



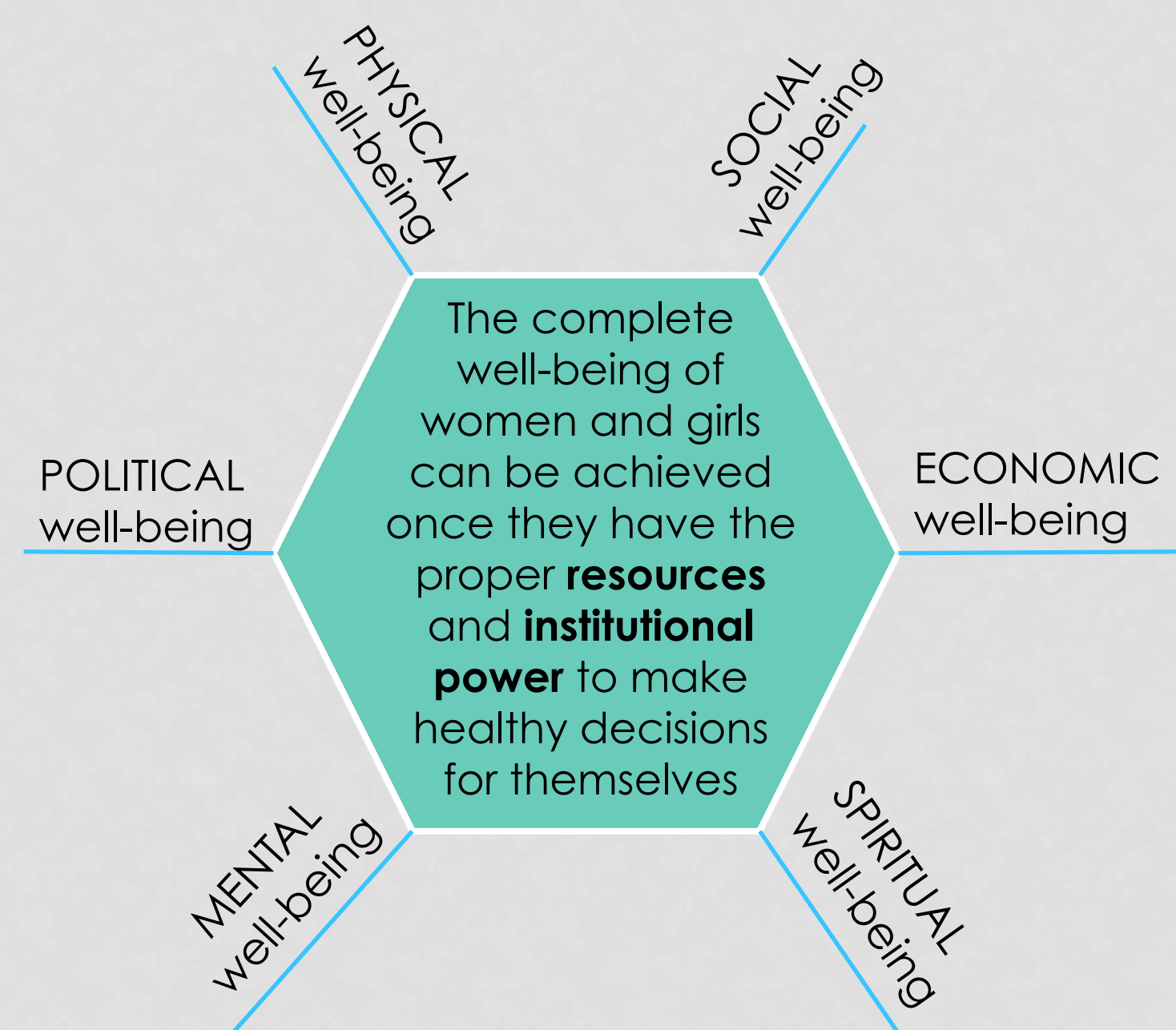
A Reproductive Justice History of Canada

By Alice d'Aboville, BA International Development Studies
Supervisor: Dr. Jennifer Fishman

This research was carried out in association with a symposium called "Abortion Beyond Bounds: Self-managed and the Circulation of Knowledge, Technology and Care," taking place in the Fall of 2018. It is co-organized by McGill's directors of the Centre of Research on Gender, Health and Medicine as well as the Institute for Gender, Sexuality and Feminist Studies. To mark the 30th anniversary of the decriminalization of abortion in Canada, the symposium aims to reassess the landscape of the experiences of abortion today. As such, this research has the objective of providing a historical background on reproductive justice in Canada to better understand the unique circumstances faced today.

Defining Reproductive Justice

Reproductive justice has developed as an intersectional theory based on the understanding that there is an integrative effect between the oppressions of race, class, gender and sexual identity. This framework helps shape social equity in which individual circumstances are highlighted in order to recognize the different needs that different groups of people have. Interwoven between **reproductive rights** and **social justice**, reproductive justice reflects the success of interrelated aspects of a woman's life.



Beyond pro-choice

The Problem: "The concept of **choice** masks the different economic, political, and environmental contexts in which women live their reproductive lives" (Ross & Solinger 47)
→ Without actual resources, choice cannot be exercised in the same way for everyone
→ The Pro-choice argument can overemphasize legality, safety and access of abortion care
→ Decriminalization does NOT mean access
→ Reproductive justice is a social justice issue

Timeline of Key Moments

1892: Criminal Code

- Abortions in Canada were prohibited and punishable by life imprisonment. Additionally, the sale, distribution and advertisement of contraceptives were illegal
- There was an absence of information on sexual health
- Women were unable to learn about their own bodies and were restricted from taking responsibility for the decisions related to their bodies
- The prevailing social, medical, economic and political institutions constrained women's access to comprehensive sexual health education

1968: Students take initiative

- McGill University students took reproductive health issues into their own hands by illegally publishing *The Birth Control Handbook*. Full of vital information on sexuality, contraception and abortion, the handbook was an immense success with a skyrocketing demand that by 1974 distributed over 3 million copies
- The handbook was argued to be an "Anti-American text which denounced patriarchy and capitalism as the source of women's oppression" (Sethna, 2006:100)

1969: Legal reforms

- PM Pierre Trudeau passed the **Omnibus Reform Bill** which allowed abortions to take place only within hospitals that had a "Therapeutic Abortion Committee" of doctors who would decide whether a woman's life was in danger from her pregnancy or not
- Abortion rights activists and abortion provider, **Dr. Henry Morgentaler** illegally opened the first abortion clinic in Montreal, Quebec. Within the following four years he successfully performed more than 5,000 abortions. While he faced 20 years of legal battles and served 10 months in jail, throughout his career, Dr. Morgentaler opened twenty abortion clinics in Canada and trained more than 100 abortion providers

1970: The Women Are Coming!

- The Vancouver Women's Caucus (VWC) organized an 'Abortion Caravan' to travel from Vancouver to Ottawa with the goal of changing the Canadian abortion law
- They gathered support along their journey, as they met with local women's liberation groups and performed guerrilla theatre to raise awareness of the abortion issue
→ Abortion became the main concern that could unite all women
- In an open letter written to the Prime Minister, Minister of Health and Federal Minister of Justice, the VWC members stated:
"We consider the government of Canada is in a state of war with the women of Canada... We are angry, furious women and we demand our right to human dignity"

1982: The Charter of Rights and Freedom

- This Constitution Act guaranteed new rights for citizens and outlawed discrimination based on sex, therefore providing legal foundation for fully legalizing abortions in Canada

1988: R vs. Morgentaler

- Dr. Morgentaler successfully challenged the court in declaring the abortion law unconstitutional for violating the Charter, as it infringed on women's right to "life, liberty and security of person"

2015: Medical Abortion

- As an alternative to surgical care, the abortion pill **Mifepristone** was finally approved in Canada

"Reproductive justice can change what we know about the past, how we interpret the present, and how we envision the future"

(Ross & Solinger 74)

Structural Barriers to Obtaining Abortion Care and Contraception

Accessibility

- Geography (rural vs. urban)
- Not enough clinics
- Not all hospitals perform abortions
- Long waitlists

Social structures: Gender inequalities & stereotypes

- Patriarchal traditions of power
- Violence against women
- Social stigma

Legal structures

- Criminalization of goods and services

Religious institutions

- Policy makers
- Can dominate social principles

Consequences

Not having access to abortion care reflects a gender inequality that abuses the health of women. When safe, reliable abortion services are not available, women are forced to put themselves in dangerous situations:

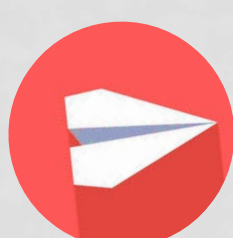


Self-inducing an abortion with hazardous items:

- Knitting needle or coat hanger to pierce the uterus
- Lysol to inject into the uterus
- Vacuum cleaner hose to suck out fetus
- Swallowing gun powder



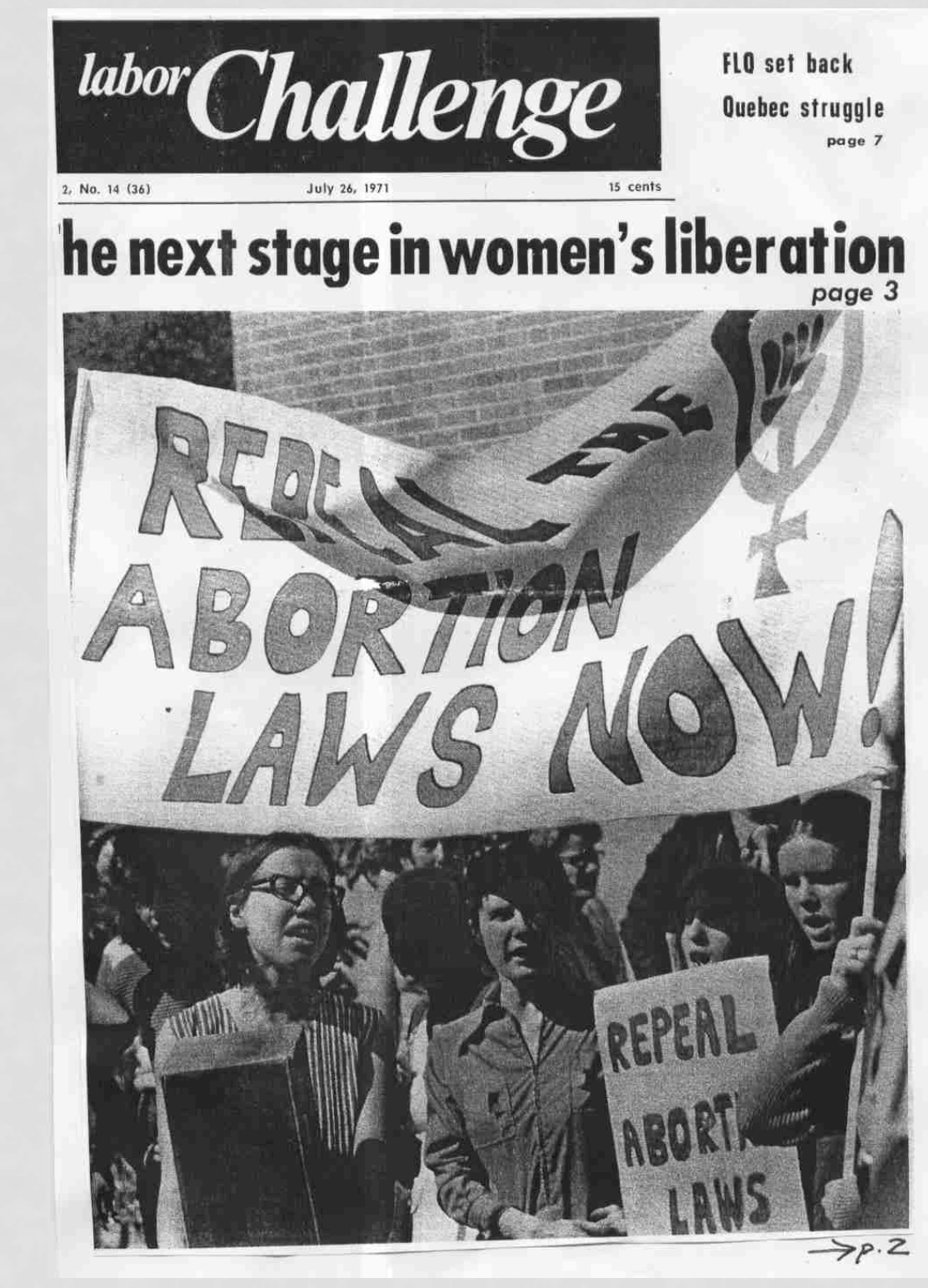
Seeking illegal, **clandestine abortion** services from medical or non-medical personnel. Treatments might not be reputable and women put themselves in legal jeopardy.



Traveling long distances to other country/state where abortion laws are liberalized. This represents a huge financial burden for poor, working-class women who cannot afford it.



Only **1 in 6** hospitals across Canada provide abortion services



Front page of Labor Challenge Newspaper July 26, 1971. 2.No.14



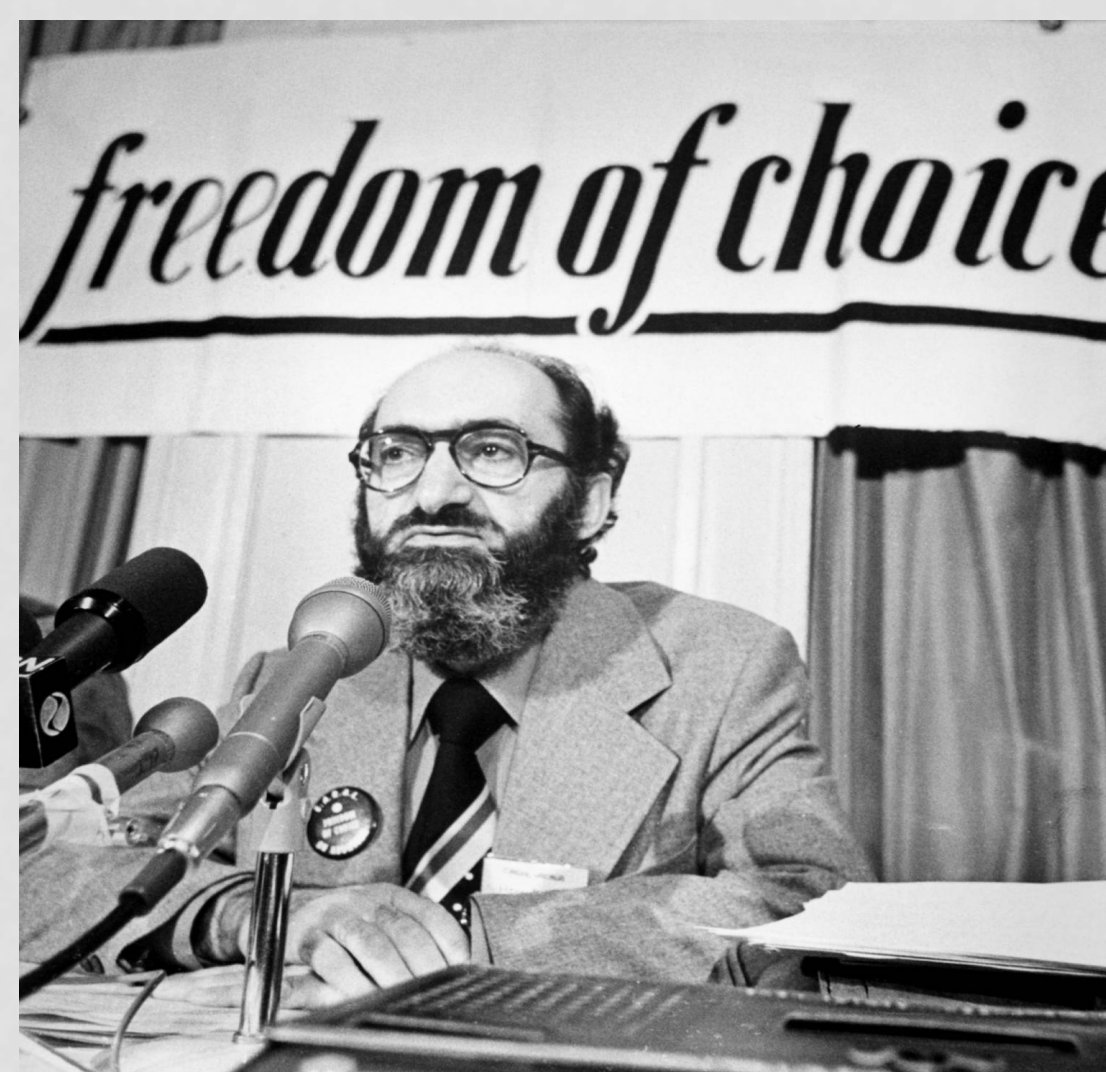
Illustration of Dr. Marjorie Simms with Anarcha by Robert Thom.

Dark History: The Price of Women's Liberation

We must never forget the horrible consequences that occurred from the developments in women's reproductive health. Through structures of racism and colonialism, women of color and of poor economic backgrounds were persecuted and manipulated into being the guinea pigs of male gynecologists, obstetricians and scientists. The mistreatment and suffering faced by these marginalized people was unethical and unacceptable.

Examples:

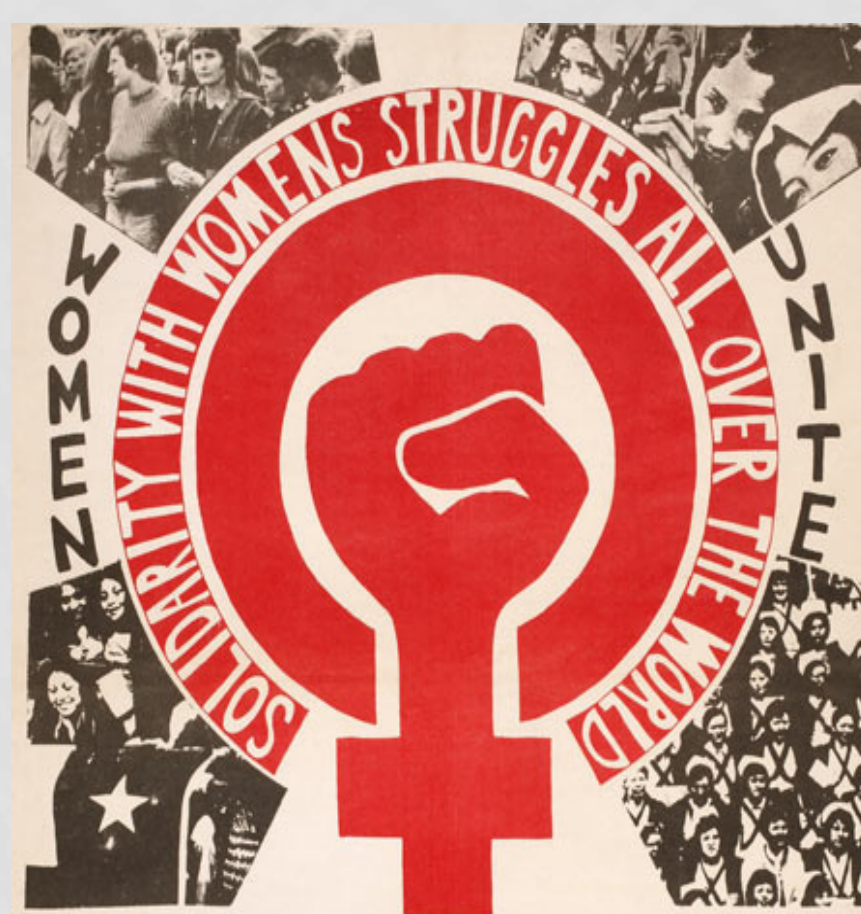
- Forced experimentation & surgery with no anesthesia
→ Enslaved black women and children in the United States were tortured under the racist notion that black people did not feel pain
- Unconsented, risky human trials of experimental drugs
→ Poor Puerto Rican women were used for the first birth control pill trials before the drug was approved
- Contraception as a social tool for **eugenics**
→ Coercive sterilization programs
→ Racialization of contraceptive resources



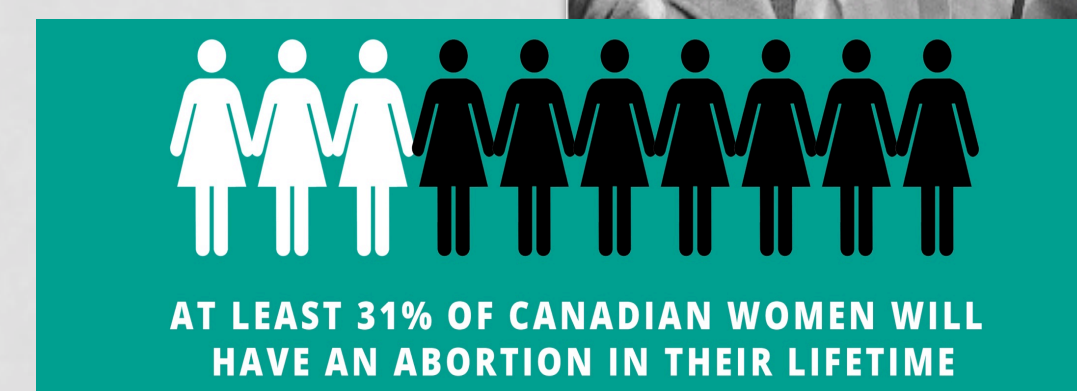
Dr. Henry Morgentaler



The Birth Control Handbook



Women's Day March Poster, 1975



Credit: Daniel Freed, The McGill Tribune

References:

- Browne, Alistair, and Bill Sullivan. "Abortion in Canada." *Cambridge Quarterly of Healthcare Ethics*, vol. 14, no. 3, 22 June 2005, pp. 287-291.
- Holmes, Tao Tao. "The Illegal Birth Control Handbook That Spread Across College Campuses in 1968." *Atlas Obscura*, 31 Mar. 2016.
- Kaprelian, Lydia. "About Abortions: Why Canada Still Needs to Talk about It." *The McGill Tribune*, 8 Mar. 2017.
- Kirby, Jane. "A Broad Vision for Reproductive Justice." *Barpatch Magazine*, 21 Dec. 2017.
- Ojanuga, Durenda. "The Medical Ethics of the 'Father of Gynaecology'." *Dr. J. Marjorie Sims*. *Journal of Medical Ethics*, vol. 19, 1 Mar. 1993, pp. 28-31.
- Ross, Loretta J. "Understanding Reproductive Justice." *Sister Song*, May 2006.
- Ross, Loretta J., and Rickie Solinger. *Reproductive Justice: An Introduction*. University of California Press, 2017.
- Saurette, Paul, and Kelly Gordon. *The Changing Voice of the Anti-Abortion Movement: The Rise of "Pro-Woman" Rhetoric in Canada and the United States*. University of Toronto Press, 2015.
- Sethna, Christabelle. "The Evolution of the Birth Control Handbook: From Student Peer-Education Manual to Feminist Self-Empowerment Text, 1968-1975." *Canadian Bulletin of Medical History*, vol. 23, no. 1, 2006, pp. 89-117.
- Sethna, Christabelle, and Steve Hewitt. *Just Watch Us: RCMP Surveillance of the Women's Liberation Movement in Cold War Canada*. McGill-Queen's University Press, 2018.