

# NEWSLETTER



Spring

1985



Doctors Morgentaler & Scott leave the Courthouse after being acquitted by jury.

## Trial Notes

On November 8, 1984 an Ontario Supreme Court Jury acquitted Dr. Henry Morgentaler and two colleagues following their trial on a charge of conspiracy to procure a miscarriage.

### Jury Selection

The trial began Monday, October 15 before Mr. Justice William Parker. Most of the first day was spent determining those questions which could be asked of potential jurors in the selection process. This process is important in ensuring that an unbiased jury hears the case. One man, who denied that he had any firm beliefs about abortion, was disqualified when he admitted that the red rose emblem in his lapel was a symbol indicating he supported the "Right-to-Life".

Much has been said, since the trial, about the selection process, and about the use of American consultants by defence counsel, Morris Manning. Those who have suggested that the process was unfair and that the jury was biased are those who have not bothered to understand how the jury was chosen. Each juror in this case was accepted by both defence and Crown Counsel, and, significantly, the process itself is not being challenged by the Attorney General in the appeal which has been launched.

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## Message from the President

As I write, I'm thinking about the demonstration we had in Toronto last night (February 22, 1985) at the provincial legislature. I'm thinking how gratifying it was to have looked out over that huge crowd of 5,000 to 6,000 knowing the strong commitment that brought people there.

For some it was the first public demonstration of their commitment to choice. Many, in the face of the involvement of the Catholic and Fundamentalist churches, felt they could no longer refrain from expressing that commitment in a tangible way. I couldn't help thinking of the danger inherent in not making a tangible statement of that commitment. What happened in Nazi Germany happened in part because good people remained silent. Some may quarrel with my analogy but in the light of recent events, both here and in the United States, I believe it is apt. We can learn from history, and history has shown us that tyranny thrives when good people do not speak out.

In the struggle for reproductive freedom, history also teaches us that nothing comes easily. Margaret Sanger, a pioneer in the birth control movement, suffered the same persecution by Church and State in her day as Dr. Morgentaler suffers today. The stakes are high. The prize is the freedom to control one's own life and this is a very threatening notion indeed, to orthodox religions in particular.

I am very disturbed by the racist and bigoted comments contained in them. One said "Hitler stopped one Jew too soon". Others contained swastikas and other Nazi symbols. Clearly the anti-choice movement contains elements of vicious anti-Semitism. If Dr. Morgentaler were not Jewish, were tall and fair, and were named Dr. Smith, I wonder whether there would be such hysterical opposition to his clinic.

Let me end this note by urging you all to continue to express your support for choice in whatever manner you feel you can best make your voice heard.

If reproductive freedom is to become a reality, we must never remain silent.

Elsewhere in the newsletter you will read excerpts from the vast amount of mail we have received in response to the jury acquittal of the doctors, and to appeals for the Defence Fund. Most of the mail is an outpouring of encouragement and support, both for us and for Dr. Morgentaler. But some of it isn't. We've printed an example of some of the anti-sex letters we've received, but what we haven't printed are examples of the anti-Semitic ones.

*Norma Scarborough*

## An Impassioned Plea for Tolerance & Understanding

The following is the text of a statement made by Rev. Alison Kemper, St. Matthew's/St. John's Anglican Church, Toronto, at a CARAL-sponsored news conference February 21, 1985 in Toronto.

"I speak today as a Christian, as a person of conscience, as a woman trained in theology, as one given authority to teach and preach.

I am here because the fact of abortion upsets me, and the religious extremists in the streets terrify me.

I am here to tell the anti-choice movement that there are better ways to stay the flood of abortions than blocking traffic on Harbord Street.

If we want to end abortion, we cannot begin by denying medical care to women. If we deny women access to safe and legal abortions, abortions will not end. There are butchers, coat hangers, and poisons. Around the world 30-55 million women have abortions every year, fewer than half of which are legal. 84,000 women die. Abortion goes on.

If we want to end abortion we must give women the tools to choose. Until we have a world free from rape, incest, and sexual harassment, there will be abortions. Until we have a world where single mothers and their children do not live in crushing poverty, without access to adequate housing or education, there will be abortions. Until we have developed 100% effective birth control available in a health care system accessible to all women, there will be abortions. Until working women who want children have job security, universal maternity benefits and day care, there will be abortions.

If we want to end abortion, we cannot allow the anti-choice lobby to intimidate hospitals and shut-off legal avenues for abortion.

If we want to end abortion, we must lobby our governments for decent day-care, affordable housing, safe and effective birth control, adequate subsidies for single parent families, and an end to the sexual coercion of women.

If we want to end abortion, we must cease to harass women in crisis. We must begin to make our society a place where, free from injustice and poverty, women and children can live their lives in hope."

## Trial Notes ... Continued from page 1 Opening by Crown

The prosecution began its case by addressing the 12 jurors (6 men and 6 women). Assistant Crown Attorney Alan Cooper told the jury that he intended to prove that the doctors (Henry Morgentaler, Robert Scott and Leslie Smoling) had conspired together to commit a crime, when they agreed to operate the Harbord Street abortion clinic. Mr. Cooper's first witness was Dr. James Murray, of the Canadian Council on Hospital Accreditation. Under cross-examination, Dr. Murray admitted that access to abortion in Canada is very uneven, that in one province (P.E.I.) there are no hospitals conducting abortions, and that some women face significant delays. Later on in the trial, an official from the Ontario Ministry of Health testified that although Dr. Morgentaler had requested the Minister's approval of his clinic, the request was denied.

A number of police witnesses testified about aspects of their investigation. The clinic had been placed under constant surveillance so that police would raid it while an abortion was in progress. On July 5, 1983 two undercover officers posing as husband and wife entered the clinic under the pretext of seeking an abortion. About 12 minutes later, police raided the operating room where a patient was still on the table, following her abortion. Another woman was in a recovery lounge.

Prior to opening the clinic, Dr. Morgentaler had pleaded with the authorities not to raid while abortions were in progress. The police disregarded his plea, arranging instead for an ambulance and a gynecologist to be at the scene. This despite the fact that one officer acknowledged they had sufficient evidence to arrest Dr. Morgentaler prior to the raid.

Documents seized at the clinic included an appointment book showing bookings up to July 28, case histories of patients, and letters of support for the clinic. Dr. Frederick Jaffe, a Toronto pathologist, testified that traces of fetal tissue were found at the clinic. He also admitted that prior to 1969 he had performed a number of autopsies on women who had died after self-induced abortions or abortions conducted by unqualified persons.

### Defence Evidence

On October 25, the defence began with Morris Manning's opening address. He told the jury that the doctors were not engaged in a criminal conspiracy, but rather acting on "a desire to bring a wanted and needed medical procedure to women". He told the jury "This is a case about personhood. This is a case about security of the person, about liberty and about cruel and unusual punishment of women in this province".

The first defence witness was Marilyn Buckham of Gyn Women's Services, a Buffalo abortion clinic that served 500 Canadian women in 1983. She estimated that 2,000 to 3,000 women came from Canada to Buffalo each year for abortions.

Another defence witness from Minnesota also gave evidence about the influx of Canadian women to clinics in that northern U.S. state. Janis Tripp, of the Birth Control and V.D. Information Centre in Toronto, told the jury that getting an abortion in a Toronto hospital means spending hours at the telephone, trying to get through to make an appointment. Quotas are strictly observed in those hospitals which perform abortions, and securing an appointment is akin to winning a lottery. There may be costs not covered by the province's medicare system. A woman who does not succeed in having her abortion before the 12th or 13th week of pregnancy will have to wait until the 16th week and undergo the riskier and more traumatic saline procedure.

### Women Suffer Under Present Law

Similar evidence about the delays, the quotas and other obstacles to obtaining an abortion in Toronto was given by Dr. Diane Sacks of the adolescent clinic at the Toronto Hospital for Sick Children. One woman who went to the Toronto General Hospital for an abortion had been diagnosed as 16 weeks pregnant when first seen. She was scheduled for an abortion, but it was postponed one week by the hospital and when she reached the operating table, staff suspected her to be over the 19 weeks she had been led to believe. They did an ultrasound, found out she was 21 weeks pregnant and refused to do the procedure. The woman went to the adolescent clinic in a suicidal state. Arrangements were made for

**"...access to abortion in Canada is very uneven..."**

her to borrow the necessary \$850 for an operation in New York. Dr. Sacks said she could spend months on the witness stand recounting instances of delays caused by the abortion law.

Dr. Augustin Roy, president of the professional association for doctors in Quebec, testified that thanks to Dr. Morgentaler's trials in the mid-70s, free-standing clinics, 8 of which are government funded, offer abortions to women in that province. Also thanks to Dr. Morgentaler, hospitals there do safer local anesthesia and suction procedures. Dr. Roy praised Dr. Morgentaler's work and that clinics such as his are superior to hospitals in technique, equipment, atmosphere and service. For Dr. Roy personally, a critical event that changed his views on abortion was a request by a nun who was terrified that she would be expelled from her religious order if her pregnancy came to light. He helped arrange an abortion for her. Dr. Roy also spoke of the hypocrisy of "gutless" politicians who say one thing in private and another in public.

Dr. Wendell Watters also denounced the present system of obtaining abortions as contrary to good medical practice. If men could have babies, he said, abortion would probably never have been illegal.

# Dr. Morgentaler writes to Ontario Attorney-General, Roy McMurtry

Dec. 18, 1984

Dear Mr. McMurtry,

Your recent public statement regarding the abortion issue contained a message to me, that "it is imperative to calm the extremely volatile passions which have erupted." I cannot agree with you more, but why give me this message when all the volatile passions which have erupted, and all the threats to do violence have come from the anti-abortion side. It is calming to read on to where you say "every step must be taken to preserve the public peace ... and every necessary step will be taken..."

Abortions are not new to Toronto; they have been performed in hospitals all over the city, unfortunately not under optimum medical conditions. The only difference is that now this procedure has been made available in a clinic with an excellent standard of care, and that Ontario women no longer will have to travel to Montreal, Buffalo or Minnesota to obtain them.

The fact is we are being besieged by requests for appointments and that women

are willing to go through picket lines, face threats of police raids, and yet they are coming... If necessity was not proven enough in court, it is still being proven every day...

I want to contribute my share of activity to build a society where children, hopefully, will be wanted and loved; children who grow up to be caring, loving, responsible, creative members of society; where women are treated with dignity and respect and where reproductive freedom for all has become a reality...

I urge you again to do what the Attorney General of Quebec had done in 1977, with immense health benefits for Quebec women: to declare that no more prosecutions against doctors providing safe abortions will be held in Ontario; that the abortion law is inoperative in Ontario, just as in Quebec, and that it is up to the Federal Government to amend it...

Yours truly,

H. Morgentaler

## Have You Written Your M.P.?

When events that affect the struggle for choice unfold as rapidly as they have in recent months, we often urge our supporters to write to various Cabinet Ministers, or Government leaders and request action. But keep in mind that it is always important to keep your own elected representative informed. It is when the politicians realize that at the grassroots level of their own constituencies people care about this issue, and they believe in freedom of choice, that change will come. So whenever you take pen in hand to write to the Prime Minister or the editor of your local newspaper, don't forget your own federal or provincial representative. Even better, request a meeting with him or her to discuss your views.

## Who is my MP?

To find out who your MP is or what riding you live in, call your local library or any of the political parties. The latter, in particular, will be glad to help.

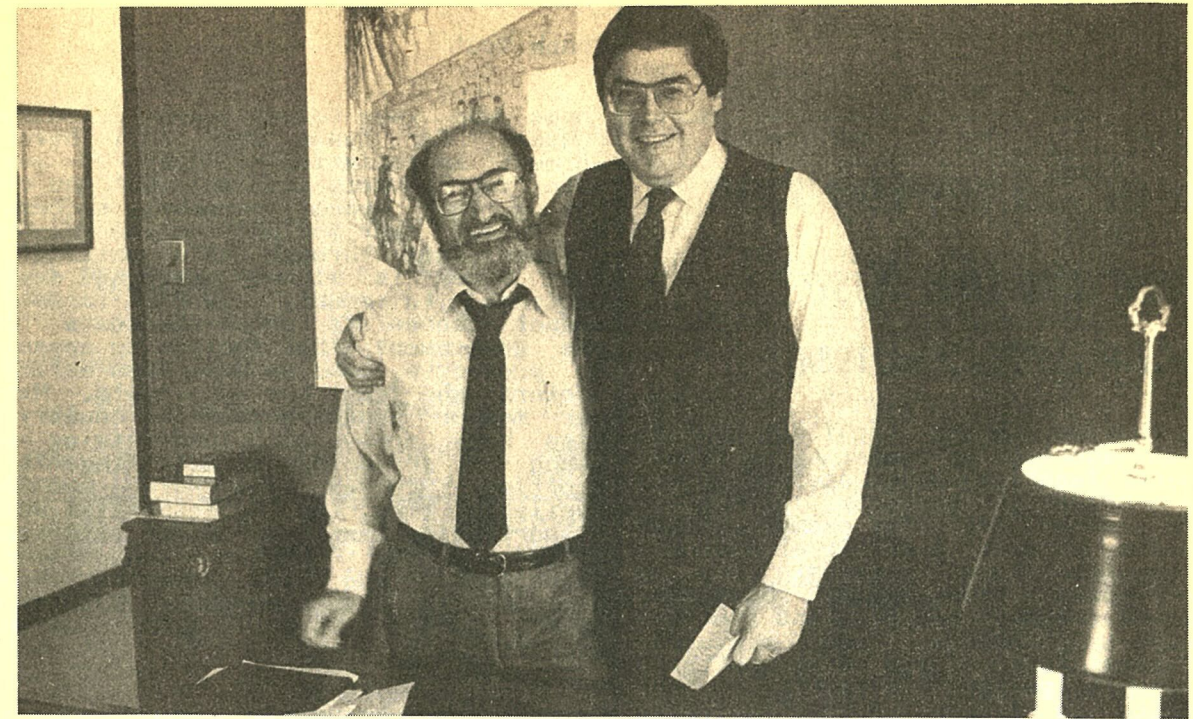
## New Chapter

We are delighted to announce the formation of a CARAL Chapter in Prince Edward Island. This is a welcome event in a province where abortion services are badly needed. We urge all of you in P.E.I. to contact your local Chapter (see back of Newsletter for address) and get involved.

## A Letter to John Crosbie

Enclosed with this issue is a letter to the new Minister of Justice. As you know politicians pay far more attention to personal rather than form letters. This is why we ask you, if you possibly can, to re-write or re-type the sample letter, changing it as you wish to reflect your own personal style.

Failing that, add a few personal comments to the sample letter before sending it, and failing that, send the letter as is. But do send it. If all of you do, it can make a difference. Better still, copy the letter and get friends and relatives to send it too. Remember: NO STAMP NEEDED.



Dr. Morgentaler & his lawyer, Morris Manning.

Trial Notes ... Continued from page 3

## Dr. Morgentaler Testifies

The final witness for the defence was Dr. Morgentaler himself who testified that he had decided "to technically break the law in order to provide a necessary medical service to women who want and need it. I felt justified in doing so to diminish suffering." In response to a suggestion from the Crown that it was the prospect of financial gain that motivated him, Dr. Morgentaler said he would have stayed in Quebec had he wanted to make money. He spoke of his early years as a doctor, prior to the 1969 changes in the law, when he felt that he could do nothing for women who came to him seeking abortions. The death of a woman who tried to abort herself with a bicycle pump was an event that helped to change his mind. "After a great deal of soul-searching, I decided that the next person who came to me for help, I would help" he said. Supporters were present throughout the trial, and in the final stages lineups formed early in the morning outside the courtroom, where seating was in short supply.

## Jury Addresses and Summation

Following the evidence, both lawyers addressed the jury and Mr. Justice Parker instructed them as to their duties. In his final arguments, defence counsel Morris Manning told the jury that the doctors had acted in response to the pressing need for their services. He said that necessity justified their actions and that, furthermore, the jury should send a message to the politicians that this law is a bad law. Crown Attorney Alan Cooper argued that to acquit Dr. Morgentaler would invite anarchy.

On November 5, Mr. Justice Parker charged the jury for several hours. Morris

Manning's objections which continued into the next day were lengthier than the charge itself. He told the Judge that the instructions given had completely taken away the defence. The jury had been told to disregard portions of Manning's address. Mr. Justice Parker had cast doubt on the defence of necessity, suggesting that circumstances do not exist that justify the setting up of clinics like Dr. Morgentaler's. On November 7, the jury was recalled and Parker amended some of his earlier instructions. But this second charge was denounced by Manning as biased and sketchy. He did not ask for another recharge, saying it could not possibly do any good to have Mr. Justice Parker speak to the jury again.

## Verdict of Acquittal

Deliberations were held up during the objections and the recharge. Although the verdict was returned November 8, it followed just 6 hours of jury deliberations. News of the acquittal spread rapidly and the telephones at the CARAL office were jammed with calls from jubilant supporters across the country. In Toronto, a victory rally was organized by Ontario Coalition for Abortion Clinics and despite rain attracted over 700 supporters who listened to speeches by Norma Scarborough, President of CARAL, Judy Rebeck of OCAC, Ontario NDP Leader Bob Rae, Chaviva Hosek, President of the National Action Committee on the Status of Women and Carol Ann Sceviour, Vice-President of the Ontario Federation of Labour. Elsewhere, individuals and groups celebrated this victory in many different ways. In this issue of our Newsletter you will find some of the comments and notes that we received. (See "You Told Us") These have been forwarded to Dr. Morgentaler.

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## Precis of "Anti-Abortion Violence on the Rise"

by L. Cronin-Wohl (Ms., Oct. 1984)

Because they're losing the fight against choice on abortion on almost every front, anti-choice fanatics have stepped up the violence of their tactics. So-called "sidewalk counselling", for example, which takes place outside a clinic or doctor's office as anti-choice activists try to dissuade women from having abortions, consists of a number of props and tactics: anti-choice pamphlets and pictures, garbage cans full of red paint-spattered dolls, people yelling "murder", a baby doll nailed to a cross, a tape recording of a crying baby, the recording of car license plates, the photographing of patients, etc.

Other groups go beyond even what is described above. In July, 1984, propane gas was pumped into the headquarters of the National Abortion Federation and exploded. A bomb was also found in the kitchen. More than three dozen abortion facilities across the U.S. have been hit with arson attacks since abortion was legalized in 1973.

Moreover, the violence is increasing and is becoming more organized. In 1981 a clinic in Illinois was bombed and in 1982 its medical director and his wife were kidnapped, held for eight days, and told they would be murdered if they did not renounce abortion. They were ultimately released and their kidnapers, calling themselves the Army of God, were convicted (one kidnapper being sentenced to 30 years in prison). The eleven bombings and arson attacks in the first half of 1984 are more than double the total occurring in 1983.

Pro-choicers are fighting back in a number of ways: criminal complaints and civil injunctions are sought against harassing picketers, clinics are making major investments in security systems, and extra counselling is available to patients who have to deal with the harassment.

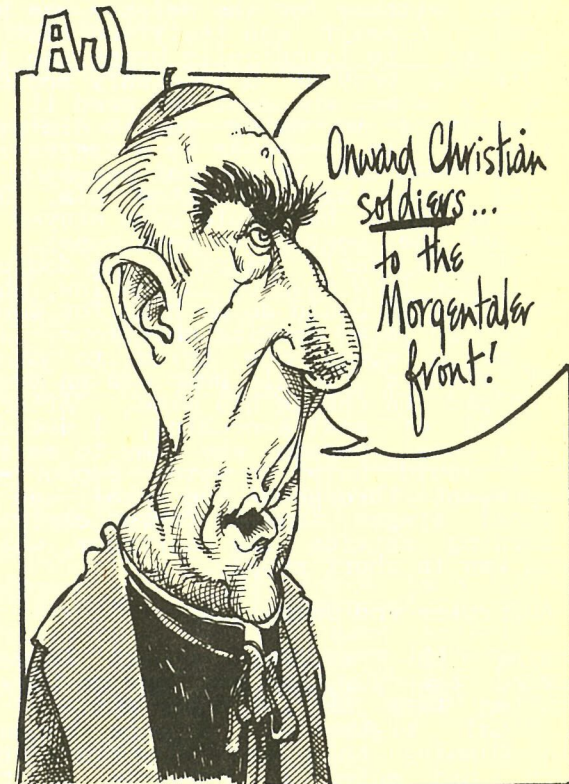
The extremism of the anti-choice fanatics clarifies the purpose behind their movement as a whole - namely, to control women's lives and not, as they would have us believe, to respect life.

(Note: see also Jan. 14/85 issue of Time Magazine for another article on this topic.)

The complete text of Ms Cronin-Wohl's article is available from the CARAL office.

Thank You!

Those who gave to our urgent Teledispatch request for funds last fall have our warmest appreciation. Many of you dug into your pockets and sent what you could, making this appeal enormously successful. We raised over \$60,000 for the Pro-Choice Defence Fund through this mailing! But that money is already gone and expenses continue to mount. Don't forget, we cannot choose to avoid the costs. It is the government that decides to appeal, or to prosecute, and we must then defend the doctors who fight for our rights. Many of our member groups across the country have also been active with fund raising events (such as screenings of Gail Singer's film Abortion: Stories from North and South, available from the National Film Board). A particular thank you is due to Concerned Citizens for Choice on Abortion (Vancouver) and the Saskatoon Women's Reproductive Rights Movement, both of whom have worked hard and contributed significantly.



EMMETT GENERAL CARTER

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## Appeal Announced

On December 4, 1984 the Attorney General of Ontario announced that the verdict of acquittal would be appealed. Essentially, the Crown has raised two issues in its notice of appeal. Firstly, the defence of necessity is being challenged. The Crown will argue that it should not have been left with the jury for consideration, and that it was not properly put. Secondly, the jury address by defence counsel, Morris Manning, is alleged to have been improper and inflammatory! (This is ironic when you consider that not only did the Crown Attorney at trial not object to Manning's address, but in his own jury address he told the jurors that if they acquitted the doctors they would be inviting anarchy in the streets.) The Attorney General has stated that this trial raises questions about the role of the jury.

One would have thought that the most important question raised as to the role of the jury in our country is whether our elected representatives have any respect for juries! After four acquittals in two provinces it is truly mind-boggling that the politicians insist on harassing Dr. Morgentaler.

## "On December 10, 1984—the Harbord St. Clinic reopened."

Morris Manning will be raising other issues on the appeal. He will question the right of the Crown to appeal from a jury's verdict. This right does not exist in England or the United States and there will be some interesting arguments as to its validity in Canada. He will also re-open the question of constitutionality of s. 251, the abortion law itself. One can only hope that a higher court will review Mr. Justice Parker's decision.

## Clinic Reopens

On December 10, 1984 the Harbord Street Clinic reopened. A volunteer service was set up to escort women to and from the clinic, and this has proved to be a necessary service. Anti-choice picketers demonstrating outside every day have done their best to detract from the serene and dignified atmosphere that clinic staff seek to create.

It is unfortunate that women should be subjected to the harassment of a minority lacking in respect for the rights of others. If only the many hours put in by those who demonstrate on Harbord Street were spent in some constructive pursuit the community might benefit. Several demonstrators have been removed from the clinic property by police and some have been issued summonses for trespassing.

Many of us hoped that this acquittal would show the province (and hopefully, the country) that further prosecution of doctors performing safe abortions is unjustified.

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## Trial Notes

... Continued from page 5

### Reactions Favourable Across Canada

In the wake of the verdict, many newspapers published editorials urging reform of the law, in light of this fourth and latest acquittal of Dr. Morgentaler. The Globe & Mail (Nov. 9, 1984) said "How many juries must speak before Parliament is prepared to act?" The Toronto Star (Nov. 9, 1984) said "Parliament should rewrite the law" (because it has become unenforceable). The Vancouver Sun (Nov. 10, 1984) called for repeal of the law and said that "women should be able to make their own decisions on the advice of their doctors". The Canadian Churchman, an Anglican periodical, published an excellent editorial calling for elimination of regional disparities in access, an end to the present delays and a reevaluation of the hospital committees. These are but some of the reactions.

### CARAL Continues to Lobby Government

Throughout this extremely eventful period, CARAL has maintained pressure on the politicians, reminding them of the significance of the acquittal, the need for improved access to abortion, and the responsibility of government in a democratic society. Immediately following the verdict we urged the Manitoba Government to drop the charges in that province. Attorney-General Roland Penner has said he will wait until the appeal has been heard in Ontario before he proceeds with the trial in Winnipeg.

CARAL also urged the Attorney General not to appeal and we know that many of our supporters contacted him. The Health Minister was asked to approve the Harbord Street Clinic and thus protect it from future prosecution. Dr. Morgentaler offered it to the province as a pilot project where he would train doctors. This offer was refused. The Solicitor General was asked to instruct the police not to make further arrests. At the federal level, the Minister of Justice was asked, once again, to repeal this unjust and unworkable law. Every member of Parliament received letters (in November and again in December) from CARAL. The Hon. Ed Broadbent (NDP), Svend Robinson (NDP), and Lucie Pépin (Lib.), all spoke out in response to the acquittal, asking the government to recognize that freedom of choice is long overdue. In the Ontario Legislature, Bob Rae, Leader of the NDP, questioned the Tory Government about its responsibility to the women of this province.

## Choice and the Medical Profession

The issue of abortion is one that can elicit extremes of responses within any group. Although there is no doubt that the majority of Canadians are pro-choice, the minority that opposes freedom of conscience sometimes has adherents in the unlikeliest of places. Like the medical profession. One might expect a woman's doctor to be sensitive to her health care needs and her right to choose. And for many women this is the case. Our supporters include a great many doctors who appreciate, from a well-informed perspective, the tragic consequences, for both mother and child, of compulsory parenthood. Unfortunately, not every physician is a compassionate and understanding individual. In a recent mailing CARAL sought to expand its supporter list by reaching those who perhaps were not aware that such an organization existed or did not know how to become involved. Many people were glad to be given the opportunity to contribute to a cause in which they fervently believe, but some were not so happy to hear from us. We thought you might be interested in reading some of the responses we received, specifically, from doctors. One doctor wrote "Thank you for the list of directors of your infamous organization. I know which authors to boycott, which political parties not to support (Note: We have Honourary Directors from all three major political parties so this man may have some difficulties in the next election!) My heart bleeds for poor Morgan-dollar. I was saddened to hear that the S.O.B. had recovered his "broken health". May he smoulder in hell, with you to wipe his fevered brow". A Doctor Virgin wrote:

I quite sympathize with your problem but I wonder if your group are willing to undertake re-education or education if you like of our young women in a really useful way. The problem with abortion as I see it is that our young women are never instructed as to their responsibility in terms of sexual intercourse based on either love or youthful passion. It seems to me that the woman makes her choice not after she is pregnant but before she is pregnant and if some of our social agencies would only do something to help our young women to understand that pregnancy is related to the raising of families and is in no way or should in no way be related to the satisfaction of lustful human passions, I think that something would really be achieved. The rate of murder, under the heading of abortions for the past many years in the United States is 1,500,000 annually. We complain in our society here that six policemen have recently been murdered in Ontario and we make a good fuss

about it but I don't hear any group really laying down the facts concerning pregnancies based simply on human passion. It seems to me that it is time that some of our social agencies, instead of wasting time on trying to make abortions a matter of choice would serve the community much better if they spent their money and time on instructing our young women on when sexual relations are indicated and are significant and pleasant and helpful and when sexual relations can be dangerous and are to be avoided. (our emphasis)

CARAL wrote to the doctor, to say that we would print this letter as an example of the ambivalence about sex and sexuality that is typical of those who oppose freedom of choice. Typical, also, was the absence of any reference to male responsibility in the act of intercourse. We received a reply which reads as follows:

Thank you for your letter of the 14th of January, 1985. I was grateful to receive your letter as your letter in turn demonstrates your inability to place the responsibility for sex acts where it belongs, that is, you are quite right in stating that the male has a responsibility and I entirely agree with this but the point is that young people must be taught that the sex act is not an act which is available or should be available for purposes of personal pleasure. It has to do with reproduction and young people must be taught and taught to accept the responsibility that if they are going to have intercourse they are then in the act of reproducing human life. This is a point in my letter which apparently you have missed. I would like groups like yourself to be concerned about teaching our young people their responsibilities both male and female.

I would be grateful if you would consider pursuing this aspect of the problem, in other words what I am talking about is how do we control the sex appetite in young people to a point where reproduction is not mixed up with sexual pleasure.

I have no objection to you printing my first letter as long as you print this reply to your letter. (our emphasis)

Dr. Denmark in Petrolia wrote to us, saying:

On the next occasion that you have opportunity to be personally involved in the procedure of a therapeutic termination of pregnancy I would

encourage you to look closely at the arms, legs, head and feet of this life that has been prematurely ended for reasons of personal convenience of the mother. (our emphasis)

Fortunately, these doctors represent a small minority. But for the unfortunate woman faced with a pregnancy she wishes to terminate, a visit to a physician who refuses to help can result in dangerous and stressful delay. Any of our supporters who are members or students of the medical profession can do a lot for our cause by educating their colleagues.

It would not be fair to leave this topic without giving you a recent example of the other side of the coin. The Medical Reform Group of Ontario, representing about 150 doctors in the province, denounced the government's refusal to allow free-standing abortion clinics.

The Group said that the hospital system is unnecessarily dangerous because it results in lengthy delays, increasing the risk of medical complications. Dr. Miriam Garfinkle, speaking at a press conference, said she believed these views were representative of a majority of doctors.

## Trial Notes ... Continued from page 7

### New Charges Laid

The decision to appeal was an indication that this was not to be. When we heard the news that Dr. Robert Scott had been arrested December 19, our resolve to continue fighting for freedom of choice was strengthened. Dr. Scott was again charged with conspiracy to procure a miscarriage. He was released the same evening, and a warrant for Dr. Morgentaler's arrest was issued. This was executed the next day when Dr. Morgentaler arrived from Montreal and surrendered at the police station. Despite our outrage at this renewed prosecution of the doctors, we were relieved that the police did not raid the clinic and disrupt its operations as they did in 1983. No equipment was seized, and both doctors were able to return to work.

On the new count, the doctors are scheduled to set a date for trial in the Supreme Court of Ontario on May 16. Morris Manning's application to have the proceedings stayed by the Court was dismissed, and his efforts to secure an early trial date were also to no avail before the Chief Justice, Gregory Evans.

When the Attorney-General announced that the acquittal would be appealed, he made it very clear that he did not wish to see another trial proceed before the hearing of the appeal. So the decision of the police to lay a new charge, placed the prosecution in a difficult position. Of course, withdrawal of the charges would have resolved the dilemma and done justice in this case but having secured such a lengthy adjournment the Crown managed to avoid its dilemma, at least for the moment.

## Literature Available

Some of you have asked about the various publications available from the CARAL office. The following is a list of publications with suggested donations per copy. Please also include \$1.00 for postage and handling. For large orders, please contact us.

Freedom of Choice (also in French).....	\$ .20
Why Freedom of Choice?.....	.20
You Know Them As "Right to Life".....	.20
Reproductive Rights (also in French).....	.20
Abortion: A Question of Catholic Honesty.....	1.00
Abortion in Law and History (also in French).....	.40
Badgley Report Quotations....	.10
Childbirth by Choice (also in French).....	.25
Address by Jack London.....	2.00
Beware the "Research Shows" Ploy.....	.05
Press Releases re: Gallup Polls, 1977, 1982.....	.05
How to be a Pro-Choice Activist.....	.05
One Woman's Story (also in French).....	.05
Abortion Clinics Under Seige.....	.05
The Politics of Abortion.....	1.00
Précis of "Medical Effects of Late Abortion and Mandatory Motherhood".....	.10
Mental Health Consequences of Abortion and Refused Abortion.....	.25
Was Dred Scott a Fetus? - Reflections on a false analogy.....	.10
When Does Life Begin?.....	.10
Why Free-Standing Clinics? Why Now?.....	.10
Facts on Abortion.....	.20
Anti-Abortion Violence on the Rise.....	.25
Abortion & the Holocaust: A Deceitful Equation.....	.10

### Also Available

Pro-Choice on Abortion - Sticker (20).....	1.00
CARAL - Childbirth by Choice Poster with logo.....	.25

### Costs Continue to Mount

The costs of the last trial, as well as the appeal, the next trials (in Manitoba and Ontario) are high. We were gratified by the generous response to our appeal to supporters in the fall, and also by the donations that have come in from many who have never given before. But all of this is just the beginning. The Pro-Choice Defence Fund has paid out close to \$200,000 already (and you as CARAL members have given most of that) but more continues to be needed. Please send whatever you can. It will be appreciated.

# "You Told Us..."

After the acquittal of Drs. Morgentaler, Scott and Smoling, we were overwhelmed with letters from our supporters in response to an appeal for the Pro-Choice Defence Fund. We received over \$60,000 from you, which will help tremendously in paying the doctors' legal costs.

Many of you sent notes of congratulations along with your donations. You all spoke from the heart and made us laugh and cry at the same time. The feelings of most of you could probably be summed up with the unsigned note we received, along with a donation, which merely said, "Hurray!"

Here are some excerpts from a few of the hundreds of letters we received.

Would you please extend to Drs. Morgentaler, Scott and Smoling my sincere appreciation for their efforts on my behalf and on behalf of all women who believe in reproductive freedom. They are very brave. We need them and I'm glad they are there. I hope their efforts are successful.

Agincourt, Ont.

...

I am 81 years old and when 22 years old I lost my profession because I couldn't obtain an abortion. Saw on the TV that the Dr. got off. I'm happy for him and all his future clients.

Lennoxville, P.Q.

...

Just heard the news!

Thank you for a splendid effort and a just outcome!

The "people" have indeed spoken, but you did all the work.

In gratitude.

Halifax, Ont.

...

We have Reagan in the White House and his best friend in Ottawa, but somehow today, six men and six women decided to support the rights of women and the doctors. I'll be grinning for a week.

Toronto, Ont.

...

I'm a nurse who works in a gynecologist's office. I deal daily with the problems of young women who need assistance with their decisions when faced with unwanted pregnancies. It just can't continue to be as difficult as it is to get the support and care that they need.

Let's join the 20th century in obtaining the necessary facilities for these women.

Toronto, Ont.

...

Tonight, a group of Calgary women who wish to thank you have gathered together.

There are few people in the world who are prepared to take the risk of taking a stand. Fewer still, are the number of men who are willing to publicly struggle for the recognition that women have the right to control their bodies.

We congratulate you on your recent legal victory and we thank you.

Calgary, Alta.

...

In the belief that an advance for the emancipation of women is an advance for all of us, we joyfully extend our thanks for your courageous actions and our congratulations on your victory here today.

Toronto, Ont.

...

I am a single parent of one beautiful child. I have struggled very hard to provide my son with a quality life. I have only enough money to do a good job for one kid and although I am very careful about birth control I demand the right to choose if I should become pregnant.

God forbid that the right-to-life fanatics should ever return us to the dark ages.

Toronto, Ont.

...

I have shared the anguish of the waiting while a committee of people decided my fate. Fortunately I was "granted" permission for an abortion. There is so much more to be done.

Bless you.

King City, Ont.

...



Pro-Choice supporters march through downtown Toronto to celebrate the verdict.

I came home on Thursday, Nov. 8th, and turned on the news at 5 p.m. to see if we had a verdict in on the trial of Dr. Morgentaler and his co-workers. That was the first article in the news, letting me know that they had been found "not guilty". I was ecstatic to say the least and I just stood in front of my TV and cried.

Please give my thanks and congratulations to Dr. Morgentaler and his co-workers and my thanks to all of you at CARAL National who physically put in so much time on behalf of Canadian women.

Fredericton, N.B.

...

I am a grandmother and I want my granddaughters to have freedom of choice.

Unity, Sask.

...

A friend gave me this form - I didn't even know there was such an organization to counter the so-called "pro-lifers"!

Thank goodness there is!

Toronto, Ont.

...

Dear Pro-Choice Workers,

Thank you all from the bottom of my heart.

Toronto, Ont.

...

Bravo!

I flew a giant pink balloon from the roof of my house on Thursday afternoon when the acquittal was announced, and I pledged myself that I would stand up and be counted with pride. Of course my letters to the politicians will continue, but the world will know where I stand on the issue of free choice.

I have written to our Minister of Health to urge him to accept Dr. Morgentaler's offer re a teaching clinic, goodness knows all the gynecologists I know could benefit from his experience and caring concern.

Weston, Ont.

...

Years ago I myself was given an abortion and I consider myself fortunate that I was given that choice. The donation enclosed is minor in comparison to the cost of bringing up a child.

Please accept it with my heartfelt praise to both the CARAL organization, Drs. Morgentaler, Scott, Smoling as well as all other doctors across Canada who have enabled the Canadian women the freedom to choose.

Victoria, B.C.

...

Continued on page 12...

## "You told us..."

... Continued from page 11

Dear Dr. Morgentaler:

On behalf of myself and my four daughters I would like to personally thank you for the sacrifices you and your colleagues have made for Canadian women.

Calgary, Alta.

...

Dear Dr. Morgentaler:

I am a Christian. I believe in the power and love of Jesus Christ. When I heard you were acquitted, I said "Praise God!" I believe in the quality of life as you do. And I believe you have compassion for women. I thank God for your courage.

Toronto, Ont.

...

Dear Henry,

I have just heard the stunning, wonderful news... this takes away some of the dreadful depression of the Moral Minority landslide the other day. My deepest personal thanks to you for your courage and perseverance on behalf of women and behalf of decency and fairness. I feel that it is my personal liberty that you have fought for and won. I can never thank you enough.

Love,

P.S. Please convey my joyful congratulations to Morris Manning for his brave, stubborn, patient defense. Wow!

...

Congratulations!

Freedom of choice is what it's all about. I praise the courage of Dr. Henry M. and his brave staff. I don't condone breaking the law, but he had the intestinal fortitude to try to bring about positive and badly needed reforms.

...

Perhaps the anti-choice group have finally gone too far pushing their views on the rest of us and others, like myself, will be angry enough to stand up and be counted.

Etobicoke, Ont.

We share in your jubilation. We hope to see you soon in Winnipeg: let's get this clinic back on track again.

With much love.

Winnipeg, Man.

...

Drs. Morgentaler, Scott, Smoling, Morris Manning,

You are the heroes of Canadian women. We applaud your courage and share your pride in triumph. Thanks on behalf of us all. A fund raising benefit is planned in Vancouver on November 18. It will also be a celebration in solidarity.

Vancouver, B.C.

...

Although I have always been "pro-choice", I have up to now remained part of the "silent majority". Mr. McMurtry's decision re the appeal of the Morgentaler case and today's furor over the reopening of the clinic has finally enraged me enough to become vocal.

I have sent letters to McMurtry, Keith Norton and Mulroney. I applaud your organization and I hope that I can be of some assistance.

P.P.S. May I add that, as a Jew, I am especially proud of you.

Toronto, Ont.  
Nov. 9...  
Justice Day

...

For centuries women have had their health and hearts broken by unwanted pregnancies. Now they finally have some opportunity to plan for babies that will be wanted and loved...

With all good wishes for your splendid work.

Hunts Point, N.S.

...

Today a major victory has been won.

We are celebrating with you the acquittal of Doctor Morgentaler. We greatly appreciate all the work and struggle you have put in towards ensuring that all women have access to safe, legal abortions, whenever we choose.

This is an enormous gain for women in our struggle to have control over our bodies and our lives.

Congratulations.

Vancouver, B.C.

# Abortion and the Holocaust: A Deceitful Equation

Attempts to analogize abortion and the Holocaust seem to be as perennial as they are pernicious. Still, whenever and wherever raised, the question remains offensive, especially to those who hold precious memory of the Holocaust's victims and the desire to protect a woman's freedom to choose.

The two are not comparable and should not be linked, even by casual innuendo. One may legitimately be opposed to abortion, but that opposition cannot, and ought not, be linked to the Holocaust. The Holocaust stands alone. It cannot be compared to any other act or event. There are no legitimate or acceptable analogies.

Holocaust is the word used to describe the state-ordered, state-implemented mass murder of persons about whose life status there never was, and never could be, argument on any level: medical, theological, legal. The six million Jews, Gypsies, Christians, political dissidents, and infants turned into ash were all clearly born, already living human beings. They had unquestioned legal status. They had undisputed biological status. They were murdered by the instrumentalities of a diabolical, malevolent government, the Third Reich.

## "The Holocaust stands alone"

There is an enormous qualitative difference between that act and the termination of the "life" of any number of embryos and fetuses coming into, but not yet arrived at, the undisputed category of born, legal life. The status of those living entities is very much the subject of theological, philosophical, and medical speculation, as well as legal debate. The debate is about "when life begins".

In Judaism, birth into this world is the critical moment, not conception. This is why, traditionally and historically, Judaism has always allowed abortion.

Are Jews then Nazi-like murderers? Is Judaism Nazism? Would Jews, the greatest victims of the Holocaust, endorse such an act by being pro-choice? Merely to ask these questions is to offend. They are offensive also to millions of Protestants, to the non-religious, and to Catholics who appear in increasing numbers in organizations like Catholics for a Free Choice. It is they who remind us that the current Catholic doctrine of "ensoulment" (that life begins at the moment of conception) is a theological tenet, held by the Church for less than 200 years.

To suggest that a government or society which allows women choice about whether to terminate a pregnancy is a murderous, malevolent society or government, no different from the Nazi regime, is logically intolerable. A state that remains neutral to the issue of when life begins, a state that, because of that neutrality, allows its citizens to act out of their own convictions and conscience in this matter, cannot be accused of ordering and implementing wholesale death.

In a state where freedom of choice is allowed, the state is not exercising any coercive power. The state, by allowing choice, does not compel death as did the Nazis during the Holocaust. A state which allows abortions does not compel abortion. Only in Nazi Germany did that happen.

What is frequently forgotten is that Hitler ordered abortions on women from races and classes he considered inferior. Abortions were forbidden to Aryan women. The Third Reich is the only government in history to have executed a woman for having an abortion.

Moreover, state-allowed, state-aided abortion for all, since it is non-discriminatory, works in a way diametrically opposite to the Hitlerian pattern. It makes no distinction between groups or classes. On the other hand, without state aid, discrimination does exist, since those with money can afford abortions and will always have them, while the poor and undereducated are, for all intents and purposes, consigned to bear unwanted children. This is a vicious reverse discrimination.

The equation linking abortion to the Holocaust is clever. Those who make this analogy seek to transfer our natural revulsion against what Hitler did to millions of already-born to the issue of choice. It seeks to make repulsive those women who elect to terminate a pregnancy. It tries to make murderers out of those who, with great respect for life, advocate choice.

This is sophistry at its worst. It is an ugly tactic. It is unfair. Such a false equation should be placed beyond the realm of acceptable responsible discourse. All who hold dialogue important ought not to resort to such a distorting manipulation of thought.

(Balfour Brickner, author of the above article, is senior rabbi of Stephen Wise Free Synagogue, N.Y. Reprinted by permission of The Jewish Week (New York))

## NEWFOUNDLAND

## Teen Pregnancies Contribute to Dropout Rate

A recent study has painted a bleak picture for secondary school students in Newfoundland. Half of the students fail to graduate, and a third drop out before finishing their final year. While more students say they drop out because of academic failure, 43% of the dropouts are female, 27% of whom indicated they dropped out because of pregnancy. Statistics from 1982 show that 314 girls under 17 gave birth that year.

Wendy Williams, clinic coordinator with Planned Parenthood of Newfoundland and Labrador, believes that a combination of lack of information and the absence of any means of contraception probably contribute to the high rate of pregnancy in high schools. Studies show that where education is combined with services, a decrease in the teenage pregnancy rate takes place.

## ONTARIO

## Kingston General Hospital Under Pressure

In response to a request from the head of a local anti-choice group that the Kingston General Hospital disband its TAC the Hospital has appointed a task force to review policies and programs related to therapeutic abortions. Mary Vandewater, who is chairing the task force, has said that she would be glad to hear from anyone who has an interest in the issue. CARAL National and CARAL Kingston have offered to provide information, but as yet the task force has not decided what procedure it will follow. The number of therapeutic abortions performed at Kingston General declined from 769 in 1982 to 675 in 1983.

## Moderator of Presbyterian Church Urges Government to Tighten Law on Abortion

Pro-choice Presbyterians will be astonished to hear that Moderator Alex Calder of Peterborough has suggested that abortions should be allowed only when pregnancy is an "immediate threat to a mother's life". The former is a euphemism for "never" since anti-abortion groups have always maintained that every woman can be brought through a pregnancy, that there are virtually no conditions which would warrant termination of pregnancy.

We hope that those of you who are Presbyterian will express, to your church, your support of abortion rights for women.

## Some Anglican Bishops Protest Anglican Church Paper Editorial on Abortion

Recently the independent Anglican monthly Canadian Churchman carried an editorial arguing that the four jury acquittals of Dr. Morgentaler should persuade Parliament to change the 1969 legislation. The editorial urged the establishment of abortion facilities in all areas of the country, both in hospitals and free-standing clinics, and the reexamination of the reason for existence of therapeutic abortion committees.

In a predictable sequel to this editorial, some conservative Bishops have criticized the Churchman's position. We urge CARAL members who are Anglicans to express their support of the Churchman's editorial both to the newspaper itself, and to their Bishops.

## QUEBEC

## Dorval Mayor Out of Touch

In the town of Dorval, just outside Montreal, the municipal council approved a draft zoning by-law banishing massage parlors, strip joints, sex shops, and abortion clinics, to a remote industrial area. According to Mayor Peter Yeomans, the by-law "depicts the moral posture of the community", and abortion clinics were included because residents would not want such establishments to proliferate in their neighbourhood. He also said that women should know it isn't easy to get an abortion in Dorval. The "Federation du Quebec pour le planning des Naissances" publicly protested the inclusion of abortion clinics, and in less than a month mobilized the support of over 150 other groups across the province. These ranged from small day-care centres to the 225,000 member Confederation of National Trade Unions. All were agreed that abortion is a medical procedure which has nothing to do with pornography. The Mayor's response to this was "I realize this rankles special interest groups, but one must keep in mind they are only minorities. We hear them, but we might not be impressed." Following a public meeting where Dorval residents also protested the draft by-law, it was revised. The revised by-law divides the industrial area into three sectors and would relegate abortion clinics to the western area, strip clubs and similar establishments to the eastern area and the middle section to the trucking companies which are already there. Fernande Menard, Spokesperson for FQPN has pointed out that this revision is a small improvement but does still not address the problem of discrimination against women. After all this, you may be surprised to learn that Dorval has no abortion clinics, but according to Mr. Yeomans just wants to stay ahead of any slackening in abortion laws.

## ALBERTA

## Education Minister Uninformed About Sex Education

Alberta Education Minister David King has refused to consider a resolution from the province's Health Unit Association urging sex education from Kindergarten through Grade 12. According to Mr. King, sex education could compound the confusion associated with puberty and would not reduce unwanted pregnancies. Having spent one evening at a home for unwed mothers five years ago, the Minister concluded that "Not one of them was there because of ignorance of how pregnancy is propagated".

In Mr. King's case, confused thinking seems to have lasted well beyond puberty. He might be well-advised to look at the content of comprehensive human sexuality programs before dismissing their benefit.

## Anti-Choice Group Offers Deceptive "Counselling"

Another "Pregnancy crisis centre" sponsored by the Catholic Foundation for Human Life was scheduled to open its doors in Edmonton in late November, 1984. Shirley-Ann Krause, director of "Emergency Pregnancy Service" spoke to the Edmonton Journal, but asked that the paper not reveal the centre's anti-abortion bias. Women will be counselled to continue their pregnancies, no abortion referrals will be done, and according to Ms Krause "You don't have to give them the full facts. We don't trick them. It's all legal."

Women who continue to favour abortion will be referred by the centre to an anti-choice doctor. Those women who succeed, despite the "Emergency Pregnancy Service" in obtaining abortions will, according to Ms Krause "feel guilty the rest of their life." No doubt she will be trying hard to see that they do.

Legal or not, a "counselling" service that deliberately conceals the facts and attempts to coerce an individual into making a particular choice is irresponsible and unprofessional, and morally reprehensible.

## MANITOBA

## Update on Sex Education Program in Manitoba

As reported in our last newsletter, a proposed sex education program for Manitoba was scrapped because of opposition, mainly from opponents of abortion. One school district, however, decided to go ahead with the plan. 92.4% of parents signed their children up for the course.

## SASKATCHEWAN

## University Hospital in Saskatoon Discontinues Second Trimester Abortions

In Saskatoon, the University Hospital has announced that it will discontinue second trimester abortions. This means they will not be available anywhere in Saskatchewan. A totally inadequate situation has deteriorated even further as far as access to abortion in that province is concerned. CARAL and local pro-choice groups have protested to the Minister of Health and the Hospital. It is appalling that women who need this service, usually because of a delay in getting the approval of a TAC or because fetal abnormalities have been detected, will not be able to get it in Saskatchewan.

We are shocked by this manifest lack of concern for women and we urge all Saskatchewan residents to make their outrage known.

## Anti-Choice Bias in Saskatchewan

While one Saskatchewan educator calls for better human sexuality education, "instructors" from the Saskatchewan Pro-Life Association are permitted to give their version of sex education in several southern Saskatchewan schools. At a public meeting sponsored by Citizens for Reproductive Rights in Moose Jaw, Shirley Schneider said that the province is facing a crisis in adolescent pregnancy. The number of teen pregnancies is extraordinarily high, and 87% of the girls choose to keep their babies. Of those girls who drop out of school to have babies, 85% never go back. Ms Schneider teaches a special class for pregnant girls in Regina. Many girls come into her class unable to make informed decisions because they know virtually nothing about their own sexuality.

Meanwhile, representatives of the province's Pro-Life Association visit some schools to present a curriculum which includes statements condemning such "misuses" of sex as masturbation, contraception and homosexuality. The "psychological effects of abortion on women" are addressed, although there is apparently no discussion as to the psychological effects of forced childbearing and compulsory parenthood. Education Minister Pat Smith has not reviewed the curriculum although she has a copy. She says that this is an area which is under the authority of the school boards.



## U.S.A.

## The Abortion Clinic Bombings

Anti-abortion violence is on the increase. There were three bombings and arson attacks on abortion facilities in 1982, two in 1983, and 24 last year.

Despite the number of bombings, President Ronald Reagan, a firm foe of abortion, had remained silent. Pro-choice leaders contended that the federal silence was encouraging the violence. Then came three bombings of clinics on Christmas Day in Pensacola, Florida, and one early New Year's morning in Washington, D.C.

Deeply concerned, the National Organization for Women sent a telegram to the President urging him to condemn such terrorist acts in the same strong terms as he condemns the attacks of international terrorists upon American citizens.

President Reagan finally did condemn those individuals who perpetrate such crimes of violence and promised to use his power to assure that the guilty are brought to justice. However, at the anti-choice demonstration in Washington, D.C. on January 22, the anniversary of the U.S. Supreme Court's decision which legalized abortion, Reagan publicly declared his solidarity with the marchers. He went so far as to support the "March for Life" push for a constitutional amendment outlawing abortion "without compromise", or, in other words, even when the mother's life or health is endangered!

## Anti-abortionists Urge Firing of Witness in Morgentaler Case

An anti-choice group is pressing President Ronald Reagan to dismiss Dr. David Grimes from his post at the Centre for Disease Control in Atlanta, G.A. Dr. Grimes, an authority on abortion techniques and statistics, testified at the trial of Dr. Morgentaler last year.

The anti-choice group claims that Dr. Grimes should be fired because he "took a political stance quite opposed to the Administration's known position (on abortion)." Morris Manning, defence lawyer for Dr. Morgentaler, called the action "despicable" and an attempt to frighten other witnesses who might be asked to testify.

This blatant attempt to silence free and open discussion of the abortion issue is just the most recent example of the extremist panic exhibited by opponents of abortion. Dr. Grimes has said that he is unconcerned about this and he would be willing to testify again, if he were asked.

## Controversial Views on Abortion Within the Roman Catholic Church

The National Coalition of American Nuns has urged resistance to the Roman Catholic hierarchy's campaign against legal abortion, rejecting the claim that to be pro-choice is to be pro-abortion. The nuns oppose the criminalization of abortion, arguing that this would not eliminate abortions but would result in making safe abortions being available only to the rich, leaving poor women at the mercy of amateurs. The Vatican, in December, 1984, threatened to expel 24 nuns from their religious orders unless they publicly renounce a published statement asserting that Roman Catholics hold diverse views on abortion.

The 24 nuns were among 97 signatories of the statement, entitled "A Diversity of Opinion Regarding Abortion Exists Among Committed Catholics", that appeared as a paid advertisement in The New York Times on October 7, 1984, and was sponsored by Catholics for a Free Choice.

## Supreme Court Justice Receives Death Threat

A death threat is alleged to have been made by an anti-choice group against Supreme Court Justice Harry Blackmun in November, 1984. Twelve years ago Blackmun wrote the Supreme Court's landmark decision which legalized abortion in the first six months of pregnancy and decreed that women have a constitutional right to decide for themselves (in the first three months) whether to carry a pregnancy to term. The death threat allegedly came from a group calling itself the Army of God, which has already claimed responsibility for a number of bombings of abortion clinics around the country.

## Abortion for Severely Retarded Woman Contested

In Washington last fall, Chief Justice Warren Burger lifted a ban which a lower court had imposed on an abortion for 19 year old Mary Baker. Ms Baker was nearly 6 months pregnant and had been raped while at an institution for the handicapped. She is deaf, mute, blind and severely retarded. The order which had been granted to prevent the abortion was sought by a lawyer appointed by a state trial judge to represent the fetus.

## IRELAND

## Ireland Passes New Legislation Permitting Contraception

A new bill, permitting anyone over 18 to buy contraceptives whether they are married or not was passed by Irish Parliament recently even though it was fiercely opposed by the Roman Catholic Church. After six weeks of debate, the legislation was passed by a margin of three votes.

The bill amends a 1979 Act which permitted married people only to purchase contraceptives, and then only on prescription and at a pharmacy. The bill must still be passed by the senate to become law, but an easy victory is predicted.

The Irish constitution bans all abortion.

## SPAIN

## Spain Rules on Rights of Fetus

Spain's Constitutional Court has overturned a Supreme Court judgement that a woman who had an abortion performed in London, and the man who accompanied her, were guilty of "an attack against a Spanish citizen". The ruling is significant because it says that a fetus cannot be equated with a human life, whose inviolability is guaranteed by the 1978 Constitution. The Catholic Church in Spain has based much of its opposition to the Government's attempt to legalize abortion on the fact that the fetus, from the moment of conception, is a human life and subject to the same protection as any other Spanish citizen.

## AUSTRALIA

## Adoption for Embryos

Last issue we covered the bizarre adventure of the "orphaned" embryos in Australia, whose fate was left in legal limbo after a car accident claimed the lives of the couple that had the embryos created. In later developments, lawmakers rejected the recommendation that the embryos be destroyed, and it appears that they will go anonymously to prospective adoptive parents. This is as a result of new legislation governing test-tube baby research in Victoria state.

## ENGLAND

## Teens Under 16 Need Consent for Contraceptives

Last issue we told you about the claim of one Victoria Gillick before the High Court in Britain to compel physicians to inform parents if they prescribe contraceptives to under 16 year olds. The High Court ruled against her, but she appealed.

The Court of Appeal has now ruled that doctors may not prescribe contraceptives to girls under 16 without consulting the parents. Existing guidelines had advised doctors not to contact parents without the patient's permission.

According to a poll last year, some one million British women have sexual intercourse before they reach the age of sixteen. This means, on a conservative estimate, that one in twenty under 16 year olds in Britain today is sexually active. Many of these young women will get pregnant and more pregnancies means more abortions.

Mrs. Gillick, a Catholic and a mother of 10, five of them girls, presumably hopes that with the new ruling girls under 16 will stop having sex.

## FRANCE

A French research team says that they have developed a pill that produces "counter-gestation". The pill, known as R4 486, works by preventing implantation of the fertilized embryo on the uterine wall. Experiments indicate 70% effectiveness in interrupting pregnancies of less than 8 weeks, and 100% effectiveness when used with an injection. The drug was first tested on pregnant women in 1982 and has since been tested in several countries under the auspices of the World Health Organization. Some tendency to prolonged bleeding has been the only apparent side effect but further tests are planned. A doctor at the Karolinska Institute in Stockholm, Sweden has coupled R4 486 with an injection of prostaglandin, and obtained 100% effectiveness. Prostaglandin alone can cause abortion but may be accompanied by serious side effects. Apparently, prostaglandin in suppository form will soon be available in Japan.

In the midst of such controversy over a woman's right to control her own fertility it is encouraging to realize that in a few years the anti-choice groups will probably be powerless. Scientific advances have the potential to make reproductive freedom a reality, whether politicians, churches and anti-feminists like it or not!

## Pro-Choice Magazine Threatened

Herizons, a Winnipeg-based feminist magazine, has come under attack for its pro-choice editorial position. Since last fall the "Manitoba League for Life" has been encouraging its members to write to the companies advertising in Herizons, threatening them with a boycott of their products if their advertising is not withdrawn. The national "Alliance for Life" also wrote to the Canadian Safeway supermarket chain protesting sales of the magazine in its stores.

None of the advertisers, mostly local retailers and small businesses, have withdrawn their ads from Herizons, but the Winnipeg division of Canadian Safeway has pulled the magazine from its shelves. Safeway says the decision to withdraw the publication was made a month before the "Alliance for Life" letter was received and was based solely on poor sales.

Joe Borowski has entered the fray by sending letters not only to Herizons advertisers, but to the federal government, to Prime Minister Brian Mulroney, Manitoba Premier Howard Pawley and Winnipeg Mayor William Norrie. Herizons depends on federal government funding for most of its operating capital. Its grant from the Local Employment Assistance Development Program comes up for renewal in July 1985. The "Alliance for Life" has said it will relaunch its protest if the magazine continues to receive government funding. The "Manitoba League for Life" has also urged its members to write to the government protesting funding of the publication.

Herizons has asked the Canadian Periodical Publishers Association for help with this serious threat to its survival. The Association has plans to assist Herizons but it doesn't plan to launch a major campaign for fear of giving credibility to the anti-choice lobby.

CARAL supporters, particularly those who already enjoy Herizons, are urged to write to the LEAD Program asking them to continue funding this fine magazine. LEAD's address is as follows:

LOCAL EMPLOYMENT ASSISTANCE  
DEVELOPMENT PROGRAM  
140 Promenade du Portage  
Place du Portage, Phase 1V  
4th Floor, C2  
Hull, Quebec, K1A 0J9

Letters should also be sent to the Minister responsible for the LEAD Program:

The Hon. Flora MacDonald  
Minister of Employment  
and Immigration  
House of Commons  
Ottawa, Ontario, K1A 0A6

Anyone who wishes to contact Herizons can reach them at:

Herizons  
200-478 River Avenue  
Winnipeg, Manitoba R3L 0C8

## Need a Holiday?

Drum Travel in Toronto has agreed to allocate to the Pro-Choice Defence Fund 5% of the base fare of any holiday package for which a booking is made before May 1, 1985. The people at Drum Travel believe that "travelling and the travel business should reflect consideration for other cultures and a commitment to political and economic change." Payments made to the Pro-Choice Defence Fund pursuant to this agreement represent your money and the Drum Travel collective's time.

So if you are thinking about a vacation and if you could conveniently make arrangements with this agency, please contact them. You must, of course, tell them that you want the money to go the Fund. Drum Travel is located at 121 Harbord Street, Toronto, M5S 1G9 and the phone number is (416) 964-3388. And tell your friends!

## Traduction française du bulletin

Si vous désirez recevoir la version française du bulletin, veuillez avertir le bureau national. Fournissez votre nom et adresse avec votre demande, s'il vous plait.

## French Translation of Newsletter

If you would like to have a French translation sent with your Newsletter, please let the CARAL office know. Be sure to include your name and address with your request.

## When You Write to Us...

At the National Office, we receive a lot of mail from our supporters, often with a donation. When there are questions asked, or requests for information, we make sure that you receive a reply. But the volume of work and the limits on our resources make it impossible to respond to everyone that writes to us. Please do not feel that your notes and letters go unnoticed or unappreciated, just because you don't hear from us. Often your messages are the bright spot in a difficult day. Thank you.

## We Need More Space!

CARAL National is considering a move to larger premises. We are very crowded at our present location. What we are looking for is approximately 800 - 1,000 square feet in Toronto, at a fairly central location, with parking. Access to the TTC should be convenient, and we have to be within walking distance of a postal station and a photocopy shop. The cost of course must be very reasonable! If you know of something suitable, please call at (416) 961-1507.

## Help us grow

Dear Reader,

Amongst your friends, relatives and acquaintances there are probably many people who share our ideas but who have never become CARAL supporters. They might just need their attention drawn to our organization.

Would you help us grow by sending us the names of people you think might be interested? We will send some of our literature along with a membership application to each prospective supporter.

Name of possible supporter:

Address

Your name (leave blank if you do not wish us to mention it)

Name of possible supporter:

Address:

Your name (leave blank if you do not wish us to mention it)

Name of possible supporter:

Address:

Your name (leave blank if you do not wish us to mention it)

Name of possible supporter:

Address

Your name (leave blank if you do not wish us to mention it)

If you would like to suggest more than four possible supporters, just send in the additional names on another sheet of paper.

## Slide-tape Show Available

CARAL National has a nine-minute presentation which includes 99 slides and a 35mm carousel slide tray and a sound-track on cassette. The tape has both audible and inaudible signals for use in automatic advance AV cassette recorders or manually with any cassette recorder. A 35mm Kodak carousel type projector and a cassette tape recorder are required for viewing. This program can be rented from the CARAL office for \$10 plus postage and insurance. It is available for two-week periods or by special arrangement.

Order by form below or call us at (416) 961-1507.

Name of Group or Individual

Address where slide-tape show to be sent

Name and telephone number of contact person

Date Needed

Date to be returned

**In a Different Voice**  
by Carol Gilligan  
(Harvard University Press  
--174 pages)

In this book, Gilligan debunks the myth of the "neutrality of science" as she demonstrates effectively that feminist analysis must be applied to all areas of study, including the social sciences. Gilligan argues that we have been "seeing the world through mens' eyes" when we accept psychological theory that has been developed by men. She points out that in many of the behavioural studies done to date, both the evaluators and the subjects of the studies have been male. So, for example, when social scientists develop theories regarding the stages of moral and social development, women are often found to be "morally defective" or immature, since they do not follow these stages. By use of three separate studies, Gilligan establishes that in fact men and women (as well as boys and girls) approach moral decision-making differently. Males tend to solve moral dilemmas by use of impersonal systems of law and logic, whereas females have a stronger reliance on communication as the mode of conflict resolution. Gilligan argues that women and girls are more aware of the relationships and connections between people, and that the female understanding of morality arises from the recognition of relationships: the "ethic of care" as opposed to the "logic of justice". Moral judgements of women differ from those of men in the greater extent to which women's judgements are tied to feelings of empathy and compassion. One of the studies done by Gilligan was an "abortion study" in which a number of women were interviewed during the first trimester of a confirmed pregnancy at a time when they were considering abortion, and again at the end of the year following the choice. The results of this and two other studies revealed that women have a distinct moral development, which defines the moral problem as one of obligation to exercise care and avoid hurt. Far from indicating a "failure in development" as had been posited by male theorists, women speak in a "different voice": there are two ways of speaking about moral problems and two modes of describing the relationship between self and other.

**Moving?**

If you are moving, please let us know. Include your name, old address and new address so we can identify you correctly. And if you know your new phone number, please send that too.

**Interview with Gail Singer**

In our last issue, we promised to publish an interview with filmmaker Gail Singer in this editorial of the Newsletter. We have not forgotten. You can expect to see this interview in our next issue.

*Addendum*

**Addendum**

In our last issue of the Newsletter we reviewed the recently published book Not An Easy Choice by Kathleen McDonnell. Inadvertently, we failed to address a portion of the book that causes us concern. Ms. McDonnell discusses the influence that doctors have had on worldwide liberalization of abortion laws (pp. 96-97). She characterizes their support for increased access to abortion as based on support for population control efforts, rather than a commitment to freedom of choice. Dr. Wendell Watters is described as a representative of this point of view. In her efforts to substantiate this allegation Ms. McDonnell refers to Dr. Watters' book Compulsory Parenthood and writes "His main aim, in a global sense, in arguing for abortion reform is not to increase reproductive options, but to restrict the reproductive freedom of those who, in his words, 'procreate blindly and indiscriminately'."

Dr. Watters is an Honourary Director of CARAL and is as passionate an advocate of women's right to choose as one could hope to find. Those of you who read accounts of his testimony at the recent trial of Drs. Morgentaler, Scott and Smoling will know that he gave compelling testimony about the failings of the present hospital committee system and of the laws that represent what he called the enslavement of women by men. In the section of his book from which Ms. McDonnell purports to quote (and which she cites in her footnote for the alleged quotation), Dr. Watters actually writes:

"The present century is witness to the creation of a new human value, that of reproductive responsibility. In a variety of ways society is slowly coming to acknowledge an obligation to assist couples who are trying to procreate wisely, rather than blindly and indiscriminately. When that help is withheld from sexually active couples, either pre-conceptively or post-conceptively, such a society favours parenthood by compulsion."

Dr. Watters has been misrepresented in Not An Easy Choice; we hope we have set the record straight for our readers.

preclude doing otherwise. Equally, none of these groups would expect us to fragment our efforts by doing their work.

It would be unrealistic, therefore, to ask CARAL to become a second Planned Parenthood organization. This would be duplication of effort and work already being done admirably by the above-mentioned organization. We believe that reasonable people would not expect this.

**"You Asked Us"**

This is the second in our series "You asked Us".

Q. Why doesn't CARAL do more to promote contraception?

A. Anyone familiar with the roots and history of the abortion rights movement knows that support for contraception is implicit in the support for abortion rights. The abortion rights movement is part of the movement to secure the right to control one's fertility, a movement begun by people like Margaret Sanger, Emma Goldman, Marie Stopes, Dorothea Palmer, A.R. Kaufman and others.

Well, since we support contraception, why don't we promote it actively?

CARAL is the only national organization working full time for abortion law repeal. We have precious few resources to do the work we are doing and cannot possibly do everything we want to do to achieve real freedom of choice for women. While there are other national and local groups that support freedom of choice and abortion law repeal, and while these groups respond from time to time to specific events, none of them see abortion rights as their primary issue. In fact most of them rely on CARAL to do the ongoing work and to speak on behalf of all other groups. Their limited resources

**You and Direct Mail**

Many of you joined CARAL through our direct mail program, but you may not be aware that we occasionally trade our mailing list with other groups. We do this in order to get names of others who may be interested in learning about CARAL, and this practice has been very successful for us. In turn, you learn about other groups whose work you may be interested in. We limit the number of trades we do to a few non-profit organizations each year on a one-time basis. However, if you do not want your name included in any trades, please notify our office in writing.

**Submissions for Newsletter**

If any of our readers would be interested in submitting items for our newsletter we would be most happy to receive them. Articles, photographs, graphics, news and commentaries; whatever your special interests or talents may be, you can contribute. We will, of course, have to consider space limitations and priorities in determining what to publish, and we reserve the right to edit. But please join us and make the newsletter an even more collective effort!

**I support the statement of purpose of CARAL and wish to become a member**

Name..... Phone..... Date.....

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Name of Federal Riding or Member .....

Indiv. Member \$10.00  Family \$15.00  Limited Income \$3.00   
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Your cancelled cheque is your receipt.

Return to CARAL, Box 935, Station "Q", Toronto, M4T 2P1

# Some Thoughts on the Issue of Abortion

(The following is an item we received from one of our supporters)

Religious zealots are at the heart of most of the world's most serious problems, and the abortion issue is no exception.

In addition, it is unfortunate that the determination of abortion questions should be made by Parliaments and Legislatures that are heavily male dominated; there is something vaguely obscene about a man being violently anti-abortion, since he is never likely to have to deal with the problem on a personal basis.

Indeed, if there was even a one-in-a-thousand chance of a male becoming pregnant, most of the injustices facing women in today's society would not exist.

I am not totally insensitive to the arguments about the destruction of an unborn child; I simply believe that the problems associated with bringing an unplanned child into the world outweigh other considerations.

It is bad enough for a father to think that he should have some control over whether his partner should give birth or not, but at least in those cases the man has stayed around to become involved in the decision. In the majority of cases, when unmarried women become pregnant, the man disappears into the woodwork, often denying paternity. The woman is left to face her desperate plight alone, often afraid to consult even her own parents about the problem.

My interest in this desperate area of human conflict was aroused at an early age. As a young newspaper reporter, court coverage took up a good deal of my time, and what a rude exposure to life it was! This was in Britain and I recall paternity cases, heard in open court, where the unfortunate woman had to describe in detail when and where intercourse took place, and how it was that she knew this particular man was the father of her child.

The "plaintiff" was then cross-examined by the man's lawyer who usually made much of the frequently furtive circumstances surrounding the encounter, and suggested the woman was obviously promiscuous and could not possibly be sure who the father was.

One familiar ploy was for the defence to bring along one or two friends of the alleged father, who would swear that they had also enjoyed intercourse with the plaintiff. If the judge believed them, then he or she (and almost invariably "he") would have no option but to dismiss the suit.

I should explain that these cases were usually brought by social workers on behalf of women who had little if any financial resources; there was no lawyer

to support the woman. The men often engaged solicitors (or lawyers) since they had quite a lot to lose; they could be ordered to contribute to the support of the child until it was 16 years of age. Mind you, even if the woman succeeded in her suit and was awarded an order for support, collecting the money was quite another matter. There were few teeth in those antiquated laws.

This was in the early fifties and, given the morals and attitudes of that era, it must have taken a great deal of courage for any woman to ventilate such problems. The laws are probably little different in Britain today.

I was a young married man, aged 22 or so, with a small son, and so I was pretty sensitive in these areas when I became involved in the plight of a young woman colleague. I had seen her change from a happy, outgoing person, to becoming withdrawn and obviously depressed.

Over coffee one morning I asked her if anything was wrong and she broke down and told me, with great embarrassment, that she was pregnant. Apparently her "lover" had immediately withdrawn from the scene, indicating that it was her problem and that she should "get rid of it".

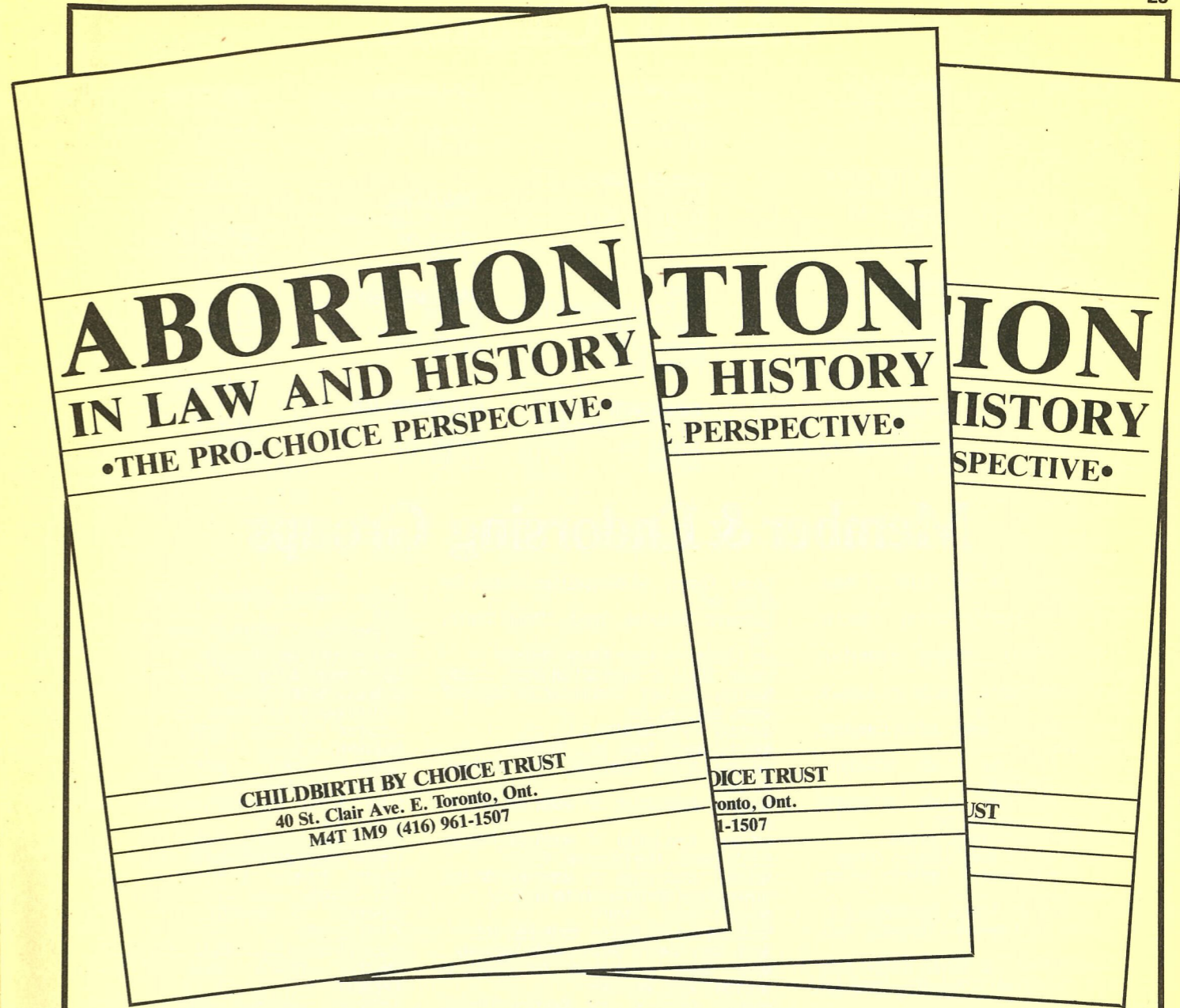
This woman had been educated in a local convent and when she had finally gained sufficient courage to confide in her mother, the response was predictable. After the initial shock and disappointment her mother had indicated she did not want to be involved and that her daughter had better remove herself from the house before the pregnancy became too obvious.

Apart from the absentee father, I was the only other person in the world who knew about the problem. Great. The first person I had to confide in was my wife and, fortunately, together we were able to offer some sympathy, if not counsel, to this unfortunate young woman, who eventually managed to obtain an illegal abortion. The concern and fear that we all felt over this involvement is difficult to conceive of today, although, goodness knows, attitudes have not changed all that much.

Although the abortion was carried out by a doctor in his office, in conditions of great fear and secrecy, there were complications - a blood clot - and the woman was eventually admitted to hospital. We all felt like major criminals. She recovered, but the problems created remained with her and this woman died at too early an early an age.

Women, unfortunately, lack the support of women. Even if they were totally united the struggle against male domination would be difficult enough. As it is, progress is slow indeed.

Abortion is a private and sensitive matter. It is nobody else's business. The law should be changed to reflect this.



## ABORTION IN LAW AND HISTORY

New, revised and updated edition available from the CARAL National Office. This pamphlet looks at the the evolution of laws, both religious and secular, governing abortion. There is a survey of contemporary abortion legislation in many of the world's countries. (See page 9 to order copies)

# CARAL Chapters

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Calgary Status of Women Action Committee, Calgary, Alta.  
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Canadian Unitarian Council, Toronto  
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Centre de santé des femmes, Sherbrooke, P.Q.  
La clinique des femmes de l'Outaouais, Hull, P.Q.  
Chilliwack Citizens for Choice, Sardis, B.C.  
Citizens for Reproductive Rights, Moose Jaw, Sask.  
C.I.S.C. Centre-Sud, Montréal  
Coalition for Reproductive Choice, Winnipeg, Man.  
Collectif féministe de Rouyn, Noranda pour la santé des femmes, Rouyn, P.Q.  
Comité condition féminine, Montréal  
Community Health Services, Saskatoon, Sask.  
Concerned Citizens for Choice on Abortion, Vancouver  
Cranbrook Women's Health Network, Cranbrook, B.C.  
Doctors for Repeal of the Abortion Law (DRAL)  
Fédération du Québec pour le planning des naissances, Montréal  
Fédération Québécoise des Infirmières et Infirmiers, Montréal  
Hamilton Committee for Choice, Hamilton, Ont.  
Horizons, The Manitoba Women's Newspaper, Winnipeg, Man.  
Humanist Association of Canada  
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Kingston Sexual Assault Centre, Kingston, Ont.

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Ontario New Democratic Party Women's Committee, Toronto  
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Peterborough Rape Crisis Centre, Peterborough  
Planned Parenthood, Edmonton, Alta.  
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Saskatchewan Working Women, Saskatoon, Sask.  
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Saskatoon Women's Reproductive Rights Movement, Saskatoon, Sask.  
Simon Fraser University, Burnaby Women's Centre, B.C.  
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