

# Tea and history mark Person's Day

Women "persons" under law, society has a long way to go

BY NATALIE MACLELLAN

Twelve women sat in the Dalhousie Women's Centre lounge, sipping tea from delicate china cups and nibbling on finger sandwiches and sweets. They were celebrating.

It was October 18, Person's Day — the 69th anniversary of Canadian women being recognized as "persons" under the British North America (BNA) Act.

The "Persons Case", as it has become known, arose when Emily Murphy, the first female magistrate in the British Empire, was challenged in her first case by the defense lawyer on the grounds that as a woman she was not legally a person.

Murphy, along with Nellie McClung, Lousie McKinney, Irene Parlby, and Henrietta Muir Edwards, petitioned for a re-interpretation of the word "persons" in the BNA Act to include women — specifically so women could be admitted to the Senate. The Supreme Court of Canada denied their case, stating that women were not "fit and qualified persons." This ruling was overturned in 1929 by the British Privy Council.

To commemorate the anniversary of this ruling, the Women's Centre held their Person's Day tea — in 1929 style.

Kate Greenaway, a volunteer at the Women's Centre, says she thinks the Person's Case was a fluke and it was an oversight by men that led to women becoming persons.

"I think the person's case was a very interesting case," she said. "It's a case of semantics. The reason we were allowed into the Senate was because they hadn't specified male persons. If it had originally been worded as male persons, we wouldn't have been allowed in."

The Person's Day celebration was one in a series of events planned by the Dalhousie Women's Centre to celebrate October as Women's History Month.

"Historically, there is not much written about women. History is written by the winners, and men have been the winners," said Pat Thomson, Director of the Dalhousie Women's Centre.

"When we talk about the settlement of the frontiers in Canada, very little is written about or credited to the women who were involved in that — the

women who worked side by side with their husbands in the fields — ploughing and growing crops and clearing, *et cetera*."

It's important to celebrate women's history month because so many women's firsts are not recognized."

Though women may have been recognised as persons under the law for 69 years now, Thomson says they still have obstacles to overcome.

"I think that people need to have an understanding of what formal and substantive equality means," she said. "[It's not equality when] how women may be recognized as persons under the law and have the legal right to prosecute someone who perpetrates a sexual offense against them, [but] once they enter [the legal system] they are re-victimized by it.

"In that regard I think there's still a long way to go. We need to look at the 1992 Charlottetown accord — women weren't allowed to have a voice at those round table discussions. I think we need to remember the Indian Act — it's only been the last few years that aboriginal women have regained their status."

Previously under the Indian Act, an aboriginal woman who married a white man or a man from off the reserve lost her status as an aboriginal, as did all her children. Under the present system, she and

her children can keep their aboriginal status, but her grandchildren will not have it. If on the other hand an aboriginal man marries a white woman, all of their descendants will have aboriginal status.

Thomson also expressed concern that feminism has become somewhat of a dirty word as of late.

"I think we have to realize that the backlash to feminism is clear and strong," she said. "People think that in order for one group to gain rights or equality or freedom, it means that you have to take it away from somebody else. Post-feminists [say] feminism can be considered reverse sexism — that's not true, because in order to have reverse sexism it would mean we would want to take away the rights of men and that's not what women want to do. That's not what feminists want. They just want to be awarded the same rights and privileges that men have."

Thomson sees Women's History Month as a chance not just to celebrate women's

accomplishments, but to understand their struggles.

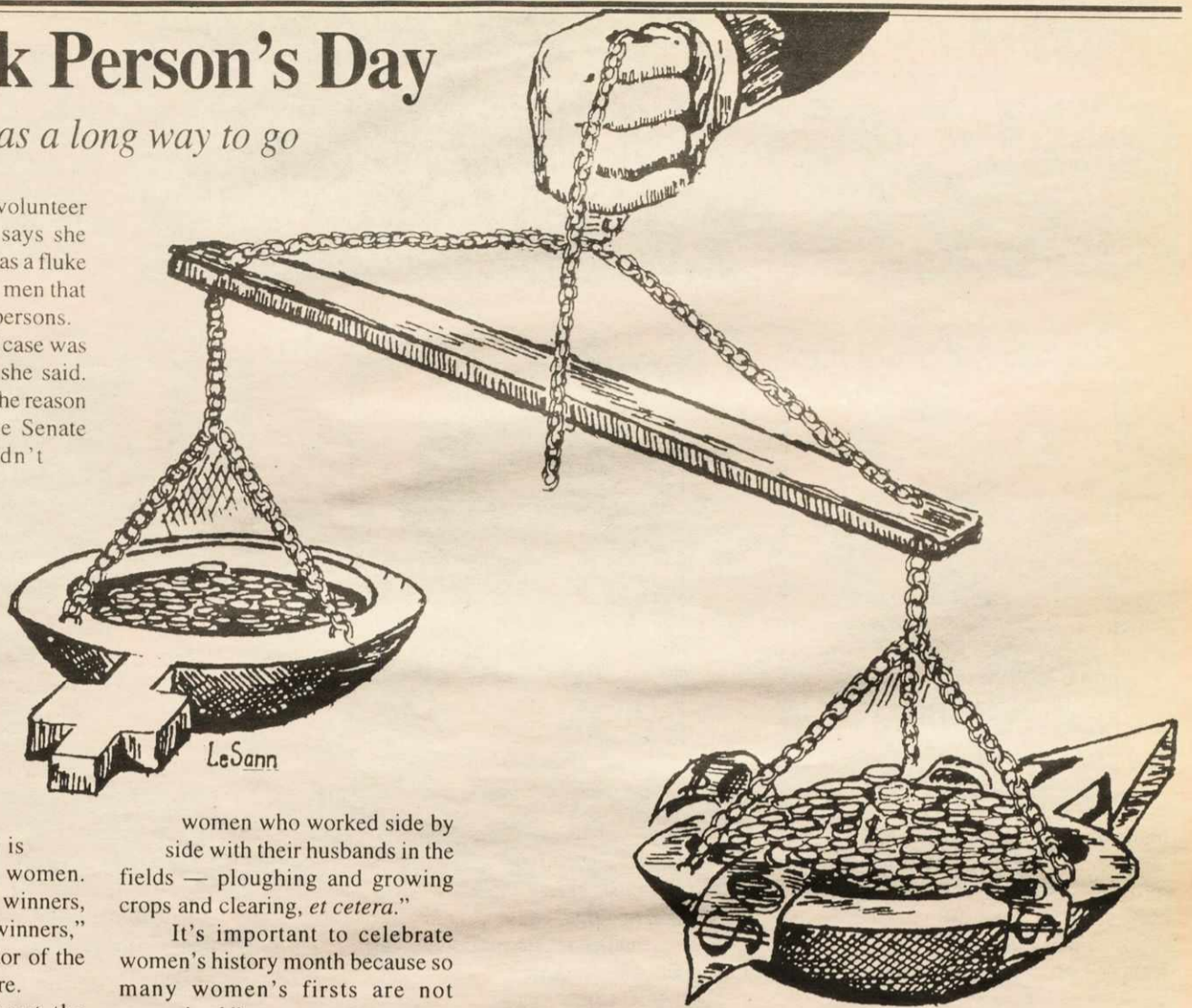
"History repeats itself," said Thomson, "So it's important to know what happened in the past to figure out what's happening in the present and what's going to happen in the future," she said.

While the Women's Centre is promoting Women's History Month across campus, coordination provincially and federally has been poor.

Christine Corson with the Nova Scotia Advisory Council on the Status of Women said no events have been co-ordinated by that group locally.

"I don't think there is any central coordination of events. [Status of Women Canada] named the theme and I published a fact sheet on women in business and that's the last I heard of it," she said.

Corson said that Status of Women Canada put out an invitation for provinces to advertise events on the national website, but little has been posted, and no Nova Scotian events have been posted.



**1921** — Women employed in the Canadian federal civil service were required to resign if they married. Also, British Columbia passed the first maternity leave legislation.

**1922** — Women 21 and over got the right to vote in provincial elections in Prince Edward Island.

**1925** — Women 25 and over were given the right to vote in Newfoundland.

**1929** — Women were for the first time recognized as persons under Canadian law, and so were allowed in the Canadian Senate.

**1932** — The first family planning clinic in Canada was established in Hamilton, Ontario.

**1940** — White women over 21 were granted the right to vote in provincial elections in Quebec. Chinese and Japanese Canadian women were given the vote a few years later. First Nation peoples did not have the right to vote in Quebec until 1969.

**1946** — Viola Desmond, a Black woman, sat in a "whites only" section of a Nova Scotian theatre. She was arrested, imprisoned overnight, and fined. The event kick-started a mobilization for civil rights in Nova Scotia.

**1947** — Married women were dismissed from jobs in the Canadian civil service and the Canadian Broadcasting Corporation, with the reasoning that their wartime

employment was only temporary.

**1952** — Marilyn Noell, a quadriplegic, was the first person in a wheelchair to be admitted to the School of Social Work at the University of Toronto. She had to be carried up and down stairs from class to class.

**1955** — Restrictions barring married women from working in the Canadian civil service were removed.

**1961** — Planned Parenthood of Canada was founded. The birth control pill was developed for general use. Advertising or selling of contraceptives was still illegal.

**1965** — The Ontario Medical Association accused working women of being bad mothers.

**1968** — Birthright, an anti-abortion group was formed in response to upcoming changes regarding abortion in the Criminal Code. They provided help for unmarried mothers.

**1969** — Abortion is permitted only after approval by a three doctor panel if the pregnancy would endanger the health of the mother. It was forbidden on eugenic or medico-social grounds.

**1971** — Women were allowed to serve as jurors in Quebec. Also, the Canada Labour Code was amended to prohibit discrimination on the grounds of sex or marital status.

**1972** — Rosemary Brown becomes the first Black

woman to hold a seat in the provincial legislature in Canada after being elected to the British Columbia legislature.

**1973** — The first national lesbian conference was held in Toronto.

**1977** — Marion Ironquill Meadmore became the first Aboriginal woman admitted to the Bar of Manitoba, and all of Canada. Also, the Canada Human Rights Act forbade discrimination on the basis of sex and ensured women equal pay for equal work.

**1978** — The first "Take Back the Night" march is held in Vancouver.

**1980** — Alexa McDonough, elected leader of the NS NDP, became the first woman to lead a Canadian political party.

**1988** — The Supreme Court of Canada ruled Canada's abortion laws were unconstitutional; abortion became legal in Canada. A year later, Dr. Henry Morgentaler opened his Halifax abortion clinic.

**1989** — Marc Lepine murdered 14 female engineering students at Ecole Polytechnique in Montreal, screaming, "you're all a bunch of feminists."

**1991** — The Supreme Court of Canada ruled that barring evidence of a rape victim's sexual history in rape trials denied the accused a fair trial.