



Girl Guides  
of Canada  
Guides  
du Canada



## FAMOUS FIVE CHALLENGE PATHFINDERS



### PROGRAM COMMITTEE

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#### INTRODUCTION

Girl Guides of Canada-Guides du Canada and the Famous 5 Foundation formed a partnership to support a national tour of a bronze maquette (smaller version of a monument) of Famous 5 'Persons' Case statues in 2000. The monuments are located in Calgary and Ottawa.

**Objective:** To learn the names of the Famous 5, their occupations, what they achieved, how it affects girls today, and what would have been different in their lives if the 'Persons' case had not been successful.

**Challenge Questions** (answers follow). Learn the first 6 answers plus 4 others.

1. What was the 'Persons' Case? Name the five women involved in the 'Persons' Case?
2. Where did these women live at the time of the 'Persons' Case?
3. What types of occupations did these women hold at the time of the 'Persons' Case?
4. Where did the term/phrase, 'Famous 5', originate?
5. What was the significance of five women working together?
6. What prompted these women to launch this case/petition?
7. Where were the two places where they had to present their case?
8. What was changed as a result of their efforts and success?
9. Pick one of the Famous 5 and, in any form (discussion, a play or skit, or drawings), learn more about her.
10. Who was the oldest of the Famous 5 at the time of the 'Persons' Case?
11. Who died most recently, and when?
12. What tribute was made to the Famous 5 in Alberta? When and where did it occur?
13. What is the significance of the date of the above-mentioned tribute?
14. What tribute is in Ottawa to commemorate the success of the Famous 5?
15. Who is the sculptor of the monument of the Famous 5? Where does she live?

16. How big is the monument?
17. Which of the Famous 5 became Senators as a result of the 'Persons' Case?
18. Where did the Famous 5 celebrate their victory?

**Activities** Do at least two of the following:

1. Collect newspaper or magazine articles on topics pertaining to girls/women today and discuss one topic with your Unit.
2. Using role play, present the case of the Famous 5 as if you were in front of the Privy Council.
3. Deliver a speech pertaining to an issue affecting girls/women in the past, or present a current issue affecting women today in a trial/court format.
4. Invite a woman who is actively involved in politics to speak to your Unit. (Be prepared to ask questions).

## **Answers**

1. The 'Persons' Case refers to a challenge to the laws of Canada, contained in the British North America (BNA) Act in which women were not considered 'persons' under the law and, therefore, could not hold "appointed" positions such as being appointed to the Senate of Canada. However, women did have the right, at that time, to vote in federal elections and to vote in some provincial elections and some municipal elections. For example, Emily Murphy, Henrietta Muir Edwards, Nellie McClung, Irene Parlby and Louise McKinney.
2. They all lived in Alberta at the time of the 'Persons' Case.
3. See profile on each woman following the answer sheet.
4. The media coined the term, Famous 5, that was given to the five women who took part in the 'Persons' Case as it was a landmark decision in Canadian Law. In addition, these women were leaders of or involved in many of the reforms to laws affecting women and children and in the formation of many of the institutions which we benefit from today. They truly helped to shape Canada for all of us. See profiles.
5. In order to bring a petition in front of the Supreme Court of Canada, five people were required to "stand together" to launch the petition. Emily Murphy was the woman who first decided to bring the case to the Supreme Court. When she was informed that five individuals were required to act as a unit, she asked four of her friends, Nellie McClung, Henrietta Muir Edwards, Irene Parlby and Louise McKinney to join her in this fight.

6. Emily Murphy became the first woman judge in the Commonwealth in 1916. On her first day on the bench, a lawyer, who was proceeding with a case in front of her, questioned her right to hear the case because, as a woman, she was not considered a “person” under the law. She asked the Province of Alberta for a ruling on this matter and, in 1917, Alberta declared that both men and women were considered equal under the law. However, this ruling did not apply to federally appointed positions, so she decided to try and change the federal laws that applied to “persons” contained in the BNA act.
7. The first step was to launch a series of petitions which contained thousands of signatures supporting the inclusion of women as “persons” and asking politicians to change the law. These all failed and so, after 10 years, Emily Murphy decided to approach the situation by petitioning the Supreme Court of Canada in 1927 to have women declared as legal “persons” and, therefore, eligible for consideration for appointed positions including the Senate. The Supreme Court, in 1928, turned down the case and upheld the law that “persons” did not include women. So, the Famous 5 carried their case to the Judicial Committee of the Privy Council of the British House of Lords. As Canada was governed by the BNA act the House of Lords was the highest court of appeal for Canadian law. They agreed that women were “persons” under the law and therefore eligible for appointed positions. The ruling was made on October 18th, 1929.
8. The ruling in favour of the case meant that women could be considered for appointment to federally appointed positions such as the Senate of Canada. This meant that now women could participate in every facet of political life in Canada.
9. See individual profiles at the end of the answer sheet.
10. Henrietta Muir Edwards. She was born in 1849.
11. Irene Parlby.
12. The Alberta-based Famous 5 Foundation sponsored a monument entitled, “Famous 5 - Nation Builders”, depicting the five women involved in the ‘Persons’ Case. This monument was unveiled on October 18th, 1999 in Calgary, Alberta at Olympic Plaza.
13. It marks the 70th anniversary of the ruling by the Judicial Committee of the Privy Council of the House of Lords in England.
14. An identical monument was unveiled on Parliament Hill in Ottawa on October 18th, 2000. It will be only the second monument on Parliament Hill depicting women. The other one is of Queen Elizabeth II.
15. The sculptor is Barbara Paterson. She was born and raised in Edmonton and currently resides there. She holds a diploma in fine arts from the University of Alberta with a major in painting and a Bachelor of Fine Arts with a major in sculpture from the University of Alberta. Her outdoor life-size bronzes can be seen at St. Albert City Hall and in the Ghosts Project in Red Deer. Her work is also represented in several collections in Alberta.

16. The monument is 1¼ times life size.
17. None of them; the Honorable Cairine Wilson became the first woman senator in 1930.
18. There were three public gatherings to celebrate the decision. One was sponsored by the Women's Canadian Club and was held at the Crystal Ballroom in the Palliser Hotel in Calgary, Alberta. The date was June 22, 1930 and all five women spoke at this gathering.

### ***Information on each of the women***

#### **Emily Murphy, 1868-1933**

- Born in Cookstown, Ontario
- Died in Edmonton, Alberta, at age 65
- First woman magistrate in the British Empire
- Writer and journalist; wrote many books about pioneer life in the West; pen name was Janey Canuck
- Wrote books on drug addiction, mental illness, venereal disease and birth control
- Political and legal reformer
- Suffragist
- President, Canadian Press Club, 1913-1920
- Instrumental in the creation of the Dower Act of 1910 - this Act protected a woman's rights to at least one-third of her husband's property
- Member of the National Council of Women

#### **Nellie McClung, 1873-1951**

- Born in Grey County, Ontario
- Died in British Columbia, at age 78
- Suffragist
- Helped to make Manitoba the first province in Canada to give women the right to vote in 1916
- Only female member of the Dominion War Council in 1918
- Political and legal reformer
- Author of 15 books
- Member of WCTU – Women's Christian Temperance Union (to try and prohibit alcohol which was seen as a destroyer of the family)
- Fought for Prohibition (banning the sale of all alcohol)
- Liberal politician, 1921-1926
- Delegate to the League of Nations in 1938
- Founded Winnipeg Women's Rights Reform
- Also campaigned for Dower Rights for Women
- First woman member of the Board of Governors of the CBC
- Member of the Canadian Press Club
- Famous quote "Never retract, never explain, never apologize - get the thing done and let them howl"

### **Henrietta Muir Edwards, 1849-1931**

- Born in Montreal, Quebec
- Died in Fort Macleod, Alberta, at age 82
- Women's Rights Activist
- Political and Legal Reformer
- Founded the Working Girls' Association which provided extra vocational training and support for single, working girls - this became the forerunner of the YWCA (Young Women's Christian Association)
- Along with Lady Aberdeen helped to found the VON (Victorian Order of Nurses)
- In 1893 she, along with Lady Aberdeen, helped to found the National Council of Women - the National Council of Women worked (and still works) to improve the conditions for women by reforming laws (examples include the laws granting divorce on equal ground, the introduction of a Mother's allowance, laws concerning equal parental rights to their children after the marriage has ended in divorce, and welfare reform for poor working girls)
- Journalist (she published the first women's magazine)
- Legal Expert
- Artist

### **Irene Parlby, 1868-1965 (pronounced Irene)**

- Born in England
- Died in Edmonton, Alberta, at age 97
- Red Cross worker
- Served on the Board of Governors of the University of Alberta
- First female to receive an honorary degree from the University of Alberta
- Advocate for rural women in Alberta
- Politician, represented Lacombe, Alberta for 14 years
- First female appointed as a cabinet minister in Alberta
- Second female appointed as a cabinet minister in the Commonwealth
- Founded the auxiliary for women of the Farm Workers Union and this evolved into the United Farm Women organization in 1916; she was the first president
- Delegate to the League of Nations in 1930

### **Louise McKinney, 1868-1931**

- Born in Frankville, Ontario
- Died in Edmonton, Alberta, at age 63
- One of the first two women elected to a Legislature in the British Empire
- First woman to sit as a MLA in the Commonwealth in 1917 (which was the first election where women could vote or run for political office)
- Worked towards the formation of the Dower Act
- Women's Rights Activist
- Legislator
- Organizer of the WCTU (Women's Christian Temperance Union)

***Bibliography*** (used to develop Challenge)

Famous 5 Foundation Website: <http://www.famous5.org>

Leading Ladies Canada Jean Bannerman Mika Publishing Co.  
Belleville, Ontario, 1977 ISBN: 0-919303-18 8

...and Mighty Women too, Stories of Notable Western Canadian Women Grant MacEwan  
Western Producer Prairie Books, Saskatoon, Saskatchewan 1975 ISBN: 0-919306-64-0

Nellie McClung, The Girl Who Liked To Ask Questions Tom McCarthy NOVALIS, St.  
Paul University, Ottawa, Ontario ISBN: 2-890088-098-2

Her Story: Women From Canada's Past Susan Merritt Vanwell Publishing Limited St.  
Catharines, Ontario, 1993 ISBN: 1-55125-000-4

Canadian Women: A History Alison Prentice et al. Harcourt Brace Jovanovich,  
Toronto, Ontario, 1988 ISBN: 0-7747-3112-5

Firing the Heather Mary Hallett & Mary Davis, Fifth House, Saskatoon, Saskatchewan,  
1993 ISBN: 1-895618-20-7

Additional bibliography is listed on the website.

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