

Note for remarks by

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Premier of Ontario**

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FAMOUS 5: OTTAWA

CHECK AGAINST DELIVERY

Hello, Bonjour, Kwe-Kwe, Bojoo, Bonjou benvnu

Thank you, Hilary, for the warm introduction. And thank you to Famous 5 Ottawa for giving Hilary the opportunity to speak today. I want to thank Susan and Isabel and everyone at Famous 5 Ottawa for organizing today's luncheon — one of many ways you are making it possible for more women to take on leadership roles in politics and throughout society. It is wonderful to be here today with all of you, and to be joined by Jim as well my colleagues Madeleine and Yasir.

It is a true honour to be recognized as a Nation Builder by an organization named for 5 formidable nation-building Canadian women, and to share this honour with *Leading Women Building Communities Award* recipients. It is humbling.

As a student of history, as a mother, and as a woman who is in politics to make our world a more equal and prosperous place for all ... I can think of no greater tribute than to be placed in the same league as the Famous 5. The plain fact is that without their courageous, persistent efforts, I might not be standing here today addressing you as the 25th Premier of Ontario. I might never have had the chance to be a nation builder. But beyond what the Famous 5 did to advance women's equality and women's rights, there lives a legacy of even broader impact — a legal, moral and political legacy that continues to send ripples of progress and equality across society — and a legacy that we need to ensure continues redefining the idea of the “nation builder.”

Today, I want to talk about the persons who made all this possible: Emily, Nellie, Irene, Henrietta and Louise... the challenges they faced, the barriers they overcame, and the impact their life's work continues to have on our democracy and our society. And I will also talk about what we need to do to be nation builders in our time and why it is so important to keep pressing forward.

I begin by acknowledging the long history of Metis and First Nations people in Ontario — a history that has us gathered on the traditional territory of the Algonquin and Anishinaabe Peoples. It is important to me to begin speeches this way. As the Scottish philosopher Thomas Carlyle wrote in the 19th Century, and I quote: “The past is a world, and not a void of grey haze.” But in our technology-driven era, I think we risk becoming indifferent to history and allowing ourselves to see it as that grey haze.

As we will discuss today, that has consequences. It matters whether or how we think about our past. Especially where First Nations and Metis people are concerned, acknowledging our colonial history matters. Acknowledging Aboriginal title matters. We need to in order to rid our society of inequality — inequalities that started for Aboriginal Peoples with European contact, were entrenched by successive governments, and have unjustly persisted into 2015.

Turning to the Famous 5, history mattered to them, too. It was one of their greatest obstacles. When Emily Murphy asked the other 4 women for their help in petitioning for the persons question to be referred to the Supreme Court of Canada, she challenged laws whose authority was defended through hundreds of years of British common law dating all the way back to Roman times. We all know how that turned out — the government of the day and the Supreme

Court defended gender-based inequality using ancient grounds that allowed them to interpret the British North America Act of 1867 as clearly stating: no women were to sit in the Senate.

British Columbia's Mary Ellen Smith said it best: "The iron dropped into the souls of women in Canada when we heard that it took a man to decree that his mother was not a person." Keep in mind that by this time, Louise McKinney had already become the first woman to serve as a Member of Parliament in the whole of the Empire — she was elected as an MLA in Alberta in 1917. Nellie McClung would follow in Alberta's 1921 election, as would Irene Parlby, who became Alberta's first female Cabinet Minister. That same year, Agnes Macphail — another nation builder though not in the Famous 5 — was the first and only woman elected to Canada's House of Commons. Meanwhile, Henrietta Muir Edwards had spent nearly 35 years as the Convenor of Laws of the National Council of Women Canada, among other lifetime achievements.

And the leader of the group, Emily Murphy, was the first woman in all of the Empire to hold the police magistrate post and had been presiding in that role for a decade. But Emily was regularly challenged in court on the grounds that she was not a person. Even after she thought the Supreme Court of Canada had settled that in 1917 when it ruled "there is... no legal disqualification for holding public office in the government of this country on the basis of sex."

So by the time of the Persons Case, these women had spent most of their lives fighting for — and sometimes winning — women's rights. Still, successive federal governments claimed that when it came to appointing women to the Senate, their hands were tied by the fact that women were not 'qualified persons' as defined by the BNA Act. So Emily was prepared for the court to side with the government — the famous 5 had a plan C.

In appealing to the British Privy Council, the Famous 5 would at last win the right to sit in the Canadian Senate and again, they would make history. In his ruling, the Lord Chancellor said, quote: "The exclusion of women from all public office is a relic of days more barbarous than ours." The judgment did not stop there. The Lords thought the government's defence — based as it was on Roman law — to be an insecure foundation on which to build the interpretation of the Canada's constitution. Lord Sankey went on, quote: "The British North America Act planted in Canada a living tree capable of growth and expansion within its natural limits." With this simple metaphor, the Famous 5 made history twice that day.

In Canada, throughout the Empire and around the world, history, tradition and ancient laws were bound together and wielded by the powerful as a mighty weapon of subjugation — a tool with which to keep women out of public life. One way our government did this was with the legal principle that laws should be interpreted according to the intention of those who framed them — however long ago and however at odds with reality. But in declaring the constitution a living tree, capable of expansion, the courts disarmed defenders of the status quo and accepted that Emily, Nellie, Louise, Irene, Henrietta and all the women who attended meetings, handed out pamphlets, wrote MPs, all the while raising families — the court accepted that they blazed a trail of progress too wide to ignore and too reasonable to resist any longer.

So they made it possible for us to continue on this trail and it is the trail we walk today. Indeed, as former Minister of Justice A. Anne McLellan put it: “Five courageous women had fought the apathy and timidity of the federal government as well as the conservatism of the Supreme Court of Canada and had won. This provided a much needed shot in the arm to the women’s movement in Canada.”

That victory would make possible future reforms such as maternity leave and equal pay legislation. But it cannot be overstated how it would reverberate in ways beyond the immediate aims of the Famous 5, giving a legislative, political, legal and public relations roadmap to reformers of all kinds. Indeed, in removing the persons defence for unjust public institutions, they paved the way for the civil rights movement, the Charter, and the LGBTQ rights movement, to name a few.

I want to spend the rest of my remarks looking at what this says about the influence of women in public life and society, what it means to be a nation builder, and why the equal participation of women in all forms really does make a difference.

In March, I was here in Ottawa to give a similar speech. It was based on one I gave in December in Toronto at a Women of Influence Event. That speech started with the British North America Act, the very document the Famous 5 successfully challenged. It started there because last August, I joined Canada’s Premiers in recreating a photo taken almost exactly 150 years earlier — the famous image of the fathers of Confederation on the steps of Government House, in PEI, as they held the first round of talks that would led to the BNA Act of 1867 and the start of self-government in Canada. That got me thinking about the women who were nation builders in 1864.

Our history speaks only of our fathers of confederation, so by implication, there were no mothers of confederation. They are not in the photo and did not sign the document, so they must have been of no opinion, no help.

Indeed, 1867 was the same year that the Chorlton versus Lings case, used by the federal government and courts to deny the Famous 5 their rights, settled the question by declaring: “Women are persons in matters of pains and penalties. Women are not persons in matters of rights and privileges.” Changing this definition of women has become an enduring and at times subversive aspect of the equality narrative: we are taught that the influence of women only grows as we assume the rights and privileges that were once the exclusive domain of men. That is how we too become nation builders.

The Famous 5 got the ball rolling, and since their time, we have kept it rolling by getting more and more women into those spheres of rights and privilege. One day, we believe this will lead to total equality, not just of opportunity, but of outcomes. This is our historical narrative and the promise — the progress — that each generation has made for the next.

But in my view, by defining nation building as a seat at certain tables, we miss generations of important women and miss a critical point in our argument — a critical way the Famous 5 were builders and all of us are builders in our lives and our communities. [Nous recherchons l'égalité au travail, en politique et dans l'ensemble de la société. La façon dont nous définissons l'influence est importante.] Men have spent hundreds of years codifying what it means to be a nation builder, or an influential member of society. Those definitions — rooted in history — have a direct and everyday impact on our economic and social environments. They also explain why the roles and responsibilities of men and women continue to see the traditionally female modes of nation building devalued.

So our success has to be about more than our ability to conform to old definitions of nation building — our success depends on and has resulted from our ability to broaden that definition. Because the women building this nation are not just the women you see on the stages of society. They are the mothers and the sisters and the grandmothers who are working in every single family in this country — in this world — to raise a generation, to teach their children, to look after and hold families together and hold communities together. The nation building women are the personal support workers who are looking after our elderly. The nation builders are the women who are looking after our children in child care centres, in schools and on reserves. And in every corner of the province where there are people in pain, nation builders are nursing them and trying to help them to be healthy again. Those are also nation builders and influential women.

And this is the key: the influence we have as women — whether in a legislature, a boardroom or a child's bedroom — is not an end in and of itself. [Nous ne recherchons pas l'égalité, le pouvoir ou la reconnaissance pour l'amour seul de l'égalité, du pouvoir ou de la reconnaissance.] We want an equal role in nation building because of the difference that we can make when our relationship to the issues is properly recognized and equally valued. So as we succeed in becoming nation builders, we also need to elevate the importance of the historically female ways of nation building so that more women can join us.

This point is clarified by looking at my own journey. Since first seeking elected office in the 1990s, my path has been cluttered with barriers and voices telling me to turn back, either because I am a woman or because I am a lesbian. And, as one of my neighbours — surprised by the fact that I became Premier — once said to me, because I am “just a mom.” You know who else were just moms? The Famous 5.

Still, all these years later, women — and men, too — are kept out of leadership roles for the decision to take time away from the single-minded pursuit of career to raise children. Our society doesn't know how to value that 5, 10, 15-year gap in a resume called parenting, so it basically receives no value. You're “Just a mom,” so what do you know about running Ontario? Actually, as I said in my nomination speech in 2002, nothing in life better prepared me for politics than being a mother to my 3 kids.

Having been Premier for more than two years now, that rings as true as ever. Being a mother taught me empathy; it taught me, in a visceral way, the importance of supportive environments for young people and inclusion throughout society; and it taught me how to juggle 20 priorities

while always listening, caring, and taking action. In making the leap to politics, motherhood taught me about the walls that still go up to keep certain segments of society from having any voice. Walls that keep the definition of nation builder narrow and out of “just a mom’s” reach. Walls that we have poked holes in, but not brought down. We are helped by each other, and by the generations of women who made it through before us — because once those women arrived, they made their influence matter. They broadened the definition of nation building.

As Nellie McClung herself said: “The women who have achieved success in the various fields of labour have won the victory for us, but unless we all follow up and press onward the advantage will be lost. Yesterday’s success will not do for today!”

And we are pressing onward.

It has been shown that when 30 per cent of an elected body is female, there is a noticeable and measurable change in the tone, style and content of political decisions. As Premier, I have spent a great deal of time over the past two years addressing such issues as sexual violence and harassment, and murdered and missing Aboriginal women. Our government has brought in wage increases for Early Childhood Educators and Personal Support Workers. And last week, we took another step to close the gender wage gap, which in Ontario still ranges between 12 and 31.5 per cent.

A new Steering Committee will hold province-wide consultations and bring forward actionable recommendations to help shape the province’s Gender Wage Gap Strategy. I’m not saying that previous governments did not address what have traditionally been mislabelled as women’s issues. And these issues are not the sole focus of my government. However, I do think that a government led by a woman, with another 7 women around the Cabinet table, and with 12 more women in caucus, has a different perspective — and we are doing some different things.

We are taking a different approach to our economic challenges, because, as a woman, as the Premier, I understand how intrinsically our economy relates to real people, to real life. That’s why my economic plan to build Ontario up doesn’t perpetuate the false distinction between the economy and people. In fact, it starts with people — investing in their skills, their ideas, their capacity for greatness, from Full-Day Kindergarten to skills retraining. And it makes the largest infrastructure investment in Ontario history — so men and women don’t have to sit through a two-hour commute to get to work and back home to their kids. It will establish a secure retirement plan and finally, it creates a dynamic, innovative environment where businesses can flourish. And that includes small businesses like craft brewers so I need to pause and acknowledge that my sisters in temperance, the Famous 5, would probably not approve of my new image as the biggest liberalizer of beer in Ontario since the end of prohibition!

Then again, they understood that as times change, so must government. And I think they would appreciate the underlying argument of fairness for smaller producers. I hope this plan and our government’s priorities demonstrate that, like Emily and Nellie and all the women who have gone before, I am determined to broaden the definition of nation builders to include all women and to use my influence to show why that matters.

The need for action and influence is particularly acute when it comes to the issues surrounding sexual assault and violence against women, so we are ensuring that more women feel safe coming forward and strengthening our laws to ensure that our workplaces, schools and communities are free from sexual violence and harassment. Above all, we want to challenge and change the deep-rooted attitude and behaviours that contribute to sexual violence and harassment.

But as far as we have come since the mothers of confederation stood just outside the frame, building Canada quietly and without recognition, or since the Famous 5 started a national movement with one hand and rocked a cradle with the other, we have a ways to go.

Looking out at this room tells me we are going to get there. Events such as today's are an important way we are making progress. And with each story of how it can be done, how it has been done, more and more women are entering politics and as we do, we are showing what a difference we make. [Nous ne sommes pas seulement en train de bâtir un monde meilleur pour les femmes. Il ne s'agit pas de rechercher l'égalité pour l'amour de l'égalité.]

In my maiden speech in the legislature, more than 11 years ago now, I quoted Nellie McClung and I will close with this again today because, until we reach our goal, we must... "Never retreat, never explain, never apologize — get things done and let them howl!"

Thank you. Merci. Megweetch.