

I Was Here

Episode 3: The Morgentaler Clinic with Ruth Miller

Please Note:

These transcripts reflect a taped conversation and as such might not read as grammatically correct in every instance.

Introduction

Catherine: I Was Here was created with generous financial support from the Accessibility Project at the G. Raymond Chang School of Continuing Education, Ryerson University. The views and opinions expressed in this podcast are those of the storytellers and are in no way endorsed by, or representative of, the G Raymond Chang School of Continuing Education.

Disclaimer

Catherine: Just a warning. This episode contains graphic descriptions of reproductive health and medical procedures.

Cold Open

Catherine: Were you ever afraid? Every now and then you would open a letter.

Ruth: Yeah. Every now and then I would think well, is there going to be a bomb in this letter? Because you know, there were people that shot doctors. They thought they were doing the work of God.

[music]

Interview

Catherine: You are listening to I Was Here a podcast featuring older adults who have interesting stories about, or long histories with, spaces and places in Toronto. I am your host Catherine Dunphy.

[music]

Catherine: In this episode I am talking to:

Ruth: My name is Ruth Miller. I'm almost 80 years old. I've had a long life during which I've seen a lot of changes happen and the one that I think was so important in my life, and in my lifetime, was the struggle for women to have control of their fertility, to be able to use contraception well, and to have abortions when they needed them.

Catherine: Ruth helped make January 28, 1988 happen. This is the date the long and epic battle for women's reproductive rights ended when Dr. Henry Morgentaler won his groundbreaking fight to decriminalize abortion in Canada. This is the day when women's lives were changed forever. It's also the culmination of 20 years of Ruth's advocacy work. She wrote letters to employees (sent them coat hangers too). She worked the phones finding safe abortions for frightened young women. She lobbied and she marched and she was part of many groups dedicated to a woman's right to choose. She defended Morgentaler's besieged Toronto clinic. Her paying job involved educating women about their sexuality and after the victory it included counselling in Morgentaler's elegant new clinic on Bayview Avenue. Ruth would probably describe herself as an ordinary woman. She's not. But she is one of hundreds who worked decades to give feminism its greatest lasting victory.

[music]

Catherine: So Ruth Miller. You have been at the center of this amazing, exciting issue of choice really since the very beginning in Toronto. In fact, I think you were a young mom with three boys. Your husband was a rising advertising executive. You had the good life, living in Rosedale. And one summer afternoon you had a meeting or an afternoon get together with your mom and a couple of her friends and then your life changed. Tell us about it.

Ruth: We were sitting in our backyard. I remember this. And my mother and her friend Edith were there. And Edith knew about a meeting that was going to take place at Hart House.

Catherine: And this was about 1970.

Ruth: This was 1970. And she knew about a meeting that was going to take place at Hart House. Women were getting together to try to figure out what to do about the situation concerning abortion at that time because the law had been changed. It was part of the Omnibus Bill of 1969. I'm digressing for a short moment.

Catherine: No you're not. It's really important. This is the Bill that finally made it not a criminal offence to distribute a contraception, and as well, it created Section 251 of the Criminal Code.

Ruth: That's right. And in that code it said that women could get an abortion but only in

an approved or accredited hospital and only if it were passed by a committee of at least three doctors. And no hospital had to set up this committee, by the way. They could if they wanted to, but it wasn't obligatory. And many hospitals didn't do that. Of course we were in the city of Toronto, so we were lucky there were some hospitals that did this but it wasn't available widely. But we wanted to do something about it so I went to that meeting, and I remember a room full of women at Hart House, talking about how to help women get abortions under this new law.

And from that meeting came a service called the Women's Liberation Birth Control and Abortion Referral Service. And I became part of that. And every Wednesday we would, by the good grace of a counselling service that was part of the University of Toronto at the corner of Harbord and Spadina, over a bank, we would be there helping women get abortion or finding a way to get an abortion either in Toronto or in Buffalo. We sent many women to Buffalo because of course the law in New York State had changed earlier. We knew there was a clinic in Buffalo and we could send the women there. We handed out the birth control handbook, I think it was called, put together by some women in Montreal. It was a wonderful handbook on birth control.

And by the way I should say that as you mentioned it wasn't legal to use contraception in this country until 1969. And lots of young women have no idea about this. And I should also mention that when I got married in 1962 my doctor asked me if I wanted to use the birth control pill which had been invented and marketed shortly before that. It was illegal. But my doctor asked me if I wanted to use the birth control pill and of course I did. And so this gives you an idea of how the law works. That the people do things. They need things, they do them. And eventually the law catches up and you could say the same thing with abortion. It isn't as if women began to get abortions in 1969 when the law was changed. Women have been getting abortions for millennia and they have been doing it one way or another. And finally, in this country, the Omnibus Bill made it illegal to use contraception and to have an abortion under certain circumstances. So that's how this particular referral service started.

Catherine: Tell me about an evening at the referral service. What exactly did you do? Were women lined up? Or were you taking phone calls? Were you spending the whole time trying to call hospitals? What are you doing?

Ruth: Well that's a great question. We did take phone calls. We did have women come. You know, I can't remember whether we had appointments or not, but there were several of us who were there trying to help women.

And I remember that I asked the same doctor, the one who asked me if I wanted to use the birth control pill, because he was a friend of our family, and I said, Al you know, we need to find abortions for women in this city. Would you refer these women to a committee at the Toronto General or wherever they had these committees? And Al said to me, yes I will help you, but I will only help you get abortions for unmarried women. That was his stipulation. In his mind if a woman was married she could have a baby. But it was the unmarried ones that he worried about. So at least I knew OK, every now and

then I could ask AI to help me out here.

You know we had to be so careful. We had to try to figure out who were the doctors that were going to help us refer to the Therapeutic Abortion Committees or who were the women that we could send to Buffalo. And sometimes we would prepare these women going to Buffalo. We would say, you have to say that you're going for the weekend. And I remember there were times when women were sent back from the border because they either didn't get their stories straight or they didn't have a suitcase. And you know the border people knew that they weren't going for the weekend.

Catherine: And if they were sent back from Buffalo they were really sent back to basically nothing. To existing and being pregnant because there was not much happening in the city of Toronto.

Ruth: Well there were possibilities. We had some doctors that would help us out. But what we did was we sent them back to Buffalo the next week but with a suitcase.

Catherine: I noted just a little bit of a snapshot of the abortion situation in Toronto. For instance there were 16,000 abortions performed in Toronto in 1980. One quarter of 65,750 so that's 1,000 legal abortions performed in Canada. We're not talking backstreet here, which is of course what increased the numbers considerably. The numbers in Toronto were up nine percent from the year before, which was 79%. And that included 3,000 women from out of province. According to this snapshot of 1980, Toronto Western would not do abortions if they were more than 14 weeks along. Women's College did a weekly maximum of three and there was an automatic waiting list of about a month to even be processed even if you were going to be approved by the Therapeutic Abortion Committees, if they did exist. The Toronto General Hospital at the time, that was what it was called then, did six a week and only on Thursdays and we're getting 75 requests a day.

Ruth: Well, I remember when I did work at our birth control clinic at the City of Toronto Department of Public Health in 1982, I would get a knot in my stomach every time a woman would come to us who wanted an abortion because I knew that I had to find some place to send her. As you said, the Western only did them up to 14 weeks. I can't remember what the Toronto General did, but they eventually instituted a system where you could only call on Friday at one o'clock and they only had 20 places for women to get abortions the following week. So it was crazy like that. The access was restricted. You said, Women's College didn't do that many abortions, it's true. You know the catholic hospitals did none. None at all. And women were coming in from out of town too. So it was a very difficult time. We were trying to help women get abortions and it wasn't easy.

Catherine: And it's interesting because that's in 1980. But if we just dial back a bit to 1960 let's say, which is really the beginning of the feminist movement and basically a lifestyle change in terms of the modern western world. A lot of things happened that made people think a little bit about abortion and contributed a little bit about it

destigmatizing. There was the Thalidomide scare in 1969, which is the drug that had been prescribed to a number of pregnant women that resulted in children being born extremely deformed. Certainly the world woke up and went you know, perhaps these women do have a right to have an abortion if they know they've taken this drug and they understand exactly what's going to be happening. And the fact that this was also happening to middle class women also was a little bit of a seismic shift in the times.

Ruth: You remember the famous story of the American woman who went to Sweden to get her abortion.

Catherine: Sherry Finkbine.

Ruth: That's right. And she couldn't get an abortion in the United States. And she went to Sweden. It was a worldwide story and it had to do with a Thalidomide issue absolutely.

Catherine: Which did help move things along to a certain extent. But Canada certainly was stuck and in 1969 when the Omnibus Bill happened it's not as if it moved very far in terms of the abortion thing. Please help me on this. Section 251 of the the Criminal Code did state very clearly that a woman having an abortion could get up to two years in prison and that a doctor who was convicted of performing an abortion could get up to life. And that was still on our books in 1969. Pierre Elliott Trudeau had blasted on about how the state has no right in the bedrooms of the nations and yet still a woman found guilty of having an abortion could be imprisoned for two years.

Ruth: You mean not in an approved and accredited hospital.

Catherine: Yeah.

Ruth: Yes and of course that's important when we're going to talk about how the law got changed ultimately.

Catherine: Absolutely. So here you are and you're working for this gutsy little group the Women's Liberation, and you're also part of a new group called ARCAL, the Association for the Repeal of the Canadian Abortion Law when you figured out that the Omnibus Bill didn't cut it.

Ruth: Exactly. You have to remember that one of the reasons the law was changed in 1969 was that there was a lot of lobbying in the House of Commons from from doctors who felt that this really was an oppressive situation for women. And so once the law got changed women began to think, there's got to be a better way than this because this Section 251 is oppressive. It helps up to a point, but it isn't good enough. We have to get access. So after this group of ARCAL some people decided we should try to make this a nationwide organization and that is when the Canadian Association to Repeal the Abortion Law started in 1974.

Catherine: You were there.

Ruth: Well, when that organization started I happened to be living in Ottawa at the time. My husband had accepted a job in Ottawa and we moved there. And the founding meeting of that organization was strangely held in a Catholic high school. And I remember being there and there were doctors, there were journalists, there were lawyers, there were feminists, there were all kinds of people who wanted to get Section 251 repealed. And that started in 1974.

Catherine: And you were an integral part of CARAL, Canadian Association Rights Action League as the association was called.

Ruth: Yes.

Catherine: Tell us about your work. Personally you gave a lot of time.

Ruth: I did give a lot of time to that organization. First of all, when I moved back to Toronto, I became a board member of CARAL. And at some point along the way we changed the name to the Canadian Abortion Rights Action League. So it was still the same acronym but slightly differently stated. And I was on the board and it was a working board. The board met every Monday night for years to plan the strategy to try to get this law repealed by lobbying members of parliament, by writing them letters, by writing briefs, and trying to make it clear that this law really wasn't working. There were provinces where you couldn't get an abortion. You couldn't get an abortion in Prince Edward Island until last year. The Maritimes was particularly difficult. You could get an abortion in British Columbia, maybe Alberta, a few places Ontario. But in many places of this country you couldn't. So yes, I worked for many years trying to change this law.

Catherine: The organization behind the Gallup poll that was done around 1975 or so found that 73% of the respondents actually were quite in favor of changing the laws on a woman's right to choose.

Ruth: Yes and it was the way it was worded. That a woman, in consultation with her doctor, would be able to get an abortion. Then that would be good enough. You didn't have to go to a committee. And I think maybe that it was such a high number because people liked the idea that women would consult with their doctor.

Catherine: And CARAL wasn't just a little women's group. It became a really important voice and was often quoted and it certainly was a companion to Henry Morgentaler in his crusade.

Ruth: Yes, I would say that part of the wanting to form this organization came from the idea that Henry Morgentaler was already trying to challenge the law in Montreal by opening a clinic. So you see he opened a clinic. It didn't have a committee and it wasn't in a hospital. Of course this was illegal and he was arrested. And he challenged the government and challenged the lawmakers because he actually invited a television

station in to watch him do an abortion.

Catherine: On Mother's Day.

Ruth: Oh was it on Mother's Day? [laughs] I don't remember that. But he was charged and arrested and while I was living in Montreal I also became involved in the ad hoc committee to defend Dr. Morgentaler. So these things were going on at the same time. The entire time I lived in Ottawa we lobbied members of parliament with CARAL and tried to convince these lawmakers.

Catherine: This was about a 20 year crusade on the part of CARAL and certainly it was centered in Toronto. You had an office on St. Clair and you met there as you said every Monday, and you continuously lobbied. And I think you said at one point you were not subtle in terms of sending a message to lawmakers.

Ruth: [laughs] I hope this isn't an apocryphal story but I have a memory that we actually sent some coat hangers to these members of parliament. You know in those days it was an entirely different situation. We didn't have e-mail. Everything had to be typed up. We had to translate everything into French because we wanted the French lawmakers to know what we were trying to do too. And then I remember we would gather this huge pile of envelopes. At one point with coat hangers in them. And we would have them delivered to the parliament buildings and they would be distributed from the mailroom. I remember that was one of the ways we did this. Of course today people are sending emails at the drop of a hat, but you can imagine what we had to go through to make our position known. It wasn't easy.

Catherine: And the coat hanger was a particularly powerful symbol.

Ruth: Mmhmm.

Catherine: And it became really the symbol of the movement. You want to talk a little bit about the bad old days in terms of what women did in order to have an abortion?

Ruth: Yes, well they did all kinds of things. And everybody all over the world knows what women did and in different parts of the world they might have used different things. But women took quinine. They used coat hangers thinking that they could dislodge an embryo or a fetus. They drank lye. They threw themselves downstairs. I remember reading about South America women who put onions into their cervixes and you can imagine the cervix is not really open and you can even imagine trying to get a coat hanger in there.

I have to tell you one thing. I remember that at one of our meetings trying to get the law repealed there were some older women there who told us in no uncertain terms that when they had their abortions illegally, however they got them, either with the help of a doctor, some quack, some back alley practitioner, these women felt no guilt whatsoever. And I'll never forget that sort of aha moment for me. Because by this time, when we

were having these meetings, and in these rallies, and these marches, there was of course the rise of the anti-abortion movement because until then they didn't have to do anything as the law was on their side. No woman could get a legal abortion. But as soon as women could get a legal abortion the anti-abortion forces began to show their strength led by the Catholic Church. And you know part of their tactic was to make women feel guilty about having abortions. That's the big thing. They wanted them to feel so guilty that they wouldn't have them or that they would suffer afterwards. And when these women who went through hell to have an abortion said, you know we never felt any guilt at all. I thought of course not. Of course not. You knew what you needed and you went about doing it.

And this whole idea that a woman should feel guilty for having an abortion is so outrageous when it is simply part of reproductive health care. It should be part of our health care without guilt, without judgment. Because you know abortion didn't just start as we know in 1969. Over about 100,000 women have abortions every year OK, legal or illegal. Even when it was illegal women would go to get their abortions. So you know it is outrageous that we are still struggling to get people to understand that this is a public health issue. That this is part of women's care. Part of their reproductive care. And the idea that women lived their lives in fear of a pregnancy until they could get this service and they still do in many parts of the world. And even here there are places where women have to travel hundreds of miles to get an abortion.

Catherine: And I know that your group CARAL were always aware of the stories of the brave women who had come before you and that you had an offshoot of the group and that you did a collection of these stories that you're going to tell us about and read from.

Ruth: Yes. In about 1980. I forget the date exactly [laughs]. We started the educational arm of CARAL and we called it the Childbirth by Choice Trust. And it was so that we could give tax receipts to people and so that we could produce educational material. And one of our projects was to ask women across Canada to send us their stories of their illegal abortions because you know people's memories are so short. They don't remember that this is what it was like. We got many stories and from the assortment of stories that we received we put together a book called No Choice: Canadian Women Tell Their Stories of Illegal Abortion.

[Ruth reads from the book]

I was four months pregnant when I took the train from Vancouver to Toronto having borrowed the money for an abortion that a woman on College Street would do for me. I was anxious yet in shock and in a kind of stupor. When I arrived I telephoned her and was told to come to a restaurant she was running. Straight away. I was to give her \$400 but she quickly noticed how advanced my condition was and asked for another \$150. That was really my money to rest up with. But of course I gave it. The kitchen of this eatery was unspeakably filthy and so was she. She quickly grabbed a glass containing a solution from a windowsill, some holes seemed to be attached to it, and ushered me into the basement. It was a room she was renting out and the tenant was not home. It

was the worst. Under a naked light bulb her oil cloth apron was swiftly removed and thrown on the dirty unmade bed for me to lie on to await my operation. I left there penniless afraid of dying alone and dirty.

Catherine: I'm sitting here with clenched fists listening to that.

Ruth: Yeah.

Catherine: And you have another story.

Ruth: And I have another story and this one is from 1963.

[Ruth reads from the book]

I became pregnant in 1963 I didn't know it at first because I was so sick for several weeks that I could hardly get up. I had foolishly believed that my boyfriend had been careful. He was using the, withdrawal method. I was very naive. The relationship had ended. Abortion was of course illegal and everyone else I knew who had gotten pregnant had mysteriously left school, left the city, or had gotten married because of it. I went to my doctor. My doctor was a young woman beginning her practice. She was very sympathetic but said, I would love to help you but I could lose my career if anyone found out. So I spent the next month asking everyone I knew for the name of a doctor who might help me. No one knew anyone. Then I asked all my acquaintances and then acquaintances of acquaintances until I felt everyone in the world knew. From my search I got the names of about 15 doctors in the Toronto area who had either performed abortions or who had made referrals. I made appointments with all of them. Most of them treated me very badly. Not one was sympathetic. I guess they were terrified that I was a police plant because a doctor in Toronto had recently been jailed for performing an abortion. They all asked me to leave their office. I tried to be very reasonable, but with some I broke down and pleaded for help.

[Ruth takes a deep breath and sighs]

Eventually, I got a call from the acquaintance who said I could see a woman on Wellesley Street who would do it. I made an appointment for the next night. Just before I left my house I got a call from this contact person who said he had just heard from the abortionist wondering where I was. He told me that she sounded very drunk. Don't go.

And then I told my parents and they tried to help me. They were going to send me to Sweden. But the next day a cousin of a friend called to tell me of a man in Ottawa who would give me an abortion for \$400. I was told to come alone, bring cash, and I would be met at the airport. My parents gave me the money and a man named Gordon met me there. He took me to a large house in an expensive area. Another man who was called the doctor took the money and then took me into the bedroom. I didn't believe he was a doctor. Gordon came into the bedroom too and the doctor told me to undress and covered me with a sheet. I had no idea what he was going to do. He said he was going

to insert something that would cause an abortion and not to worry because he had done thousands. He said that the day before he had performed one on a 15 year old girl who was five months pregnant with no problem. He put a long rubber tube inside me and held it there for what seemed like a long time. I can't remember how long. And then he said OK that's all you'll be fine now. I panicked. Nothing had happened and I believed that he had cheated me. He told me to go to a hotel and a few hours later I would go into labour and after a few hours of labour I would quote miscarry. Don't tell anyone, he said, if anything goes wrong don't call a doctor or the police because you've just broken the law and you could go to jail. And I could only reach him in an emergency.

So I went to this hotel but soon I started having very bad cramps. And by midnight the cramps had become almost unbearable. And I was biting a pillow to keep from screaming. I had nothing to take for the pain and had no idea if this pain was normal. The cramps went on for about eight hours before the bleeding started. I bled heavily and the pain did not stop. I had a friend there and she wanted me to go to the hospital. But we were both too frightened to do that. I alternated between lying down and sitting on the toilet muffling my face in a pillow. I was afraid I was going to hemorrhage and die. And then at about eight o'clock in the morning I called the doctor to ask him what to do. He asked me if I had miscarried and I said I didn't know. He told him that I was just bleeding very heavily. He said something like, you stupid bitch. When the bleeding stops it will all be over. Don't you dare call anyone. And then he hung up. But by 10 o'clock the pain was lessening and the bleeding was less. By then I had used all the hotel towels and several boxes of pads. We hid the towels in a garbage bag when we checked out.

We flew home later that afternoon. My own doctor came to visit me that evening and gave me antibiotics. She checked me a few days later and said that I was not pregnant and I was not physically damaged. I felt like the luckiest person in the world.

Catherine: Wow.

Ruth: I know.

Catherine: Those are the stories that kept motivating you to meet and fight. In Montreal Henry Morgentaler was the hero of the crusade for a number of reasons. He was the doctor who admitted publicly he'd done it, but he'd also come up with a new method that made it a lot easier and pain free to have an abortion. Your group and he worked together ultimately culminating in 1982 in Toronto with a decision to open a clinic.

Ruth: Well, I remember we had many meetings trying to get this clinic established and we found a doctor who would do this. We found an office in an office building on Bay Street and the doctor was all ready to open this clinic and we were very excited about this, but somebody must have told the landlord. I can't remember what happened, but the lease was cancelled. And then we were completely disappointed and I think we were talking with Dr. Morgentaler about it. Would he open a clinic in Toronto. Because of course you know he had his clinics in Montreal. And then at a meeting of CARAL one

year, I can't remember, I guess it was 1982, he announced that he was going to open his own clinic. And of course there was nothing for us to do but go along with this. And we were going to support Dr. Morgentaler in his decision to open the clinic and we did support him. We helped the women get into the clinic.

Catherine: But also I just want to interject one thing which is that it did break apart this group of women who had worked so hard because many of them had dreamed about a women's center.

Ruth: Yes of course.

Catherine: And you had to make this decision as to whether you were going to let the dream die in order to make sure there was a clinic even if it was not going to be women centred. But it was going to be run at the highest medical level and it would have Henry Morgentaler's name on it.

Ruth: Yes, that's absolutely right. And of course there was great disappointment. But in the end we realized that there would be this clinic and maybe this was the way. And that when Henry opened his clinic he would be raided, and then it would follow its course through the law.

Catherine: And so at the time the women who were still there supporting you developed a really intricate and effective infrastructure to support the Henry Morgentaler Clinic. You want to talk about that? The creation of the three groups and their roles?

Ruth: Yes, well of course you know CARAL had been in existence since 1974. But even before that as you know we had the little referral clinic. There were very progressive groups in the city still working to change people's ideas about abortion and abortion rights. And so at sort of the height of all this we had CARAL doing the sort of lobbying. And then there was an organization called OCAC, the Ontario Coalition for Abortion Clinics that was more radical. They were in the streets. They organized demonstrations and marches. So we had the more mainstream group CARAL and then we had the more radical group of OCAC. And all of this was important in changing the atmosphere for the time when maybe the law would be changed.

Catherine: The Morgentaler Clinic first opened on Harbord Street.

Ruth: It was opened on Harbord Street.

Catherine: Which was a beautiful street in the heart of Toronto in the University of Toronto District. It was next door to a bookshop and down the street from the Harvard Bakery.

Ruth: That's right.

Catherine: And it was a bucolic lovely little area.

Ruth: Yes, it was a residential area with a few street shops on Harbord Street. And of course this brought out the ire and anger of the anti-abortion movement and they were picketing the clinic and they didn't want women to be able to get into the clinic. Women came together to help Henry's patients get through these lines of picketers and protesters. And there were escorts that tried to help the women to safe houses where the women would gather, and then the escorts would take them down the street and get them into the clinic. And also the anti-abortion movements rented a building right next door where they tried to entice the women into their clinic instead of Henry's clinic.

And so it was a very fraught time. And Henry at one point was almost stabbed with a pair of garden shears by some angry person who wanted to attack him. And he had death threats. He really went through a lot. And we women tried to support him in everything he did. He was fearless. We can talk about why he was fearless, but really he was an amazing person without whom we don't know what the history would have brought us.

Catherine: And the other thing was of course that there was a constant police presence there in front of it. Media were camped out. There were rallies in public places of thousands of anti-abortionists. It was like the whole city was focused on this little red brick Victorian house on Harbord Street. This movement had electrified the country and the city. It was a very dynamic and exciting time. The fact that the famous Dr. Henry Morgentaler had moved to Toronto and started the clinic in Toronto was really important. It didn't take long for the police to take action.

Ruth: Mmhm. And I think they planted a policewoman in the clinic.

Catherine: And laid charges.

Ruth: And laid charges of not just Henry but the two other doctors who worked there. And that began the story of how this eventually worked its way up to the Supreme Court. But we shouldn't forget that Dr. Morgentaler was never found guilty by a jury of his peers. Never. Not in Quebec. Not here in Ontario. And of course this must have been maddening to the anti-abortion movement. It didn't matter that he had broken the law. People wouldn't stand for it and they acquitted him every time.

I don't know whether you want to talk about how he even prompted a change in the law. What happened in Quebec was that when he was acquitted the Quebec Court of Appeal substituted a guilty verdict and then the Supreme Court of Canada upheld that guilty verdict, which had never been done before. Never had that section of the Criminal Code been used and eventually it was changed so that you couldn't do that. You could order another trial, but you couldn't do that.

Catherine: And that became known as the Morgentaler Amendment.

Ruth: Right.

Catherine: What happened in Toronto was that Henry made a deliberate choice to choose a Toronto lawyer, Maurice Manning, to represent him against the charges that had happened in Toronto. And Manning had decided to take the long view and framed this as a constitutional challenge. You want to talk about that?

Ruth: Yes, and you know we had a Charter of Rights and Freedoms by that time, which came along with the patriation of our Constitution and Morris used section seven of the Criminal Code to suggest that women who were denied an abortion were denied security of the person. And then when it was appealed to the Supreme Court with Justice Bertha Wilson and Brian Dixon on January 28, 1988, the law was struck down as unconstitutional.

Catherine: Before we get there you personally were working with Henry and with Maurice Manning. You spent hours and hours working on this legal case representing the women of Canada.

Ruth: Yes, we did. But it was Henry's case really. And our job was to support him. And there was another group of women that formed to help raise money for the defense of Dr. Morgentaler. And they were an amazing group of women.

Catherine: This group was called, The Issue is Choice.

Ruth: That's right. And they held fundraisers because these were women who were well connected. OK so now we had these three groups working. There were the ones who were willing to take to the streets, those of us who were dedicated to lobbying and writing letters and trying to change opinion public opinion in that way, and then we had these very well-connected women who managed to raise thousands of dollars to help in Henry Morgentaler's defense. So again it was very exciting time in that way.

Catherine: The woman in charge of that group, a close friend of Henry's called Selma Nettleson, decided to take out some full page ads that ran in Toronto papers every weekend for years. And these were so striking and very memorable. There was a big photo of Henry Morgentaler, and the headline in big letters was, I need your help. Result of which was lots of letters poured in. The ads would run in the Saturday newspaper and all the next week they would be collecting four or five huge mail bags full of people writing letters. People telling them their own abortion stories. Writing cheques. Some cheques were \$10,000 more were \$10. About seven percent of those letters were negative and ugly and hate filled. And one of them contained a 22 caliber bullet and an anti-Semitic message. But the support must have been a wonderful motivation for you because at this point you're at the end of a 20 year stretch. You have worked at this for 20 years.

Ruth: That is correct. And you know every time things got bad we would get more members and we would get money. People were becoming outraged at this oppression and persecution of Dr. Morgentaler. And what was his crime? His crime was that he had

opened a clinic and he didn't have a committee. That was his crime. And he was persecuted to the full extent of the law. Crazy.

Catherine: What kept you motivated? You were busy. You're raising a family. You had a very important position with the Toronto Board of Health.

Ruth: No. I'll tell you how that came about. First of all I don't know why this issue was so important to me. I personally have never had an abortion but somehow the idea that a woman couldn't control her own body and that she would die because somebody else didn't like what she wanted to do with her body somehow kept me going all this time. It is the one issue without which women will not be free. And I don't care that some right-to-life women call themselves feminists. I'm sorry. You can't be a feminist if you don't believe a woman has a right to control her own fertility. So that kept me going. And I have to say at one point I said to myself you know this is about sex. This is about people's attitudes to women's sexuality because there were people who said you could get an abortion if you were raped or if you had experienced incest. But if you had had a pleasurable sexual experience you couldn't have an abortion. So it was punishing women who had enjoyed sex and gotten pregnant by accident.

So I said to myself, this is about sex. I better find out a little bit more about this. So I managed to find a course that was given at Humber to learn more about human sexuality and about counselling and teaching about it. And then in 1982 there were some jobs that came up at the City of Toronto Department of Public Health.

Now I need to tell you this other interesting fact. Since the law was changed in 1969 and it became legal to use contraception, in 1976 the Minister of Health funded a family planning program in every health unit in Ontario, which when you think about it, is remarkable and wonderful. So the City of Toronto, being a very progressive place, and maybe wanting to save money, hired women who weren't necessarily nurses and that was in 1976. In 1982 after I had graduated from my program I said to myself, there are four of these jobs maybe I can get one. And I did. And so for 20 years I worked for Toronto Public Health counselling and teaching about sexuality and birth control. So you know it all went together. My activism early on and then my work with Toronto Public Health. I don't know if you're interested to know that I realized at that time that most women knew nothing about their own fertility. It was like there was a conspiracy to keep women ignorant so that they had no idea of knowing when in their cycle they were susceptible to a pregnancy. They knew nothing at all about their cervical mucus. People think I'm a bit obsessed with this subject [laughs] which I am. Because women would come to our clinic and say things like, I have this discharge. I don't know what it is but I have to get rid of it. And I would say is it clear? Is it slippery? Is it like egg whites? Yes, they'd say. I would say, that is your natural cervical mucus, which tells you are fertile. And that is the mucus into which the sperm will swim and find the egg. But they had no idea.

Catherine: You were telling this to 35 year old women.

Ruth: Exactly. Women would say, I didn't know that.

Catherine: And so you were working to educate.

Ruth: Yeah.

Catherine: And free up information for women's right in all sorts of ways. So, on that fateful night.

Ruth: Yes.

Catherine: Snowy January 28, 1988 when you won. Tell me where you were. Tell me how you felt.

Ruth: Okay. I was at City Hall. And somehow a phone call came through for me. And I remember I can picture myself on the phone learning that the law had been struck down and that the battle had been won as it were. And I remember running back to tell all my colleagues and you know it was pandemonium. It was, you know, it was the highlight of many lives that day with the culmination of years and years of struggle. And I remember there was a party that night. I can't remember whose home it was in but I can picture the party. There were journalists, there were doctors, there were supporters, there were lawyers, and there was even one of the jurors [laughs] who would been on the original jury of Henry's jury. It was astounding. And we were all of us in heaven as it were. Cloud nine. And that was 1988. And it's 30 years isn't it? 30 years since then.

Catherine: Yes it is.

Ruth: Yes.

Catherine: So you along with others made this happen. The one lasting victory of the feminist movement, which is no small feat. Other things happened after '88 in terms of the battle. But the center has held. It is still decriminalized. But what you did personally was very interesting. What you did in 2003 was that you took a job at the Morgentaler Clinic.

Ruth: Yes I did. So I was at Toronto Public Health for 20 years, from 1982 to 2003 and then of course we knew about the clinic. I should just say this one other little thing that is interesting. While I worked for Toronto Public Health, we had a network called the Sexual Health Network, and every year we held a tour of all the clinics in Toronto for all the public health nurses and sexual health workers. This was done so we would know more about what the clinics were so that then we could go back and tell our clients about how these clinics operated. That was in a way a political act to make sure that every year there were tours of the clinics that were open in the City of Toronto. And then when I retired the woman who was sort of the head of the counselors at the Morgentaler Clinic asked me if I wanted to work there. So for the next 10 years I was a relief counselor there. I wasn't working full time but I would work on Saturdays, Thursday

evenings, and so on. And that gave me another view of this whole story. So first I was in the sort of activist part, then I was in the public health part doing other aspects of sexual health. I was also writing letters to the editor but I had to sign my name R. Miller instead of Ruth Miller because I didn't want anyone to know who I was exactly because I was a public servant. And then I worked on the front line in the clinic. Now of course by then it was sort of an accepted thing even though there were pickets and there were still all kinds of security at the clinic. But I remember thinking early on when Henry opened his clinic in Toronto what brave women and doctors they were to work at Henry's clinic because they were in danger. Always. From crazy people who wanted to kill doctors, who wanted to bomb clinics.

Catherine: The clinic was bombed in the early nineties.

Ruth: Yes it was. So you know by the time I was working there, there wasn't this terrible fear. At least I didn't feel it and I was glad to be able to do that part of the work. And of course women of all walks of life, women of all ages, well, I mean you know, fertile ages [laughs] women of all ethnicities and religions, came to this clinic. And I know that when a woman walked in and they saw a waiting room full of other women they were probably shocked because they probably thought, I'm the only woman that is in this predicament. But of course they weren't. So I think it was comforting for them to see that there were other women. And it was a wonderful service at the time that we provided. And believe me I told every single one of those women, I asked them if they knew when they were fertile [laughs]. And you know I took my time. I didn't have a lot of time with them, but I always wanted to make sure that they understood their fertility so they could be better at preventing a pregnancy the next time.

[music]

Closing

Catherine: Special thanks to today's storyteller, Ruth Miller. Ruth read from *Without Apology: Writings on Abortion in Canada* published by Athabasca University Press. Another book you might be interested in is one I wrote: *Morgentaler: A Difficult Hero* published by Random House and John Wiley and Sons.

If you enjoyed the podcast please subscribe and leave us a review on iTunes. We're relying on listeners like you to tell your friends about these stories. You can also listen to and download this podcast, as well as, transcripts from our podcast website: ryerson.ca/ce/IWASHERE. On our website you'll find a portrait series of each storyteller. These photos were taken by the talented Toronto-based photographer Jessica Blaine Smith.

Credits

Catherine: It's time for the credits. Project Supervisor: Darren Cooper. Audio Engineer and Producer: Matt Rideout. Project Coordinator and Producer: Melanie Santarossa.

Our theme music was also created by Matt Rideout.

Finally, a very special thank you to Programs for 50+ and Community Engagement at the G. Raymond Chang School of Continuing Education, Ryerson University, who supported us in our endeavor to give these storytellers a much needed platform and audience. I'm Catherine Dunphy and on behalf of all the storytellers thanks for listening to I Was Here.

Last Words

Catherine: Well, she never stops. Which you figure out by the way if you read the Globe. Her letters to the editor are brilliant. I am always reading going, oh God there's Ruth. All right [laughs].

Ruth: [laughs] Not so often but I guess now I can say that when I write letters to the editor I can sign my full name Ruth Miller and I'm not afraid. But for many years I had to not be public in that way when I was working for Toronto Public Health.