

cept as is shown in the statistics on salaries of female university professors. But what about the special status, the privilege, if I may misuse the word deliberately, accorded to women under the Criminal Code of Canada? As you lawyers know, if a man and his accomplice are being pursued by the police and the wife helps them to escape, she is not held criminally responsible on that basis alone. Under a proposed change to the Act, women will be held responsible for aiding the escape of the accomplice in such cases. The older concept was, in the analysis, demeaning. It perpetuated the idea of the woman as an appendage — a non-person. It said in effect “you’re not responsible”. That kind of favour we don’t need.

The law is sprinkled with inequitable favours. For example, up to now, an alien woman married to a Canadian man could apply for citizenship after a year of residence, regardless of language affiliations. But an alien man marrying a Canadian woman had to wait five years and meet language requirements. Under the proposed changes to the Citizenship Act, the law will deal equally with both sexes. Three years residence for all people — no language exemptions for anyone — no doors held open.

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#### Public Service improvements

There has...been a sincere and systematic effort to clear up sex discrimination in the federal Public Service, a large employer in its own right, where women represent 30 per cent of the labour force. There has been an effort to increase the participation of women in middle management jobs. In 1971, it increased to 10 per cent, or ten women and 87 men. In 1973, it was 25.4 per cent. Some progress was made in 1973 with the appointment of six women to the executive category, raising the total to nine.

Discrimination on the grounds of sex is now illegal in the Public Service. To make sure that this policy does not languish in the realms of theory the Government has set up monitoring machinery, an organization called the Office of Equal Opportunity for Women. There is also an Anti-Discrimination Branch, which investigates charges of discrimination.

There is another new force at work in

the land for equal opportunity. The Advisory Committee on the Status of Women is a federal antenna tuned to the frequency of women’s rights and aspirations. It exists to monitor needs, to receive messages, to advise on action. This council has made several helpful recommendations involving changes in existing legislation. And changes are certainly anticipated in many areas.

The Criminal Code of Canada, for instance, reflects an obsolete concept of marriage. You get the impression of a relationship constructed along corporate or even military lines. What is home, the Code seems to ask, without a commanding officer. The Code makes it clear that the only possible candidate for the job wears trousers, and I don’t mean pantsuits.

Thankfully, changes are on the way. The Code, when amended, will say that “a married person” must provide the necessities of life to his spouse. I am assured by people familiar with legal terminology that despite the use of the word “his” the effect will be to recognize that a woman can be the household head, the person who brings home the bread. The burden of inevitable legal dependency is lifted from women. The automatic onus of support is taken from the shoulders of the male. The dignity of responsibility will descend on both sexes.

Another advance we have made has been to make the Unemployment Insurance Act more flexible about maternity benefits. The Act is being changed to give the woman the right to take her 15 weeks leave whenever she wants to, all of it before, or all after, the birth, for instance, according to her wishes.

This legislation applies to working women, but what about women who make their contribution in the non-market sector?

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#### Immigration Act

Another change we are making concerns the status of women who come to Canada as immigrants. As lawyers, you may be familiar with what is about to follow but many lay people to whom I have talked have been shocked to hear it. Under the Immigration Act, as it presently stands, a woman whose husband, for one reason or another, must be deported, finds herself in the position of having to leave too. Now I am quite sure that some women would

want to do just that. But even if one were forced to go unwillingly, the principle remains the same. The woman is being treated not as an individual, but as a non-detachable item of property. Never mind that she may have had absolutely nothing to do with the situation that caused her husband’s deportation. Never mind that she has been here long enough to be a Canadian citizen. Never mind that her marriage may be on the rocks. She, too, must pack up and go. The idea that if the “head” of the family, the breadwinner, goes, so must everyone else, will be eradicated by an alteration in the wording of the Act. The law will finally realize, and in time more people will come to accept the concept that the breadwinner does not *have* to be male.

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Some appropriate changes are found in Bill C-20, regarding the Citizenship Act.... You may know that Canadian women who married foreign men prior to 1947 did not acquire Canadian citizenship when the Act came into existence. Bill C-20 now provides such women with the freedom to choose to acquire this citizenship. Also, either parent, will now be able to determine the citizenship of a child born abroad of Canadian parents. Previously, such a child could derive Canadian citizenship only from the father, with the exception of children born out of wedlock.

#### Importance of day care centres

In rearranging the social landscape, we will have to meet unchanging needs in new ways. The problem of caring for the children of working women is a most important, constant, social issue inextricably related to the increased freedom of women to choose their role in life. We all share a great responsibility to address ourselves to the problem of child care. Technology won’t help much here, nor will a simple reshuffling of schedules. To neglect this matter in hopes that the problem will somehow solve itself is to jeopardize a major resource of the nation.

In three words, our answer is “day care centres”. Canada needs centres where children can be left to competent personnel, specially trained people with a specific dedication to the pre-school child. Centres of this calibre will do far more than smooth women’s access