

YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF CANADA

CURRENT STATUS OF ABORTION IN CANADA

(THE HISTORY OF THE ISSUE)

Prior to 1969, it was illegal, for any reason, for a woman to have an abortion in Canada; the advertisement and distribution of contraceptive devices was also illegal, as outlined in sections of the Criminal Code of Canada. An Omnibus Bill, introduced by the then Justice Minister, Pierre Trudeau, included amendments to the Criminal Code which removed those sections dealing with contraception, and modified those sections dealing with abortion. It was in reference to these amendments that the Justice Minister made his now famous comment about "the state having no place in the bedrooms of the nation".

On August 28, 1969, the new law became legal under certain conditions. The "grounds" stipulated by the Criminal Code, which enable a woman to terminate a pregnancy, are that the continuation of pregnancy "would or would be likely to endanger her life or health". Who decides whether the grounds which the woman and her physician have established comply with the law? A Therapeutic Abortion Committee, composed of not less than three members (each of whom must be a qualified medical practitioner), will issue a certificate in writing, if they judge the woman's situation acceptable within their interpretation of the law. Terminations of pregnancies may be performed only in accredited or approved hospitals; no hospitals are required to establish a Therapeutic Abortion Committee.

Several problems arise when scrutinizing the present law:

- a) the grounds for abortion: that the continuation of pregnancy "would or would be likely to endanger her life or health". Vagueness is written into the law with the phrase "would or would be likely". There are varying degrees of urgency implied in the word "endanger", particularly when modified by "likely".

Most importantly, therapeutic abortion committees may interpret life or health in the widest or most restrictive terms. Do we interpret life as it is defined as opposed to death? Health is another difficult term. Universally, the World Health Organization definition is accepted, "a state of complete physical, mental and social well-being, and not merely the absence of infirmity and disease". When it is possible to interpret the law with so much latitude for subjectivity on the part of the Therapeutic Abortion Committee, the legal "grounds" for termination of pregnancy become a farce.

- b) a Therapeutic Abortion Committee must be composed of not less than three qualified medical practitioners. The practitioner to perform

the procedure may not sit on the committee. There are many communities in Canada where there are not four physicians. The accredited or approved hospital in the area will then not qualify to set up a committee. Therefore, women in isolated or rural communities have no access to a medical procedure which is their right by law.

- c) no hospital is required to set up a therapeutic abortion committee, and thus most Canadian hospitals have not. All hospitals in Canada are publicly funded, and their services should be set up to reflect the needs of the community. Those hospitals which do have committees, and do perform therapeutic abortions must perform disproportionately large numbers of them in order to meet the needs of those communities where the service is either deliberately denied or unavailable (see b) above) to women. Therapeutic abortion is the only operation for which a separate committee exists to sit in judgment on the physician and patient.

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THE YWCA OF CANADA'S STAND ON ABORTION

The YWCA of Canada believes that sections dealing with abortion should be removed from the Criminal Code of Canada, and that in support of the individual's right to self-determination, abortion should be a private matter of individual conscience decided by a woman or a couple and a doctor.

This stand supports the right of freedom of choice. Ours is a multi-cultural, pluralistic society, with a wide variety of accepted religions, political parties, and life styles. Our stand reflects the right of individuals to choose a course of action, related to an unwanted pregnancy, that is consistent with their own personal philosophy and life plan.

We reject the notion of abortion on demand. All medical procedures are carried out on the decision of consenting parties - the patient and the physician. Women have the right to direct the course of their lives; the right to control fertility is part of this.

The present law is restrictive and discriminatory. We wish to see the sections dealing with abortion removed from the Criminal Code so that the decision is one for those involved, not the members of a remote, subjective Therapeutic Abortion Committee. The issue of abortion is a personal one, not a matter for the adversary system.

The right of the individual, whether male or female, to exercise freedom of choice in private sexual matters, is now accepted in our society. The Declaration of Mexico 1975, on the Equality of Women and their Contribution to Development and Peace included clauses which support the YWCA stand:

11. It should be one of the principal aims of social education to teach respect for physical integrity and its rightful place in human life. The human body, whether that of woman or man, is inviolable and respect for it is a fundamental element of human dignity and freedom.
12. Every couple and every individual has the right to decide freely and responsibly whether or not to have children as well as to determine their number and spacing, and to have information, education and means to do so.

Every individual in Canada does not have the means to do so.

Those who do not believe in abortion need never avail themselves of it; their beliefs should not limit or bind those who do not share like moral or religious convictions.

Sections on abortion must be removed from the Criminal Code of Canada; only then will individuals be able to make responsible, personal decisions on this very private matter.

July 22, 1975

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RESPONDING TO THE PRESS OR ELECTRONIC MEDIA

A. GENERAL SUGGESTIONS

1. First of all, remember that a reporter is just doing his or her job when he or she asks you questions. Reporters are not being nose - they are trying to get accurate information about a subject that their employer considers to be newsworthy.
2. Never, under any circumstances, lie to or try to mislead reporters. If you feel you can't or shouldn't or don't want to answer a question, be honest about it. You can say, "I'm sorry; I don't have that information right now but I can get it for you later"; or, "I think the best person to answer that would be... our President, the National Office, the Executive Director of the United Appeal, etc., etc."; or, "I'm not prepared to answer that at this time."
3. Don't be afraid to wait until your thoughts are organized before answering a question.
4. Feel completely free to use the enclosed material in answering questions about abortion or about the issue of agency autonomy. Quote directly from the material when applicable as that's one of the best ways of ensuring that your answer will be correct.
5. If a reporter is trying to write down your answer (and hopefully he or she will be for the sake of accuracy) go slowly enough so that they can get it down and get it down correctly. For the electronic media, this is much less important as they will likely use tape recorders.
6. On the really crucial aspects of any story you are being asked about, it doesn't hurt to make your point, then say it again to be sure the reporter fully understands what it is you are saying.
7. Some people, when being interviewed, react in a very defensive manner as if the press is out to get them. Others try to be comedians or buddy-buddy with reporters. The best approach is to be yourself. Reporters expect to deal with a professional person who is Executive Director of the Association or the President or a department head. Be professional. Talk to reporters as you would to any other member of the public - in a frank and friendly way.
8. The best way to ensure that the reporter gets accurate information is to do your homework. Make sure you know what you are talking about. Anticipate questions you might be asked. Remember that we know the YWCA or YMCA-YWCA much better than the reporter does and that gives us a distinct advantage, so use that advantage to educate the community about what we really stand for on the issue under discussion.

9. Whenever possible, avoid answering questions about a complex subject over the telephone. If a reporter wants to interview you about pressure on the United Way, agency rights or abortion, tell him or her that you would be happy to see him or her in your office but that you consider the issue too important to the YWCA and too complex to really do it justice over the telephone. A face-to-face interview gives you an opportunity to assess the reporter's reaction and to determine whether you have made your answers clear. A personal interview also usually means that a more substantial story will be written and on this particular subject that is desirable.
10. Whenever possible, try to have the Executive Director and President take part in an interview involving a major subject. There are several advantages to this - first, it allows each to speak to the matter from the point of view of their particular responsibilities (policy versus operations); and secondly, if one gives an answer that comes out rather muddled or incomplete or in a vague sort of way, the other can clarify or add additional, helpful information. However, don't refuse an interview just because both can't be present.
11. Some people 'freeze' when a microphone or TV camera is in front of them. The best way to overcome this is to ignore them as much as possible and simply talk to the reporter. Act just as you would in any everyday conversation. If you can focus your attention on the interviewer, you should come across in a very natural and unstilted way.
12. Always assume that everything you say during an interview will be quoted publicly. If you don't want what you say to be used publicly, then don't agree to be interviewed. It isn't fair to a reporter to agree to an interview and then try to have the most important point or points "off the record".
13. Don't argue with reporters or get into public debates with them.
14. If a reporter asks for your reaction to a comment supposedly made by someone else, be very careful in your reply. First of all, do you know exactly what that person said or are you only going by what someone else has claimed they said. You can avoid a direct answer by saying, "I wasn't aware that \_\_\_\_\_ had made that statement and I'd like to talk to him or her about it before I comment."
15. If you are asked questions about the United Way, it would be courteous to call the Executive Director immediately after the interview to share what you were asked, who asked you and what your reply was. That then allows him to know about it before he hears it on the air or reads it in the newspaper. It could also be that the reporter will contact the United Way after interviewing you and that gives the United Way at least a few minutes to prepare

for questions and also lets them know what the position of the Y was in the interview.

16. It's a good idea to stress a couple of times during the interview that you are speaking only for your local Association. If questions arise about where other Associations or the YWCA of Canada stand, refer reporters to the appropriate people and/or documentation for answers.
17. Be very careful not to let reporters put words in your mouth. If one says to you, "they're really weird on this issue," you might smile in return and say, "You said that, not me." If you let the remark go unchallenged or if you agree with it, don't then be surprised if you are quoted as expressing the thought that, "they're really weird on this issue."

B. QUESTIONS YOU MIGHT FACE

1. Do you think the United Appeal will support you?

Always avoid predicting what someone else will do. In answer to that kind of question, you might say something like this - "We've always enjoyed a good relationship with the United Way. They have been fair to us in the past and I have every confidence that they will continue to be fair to us in the future." HOWEVER, if that isn't completely true, then don't say it. Try this instead - "I can't speak for the United Way but I have every confidence that they will be fair to the YWCA or YMCA-YWCA."

2. What do the Catholics in the YWCA or YMCA-YWCA think about the abortion issue?

This kind of a question is loaded with potential trouble, depending upon your answer. You might try something like this - "First of all, we don't differentiate between our members on the basis of religion, so I really can't say what any specific Catholic who belongs to the Y thinks about abortion. You would have to ask a member of the Catholic faith. Secondly, policy is set by the Board of Directors of the YWCA or YMCA-YWCA who are elected by the membership. Any member who is concerned about policy has the opportunity to talk to Board Members about that policy and to effect the decision-making process in that way. The Board collectively determines policy and our present policy on this issue is..., etc., etc."

3. What will you do if the United Way doesn't support you?

As a general rule, don't speculate about what might happen in the future. You could answer by saying, "I don't think speculation about what might or might not happen in the future is very helpful to anyone. There really isn't any answer to that question right now."

4. What's your reaction to the Knights of Columbus or the Right to Life?

Again, this is a potentially troublesome question that you will have to think carefully about before answering. A possibility might be - "I think the Knights of Columbus (or whatever group is involved in your community) make a substantial contribution to our community. I'm sorry, naturally, that there is this difference of opinion between us, but I think we are both entitled to our own views. However, I want to point out again that the issue involved here is not the issue of abortion but the right of a voluntary agency to determine its own goals and philosophies through its membership. That is a pretty fundamental freedom in our country and I'm hopeful that when they think about it some more, the Knights of Columbus will realize this and will not try to force their views on others through economic coercion and intimidation." As far as the Right to Life is concerned, you might say simply, "They're entitled to their views and the Y is entitled to its point of view. We do not intend to change our policies because of economic coercion and intimidation."

5. Does your Association support the YWCA of Canada's stand?

Regardless of where your Association is at, state first the way in which "stands" are decided and what the local responsibility is (see enclosed). If you have studied the issue and have actually taken a stand, say so, and give the rationale for your decision. If you have not studied the issue, be honest about that. At this point, it might be useful to highlight some other activity or issue on which you are working. Also be prepared to say whether you plan to study the issue and if so, when and how. If you are not, be prepared to explain why not.



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LOCAL ASSOCIATION RESPONSE TO NATIONAL STANDS

The autonomy of local Associations is recognized. However they do, as members of a National Movement, have a responsibility to respect the decisions taken at National meetings. They have an equal responsibility to participate in that decision-making process and make their views heard.

Before any stand is taken, there is plenty of opportunity for all local Associations and individual members to express their views and participate in the decision-making process. On the abortion issue alone, there was full discussion at one National Council meeting, a detailed questionnaire sent to locals prior to the 1971 decision, a summary of that questionnaire sent out for study and reaction, a program kit prepared for use as interpretative material in activity groups and finally in 1974, prior to the re-affirmation of our stance, a request for current opinion on the subject. In both cases, after the decision was made results appeared in the YW Resource, and the minutes of the National Board. There has been ample opportunity for local input and certainly locals have been consulted and kept informed along the way.

In any given year, there are many recommendations made by either the Board or the National Council. No one Association can do everything so each must set some priorities for dealing with them, depending upon their own local concerns and goals. Hence, while some will pursue issues and activities like pre-school swimming, James Bay Project implications, camping, work with immigrants in low-income areas or fitness testing, others will put their skills and energies elsewhere.

One of the strengths of the YWCA has always been our ability to encompass a variety of ideas, activities and opinions. One of the responsibilities of membership is for each local to support the right of each other local to pick up on those decisions most relevant to them and of the YWCA as a whole to speak out on any issue when a substantial number of member Associations feel that this is important.

Local agreement or disagreement with a National stand can only be determined after thorough study of the issue. This can be done in several ways - through panel discussions, special interpretative meetings, publications or program activities ... anything for that matter which gives all members a chance to know what the debate is all about, to have access to the pros and cons of the issue and to express their views.

Care should be taken to be sure that in rejecting a National position the members are aware of the implications; i.e. in rejecting one stance we do in fact "take a stand" and hence should understand just what this might imply.

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WHY NATIONAL STANDS ARE TAKEN... WHEN AND HOW

A. WHY NATIONAL TAKES PUBLIC STANDS

Aside from the fact that this way of work has historical roots that go back to the founding of the Association, it is still seen as valid by the leaders in locals from coast to coast and by the members whom they elect to the National Board. At Conventions and meetings of the National Council, there is continued support for this type of social action for the following reasons .....

- to fulfil one of the traditional roles of the voluntary organization to mobilize public opinion and provide a forum for the expression of individual views on issues which affect us all.
- to provide our membership with an opportunity to study, discuss and communicate their opinions on aspects of societal life which will influence their future.
- to contribute to public debate on vital issues.
- to encourage our members, our leaders, ourselves, in fact, to become increasingly informed, responsible and involved members of the Canadian and the world communities.

It is important to note that both the Christian basis of our Association and the Social Action Statement adopted at the National Council Meeting in 1971 support and indeed direct us to this kind of action.

B. HOW ISSUES ARE CHOSEN

By the members. A local Association starts a program and shares its successes, disappointments, problems or concerns with us at "571". We try to find out who else is working in that area, get together resource material and contact lists and write up the programs for the information of other locals in the YW Resource.

In some cases, there is very little interest so we try to assist the local involved and that's it. On other issues, though, there is noticeable concern, shared questions and an identifiable wish on the part of several Ys to learn more of the subject, study the pros and cons of its various aspects and periodically to consolidate their views for wider circulation.

When this happens, the National Office tries to facilitate these plans through publications, research, studies and cross-country input. Eventually, if there appears to be a general consensus... and I have not known this to happen in less than 18 months on any issue... then a decision to take a stand will be made, usually at a Convention or a National Council Meeting, but occasionally by the National Board.

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