

Face-Off

Doris Anderson at the Canadian Advisory Council on the Status of Women

PENNEY KOME

Plusieurs groupes de femmes furent sceptiques en 1979 quand les Libéraux ont nommé Doris Anderson au poste de présidente du CCCCCF mais elle a prouvé qu'elle pouvait offrir plus que personne. Doris avait une image mentale de ce que devrait être le Conseil, elle a voulu arrêter les nominations partisans pour y installer des chercheurs dynamiques et intrépides. Pendant son mandat, le CCCCCF s'est objecté à la formulation de la Charte canadienne des droits et libertés qui allait être incorporée dans la Constitution canadienne. Cet article rapporte en détails la façon dont Doris a dirigé et motivé le mouvement qui a secoué et poussé le Canada à adopter une procédure plus sévère et plus étendue en vue de garantir les droits à l'égalité des personnes des deux sexes dans la section 15 (amendée au début de la procédure) ainsi que dans la section 28.

Many women's groups responded with some skepticism in 1979 when the Liberal government announced it would appoint Doris Anderson as President of the Canadian Advisory Council on the Status of Women (CASCW). While a few women allowed grudgingly that, "at least she knows something about women's issues," the overall sense was that she was given a patronage appointment because she had run (unsuccessfully) as a Liberal candidate in an important 1978 by-election.

Then there was the nature of the Advisory Council itself. Although the Council had published some useful research papers—which Opposition MPs had used to some advantage during Question Period—the CASCW had a reputation for co-opting all who entered there.

Only very dedicated feminists dared apply for staff jobs at the Council. Within the civil service, it was widely regarded as a career dead-end. Transferring out was difficult, because few departments wanted to hire avowed feminists (that is, trouble-makers). Yet the Council seemed to eat up those same dedicated and talented women; they disappeared without a trace.

Doris was already in her late 50s when she took the job. While not quite a Senate appointment, to many observers the CASCW presidency looked like an undemanding sinecure where she could spend a few years before retiring with a healthy pension.

I interviewed Doris shortly after she started at the Council, and discovered she had quite a different view. She saw the Council as a dysfunctional organization, and she intended to clean it up. She was glad to see a familiar Toronto face, and very kindly invited me to a spaghetti dinner at her townhouse, with her son Mitchell (then in high school).

I'd lunched with Doris once or

twice in my role as Woman's Place columnist for *Homemaker's* magazine—a position with a generous expense account completely out of proportion with the actual column fees. I used to pop up to Ottawa practically once a month to keep up with national news.

My recollection is that Doris was fairly circumspect in her phrasing when she first started at the Council. Only in another interview, much later, did she say openly, "The Liberals saw me as a well-known woman and as a nice comfortable friend. I knew I would be more activist than they would like and that they'd never re-appoint me. But I really did think I could make the Council work in three years and then leave quietly."

Doris had a mental image of what the Council could be. She wanted to clear out the dead wood and patronage appointments, and install bold, dynamic researchers. Her arrival as president was complicated by a number of factors, including the CASCW's move from cramped quarters in the aptly-named Hope Building, to the top floor of the Esplanade building on Sparks Street. Files, equipment, reference materials—things were in boxes for months.

When they finally settled in, the CASCW and its sister agency, the Office of the Co-ordinator on the

Status of Women (now Status of Women Canada), thrived in offices so spacious that the Status of Women Canada (SWC) Co-ordinator, Maureen O'Neill, could afford to set aside an office overlooking Parliament for the Minister's use, in case the Minister ever decided to visit.

Doris Anderson's office overlooked the Four Seasons Hotel. She joked

that he'd been given the Status of Women portfolio as penance for announcing his leadership intentions too quickly when it seemed that Pierre Trudeau might step down. Axworthy let it be known that he had requested the position.

However, Axworthy didn't get along with Doris. Trouble started between them even before they had to work together. Soon after Doris

McLeod to include Peggy Mason as staff legal counsel. Mason underlined what the constitutional experts had said: the Charter used the same wording as the 1960 Bill of Rights, which had never been interpreted to advance women's equality.

So Doris wrote a letter to the Prime Minister, with a copy to Axworthy, detailing the CASCW's objections to the proposed wording of

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Since Doris's appointment was announced only two days before Pierre Trudeau went to the Governor-General and precipitated the 1979 election, it was seen in some quarters as electioneering. However, the Liberals lost that election, and Doris proved to be more than anyone had bargained for. With the Conservatives in power, she persuaded David MacDonald, the Minister responsible for the Status of Women, to double the Council's budget (to \$1.4 million) and increase the SWC budget too.

When the Liberals regained power in 1980, the Council was a busy little shop, briskly turning out important reports (such as Linda McLeod's groundbreaking report on violence against women) that were bestsellers in government bookstores and sometimes led to awkward questions in the House. David MacDonald had sometimes used his office space in the SWC office. Lloyd Axworthy, his Liberal successor, was rather more distant.

Lloyd Axworthy looked so promising at first. A Westerner, of whom some of his local women's groups gave good report, he seemed progressive on issues like mandatory affirmative action. Cynics whispered

that she could see who was having lunch with whom. took over the CASCW, she decided to lighten the payroll by getting rid of a non-productive member in the Winnipeg office, who even Winnipeg Vice-President Win Gardner agreed was redundant. To Doris's surprise, Axworthy phoned her and demanded that she reinstate his loyal campaign worker. At that point, he was just a Winnipeg backbencher. Doris refused.

When Axworthy retained his seat in the next election, the Prime Minister appointed him Minister of Employment and Immigration—and the Minister responsible for the Status of Women, which made him Doris's boss.

Their next clash came in the fall of 1980, after Justice Minister Jean Chrétien introduced the government's proposed constitutional package, which included the new Charter of Rights. Axworthy had assured the Prime Minister and Cabinet that women's groups would support an entrenched Charter—even though he hadn't consulted them.

But Doris saw serious problems with the Charter. Since early summer, the Advisory Council had had experts researching the Charter's implications for women. In August, she expanded the in-house research team of Julian Reid and Linda

the Charter. She followed up with a press conference later that day. According to reports, when the Prime Minister asked Axworthy about Doris's letter, he said he hadn't read it. At that point, Trudeau "tore a strip off him" before the entire Cabinet.

The CASCW also blanketed the country with a flyer, inviting women to mail in an attached coupon demanding a change in the wording of Charter equality guarantees. And it organized a Women's Constitutional Conference, planned for the first weekend in September 1980. By the end of August, however, the conference was postponed indefinitely, due (Doris said) to an impending translators' strike over maternity leave and other issues.

In 1980, the Canadian feminist movement enjoyed a level of funding and organization hardly imaginable in 2007. In addition to longstanding organizations like the National Council of Women and the Federation of Business and Professional Women, most provinces had both a provincial Status of Women Council and also a volunteer Status of Women Committee. There were government-funded women's centres and women's publications, as well as shelters for women fleeing abuse. And there was a vigorous and



"Lunches with Leaders." Doris Anderson is the third woman on the right.

vocal National Action Committee on the Status of Women (NAC), a coalition of women's groups from across Canada that actively organized, strategized, and lobbied the federal government every year.

As CASCW President, Doris was in a key leadership role. She ensured that the Council provided the data and analysis. The volunteer organizations followed through with lobbying. CASCW research, especially the briefs prepared by lawyers Mary Eberts and Beverly Baines, informed virtually all the feminist activities around the Constitution.

In October 1979, about 200 women met in Toronto, in a convergence of regularly scheduled meetings with a special NAC mid-year gathering. Eminent qualified speakers, including Doris Anderson and Parti Québécois Vice-Presi-

dent Louise Harel, led the audience through a review of the proposed constitutional document. By the end of the day-long seminar, the group concluded that the proposed wording of some sections of the Charter seemed to jeopardize women's legal rights rather than protect them.

Women looked forward to conveying their alarm to Lloyd Axworthy, the Minister responsible, who was scheduled to be the after-dinner speaker. Rather than listening to them, however, Axworthy asked them to make a "leap of faith" and trust that the government knew what was best for them. Not only did he alienate that audience (and subsequent audiences where he presented the same arrogant, patronizing speech), he galvanized lawyer Marilou McPhedran—a former student of his—into opposing him.

About a month later, Liberal Senator Harry Hays galvanized women across Canada with a careless comment picked up by television cameras and replayed over and over again. Joe Clark and the Conservatives had forced the Liberal government to strike a Special Joint Committee on the Constitution of Canada, and to hold public hearings—first for one month, and ultimately for a total of four months. Hays co-chaired the committee and heard most, if not all, of the 20 women's groups that managed to win invitations to make presentations. Justice Minister Jean Chrétien specifically commended presentations by the CASCW and the National Association of Women and Law when he subsequently introduced amendments to the Charter.

At first, only two women's groups were invited to present, both on No-

ember 20, 1979—NAC in the afternoon, and the CASCW in the evening. NAC president Lynn McDonald presented a cogent eight-page brief, assisted by Jill Porter, Betsy Carr, and Marilou McPhedran. Their recommendations included gender parity on the Supreme Court of Canada—unthinkable at the time, but initiated 15 months later with the appointment of Bertha Wilson as the first

tion, how can the Council support its entrenchment at all? Wouldn't Canadian women be better served if Council refused to accept this Charter?"

Doris replied, "That's like asking if I prefer outright execution or Russian roulette. I prefer Russian roulette."

Her words were more prophetic than she realized. After a quick

would seriously damage the Council's credibility, the other executive members—Win Gardner, Florence Ievers, Joanne Linzey (and later, Lucie Pépin)—declared their support for the Minister.

On January 12th, Doris issued a press release saying she intended to go ahead with the conference anyway, unless the full Council decided otherwise at a special meeting to be

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woman Supreme Court of Canada Justice. They fielded a few questions from a fairly friendly committee that included MPs Flora MacDonald, Pauline Jewett, and Senators Florence Bird and Yvette Rousseau.

Senator Hays adjourned the afternoon session by saying, "I want to thank you girls for your presentation. We're honoured to have you here. But I wonder why you don't have anything in here for babies or children. All you girls are going to be out working and who's going to look after them?" His comments met with stunned silence, which reverberated across the country.

Partisan politics came into play that evening when Doris led the CASCW's presentation. The Conservatives were opposed to a supreme Charter. To be fair, many Canadians were concerned about adopting the U.S. model of allowing courts to strike down legislation. They felt that the doctrine of Parliamentary Supremacy, under the 1867 *British North America Act*, had served Canada well.

So when the CASCW criticized the wording in Charter equality clauses, Flora MacDonald led the Conservative challenge by asking, "If the document is as flawed as it seems to be from your excellent presenta-

trip to Copenhagen for a United Nations meeting, Doris set the wheels in motion to finally hold the postponed Women and Constitution conference. She met with the Minister responsible for the Status of Women, Lloyd Axworthy, on December 15, 1979, and discussed the conference at length with him, and followed up by sending him the proposed agenda.

The Council prepared invitations for a February 13-14, 1980 event, with the headline, "The timing has never been better!" Apparently the Minister didn't agree. On January 6th, Doris returned after a week away from the office, and discovered that the invitations and press releases had been held back, ostensibly because the Minister preferred not to see a national women's constitutional conference at the same time as debate in the House.

After a year and a half of constant upheavals, the Council suddenly faced the greatest crisis in Anderson's short presidency. On January 9th, Doris convened an emergency meeting of the CASCW executive. Axworthy attended, and stated that he would rather see a series of regional conferences than a national conference. Despite Doris's insistence that a second postponement

held January 20th. Public, press, and politicians responded immediately to her charge of political interference with the supposedly independent Council, flooding ministerial offices with letters, telegrams, and phone calls. Flora MacDonald and Pauline Jewett led their caucuses in raising pointed questions in the House.

However, Doris was out-voted again at the meeting, 17 to 10. She emerged from the meeting room, stood before the television cameras, and announced her resignation as CASCW President. Within hours, five other Council Board members resigned in support. By March 30th, 1980, eight out of nine office staff had resigned or transferred out.

Although the government tried to portray the kerfuffle as a personality conflict between Doris and everyone else, women across the country weren't convinced. As celebrated feminist Laura Sabia recalled her reasoning when I interviewed her for my book, *The Taking of Twenty-Eight*, her thought at the time was, "If Doris Anderson resigned over it, there must be a very serious issue involved. What are they trying to keep from us?"

Less than a week later, groups of women met in Toronto and in



Doris Anderson and Prime Minister Pierre Trudeau.

Ottawa to decide how they would respond to the government's actions. Sabia was part of the Toronto group, which also included Kay Macpherson, Nancy Jackman, Moira Armour, and representatives from the Federation of Women Teachers Associations of Ontario, Canadian Congress on Learning Opportunities for Women, Women for Political Action, Women's Halton Action Movement, and the *Canadian Woman Studies Journal*.

The Ottawa group included Jill Porter and Rosemary Billings from NAC, author Heather Menzies, lawyer Shirley Greenberg, accountant Jane Pope, and representatives from the Ottawa Women's Lobby—as well as women who had spent all day phoning around Ottawa trying to locate organized response to the CASCW fiasco. Women who worked in the government were especially likely to say, “If we let them do it to Doris today, they could do it to any

one of us tomorrow.”

They formed an Ad Hoc Committee to formulate the response. The two groups communicated mainly by phone. They had a huge advantage in the person of lawyer Marilou McPhedran, who was working in Ottawa during the week and commuting home to Toronto on the weekends. The Ottawa group decided to handle the logistics for proceeding with the very same conference that the Advisory Council had planned—it was to be the first public conference ever held on Parliament Hill—and the Toronto group agreed to plan the program. They were hoping to attract maybe two-thirds of the 300 that the Council expected.

A delegation went to visit Doris, who suggested mildly that organizing a national conference is a lot of work and they might be biting off more than they could chew. For her part, Doris said she was “riding a

cyclone” of publicity, pre-arranged speaking engagements, and much in demand for television and radio talk shows. She plugged the upcoming conference in every interview.

Core Ad Hoc Committee members soon found themselves working 16 hours a day. All the women's movement infrastructure came into play, inside and outside government. Women's Workshop of London, Ontario, a registered charity, agreed to sponsor the conference, issuing tax receipts for donations. After Michele Landsberg published a column in the *Toronto Star*, the donations poured in, as did phone calls from eager volunteers and registrants.

Senator Martha Beilish, NDP MP Margaret Mitchell, and Conservative MP Flora MacDonald openly assisted the conference every way they could; other vital helpers chose to be more discreet. By the day before the conference, organizers counted 350

**Canadian
Advisory Council
on the Status of Women**

**Conseil consultatif canadien
de la situation de la femme**

FOR IMMEDIATE RELEASE

OTTAWA, January 12, 1981 – Defying a five-to-one vote on the part of her executive, Doris Anderson, President of the Canadian Advisory Council on the Status of Women, says she plans to proceed with a constitutional conference which is scheduled for February 13 and 14.

“The members of the Council and the women of Canada have been promised this conference early in 1981. As President, I have a commitment to them to air the key issues for women and the Constitution in a public forum as early as possible. Unless the full Council decides to cancel the conference at its January meeting, it will go ahead as planned.”

“I am personally shocked,” said the president of the CACSW, “that the executive interpreted a suggestion from the Honourable Lloyd Axworthy, Minister Responsible for the Status of Women, that our conference might be slightly embarrassing to the government, as a valid reason to cancel this conference. I find it even more astonishing that they should consider this action a legitimate one by an independent council. In the history of CACSW, I know of no other instance where an executive has tried to cancel a clear Council commitment on such flimsy grounds, or where a government has attempted to influence the Council’s plans so directly.”

The conference, which had been originally scheduled for September, was postponed because of a translators’ strike.

“We promised to re-schedule the conference as soon as the strike was over, and in November, we set a February date. We hired an organizer in early December. Mr. Axworthy assured us at that time that he would reserve space in the West Block and host a reception and a luncheon. All the speakers and panelists have been contacted. Plane and hotel reservations have been made. Women’s groups have made plans to dovetail meetings around our conference.”

“The CACSW worked hard all fall to get changes in the Charter of Rights to more securely guarantee women’s rights in the constitution. More than 17,000 women have individually responded in support of the CACSW recommendations. Although I have not seen the proposed amendments yet, I believe we have had some success in getting the wording changed along the lines we suggested. But other matters that affect women in Canada—such as overlapping jurisdictions, better representation of women on boards, in courts and in government, and the whole area of family law—still need to be addressed.”

“We have lined up first-rate experts to speak at the conference. Women must be armed with the very best information in order to take part in the next round of discussions on the constitution. The CACSW will lose all credibility with the women of Canada if this conference is cancelled.”

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INTERVIEW WITH DORIS ANDERSON
CBC MORNINGSIDE – JANUARY 21, 1981 – 9:45AM

Interviewer: Good morning Doris. Saw you on TV last night along with the rest of the hostages.

Doris Anderson: I certainly picked a great night to resign.

Interviewer: Well, you obviously had reasons. What were they?

Doris Anderson: Well, what was at issue was the independence of the Council, because it's a Council of women appointed certainly by the government and certainly it had strong political ties, but ... they should be able to act in an independent way for the women of Canada....

Interviewer: This is the Canadian Advisory Council on the Status of Women.

Doris Anderson: That's right. And the minister wanted a conference cancelled. He didn't say he wanted it cancelled but he said that the timing would be unfortunate for the government and might cause the government some embarrassment at that time because they would be debating the charter of Rights in the House of Commons.

Interviewer: So it seems like the members of the Executive Council want it cancelled. Is that right?

Doris Anderson: Well, after this discussion with the Minister they collapsed totally and said, yes they must cancel this conference. And at that time I could not even get them to say they would ever hold a conference. So I decided, instead of resigning at that time, which is what I felt like doing, to take the whole matter to the whole Council and see if I couldn't get the decision reversed. And I am just sorry that I just didn't seem to be able to convince that Council that they have to stand up.... They have to be independent of the government if they are going to represent women properly. And I think what has to be looked at is how those Council members are appointed. And I think another factor is should a Council like that report to a Cabinet minister? I don't think they should. I think they should be independent of that kind of paternalistic set up....

Interviewer: So, do you think this whole thing smells of a pork-barrel?

Doris Anderson: Well, I suppose people could come to those conclusions. I don't know who the Executive were representing in Lloyd Axworthy's office when they all said: "Yes, Mr. Minister, we will cancel the conference." They certainly weren't representing the Council's credibility and the independence of the Council. I didn't even think they were representing Council members. That's why I wanted the Council members to have that final say. They certainly weren't representing the women of Canada who want this conference, who have been demanding it and were angry when it was cancelled in September. And I promised that we would re-stage it as soon as possible and all plans have gone forward to do that in February....

Interviewer: So, have you lost faith in this government's commitment to justice for women?

Doris Anderson: I don't think it was ever terribly concerned about women. It hasn't been a top priority with the Liberals as long as I know....

Interviewer: I hope we haven't lost your voice. What's next for Doris Anderson?

Doris Anderson: Well, I'm a journalist and so I'm going to take the cover off my typewriter and get back to my craft....

Interviewer: Thank you, Doris. Doris Anderson who, until yesterday, was President of the Advisory Council on the Status of Women.



Prime Minister Pierre Elliot Trudeau and Doris Anderson.

Ottawa registrants and a further 350 in Toronto. They hastily arranged for overflow seating, with live video coverage on giant screens. In later interviews, McPhedran and others recalled that when the program presenters met for the first time, they “ripped the program apart and put it back together again” (said McPhedran) and decided to address the content of the Charter rather than the question of entrenchment.

More than a thousand women arrived on the morning of February 14, 1980 (1,300 registered by day’s end), spilling out into hallways everywhere. Organizers hastily improvised new governance strategies—three women (at least one bilingual) shared the Chair at all times. Partisan and regional tensions rippled through the crowd. Most Québécoises opposed the idea of a new Constitution at all; most

Conservatives and Westerners opposed the entrenched Charter.

The program listed subjects and proposed resolutions. To keep to their planned adjournment time, the assembly would have to limit discussion on each resolution to four minutes, which was barely enough time to count the votes. Twice, the meeting plunged into pandemonium (once over the *Indian Act*, once over entrenchment) and the three chairs had to call for brief recesses. They also called for an evening session, which succeeded because the translators and technical staff agreed to stay on the job until 9:00 p.m., and then until 10:00 p.m.

About 600 women crowded into City Hall on Sunday, February 15, where a thunderous standing ovation greeted Doris Anderson’s first appearance on stage that weekend. The audience roared with laughter

when Doris told them that Cabinet ministers had expected that, “those women’s groups will just tear each other apart.” The meeting recommendations called for the resignations of Lloyd Axworthy and the Council executive members who voted to cancel the conference, a thorough independent review of the Council, and appointment of new Councillors recommended by women’s groups.

Conference organizers were clearing away their gear when NDP staffer Patricia Wudel broke the news to them: their work had just begun. The very next morning, they were on Parliament Hill again, meeting with all the party leaders, lobbying for inclusion of the conference resolutions in a revised Charter. After a harrowing, exhausting month of meetings, conferences, and drama, four feminist lawyers entered yet an-

other meeting with Justice Department officials—and discovered they were working out the wording on a brand new sexual equality clause for the Charter. The new Section 28 would be part of the interpretative section of the Charter, intended to guide the courts in exercising their new powers. “Notwithstanding anything in this Charter,” went the final draft, “the rights and freedoms referred to in it are guaranteed equally to male and female persons.”

Doris let the Ad Hoc Committee take the foreground during the lobbying. She did appear at the NAC AGM in March 1980. By that time, the government had had limited success in spinning the whole issue as somehow being about Doris, personally. She had the last laugh in May, however, when the CASCW finally did present its own Women and Constitution conference, which drew about 300 participants and passed no resolutions. She was right: cancelling the conference embarrassed the government much more than holding it ever would have.

There was one more act to this drama, a spectacular lobbying campaign in November 1980. Provincial premiers dreamed up a “notwithstanding” clause of their own to override individual rights and tried to apply it to Section 28. In the space of one week, with letters, phone calls, telegrams, and rallies, local and national women’s groups managed to convince the provinces, one by one, to leave Section 28 free and clear. The campaign’s momentum carried on to sweep the first woman onto the Supreme Court bench a scant six months later.

Doris had spearheaded and motivated an earth-shattering movement that led to Canada adopting potent and far-reaching gender equality protections, in Section 15 (amended early in the process) as well as in Section 28. Her wisdom in selecting the lawyers who researched the history of rights wording, past and proposed—as well as her personal contacts with civil servants working

on the proposed Charter—made possible the very powerful arguments that the Ad Hoc Committee put forward during negotiations with the Justice Department.

Last but far from least, Doris herself inspired such affection and admiration that women across the country rallied instantly to her support in standing up to the government. Her integrity and forthrightness helped women’s groups to get over their initial skepticism fairly quickly. It seemed to me from the moment she resigned that, important as the issues were, the lobby was as widespread and ferocious and sustained as it was mainly because women everywhere in Canada felt personal offence that a Cabinet Minister would insult “our” Doris.

Penney Kome is an award-winning author and journalist. She has published six books including The Taking of Twenty-Eight: Women Challenge the Constitution, a detailed narrative about the battle to include gender equality in the revised Canadian Constitution. Her awards include the Robertine Barry Prize for Excellence in Feminist Journalism and the YWCA Women of Distinction Award for Communications. She wrote the Woman’s Place column in Homemaker’s magazine from 1976 to 1988.

References

Kome, Penney. *The Taking of Twenty-Eight: Women Challenge the Constitution*. Toronto: The Women’s Press, 1983.

Popesse

(1964 Tune – “If I Were a Rich Man”)

Lyrics by Linda Palmer Nye

If I were the Popesse,
Yaba daba daba daba daba daba doo.
All day long I’d bitty bitty with the boys
And all of it would be pro-choice! Hey!
I wouldn’t have to work hard.
Yaba daba daba daba daba daba doo.
I’d decree for every man and wife –
A healthy active protected sexual life,
If I were the next Popesse.

I’d write a papal decree on religion and living,
Show the two could get along.
I’d prove that women, we could have our beliefs –
And still we could have a little fun. Hey!

If I were the Popesse,
Yaba daba daba daba daba daba doo.
I’d get rid of all celibacy.
Some mad priest will want to fool around with me,
When I am the next Popesse!

Linda Palmer Nye is a feminist, based in Toronto, who writes feminist songs to encourage our sense of humour—and feed the fire in our bellies—because both are essential ingredients for a successful revolution.