

## The Persons' Case (1929)

{The Famous Five: Henrietta Muir Edwards, Nellie McClung, Louise McKinney, Emily Murphy and Irene Parlby}.

**Issue:** Can a women hold the office of Senator? [The Canadian government said no, but put the matter before the courts.

**Question they put before Supreme Court → Does the word "Persons" in section 24 of the British North America Act 1867, include female persons?**

***The Supreme Court of Canada replied that the word "person" did not include female persons.***

Fortunately, for Canadian women, the Famous 5 were able to appeal to an even higher court, the **British Privy Council**. The question was duly submitted to them and on October 18, 1929 they overturned the decision of the Supreme Court by deciding that the word "person" did indeed include persons of the female gender.

The word "person" always had a much broader meaning than its strict legal definition, and it therefore had been used to exclude women from university degrees, from voting, from entering the professions and from holding public office.

→ The **definition of "person" became a threshold test of women's equality**. Only when Canadian women had been legally recognized as persons could they gain access to public life. After 1929, the door was open for women to lobby for further changes to achieve equality. As women across Canada can confirm today, that struggle continues.

The 1929 Persons' Case is one of the major achievements by Canadians for Canadians. The Famous 5 **succeeded in having women defined as "persons" in Section 24 of the British North America Act and thereby, eligible for appointment to the Senate.**

This victory symbolized **the right of women to participate in all facets of life, to "dream big" and to strive to realize their potential.**