

# **“Are we going to do the most important things?”**

## **Senator Muriel McQueen Fergusson, Feminist Identities, and the Royal Commission on the Status of Women**

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Article abstract

*Through the lens of an alternative narrative, this article traces the creation and evolution of the Royal Commission on the Status of Women in Canada, which was established during the long interval between the first and second waves of the women's movement. Based largely on the papers of Senator Muriel McQueen Fergusson, a leading member of a generation of women activists whose broader contributions to the women's movement, while acknowledged, have rarely captured the imagination of scholars, it challenges scholars' tendency to overlook the significance and essentialize the feminism of these inter-wave activists.*

# “Are we going to do the most important things?” Senator Muriel McQueen Fergusson, Feminist Identities, and the Royal Commission on the Status of Women

GAIL G. CAMPBELL

*Cet article relate, par l'entremise d'un nouveau récit, la création et l'évolution de la Commission royale d'enquête sur le statut de la femme au Canada, qui fut fondée au cours du long intervalle entre la première et la deuxième vague du mouvement féministe. S'appuyant en grande partie sur les documents de la sénatrice Muriel McQueen Fergusson, une figure marquante d'une génération de femmes activistes dont les vastes contributions au mouvement féministe, bien que reconnues, ont rarement retenu l'attention des chercheurs, il remet en question la tendance des chercheurs à négliger et à essentialiser la signification du féminisme de ces activistes de la période intermédiaire.*

*Through the lens of an alternative narrative, this article traces the creation and evolution of the Royal Commission on the Status of Women in Canada, which was established during the long interval between the first and second waves of the women's movement. Based largely on the papers of Senator Muriel McQueen Fergusson, a leading member of a generation of women activists whose broader contributions to the women's movement, while acknowledged, have rarely captured the imagination of scholars, it challenges scholars' tendency to overlook the significance and essentialize the feminism of these inter-wave activists.*

STUDIES OF THE ROYAL COMMISSION ON THE STATUS OF WOMEN IN CANADA have identified a number of individual women who might be thought of as the principal players in a historical drama that was to have far-reaching effects. In the beginning, Judy LaMarsh and Laura Sabia played “complementary roles of behind-the-scenes pressure and public advocacy” in persuading the government to establish a commission.<sup>1</sup> Once the commission was appointed, Florence Bird (its chair) and, to a lesser extent, Elsie Gregory MacGill, moved into the spotlight. It is these four women, along with Monique Bégin, the commission's executive secretary, whose names most often surface in the historical narrative.<sup>2</sup> In the discussion that follows, I offer a

1 Cerise Morris, “Determination and Thoroughness: The Movement for a Royal Commission on the Status of Women in Canada,” *Atlantis* 5, no. 2 (Spring 1980): 16.

2 Florence Bird's story is told in her memoir: Florence Bird, *Anne Francis: An Autobiography* (Toronto: Clarke, Irwin & Company, 1974), while Crystal Sissons, “Engineer and Feminist: Elsie

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parallel and intersecting narrative based largely on the papers of Senator Muriel McQueen Fergusson, a leading member of a generation of women activists whose broader contributions to the women's movement, while acknowledged, have rarely captured the imagination of scholars.<sup>3</sup>

Among three women appointed to the Canadian Senate in 1953, Muriel McQueen Fergusson was the first woman senator from Atlantic Canada.<sup>4</sup> A proud New Brunswicker, Muriel McQueen Fergusson nonetheless saw her mandate as extending beyond provincial or even regional representation. Like other articulate, well-educated New Brunswickers before her, she moved seamlessly from the provincial to the national scene. As a well-established and already highly respected member of a number of women's organizations with national and even international networks, and highly attuned to the issues of greatest concern to those organizations, she brought both a woman's perspective and considerable professional knowledge and experience to the task at hand. A lawyer by profession, she had, for the previous seven years, served as regional director of family allowances for New Brunswick. Through that position, she had forged national connections, at the same time gaining both insight into and a working knowledge of the federal bureaucracy. Her legal training, her professional experience, and the national network of women she had met through the voluntary organizations to which she belonged all assured her an easy transition from the provincial to the national stage.

In analyzing the women's movement, scholars have identified two major waves: the first crested in the late-19th and early-20th centuries as women united to demand, through a very public campaign, the right to vote, while the second crested in the glory days of the late-1960s and early-1970s, with the very vocal grassroots women's liberation movement.<sup>5</sup> Whether these were actually crests in activity or merely crests in the publicity accorded the movement is perhaps moot. Certainly scholars generally agree that credit for the Royal Commission on the Status of Women (RCSW) belongs to the generation of activists – middle class club women, usually characterized as liberal feminists – who predominated during the long interval between these two waves.<sup>6</sup> Whether the achievements of the women involved in first- and second-wave feminism were greater than, or their feminisms qualitatively different from, those of

Gregory MacGill and the Royal Commission on the Status of Women, 1967-1970," *Scientia Canadensis* 29, no. 9 (2006): 74-97, sheds light on MacGill's role.

3 Thus studies of individual women have not yielded significant insight into the women's networks underpinning their activism. And while we now have a scholarly study of the National Council of Women, there has, to date, been no such study of either the Canadian Federation of Business and Professional Women or the Canadian Federation of University Women. See N.E.S. Griffiths, *The Splendid Vision: Centennial History of the National Council of Women of Canada, 1893-1993* (Ottawa: Carleton University Press, 1993).

4 These three appointments brought the number of women senators to five as compared to four women MPs. And it is worth noting that the election of 1953 was only the second federal election in Canadian history that saw more than one woman elected.

5 For a succinct summary of the two waves and the clearest exposition of the generally accepted arguments regarding the varieties of feminism, see Nancy Adamson, Linda Briskin, and Margaret McPhail, *Feminists Organizing for Change: The Contemporary Women's Movement In Canada* (Toronto: Oxford University Press, 1988).

6 See Adamson, Briskin, and McPhail, *Feminists Organizing for Change*, 51; Kimberly Speers, "The Royal Commission on the Status of Women in Canada, 1967-1970: Liberal Feminism and Its Radical Implications," in *Framing Our Past: Canadian Women's History in the Twentieth Century*, ed.

the activists of the inter-wave generation whose “determination and thoroughness”<sup>7</sup> resulted in the establishment of a royal commission that became a “watershed in women’s history”<sup>8</sup> are more interesting questions. The “determination and thoroughness” of the liberal feminists did not involve public protests or public meetings, though when we look, we find such women protesting, both individually and collectively, and consistently involved in the quest for equality and justice for themselves and for other women.<sup>9</sup> To this end, they undertook research and disseminated that research, speaking about ways to achieve their goals not only to the particular voluntary organizations that claimed them as members, but to many other voluntary groups as well. These liberal feminists have also been called institutional feminists, for they focused on reforming the institutions, and sometimes even the legal and institutional framework, of their society.<sup>10</sup> Who were these women? What, precisely, was the nature of their activities? In what ways and to what extent was their feminism shaped by the society in which they lived, contingent on time and place? And would they have recognized themselves in the scholars’ characterization of them: would they have considered themselves liberal feminists?

In addressing these questions I focus on one member of that larger group: Senator Muriel McQueen Fergusson. Like other leading activist women of the inter-wave generation, Senator Fergusson participated in both “behind-the-scenes pressure and public advocacy” in support of the royal commission, at every stage of its history from 1966 through the mid-1970s. Yet the story presented here is not based on her recollections of that period, for although she and I talked on numerous occasions in the

Sharon Anne Cook, Lorna R. McLean, and Kate O’Rourke (Montreal & Kingston: McGill-Queen’s University Press, 2001), 253; and Nancy Adamson, “Feminists, Libbers, Lefties, and Radicals: The Emergence of the Women’s Liberation Movement,” in *A Diversity of Women: Ontario, 1945-1980*, ed. Joy Parr (Toronto: University of Toronto Press, 1995), 252-3. For a particularly nuanced analysis, see Naomi Black, “The Canadian Women’s Movement: The Second Wave,” in *Changing Patterns: Women in Canada*, ed. Sandra Burt, Lorraine Code, and Lindsay Dorney (Toronto: McClelland and Stewart, 1988), 82-7. For a contemporary expression of this view, see “Pie in the Sky . . . royal commission recipe” (January 1971 issue of the *Pedestal*), in *Up from the Kitchen, Up from the Bedroom, Up from Under: Women Unite! An Anthology of the Canadian Women’s Movement* (Toronto: Canadian Women’s Educational Press, 1972), 40-2.

7 Margaret Hyndman, QC, the author of the brief calling for a royal commission, cited in Morris, “Determination and Thoroughness,” 20n21.

8 Morris, “Determination and Thoroughness,” 20; Annis May Timson, *Driven Apart: Women’s Employment Equality and Child Care in Canadian Public Policy* (Vancouver: UBC Press, 2001), 26.

9 The following works support this contention: Monique Bégin, “The Royal Commission on the Status of Women in Canada: Twenty Years Later,” in *Challenging Times: The Women’s Movement in Canada and the United States*, ed. Constance Backhouse and David Flaherty (Montreal & Kingston: McGill-Queen’s University Press, 1992), 24; Monique Bégin, “The Canadian Government and the Commission’s Report,” in *Framing Our Past: Canadian Women’s History in the Twentieth Century*, ed. Sharon Anne Cook, Lorna R. McLean, and Kate O’Rourke (Montreal & Kingston: McGill-Queen’s University Press, 2001), 16; Black, “The Canadian Women’s Movement,” 82-3; and Judith Fingard, “Women’s Organizations: The Heart and Soul of Women’s Activism,” in *Mothers of the Municipality: Women, Work, and Social Policy in Post-1945 Halifax*, ed. Judith Fingard and Janet Guildford (Toronto: University of Toronto Press, 2005).

10 Adamson, Briskin, and McPhail, *Feminists Organizing for Change*, 12, 20; Griffiths, *The Splendid Vision*, especially chap. 9; Elizabeth Forbes, compiler, *With Enthusiasm and Faith: History of the Canadian Federation of Business and Professional Women’s Clubs, 1930-1972* (Canadian Federation of Business and Professional Women’s Clubs, 1974), 75-99.

final decade of her life, the royal commission is not a topic that we discussed. Instead, this narrative was culled from the documents she chose to retain in her papers and the public record of her statements and activities on behalf of women and of the commission. My analysis, then, is based largely on a close examination of the senator's collected papers, housed in the Provincial Archives of New Brunswick.<sup>11</sup> Beginning with, but moving beyond, a consideration of her as an individual activist, I draw upon her papers to situate her within a network of women who worked collectively to achieve agreed-upon goals. And, again using the senator's papers as a point of departure, I situate the campaign for a royal commission within the broader context of women's ongoing activities that made the commission not only possible but also successful.

Muriel McQueen, born in Shediac, New Brunswick, in 1899, would certainly have identified herself as both a lower-case and an upper-case liberal, for she grew up in an intensely Liberal family. Though he never ran for election, her father was a major force in New Brunswick's Liberal Party; her elder brother served as a Liberal MLA in her home province; and, as a young woman, Muriel herself was occasionally enlisted by her father to give speeches on behalf of Liberal candidates. Yet as a senator, she was determinedly non-partisan. Serving during a period when there were more women senators than women members of Parliament, she and her female colleagues in both houses, regardless of party affiliation, regularly supported legislation intended to improve the status of women.<sup>12</sup>

Senator Fergusson did not publicly identify herself as a feminist, but the issue came up more than once in her career. During the 1956 debate on the Female Employees' Equal Pay Bill, which she had introduced in the Senate on behalf of the government, she noted:

Perhaps I should explain that when I gave a slight historical background of the women's equal rights movement I certainly did not do so as a feminist, because I do not consider that I really am one. I simply believe that women should have the same opportunities as men. Instead of laying stress on their sex and seeking special privileges on that account, the purpose of this bill is to give women equal rights with men which they do not have now, but certainly not to give them additional rights.<sup>13</sup>

11 Muriel McQueen Fergusson (MMF) Papers, MC 1372, Provincial Archives of New Brunswick (PANB).

12 An early example was Bill 2, an equal pay bill, introduced as a private member's bill by Ellen Fairclough (originally Bill 188, introduced by Fairclough in 1953, just before Muriel Fergusson was appointed to the Senate), a Conservative MP from Hamilton, ON. As Fergusson later reported, Mrs. Fairclough introduced her equal pay for women bill on three different occasions. On two occasions the bill was debated in the House of Commons and, although it was defeated each time, it was supported by all women members of the House regardless of party affiliation. See "Brief presented to the Lieutenant-Governor of New Brunswick on behalf of the Business and Professional Women's Club," January 1957, Business and Professional Women's Clubs, Equal Pay, MMF Papers, MC 1372, box 1, file 1, PANB.

13 *Senate Debates*, 10 August 1956, p. 1022 (Hon. Muriel Fergusson). Earlier in the debate she had referred to "the privilege of introducing and explaining the bill" in the Senate as "a highlight of my life" (p. 1016).

Of course, statements made within the context of a formal debate should not necessarily be taken at face value. In this case, the senator, speaking in a forum in which women were outnumbered by a ratio of 84 to 5, was responding to a male colleague who, while pledging himself to support the bill "in spite of the fact that it is on behalf of women," had commented:

I hope that this growing equality of the sexes in these fields will not resolve the women into a unionized body seeking through the Department of Labour and its machinery of arbitration to obtain privileges because of their sex. Frankly I do not think it is necessary at any time for anyone who is advocating support of a bill like this to emphasize the idea of equality and rights of women as opposed to men. The old feminist movement of Mrs. Pankhurst is gone.<sup>14</sup>

Given the direction that the debate had taken, and the likelihood that the bill would gain speedy passage, was Senator Fergusson simply being politic in her self-positioning? Certainly it seems likely that, even at this early stage in her Senate career, she realized that she had already gained a reputation as something of a feminist.

Years later, in a 1971 interview, she would acknowledge that her colleagues in the Senate contested her protestations that she was not a feminist. By that time, second-wave feminists had moved well beyond the liberal-feminism with which scholars usually associate the women activists of her generation. Asked to comment on her relationship to the women's liberation movement, Senator Fergusson responded that while she believed that women were entitled to many of the things they were asking for, "I don't like the methods they adopt, I could not go about it their way but I suppose if they want to catch the public's attention they have to go about it in a different way. . . . Probably if I lived in the time of the suffragettes I wouldn't like their methods either. . . . I definitely sympathize with many of the women's lib ideas and I am always known in the senate to be for the women's lib point of view. . . . However, I would not walk in any of their parades."<sup>15</sup> The senator's self-positioning regarding her feminist proclivities, or lack thereof, was both contingent on the particular context and contested by her contemporaries. For the historian, her consistent political advocacy on behalf of women must qualify her as a feminist, but her feminism defies easy classification. Indeed, while categorizing feminists may sometimes be methodologically useful, in practice it implies value judgments on some groups of feminists as compared to others. And, rather than acknowledging the complexity and nuance in alternative approaches to feminism, it tends to essentialize them.<sup>16</sup>

In analyzing the approach of Muriel McQueen Fergusson's cohort of activist women, it is necessary to consider the significance of both the human rights framework and the equal rights framework that are usually associated with liberal feminism. In avoiding the temptation to consider liberal feminists an undifferentiated group, this account identifies individual women who were members of Fergusson's

14 *Senate Debates*, 10 August 1956, p. 1021 (Hon. Norman P. Lambert).

15 "City Senator Working for Better Canada," *Daily Gleaner* (Fredericton, NB), 5 August 1971.

16 On the danger of value judgements in discussions of liberal feminists, see Bégin, "The Canadian Government and the Commission's Report," 15.



network of fellow activists and, in particular, highlights the role of the women's organization that claimed her strongest and most enduring loyalty, the Canadian Federation of Business and Professional Women (CFBPW). My point of departure is not the moment in 1966 when a group of middle-class, middle-aged, mid-career women came together to initiate the formal campaign for the Royal Commission on the Status of Women in Canada, but rather the issues that had drawn such women into organized activism at a much earlier stage in their lives. For many women of Senator Fergusson's generation, the RCSW was the culmination of decades of involvement in status of women issues and campaigns. As Louise Card, president of the CFBPW put it, "This is what we have been striving for and working towards, since we wrote our aims and objectives 37 years ago."<sup>17</sup>

Then, as now, women's activism usually arose out of their own experience. Certainly this was the case for Muriel McQueen Fergusson. Before her marriage, Muriel McQueen had trained and then briefly practised in her father's law office in Shediac; her father, who had "quite a large probate practice," turned that over to her "thinking that was kind of a lady-like law practice."<sup>18</sup> As a result, his daughter became well acquainted with the inequities of probate law. Almost a decade later, in 1935, she was appointed a judge of probate, the first woman in New Brunswick to be appointed a judge at any level.<sup>19</sup> By that time, she had long been involved in speaking to women's groups in her community, drawing upon her expertise to educate them about women and the law.<sup>20</sup> While she was well placed to ensure that she herself was not troubled by the systemic discrimination inherent in probate laws, in 1943 the recently widowed Fergusson would face a more covert but no less insidious form of gender discrimination when she decided to abandon both her law practice and her insurance business and make a new life for herself far from the small town of Grand Falls in which she and her husband Aubrey had lived for more than 15 years. She applied for a position with a large company in Montreal but, although impressed by her qualifications, the board of directors lost interest upon discovering that "M. McQ. Fergusson" was female. She accepted a lesser position, as assistant enforcement counsel with the Wartime Prices and Trade Board in Saint John; when, soon thereafter, her superior left, she was awarded the position of chief enforcement counsel.<sup>21</sup> Following the war she was also appointed to the New

17 Card went on to remind her audience that "the establishment of this commission, however, does not represent the end of our work – it merely indicates the beginning . . . we speak of facing the challenge of change. The challenge is now directly before us." See Louise Card, cited in Forbes, *With Enthusiasm and Faith*, 100.

18 Senator Muriel Fergusson, interview by Peter Stursberg, Parliament Buildings, Ottawa, 19 June 1979, p. 10, typescript copy in possession of author.

19 She had given up her law career following her marriage, but returned to it in 1935 when her husband became ill. She was appointed to replace him as judge of probate. She also took over his insurance business. Aubrey Fergusson died in 1942.

20 For numerous examples of such public presentations, see various newspaper clippings and copies of speeches in the MMF Papers, MC 1372, PANB.

21 Fergusson, interview by Stursberg, 18-19. Senator Fergusson recounted a "rather amusing" story of actually helping her superior get the position with the Montreal firm for which she herself had been rejected, further noting that she was quite sure that the only reason she was offered even the lesser position as assistant enforcement counsel was because it was wartime: "All the young lawyers were in the services and all the senior lawyers were not willing to give up their established practices to do a job that would come to an end when the war was over" (18).

Brunswick Reconstruction Council. In 1946, with the work of those bodies winding down, Fergusson cast around for new opportunities. Noting that the federal government was advertising for a provincial director of family allowances, a job that would fit very well with her interests and expertise, she was disappointed to find that the advertisement was directed to “males only.” By this time, however, Muriel McQueen Fergusson was part of a network of business and professional women who shared her commitment to the struggle for equality.

Senator Fergusson never forgot the moment when she gained her first inkling of the potential power of women’s organizations – and of the support a strong network of women could offer each other. Sitting in the Admiral Beatty Hotel in Saint John, she had watched, with a degree of envy, a group of women, members of the New Brunswick Business and Professional Women’s Club, saying their farewells to one another as they dispersed following a provincial meeting. How she wished that she were one of them! As a widow engaged in the struggle to carve a niche for herself within the government bureaucracy of a country at war, she saw not only the potential power in the strength of numbers but also the warmth of the friendship and support these women clearly found in one another. Despite her legal training and acknowledged expertise, Muriel Fergusson had faced barriers in applying for positions for which she was more than qualified. The notion of a support network looked very attractive indeed. Then she met Dr. Jessie Lawson, the president of the New Brunswick club, and, to her great delight, was invited to join. “From then on,” she later recalled, “I was very close to them.”<sup>22</sup> Fergusson would become a member of a number of other voluntary organizations, including the Local Council of Women, the New Brunswick University Women’s Club, and, eventually, Zonta, among others.<sup>23</sup> Taken together, these organizations became something of an old girls’ network for Muriel McQueen Fergusson. Thus it was that, “at the request of the New Brunswick Provincial president, Dr. Jessie Lawson,” the national president of the CFBPW “protested vigorously to the Federal Government when it was found that the advertising for the position of Regional Director of Family Allowance in New Brunswick had been limited to male residents of the Maritimes.” The Canadian Federation of University Women (CFUW) similarly protested. As a result of such protests, coupled with Fergusson’s own enquiries, “the restriction was removed and a very able and qualified woman, Mrs Muriel McQueen Fergusson was appointed, the first woman in Canada to hold such a position.”<sup>24</sup>

Over the years, Fergusson’s primary loyalty, and primary identity, would remain with the Canadian Federation of Business and Professional Women, which attracted her as much by the wide range of its activities and reach as by the personal support network it offered. From its founding in 1930, the CFBPW reflected the broad interests of Canada’s

22 Senator Muriel McQueen Fergusson, interview by Janet Toole, Fredericton, NB, 15 December 1987, typescript, 17-18, PANB.

23 Unique among professional women’s clubs, Zonta adhered to a strict classification system, requiring members to be involved in the public sphere at executive or decision-making levels. In addition, each club was allowed only one member per business classification. Senator Muriel McQueen Fergusson replaced Senator Cairine Wilson as the Senate representative when Senator Wilson retired. See information on Zonta clubs at <http://www.zonta.org>.

24 Forbes, *With Enthusiasm and Faith*, 56.



professional women. As in the case of other women's organizations, the membership was comprised of middle-class women; but unlike the membership of most other women's voluntary organizations of the day, it was comprised entirely of career women.<sup>25</sup> By the time Muriel McQueen Fergusson joined their ranks, members of the federation had more than a decade of activism behind them. As an organization, the CFBPW perceived issues through a human rights lens, and couched pertinent demands within a human rights and equal rights framework. In outlook, and in approach to status of women issues, then, the federation and, through it, its activist members, were part of the rights revolution stimulated by the United Nations' Universal Declaration of Human Rights in 1948. The scope of the Federation of Business and Professional Women was international, and the organization's significance was recognized when it was granted consultative status in Category B of the non-governmental organizations at the United Nations. In this context, the Canadian clubs took a particular interest in the work of the UN Human Rights Committee's Status of Women Commission.

At home, the CFBPW lobbied governments on both provincial and federal levels, seeking legislation to improve the status of women. Given that the federation was largely composed of professionally trained women, it is scarcely surprising to find members writing formal letters and presenting formal briefs, operating within traditional institutions, and seeking increased opportunities for women within those institutions. In so doing, they were often seeking improved status for themselves or for women very like themselves.<sup>26</sup> They mounted a concentrated campaign to expand opportunities for women in the civil service. They demanded an end to discrimination based on sex, and called for legislation guaranteeing women equal pay for equal work<sup>27</sup> and the right – as well as the duty – to serve on juries. But this construction of their goals neglects their more broadly based agenda, for the reach of the reforms they promoted extended well beyond women like themselves: they promoted educational programs for girls and women of all classes, they called for the reform of legal inequities that affected women of all classes, and they concerned themselves “with the largely overlooked claims of unemployed women workers of all classes.”<sup>28</sup> Interested in social justice issues, they took

25 This holds true even for the Voice of Women (VOW), founded in 1960, which a number of authors have seen as serving a “bridging function” between the club women of the earlier period and the women's liberation movement of the late-1960s. On the composition of VOW's membership, see Cerise Morris, “Determination and Thoroughness,” 6 as well as Frances Early, “‘A Grandly Subversive Time’: The Halifax Branch of the Voice of Women in the 1960s,” in *Mothers of the Municipality*, 254, 258. Exceptions would include Zonta, Soroptimist, Altrusa, Quota, and Pilot clubs, but none of these approached the size or significance of the CFBPW.

26 Adamson, Briskin, and McPhail, *Feminists Organizing for Change*, 29. See also Meg Luxton, “Feminism as a Class Act: Working-Class Feminism and the Women's Movement in Canada,” *Labour/Le Travail* 48 (Fall 2001): 74.

27 In preparation for the debate on the Female Employees Fair Remuneration Act in the Ontario legislature in 1951, the Business and Professional Women's Club of Ontario, which had, under the leadership of Margaret Hyndman, been pressing for the legislation, supplied each member of the legislature with a copy of the Universal Declaration of Human Rights; members found that in Article 2, which dealt with discrimination, the word “sex” was underlined in red as was the phrase in subsection (2) of Article 23: “Everyone without any discrimination has the right to equal pay for equal work.” The bill, the first such law in Canada, passed. See Forbes, *With Enthusiasm and Faith*, 76.

28 Lynne Teather, “The Feminist Mosaic,” in *Women in the Canadian Mosaic*, ed. Gwen Matheson (Toronto: Peter Martin, 1976), 309.

up the cause of women prisoners, particularly those sentenced to serve their terms in the federal penitentiary for women in Kingston. On the national as well as the international stage, they were interested in issues of poverty as well as in women's legal status.<sup>29</sup>

Moreover, if their approach was not radical, their thinking often was. From her earliest involvement with the federation, Muriel McQueen Fergusson exemplified this thinking. In November 1946, speaking to the Moncton Local Council of Women on the subject of "Laws Which Affect Women and Children," she urged her audience to inform themselves about legal matters and to join together with other women to exert influence on their governments. Referring to the franchise as "a weapon which, if we stick together, we can wield to bring about the passing of any laws which we feel should be enacted," she particularly encouraged them to lobby for the adoption of progressive legislation that had been passed in other provinces, such as the appointment of women to juries, free hospitalization for maternity cases, cruelty as a grounds for divorce, and a women's minimum wage law. Reminding her audience that women comprised more than 50 per cent of the voters, she asserted that "we should see that the candidates for whom we vote are pledged to support and work for the laws which we want put into effect. If none of the candidates nominated are willing to do so we should nominate our own candidate . . . and see that the candidate pledged to carry out our program is elected."

Echoing the maternal feminists of the first wave and presaging the radical feminists of the second, she drew upon two very different sources to reinforce her own conclusion. Reminding her audience of Eleanor Roosevelt's assertion that "women seek to cooperate where men only seek to dominate," she commented that "in looking over the tragic international scene today I think we can say with some truth that men can lay no claim to supreme wisdom in the working out of human relationships." But it was the second source, the writer and early sociologist, Benjamin Kidd, whose words would be cited in a local newspaper.<sup>30</sup> According to the reporter, "Mrs. A.S. Fergusson, the recently appointed director of Family Allowances for New Brunswick," had claimed that "Benjamin Kidd had been right when he said the male was a fighting pagan and had carried the spirit of war into every institution he created," and had gone on to declare that "if we are to build a more human civilization in the days to come, women and not men must be the future centre of power." We will never know whether Fergusson was correctly quoted or whether she stuck to the more qualified statements in her prepared text: that "we might even go so far as to agree with Benjamin Kidd" and that to build a more human civilization "men must have the assistance of women." Whichever the case, Muriel McQueen Fergusson would retain the clipping as well as the original text, filing both without note or comment.<sup>31</sup>

29 This by no means exhausts the list. See, for example, Canadian Federation of Business and Professional Women's Clubs, "Memorandum presented to the Rt. Hon. Lester B. Pearson, Prime Minister of Canada" (21 February 1966).

30 Benjamin Kidd's best known work was *Social Evolution* (1894), but it is his less-well-known, posthumously published *The Science of Power* (1916) that Fergusson cited. On Benjamin Kidd see D.P. Crook, "Benjamin Kidd (1858-1916)," *New Dictionary of National Biography*, <http://www.oxforddnb.com.proxy.hil.unb.ca>.

31 Muriel McQueen Fergusson, "Laws Which Affect Women and Children" (speech to the Moncton Local Council of Women, 10 November 1946), MMF Papers, MC 1372, box 51, PANB; "Addresses Local Council of Women," undated and unidentified newspaper clipping, "Scrapbook: Women," MMF Papers, MC 1372, box 88, PANB.

Nor should we assume that this kind of thinking was fostered only by the CFBPW, for Fergusson's activism had evolved over a lifetime of involvement in a wide variety of voluntary associations. While a university student she had organized a non-denominational C.G.I.T. (Canadian Girls in Training) group in her home town of Shediac and had been a founding member of the Student Christian Movement in 1921. As a young wife in Grand Falls, she had joined the Women's Institute, become a leader in the Girl Guide movement, and helped to found the Grand Falls Literary Society. And, as a civil servant in Saint John and Fredericton, she not only joined the Business and Professional Women's Club and the Local Council of Women, but became provincial president of both those organizations. Through these groups, and others she would join in later years, she became part of a very large and impressive network of women, whose membership in various voluntary organizations overlapped with, and whose work and lives intersected with, her own. Thus it was that, upon her appointment to the Senate in 1953, Muriel McQueen Fergusson received congratulatory messages from women across the country. Fellow members of the CFBPW who had, for many years, actively lobbied for the appointment of more women to the Senate, took particular pleasure in the appointment of one of their own, secure in the knowledge that Senator Fergusson would represent both their interests and the interests of Canadian women in that body.<sup>32</sup>

During her time in the Senate, Senator Muriel McQueen Fergusson supported, both on and off the Senate floor, the call for policy changes and progressive legislation on a wide variety of fronts. Again and again she called on the women's organizations with which she had long been affiliated to support causes she had identified as important, and she also, in turn, took up causes supported by other members of the clubs. Within months of her appointment, she wrote to inform the national chairman of the Employment Conditions Committee of the CFBPW that, being "concerned about Civil Service positions advertised for 'males only' . . . I have had my name put on the list to receive all posters and I examine them when they come out. Unfortunately, there is no way to get my name on a list for competitions regarding promotions within a department and I have to depend on my friends to provide me with these."<sup>33</sup> With the help of both the CFBPW and the CFUW, she was very soon involved in a concerted and continuing campaign to increase the numbers of women

32 See, for example, Ruth S. McGill to "Honourable Muriel McQueen Fergusson," 24 November 1953, MMF Papers, MC 1372, box 37, PANB. McGill, also a lawyer, was a past president (1948-50) and current national chairman of the Employment Conditions Committee of the CFBPW. Commenting on the senator's maiden speech, she noted that she particularly appreciated the references to women, to the federation plaque (celebrating the Persons Case), and to the Women's Bureau in the Department of Labour. In her maiden speech, over two decades earlier, Senator Cairine Wilson had also made reference to the Persons Case, and the five Alberta women who had made it possible for women to be appointed to the Senate. See Franca Iacovetta, "'A Respectable Feminist': The Political Career of Senator Cairine Wilson, 1921-1962," in *Beyond the Vote: Canadian Women and Politics*, ed. Linda Kealey and Joan Sangster (Toronto: University of Toronto Press, 1989), 63-4. But, until 1953, only two women had been appointed to the Senate. Moreover, between 1938 – when the federation plaque commemorating the five Alberta women who had won the Persons Case was unveiled in the Senate – and 1953, not a single woman had been appointed.

33 Senator Muriel McQueen Fergusson to Miss Ruth S. McGill, 20 May 1954, MMF Papers, MC 1392, box 37, "Civil Service Commission," PANB.

in the civil service by eliminating job discrimination on the basis of sex.

In this and in other campaigns, Senator Fergusson consistently situated her arguments within human rights and equal rights frameworks. As early as June 1954, the newly appointed senator had occasion to remind her colleagues that they were citizens of "a country which has subscribed to the declaration of human rights, under which discrimination on the grounds of race, colour, creed and sex was recommended to be abolished."<sup>34</sup> Her eloquent defence of the right of female civil servants to choose whether to opt in or out of a proposed Civil Service Life Insurance plan was not only lauded by her Senate colleagues, but led to victory for the many single women civil servants who had sought to make their position known through the women senators. Senator Cairine Wilson strongly supported her new colleague.<sup>35</sup> In the end, the bill was amended to make the plan optional. This was the first of many instances when Senator Fergusson took the lead among the small contingent of women senators on issues pertaining to women. Whether making a formal speech or rising to ask a telling question, she concerned herself with status of women issues. An active supporter of the United Nations Commission on the Status of Women, Fergusson, like other members of the CFBPW, followed its activities with interest and drew on its publications to compare Canadian women's status to that of women in other nations. In 1962, finding that Canada's reply to a "Questionnaire on Inheritance Laws as they affect the Status of Women," circulated at the request of the UN Status of Women Commission, was not included in the annual Report of the Secretary General, she rose in the Senate to ask whether Canada had, in fact, submitted a reply.<sup>36</sup> Activist women counted on her to raise such questions. Margaret MacLellan, Canada's representative on the Legal and Economic Status of Women Committee of the International Federation of University Women, immediately contacted her to ask whether she had received a reply to her query. Responding that "through negligence . . . the report had not been sent in early enough to be included," the senator added: "My private opinion is that not too much attention is given to these inquiries about the Status of Women and I thought a formal inquiry would not be out of place."<sup>37</sup>

By 1966 the senator's "private opinion" had become a publicly shared concern among activist women. And when, in April of that year, Laura Sabia, then president of the CFUW, began mobilizing women in support of a call for a Royal Commission on the Status of Women, one of the women she looked to for support was Senator Fergusson. Convinced that "a Commission on the Status of Women has indeed become mandatory," Sabia asserted: "It is time women came together and acted as one. Let's stop being so terribly polite," she urged, "and wield instead 'the big stick'." She enclosed a call to action, which had been sent to more than 35 national women's

34 Fergusson went on to note that, in this context, "I very much resent the slighting references which were made to unmarried women employees in connection with the opposition to this bill" (the "Public Service Superannuation" bill). See *Senate Debates*, 21 June 1954, p. 680.

35 *Senate Debates*, 21 June 1954, p. 683. The major objection to the plan came from single women who "do not have dependents to whom they wish to leave an estate." For the full debate on this bill, see pp. 676-92.

36 *Senate Debates*: 16 April 1962, p. 516 and 17 April 1962, p. 523.

37 Senator Muriel McQueen Fergusson to Miss Margaret MacLellan, 19 April 1962, MMF Papers, MC 1372, box 33, "Canadian Commission on the Status of Women," PANB.

organizations, inviting each to send two members to a meeting in Toronto on 3 May.<sup>38</sup> This would not be the first time women's groups had cooperated to achieve a specific goal: in 1954, a coalition of women's groups including the CFBPW, the National Council of Women, the CFUW, and the YWCA had lobbied successfully for the establishment of the Women's Bureau in the federal Department of Labour.<sup>39</sup> But never before had so many Canadian women's groups come together. As a result of Sabia's initiative, representatives from no less than 32 women's organizations constituted themselves as the Committee for the Equality of Women in Canada (CEWC) and selected a nine-member steering committee headed by Sabia. Also prominent on the steering committee was Margaret Hyndman, a lawyer who had, in the past, served terms as president of both the Canadian Federation of Business and Professional Women and the International Federation of Business and Professional Women. She would write the brief to be presented to the prime minister. The timing was right. Not only was Canada approaching its centennial year, but the following year – 1968 – had been proclaimed Human Rights Year by the United Nations.

On Parliament Hill, Senator Muriel McQueen Fergusson began a quiet lobbying campaign, calling upon her by-now well-established network among Ottawa's business and professional women. The majority of those women shared membership in one or more of the organizations to which she herself belonged – most often the CFBPW. The civil servants among them not only outnumbered her colleagues in the Senate and the House of Commons, but were often, potentially at least, more influential. Prominent among them were those likely to have the ear of government ministers or even the prime minister himself. Senator Fergusson regularly used the old-fashioned medium of a ladies' lunch for a fruitful exchange of opinions. With just such a meeting in mind, she wrote to Mary Macdonald, executive assistant to Prime Minister Lester B. Pearson: "I had been hoping to have a chance to talk to you about the Commission on the status of women in which so many of the Women's organizations are interested. . . . I hope we may be able to have a chat . . . as there are a number of things about which I would like to have your views."<sup>40</sup>

In October, when Laura Sabia received a letter informing her that "the Prime Minister and those of his colleagues concerned will be pleased to receive a delegation . . . for the presentation of a brief prepared by the Committee for the Equality of Women in Canada," "those of his colleagues" who received copies of the letter included not only Judy LaMarsh and two male cabinet ministers, but also Senator Muriel Fergusson, Senator Elsie Inman, Mrs. M. Rideout, MP, Mrs J. Asselin, president of the Women's Liberal Federation, and Mrs. B. Kemp, executive director of the Women's Liberal Federation.<sup>41</sup> The potential presence of so many Liberal

38 Laura L. Sabia (Mrs. M.J. Sabia) to Senator Muriel McQueen Fergusson, 20 April 1966, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB.

39 Jill Vickers, Pauline Rankin, and Christine Appelle, *Politics as if Women Mattered: A Political Analysis of the National Action Committee on the Status of Women* (Toronto: University of Toronto Press, 1993), 47.

40 Senator Muriel McQueen Fergusson to Mary E. Macdonald, 15 July 1966, MMF Papers, MC 1372, box 33, PANB.

41 Torrance J. Wylie to Mrs M.J. Sabia, 19 October and 26 October 1966, MMF Papers, MC 1372, box 33, PANB. Margaret Rideout was the MP for Westmorland County, NB. Although the meeting, held

women would seem to imply that the delegation might expect a sympathetic hearing from the government, though we cannot know how many of these women chose to attend. Senator Fergusson did plan to attend, and invited Sabia and the delegation making the formal presentation – Margaret Hyndman of the CFBPW, Margaret MacLellan of the National Council of Women, Julia Schwart of the National Council of Jewish Women, and Réjane Laberge-Colas of the Fédération des Femmes du Québec – to dine with her at the Parliamentary Restaurant.<sup>42</sup> The meal was a success, but the meeting turned out to be something of an anti-climax for the prime minister failed to attend.

In a letter to the prime minister written four days later, Laura Sabia expressed her general dissatisfaction with the response the delegation had received from two of the three cabinet ministers who had represented him at that meeting: “We indeed appreciated the Honourable Judy La Marsh’s whole-hearted support for a Royal Commission but found the attitude of the Honourable Chief Justice [Lucien] Cardin<sup>43</sup> and the Honourable [Jack] Nicholson, Minister of Labour, difficult to accept. Both suggested that either a Senate or Parliamentary Committee would be sufficient. Neither Committee will be acceptable to the two million women who were represented on the delegation. Too few women are represented either in the Senate or in Parliament.”<sup>44</sup> Within the week, Senator Fergusson, too, wrote to the prime minister, offering a slightly different view: “Although the women were greatly disappointed that they could not make the presentation to you personally I believe they felt Mr. Cardin was fairly sympathetic. Honourable Miss LaMarsh, of course, has supported a Commission such as they were requesting, but I believe they did not feel that they made much impression on the Honourable Mr. Nicholson.” She left no doubt as to her own sympathies: “For some time I have been in favour of a Commission . . . to study the Status of Women in Canada and I would like to go on record as supporting the request made by Mrs. Sabia and her delegation. . . . A suggestion was made that if a Royal Commission were not appointed, a Senate Committee might be set up to study this problem and I would like to say that I would be entirely opposed to referring this matter to a Senate Committee.”<sup>45</sup> The prime minister sent Fergusson a favourable response, and she waited upon events.<sup>46</sup>

Laura Sabia proved much less patient. On the fifth day of Canada’s centennial year,

on 10 November 1966, was originally scheduled to take place in the prime minister’s office, the steering committee of the CEWC invited so many women to attend that Wylie found it necessary to change the venue.

42 Senator Muriel McQueen Fergusson to Mrs. R.T. Shannon, 2 November 1966, MMF Papers, MC 1372, box 33, PANB.

43 Cardin was minister of justice and attorney general.

44 Laura Sabia to Prime Minister Lester B. Pearson, 14 November 1966, MMF Papers, MC 1372, box 33, PANB. At least two other members of the delegation, Margaret MacLellan and Margaret Hyndman, also wrote letters and copied them to the senator. See Senator Muriel McQueen Fergusson to Florence Bird, 8 July 1967, MMF Papers, MC 1372, box 34, “Commission on the Status of Women,” PANB.

45 Senator Muriel McQueen Fergusson to Prime Minister Lester B. Pearson, 17 November 1966, MMF Papers, MC 1372, box 33, PANB.

46 Senator Muriel McQueen Fergusson to Prime Minister Lester B. Pearson, 25 January 1967, MMF Papers, MC 1372, box 33, PANB.



a front-page article in the *Toronto Globe and Mail* reported: "Mrs. Michael Sabia of St. Catharines, head of the Committee for the Equality of Women said yesterday her organization, representing 2,000,000 women in 33 groups across Canada, has given an ultimatum to the Government: establish a royal commission or face the consequences." The reporter further noted that Sabia went on to assert: "We'll use every tactic we can, and if we have to use violence, damn it, we will."<sup>47</sup> Four days later Judy LaMarsh, who had seen her own earlier hopes for a royal commission dashed by unfavourable press reports,<sup>48</sup> undertook some damage control, warning the CEWC to "stop 'harping' for a royal commission on women's rights or risk antagonizing male Cabinet ministers to the point where they will refuse to do anything. . . . I am very much afraid that if the strident tone that has been used in the last couple of days continues, it will constitute pushing too hard on an open door and will undo all the good that has been done."<sup>49</sup> Following two weeks of silence from the prime minister, Senator Fergusson gently reminded him of the reassurance he had given her following the November meeting. Making no mention of the headline news stories of a few weeks earlier, she wrote: "Further to my letter to you of November 17th and your reply of November 23rd regarding the Commission on the Status of Women requested by the Committee on the Equality of Women in Canada, I am hopeful that this request is receiving favourable consideration and that some announcement may be forthcoming in the near future." In urging timely action, the senator recognized "that choosing personnel for such a body must necessarily be a very great problem and I am presuming to send you a list of names of people who it seems to me would be excellent appointments." Heading the senator's list was "Mrs. John Bird (Anne Francis)", whose name was followed by five other potential candidates for the position as chair – among whom was "Miss Elsie Gregory MacGill (Engineer)" – and a further 18 potential commission members, 15 of whom were women. Assuming that "the Commission will certainly require an adviser, consultant or counsel," the senator suggested three qualified women as candidates for this position.<sup>50</sup>

On 3 February, when Prime Minister Lester Pearson announced the establishment of a royal commission to be chaired by "Mrs John Bird," no one was more pleased or more optimistic than Senator Muriel McQueen Fergusson. Florence Bird seemed a logical choice as chair of the commission. Not only was she well-known to Canadian women through her feature articles and newspaper columns (under her byline "Anne Francis"), she had also been a long-time advocate of women's rights.<sup>51</sup> The announcement, on 16 February, of the names of the remaining six commissioners

47 Cited in Morris, "Determination and Thoroughness," 15.

48 Judy LaMarsh, *Memoirs of a Bird in a Gilded Cage* (Toronto: McClelland and Stewart, 1969), 315.

49 Cited in Morris, "Determination and Thoroughness," 16-17.

50 Senator Muriel McQueen Fergusson to Prime Minister Lester B. Pearson, 25 January 1967, MMF Papers, MC 1372, box 33, PANB. The three lawyers the senator recommended for the position of commission counsel were Margaret Hyndman, QC, of Toronto, Marguerite Ritchie of Ottawa, and Edith Forester of the Department of Labour.

51 See, for example, "The Rights of Women," *Behind the Headlines* X, no. 4 (September 1950). Yet, like Muriel McQueen Fergusson, Bird did not call herself a feminist. For an insightful portrait of yet another noted "liberal feminist" of the period who would not claim the title, see Margaret Conrad, "'Not a Feminist, But . . .': The Political Career of Ellen Louks Fairclough, Canada's First Female Federal Cabinet Minister," *Journal of Canadian Studies* 31, no. 2 (Summer 1996): 5-28. Like

gave Senator Fergusson further reason for optimism, for another of her recommendations had made the list: Elsie Gregory MacGill, the pioneer aeronautical engineer who had served as a technical advisor to the International Civil Aviation Organization of the United Nations. Not only was MacGill a long-time friend and trusted ally, she was also a fellow member of the CFBPW, giving the federation a representative on the commission. MacGill would become virtually a co-chair of the commission.<sup>52</sup> And Doris Ogilvie, a Fredericton lawyer and a deputy judge of both the New Brunswick juvenile and magistrate's courts, while a generation younger than the senator, had, over the years, become a good friend. The remaining members of the commission were Lola Lange, the director of the Farm Women's Union of Alberta; Jeanne Lapointe, a professor of literature at Laval University who had also served as a member of the Royal Commission on Education in Quebec; Donald Gordon, a former journalist who was then a member of the Department of Political Science at the University of Waterloo; and Jacques Henripin, the director of the Department of Demography at the University of Montreal.<sup>53</sup>

The commission's mandate was couched in the language of equal rights that both complemented and followed from the human rights framework within which the United Nations Commission on the Status of Women had been established. This fit well not only with the stated purpose of the CFBPW "to improve the status of women," but also with the focus of their long-term and ongoing campaign to gain equal opportunities for women within the prevailing institutional framework, for the commissioners were called upon "to recommend what steps might be taken by the Federal Government to ensure for women equal opportunities with men in all aspects of Canadian society, having regard for the distribution of legislative powers under the constitution of Canada, particularly with reference to federal statutes, regulations and policies that concern or affect the rights and activities of women." Nonetheless, the scope of the commission's inquiry was broadly conceived and potentially flexible, with commissioners enjoined to inquire into issues involving women's political rights, women's labour force participation and opportunities, taxation laws pertaining to women, marriage and divorce, the position of women under the criminal law, immigration and citizenship, and "such other matters in relation to the status of women in Canada as may appear to the Commission to be relevant."<sup>54</sup>

Although some feminists would later argue that, both in its mandate and in its recommendations, the RCSW did not go far enough, at the time some saw even the notion of such a commission as a threat. As early as the day after Prime Minister Pearson's initial announcement, the political pundits began their tongue-in-cheek

Fergusson, Fairclough was a member of the CFBPW (see Forbes, *With Enthusiasm and Faith*, 76). Curiously, Fairclough does not mention the CFBPW in her memoirs, although she highlights her affiliation with Zonta. See Margaret Conrad, ed., *Saturday's Child: The Memoirs of Ellen Louks Fairclough, Canada's First Female Federal Cabinet Minister* (Toronto: University of Toronto Press, 1995).

52 Bird, *Anne Francis*, 265.

53 MMF Papers, MC 1372, box 34, "Commission on Status of Women," PANB. Secretary of State Judy LaMarsh also had reason to be well satisfied with the composition of the commission, for she had recommended not only Bird and MacGill but also Lange and Gordon. See LaMarsh, *Memoirs*, 316.

54 MMF Papers, MC 1372, box 36, "Status of Women in Canada," PANB.

commentary. Poking fun at men's fears while at the same time sharing them in full measure, the author of "Women in Bunches," published in *The Ottawa Journal*, sought to disarm through humour. Yet the message, which evoked a number of common stereotypical images of women, was clear: this was not a commission Canadians should take seriously.<sup>55</sup> A few weeks later, a cartoon in Saint John's *Telegraph-Journal* portrayed the "Commission on Women's Rights," a trio of three elderly women in absurd hats, pouring over briefs while a man in a business suit commented to the commissioner, "We should also have more respect for their *lefts*." Under this, in a column entitled "Our Resident Prophet Takes a Disconcerting Peek Ahead," the author, echoing George Orwell, imagined quite a different "1984," a time when "the girls" had "attained all the status they are ever likely to want," sporting clubs and taverns had been shut down, night clubs featured only "handsome male singers and strong-man acts," and liquor stores sold "only fancy wines, ready-mixed Martinis and Pink Ladies."<sup>56</sup> Faced with these kinds of responses, the network of women whose combined efforts had achieved the establishment of the commission were on the alert.

Meanwhile, as the commissioners, sworn to secrecy, began planning their approach to the task they had been assigned, control of the RCSW slipped not only from the hands of the lobbyists but, for a time at least, from the hands of the women commissioners as well.<sup>57</sup> In their early sessions the commissioners would be guided by Leo LaFrance, supervisor of royal commissions in the Privy Council Office, and a man whom Florence Bird would later characterize as "a courteous, correct and patient public servant who did much to guide me through the labyrinth of official procedures."<sup>58</sup> LaFrance also provided essential background reading for the commissioners; one such reading – "Should Canada be De-Commissioned? A Commoner's View of Royal Commissions" – by political scientist J.E. Hodgetts, would influence their thinking as much as it had his. In his analysis of royal commissions, Hodgetts pointed to a recent shift away from the traditional model, characterized by reliance on public hearings and dependence on counsel, and towards a model characterized by reliance on research work conducted by a large team of experts and which did not, therefore, require counsel. The latter, according to Hodgetts, was often treated as a temporary government department.<sup>59</sup> Given the terms of their mandate, a sociological study, which lent itself to dependence on experts in

55 MMF Papers, MC 1372, box 17, "Women in Bunches," *The Ottawa Journal*, 4 February 1967, "Women," PANB.

56 *Telegraph Journal* (Saint John), 23 February 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB.

57 Fortunately for historians, Elsie Gregory MacGill, who, at the 1 December 1970 meeting of the commission, moved that "all of the official minutes of the commissioners' meetings, their inter-office memoranda, and all drafts of the chapters" be destroyed – a motion that passed unanimously – chose to retain her own copies. These were donated to the National Archives by her estate in 1983. See Jane Arscott, "Twenty-Five Years and Sixty-Five Minutes After the Royal Commission on the Status of Women," *International Journal of Canadian Studies* 11 (Spring 1995): 36-7. To what extent this means that we are viewing the commission through MacGill's eyes is not entirely clear.

58 Arscott, "Twenty-Five Years," 47; Bird, *Anne Francis*, 264.

59 J.E. Hodgetts, "Should Canada be De-Commissioned? A Commoner's View of Royal Commissions," *Queen's Quarterly* 70 (Winter 1964): 484-5.

the field, seemed the most logical to the commissioners. A sub-committee, comprised of the chair and the two social scientists on the commission, Gordon and Henripin, took on the responsibility of hiring a suitable research director. They selected David Kirk, a sociologist, who proposed, as the centrepiece of the commission's research, the development of a questionnaire, to be distributed to 1200 women and 600 men in each of Canada's four regions (the West, Ontario, Quebec, and the Atlantic Provinces), for a total of 7600 potential respondents.<sup>60</sup> The commission seemed headed towards the newer-style royal commission, one which would put its major resources into a research survey, designed and administered by experts. This appealed to LaFrance, who explained to the commissioners that a royal commission was treated in the same way as a government department for budgetary purposes.<sup>61</sup>

By early July, then, when Florence Bird called Senator Fergusson to ask her advice about possible consultants for the commission's research team, some significant decisions had already been made. Responding to Bird's queries about various women, Fergusson highly recommended Margaret MacLellan, whose experience on the International Federation of University Women's Legal and Economic Status of Women Committee would be particularly valuable. When Margaret Hyndman's name was mentioned, Fergusson took the opportunity to inquire about the appointment of independent counsel for the commission. Only then did she learn that the commissioners had not appointed, nor did they intend to appoint, independent counsel.<sup>62</sup> Instead, Bird informed her, "specially qualified lawyers would be called on, on an ad hoc basis, regarding matters on which they were especially knowledgeable and . . . the Commission would also ask advice 'from the Department'." Puzzled, the senator, who had not read Hodgetts and knew nothing about the existence of Leo LaFrance, asked whether Bird meant the Department of Justice, to which, as she later reported to Elsie MacGill, "Florence said 'I suppose so' or words to that effect."<sup>63</sup>

This information unsettled Fergusson, who believed that royal commissions should operate at arm's length from government, and her attention and concern shifted away from the irritating but relatively minor issue of occasional unsympathetic publicity to more substantive issues. In a measured but pointed letter, she informed Bird that she was "much concerned over the Commission's decision not to have their own Counsel," and commented: "I do not think referring matters to the Justice Dept is a good idea. I have

60 Arscott, "Twenty-Five Years," 48.

61 Hodgetts had portrayed this as a potential drawback of the new-style royal commission because it compromised the commission's independence; but from LaFrance's perspective, it was an advantage in so far as it allowed the Privy Council Office to maintain a greater degree of control. LaFrance had urged the commissioners to avoid the kind of excessive expenditures that had characterized the Bilingualism & Biculturalism Commission, which had cost \$9 million over four years; the RCSW would come in at a cost of \$1.9 million over two-and-a-half years. See Hodgetts, "Should Canada be De-Commissioned?" 484-8 and Arscott, "Twenty-Five Years," 47-50.

62 Senator Muriel McQueen Fergusson to Florence Bird, 8 July 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB. Hyndman, who had helped to draft the first equal pay for equal work legislation at both the provincial (Ontario) and federal levels, had been one of three possibilities for commission counsel that Fergusson had suggested to the prime minister. Both MacLellan and Hyndman would be called upon as consultants by the commission.

63 Senator Muriel McQueen Fergusson to Elsie Gregory MacGill, 24 August 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB.

had considerable experience with officials in the dept of Justice and although I like them personally I do feel many of them are prejudiced on the subject of the equality of women. I think too that their advice might reflect the attitudes of the govt. or even if it does not I believe that the public will believe it does." Moreover, the absence of a commission counsel "will look to people as if the govt is trying to have the Commission only 'on the cheap,'" she warned, "and is typical of the down grading of women."<sup>64</sup> She decided, as well, to consult another member of her women's network, Marguerite Ritchie, a constitutional lawyer who, she hoped, would be able to offer insight as an insider having served for some years as senior advisory counsel in the Department of Justice.<sup>65</sup> And in the Senate debate on the appropriations bill, Senator Fergusson made a veiled reference to her fears that the government might be "trying to have the Commission . . . 'on the cheap'." Reminding senators that "the United Nations Commission on the Status of Women supports the establishment of such commissions in member countries," she commented: "I trust that the Royal Commission on the Status of Women in Canada will be given every assistance, financial and otherwise."<sup>66</sup>

Senator Fergusson's quiet, determined, and ultimately unsuccessful campaign for the appointment of a commission counsel is suggestive both of the extent to which the women who had united to achieve a royal commission had lost control of the process and also of the very different perspectives, priorities, and approaches of women who sought to achieve similar goals. In response to the senator's arguments, the commission chair replied that "leading authorities on Royal Commissions think that the use of counsel . . . during public hearings is outdated. They also feel using lawyers with different disciplines and experience on an ad hoc basis is more efficient, especially when the terms of reference involve such a wide variety of laws."<sup>67</sup> Commenting that "I would certainly like to know who are the leading authorities on Royal Commissions on whose opinions you are relying and if they are Public Servants," Fergusson remained unconvinced "that using lawyers with different disciplines and experience on an ad hoc basis is more efficient than for the Commission to have its own Counsel . . . [although] . . . it may be less expensive . . . which I trust is not the principal objective of the Commission."<sup>68</sup> Over the course of the next few months, through correspondence and discussion with both her friends on the commission and other key

64 Senator Muriel McQueen Fergusson to Florence Bird, 8 July 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB.

65 Ritchie had been another of the three possibilities for commission counsel that Fergusson had suggested to the prime minister. See Senator Muriel McQueen Fergusson to Prime Minister Lester B. Pearson, 25 January 1967, MMF Papers, MC 1372, box 33, PANB.

66 *Senate Debates*, 7 July 1967, pp. 278-9. And women were watching. See, for example, Isabel Winkler to Senator Muriel McQueen Fergusson, 12 July 1967, MMF Papers, MC 1372, box 17, "Women," PANB, in which Winkler, the associate private secretary to the federal minister of finance, commented that she had read "with much interest your remarks concerning the Royal Commission on the Status of Women which you made in the Senate under Appropriations Bill No. 6 on July 7," and went on to add: "You have always been so good about speaking out in favour of necessary reform and this is one more instance of your support for necessary change."

67 Florence Bird to Muriel McQueen Fergusson, 13 July 1967, MMF Papers, MC 1372, box 34, "Commission on Status of Women," PANB.

68 Senator Muriel McQueen Fergusson to Florence Bird, Chair of the Royal Commission on the Status of Women in Canada, 27 July 1967 (marked "Personal and Confidential"), MMF Papers, MC 1372, box 34, "Florence Bird (Mrs. John), Senator," PANB.

members of her extensive women's network, Senator Fergusson learned the identity of the experts upon whom the commissioners were relying. Marguerite Ritchie discovered that "there is a special section of the Department of the Secretary of State (apparently one person named Mr. Lafrance) which is responsible for providing general advice to Commissions about the matters of procedure."<sup>69</sup> From Doris Ogilvie, the senator learned that the advisors the commissioners planned to consult "were not lawyers attached to the Department of Justice but were advisers to the P.M. himself. Who would these be?" she wondered. She had also learned about and read the Hodgetts article, which seemed to suggest "that Commissions either have Counsel or a large research staff." Since she "gather[ed] Florence doesn't want a large staff," she feared that the commissioners "may fall between two stools," confiding to Ritchie: "I do hope it will not prove to be an exercise in futility."<sup>70</sup>

Whatever their private concerns, Senator Fergusson and other activist women remained publicly supportive. But over the summer, whenever her broad network of professional women, and, in particular, the members of the Business and Professional Women's Club, met, the conversation soon turned to the royal commission. And Senator Fergusson's was not the only concern that was aired. The commission's first press release, "which appeared to limit presentations to organizations," was not well received. The commissioners responded in a second press release, stating unequivocally that they were "anxious to hear from individuals as well as organizations." Perhaps it was this apparent willingness to respond to criticism as much as it was the letter from Trecia Kyle, a friend and fellow member of the CFBPW, informing her that Elsie MacGill "would like to hear from you . . . [as] she was much interested in your suggestions regarding legal counsel,"<sup>71</sup> that convinced Fergusson to make one final attempt to persuade the commissioners to employ an independent counsel. Fergusson and MacGill had worked together on the CFBPW executive, held similar views, and fought for the same issues. She wrote to MacGill, briefly outlining her concerns, and enclosing a copy of a letter she had written to Bird in which she had more fully developed her arguments. Addressing Hodgetts's article directly, she stated that despite the arguments made in the article, she remained "much distressed that no Counsel is to be appointed." She further raised the spectre of public condemnation, stating her belief "that when the women of Canada learn that no Counsel is to be attached to the Commission" they will "have the same feeling that I have, that the Commission is doing their work 'on the cheap' and that this Commission is not getting the help and service that most other Royal Commissions have had." Noting that she had also given Doris Ogilvie a copy of the letter to Florence Bird, she concluded: "I certainly am glad that you are on the commission and I am very anxious that it does not expose itself to unnecessary criticism."<sup>72</sup>

69 Marguerite E. Ritchie, QC, to Senator Muriel McQueen Fergusson, 28 July 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB.

70 Senator Muriel McQueen Fergusson to Marguerite Ritchie, QC, 7 August 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB.

71 Trecia Kyle to Senator Muriel McQueen Fergusson, 12 August 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB.

72 Senator Muriel McQueen Fergusson to Elsie Gregory MacGill, 24 August 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB.



MacGill's response would be disappointing. After discussing Fergusson's letter "privately," MacGill and Ogilvie determined to take up the matter with Professor Hodgetts himself, "who was talking to us about Royal Commissions," and, as MacGill reported to Fergusson, "he saw no disadvantage in using a lawyer from the Department of Justice, and . . . seemed to see nothing but advantage in engaging various legal specialists as we turned from one field of inquiry to another."<sup>73</sup> Unlike Bird, MacGill had consulted more widely, going beyond the "authorities on Royal Commissions" brought in by the government to discuss the issue with Margaret Hyndman, who, she admitted, "could see use for a regular counsel who had broad experience and knowledge of laws and practices which affect women." But when MacGill had presented the counter-argument "that maybe a sociological background might give us good service," Hyndman "did not disagree." Acknowledging that "a person of Margaret's experience and accumulated knowledge would certainly be able to supply" the necessary expertise, MacGill opined that "the problem is that whoever takes it on disqualifies herself from making public representation to the Commission, and this Margaret herself might be reluctant to do." Moreover, she concluded, "As you know, the decision was taken some months ago to engage lawyer specialists. . . . I don't think that the money is the important thing at all."<sup>74</sup>

Yet Senator Fergusson's analysis had fallen closer to the mark than her friends on the commission would admit. Money as well as direction would soon be very much at issue, for in identifying research priorities the commissioners had not imagined the costs involved. Their director of research had been absent since late May, and the plans for the central survey had not moved forward over the course of the summer. Implicit in the original research design, which involved a study of individual experience through the medium of a central survey, was the assumption that formal presentations to the commissioners would come mainly from organizations. Whether or not their second press release reflected a shift in the commissioners' thinking even before Kirk's return in early September is unclear. But when the commissioners learned the estimated cost of administering a survey of the magnitude Kirk proposed to undertake – \$450,000 – they began to have doubts about the viability of the project as originally conceived. After much discussion, and on the advice of the Privy Council Office, the survey was scrapped and Kirk, along with his male assistant, left the project. Commissioner Donald Gordon resigned soon thereafter.<sup>75</sup>

For the commission, this meant that women would regain the ascendancy. This was especially significant for the CFBPW, for Elsie Gregory MacGill assumed a more central role, becoming, according to Florence Bird, "the moving force behind the

73 Elsie Gregory MacGill to Senator Muriel McQueen Fergusson, 1 September 1967, MMF Papers, MC 1372, box 34, "Commission on the Status of Women," PANB. Hodgetts's example of a commission that had consulted lawyers from the Department of Justice was the Glassco Commission on Government Organization, but since this commission was mainly concerned with discrimination in the public service, it was not, perhaps, the most compelling example.

74 MacGill to Fergusson, 1 September 1967, MMF Papers, MC 1372, box 34, PANB.

75 Arscott, "Twenty-Five Years," 48, 49. Kirk and Gordon had been colleagues at the University of Waterloo, but whether the timing of the departure of the two men was related or merely coincidental is not clear. Gordon resigned from the commission as of 1 November 1967.

RCSW.”<sup>76</sup> With the departure of Kirk, the organization and direction of the commission’s research program devolved onto three key women.<sup>77</sup> Although they knew little about the machinations occurring behind closed doors, activist women continued to exchange views about the commission’s approach. Writing to Dorothy Flaherty on 2 November, Senator Fergusson enclosed a copy of the Hodgetts’s article, “which I believe has been the basis of some of the decisions of the Commission.” She further reported that Elsie MacGill “has come to accept my point of view on the subject of a Counsel although she had not wholeheartedly done so when I first wrote her.”<sup>78</sup>

Nonetheless, the commission would move forward without a counsel. Kirk’s departure had come “at considerable financial cost” to the commission and necessitated the creation of a new post. And perhaps there were intimations from the Privy Council Office that the commission would be facing a two per cent budget cut just as its work was about to begin.<sup>79</sup>

For Senator Fergusson, and perhaps for other women as well, the commissioners’ decision to move forward without a counsel meant that even more vigilance would be required to ensure that this commission would be taken seriously. When, in February 1968, John Humphrey, a McGill University law professor from New Brunswick who had drafted the UN’s Universal Declaration of Human Rights, was appointed to replace Donald Gordon, the shuffle in personnel occasioned comment in the media. Senator Fergusson sought to quell rumours of internal dissension within the commission. Speaking to the Quota Club at a dinner in Winnipeg, for example, she addressed a recent news article on Gordon’s resignation that had implied “that there was discord in the Commission and that it was running into difficulties.”<sup>80</sup> Commenting that the general reaction of the press “seems to have been to attack the work of the Commission continuously from the time of its appointment,” she noted that withdrawals from earlier commissions had not been considered newsworthy and asked: “Why then should similar changes within the Commission on the Status of Women receive so much unfavourable publicity? Is it because there is in Canada a desire to belittle the Commission before it has even had a chance to make a report?”<sup>81</sup>

76 Cited in Sissons, “Engineer and Feminist,” 90.

77 These three key women were Monique Bégin, a young sociologist and the commission’s executive secretary; Monique Coupal, a young lawyer and the commission’s assistant secretary; and Dorothy Cadwell, a civil servant brought in to fill the newly created post of coordinator of research. See Arscott, “Twenty-Five Years,” 48-9.

78 Senator Muriel McQueen Fergusson to Dorothy Flaherty (Mrs. Frank), 2 November 1967, MMF Papers, MC 1372, box 34, “Commission on the Status of Women,” PANB. Flaherty was a member of the University Women’s Club of Ottawa, the Ottawa Council of Women, and the Canadian Committee on the Status of Women. For further information, see Library and Archives Canada, [http://mikan3.archives.ca/pap/public\\_mikan/index\\_](http://mikan3.archives.ca/pap/public_mikan/index_).

79 Arscott, “Twenty-Five Years,” 49-50.

80 The first Quota Club in Canada was organized in Winnipeg in 1925. Modelled on the Kiwanis clubs, one of its key aims is to promote the advancement of women. See Jean Bannerman, *Leading Ladies Canada* (Mika Publishing Company: Belleville, 1977), 207.

81 Muriel McQueen Fergusson, speech to the Quota Club Inter-Service Dinner, Winnipeg, MB, 6 February 1968, MMF Papers, MC 1372, box 34, PANB. In explaining such withdrawals, she noted that “because appointments are for a limited time and do not provide any continuity or security of employment, highly qualified personnel which the Commission has been fortunate enough to discover and attract, frequently receive other offers of employment which do provide such continuity and security and which they decide to accept. . . . These things are understood and accepted by people familiar with Commissions.”

As the commission's hearings got underway, Senator Fergusson, like other long-time women activists, monitored their progress, prepared to respond to any real or implied criticism. Above all, she was alert to critics who seemed to dismiss or trivialize the commission's work. Thus, following an episode of CBC's "The Way It Is" that aired in April 1968, she wrote to John Saywell, the host of the program, commenting that "I find it strange that any TV program would deliberately select only humorous and frivolous items from a Commission hearing to present to the people of Canada, unless it were for the purpose of holding the Commission up to ridicule." Pointing out that "the appointment of this Commission was requested from the Government and the Prime Minister in November 1966, by a delegation of 50 Canadian women representing 33 National Women's groups," she asked that "even if you are not convinced that . . . women in Canada . . . are entitled to an investigation to determine their status, . . . if you give the Canadian public further glimpses of the Commission at work . . . will you please treat the hearings with the dignity due a Royal Commission?"<sup>82</sup> June Menzies, writing on behalf of both the CFUW and the National Council of Women, asked Saywell whether he believed that the Status of Women hearings "fitted into the description of 'contemporary entertainment scene'," and informed him that "many of the women who looked at this programme would say 'We are not amused'." She, too, called upon him, in any future "glimpses of the Commission at work" to "give this Commission the same treatment it would be afforded were it a Commission on the Status of men."<sup>83</sup> Responding to the senator, Saywell assured her that "it was not our intention to hold the Commission up to ridicule nor was it our intention to demean the attempts of this body to determine the rights of women. I hope our further investigation will prove this."<sup>84</sup> Largely dependent on media coverage to keep them abreast of the progress of the commissioners as they travelled across the country holding hearings, long-time activist women took the opportunity to attend hearings whenever possible, and Senator Fergusson was present for those held in Ottawa. And, of course, a number of the organizations to which she belonged, including the CFBPW, the CFUW, and the National Council of Women, presented briefs before the commission. In all, the commission received 468 briefs and more than 1000 letters.

82 Senator Muriel McQueen Fergusson to John Saywell, 24 April 1968, MMF Papers, MC 1372, box 64, "Scrapbook: Royal Commission on the Status of Women," PANB.

83 June Menzies to John Saywell, MMF Papers, MC 1372, box 34, "Royal Commission on the Status of Women," PANB. Sabia and others have credited a letter from Menzies, written to the CFUW newsletter in 1966, as being the catalyst that started the campaign for a royal commission. See Morris, "Determination and Thoroughness," 8.

84 John Saywell to Senator Muriel McQueen Fergusson, 4 May 1968, MMF Papers, MC 1372, box 33, "Royal Commission on the Status of Women," PANB. Barbara M. Freeman has argued with reference to the newspaper coverage of the commission hearings that even sympathetic women reporters tended to focus on style rather than on substance, describing both the women commissioners and the women presenting briefs as either feminine or feminist and paying less attention to what they said than to how they said it and what they wore. See Freeman, "Framing Feminine/Feminist: English-language Press Coverage of the Hearings of the Royal Commission on the Status of Women in Canada, 1968," *International Journal of Canadian Studies* 11 (Spring 1995): 11-31. Freeman draws a further distinction between the press articles covering the commission, which were written mainly by women, and the cartoons, which were exclusively done by men (see especially p. 23).

Senator Muriel McQueen Fergusson's comments on the final RCSW Report, debated in the Senate on 10 February 1971, reveal a good deal about the nature of her feminism and about the feminism of the CFBPW with whom she most strongly identified. Certainly, her speech reflected both the human rights and the equal rights contexts within which the women of her generation, who had worked so long and struggled so hard to achieve improved status for women, viewed the royal commission. Senator Fergusson considered the recommendations of the report "a sweeping charter of women's rights," for "they recommend that in Canada, federally, provincially and in the private sector, we put into law and into practice the principles to which our country gave its support when the Universal Declaration of Human Rights was adopted unanimously by the General Assembly of the United Nations on December 10, 1948 . . . [that] 'all human beings are born free and equal in dignity and rights'." The royal commission, she further noted, "asks for no special status for women; it asks only for equal status." She reminded senators that for many years women's organizations had been working for many of the reforms recommended by the commission and mentioned, in particular, the CFBPW's clubs, "of which most of the female Senators are members."<sup>85</sup>

But Senator Fergusson went beyond the traditional human rights stance, which found its clearest expression in Commissioner Humphrey's minority report. Humphrey had balked at the notion of affirmative action inherent in the recommendation that "in certain areas women will for an interim period require special treatment to overcome the adverse effects of discriminatory practices." To Fergusson, it seemed that "any reasonable person would agree with this temporary giving of special help to women to bring them up to equal status." Professing herself "considerably shocked to read Commissioner John Humphrey's minority report," she wondered aloud whether Commissioner Humphrey – "a very busy man with many demands on his time, who joined the commission . . . a year after it commenced its exhaustive work, and who for the preceding 20 years had been absent from the country – may not have absorbed the full import of the studies."<sup>86</sup>

While rejecting Humphrey's minority position, which surely embodied a pure human rights as opposed to a women's rights position, Senator Fergusson went further than the commission majority and identified herself squarely with her old friend and fellow member of the CFBPW, Commissioner Elsie Gregory MacGill: "I agree with Commissioner Elsie Gregory MacGill on both matters mentioned in her minority report, the first being that abortions should be regarded as a private medical matter between a patient and her doctor, and the second being that she is opposed to the introduction of the marriage unit basis for taxation purposes." In this stance on abortion, both MacGill and Fergusson had stepped beyond an equal rights framework by privileging the mother over the father in such decisions. Nonetheless, Fergusson was prepared to accept the majority report, concluding that "the commission has done its work and done it well." She noted, however, that "it is of little value for a doctor

85 *Senate Debates*, 10 February 1971 (Senator Muriel McQueen Fergusson), "Status of Women" speech, MMF Papers, MC 1372, box 56, PANB.

86 *Senate Debates*, 10 February 1971 (Senator Muriel McQueen Fergusson), "Status of Women" speech, MMF Papers, MC 1372, box 56, PANB.

to diagnose a disease unless the proper treatment to cure the disease is employed. In this case we have a complete and exhaustive diagnosis, and the proper treatment has been prescribed. It remains for governments and the public to apply the remedies.”<sup>87</sup> No doubt this last comment was meant to encourage some action on the part of the Liberal government of the day, for the House of Commons had yet to discuss the report.<sup>88</sup>

Senator Fergusson and other activist women had no illusions about the speed with which governments respond to the recommendations of royal commissions, and they did not intend to sit back and wait for their government to act. For four years, they had focussed their energies on ensuring the success of the RCSW. Now it was time to seize the initiative once again. And women began doing just that. Senator Fergusson supplied background information to Margaret MacLellan, who was, by 1972, working for the recently established National Action Committee on the Status of Women in developing their “Strategy for Change.”<sup>89</sup> In Fredericton, a speech to the Local Council of Women, in which she asked whether New Brunswick women were going to “let George do it,” served as a call to action for a group of “young concerned women” in the audience. They formed “a Woman’s Action Coalition” and produced a booklet entitled *Women and the Law in New Brunswick*. Although the Local Council of Women “dissociated itself from any connection” with the group, the young women involved clearly did not believe that the senator would feel the same way, and proudly sent her a copy of the booklet as their way of informing her that some women in her home province were not waiting around for “George” to take action.<sup>90</sup> Convinced that for women, who were not after all a minority, there was power in numbers, Senator Muriel McQueen Fergusson – unlike some members of her generation – believed in building bridges with emerging activists. In her own political activism, however, the senator had always chosen to work within the system, and she continued to do so. In 1972, she became the first female speaker of the Senate.

Even at the pinnacle of her career, Senator Muriel McQueen Fergusson well understood both the limits of her power and influence as a single individual and the leverage to be gained by working in concert with other women of like mind. It was a view shared by the generation of women activists whose crowning achievement was the Royal Commission on the Status of Women in Canada. As a member of the

87 *Senate Debates*, 10 February 1971 (Senator Muriel McQueen Fergusson), “Status of Women” speech, MMF Papers, MC 1372, box 56, PANB. MacGill was the only commission member, Monique Bégin would later argue, who was a feminist even before her appointment to the commission. See Bégin, “The Royal Commission,” 28.

88 See Grace MacInnis to Muriel McQueen Fergusson, 27 February 1971, MMF Papers, MC 1372, box 92, PANB: “Congratulations on a very good speech on the Status of Women and another excellent declaration on the need to deal with abortion – this time to take it from the Criminal Code altogether. Support for action on the Status of Women report is building solidly, but I wish the House of Commons could get to discuss it as well as the Senate. GMcL.” MacInnis, the NDP member for Vancouver Kingsway, was the lone female MP in the House of Commons at this time, as compared to six women senators.

89 Margaret E. MacLellan to Senator Muriel McQueen Fergusson, 8 May 1972, MMF Papers, MC 1372, box 92, PANB.

90 Joan Forsyth to Senator Muriel McQueen Fergusson, n.d. (but booklet is dated 1973), MMF Papers, MC 1372, box 36, PANB.

CFBPW, the CFUW, and the National Council of Women, Muriel McQueen Fergusson became part of a network of fascinating and influential women – women whose lives intersected and who were, as Laura Sabia put it with reference to the campaign for a royal commission, “all asking for the same damned thing.”<sup>91</sup> Engaged, educated, and often professional women, from cities, towns, and rural communities across the country, wrote briefs, conducted unpaid investigations, and in many other ways worked in the cause of women. Organized and active, they achieved significant reforms ranging from the right to vote in municipal elections through the right to sit on juries, equal pay for equal work legislation, a Women’s Bureau in the Department of Labour, to a Royal Commission on the Status of Women. They were, with few enough exceptions, middle class women, but so too were the activists of the next generation, the second-wave feminists of the women’s liberation movement.<sup>92</sup>

The nature of women’s feminism is contingent upon the particular circumstances of their lives. Not until the baby boom generation started entering first university and then the workforce would there be a critical mass of activist women to make possible the emergence of a women’s liberation movement.<sup>93</sup> The generation of women who raised and mentored the baby boomers provided the impetus for that movement. This article calls into question scholars’ tendency to overlook the contributions and essentialize the feminism of that earlier generation of which Senator Muriel McQueen Fergusson was a member – a generation of women limited neither by the breadth of their thinking nor by their goals. For historians and other scholars, women activists such as Senator Fergusson have remained in the shadows, as club women, civil servants, and even senators often do. In the eyes of her contemporaries, however, Senator Fergusson was a very visible and impressive public figure. Trained in the law, when she sought to influence policy she undertook research and argued her case cogently and effectively, and often successfully. During more than 20 years in the Senate, she rose again and again to question legislation that by accident or design, privileged men over women. And even as her career in the Senate drew to a close, she understood that many battles remained to be won, that discrimination and the lack of political will could deny women equality. Indeed, she came to believe that the Liberal government, of which she was a member, lacked the necessary political will.<sup>94</sup>

In October 1974, less than a year before her retirement from the Senate and in response to the throne speech, the 75-year-old senator reminded her colleagues that the government had been too slow in implementing the recommendations of the Royal Commission on the Status of Women. To her, the proposed anti-discrimination legislation then before the House of Commons seemed “to give only a perfunctory

91 Cited in Luxton, “Feminism as a Class Act,” 76.

92 For a similar argument, see Vickers, Rankin, and Appelle, *Politics as if Women Mattered*, 36-7.

93 Luxton, in “Feminism as a Class Act” (67), also suggests that during the 1960s, as college and universities expanded, more working-class young people attended them, which produced “a layer of professional women who to varying degrees have used their skills to advance women . . . challenging school curricula by developing anti-sexist and anti-racist pedagogies, taking feminist politics into formal political arenas, and working for women in both the labour movement and the autonomous women’s movement.”

94 Compare, for example, Senator Fergusson’s speeches on the government’s response to the RCSW recommendations in 1971, 1972, and 1974. See *Senate Debates*, 10 February 1971, 7 March 1972, 24 October 1974.



bow to women's demands in that it focuses attention on matters which are peripheral to the causes espoused by women's rights groups." She went on to pose the questions that continue to haunt activist women today: "While we have done things in the area of the status of women, have we done the most important things? The fundamental question is: Are we going to do the most important things?"<sup>95</sup>

95 Senator Muriel McQueen Fergusson, *Senate Debates*, 24 October 1974, p. 188.