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Canadian women — building a new sense of worth under Canadian law

The following passages are from an address by Jeanne Sawé, Minister of the Environment, to the Canadian Conference on Women and the Law, February 1:

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We in Canada are very much a part of a world-wide catching-up process, much of which involves the changing of old laws and the writing of new ones. I would be less candid if I implied that we are anywhere near caught up yet. Institutions ingrained for generations, even centuries, do not change that easily.

The task involves building in female consciousness, a new sense of worth. Women's self-esteem has been damaged and continues to be managed in a multitude of ways, some obvious, some subtle. Particularly harmful in this respect has been a fostering of the concept of woman as a non-individual, as an appendage of her husband, as a dependent creature, as confined to one function — motherhood if she was married, or engaged in the nurturing profession if she was not. If freedom can be defined as the availability of options, then women have, through stereotyped definitions of their capabilities, through sex-typing, suffered a serious curtailment of their freedom.

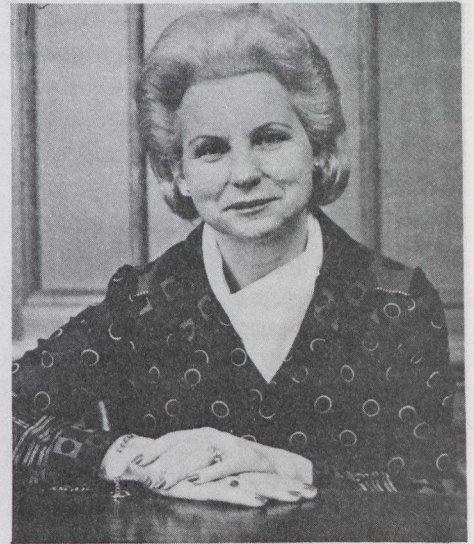
This state of affairs will not really change until basic myths about women are dispelled — not only from male minds, but female.

Women legitimately aspire today to direct involvement in the wider circle of human affairs. These aspirations raise questions: questions, for instance, about the structure of the society, about the integration of women in the labour force, about the traditional concept of the family.

It is important that the changes ahead do not take place in the absence of replacement values and structures. The place to begin this process is in the statute books.

Election Act changes

For instance, although the right of a woman to vote has been established for many years, we are still engaged in clearing away some of the chauvinistic vestiges of another era from the way we



Environment Minister Jeanne Sawé

manage this most fundamental of democratic institutions. Under the Election Act, women have been treated differently in subtle but important ways. The enumerator is required to demand information which is no business of the state's. The changes we are considering for the Act will alter this. The information required about female voters will cover no more and no less territory than that covering men.

A woman will be free to register under her maiden name if that is the way she is known in the community and if she so desires.

She may list her occupation or she may refrain from doing so. There will be no requirement to tell the Government whether you are Mrs. or Miss or for that matter, Mister.

Criminal Code

In law, as in life, some of the unfair limits placed on women — some of the putdowns — look at first glance like privileges. I remember that a few years ago there was a saying in the Women's movement that the price of having the door held open for you at the office was a couple of thousand dollars a year. There is a lot of truth in the con-

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.

* * * *

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?

* * * *

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.

* * * *

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

National Gallery shows Canadian painting of the Thirties

Canadian Painting in the Thirties, a major exhibition that shows the development of painting in Canada during the 1930s, from a nationalist Toronto-based art scene to an internationalist Montreal school, was opened by the Prime Minister at the National Gallery of Canada on January 30. It closes on March 2.



Self-portrait (1933), by Paraskeva Clark, 1898-

As part of the Gallery's national program, the exhibition will be on view at the Vancouver Art Gallery and the Art Gallery of Ontario in the spring and early summer. Part of it will be seen at the Glenbow-Alberta Institute, Calgary; the Edmonton Art Gallery; the Saskatoon Gallery and Conservatory Corporation and the Musée d'art contemporain, Montreal.

Organized by the National Gallery's assistant curator of Post-Confederation Art, Charles Hill, *Canadian Painting in the Thirties* includes more than 100 paintings borrowed from public and private collections across Canada - 31 come from the Gallery's own permanent collection.

All the works, as well as documentary photographs of many of the artists, have been reproduced in the two-volume, French and English, catalogue which consists of seven essays beginning with the absorption of the Group



Young Canadian (1932), by Charles Comfort, 1900-

of Seven into the Canadian Group of Painters. The catalogue states in part: "In Canada, the years between the on-

set of the Depression and the outbreak of the Second World War were years of significant change and transition. The



Gatineau Madonna (1940), by André Biéler

economic and political upheavals of the period have, however, overshadowed equally important developments in Canadian art.

"The romantic landscape tradition defined by the Group of Seven in the Twenties continued to be influential and popular throughout the decade; but younger artists, more concerned with their immediate urban and social environment, rejected the northern journey. Confronted by economic and political realities forced upon them by the Depression, many artists felt the need to re-evaluate the rôle of the arts in

society. At the same time there developed an increasing concern for the formal qualities of painting, especially in Montreal, where the groundwork was laid for the rapid development of the Contemporary Arts Society in the '40s.

"*Canadian Painting in the Thirties* traces these developments in painting in Canada through the work of such artists as A.Y. Jackson, Emily Carr, David Milne, John Lyman, André Biéler, and Goodridge Roberts – from the nationalist, Toronto-based Group of Seven to the internationalist Contemporary Arts Society in Montreal."



Canadian Press

Margaret Trudeau, wife of the Prime Minister, discusses J.W.G. Macdonald's *The Black Tusk* with her husband at

the opening of *Canadian Painting in the Thirties*, an exhibition at the National Gallery of Canada.

New neuroscience centre at Toronto University

The Faculty of Medicine of the University of Toronto is to establish a centre for the study of nervous disease in the Toronto Western Hospital. Unlike most of the work that has been undertaken in Toronto in this field to date, the emphasis will be on biochemistry, immunology and cell biology, where notable advances have recently been achieved in the understanding of some nervous conditions in non-human primates.

Special priority will be given to the understanding and control of multiple sclerosis, polyneuritis and other so-called de-myelinating diseases. Myelin

is a fat-like substance that forms a major component of the sheath that surrounds and insulates nerve fibres.

When some pathological condition causes the myelin sheath to deteriorate, "short circuits" occur and communication is interrupted between the brain and muscles and such organs as the eyes. Now that polyomyelitis has been controlled by vaccines, these diseases are the major crippling diseases of man.

Work at the new centre, which will occupy about 6,000 net square feet of assignable laboratory space soon to be made ready by the Toronto Western

Hospital, will be financed initially by the proceeds of a gift, made to the University of Toronto by the late Stuart B. Playfair. It will be known as the Playfair Neuroscience Centre.

The first director of the centre will be Dr. Edwin H. Eylar, a biochemist and neuroscientist, who was till recently director of the Department of Experimental Biology of the Merck Institute in New Jersey and is now professor in the Medical University of South Carolina.

Dr. Eylar has for some years been collaborating with Dr. William Sheremata of Montreal and others on the study of an experimental form of allergic encephalomyelitis in monkeys that has many points of resemblance to multiple sclerosis in humans. Both seem to result when the body's own defence mechanisms start attacking the myelin sheaths of nerves, causing a progressively more serious interference with nerve communication between the brain and the rest of the body.

There is no cure for multiple sclerosis.

Dr. Eylar and his collaborators had demonstrated as far back as 1972 that the experimental condition in monkeys could be cured by an injection of certain protein from the peripheral nervous system, even when the disease had reached an advanced stage and the animal was near death.

There were important differences, however, between the experimental disease, as induced in monkeys, and the natural condition in humans. In monkeys, for example, the disease is quickly fatal; in humans, it may run its course for many years, with periodical remissions and relapses.

In 1974, Dr. Eylar, Dr. Sheremata and their colleagues, who had been studying the diseases at the molecular level, reported their discovery of striking resemblances in the immunological mechanisms that were at work in both the experimental condition in monkeys and in the human disease. They were also able to identify and synthesize the disease-causing sites in both monkeys and humans.

When neurologists from many parts of the world gathered in New Jersey last summer to review the work there was unanimous agreement that the new discoveries were of great significance and that more intense study should be made of the disease in humans.

Government-industry intensify effort to boost exports

As part of the plans to intensify collaboration between government and industry in the development of export trade and promotion during 1975, Alastair Gillespie, Minister of Industry, Trade and Commerce, announced recently that his Department and the Canadian Export Association had agreed on a program of activity over the coming months, focusing on particular problems and opportunities for Canadian exports.

He added that 1975 would be a tough year for Canadian exports and emphasized the importance of continued and expanded co-operation between government and industry in dealing with the situation.

Roger Hatch, chairman of the Canadian Export Association, agreed with the Minister to the holding of regular monthly meetings between members of the Association and the Department beginning this month. On the agenda will be the role of trading houses and means to increase their effectiveness, the extent to which the export-consortia technique can contribute to greater export performance, the value of joint ventures in particular export markets and the means by which Canadian in-

dustry could participate more effectively in foreign-capital projects, including the greater acceptance of "turnkey" jobs and larger participation in capital projects abroad financed by such multilateral institutions as the World Bank.

Mr. Gillespie said that it was particularly important for the business community to be made aware of new or expanding trading opportunities, and that he welcomed the CEA's agreement to participate in planning seminars and conferences for this purpose all across the country.

Trade with Latin America

Owing to the special need for follow-up on trade missions, Canada's trade commissioners from Latin American countries will be returning to Canada in April to tour the country and to talk to businessmen about trade opportunities in their regions.

This will provide specific follow-up to the trade missions to Mexico and Brazil last year and will highlight the Minister's planned missions to Cuba and Venezuela in March. The CEA will be associated with the Department in the organization of these meetings.

Canada and Sweden to co-operate in defence research

Canada and Sweden signed an agreement on February 3 to facilitate co-operation in defence research, development and production.

The main object of the agreement is to reduce costs to both countries for particular equipment. Under its terms, officials from Canada and Sweden will meet periodically to identify opportunities for co-operative research, development and production programs and to advance the interests of Canadian and Swedish companies in establishing mutually beneficial business relations.

This agreement, which could lead to substantial and continuing benefit to Canadian industries that already have developed special expertise, comes at a time when there is a general move toward strengthening industrial co-operation between Sweden and Canada, Industry, Trade and Commerce Alastair Gillespie said.

they also afford Canadians an opportunity to support the 1976 Olympic Games in Canada," he added.

The bronze-coloured stamps, which were designed by Allan R. Fleming, measure 48 mm by 30 mm in a horizontal format for the \$1-denomination, *The Sprinter*, and 30 mm by 48 mm in a vertical format for the \$2-denomination, *The Plunger*.

Robert Tait McKenzie (1867-1938), creator of *The Sprinter* and *The Plunger*, was born in Almonte Ontario.

After graduation, McKenzie became general and medical director of physical training for McGill University, Montreal, and chief instructor at the gymnasium. He attempted to set up a physical education department, but couldn't find enough money. He was also an anatomy professor and specialist in orthopaedic surgery, gaining renown for his research on spinal problems. His clientele outside the university included the Governor General. During his spare time, the doctor painted with water colours.

He began to sculpt when he decided to use statuary for teaching and research. Having gained self-confidence with four *Masks of Expression*, he began work on *The Sprinter*. "It was to show the ideal...form of a sprinter... (by averaging the) dimension of successful individuals." After three tries McKenzie overcame his lack of artistic training and produced a figure capable of supporting its own weight. His intention, in both *The Sprinter* and *The Plunger*, was to show the beauty of the healthy human form at the moment of resolve.

Olympic Games sculpture stamps

Two high-value Olympic commemorative stamps will be issued by the Canada Post Office on March 14.

The stamps feature reproductions of *The Sprinter*, at \$1, and *The Plunger*, at \$2 - bronze sculptures by Canadian physical educator and sculptor Dr. Robert Tait McKenzie.

"These are stamps for art lovers as well as stamp collectors," said Postmaster-General Bryce Mackasey. "But





Euthanasia subject of Edmonton meeting

Euthanasia, a friend to the dying or a high execution – that was the question discussed by delegates to a recent symposium in Edmonton, sponsored by the Catholic Hospital Association of Canada.

“At certain times, it is moral and should be legal to take positive action to induce death,” Dr. Daniel Maguire, Professor of Theology at Marquette University, Milwaukee, Wisconsin, U.S.A., declared.

“Good death is a new phrase for murder,” Dr. Morris Schumiatcher of Regina, former Chairman of the Canadian Bar Association National Section of Civil Liberties, countered.

Dr. Maguire asserted that euthanasia was an acceptable end to life when the minimal conditions for human living were gone, specially as medical science increased a doctor’s ability to let a patient linger on near death. He added that the minimal conditions necessary for life depended on the individual.

Dr. Schumiatcher said that euthanasia was an inhuman way out of social and economic problems that created more problems than it cured.

“Euthanasia doesn’t solve problems it creates problems of conscience and faith from an attitude that life can be manipulated and death conjured up at will,” he added.

These problems are more serious than the suffering of a few individuals because they lead to an eroding of values and a loss of sense and direction.

Stating that a doctor has no more right to sacrifice a patient by deviating from his obligations to heal than a lawyer has to forsake a client for some

greater social interest, he declared: “A physician is a healer, he is not ever to be regarded as a high executioner.”

He added that it was hard enough to make decisions on one’s own life without trying to do it with other peoples.

Canadian women – Canadian law

(Continued from P. 2)

to the outside world. They will provide enormous advantages for the children themselves, as children can be enriched by early socialization. Many can benefit from early exposure to the skills of specialized personnel trained in developing corporal and oral expression, artistic creativity, and other skills and talents.

* * * *

Government initiatives

As a woman who believes that the children of this country are Canada’s most valuable resource, I must emphasize the need to act on this responsibility.

The Federal Government has in some way made its presence felt in this field by subsidizing some Local Initiative Program projects which attempt to meet the mandate set by this need. Ottawa also participates in a joint federal-provincial review of social security which has set up a working party to focus on social and employment services.

The Canada Assistance Plan Regulations were amended in November 1972 to allow expanded cost-sharing arrangements between the three levels of government. Also, the Department of Health and Welfare has established a National Day Care Information Centre to provide information on all aspects of day care.

For its part, the Central Mortgage and Housing Corporation may provide funds for day care centres in housing projects financed under the National Housing Act or in seriously deteriorated neighbourhoods under the provisions of the Neighbourhood Improvement Program.

Since 1972, the cost of caring for children has been an allowable income tax deduction for a working mother. A father may also deduct if he is the sole parent or if the mother is physically or mentally unable to care for the child.

Following up on its concern in this

area, National Health and Welfare has recently set forth guidelines for the establishment of day care centres. One important principle of these guidelines is that priority should be assigned to meeting the needs of women with low incomes. Given our present reliance on private arrangements, adequate day care is reserved for the affluent.

* * * *

Much of this talk, I find, has been about progress made. But I assure you I am not trying to sell you on the idea that the millenium has arrived. The attitudes, the customs, the laws that we live with in our time have been a long-time building.

Law must be the instrument of change. But it cannot be used dictatorially in the absence of a certain minimum of consensus.

* * * *

Nineteen seventy five has been named International Women’s Year by the United Nations. Throughout the world, nations will be observing the year, in tangible ways we hope, correcting former conditions of injustice, taking new positive steps into the future.

In our own way at Environment Canada, several projects are under way aimed at widening career opportunities and raising consciousness. We will be setting up new training programs to build new potential into public service careers for women already in it. Regional offices co-ordinating equality of opportunity will be established. We are setting up machinery to make more use of part-time help. This is to widen employment opportunities – particularly, for women who are mothers.

* * * *

One thought before I close. I have not – I repeat not – spent the last 30 minutes talking to you exclusively about women’s rights, even if it seems that way. The subject under discussion is really human rights. The year is really International Human Rights Year. Because, when you limit choice for women, when you arbitrarily dictate a certain role in life for a portion of the human race, you cannot help imposing a sort of reciprocal bondage on humanity as a whole. Men as well as women are victims of inappropriate, outdated, stereotyped views. They too are victims of discrimination against women. Justice is after all indivisible.

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