, in the amount of physical strength, in the capacity for long-continued labor, particularly when done standing, the influence of vigorous health upon the future well-being of the race, the self-reliance which enables one to assert full rights, and in the capacity to maintain the struggle for subsistence. This difference justifies a difference in legislation....

Soon after Muller the court was called upon to uphold, and did uphold, the validity of statutes which regulated women's working hours in situations that did not relate to problems of health, safety or good morals, and statutes which prohibited women from working in certain trades and occupations altogether.

In a 1948 case (Goesaert) involving an act having the effect of prohibiting all but a few women from being bartenders, Frankfurter, J., speaking for the court, felt safe in asserting flatly, "Michigan could, beyond question, forbid all women from working behind a bar".

In 1961 the Supreme Court heard a case in which Florida's law giving women an absolute exemption from any jury duty solely on grounds of sex was assailed as a violation of the Fourteenth Amendment. The statute was found to be valid:

> Despite the enlightened emancipation of women from the restrictions and protections of bygone years, and their entry into many parts of community life formerly considered to be reserved to men, woman is still regarded as the center of home and family life. We cannot say that it is constitutionally impermissible for a State, acting in pursuit of the general welfare, to conclude that a woman should be relieved from the civic duty of jury service...

It is a long way from legislation imposing a ceiling on the number of hours a woman can be called on to do physical labour, in the interests of her health and her family's welfare (as in Muller), to the forbidding of virtually all women but relatives of the owner of a bar to act as bartender (Goesaert). The latter case fits ill with the court's declaration that the Fourteenth Amendment prevents the singling out of any class of persons for "different treatment not based on some reasonable classification" which must rest on "some rational foundation". The fact that some of the above cases were attacks on privileges granted to women may account for a lack of sympathy on the part of the Supreme Court, but that argument does not hold in the prohibited access to occupations cases.

In the past 6 years women have been faring somewhat better in state courts and the lower federal courts. In an Alabama case, the state's jury statute, which not only granted women exemption from service but also prohibited them from serving even if they volunteered, was found "so arbitrary as to be unconstitutional". The arbitrary nature of the line drawn was also the reason that a court struck down a Connecticut act which prescribed a sentencing structure allowing longer terms for women convicts, different from that for men. The court found that, though the Fourteenth Amendment did apply to

protect women from discrimination, classifications based on generalizations of women's characteristics were permissible if legitimately related to the purposes of the legislation. The standard of testing the legitimacy of the classification, as in the case of racial and other "suspect" classifications, must be one of "most rigid scrutiny":

> While the Supreme Court has not explicitly determined whether equal protection rights of women should be tested by this rigid standard, it is difficult to find any reason why adult women, as one of the specific groups that compose humanity, should have a lesser measure of protection than a racial group.

Here, "nothing in the different nature of men and women noted by the Supreme Court" suggested any "reasonable or just relation" to two different (and unequal) sentencing systems. A similar Pennsylvania statute was declared invalid for the same reasons. And a group of women succeeded in gaining the right to enrol at a state university's all-male campus which offered unique facilities and courses on the ground that they were:

> denied their constitutional right to an education equal with that offered men at Charlottesville and that such discrimination on the basis of sex violates the Equal Protection Clause of the Fourteenth Amendment.

It will be noted that all of these cases are examples where the women were definitely in a position of disadvantage.

Despite the more recent hopeful trend for women's rights in the lower levels of the federal courts in the United States, advocates of the sex discrimination amendment still felt it was necessary to press their case, and evidently the Congress agreed with them. Apart from the merits of judicial reinterpretation over the use of an amendment to the Constitution or individual selective statute in problem areas, it was felt that if a reputedly liberal Supreme Court had not changed its mind in 1961, an increasingly more conservative court was not likely to strike out in new directions in 1972. The prospect of judicial extension of the Fourteenth Amendment to limit the application of Muller was "a forlorn hope".

Arguments Against a Constitutional Guarantee

Discussion of a constitutional guarantee against sex discrimination in a Canadian context leads necessarily to a discussion of whether a revised Canadian constitution, if there should ever be one, should include a Bill of Rights at all. The Victoria Charter proposed a guarantee of the right to hold office and vote in elections against various grounds of discrimination, including sex, in its Article 5; this is only one potential area for discrimination and leaves out such key areas as discrimination in education, employment and admission to the professions. In 1968 the federal government proposed the adoption of a more comprehensive constitutional charter which would have forbidden discrimination on the basis of race, origin, colour, religion or sex in:

1. voting and holding office;
2. employment;

3. admission to professions controlled by statutory, governing bodies;
4. education;
5. public accommodation, facilities and services;
6. contracts with public agencies;
7. acquisition of property.

A basic objection made to the adoption of a charter of human rights is that such a document does not fit the history and traditions of Anglo-Canadian parliamentary government. By removing certain areas from the jurisdiction of Parliament it substitutes the supremacy of the courts for the supremacy of Parliament, with all the spectres of judicial activism in the style of the U.S. Supreme Court that that conveys, and ignores the fact that Parliament does not meddle with the unwritten constitution or human rights in any event. To this point of view comes the answer that even Britain has its constitutional charters though they are still subject in theory to abrogation by Parliament in its Magna Charta, Petition of Right and Bill of Rights. Other Commonwealth countries have a parliamentary system with an entrenched Bill of Rights. The argument about supremacy of the courts is an argument for repeal of the current non-entrenched Bill rather than an argument against entrenchment, for in both instances the courts have the power to strike down federal statutes. And Parliament did in fact impinge upon fundamental freedoms that were taken for granted in its internment of Japanese-Canadians during the Second World War.

The counter-argument continues that a constitutional charter of rights is needed now less than it has ever been needed before, since the federal government and most provinces have enacted legislation already. Not all of the provinces have done so, however, and those statutes are all subject to modification and repeal.

The critics warn that an entrenched bar of sex discrimination is too broad a remedy for the problem, that its effects would be unpredictable and too difficult to correct where they are undesirable. No matter how well a constitution is drafted, one always runs into difficulties, and one prominent observer in the U.S. remarked that he preferred "specific pills for specific ills", rather than "a single broad-spectrum drug with uncertain and unwanted side-effects". In any event, the history of the United States shows that the Constitution alone is not effective in dealing with discrimination, but must be supported with specific legislation imposing penalties; thus the time would be better spent on the drafting of individual statutes instead of fighting through whatever amendment formula is in force at the time. These arguments can probably be answered only by the assertion that the risk is worth taking in view of the potential benefits which will be discussed below.

Arguments in Favour of a Constitutional Guarantee

The proponents of a constitutional prohibition of sex discrimination say that equality of the sexes is a fundamental principle of democracy, and it is one of the most important functions of a constitution to express those principles. The United States has felt it necessary to deal with racial discrimination in the Fourteenth and Fifteenth Amendment; sex discrimination needs the same treatment:

> Not only are race and sex entirely comparable classes, but there are no others like them. They are large, permanent, unchangeable natural classes. No other kind of class is susceptible to implications of innate inferiority...This is the only kind of class prejudice which can be reached by laws made not toward guarding against the unjust effect of the prejudice in the particular case but toward a general upholding of the dignity and equality, the legal status, of the class.

The opposition argues that the equality of a class can only be effectively provided for in implementing legislation imposing penalties. But individual statutes offer no guarantee against retrenchment and have no symbolic value as an acceptance and proclamation of a fundamental principle. Major battles would have to be fought on several fronts in the review of statutes governing marriage, matrimonial causes, adoption, legitimacy, deserted spouses, dependants' relief, courtesy and dower, change of name, citizenship, holding of property, juries, elections, employment, minimum wage, admission to professions, sexual offences, sentencing and other areas of differential treatment of the sexes. This list of areas also demonstrates that a constitutional provision would be necessary to impose a uniform standard of equality in subject matters of both provincial and federal jurisdiction.

And finally, it is argued, the constitutional review process would be an educational device capturing nationwide attention and focusing it on the problem. A fundamental re-evaluation of personal beliefs would take place, and the legislators and civil servants of all levels of government would be forced to re-examine the laws under which they work and the manner in which they carry them out. Such a vast change in attitude is well worth any unfortunate temporary side-effects.

Conclusion

A constitutional sex discrimination bar would not always operate only in favour of women; there are many areas of matrimonial law where a wife receives financial and custody advantages not open to the husband, and exemptions from jury service are another example. Nor would such a provision

necessarily wipe out all differential treatment. In the United States it was felt unnecessary to qualify the new Twenty-Seventh Amendment in order to allow, for example, golf club owners to discriminate against women seeking employment as men's locker room attendants. No doubt the courts will continue to allow different treatment where that is reasonably necessary, but a specific exception clause could, of course, be written in. The weighing of the advantages and disadvantages of a constitutional provision is a subjective matter on which many have disagreed even though they accepted the principle that discrimination on the grounds of sex is unjustifiable. Though the Canadian position is somewhat complicated by the lack of a convenient amending formula, it is the author's opinion that the need for recognition of the principle, the good will that will be gained thereby, and the educational function of a constitutional debate make the exercise worth any of the attendant risks.

(Footnotes have been omitted, but references may be obtained on request.)

*****

W A R D A I R

ON STRIKE

On January 12, stewardesses of Wardair went on strike after 14 continuous months of negotiation for their first contract. Their demands are:

1. The right to refuse duty after 16 continuous hours.
2. Wage parity with C P Air and Air Canada. (Increases of 42% to 81% are required)
3. 240 hours guaranteed free from duty at home base in one month.

Wardair, in a misleading advertisement to the Toronto papers, stated that the stewardesses work on an average of only "8 to 8½ hours" and that the longest day is "10½ hours". If this is the case why does Wardair not want to sign an agreement for a maximum 16 hour day? BECAUSE THE STATISTICS QUOTED ABOVE ARE NOT TRUE!

Wardair flights have continued to operate staffed by supervisors, ex-stewardesses (unqualified after 1 year), pilots' wives (untrained), and new stewardesses (only partially trained). Despite protests to the Minister of Transport regarding the cabin safety of these flights, operation has continued.

SUPPORT STRIKING WARDAIR STEWARDESSES

DO NOT FLY WARDAIR DURING THE STRIKE

Canadian Airline Flight Attentants' Association

*****

What constitutes middle class? Single or joint earnings of a couple to exceed $8,000.00? A house in the suburbs? Two children? Two cars? Regardless of how old the house and cars are and what condition they are in?

Origin and Background of Family Relationships: I was born in the poor and unsanitary WASP ghetto in the London dockyard area, oppressed by the British economic and class discrimination systems existing in those times. Very few people can understand the time and effort required to get out of that environment. I have many psychological and emotional scars from that early part of my life.

Males: My father ignored me until my teens, and I was completely indifferent to him except when I played the old secondhand piano and he smiled as he listened, singing along with me. For the most part though I was critical of him and harshly so. I was the thirteenth child, nine of whom survived. I did not understand that he too was a victim of his own oppression. He was a strong handsome intelligent person with an easy-going manner, uneducated as were most people his age in that neighbourhood. He drank his hard-earned wages away, leaving my mother to cope with the situation. This, I decided at an early age, was unforgiveable.

I had three brothers, one I loved, one I hated and one I did not know.

Females: As I was at the end of the line, I saw my mother only as a weary old woman. We understood each other well. I knew she could not help me, nor could I help her. We felt sad for each other.

I was fond of all five of my sisters.

The Second World War came and the family was separated never to be united again except for special occasions. I have scars left over from this period of my life also.

Marriage: I left home at seventeen, met my husband at twenty. We married within a year. To placate my in-laws I consented to a white wedding, paid for by my husband. I hated that wedding and most of all the mournful sound of my mother's deep sobbing that echoed in that great big church.

My husband went back to school three nights a week and I went to work to contribute to his poor earnings as an apprentice student. We lived rather meanly and managed to save a little. In those days my Friday night jollies was scrubbing and polishing the kitchen floor while listening to the BBC radio waiting for HIM to come home from school. Neither of our families understood our self-imposed life style.

We emigrated to Canada in 1956 when I was twenty-eight years old and rashly put all our savings into a house. We were disoriented and confused at the time and made a poor choice. Those days I still went to work, cleaned house on week-ends, took in roomers, and rented one garage all in order to pay the bills. My Saturday afternoon jollies was scrubbing and polishing the kitchen floor listening to the "Met" Opera, while HE was remodelling the old house. We both worked ourselves to exhaustion.

HE was the earth sky sun and moon those first ten years, but one day I realised I was thirty-one years old and feeling completely unfulfilled. I DEMANDED a baby and promptly became pregnant in six weeks. In the final

analysis it worked out that I had four pregnancies and two major abdominal surgeries in six years! The first pregnancy turned out to be a genetic disaster but it was still-born. For my second pregnancy I was referred to a woman doctor just by chance. I began to really talk to another woman for the first time. It was strictly a doctor/patient relationship but we had a good understanding and were honest with each other. By 1964, at the age of thirty-six, I was a complete dish-rag and I was sterilized after my last child was born.

The Movement: Women's Liberation hit our home in 1969. It seemed as though I were just ready and waiting for it. I quickly became involved by attending meetings, planning conferences and working in all fields of communication. I went into study programs, took part in consciousness-raising groups and got involved in political action. I have made speeches, led workshops, been on panel discussions, protest demonstrations, speak-outs and petitioned for repeal of abortion laws - plus writing letters, recording meetings and reporting on conferences I have attended. The last three years have been a fantastic experience for me. Sisterhood is powerful, beautiful and strong, and I now have many friends in the movement, but this has sometimes been in spite of difficulties described later on in this article.

The Tupperware Party: The isolation of the suburban housewife concerns me. I had been avoiding these parties for some time, but as one mother said to me "It seems that only on this kind of commercial occasion do we ever get a chance to be together as a group." Being new to this district, I felt this would be an opportunity for me to meet some of the mothers of children I see around our house. I agreed to go just this once.

The fact is we are centred around our children. Mothers can only meet at school events or around activities in which their children are involved. What opportunities do we have to break down our social barriers here? Every day is controlled to keep the suburban housewife just where she is, in her place, living through the eyes of her children.

The party became an hysterical event as far as I was concerned. A plastic rolling pin standing on end and tied with red ribbon, in the centre of the display table became a phallic figure to me and I began to giggle. This set off a chain reaction with two other women and we became a triad trying to control our laughter, much to the confusion of the Tupperware Sales Lady who could not understand where she was going wrong or what it was she was saying that was so funny! I became completely insensitive to her and her sales pitch (her sexist comments "this for the boy" and "that for the girl" for it was the Christmas season and they were selling a line of toys).

In describing the gifts the "hostess" was to receive she attempted to play a guessing game with us - "Ladies, tell me, what do you think is in this odd shaped box?" I felt my stomach tremble with pure agitation and I looked around the room to study the women who were there. After a carefully rehearsed build-up she opened the lid and VOILA up popped a dozen pink hair curlers ALL IN UNISON. For some reason I broke down into tears of laughter. After the coffee and while the accounting was being done about six of us began to talk and the subject got around to Women's Liberation which I did not initiate. There was no time for an in-depth discussion because the women were getting anxious about how late it was and what HE would say about it when they got home.

I went to sleep very disturbed that night, being more aware than ever before how "caged in" women really are. I felt as though I had gone back

to the cage for a few hours and that this could be the only explanation for my unusual behaviour. I am not the kind of person who would usually get excited about such things as pink hair curlers jumping up out of a box and a plastic rolling pin standing erect in the middle of a table!

Mississauga Girls Hockey League is an altogether different situation. In its third year of formation my eight year old daughter enrolled and what an experience the whole family is having on account of it. The extent of this situation is far-reaching and quite incredible. The hockey practice and game schedules involving two separate time slots are hard on all parents, some of whom have two, three and four children in the same family on different schedules. Some practices are at 5.00 and 6.00 a.m. before school.

Often this winter the faces of the women have looked cold, tired and strained, including my own, as we meet each other continually on the hockey circuit. Sometimes we take time out for conversation on Women's Liberation. Most of this group of women are aware they are trapped in some ways. As one woman put it, in this case "trapped in the arena."

The girls teams are exciting to watch, composed of all shapes and sizes with ages from eight to twelve on each team. I can see many good things happening here. Girls are learning to be fearless and aggressive: an eight-year-old who is out-skated by a twelve-year-old on the opposing team will concentrate on blocking the player rather than chase the puck! There are signs of good father and daughter relationships blossoming everywhere. Fathers come to see their daughters' games, give them moral support and see that fair play prevails. One day I was talking to one of the fathers who is a friend of mine, when another man approached, hands in pockets, surveying the scene. "Are these the Bantams?" he asked. My friend replied with enthusiasm "No, this is a girls team (he is delighted with the progress his young daughter is making), to which the stranger answered "H'm, and they play like girls too" then he shrugged his shoulders and walked away. My friend was furious and wanted to go punch the other guy on the nose! So you see Women's Liberation seems to be on everyone's mind at whatever level they are working.

Summary: Men too are trapped. My husband for example is very good at his job, but it is not the job he wanted to do in the first place. The bad choice was made years ago. He comes home exhausted, tense and frustrated most of the time.

I am concerned that women still have so much to learn that it depresses me. Some women oppress other women in exactly the same way as men do and the pain of betrayal is just as deep in me when inflicted by a woman as by a man. The Movement talks a lot about the need for women to learn to trust each other and to love each other, but just how long will it take before we get to that point?

In my life I seem to have swung full circle and am in need of a new direction. Should I abandon my husband and children in order to satisfy the radical new feminists who say that this is the only way a woman can be true to herself? Should I take a lover, drugs, alcohol, or all three, in order to satisfy the needs of the psychiatrists by accepting THEIR labels that most middle-aged middle-class women are spoiled, neurotic, paranoid, schizophrenic and all those other put-downs? Have I reached the same point as others when they have thought in terms of suicide, i.e. Virginia Woolf and Sylvia Plath and the hundreds and maybe thousands of other women we don't hear anything about?

Well no! I'll be damned if I will be licked by the system and society, and by the strain of maintaining a nuclear family. Or by The Movement in its put-down and ignorance of the middle-aged middle-class woman and how she is coping with it. Or by the put-downs of one group directed towards the other - the difficulty The Movement has in accepting the "other woman" whether she be a lesbian or a political follower of the ideologies of Marx, Trotsky, Mao, or simply ME.

We all have to find our own level to work in, whether it be in protest demonstrations and petitioning, on campus, or working around the edge of a hockey arena. ANY effort made by any ONE person to raise the political consciousness of people, or the consciousness of sex role stereotyping should be understood by The Movement and accepted at face value.

What I am trying to say is this: anyone who contributes in raising the consciousness of women is valuable, however small that impact may be. The measure of their contribution can be realised when compared with the actions of women who do precisely NOTHING!

Patricia Grinsteed
20th Feb. 1973

*****

THE NATIONAL ACTION COMMITTEE ON THE STATUS OF WOMEN IN CANADA

Exciting things are beginning to happen in connection with the National Action Committee on the Status of Women in Canada (N.A.C.)

This organization has grown from the Committee for the Equality of Women in Canada which was started in 1966 by Laura Sabia and Helen Tucker and other far-sighted women representing national organizations (about thirty women) and this committee was the spearhead behind the Royal Commission on the Status of Women in Canada in 1967-68 under the Pearson government. After the Report of the Royal Commission on the Status of Women was finally published in December 1970, these women reassembled to form the Ad Hoc Action Committee to pressure the government into action to implement the recommendations of the Report. The organization changed its name to the National Action Committee last year.

In April 1972 N.A.C. held a national conference "Strategy for Change" at the King Edward-Sheraton Hotel in Toronto, a very successful conference with 500 delegates attending from all the provinces and Territories of Canada representing 41 different organizations. There were two dinners, a luncheon, individual speakers, a panel discussion, entertainment and 19 workshop sessions conducted by many talented people. Each workshop tabulated from five to ten recommendations to be passed in a plenary session on the final day of the conference. This final plenary session developed into an exciting confrontation between the newer more radical groups and older established conservative organizations. Laura Sabia did a superb job of chairing this lively lengthy meeting that lasted from 10 a.m. until 3.30 without a break for lunch or coffee. Sometimes things got a little hot and heavy, but on the whole I think the radicals and conservatives learned from each other. It was good.

So there was N.A.C., a Toronto based group of a few women, committed to pressuring the government to implement 74 recommendations passed by these 41 Canadian organizations! And also committed to making N.A.C.

a truly national organization.

Since this conference N.A.C. has been meeting about once a month trying to figure out a practical method of organizing women across a country which is somewhere between 4 and 5 thousand miles wide into a national organization with representation from all the provinces and territories.

On January 28, 1973, NAC held a general meeting in Toronto, lasting from 10 a.m. to 4 p.m. President Laura Sabia reported that the Hon. John Munro, Minister of Labour, is now responsible for the implementation of the recommendation of RCSW.

The following information taken from the minutes of the Jan. 28 meeting gives some idea of the method of operation and the type of work that will be done by NAC:

Secretary Helen Tucker reported NAC liaison with 43 groups or organizations including 5 organized provincial Status of Women councils or committees. There is corresponding liaison with other provinces and territories most of which expect to be organized within the year. Communications have also been established with the 5 women M.P.'s in Ottawa, and the invitation has been extended to NAC to consult with each of them.

Despite lack of travel support funds, Secretary Helen Tucker noted the presence at this Jan. 28 meeting of women from Nova Scotia, British Columbia, Manitoba and Quebec. A message of support was conveyed from Senator Muriel Fergusson in reply to our message of congratulation as Speaker of the Senate. She is the first woman to hold the position.

Decisions:
The motion was carried that the Steering Committee of NAC be composed of one representative, or proxy, of each participating national organization and of each provincial Status of Women Committee, and that rules governing further representation be determined by the newly appointed Steering Committee.

Chairperson: Laura Sabia; Secretary: Helen Tucker; Treasurer: Grace Hartman were individually elected. Mrs. Sabia specified that she would serve for one more year only. The steering committee will determine further sub-committees and policy groups.

It was generally agreed that NAC should proceed with the first issue of the newsletter so that nation-wide communications could begin as soon as possible. Great stress was put upon the importance of this newsletter and Mrs. Sabia said that every little bit of legislations affecting women will be put into this paper and watched like a hawk.

Resolutions moved and accepted:
1. that NAC reaffirm and issue to the press immediately its statement on family planning and abortion

2. that NAC establish today (Jan. 28/73) a Task Force drawn from interested member groups which are concerned in pursuing action on the family planning and abortion issues.

3. that NAC make a public statement in support of the decision of the U.S. Supreme Court regarding liberalization of abortion laws: and that NAC give public endorsement to the conference of the Canadian Women's Coalition to Repeal the Abortion Laws, scheduled for March 17-18, 1973.

4. This meeting declares that it is time for the Government to act to implement recommendation #165 of the Report of the Royal Commission on the Status of Women; that a federal Human Rights Commission be headed by one Commissioner who shall be a highly qualified woman lawyer with a long record of concern for women and minorities; Further, the woman of our choice for the appointment as Commissioner be Marguerite Richie, Q.C. formerly Senior Advisory Counsel, Dept. of Justice and presently Vice-Chairman of the Anti-Dumping Tribunal.

5. Resolution re Jeannette Corbière Lavell case: - that NAC encourage member organizations and individuals to associate themselves with the Indian women in the Ontario group known as ANISHNAUBEKWEK (address: c/o Andrea Williams, Secretary, 11½ Spadina Rd., Toronto 179, Ontario) to intervene in the Jeannette Lavell case in support of the supremacy of the Canadian Bill of Rights.

(It was explained by Jeannette Lavell that some $2,000 was needed to carry her case and it was through donations to ANISHNAUBEKWEK that individuals and organizations could give help at this time when needed most. She explained further that it is a case of human rights. "Right of Individual Choice" is the cause of Indian women today, she said. Jeannette Lavell's cause is scheduled to go before the Supreme Court April/73. (The date was changed to February/73 after this Jan. 28 meeting).

Action Reports

The Ontario Committee on the Status of Women reported encouraging successes in actions involving the Dare Cookie strike, meetings with Air Canada officials, the Toronto Board of Education.

Manitoba reported a series of conferences on women in employment, women in the home, etc., with a major conference planned for May/73.

The Saskatchewan Conference report will be covered in the first newspaper.

A most animated Ontario Conference at Victoria College, university of Toronto (200 students) has just been completed (Jan. 27-28). Repeal of abortion laws and discrimination on basis of sex were domimant issues.

Task Forces

NAC members were urged to volunteer for task forces of their choice such as: Legislation; Investigation of Crown Corporations; Newspaper; Communications & Advertising.

Reported by Val

*****

N.B. Quote from Ms. Elsie Gregory MacGill, Commissioner for Royal Commission on the Status of Women in Canada, on the subject of Jeannette Lavell and her fight to regain her status as an Indian woman, "Her case was lost in the Lower Court, it was sustained in the Federal Court, it now warrants the highest rating of 9 Supreme Court judges. In my opinion this case is as important as the 'persons' case".

Reported by Pat.

*****

BROTHERHOOD

by Mary Hill

A conversation I had with my brother illustrates to perfection that the brotherhood of man is a brotherhood of men, NOT the brotherhood of mankind.

My husband and I were staying at a hotel in Montreal for a few days and while there I phoned to say a friendly hello to my brother who lives in that city. He invited us to his club for lunch, a private club he has enjoyed for several years and wanted us to see. After a lengthy conversation about the time we should meet and directions for getting to the club, he said, just before hanging up, "by the way Mary, you will have to go in the other door. See you at twelve." And he was gone.

I thought that one over for a few seconds, then called him back. "What other door?" He explained that it was the door for ladies.

"What's wrong with the main door? Does it lead to the locker room, the showers, the bathroom?"

"No, but this is a private men's club. It's not unusual for men's clubs to have a separate door for ladies."

"I refuse to go in the back door."

"The door is not at the back, it's just off to one side. This is a private men's club," he repeated, exasperated, as though that were explanation enough.

"We live in a private family home and I don't send my guests to the back door, the side door, or the 'other' door. So we are not going to your club for lunch. Good bye."

Apparently my brother felt he should warn me that I would have to go in the other entrance. Could it be there was a little worry in the back of his mind, a tinge of guilt or something of that nature?

A little indignant reflection on the above conversation led to several insights and conclusions:

First, and infuriating, was the fact that my own brother could go through the main entrance with my husband, the two of them together in a male fraternity, while I, a blood sister, would have been sent off by myself to the other door. This is a good example of the many ways society encourages the males to bond together but divides, and therefore conquers, the females. If this division is so blatantly possible within families, consider how much easier with non-relatives.

Second, and insulting, was the fact that all women entering that club had to use the 'other' door. Very typical: the other door for the other sex, the main door for the main sex. The main doors of society can lead to unlimited opportunity, creativity, while the other doors lead to supportive roles; BEHIND every successful man, etc.

Third, an INDIVIDUAL liberation for women is not possible. This is

a pet theory of some women who say they are not oppressed, they are already liberated. But these 'liberated' women would have to use the other door too. Perhaps they rationalize that walking through this other door is a trivial thing. However it typifies the attitude that women don't belong in the men's clubs, and these men's clubs are everywhere: in the Press Box covering the hockey games in Maple Leaf Gardens, where a brotherhood of men defend the fort against any female aspirants; in business corporations, a men's club wielding the golden power of money; in religion where the brotherhood preach that women are inferior beings; in government, a men's club which refuses to consider women at all unless pressured; in education where a brotherhood of men fill top directive positions and determine policies which train female minds into feminine roles; in Law, in the Arts, and so on and on. However I do believe the Women's Liberation Movement is beginning to rot these male private preserves at last.

Fourth. This division of brother and sister at the door of the men's club illustrates a point the Women's Liberation Movement has been stating for a few years now, that the liberation of women would sometimes automatically liberate men; my refusal of the luncheon invitation meant that my husband didn't go either, and my brother's invitation was snubbed. Had it not been for the 'other' door, all three of us could have been free to enjoy friendship over a pleasant lunch. Strange what men will do to ruin good-will between the sexes. What difference would it have made to the nature of their club to have allowed female guests the courtesy of entering by the main door? Perhaps it is just as well they did have separate entrances - the deeper nature of the insult might not have been seen.

There is a club in Metro Toronto that had a discriminatory feature built right into it. A few years ago Lambton Golf Club added a handsome new dining room and bar, and in the middle of one of the long walls of this dining room is an entrance to the men's locker room. During the golfing season this dining room and bar are open to men only, but in winter the men can invite women there for dinner because the locker rooms are not in use then. The women's locker rooms have no such luxuries.

The last time I was talking to my brother I enquired about his male-chauvinist club. He said the club had changed. Economic reasons. They had to amalgamate with other clubs to survive, so their segregated policy was no longer in effect. However it was not done for the benefit of women; it was done for the dollar. When something good is done for women it is often a side-effect resulting from a change necessary to male success.

The brotherhood of man is a men's club I no longer trust. We need a new attitude towards women and a non-sexist language to go with it. Why should female people belong to a BROTHERhood anyway? Can you imagine men saying they are part of the sisterhood of woman? Women are not allowed full membership in the brotherhood of man. We are the auxiliary.

*****

WOMEN IN BACK SEAT

(Toronto Daily Star, February 3, 1973)

Male service clubs risk losing many of their female auxiliaries unless they offer them more meaningful work, a Metro psychologist warned Thursday.

Dr. Frances Ricks told an Ontario Psychological Association meeting at the Inn on the Park that her recent survey of male and female linked social organizations showed men take on the most stimulating jobs leaving the women with minor chores.

The groups Dr. Ricks studied included the Anglican Church, B'nai B'rith, Cubs and Scouts, a garden club, Junior Chamber of Commerce and Jaycettes, Kiwanis and Kiwanis Queens, Kinsmen and Kinettes, Lions and Lionettes, Rotary and Rotary Anns, and the men and women teachers' federation.

"These organizations should stop giving women the *ILLUSION OF PARTICIPATING IN THE WORLD AT LARGE," said Dr. Ricks who works as research director at the Dellcrest Children's Centre in Downsview.

"If this does not happen, it seems likely that as more and more women challenge the traditional sex roles and develop new styles of living, they will avoid voluntary social organizations and either turn to social cause groups or to *WORK GROUPS FOR PERSONAL ACTUALIZATION."

*Emphasis ours - Ed.

*****

N E W S A N D V I E W S

NEW WOMEN'S CENTRE

The Women's Communication Centre, 593 Yonge Street (above Wellesley) Toronto, Ontario - Phone 967-6710, 967-6711. A group of women have set up a number of workshops (women only). Subjects include print (learning how to write articles, reviews, etc.); radio, video tape, improvisition, feminist film analysis. The Centre will also promote work in the media - for example, Rita MacNeil's songs, films made by women and other related work. Also if you would like a copy of a good little handbook, A Guide to The Women's Movement in Canada by Bonnie Kreps, send $1.00 to Bonnie at the Women's Communication Centre. Women interested in the work being done at the Centre are invited to contact them by phone or letter.

ABORTION

Second Cross Canada Conference for Abortion Law Repeal
March 16-18, 1973, Sponsored by the Canadian Women's Coalition to Repeal the Abortion Laws. ALL WOMEN WELCOME. For further information contact: Canadian Women's Coalition, Box 5673, Station A, Toronto. 863-9773.

ACTION!

Blitz on over 600 Metro Toronto chartered banks, Feb. 19-23, 1973, by Ontario Committee on the Status of Women (Fair Employment Practices Committee). Members of the committee, plus volunteers, distributed pamphlets directly into the hands of female members of the bank staff. The pamphlet contained comparative salaries of women and men in banks and a short questionnaire regarding hiring practices, salaries, titles, retirement and pension plans, training programmes, etc.

QUESTIONNAIRE

Defining Our Own Sexuality - The New York City Chapter of the National Organization for Women has prepared an excellent questionnaire on sexuality entitled EQUAL RIGHTS IN THE BEDROOM. Copies of this questionnaire can be obtained by writing: S. Hite, Feminist Sexuality Project, National Organization for Women, 28 East 56 St., New York, N.Y. 10022, U.S.A. There is none of the usual bias one finds in similar questionnaires and we highly recommend that all our readers send away for copies and distribute as many as possible to friends.

U.S. SUPREME COURT RULING ON ABORTION

On January 22, 1973, the Supreme Court of the U.S. overturned most restrictive abortion laws in that country. This ruling allows no legal restrictions on a woman's access to abortion up to 24 weeks. We must all put pressure on our own government for similar Canadian legislative changes now. The Supreme Court based its ruling on two very important premises: 1. That every woman has a right to privacy.
2. A fetus has no constitutional rights.

WRITE YOUR M.P. TODAY. SUPPORT REPEAL OF CANADA'S ABORTION LAWS.

FEMINIST PAPER

Majority Report - $3.00 per year, P. O. Box 431, Planetarium Station, New York, N.Y. 10024, U.S.A. This is a good paper featuring calendar for the New York area, feminist directory, action page.

IMPORTANT BOOK OUT OF PRINT

Sherrill Cheda directs our attention to the fact that the book THE WOMAN SUFFRAGE MOVEMENT IN CANADA, by Catherine Cleaverdon, (University of Toronto Press, 1950) is out of print and often difficult to obtain at the library. Perhaps the University of Toronto Press is not aware of the increasing need for this valuable document, the only detailed account of its kind for research, Canadian Studies and Women Studies Courses, and has overlooked the possibility of a very good market for this book. PERHAPS YOU WILL JOIN US IN A LETTER CAMPAIGN to:

Mr. M. Jeanneret, Director
University of Toronto Press
Front Campus
Toronto 5, Ontario

ASKING HIM TO CONSIDER REPRINTING THIS VALUABLE HISTORY TEXT.

BOOK ON ABORTION

Abortion in Canada by Eleanor Wright Pelrine, New Press, 1972 $1.50. A new edition of this book is now available in paperback, enabling thousands of Candian women WHO COULDN'T AFFORD THE PROHIBITIVE COST OF THE HARDCOVER EDITION to read this authoritative book on the abortion situation in Canada and the need for repeal of the abortion laws. The new edition contains the facts, interviews, explanations of the law and reasoned arguments for its elimination as did the first edition. But this one brings it all up to date in a new final chapter with the latest statistics and facts on the growing movement for abortion law repeal.

*****