

RECEIVED JUL 29 1987

PRIORITIES

A
FEMINIST
SOCIALIST
PERSPECTIVE

VOL. XV NO. 2

PRICE: \$1.50

SUMMER 1987

Looking for Equality



- *Legislating Inequality:
Bills 19 and 20*
- *Access to Abortion*
- *The Canadian
Charter of Rights*
- *Recent Visits:
Philippines
El Salvador*
- *Report from the
Legislature*
- *1987 Convention*

PRIORITIES is published by the Standing Committee on Women's Rights of the British Columbia New Democratic Party.

SUBSCRIPTION RATES:

Individual: \$10.00 per year
Institution: \$15.00 per year

ISSN 0700-6543

PRIORITIES welcomes letters and articles from its readers. All submissions must be signed, although publication of names may be withheld on request. The Editorial Committee reserves the right to edit all copy received in the interest of brevity, clarity and taste. Submissions should be typed, 35 characters to a line, triple-spaced if possible.

Submissions and subscriptions should be mailed to:

PRIORITIES
517 East Broadway
Vancouver, B.C.
V5T 1X4

"The issues and demands raised by the Women's Liberation Movement are integral to the development of a democratic socialist society. The NDP actively encourages and provides support for women organizing around the demands of the Women's Liberation Movement and commits an NDP government to creating the legislation necessary to realize these demands."

—NDP Policy on Women's Rights

THE EDITORIAL COMMITTEE is responsible for the content of all unsigned material. Members are:

Joanne Elliott
Nonni Graham
Catherine Kerr
Swee-Sim Tan
Janet Vesterback
Gerry Walker

PRIORITIES CO-ORDINATOR:

Janet Vesterback
517 East Broadway
Vancouver, B.C.
V5T 1X4
879-4601

Design and Production by:

Swee-Sim Tan

Camerawork by:

Baseline Type and Graphics Cooperative
Vancouver, B.C.

Printed in a union shop:

College Printers
Vancouver, B.C.

Contents

Chairwoman's Report	1
by Adrienne Peacock	
The First Three Months	1
by Darlene Marzari, MLA	
Convention '87	3
by Adrienne Peacock	
How Will Bill 20 Affect Women?	5
by Lisa Pedrini, BCTF Status of Women Programme	
The Challenge for a New Solidarity	7
by Alicia Barsallo	
Bill 19: The Labour Reform Act	9
by Nadine MacDonald	
Abortion: the Struggle for Access in B.C.'s Interior	10
by Pat Brighthouse	
Looking for Equality in the Courts	12
by Fran Waters	
Free Trade Zones in the Philippines	15
by Marie Arrington	
Update: El Salvador	17
by Christine Hayes	
Summer Love	19
Review by Joanne Elliott	
Letter to the Editor	20

Cover graphic:

The "Matchgirls" Strike. In 1881 1,400 unskilled non-unionized women workers at Bryant and May's Match Factory in London, England, went on strike. With popular support, the workers won and the company capitulated completely. Poster by David Lester/Get To The Point Graphics.

Chairwoman's Report

by Adrienne Peacock



At the NDP convention in April, the Women's Rights Committee received strong support from delegates and our new leader, Mike Harcourt, for two important resolutions. One resolution outlined the need for gender parity throughout the party, while the other affirmed our commitment to support reproductive choice through reproductive health clinics in the long-term, and a free-standing abortion clinic in Vancouver in the short-term. The level of support for both these motions is a tribute to the work done by the WRC over the years.

I urge you to remain involved in educating members of your constituency and community on these issues. This work is essential to the practical realization of these motions. A recent Steering Committee meeting set our goals and objectives for the year.

I urge you to remain involved in educating members of your constituency and community on these issues. This work is essential to the practical realization of these motions. A recent Steering Committee meeting set our goals and objectives for the year.

WRC goals and objectives

We will continue to take an active role in the B.C. Coalition for Abortion Clinics and in coordinating the Pay Equity Campaign with our women MLAs. We intend to fulfil our promise to the women who attended a Federal Women's Conference in February by hosting small skill-development workshops.

Outreach and regional representation continue to pose challenges. The WRC is committed to increasing our involvement with women's and community groups. To be effective, we need your help. I hope you will consider how the WRC can help you accomplish goals in your area.

The issue of regional representation came under considerable discussion in the Women's Caucus at the 1985 B.C. NDP convention, and very little at the recent one. While

some needs have been filled, it is clear many have not. The problems no doubt reflect the complexity of the issues involved. One of the primary difficulties, it seems to me, is effective communication before problems become obstacles. In particular, it is critical that regional representatives communicate with each other and give their collective direction to the Table Officers and the Provincial WRC Steering Committee.

Mark your calendars!

One of the most exciting events planned for the fall is an educational day following the November Steering Committee meeting. We decided it was time to take a look at the history of the WRC—where we've been, where we are, and where we are going. Let us know if you have any memorabilia which could add to this retrospective. It should be an interesting and fun day.

Our women in Victoria

The WRC continues to meet with the women MLAs and we are developing a solid working relationship to our mutual benefit.

Bill 19 will place a heavy burden on all working people and, as always, women will be particularly hard hit. Our "A Team" is doing a great job in the legislature fighting it. It is clear that we must all be prepared for an intensified attack on women's rights through the removal of fundamental freedoms. Bill Vander Zalm seems determined to play the part of a banana republic dictator. We are fortunate to have five determined women in Victoria fighting for our rights.

Finally, I want to thank all the women who continue to make the WRC a vibrant part of the B.C. NDP. I particularly want to thank our past Chair, Jan Taylor, for her hard work and great skill in guiding us through the hectic pre-election and election years. I look forward to working with you all in the coming year.

The First Three Months

by Darlene Marzari, MLA

When the first legislative session of the Vander Zalm government finally got underway last March, our five women MLAs—myself, Lois Boone (Prince George North), Anne Edwards (Kootenay), Anita Hagen (New Westminster), and Joan Smallwood (Surrey-Guildford-Whalley)—were part of a large contingent of "rookies" feeling our way, learning the rules and our roles at the same time.

Now three months later, we've melded into a strong women's caucus, making issues of concern to women a priority, both within caucus and the legislature.

We owe our effectiveness to the team approach, which we implemented right after we were elected last fall. Since then we've met regularly, usually over Friday morning breakfasts when the legislature is in session, or during scheduled conference calls off session. In the process, we've discovered that



Darlene Marzari

Photo by Democrat



Our women MLAs.

we like each other and like working together, which makes the very heavy workload a little bit easier.

Women's Work is Never Done

- Our work falls into four main areas:
- identifying and pursuing our own legislative agenda on women's concerns
 - responding to government initiatives
 - representing the caucus and the party in our various debate leader roles
 - representing and responding to constituents' concerns.

The Throne speech and budget revealed the Vander Zalm government's ignorance and lack of concern for the women in our province. We called a news conference to express our determination to put women's issues on the legislative agenda. And we've followed that through.

Responding to the Throne Speech and budget, we talked about the realities facing women in B.C. today.

Over and over again, we have provided evidence of the economic inequality hurting B.C. women. Joan Smallwood talked about poverty among women. Anita Hagen spoke of barriers facing women seeking training and job skills, and of the plight of older women. Anne Edwards outlined the difficulties facing women in small

business. Lois criticized this government's fundamental opposition to providing safe, accessible abortion as a health care right. I addressed the need for accessible affordable education and daycare so that women can overcome the built-in economic disadvantages they face in our society.

Recurring themes

These themes have been part of our participation in the legislature. Through questions to Cabinet Ministers, MLA statements, and debate on spending estimates and bills, we are continuing to hammer these themes at an unresponsive government.

A case in point was the denial of an abortion to a 14 year old girl at Royal Inland Hospital in Kamloops. For two weeks, our MLAs, led by Lois Boone, pushed the Health Minister to resolve the situation at the hospital and protect the health rights of women in the Kamloops area.

Lately in the legislature, we've spent a lot of time explaining to this government how Bills 19 and 20 will hurt working women—a message that falls on deaf ears.

We are continually kept busy by our critic responsibilities. Joan is demanding action on numerous serious environmental concerns; Anne is fighting for funding for arts and cultural groups; Lois is pressing for better

health care for northerners; Anita is speaking out for seniors; and I am trying to get a better deal for our colleges and universities and all those people who want to pursue higher education in B.C.

With so many ill-conceived and harmful policies and programmes coming from the Socred government, it would be easy to concentrate entirely on fighting these initiatives, but we are also determined to pursue our own legislative and political agendas.

Pay equity—a complicated issue

Working with the Women's Rights Committee and trade union women, we have embarked on a consultative process to draft model legislation on pay equity which we plan to introduce as a private member's bill.

We chose the issue of pay equity as our first major legislative initiative because it reflects our commitment to achieving economic equality for women, a major election campaign theme of our party. The process has been instructive: we have learned that pay equity is a complicated issue. We are now into our third draft of the bill, and we hope to get the public consultation process underway in the fall, perhaps with a series of meetings in the Kootenays in September.

We have already participated in three caucus committee tours in Kamloops, Penticton and Prince George (three of us sit on the Human Services Committee, and two on the Resources and Economic Development Committee). In each of these communities we have arranged meetings with representatives of local women's groups. But it will be exciting for the five women MLAs to travel as a team and make issues of concern to women our prime agenda.

Help us represent you

We rely heavily on the support and assistance we are receiving from women all over the province, especially from members of the Women's Rights Committee. We each sought public office with a commitment to further equality for women, and we are only able to work toward that goal with your help.

Please keep sending us your

thoughts, ideas, criticisms and information to help us represent your concerns in the legislature and in the public forum. Let us know what is happening in your community. And if you would like more information about the work we are doing in Victoria, please contact us at the legislature.

Darlene Marzari 387-6740

Lois Boone 387-0823
Anne Edwards 387-3546
Anita Hagen 387-6064
Joan Smallwood 387-6082

Or write to: Legislative Buildings,
Victoria, B.C.,
V8V 1X4

Convention '87

by Adrienne Peacock

Gender parity, support for reproductive health clinics, adequate toxic waste disposal and decentralized energy developments were all on the agenda at the party's provincial convention in Vancouver this April. While the press focussed on the election of Mike Harcourt as leader, the convention enthusiastically passed some of the strongest and most clearly articulated policy on women's rights, the environment and related economic issues that the provincial party has ever seen. It felt good to be a New Democrat and part of such a sensible and humane movement.

Gender parity

Delegates endorsed a resolution guaranteeing 50% representation of each gender on a number of decision-making bodies of the party, taking a big step toward entrenching equality. The positions specified include: provincial executive table officers (total of six, excluding the leader); provincial executive members-at-large (total of ten); provincial executive alternates (total of two); provincial executive federal council delegates (total of two) and policy subcommittee chairs.

Mike Harcourt spoke strongly in favour of the motion, "I would urge you to approve it at this time so we can implement immediately equality of men and women in the NDP of B.C." The resolution passed with cheers from the crowd.

In the preamble in support of the resolution, the Women's Rights Committee pointed out that while there is no conscious intention within the NDP to practice discrimination, evidence

shows that systemic discrimination exists at all levels of the party. Assumptions that support discrimination in the treatment of women include:

- Lack of available and representative women
- The New Democratic Party is a democratic party and all members, men and women, have equal chances for nominations or elections.
- Gender parity will happen voluntarily because members of the party believe in it.

The evidence shows otherwise. Women were significantly underrepresented as delegates at the 1985 provincial convention. Research by Donna Liberson from the Women's Rights Committee showed that many constituencies with memberships of over 40% women elected less than 20% women delegates.

Women are also underrepresented



Joy Langan

on the Provincial Council and policy review subcommittees. The motion urges constituency associations to work toward gender parity on their executives, committees and in their selection of delegates to Provincial Council. Similarly the young people's section of the party is urged to work toward gender parity.

The mechanics for implementing this resolution will have to be worked out and the motion does provide for a review.

In an attempt to assist constituencies, the Women's Rights Steering Committee is recommending to the June Provincial Council meeting that a number of actions be taken. The recommendations include: constituency affirmative action programmes, alternating positions, involving the Women's Rights Committee in constituency educationals on the importance of gender parity, and an ongoing report on the progress made.

Reproductive health clinics supported

Delegates enthusiastically endorsed a two-pronged resolution supporting the establishment throughout the province of women's reproductive health clinics, which we shall demand be funded by the medical services plan, and the establishment of an abortion clinic in Vancouver.

It was a gratifying moment for members of the Women's Rights Committee. Access to abortions has been increasingly restricted around the province. Of 115 hospitals in B.C. only 51 have the required Therapeutic Abortion Committees. And of those 51 hospitals only 38 approve abortions at all. In reality, about 5 hospitals in the Lower Mainland and Victoria perform 80% of all abortions.

Single interest anti-choice groups have been particularly active since the last election, taking over hospital boards in several areas. Vernon and Kamloops both lost access to safe abortions when the special interest groups took over. In both towns, the majority of the doctors disagreed with the boards' new anti-choice policy. Happily, the situation has been reversed recently in Kamloops with the election of a majority pro-choice hospital

Photo by Democrat

board. However, a woman's right to choose must not depend on the outcome of such elections.

Although New Democrats have long supported health clinics which include abortion services, this is the first time the party has taken a stand on establishing an abortion clinic in Vancouver. The Women's Rights Committee is a part of the B.C. Coalition for Abortion Clinics which has as its immediate goal the establishment and operation of an abortion clinic in Vancouver.

Bills 19 and 20

In a passionate but thoughtful analysis, delegates criticized the proposed legislation for its attack on the democratic rights of working women and men in B.C. Darlene Marzari, MLA for Vancouver-Point Grey, said the two bills "guarantee that we will be the labour relations embarrassment of Canada. They will guarantee a flight of capital from B.C. They will have a devastating effect on the shop floor and in the communities in which we live."

Bill 19 is a whole new system of industrial relations where fairness doesn't count. According to Jim Dorsey, respected labour lawyer and arbitrator, "The people who decided to initiate the action obviously have total ignorance of the industrial relations system and the depth to which the proposed legislation is creating a rupture."

Labour Relations Board decisions, even those that are disliked, have a high degree of acceptability by labour and employers because the Labour Code brought in by the New Democrats in 1973 is viewed as fair, and there is a respect and a willingness to participate.

Wage controls, which have particularly hurt women in lower paying jobs, will be permanent. Workers will not be able to put any economic pressure on their employers. Bill 19 essentially signals the end of free collective bargaining.

Bill 20 is a recipe for confrontation in our schools. Principals are turned into managers. Schools will be run like factories. According to Marzari, "This bill reduces the independence and responsibility of every teacher in B.C.



Jan Taylor, past Chair of WRC addresses the convention.

It destroys professionalism in the classroom and replaces it with bad labour relations.

Delegates unanimously supported a resolution demanding that the government withdraw both bills and convene an all-party legislative committee to suggest changes that would "promote positive labour relations, employment and economic growth."

Many policies affect women

Convention adopted a comprehensive forestry report and established an Agriculture Task Force. Delegates called on the provincial government to renew the moratorium on uranium mining and adopted a major report on race relations and human rights. Delegates also strongly supported a number of resolutions intended to eliminate poverty, including support for a guaranteed adequate income.

Community-based, locally controlled small-scale energy developments and conservation programmes were supported and environmentally destructive megaprojects like the Site C dam on the Peace River were rejected. Delegates explained that there is at least the equivalent of the Site C dam (a project estimated to deliver about 900 megawatts) available through conservation and warned that building hydroelectric megaprojects to provide energy for California is like building

the Northeast Coal project to supply the Japanese market. It's a buyer's market.

The convention criticized the lack of a provincial government program to deal with toxic wastes and proposed that a New Democrat government would develop a state of the art programme and facilities. Joan Smallwood, MLA for Surrey-Guildford-Whalley, said, "Without careful regulation of the production, transportation and disposal of the wastes, the citizens of B.C. are exposed to potential long term damage to their health."

Delegates voted unanimously to fund a task force to report on strategies for community and regional economic development. This task force will report to the next convention and will provide an important basis for an election strategy.

New executive has gender parity

Although gender parity ballots were not used, the executive that was elected is balanced by gender. Women elected include: Joy Langan, returned as president, Elaine Bernard as first vice-president, and Anne Edwards, MLA, as third vice-president.

Women elected members-at-large include: Jacquie Boyer, Gene Errington, Louise Kilby, Margaret Mahan, Sheila McFarlane, Christine Slater, Stephanie Tipple and Sharon Yandle. ♀

Photo by Democrat

How Will Bill 20 Affect Women?

by Lisa Pedrini, BCTF Status of Women Programme

Feminists and teachers are keenly aware that sexism is perpetrated to a large degree by the institutions in our society. In particular, schools are a major force in the socialization of young people and as such can either reinforce society's attitudes, or begin to change them.

Through the BCTF, teachers have worked to eliminate sexism from schools. Since the early 1970s the Status of Women programme, through its network of committed teachers, has worked toward ensuring that the potential of none of our students is limited merely by their gender.

Combatting sexism: harder under Bill 20

In recognizing that unequal conditions exist for both female teachers and female students, the Status of Women programme has two major goals:

- To increase the involvement of women in all facets of education, and
- To increase the awareness of and provide the means whereby sexism within the school system can eventually be eliminated.

In examining Bill 20's effects on education it becomes apparent that it will have a particular impact upon females in education. Many of the things that feminist teachers have worked so hard to achieve over the years are threatened, including our ability to meet the needs of female students.

Female teachers as role models and student advocates

Women teachers are major female role models for their students. The role models in a girl's life greatly influence her perception of herself and her role in

society.

A recent Labour Canada study titled *When I Grow Up—Career Aspirations of Canadian Schoolchildren* found that sex-role stereotyping is pervasive in Canadian society and is a strong influence on children's career choices. However, the study also noted the "influence of parents and other adult acquaintances on career goals" and recommended that "realistic role models should be used to encourage girls to widen their career horizons."

A quote from Madonna Kolbenschlag's *Kiss Sleeping Beauty Goodbye* clearly depicts the result for young women of sex-role stereotyping:

You see them in high school study halls, twisting their tresses and staring out the window. You see them in offices filing stacks of reports and glancing at the clock anxiously. You see them in laundromats, in supermarkets, in beauty parlours, on buses. You see them on the couch, TV blaring, paging through *Seventeen* magazine. Wherever you see them, they are young, anxious, languid, bored, unsatisfied with themselves... They all have one thing in common: they are convinced they are waiting for something. They im-

agine themselves in a state of readiness, of expectancy, of waiting for life and for their real existence to begin... They are sleeping beauties who may never wake up.

This is obviously an image we would not choose for the young women in our schools. It is, in fact, an image that the Status of Women programme seeks to change.

Aside from female teachers' influences as role models for students, teachers must be autonomous professionals who can choose, design, and implement educational experiences to reduce sexism and challenge sex-role stereotyping. Teachers must be able to speak out about sexism in schools without fear of reprisal.

If teachers are not free to be advocates for their students, conditions in our schools cannot change. Teachers' vulnerability is increased under Bill 20, and women teachers will be less able to speak out about sexism in education.

Teachers' working conditions are students' learning conditions

Sexism which affects teachers also affects students: for example, the imbalance of men and women in administration not only means inequality for women in education, but also gives a clear message to our students about the roles of men and women in society.

Fewer than 14% of principals and vice-principals in B.C. are women. In 1985, one in seven men and one in fifty women held administrative positions and 29 school districts had no female principals. The vast majority of women teachers teach in elementary schools, in particular in the primary grades. At the secondary school level only 8% of computer teachers, 15% of science teachers, 17% of math teachers, and .5% of industrial education teachers are female.



Students daily see women in roles of teaching the youngest children, or in secondary schools, teaching the traditionally "female" subjects.

Teachers in administrative roles are seen by children as those with authority and power in the school system. From the children's point of view, the roles of adults in our school system serve to reinforce their notions of the active and powerful role of men and the passive and powerless role of women in our society.

Affirmative action needed

If we wait for a natural redistribution of men and women teachers, we will wait for a very long time. However, affirmative action programmes have been particularly effective in equalizing the distribution of men and women in administrative roles.

For example, in Ontario the provincial government has provided funding to school boards to implement affirmative action programmes. In the Ottawa school district the result of affirmative action was an increase from 16.9% to 25.4% female principals in just two years. The number of female vice-principals has increased to 52.4%.

At the 1987 BCTF annual general meeting, teachers voted overwhelmingly that:

- Local Associations be urged to negotiate with their local school boards, affirmative action programmes for students and staff.
- Programmes for students would ensure the use of non-sexist curriculum resources, non-sexist teaching methods, equality in course selection, and a guarantee that all courses would be offered on a co-educational basis.

For staff, these affirmative action programmes would include plans for recruiting, hiring, and promoting staff to redress identified gender inequalities, specific programmes to enable women to pursue leadership positions, and the establishment of specific goals and timetables for equalizing distribution of male and female teachers.

At a time when the Ontario government has just announced that they are extending funding for affirmative action, the B.C. government has introduced legislation which means it is out-

side the jurisdiction of teacher contracts to negotiate affirmative action programmes.

BCTF policy regarding negotiation of affirmative action programmes will remain just that—BCTF policy. Our students will be the real losers.

Collegial model of power sharing ended

Of course, female teachers will have the opportunity, as they now have, to choose to enter administration without the encouragement of an affirmative action plan. But there is even less in the new model of "administrative officer" under Bill 20 than there was in the previous model of "principal-teacher" to attract women. Principals are placed clearly into a management role, separated from their colleagues in the local association or union, left to negotiate their contracts as individuals, and required to work in a hierarchical way as managers rather than within the BCTF collegial model of shared educational leadership. The model of educational administration presented by Bill 20 is not a model which will, in any way, encourage the involvement of women.

How democratic is the "College of Teachers?"

The structure of the proposed College of Teachers is, itself, completely hierarchical in nature. 15 council members elected zonally, and 5 council members appointed by government are to somehow represent 30,000 teachers. The model of the College is completely top-down with no process for input from individual teachers. It is completely opposite in nature to BCTF structures such as the Status of Women network, which is based upon the active participation, commitment, and involvement of women teachers at the grassroots level.

The purpose of the College is to regulate the teaching profession, but the College

has also been given responsibility for teacher's professional development, an area of great importance to teachers, and a responsibility now effectively carried out by the BCTF.

Currently the BCTF spends over \$3 million of teachers' fees annually on professional development. The BCTF model of professional development is one of empowering teachers to:

- foster the growth of students into autonomous, socially responsible citizens,
- and to help educate students

through serving as role models of caring, understanding, resourceful, responsible, self-directing adults who are committed to learning and personal growth and who exhibit honesty, openness and integrity.

Adopted January 1987, BCTF Representative Assembly

This model is in stark contrast to the professional development focus the College imposes on teachers. Section 26 of Bill 20 states in part that the object of professional development is "to improve the quality of educational services..." and to "ensure the currency of general teacher competence."



The future of "social issues programmes"

Professional development within the BCTF includes such programmes as Status of Women and the Programme Against Racism. Because the provincial government does not provide services related to non-sexist or anti-racist education, these programmes are the only ones to which teachers and parents in the province can turn. The continued existence of these and other social issues programmes is very much threatened by Bill 20.

With the absence in the College structure for the process of active teacher involvement at the grassroots level, with its focus on regulating teachers and on teacher competence, it is highly unlikely that a social and political issue such as sexism would be addressed. The Status of Women programme could not have been developed under the confines of the College.

Will women still choose to teach?

In an April 21, 1987 column in the Province paper, Crawford Killian

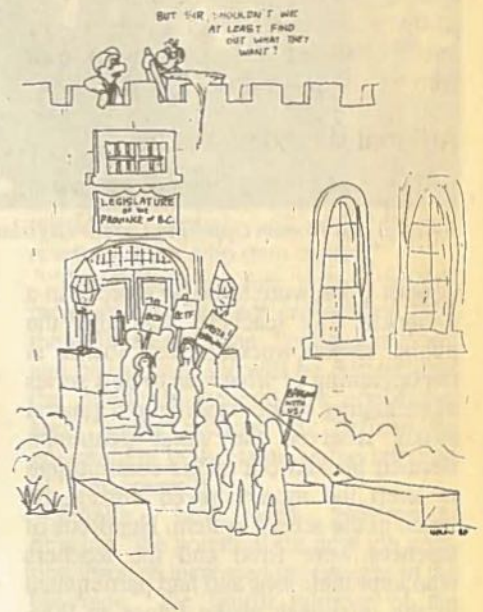
states:

Until fairly recently academically capable women were limited to a narrow range of professions such as teaching and nursing. In education, institutional sexism means women are rarely promoted out of the classroom into administrative posts.

He notes that women's professional opportunities are widening to such fields as law, medicine and business, and that women with ambition will "no longer consider education careers as their inevitable destiny." He's right—women will not choose teaching careers, particularly under Bill 20's controls and restrictions, its threat to teachers' professional autonomy, and in light of Bill 20's imposed hierarchical structures.

Women will no longer be attracted to teaching. Women teachers in the system become more vulnerable to transfers and dismissals and will find it increasingly difficult to speak out on issues of equality, to organize to improve conditions for their female students, or to be effective role models for them.

Without the competent, strong, intelligent women we would have teach our children, who will speak out about sexism in education? Who will meet the needs of female students? Who will then work to wake up the sleeping beauties or to prevent them from being lulled to sleep in the first place? ♀



The Challenge for a New Solidarity

by Alicia Barsallo

The spontaneous and massive Solidarity movement which fought the 26 right-wing bills the Bennett government introduced in July 1983 prevented the government from destroying the essential bargaining rights of public sector workers. However, it did little to defend the rights of non-union workers, women, senior citizens, children and the unemployed, on whose initiative and on whose shoulders the Solidarity movement was built.

A review of the Kelowna Accord

The verbal agreement between IWA leader Jack Munro and Premier Bill Bennett in Kelowna, November 1983, provided for the withdrawal of Bill 2 which would have prevented BCGEU members from negotiating anything but wages. It gave public sector unions

the right to negotiate exemptions from Bill 3, the Public Sector Restraint Act by which government employees can be fired upon expiration of a collective agreement*.

Munro and Bennett agreed that there would be no reprisals against any strikers, that money saved during the teachers' strike would remain in the education system, and that advisory committees would be established to hear submissions on human rights and tenants' legislation, as well as on the Labour Code.

Nothing was said in Kelowna about preventing the elimination of hundreds of teaching positions or the firing of public servants engaged in providing services to battered wives, abused

* BCGEU was exempted from this bill in the contract they signed with the government just before the demise of Solidarity.

children, welfare recipients and the disabled. Nothing was said about the extension of wage controls from the public to the private sector, the abolition of the Rentalsman's Office and relaxation of rent controls, or the repeal of the Human Rights Code and its replacement by the Human Rights Act.* Neither was comment made on the fact that local school boards could no longer raise money through municipal taxes, nor on the issue of the Education Ministry's control over the courses and budgets of post-secondary institutions.

Furthermore, it became clear sometime after the Kelowna accord, that the "consultations" promised around human rights, tenant legislation and the

* This act narrowed the definition of discrimination, limited the amount of compensation and abolished the Human Rights Commission.



AWOLL (All Women Opposing Labour Legislation) rally.

Labour Code were to be no more than a gimmick. The teachers who, like the public sector workers, had struck at the beginning of what was to be a series of escalating strikes leading to a general strike, received the worst treatment: Bennett backed out of his commitment to keep the money saved during the strike in the school system. Hundreds of teachers were fired and the teachers who kept their jobs and had participated in the one-week strike (close to 90% of the teaching force at the time had honoured the strike call) were asked to make up the days lost during the strike.

Some "victory"!

For many, the Kelowna Accord was the "sell-out" of a movement which, if courageously led, could have brought down not only the Socred bills, but the Socred government. The Kelowna Accord provided no joy to many of those who participated in the 1983 Solidarity demonstrations. A delegate of the firefighters reflected at a Vancouver and District Labour Council meeting last May 5th, "There were 80,000 of us ready to go. To this day I don't know what labour won in that fight!" The Kelowna settlement was authorized by no one in Solidarity except a handful of leaders who secretly designed the terms of the Accord and then negotiated it behind the backs of the thousands who constituted the Solidarity Coalition.

Although some trade union leaders called the settlement "a victory," the Kelowna Accord in fact demoralized

thousands of activists inside and outside the trade unions. It allowed the Socred government successfully to deliver a first blow against the people of the province, and paved the way for the current anti-labour attacks in the introduction of Bills 19 and 20. These bills threaten the very existence of B.C.'s unions and the B.C. Teachers' Federation. Once passed and implemented, they will result in a lower standard of living, higher unemployment, and a controlled and stifled education for the children of the province.

Put decision-making in the hands of the majority

If those who sacrificed time and wages to fight the Socred legislation in 1983 and those who were already hurting as a result of the politics of

"restraint," had been consulted in drawing up the terms of settlement of the dispute, the accomplishments of Solidarity might have been considerable. The task is harder now, but the tide can still be reversed. The success of the 24-hour, province-wide general strike June 1 shows us that it is still possible to create a New Solidarity.

We need more than martyrs or sporadic mobilizations. We need to press forward and our leaders need the courage to let the rank and file decide what should be done. As Jim Quay of CUPE said at the May 5 Vancouver and District Labour Council meeting, "The Solidarity experience in 1983 has taught us that we can't have a secret plan. We have to formulate a plan that people can see, a program of escalation." And I would add, "... a plan that people can approve—one that will turn every day that passes into a continuing mobilization and education of all concerned individuals, until Bills 19 and 20 are defeated."

June Williams, coordinator of the BCTF Programme Against Racism and an organizer of the recently-formed Coalition to Protect and Promote Public Education and Democracy (C-PED), said it very well at a BCTF workshop on May 27:

"It is very important that the organizations representing working people be in touch with the feelings of working people when directing the fightback against Bills 19 and 20." ♀



Vancouver
Women In Focus
Society

204-456 W Broadway
Vancouver, B.C.
(604)872-2250

The Floating Curatorial Gallery

July 8 to August 22. *The Summer Show*, an exhibition of multi-media work by Canadian artists Gathie Falk, Liz Magor and Joyce Wieland.

Hours: Wed to Sat Noon to 5:00 p.m.

B.C. COALITION FOR ABORTION CLINICS

P.O. Box #66171, Station F, Vancouver, B.C. V5N 5L4
Telephone: 873-5455

Memberships:	
Employed	\$5
Low Income	\$2
Groups:	
Over 100 members	\$25
Less than 100	\$15

Bill 19: The Labour Reform Act

by Nadine MacDonald

Labour is outraged. Management is concerned. Why? The Unions say Bill 19 is a bad law dedicated to union busting. And Management replies that the bill will cause more problems than it solves because the Unions don't like it. But Bill 19 is bad law not just because the unions are upset.

It is bad because it represents a fundamental shift of power away from workers and employers into the hands of a government who thinks that democracy begins and ends with a provincial election every four years.

The Socreds have done more than propose changes to the way in which labour and management deal with each other. The philosophy underlying this bill, which makes Premier Vander Zalm so proud, is apparent throughout. Two sections, 27 and 123.1, provide good examples.

Section 123.1 Productivity Fund

Section 123.1 sets up the Productivity Fund. \$500,000 is allocated out of general revenue to this fund which is the Minister of Labour's to spend. He can do anything he wants with it as long as he uses it "in a manner the Minister considers appropriate for the furtherance of the purposes of the fund."

In the context of the radical changes to labour-management relations wrought by Bill 19, the Productivity Fund seems somewhat insignificant. But it is symbolic of the Socred approach to the economy. It should be remembered that Vander Zalm has said a number of times that he was prepared to change some details of the bill, but he would not budge on its underlying philosophy.

Purposes for the fund

The first purpose is "to assist in making the Province competitive in world markets." But B.C. is already pretty competitive. The Americans only last year were complaining that the government of B.C. was doing too much, by undertaxing forest resources, to make our wood products competi-

tive in the U.S.—a tariff on Canadian wood products was the result.

How do we explain yet another programme to make B.C. more competitive? Does the Minister know where assisting competition ends and unfair trading practices begin?

The second purpose of the fund is "to encourage cost savings and productivity." But at whose expense? "Productivity" means different things to different people.

For many employers the name of the game in the 80s is making more goods with fewer employees in order to increase profits. But for employees, this "productivity" means lay-offs, longer hours or speedups for the same or less money.

It is possible that what business people want is assistance to improve productivity through modernization or mechanization. But \$500,000 is insufficient on the scale of possible needs.

Even if the Minister succeeds in using the fund to encourage cost savings and productivity, how will he ensure that "gains from productivity are equitably shared by labour, capital and consumers," the next purpose of the fund?

Defining our terms

Labour, capital and consumers are often referred to as the economic factors of production. How will the Minister of Labour define these terms? The



Teachers and parents picketing.

search for a definition is not unwarranted. Under Section 123.1 the government proposes to spend money. The people of B.C. have the right to know just how it will be spent.

Most citizens of this province work. Are they part of labour? Or is labour a social class, perhaps the working class? Is labour used here as a synonym for "employees," defined in the old labour legislation as members of a bargaining unit or union?

What is capital? Is it buildings, machines and shares in a company? In rewarding capital, will the Minister reward people who own capital?

There are very few people in this province who are not consumers. Will the Minister define "consumers" by age or income? Or will he assume that the public in general are consumers and "public interest" as defined by government is the same as the interests of "consumers"?

Finally, how will government develop "the potential for new job creation through increased investment in the Province," the fourth purpose of the fund?

Where are the guidelines?

Unless the guidelines for expenditures under the Productivity Fund are clear, there will be no objective criteria by which its effectiveness can be judged. Also it will be almost impossible to hold the Minister accountable for any expenditures.

Perhaps the Productivity Fund is only intended to be a slush fund for advertising or opinion research through groups such as the Fraser Institute. Why should this be part of a bill concerned with relations between employers and their organized employees?

If seen as a symbol, the reason for its inclusion is clear. If increased productivity is the measure of success in labour relations, then a fund to reward "productivity" is well placed in this Act.

Labour becomes inanimate, not made up of working people, neighbours, customers, but distinct from consumers and the public. The interests of labour are seen as different from and often

competing with the interests of the public. The role of government is seen as protecting the public interest where it conflicts with the interests of labour as put forward by the unions. The purpose of government is to ensure that labour, made strong through unionization, does not "distort" the economy and hinder "productivity".

Section 27: approaching Fascism?

Section 27 further defines the public interest by introducing a concept of a "greater good." Employers and employees are not the only players in industrial relations, not even the principal factors. The public interest as defined by the commissioner is paramount.

In the not too distant past, labour legislation in other countries has spoken of a higher purpose for participants in the economy and the need to regulate the factors of production. In 1927, one such "Charter of Labour" stated:

In the collective contract of work the solidarity of the various factors of production finds its concrete expression in the reconciliation of the conflicting interests of employers and

employees and in their subordination to the superior interests of production...

Certainly many members of the Social Credit government would agree with this kind of statement. If one ignores the outdated jargon, it says that the public interest is the most important factor in labour and management relations, and both labour and management must take into account the interests of the public when trying to sort out their differences. And it is government which will determine just what makes up the public interest. This 1927 Charter of Labour was the cornerstone of Mussolini's Fascist Italy.

Why Labour is outraged

The reaction against the Bill 19 from both labour and management is understandable but union members have the most to lose.

Unions are angry because many of the government's statements and most of the changes to the Labour Code indicate that the government is hostile to the interests of labour and that the emerging "public interest" will not coincide with the interests of the labour movement.

On the other hand, management perceives that the government will define the "public interest" in terms quite acceptable to it and is not concerned about the government's intentions. It assumes that the government is its ally, just as, historically, business owners saw little threat in the fascist revolution in their countries.

This comparison may be harsh, but Bill 19 embodies a fundamental change in the philosophy of labour legislation in this province. The concept of a playing field with government as referee is gone. The government is now the most important player. No one will win any points without its approval.

It would be interesting to know what the reaction of management would be if legislation embodying this kind of philosophy had been introduced by a government sympathetic to the interests of labour and hostile to management. What would business people do if such a government did not define the public interest as consistent with business interests? Who would be the most vocal opponent then? ♀

Abortion: the Struggle for Access in B.C.'s Interior

by Pat Brighthouse

Vancouver, 1987—The B.C. Coalition for Abortion Clinics is founded.

The struggle for choice moves to a higher level. Activists in the Lower Mainland take a giant step forward.

Meanwhile, in the interior of B.C.,

women are forced to take a giant step backward. One by one, fewer hospitals are providing women in their communities with access to safe, legal abortions. As of today, out of 115 hospitals only 39 provide regular abortion services. 80% of all abortions in B.C. are performed in three hospitals in Vancouver and Victoria. Now, more than ever, access to abortion depends on where you live, whom you know, and/or how much money you have.

Anti-choice attacks in Vernon and Kamloops

This crisis is most apparent in two B.C. communities—Vernon and Kamloops. Their hospitals have for many years provided access to abortion services. The Therapeutic Abortion Committees have operated smoothly within



the law using the World Health Organization's definition of health, which takes into account the social, emotional and physical well-being of the individual. As a result, neither community has seen the need for a pro-choice activist group.

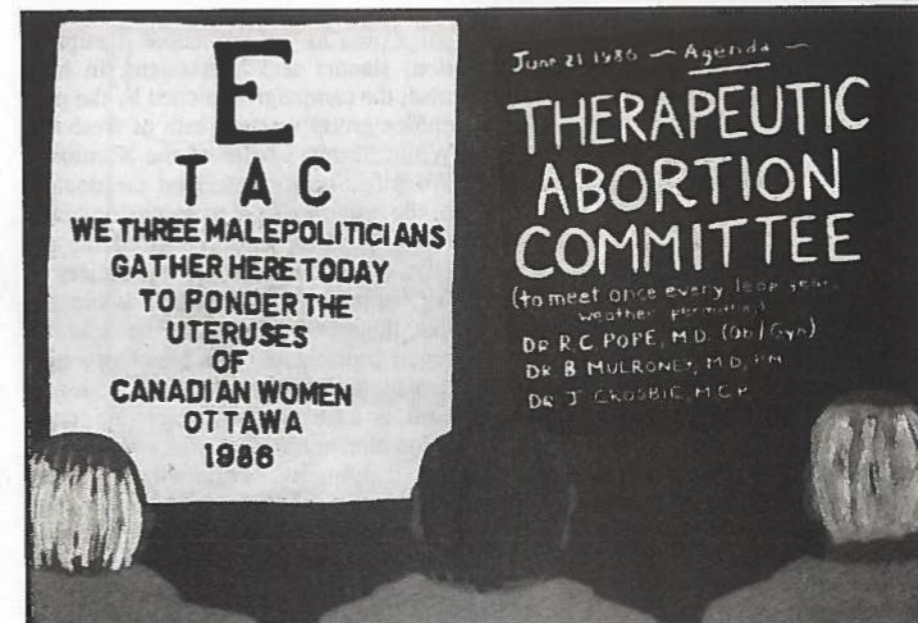
In the meantime, the anti-choice groups have been organizing steadily, mobilizing their supporters to take part in the hospital board elections and to elect one by one, year by year, anti-choice hospital board directors. It is interesting to note that during the elections several of the anti-choice candidates refused to declare their position on abortion. As a result, voters who did not have a "who's who list" were unable to take into consideration that aspect of a candidate's views.

New regulations restrict access

In October, 1986, the Vernon Jubilee Hospital Board presented a new "Guidelines with Respect to Abortion Policy" to its TAC. The new regulations define health more narrowly and require that two doctors prove the existence of a direct threat to the woman's life or health. They must explain why all other methods of treatment have been rejected and supply supporting documentation. Social and economic factors may not be used as grounds for an application.

In addition, the patient must sign a "confirmation of informed consent" four times to prove that she understands: that abortion is "illegal"; the chronology of pre-natal development "of the new human life" and which stage her pregnancy is at; the complications of abortion; and, that there are agencies available to help with "pregnancy-related problems" if her abortion is not approved.

This "confirmation of informed consent" assumes the patient has had a previous abortion(s) and demands to know when, where and how many. Under the chronology of prenatal development, there are several emotional descriptions of the fetus's response to "touching" and "stroking" at nine weeks. The "possible complications" of abortion such as "prematurity in future pregnancies, miscarriage, sterility, etc." are not described as unusual and there is no mention of the possible



Postcard by Anne Hansen. Available from CCCA, phone 876-9920.

complications inherent in many full-term pregnancies.

Finally, the list of agencies available to help with "pregnancy-related problems" includes the Salvation Army and community churches, Burden Bearers (a Vancouver-based private adoption group, long associated with the anti-choice movement), and Vernon's own "Problem Pregnancy Centre," patterned after the U.S. based "bogus abortion clinics" which operate solely to dissuade vulnerable women from choosing abortion.

It should be no surprise to learn that no abortions have been approved in Vernon since last October despite a vote of non-confidence by the doctors in that community. Those who can afford it are travelling to Vancouver or the U.S. to terminate their pregnancies. Poor women cannot.

Kamloops: a volatile struggle to regain access

On January 29, the anti-choice dominated board voted to revamp the TAC. The previous TAC had consisted of 12 doctors who volunteered their time and were recommended by the medical staff. The anti-choice board members voted to decrease the TAC to six doctors and refused to accept the doctors recommended by the staff. Instead they found three anti-abortion doctors (who had never before volun-

teered for the TAC) and accepted three more doctors from the volunteer list.

Doctors who spoke up against these changes were insulted and threatened by some board members. In particular, Genevieve Ring, a former anti-abortion board member, accused the doctors of stirring up controversy over abortion, and said she wanted to "slap down power-grappling doctors."

Since February, 19 abortion applications have been rejected. On April 15, the doctors in Kamloops were shown a new "compromise policy" for the TAC—apparently approved by the hospital board. As it turned out, the "policy" had not been shown to the whole board—just a select few. My guess is that this new policy may have been similar to the one imposed in Vernon. As a result of that meeting, a second doctor resigned from the TAC—three of the four doctors left were anti-abortion—and on the next night, over 70 doctors gave the hospital board a vote of non-confidence.

The anti-abortionists seemed to dominate the local press. There was a constant flow of often bizarre letters to the editor. Some of these letters simply supported the actions of anti-choice board members. Others slandered those board members and doctors who dared criticize the restructuring of the TAC. Some even talked about the need to increase "our" (white anglo-

saxon protestant) population because all those women in Africa are having so many babies.

At this point, it became clear to pro-choice activists that they needed to get organized to ensure access to abortion in Kamloops.

They called CCCA to send a speaker to help them organize the Kamloops Citizens for Choice On Abortion. As a spokesperson for CCCA, I arranged to go. After reading articles and letters from Kamloops papers, I expected to be stoned at the airport. I had been characterized by some anti-abortionists as a "professional outside agitator ... hired by those doctors who want to make more money killing babies."

An important victory

The tactic of the anti-choice cam-

paign was to use emotional manipulation, slander and harassment. In contrast, the campaign launched by the pro-choice group was a breath of fresh air. While Margo Linder of the Kamloops Pro-Life Society described the doctors of the previous TAC as being "no better than plumbers" and compared the acceptance of abortion in our society to the "adoption of Honduran babies so that their body parts can be sold for organ transplants," the Kamloops pro-choice activists quietly went their way with a factual and reasonable campaign that reached out to everyone in the community. Following a three-hour local cable programme showing "both sides of the issue," many ordinary people were galvanized into concrete action. They were impressed with the calm and rational way we dealt with anti-choice platitudes, misinformation

and lengthy bible-readings.

Happily, the pro-choice won a resounding victory at the June 18 hospital board election in Kamloops.

Close to 3,500 people voted in a 2 to 1 pro-choice majority on the board. Now Vernon is facing an election in the near future. Will women win the day?

As long as abortion laws remain in the criminal code, these annual hospital board election battles will be a fact of life in B.C. The anti-abortionists will continue to organize. We must not become complacent. The need to challenge the law and establish free-standing clinics continues. But we must support the struggles in the smaller communities to maintain whatever access to abortion women presently have. ♀

from collecting insurance monies when they were injured in a car accident for which their husbands were partially responsible—has been abolished. However, numerous other discriminatory provisions remain unchanged.

Not surprisingly, women have turned to the legal system to litigate equality in the courts. The decision to do so has not been an easy one. Even though our old Bill of Rights guaranteed sexual equality, women have not been particularly successful in proving that the discrimination which they face on a day-to-day basis is discrimination under the law.

For example, Irene Murdoch, the wife of an Alberta rancher, sought a share in the ranch when her marriage of 25 years broke up. Although she had assisted in everything from haying to maintaining and running equipment to caring for the horses and cattle, the Supreme Court of Canada dismissed her application. The Court found she had contributed no more than any other ranch wife, and that was not sufficient to create a property interest.

In 1976, Stella Bliss, who was out of work and pregnant, tried to argue that forcing a woman to apply for pregnancy unemployment insurance benefits (which Bliss was ineligible for) instead of regular unemployed insurance (which she was eligible for) was discrimination on the basis of sex, because if she had been a man, she would have been eligible for the regular benefits. The Supreme Court again found no discrimination. According to the Court, she was denied unemployment insurance benefits because she was pregnant, not because she was a woman. If there was discrimination, it was not because of the law, but because of nature.

Finally, Laval and Bedard challenged Section 12(1)(b) of the *Indian Act*. As Indian women who had married outside of their tribe, they had been stripped of their status—even though Indian men who married outside of their band retained their status, and, in fact, their wives acquired Indian status. The Supreme Court found no inequality because all Indian women were treated the same.

Knowing the track record of the courts in determining equality, women



Cartoon from *Summer Love*, reviewed on page 19.

did three things. Groups like the National Association of Women in the Law lobbied long and hard to beef up the equality language in the Charter. Hoping to plug the loopholes used by the courts to avoid finding discrimination, women pushed to have "everything but the kitchen sink" included in Section 15.

They started an educational campaign. Groups like CORC put together videos and conferences and talked to numerous groups to educate women, the media and hopefully judges about what discrimination is and what can be done about it.

The Legal Education and Action Fund (LEAF) was created to assist women in challenging discriminatory laws. Many of the cases which will go to the courts will take years to complete

at a cost of thousands of dollars. Since April 17, 1985, LEAF has been preparing, arguing, winning and settling cases of equality. They actively search out plaintiffs "with the right set of facts" who are prepared to become involved in test cases, and assist them in their legal battles.

Litigating the Charter in the courts

LEAF's first case involved Suzanne Bertrand, the Yukon *Change of Name Act* and a successful challenge to the section of the Act which denied married women the right to change their surnames. The Yukon Supreme Court found the section invalid in light of the Charter's guarantee of equality, allowed Bertrand to change her name and awarded her costs. Similar challenges

Looking for Equality in the Courts

by Fran Waters

The *Charter of Rights and Freedoms* is Canada's new tool for individual rights. As of April 17, 1985, the Charter has become an instrument for women seeking equality.

Section 15 of the Charter guarantees everyone equal rights based on, among other things, sex. Concerned that af-

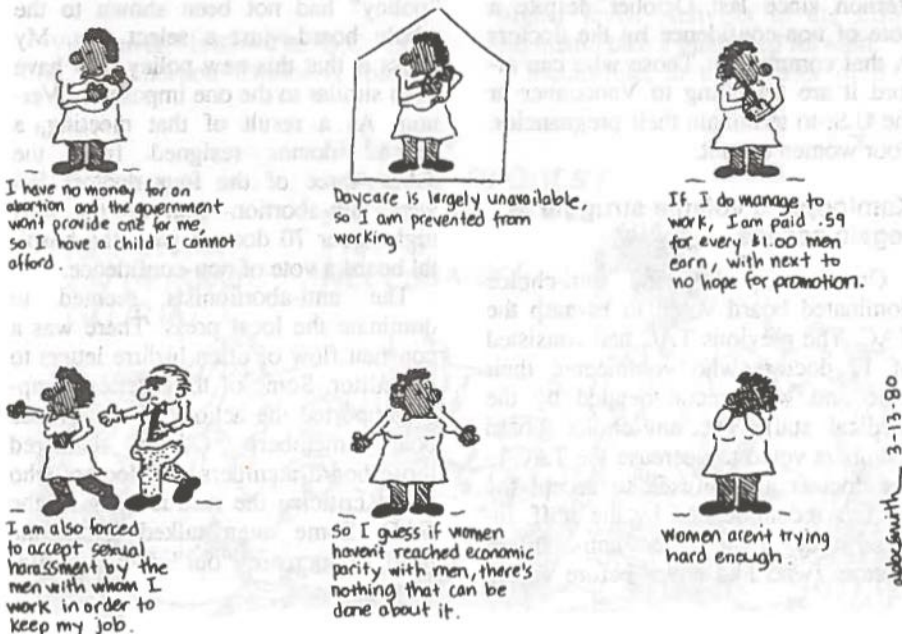
firmative action programmes would be attacked as reverse discrimination, Parliament included Section 15(2) which protects programmes set up to help disadvantaged groups achieve parity. Section 1 permits individual rights to be infringed if the infringement can be "demonstrably justified in a free and democratic society." We also have an equivalent to an equal rights amend-

ment. Section 28 states that every right and freedom set out in the Charter is guaranteed equally to males and females.

The enactment of the Section 15 guarantee of equality kicked in three years after the provisions of the Charter came into effect. Knowing full well that they had discriminatory laws on their books, the provincial governments requested a three year delay to give them time to "clean up their act."

Groups such as the Charter of Rights Coalition (CORC) in B.C. took a careful look at the present legislation, and their research showed that many of our laws violate the Charter guarantees. Hoping to save women from unnecessary and expensive litigation, these groups lobbied the provincial and federal governments to amend the offending provisions. The results have been disappointing and slow in coming.

In B.C., the government did change the *Workers Compensation Act* to allow both men and women (and not just widows and disabled widowers) to collect compensation when their respective spouses are killed on the job. Spousal immunity—which prohibited spouses from suing each other, and thus deprived many female passengers





Cartoon from *Summer Love*, reviewed on page 19.

have been won in Ontario and Prince Edward Island.

In British Columbia

In B.C., Westcoast LEAF has challenged the *Vital Statistics Act* which restricts a woman's right to register her child with her surname and does not allow for hyphenated surnames. The cases will be heard in the fall, although the provincial government has indicated that it intends to amend the offending legislation before then.

Westcoast LEAF also took an active role in a challenge to the *Child Paternity and Support Act* in the case of *Sewchuk v. Ricard*. The Act allows the mother of an illegitimate child to sue the father for child support. A Provincial Court judge struck down the Act because it offended Section 15 by not providing a similar right to the father of an illegitimate child.

According to Gwen Brodsky, litigation director for LEAF, two dangers arise when legislation like the Act confers a benefit on women without extending the benefit to men who are similarly situated. The first danger is that the legislation will simply be struck down by the courts. The second danger is less immediate in its effects, but potentially more serious in its longterm consequences. The legislation can be upheld as constituting a "special protection" for women, thereby legitimating a theory of special protection that has been relied on in the past to deny women access to traditional male opportunities.

Westcoast LEAF argued that such important social welfare legislation as the Act should not be struck down, but should be extended to cover men as

well—an argument that has been accepted by the American courts.

On May 9, 1986, the majority of the B.C. Court of Appeal upheld the validity of the Act. The Court was satisfied that the differential treatment did offend Section 15, but is saved by Section 1. The Supreme Court of Canada has denied Ricard's application to appeal the decision, so the case now stands as law.

Westcoast LEAF is also working on the issue of exclusion of domestic workers from the same benefits and protections that are provided under the *Employment Standards Act*. A similar challenge by two immigrant women assisted by Intercede and LEAF is underway in Ontario.

In Alberta

With LEAF's help, the Organizational Society of Spouses of Military Members (OSSOMM) has challenged the denial by the Department of National Defence of their democratic rights to assemble and associate. The case is not strictly one of equality, but it certainly applies to women.

OSSOMM was formed to assist spouses of military personnel to attain basic services important to them and their children: a traffic light at a busy corner, more help for battered spouses, French Immersion in base schools, a dental plan.

However, military stipulations prohibit "political activity" on military bases. In the fall of 1984, when OSSOMM formally organized, started a newsletter and held meetings for women on the base, the base commander at Penhold, Alberta, informed them that their activities were

prohibited. An action has been started by OSSOMM in the federal court and they have appeared before the Senate to protest the regulations.

In Ontario

LEAF participated in a challenge by Justine Blainey to the Ontario *Human Rights Code* and a regulation of the Ontario Hockey Association which barred her from playing hockey because she was a girl. Justine, who was 12 at the time, was selected as a member of the Olympics Hockey team although the official rules of the Association prevented her from actually playing on the team. The *Human Rights Code* prohibits discrimination on the basis of sex, but under Section 19(2), sex discrimination in sports is specifically excluded from the Code's anti-discrimination protections.

The Ontario Court of Appeal has now struck down the Code provision on the grounds that it denies the right to equal benefit and protection of the law as guaranteed by Section 15 of the Charter. The Supreme Court has declined to hear the appeal, so the case now stands as an important precedent on the issue of equality.

Also in Ontario, LEAF has reached a settlement with the government in a challenge to the so-called "man in the house" rule. In Ontario, a woman can be denied social family welfare benefits if she has a friendly or sexual relationship with a man, even if she is not living with him or receiving financial support from him. Inspection of the woman's home are carried out by people told to look for such "male" items as radios, hunting dogs, wall plaques and trophies to prove a man is living in the house. Men on social welfare are not subjected to the same tests. LEAF has been invited to sit on a legal subcommittee to participate in an overall review of Ontario's welfare system extending far beyond the "man in the house" issue. New welfare regulations are expected on July 1. LEAF will monitor the changes and, if they are unsatisfactory, relaunch its court challenge.

Other LEAF projects include possible changes to:

- unequal treatment of women in the federal penitentiary system;

- mandatory retirement policies;
- eligibility restriction based on marital status in Ontario's Beginner Farm Assistance Programme.

LEAF has just been granted intervenor status in the first major case on equality to be heard by the Supreme Court. In *Andrews v. Law Society of British Columbia*, the petitioner challenged the Law Society's restriction that only Canadian citizens can practise law. The Court recognized that the case goes beyond inequality based on citizenship, and has implications for the broader question of equal rights generally.

This case is the first time a woman's group has been granted intervenor status by the country's highest court. Since many of the cases on equality will not be initiated by women, it's a big step forward for the courts to recognize that groups such as LEAF should be given an opportunity to participate in the judicial shaping of equal rights.

Two steps forward, one step back

As the *Sewchuk* case indicates, women can lose as much as they gain with the new Charter provisions. In Ontario, for example, the courts have used the Charter's guarantees of a right to a fair trial and fundamental justice to strike down sections of the *Criminal Code* which restrict questioning in court of a sexual assault complainant's past sexual activity or reputation—provisions which are the result of years of lobbying by women's groups.

The challenges, by Steven Seaboyer and Nigel Gayme, both charged with sexual assault, are now before the Ontario Court of Appeal. LEAF was given intervenor status in the case, and has argued that the *Criminal Code* protections should be upheld. The Court has not yet released its decision.

What now?

The cases which have been won and settled have been easy ones. Those ahead will be more difficult. They include challenging laws which are neutral on the face but have an unequal impact on women and extend to basic rights such as equal pay for

work of equal value. At the same time, it is important that women remain constantly vigilant for those challenges which could erode the gains we have made.

Equally important is the careful and extensive work of women committed to making the Charter guarantees a reality. It is encouraging to note that groups like LEAF have been accepted in the court challenges and that women are coming forward with examples of laws which discriminate against them.

It is too early to say how successful women will be and how useful this new tool of the Charter will be in achieving

equality through the courts. However, the initiatives so far should be enough to persuade the courts that it is time to take equal rights seriously. ♀

For further information on the Charter and how to get involved, please contact:

Charter of Rights Coalition
Renata Bublick
Phone: 876-7137

Westcoast LEAF Association
Janet Kee
470 Granville
Vancouver
Phone: 876-1064

Free Trade Zones in the Philippines

by Marie Arrington

There have been rumours of the B.C. government setting up a free trade (export processing) zone in this province. Judging from what we learned about free trade zones in the Philippines, workers must not allow this.

While on an exposure tour sponsored by the B.C. Committee for Human Rights in the Philippines, we spent two days touring and living with

workers in the export processing zone in the Bataan on the Southwest coast of Luzon.

In the zone lies a defunct Ford parts plant and a gutted Mattel (Barbie Doll) plant. There are 11 factories, the owners being from several countries: Korea, Japan, Taiwan, England, and the USA. The products range from T-shirts to baseball caps. Seven of the plants are operational, four on strike or forced layoff. Some are "runaway shops"—factories where workers go



Workers protest.

Photo by Marie Arrington

on strike for recognition, unfair labour practices, etc., and the company retaliates by vacating the premises.

In one such shop, the company had agreed to union demands only to empty the shop of equipment after the workers returned to the job. The workers again struck and the company moved out.

In the Philippines, foreign companies in the zone do not have to pay taxes for the first five years of operation. The company usually sets up its own union, handpicks the leaders and draws up the contract. In a few companies, workers were presented a signed contract for approval. The extreme difficulty that workers face in organizing

zones are grim. There is a six day work week, eight hours a day. Overtime is compulsory and workers get less for overtime than straight time because employers are not required to pay the cost of living allowance for overtime.

90% of the workers are female. They are usually paid less than their male counterparts. The minimum wage is 36 pisos per day with an 18 piso COLA, equal to \$3.60 Canadian. The Aquino government had just raised the COLA but details were not available while we were in the country.

In the Bataan, I stayed with women who worked in a textile plant where baseball caps were made. Este sewed two sides of the cap and her quota was 1250 pieces in eight hours. If the quota wasn't met, she was given a reprimand and a warning. The owner of the plant was Korean, the manager Japanese, the raw material from Taiwan, the workers from the Philippines and the finished product sent to California.

It is not uncommon for a woman to pass herself off as single just to be able to work. Many companies won't employ married women because there is pregnancy leave and the company is liable for the cost of living allowance paid to women during their leave. Women are allowed four weeks prior to delivery and six weeks after. Their allowance is supplemented by social security paid for by the government.

If a worker is injured on the job, she is not entitled to compensation. She either takes her six allowed days for sick leave or her holidays or does not get paid. Holidays depend on time worked for the company. Este had worked for the company for six years and had 18 days holiday time.

The women had been on forced leave, which happens when management wants to keep workers under control. This tactic can be used by the employer in union busting, as punishment for organizing, or for "poor attitudes." When on forced leave, workers receive no wages, no UIC, no welfare, no benefits.

Living conditions for working women

Survival is difficult at the best of times, but when on forced leave,

women have to leave their rooms because they are not able to pay the rent. They move in with others who are still working, sharing with each other and accepting whatever the barrio is able to give them. Many women take on piece work contracts for very little money, not even enough for food.

The women I stayed with lived in a shared room in a dormitory owned by the government. It consists of three floors of 8' x 10' boxes made of cement. There are lockers in each room, two sets of bunkbeds and whatever else the women can scrounge. They have two makeshift tables, two plastic green chairs, and benches someone made of scrap wood.

The rent is 40 pisos a month with water and lights included. All the electric appliances are extra. A hot plate is 43 pisos, an iron 25 pisos, a fan 12 pisos, a radio 18 pisos. There is a common bathroom—"comfort room"—to be shared by everyone in the building, which has approximately 20 rooms to each floor and 8 to 12 women in each room.

Labour mounts militant fightback

During labour disputes or strikes, workers build shacks on the picket line and rotate shifts. The military is not allowed to be closer than 50 meters to the picket line. But this does not stop goons from harassing the strikers. Many organizers of strikes have been murdered.

It is not uncommon for families to move all their belongings to the picket line. If the women have children, they are also at the picket line with the husbands and often relatives. The militancy, dedication and clever organizational tactics of the union organizers and the strikers should be a lesson to organized labour throughout the world.

The exploitation of workers in the Philippines, as in countries throughout the world, should be of great concern to us all. Please phone 875-1050 (Marie) for further information. Slides are available of the export processing zone and the urban poor in the Philippines, as well as of prostitution around the U.S. military bases. ♀

Update: El Salvador

by Christine Hayes

This past December 1st to 3rd a delegation of educators visited El Salvador and attended a conference of Salvadorean teachers. Dr. Maggie Benston, professor of Computing Science and Women's Studies at SFU, and Christine Hayes, a Vancouver teacher, gave their perspective on the recent developments inside El Salvador.

Priorities: What was the purpose of your trip?

Maggie Benston: We had two basic reasons for going. Of course we wanted to get what we could out of the experience. But we were also security for the Salvadorean teachers. Our presence meant that they could be sure the conference would not be disrupted by government forces. It is notable that the Duarte government does not have the slightest interest in enlisting the support of teachers. A lot of teachers are in danger of being kidnapped or killed by government security forces or death squads. 11 teachers were killed by these forces last year, and in the past seven years, more than 350 teachers have been killed and 96 have disappeared.

Priorities: What are conditions like in El Salvador at this moment?

Christine Hayes: Compared to a year ago, when I first went, there has been a remarkable change. One of the most obvious is the growth and strength of the popular mass movement, and the formation of the UNTS (National Unity of Salvadorean Workers). The UNTS is the largest organization formed since the beginning of the popular struggle. It represents more than 130 different sectors of the country, including teachers, students, agricultural cooperatives, market vendors, displaced people, factory workers, small businesses, independent unions, etc. It is the first organization to represent the great majority of Salvadorean people. There has never been an organization as large and effective as the UNTS, not even in the early '80s.

On May 1, the UNTS organized public demonstrations throughout the

country. In San Salvador, 40,000 people marched through the capital, 12,000 in Santa Ana Province, 12,000 in San Miguel, 5,000 in Usulután, and so on. People called for the resignation of President Duarte, the formation of a truly representative government, a solution to the economic crisis, and an end to U.S. intervention in El Salvador.

Priorities: What are the effects of the recent earthquake?

Maggie Benston: The earthquake of October 10 destroyed 50% of the capital city, San Salvador. Concerning education alone, 162 schools were destroyed, as well as the Union Building of ANDES (National Association of Salvadorean Educators). Also, the University was badly hit and many classes are taking place on the lawns and in parking lots.

The people affected by the earthquake have been thrown into the streets, and the more than 100,000 homeless have been totally ignored. There is a consensus that the government has done absolutely nothing to help. All help has come from the universities, educators, churches and unions.

The response from the U.S. government also shows their lack of good will. Their response is infamous in the city.

People refer to the fact that the U.S. Embassy requested \$50 million for the reconstruction of the city and \$70 million for reconstruction of the embassy. This injustice has given a clear message to everyone. People who were paralysed by the repression in the early '80s have now woken up. The earthquake has brought them out again.

Priorities: You mentioned that you provided security to the teachers while they held their conference. Are there other reasons for international delegations?

Maggie Benston: Yes, there are many. For example, we were able to bring 500 lbs. of school supplies: pencils, pens, typewriters, as well as some medical supplies, and guarantee their safe arrival. This might not seem a tremendous amount of supplies, but in those boxes there were 5,000 pencils alone, and that means 5,000 children can participate in the literacy campaign.

Christine Hayes: Another function of the delegations is the international voice they provide. Windsor, Ontario, has twinned with the village of Las Vueltas: this is the first Canadian Sister City. In the words of Windsor Mayor, David Burr, "We will provide people to people communication."

The information coming out of El

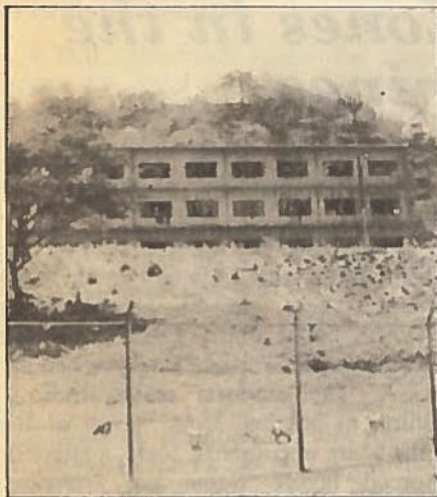


Photo by Marie Arrington

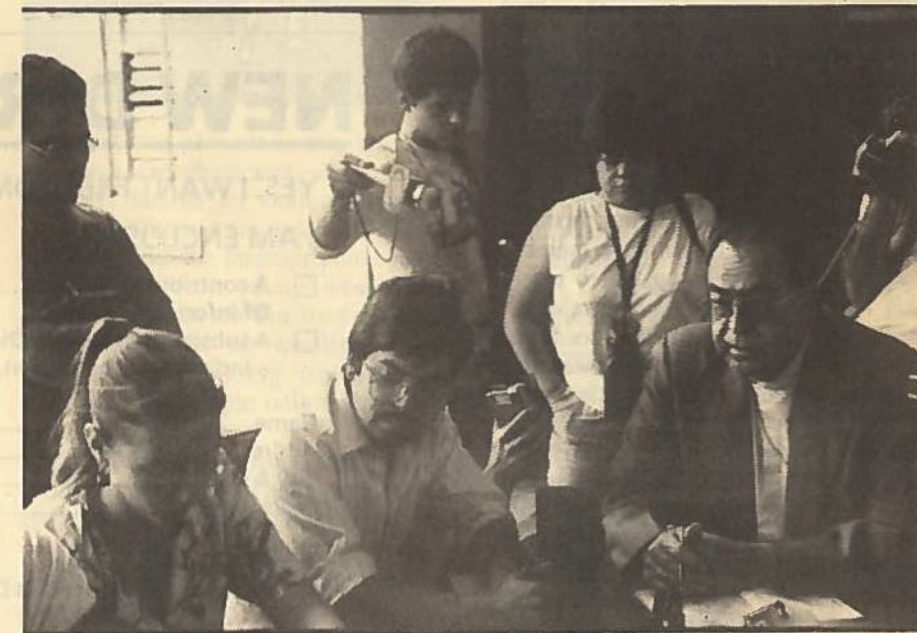
Workers' dormitories.

an effective union ensures hefty profits for the multinationals.

There are export processing zones in several areas of the Philippines where factories are owned and operated by nationals. Contracts for workers doing the same job varied greatly. Some workers received wages as low as 15 pisos a day and the highest wages we heard of were earned by men in a gold mine who received 67 pisos a day, well below the poverty line. A family of six should receive at least 115 pisos a day to be at the estimated poverty line. We did not meet one worker who made that amount in our three weeks in the country.

Working conditions in the Free Trade Zones

Conditions of work in the free trade



Christine Hayes in El Salvador.

Photo by S. Collins



Photo by S. Collins

Women's participation.

Salvador is still very limited, but as more and more people actually visit the country, and see the reality themselves, they become the voice for the Salvadorean people. When we were at the conference we met a 17-year old popular teacher. A week later, he was captured from his village. We responded quickly with a telegram campaign and a short time later we were informed of his release. Once you have visited El Salvador and become close to different people you can react to emergencies very quickly.

Priorities: What is a popular teacher?

Christine Hayes: The illiteracy rate is as high as 90% in some areas of the country. The war makes it impossible to maintain formal education especially since the government has decided not to fund it. The people have chosen to take on the task of educating themselves. They elect a community member that they deem most capable to teach. This Popular Teacher then develops a curriculum relevant to the needs of that specific community. Mathematics is taught by counting kernels of corn; division, through crop distribution. The people learn to read and write in the same manner. Education is integral to their success. ANDES works to assist the popular teachers in this National Literacy Campaign. Internationally, the network of Teachers' Committees endeavours to provide economic and moral support.

Priorities: What have been the developments since December?

Maggie Benston: Unfortunately, on June 1, Julio Portillo, an executive member of both the UNTS and ANDES, was shot in the back while he participated in a demonstration organized by the mothers of the disappeared. He is in critical condition. Also, on May 24, the offices of the Mothers' Committees and Human Rights Commission were bombed by the death squads. These massive

human rights violations indicate the intensity of the crisis. However, the Salvadorean people have responded with growing unity and commitment.

Priorities: What is the role of women in this struggle?

Christine Hayes: Women are an integral part of all aspects of this struggle. The leadership of the Teachers Association is equally represented by both women and men. The union representatives who brought greetings to the conference were often represented by two people, one woman and one man. The FMLN (Farabundo Marti National Liberation Front) also involves a great number of women. Throughout our visit we were faced with the reality that this struggle for liberation needs and has support from the young, the old, the children, the women, and the men. If all were not included then it wouldn't be a "popular movement." ♀

Contact: Teachers Committee On El Salvador
P.O. Box 65392 Stn. F
Vancouver, B.C.
V5N 5P3

Donations:

A school for a community costs \$4,000 Cdn.

Popular Teacher Campaign: \$50 a month will provide food, clothing, supplies.

NEW DIRECTIONS

YES, I WANT FREEDOM OF INFORMATION IN B.C.

I AM ENCLOSING:

- A contribution of \$_____ to the New Directions Freedom Of Information Fund.
- A subscription to New Directions (\$18 for 9 issues - individual subscription.)

Name _____
Address _____
City & Prov. _____
Postal Code _____

Send To: New Directions
Box 34279, Station D
Vancouver, B.C.
V6J 4P2

Summer Love

Review by Joanne Elliott

Summer Love is the brainchild of the Learning Resources Project of the Women's Skill Development Society. This cartoon magazine proposes the idea that the traditional perception of women's role in the work force can be altered. Used as curricular material in a women's studies or career planning course, it could prove invaluable as a springboard for discussion of career options for women in "non-traditional" areas.

It was therefore interesting to note the reactions of the young women to whom the magazine was presented. A sample group of three eighteen year-olds, three sixteen year-olds, and three women with teenaged daughters was chosen. Reaction was mixed on several aspects of the magazine, but consensus was reached on the need for such materials and praise was offered for the clarity of the message. Only one of the young women thought it was "funny." The general opinion was that the message could have been leavened with a more liberal dose of humour, especially as it was sub-titled "a romantic comedy."

Most felt that the visuo-verbal presentation was an effective vehicle for the message. Indeed, one of the women who read it was herself a cartoonist, and remarked that the basic rudimentary drawing was very effective, the layout was good, and tones had been used well. Another remarked on the use of strong primary colours and the eye-catching, almost primitive appeal. Interestingly, all applauded the fact that the relationship between the young man and woman was treated realistically and that education within a relationship seemed possible. The younger women, especially, were sufficiently interested in this aspect to want to discuss it at length.

Another point noted by several was the difficulty they had in following the dialogue. They commented on the fact that the text wandered up and down the page, and that the dialogue was at first hard to associate with the sketches of the characters. However,



the point was also made that the ways in which the characters were defined visually, almost by outline, was extremely effective in associating each character with the message conveyed.

Several of the young women felt that "Lisa" was too much of a caricature, but ended up qualifying their opinions by admitting that they did know girls who were only interested in boys and clothes.

They liked the strong role that the mothers played in their daughters' lives and were impressed by the way in which Kim's parents' relationship was depicted as one based on equality and mutual respect.

It would appear, then, that this book

could be used most effectively with groups of young people as a starting point for discussion. The material is available from the Women's Skill Development Board, 4340 Carson Street, Burnaby, B.C., V5J 2X9. Telephone: (604) 430-0450 ♀

Mark Your Calendars!

Nov. 15 Conference sponsored by the BCWRC: "Where we've come from... where we're going." A Retrospective Look at the WRC—Its Achievements and Goals Over the Years and Today.

Further details: Watch for a mailing.

Letter to the Editor

Priorities,

I would like to address an issue which is of importance to all women. A woman has no chance of achieving equality in a society in which women are not perceived as human beings but as "containers" for fetuses. As women, we have no opportunity to exercise our right to self-determination when the Social Services Ministry of the province can grant itself access to our wombs and reach therein to apprehend a fetus.

Just such an incident has happened in British Columbia. In late May the Ministry apprehended a fetus at Grace Hospital. The implications of this manoeuvre are widespread and if not addressed immediately and strongly have the potential to affect women in a most destructive way. The issues—medical, legal and ethical—are complex and numerous, but at a fundamental level, the issue is human rights.

Under the Canadian Charter of Rights and Freedoms, Section 15 guarantees that "every individual is equal before and under the law and has the right to the equal protection and equal benefit of law." Section 28 states that "the rights and freedoms referred to are guaranteed equally to male and female persons." Pregnant women are female persons, yet the provincial Social Services Ministry has chosen to disregard what is ours by law.

It may seem to us that this is a most unfortunate case that should not have happened, but then, it was just this once

and we're sure it won't happen again. Brace yourselves. In a special article entitled "Court-Ordered Obstetrical Interventions" by Veronica E.B. Kolder, M.D., Janet Gallagher, J.D., and Michael T. Parsons, M.D., printed in the *New England Journal of Medicine* on May 7, 1987, a U.S. survey reported that court orders were obtained to perform cesarean sections in 11 states, hospital detentions in two states and intrauterine transfusions in one state.

The heads of fellowship programs in maternal-fetal medicine were asked to agree or disagree with a number of statements. 26 of 57 (46%) thought that mothers who refused medical advice and thereby endangered the life of the fetus should be detained in hospitals or other facilities so that compliance could be ensured. 15 of 58 (26%) advocated state surveillance of women who stay outside the hospital system.

The authors assert, "The question is really whether doctors or the government may usurp patients' decision-making rights and appropriate or invade their bodies to advance what they perceive to be the therapeutic interests of a second patient, the fetus." However, "uncertainty is intrinsic to medical judgments. The prediction of harm to the fetus was inaccurate in six cases in which court orders were sought for cesarean section."

It is noted in this article that women who were non-caucasian, unmarried and receiving public assistance made up by far the highest percentage of women targeted. The authors conclude, "Acceptance of forced cesarean sections, hospital detentions, and intrauterine transfusions may trigger demands for court-ordered prenatal screening, fetal surgery, and restrictions on the diet, work, athletic activity, and sexual activity of pregnant women."

In a follow-up article entitled "Protecting the Liberty of Pregnant Patients," George J. Annas, J.D., M.P.H., of the Boston University Schools of Medicine and Public Health, notes that "forcing pregnant women to follow medical advice also places unwarranted faith in that advice. Physicians often disagree about the appropriateness of obstetrical interventions, and they can be mistaken. In three of the first five cases in which court-ordered cesarean section were sought, the women ultimately delivered vaginally and uneventfully. In the face of such uncertainty—uncertainty compounded by decades of changing and conflicting expert opinion on the management of pregnancy and childbirth—the moral and legal primacy of the competent, informed pregnant woman in decision-making is overwhelming."

According to Annas, the best chance we have to protect fetuses is through enhancing the status of all women. We must ensure reasonable pay for the work they do, and provide equal employment opportunities, adequate day care, and a reasonable social safety net. We must be sure that pregnant women have access to high-quality prenatal services.

After birth, the fetus becomes a child and can be treated in its own right. Before birth, we can obtain access to the fetus only through its mother, and in the absence of her informed consent, can do so only by treating her as a fetal container, a non-person without rights.

Annas warns that pregnant women will avoid physicians altogether if failure to follow medical advice can

result in forced treatment, involuntary confinement, or criminal charges.

On June 9, 1987, LEAF (Women's Legal Education and Action Fund) applied to Vancouver Family Court to ask permission to intervene as a friend of the court regarding the fetus apprehension at Grace Hospital in May. LEAF was not granted intervenor status and the case is proceeding on the basis of State versus mother.


In the opinion of Victoria Gray, President of West Coast LEAF Association, the determination of whether or not the B.C. Family and Child Service Act authorizes the Superintendent of Child Welfare to apprehend a fetus raises serious questions as to the rights of pregnant women. The specific issue regarding the apprehension was heard in the New Westminster Law Courts on July 13. Attorney for Social Services advised the court that he was instructed to oppose the LEAF affidavit.

This case is not as isolated as we may like to believe. The resolution of this matter will affect the rights of pregnant women across the country.

To the end that our voices must and will be heard, I urge you to tell your MLAs our strong objections to this government's actions. Write to B.C. Social Services Minister Claude Richmond to quash the apprehension order of the fetus. Further, ask that he make a commitment to provide the services necessary to women and children, such

as realistic economic support, retraining, and accessible, good quality daycare. Perhaps such measures will eventually bring an end to this vicious circle of victimization.

Nonni Graham



Communiqu'Elles

Revue féministe bimestrielle
Bimonthly feminist magazine

Subscriptions:

\$12 / 1 yr
\$22 / 2 yrs
\$30 / 3 yrs
\$18 / institutions (1 yr)

Les Editions Communiqu'Elles
3585 St. Urbain Street, Montreal
Quebec, H2X 2N6

Videos de America Latina
La Quena, 1111 Commercial Drive,
Vancouver, B.C.
Julio 29. Cuba. *Salvando Flores*
el trabajo de un doctora rural en
la Sierra Maestra
8:00 p.m.

the Newsmagazine by alberta women

the Newsmagazine aims to report about women and matters of concern to women in Alberta from a feminist perspective. To provide a forum for debate among women with different viewpoints. To serve as a link among women and women's organizations in all regions of the province. To record our history, create a mutual vision and work toward expanding choices for women.

Subscriptions:

Individual \$15
Institutional \$25

Please enclose payment with
your order and send to:

the Newsmagazine by Alberta
Women, #808-10136-100 Street,
Edmonton, Alberta, T5J 0P1.



Do you get your
PRIORITIES
straight?

Or do you borrow it from a friend?

RATES: \$10.00 per year — \$15.00 commercial. Send to PRIORITIES
517 East Broadway, Vancouver, B.C. V5T 1X4

NAME	NAME
ADDRESS	ADDRESS
CITY	CITY
POSTAL CODE	POSTAL CODE
Renewal <input type="checkbox"/> New <input type="checkbox"/>	Gift Subscription <input type="checkbox"/>

PRIORITIES—the feminist voice in a socialist movement
Published by the Women's Rights Committee of the B.C. NDP

