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## CELEBRATING 100 YEARS OF ADVANCEMENTS HUMAN RIGHTS AND WOMEN IN CANADA 1911 – 2011

### 1911

- Women could not vote in federal, provincial, and municipal elections.
- Many Canadian women see their property become the property of their husbands when they marry. Women's right to property ownership after marriage is slowly being recognized legally in the provinces. Married women in Manitoba, P.E.I., and Saskatchewan enjoy the same legal capacity as men.
- Women who work do not have protection against discrimination in the workplace.
- It was illegal to sell or advertise instructions for any drug or instrument represented as method of birth control in Canada.
- The *Criminal Code of Canada* prohibits rape, not sexual assault. It also prohibits any sexual contact with a girl under the age of 14; prohibits "seduction" of or "illicit connection" with any girl of "previously chaste character" between the ages of fourteen and sixteen; and prohibits seduction and illicit connection "under promise of marriage", with any unmarried female "of previously chaste character" under 21 years of age.
- The *Criminal Code* states that a man cannot beat and assault his wife and cause her bodily harm. This meant that assaults which were not proven to "cause bodily harm" were not criminal offences.

### 1916

- Women in Manitoba, Saskatchewan, and Alberta win the right to vote in provincial elections in those provinces.
- **Emily Murphy** becomes the first female judge.

**1917** Women in BC and Ontario win the right to vote in provincial elections in those provinces.

### 1918

- Women in Nova Scotia are granted the right to vote in provincial elections in Nova Scotia.
- The Government of Canada grants women the right to vote in federal elections.

**1919** Women in New Brunswick win the right to vote in that province's elections.

**1920** The federal government makes the voting franchise "universal". However, some immigrant and racialized groups and Aboriginal persons are not included.

**1921** Agnes Campbell McPhail is the first woman to be elected to the House of Commons, a position she held until 1940.

**1922**

- Women in Prince Edward Island win the right to vote in provincial elections in that province.
- Alberta grants married women in that province the same legal capacity as men.

**1928**

- In the “Persons” case, the Supreme Court declares that a woman is not a “qualified person” and therefore cannot be appointed to the Senate of Canada.
- Women are allowed to compete in the Olympic Games.

**1929** Women are now considered Persons under Canada’s Constitution. In the “Person’s” case, the British Privy Council overturns the decision of the Supreme Court of Canada and allows women to be appointed to the Senate.

**1930**

- Cairine Reay Mackay Wilson becomes the first woman to be appointed to the Senate.
- The first calendar-based (rhythm) method of birth control is discovered.

**1932** Canada’s first and illegal birth control clinic, located in Hamilton, Ontario, provides information on birth control and distributes condoms, jellies and diaphragms. It is headed by Dr. Elizabeth Bagshaw.

**1935** Martha Black becomes the first woman MP from the North (Yukon).

**1940** Quebec grants women in that province the right to vote in Quebec provincial elections.

**1941** Fewer than 4% of married women work outside of the home.

**1945** The Charter of the United Nations recognizes gender equality as a fundamental human right.

**1946** The UN establishes The UN Commission on the Status of Women.

**1948** The UN enacts the Universal Declaration of Human Rights (UDHR). The UDHR recognizes the equal and inalienable rights of all human beings, without distinction based on sex, race, disability, and other characteristics.

**1951** Ontario passes two laws (*Fair Employment Practices Act and Female Employees’ Fair Remuneration Act*) that prohibit discrimination in employment on the basis of sex and requires employers to pay women the same as men for similar work.

**1952**

- The UN General Assembly adopts the Convention on the Political Rights of Women.
- Saskatchewan passes equal pay legislation.

**1953**

- Canada, Manitoba, and Nova Scotia enact Fair Employment laws.
- BC passes equal pay legislation.

### 1956

- Canada, Nova Scotia, and Manitoba enact equal pay legislation.
- New Brunswick, BC, and Saskatchewan enact fair employment laws.

### 1957

- The UN General Assembly adopts the Convention on the Nationality of Married Women.
- Alberta passes equal pay legislation.
- Ellen Louks Fairclough becomes the first woman to be appointed to federal Cabinet.

### 1960

- The *Canadian Bill of Rights* receives royal assent. The *Bill* recognizes fundamental freedoms of religion, speech, assembly, press, and to equality before the law. The *Bill* only applies to the federal government because it is not part of Canada's constitution.
- First Nations' women in Canada get the right to vote in federal elections.

**1961** It becomes legal for Canadian doctors to prescribe the birth control pill to women for therapeutic purposes only, for example, regulating menstrual cycles.

### 1962

- The UN General Assembly adopts the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages.
- Ontario enacts the first human rights law. It replaces previous anti-discrimination laws and provides a legal mechanism for victims of discrimination to pursue discrimination.

**1962** Nova Scotia enacts its *Human Rights Act*.

### 1964

- Quebec amends its laws to give married women full legal rights.
- Quebec passes fair employment legislation.

**1965** The *Criminal Code* is amended removing the requirement for women to prove bodily injury in order to pursue criminal assault charges against their spouse.

### 1966

- The UN adopts the Covenant on Economic and Social Rights and the Covenant on Political and Civil Rights. These two Covenants translate the principles of the UDHR into legally binding form. The rights in the Covenants apply to all persons without distinction of any kind, including distinctions based on sex. Although adopted in 1966, the Covenants would only come into effect in 1976.
- The Alberta *Human Rights Act* is passed.

### 1967

- The UN adopts the Declaration on the Elimination of Discrimination against Women. This declaration combined various covenants on the rights of women. The Declaration is not legally binding. In 1971, the UN introduced a voluntary system of reporting on the implementation of the Declaration.
- The Government of Canada establishes the Royal Commission on the Status of Women.
- New Brunswick enacts its human rights legislation.
- G. Jean Gordon becomes the first woman to be elected to the Yukon Territorial Council.

### 1968

- The PEI *Human Rights Act* is enacted.
- Canada's *Criminal Code* is amended to allow access to abortion only when a committee of doctors signed off that it was necessary for the physical or mental well-being of the mother.

### 1969

- BC and Newfoundland adopt human rights laws in their provinces.
- Canada legalized all forms of birth control, including the birth control pill.
- Canada passes the Social Aid Act.

### 1970

- The Royal Commission on the Status of Women publishes its report. The 488-page report contained 167 recommendations on matters such as equal pay for work of equal value, maternity leave, day care, birth control, family, the *Indian Act*, educational opportunities, access of women to managerial positions, part-time work and pensions.
- Lena Pederson becomes the first woman to be elected to the Northwest Territories Council.
- Jeannette Vivian Corbierre loses her status as "Indian" under a provision of the *Indian Act* (section 12) because she married a non-Aboriginal man. She launches a court challenge arguing that section 12 of the *Indian Act* contravenes the *Canadian Bill of Rights*. In 1973, the Supreme Court disagreed with her and upheld the *Indian Act*.

### 1971

- National Ad Hoc Action Committee on the Status of Women (NAC) is established with the mandate to lobby for the implementation of the recommendations of the Royal Commission on the Status of Women.
- All women obtain the right to serve as Jurors
- Unemployment Insurance introduces 15 weeks of paid maternity leave.

**1973** The first victim assistance programs are organized by police departments in various Canadian cities.

**1974** The Native Women's Association of Canada is created.

### 1975

- Quebec passes its *Charter of Human Rights and Freedoms*.
- The UN hosts the First World Conference on Women in Mexico City. Three objectives were identified: Full gender equality and the elimination of gender discrimination; integration and full participation of women in development; and an increased contribution by women towards strengthening world peace.

**1976** The UN Covenant on Economic and Social Rights and the Covenant on Civil and Political Rights take effect.

**1977**

- The *Canadian Human Rights Act* is enacted.
- Sandra Lovelace petitions the UN Human Rights Committee regarding section 12 of the *Indian Act*; the section that stripped Aboriginal women of their status when they married non-Aboriginal men.

**1979**

- The UN adopts the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).
- Lone Christensen becomes the first woman to hold the position of Territorial Commissioner (Yukon).
- Lise Payette becomes the first Minister of State for the Status of Women.

**1980** The UN hosts the Second World Conference on Women in Copenhagen. This Conference recognized that there was a disparity between women's guaranteed rights and their capacity to exercise them. The Conference focused on equal access to education; to employment opportunities; and to adequate health care.

**1981**

- The UN Human Rights Committee finds in favour of Sandra Lovelace and declares that section 12 of the *Indian Act* is in violation of the UN Convention on Civil and Political Rights. It would be another four years before Canada amends the *Indian Act* to remove section 12.
- Canada ratifies (signs on to) the Convention on the Elimination of all Forms of Discrimination against Women.
- The Civil Code recognizes spousal equality; women can retain their own last name and pass it on to their children.

**1982**

- Canada enacts the *Charter of Rights and Freedoms*. The Charter recognizes the human rights and fundamental freedoms in the International Covenant on Civil and Political Rights, including the right to equal treatment under the law for men and women. It does not include the rights in the Covenant on Economic and Social Rights.
- Members of Parliament laugh when MP Margaret Mitchell (NDP, Vancouver East) raises the issue of battered women in the House of Commons.
- The RCMP develops a national charging policy. This policy directs the police to lay charges in all incidents of "wife assault" when there were reasonable grounds to do so and directs Crown lawyers to withdraw charges only under "exceptional circumstances," noting that reluctance of the victim did not apply.

**1983** *Criminal of Canada* is amended to change the offence of rape to "sexual assault" in order to parallel physical assault; to emphasize the violent nature of the crime; and to make it a crime for a man to sexually assault his wife.

**1984** Jeanne Sauvé becomes the first woman to be appointed Governor General of Canada.

### 1985

- Canada amends the *Indian Act* to remove the section that strips Aboriginal women of their status upon marrying a non-Aboriginal man.
- The UN hosts the Third World Conference on Women in Nairobi. The Conference was mandated to seek new ways of overcoming obstacles for achieving equality, development and peace. It focused on constitutional and legal measures; equality in social participation; and equality in political participation and decision-making.

### 1986

- Canada passes the *Employment Equity Act*

**1987** A milestone human rights decision recognizes that systemic discrimination contributed to excluding women from the workplace (*Canadian National Railway v. Canada, (C.H.R.C), 1987, 1 S.C.R. 1114*).

### 1988

- The Supreme Court of Canada strikes down Criminal Code provisions regarding abortion, effectively granting access to abortion for any woman who wishes it.
- Ethel Blondin Andrew becomes the first Aboriginal woman to be elected Member of Parliament.

### 1989

- The Supreme Court of Canada recognizes that sexual harassment is a form of sex discrimination (*Janzen v. Platy Enterprises (1989) 1 S.C.R. 1252*).
- Audrey McLaughlin, Member of Parliament for the Yukon, becomes the first woman to head a federal political party (NDP)

**1990** Kim Campbell becomes Canada's first woman to serve as federal Minister of Justice and Attorney General.

### 1991

- Rita Johnston becomes the first woman premier (April 1991)
- Nellie Cournoyea becomes the first Aboriginal woman premier (November 1991)

### 1992

- Jocelyn Gros-Louis becomes the first woman elected as Grand Chief of a First Nation (Huron-Wendat Nation, Quebec)
- The *Criminal Code of Canada* is amended to restrict questioning on sexual activity, define consent, and restrict the defence of "honest belief" in consent.

### 1993

- Kim Campbell becomes Canada's first woman to serve as federal Minister of National Defense.
- Kim Campbell becomes Canada's first and only female leader of the federal Conservative Party (June – December 1993).
- Kim Campbell becomes Canada's first female Prime Minister. She occupied the position for a few months until a federal election resulted in Jean Chretien's Liberal Party to come to power.
- The *Criminal Code* is amended to include criminal harassment.
- Canada's immigration laws recognize persecution based on sex as a ground for refugee claimants.

**1995**

- Sheila Watt-Cloutier becomes the first female to be elected President of the Inuit Circumpolar Conference (ICC) Canada.
- The UN convened the Fourth World Conference on Women in Beijing, China. The Conference resulted in the Beijing Platform for Action.

**1996** The *Criminal Code* is amended to require courts to consider victim impact statements and providing that abuse of a position of trust (spouse or child) shall be considered an aggravating factor in sentencing.

**2000** The UN General Assembly held a special session (Beijing +5) to give all stakeholders the opportunity to share experiences, perspectives, actions, and recommendations on the implementation of the Beijing Platform for Action.

**2005** Sandra Lovelace Nicholas becomes the first Aboriginal woman to be appointed to the Senate.

**2007** Sheila Watt-Cloutier, Inuit activist, is nominated for the Nobel Peace Prize.

**2008** Leona Aglukkaq becomes the first Inuit woman to hold a senior cabinet post (Minister of Health)