

Women's rights ignored in debate

Analysis by Peter Michalyshyn

Amid the constitutional wars between Ottawa and the provinces, issues of importance to over half Canada's population have gone largely unaddressed.

The rights of women were virtually ignored at the federal-provincial conference on the constitution last summer, passed over for squabbles about resource ownership and division of powers.

Only recently - during the hearings of the joint parliamentary committee on the constitution - has the women's position been heard. But is anyone listening?

An organization called Alberta Women for Constitutional Change (AWCC) is doing its best to make people

listen. On behalf of AWCC, Jr. Dorothy Richardson spoke on campus Monday night; she outlined four issues - wording in human rights legislation, federal-provincial responsibility for social services funding, mixed jurisdiction and family law, and representation on the Senate and Supreme Court - that women should be aware of before Pierre Trudeau's July 1 deadline for constitutional patriation.

The much-heralded Charter of Rights and Freedoms says the rights of "every individual" are protected "before the law." AWCC wants "every individual" changed to "every person" because "person" has legal meaning.

Second, protecting anything

"before the law" means only that persons must be treated equally before a law that may well itself be discriminatory. Wording that would unambiguously protect women's (and others') status is: "right to equality before the law and to the equal protection and benefit of the law."

In the proposed constitutional package, funding responsibility for social services, including child care, sexual assault services, emergency shelters, hospitalization, medicare, and insurance measures, is ambiguously shared between the federal and provincial governments.

Legally, the provinces are responsible for education, health care, and most social services; the

federal government is responsible for old age pensions, and supplementary benefits, unemployment insurance, and veterans' allowances. As well, because of their limited tax base, the provinces have had to rely on federal government grants to run provincial social services.

The details of division of powers and the tax base will be further discussed after the constitution is patriated, but women want guarantees that the funding and delivery of social services will not be compromised in the process: their fears are partly based on the fact that social services were not even discussed in the last federal-provincial constitutional conference.

Related to social services is the issue of family law, also ambiguously shared between governments: the federal government is responsible for divorce laws and the provinces are responsible for maintenance and custody rulings.

Even though all ten provinces subscribe to the Reciprocal Enforcement of Maintenance Orders Act (REMOA), only 25 percent of all provincial court support orders are enforced.

And custody orders made under provincial legislation are

generally enforceable only in the province where they originated. In other words, non-custodial parents could "kidnap" children, take them across provincial boundaries, and defy custody orders.

Several proposals for reform are available, most of which give power over divorce and the jurisdictional bases to one government or the other, but not both. Again, this issue will come up in discussions following patriation, but AWCC wants its concerns heard now.

Finally, because the Supreme Court of Canada will be the sole interpreter of the new constitution, AWCC is asking that women be given proportional representation on the Court, or at least on the Court's appointing body, likely a reformed Senate.

Of 104 Senate members, only 10 are women. In all the proposals for Senate reform, the issue of women's representation has been ignored.

As for the Supreme Court, since its inception in 1875 no women have been appointed to it. Its record with an all-male membership has been extremely conservative, and its decisions where women are involved interpreted narrowly in law, rather than in a grand civil libertarian manner.

Academics put out to work

by Rich Watts

The university is considering the addition of a cooperative work element to the B.A. Honors program next fall.

However, early this month at a meeting of General Faculties Council executive some strong objections to the plan were raised. Jim Russell of the Faculty of Medicine says, "I have no objections in principle, but I do object to what seems to be a lack of proper consideration in the implementation. It's almost as if the Dean is trying to pull a fast one."

Terry White, Dean of Arts counters: "This is merely a response to requests from students who feel such an addition would make them more attractive to potential employers. The co-op element is just an added option, an extra piece of chrome, and will not affect the academic standards."

This is merely an enabling legislation to allow interested faculties, particularly sociology and geography, to introduce a work element to their existing programs, says White.

White does admit the need for a more aggressive public relations policy from the Arts faculty. However, he adds, "I would like to say the co-op proposal was part of such a policy, but to do so would be dishonest."

Enrolment in the cooperative program will be completely voluntary, and withdrawal will carry no

penalties. The work element will not supplant existing academic requirements and no academic credit will be received. Instead, students will have their diplomas and/or transcripts specially annotated.

Two possible types of program should be available. In one, students will be required to complete a single full-time work term or part-time work assignment.

The other plan will require the student to complete a series of closely related activities. Each activity will be a full-time paid job lasting at least four months.

If this proposal is approved a few students should be able to enroll this fall. "Such a program should not only improve students' job related skills, but also improve their skills related to living," White says.



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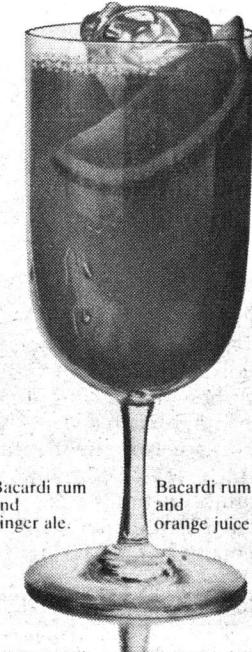
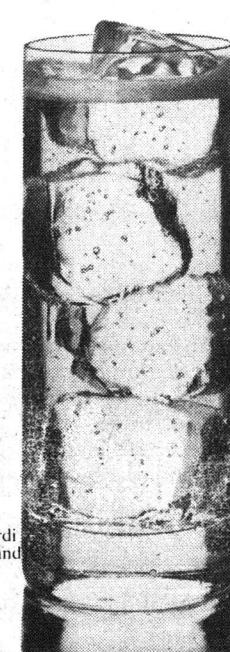
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