

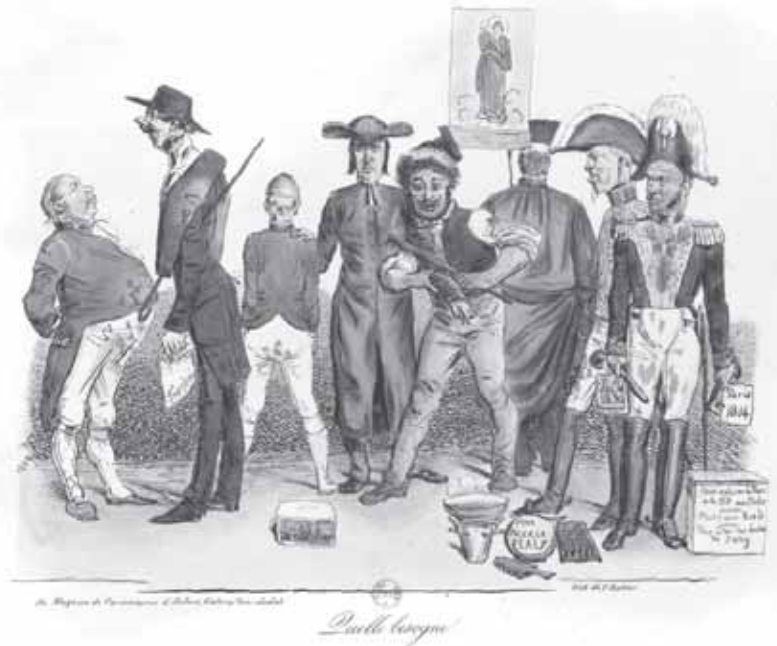
Le 7 janvier 2015 : *Charlie Hebdo*, l'histoire et l'historien

Le réveil du 7 janvier 2015 fut brutal : dès l'ouverture de la radio et la lecture des premiers courriels, l'annonce de l'attaque des bureaux de *Charlie Hebdo* allait rythmer les jours suivants. La stupeur et la consternation qui accompagnèrent l'attentat furent toutefois atténuées, les marches citoyennes du 11 janvier témoignant du refus populaire de laisser triompher la peur et la censure.

Les « événements » de *Charlie Hebdo* se manifestent sous un nouvel éclairage lorsqu'ils sont observés dans une perspective historique. Clio apparaît alors utile pour décrypter l'événement et ses retombés et, dès lors, le 7 janvier témoigne du croisement de plusieurs phénomènes historiques qui s'inscrivent dans la durée.

Situer *Charlie Hebdo* et ses auteurs dans les pratiques contestataires issues de la gauche des années soixante ne suffit pas à comprendre la nature de cette publication si caractéristique de la presse satirique française. À ce sujet, l'historien Robert Darnton a publié, dans la foulée de l'attentat, un texte sur le blogue du *New York Review of Books*. Il replace *Charlie Hebdo* dans sa juste filiation : la satire politique et sociale qui prend ses racines chez Rabelais et qui fut renouvelée par Voltaire, Beaumarchais et Chamfort, pour ne nommer que les plus connus.¹ Aux XVIIIe et XIXe siècles, le dessin satirique fut un outil politique redoutable, utilisé notamment par les libéraux pour réclamer, aux régimes autoritaires, la liberté d'expression – que l'on qualifiait alors de liberté de la presse. Les caricatures de Daumier représentant Louis-Philippe sous la forme d'une poire sont sans doute les plus connues. Également, l'estampe qui accompagne ce texte, publié au moment des trois glorieuses en 1830 et intitulées « *Quelle besogne!...* » *soupire un décrotteur occupé à laver les taches de boue et de sang qui salissent plusieurs personnages ayant joué un rôle dans le précédent règne*, résume l'esprit satirique de la caricature politique de l'époque.²

Les textes et les dessins de *Charlie Hebdo* ne se limitent pas à réaffirmer ce droit à la liberté d'expression exigé au XIXe siècle, mais réitèrent la nécessité, en démocratie, de mener les débats



« *Quelle besogne!...* » *soupire un décrotteur occupé à laver les taches de boue et de sang qui salissent plusieurs personnages ayant joué un rôle dans le précédent règne, Paris, Au Magasin de Caricatures d'Aubert, Galerie Vero-dodat, 1830. Bibliothèque nationale de France.*

Les « événements » de Charlie Hebdo se manifestent sous un nouvel éclairage lorsqu'ils sont observés dans une perspective historique. Clio apparaît alors utile pour décrypter l'événement et ses retombés et, dès lors, le 7 janvier témoigne du croisement de plusieurs phénomènes historiques qui s'inscrivent dans la durée.

politiques dans un espace ouvert et laïque. À ce titre, les dessinateurs et journalistes tués le 7 janvier s'inscrivent dans la perpétuation du combat mené, entre autres, par Georges Clémenceau à la fin du XIXe et au début du XXe siècle. Combat qui mena en France à la loi de 1905 sur la séparation de l'église et de l'État. Au-delà de la provocation, il ne faut pas perdre de vue que *Charlie Hebdo* exprime la nécessité de maintenir un socle commun de délibération politique, susceptible d'animer les débats qui existent dans toutes les sociétés démocratiques. Derrière les appels à la laïcité lancés par *Charlie Hebdo* réside la dénonciation de ceux qui la rejettent et, surtout, leurs tentatives de se saisir de l'espace de discussion public pour en dicter et déterminer les contours. Tel que l'affirme Riss, dans l'éditorial de *Charlie Hebdo* du numéro du 25 février,

¹ Robert Darnton, « *Laughter and Terror* », *New York Review of Books Blog*, 9 janvier 2015, <http://www.nybooks.com/blogs/nyrblog/2015/jan/09/charlie-hebdo-laughter-terror/>

² Anonyme, « *Quelle besogne!...* » *soupire un décrotteur occupé à laver les taches de boue et de sang qui salissent plusieurs personnages ayant joué un rôle dans le précédent règne, Paris, Au Magasin de Caricatures d'Aubert, Galerie Vero-dodat, 1830. Bibliothèque nationale de France.*



« un espace public où Charlie Hebdo peut exister, en ruant dans les brancards et créant le malaise, c'est aussi un espace public où peut exister une histoire qui est mue par une intention de vérité qui va remettre en cause des idées reçues, qui va déplacer les regards, c'est un espace démocratique [...] qui n'est jamais un espace garanti, mais une construction continue »

(à gauche) L'ancien siège du journal Charlie Hebdo, 44 rue de Turbigo à Paris. Photographie : David Monniaux.

« [...] un dessin, ce n'est qu'un dessin. Un petit truc gribouillé qui essaye d'amuser tout en espérant faire un peu réfléchir. Rire et faire réfléchir : le voilà le dessin idéal! Plaisir de surprendre le lecteur par un point de vue original, par un petit pas de côté qui oblige à regarder les choses sous un angle inhabituel, différent de la vision majoritaire. L'outrance et l'excès souvent reproché aux dessinateurs de « Charlie Hebdo » ne sont en réalité qu'une méthode pour s'aventurer sur des chemins inconnus »³

Derrière ces poncifs et ces quelques considérations générales, la force symbolique de l'événement force l'historien que je suis à réaffirmer le caractère immuable de la liberté d'expression et du maintien du caractère laïque de l'espace public. Pour reprendre les termes employés par l'historien Quentin Deluermoz à *La Fabrique de l'Histoire* sur les ondes de *France culture*, le 8 janvier : « un espace public où *Charlie Hebdo* peut exister, en ruant dans les brancards et créant le malaise, c'est aussi un espace public où peut exister une histoire qui est mue par une intention de vérité qui va remettre en cause des idées reçues, qui va déplacer les regards, c'est un espace démocratique [...] qui n'est jamais un espace garanti, mais une construction continue ».⁴ Il ne faut jamais oublier que la liberté de parole et d'investigation de l'historien détermine, avec ses sources et sa méthodologie, la véracité de son analyse et des conclusions qu'il propose.

L'émergence de la discipline historique en tant que forme de savoir académique est tributaire des acquis obtenus par ces luttes pour la liberté d'expression et le maintien d'un espace de discussion public laïque et ouvert. Toutefois, les manifestations citoyennes du 11 janvier à l'extérieur de la France, nous force à constater que l'universalisme que possédaient ces valeurs au XIXe siècle s'est aujourd'hui fortement érodé.

³ Riss, « L'Édito », *Charlie Hebdo*, no 1179, 25 février 2015, p. 3.

⁴ <http://www.franceculture.fr/emission-la-fabrique-de-l-histoire-les-lois-sur-la-liberte-de-la-presse-2015-01-08>

⁵ Émile de Girardin, *Les droits de la pensée. Questions de presse : 1830-1864*, Paris, Michel Lévy et frères et Librairie nouvelle, 1864, p. i-ii.

Le débat à propos de la liberté de la presse fut particulièrement aigu sous le Second Empire et Émile de Girardin fut l'un de ses activistes les plus tenaces. Journaliste prolifique, c'est en ces mots qu'il introduit, en 1864, un recueil de ses articles :

« Empêcher de parler l'homme qui veut parler ; empêcher d'écrire l'homme qui sait écrire ; empêcher d'imprimer l'homme qui peut imprimer ; empêcher, enfin, l'homme d'exercer les facultés de son intelligence, c'est porter à la vie intellectuelle de l'homme une atteinte pareille à celle qu'on porterait à sa vie physique, de boire quand il a soif, de dormir quand il a sommeil, ou de marcher quand il est las d'être immobile. Pour qui les éprouve, les besoins intellectuels ne sont guère moins impérieux que les besoins physiques. »⁵

Malgré le lyrisme propre au style journalistique du XIXe siècle, ces quelques mots de Girardin témoignent de la fragilité de la liberté d'expression et de ses acquis. Le 7 janvier nous rappelle que ces droits, obtenus dans la foulée de l'esprit des Lumières et des luttes qui marquèrent si fortement le XIXe européen, doivent sans cesse être réaffirmés.

Martin Laberge

Secrétaire de langue française

Lors de la parution du dernier numéro du *Bulletin*, au moment de la mise en page, une photographie inappropriée de soldats alliés a été ajoutée à l'article de la professeure Suzanne Langlois⁷. Le *Bulletin* rappelle que les travaux de recherche de la professeure Langlois portent sur les sources visuelles de la mission civile des Nations unies, le secours aux populations civiles sinistrées et la propagande cinématographique pour la paix qui fut commissionnée par le Conseil du cinéma de l'ONU.

Nous souhaitons transmettre nos excuses à la professeure Langlois pour cette erreur.

⁷ Suzanne Langlois, « Coup d'œil sur la recherche historique du Canada. Étudier le patrimoine cinématographique des organisations internationales », *Bulletin de la Société historique du Canada*, vol 40, no 3, pp 27-28.

“The results of a criminal operation”

Suppressing reproductive rights in 1920s and 21st century New Brunswick

The year's first issue of the *Bulletin* should remind readers of just how relevant our craft can be when it comes to current affairs. Historians are not merely stuck in the past – we can and do use history to reflect on the present. Here, our own Martin Laberge weighs in on the tragic and terrible Charlie Hebdo attack of January 7th. Patti Harper's piece on postage history provides cause for reflection as the government rolls back postal services. Erika Dyck and Nicole Neatby provide a valuable update on the goings on at Library and Archives Canada, which has been in and out of the news. Once again, the *Bulletin*'s regular “Historians in the News” column on the back page highlights the efforts of members who continue to engage in more public fora.

For my part, I recently made an unexpected find that also brought the past home to the present. While perusing provincial cabinet documents at the New Brunswick archives this past fall, I came across a rare collection of correspondence that documented an illegal abortion case from the 1920s in surprising detail. The find seemed especially prescient in light of the recent controversy over New Brunswick's dangerously restrictive abortion laws.¹ Finding an abortion case tucked away among cabinet documents also reminded me of the importance of doing history for history's sake. Why do history? Well, for one, you never know what you're going to find, and, as with the ‘hard’ sciences, some of the most intriguing discoveries happen by accident – they'll never occur at all if we're not looking.

Like many stories, this one begins with a journey.

In the spring of 1928, Mabel Dumont, a single young woman from Madawaska County, New Brunswick, travelled half a thousand kilometres to Lewiston, Maine for a medical procedure. She died there on May 28th, “the results,” her bereaved sister explained, “of a criminal operation.” That “criminal operation,” although never mentioned explicitly in subsequent correspondence, was a botched abortion, performed by one Dr. C.K. Donnell.² The case of Mabel Dumont is as tragic as it is revealing of the desperate state of

reproductive rights in 1920s New Brunswick. But like so many cases in history in which the available evidence is only fragmentary, it raises more questions than it answers.

C.K. Donnell was already established as a ‘doctor’ of ill repute when Mabel Dumont first met him. Seven years earlier he had been “murderously assaulted” and his hospital and laboratory set ablaze by unknown assailants, resulting in \$35,000 in property damage.³ Dumont's abortion was not the first that Donnell had performed. According to the local district attorney, the so-called doctor “had already been reported for similar offences.”⁴ Donnell was engaged in other unscrupulous activities, using his lab to manufacture his popular “Indian Vegetable Oil,” a dubious cure-all for dozens of afflictions, including boils, earache, toothache, coughs, colic, cramps, neuralgia, diphtheria, pneumonia, rheumatism, congested lungs, tonsillitis, inflammation, bronchitis, and even Spanish influenza. Donnell claimed that his elixir had “proved very successful in the epidemic of 1917-18, when I treated hundreds of cases ... with phenomenal results.” He hastened customers to “buy an extra bottle or two now as Sufferers were unable to obtain this Oil during the last epidemic.” Testing by the US Department of Agriculture, however, found that Donnell's product consisted “essentially of cottonseed oil, containing volatile matter including chloroform.” The USDA concluded that claims of its medicinal value were “false and fraudulent,” and recommended that local



Photo: One of the many old bottles for C.K. Donnell's dubious “Indian Remedies” available for sale online today.

¹ Sarah Ratchford, “Women in New Brunswick are performing DIY abortions,” *Vice News*, 29 October 2014. http://www.vice.com/en_ca/read/women-in-new-brunswick-are-performing-diy-abortions-123 (accessed 30 November 2014).

² Provincial Archives of New Brunswick (PANB), RS9, “Executive Council papers,” box 72, file 31 July 1928, Laura Dumont Sirois to L.P.D. Tilley, 5 July 1928.

³ *Fitchburg Sentinel*, 13 June 1921. <http://www.newspapers.com/newspage/65094614/> (accessed 29 October 2014).

⁴ PANB, RS9, box 72, file 31 July 1928. L.P.D. Tilley to J.B.M. Baxter, 18 July 1928.

authorities seize and destroy any containers that they might come across.⁵ For Donnell, apparently, the bottom line mattered far more than patient wellbeing.

All of this begs the questions: Why did Dumont feel it necessary to travel all the way to Lewiston for an abortion, and why did she seek out this 'doctor' in particular? Was there no one closer to home, in New Brunswick, nearby Quebec or even Nova Scotia, who was known to provide abortions? Were abortions more tolerated (and therefore more accessible) stateside? Despite having been reported to local authorities before, Donnell was evidently allowed to continue his illegal practice in Lewiston.⁶ Lewiston's location and the local demographics might also have factored in to Mabel Dumont's fateful decision. For many women from New Brunswick and eastern Quebec, Lewiston, with a population of nearly thirty-five thousand, would have been the closest American urban centre.⁷ It was also an important hub for Maine's sizeable Franco-American community, so much so that a part of the city had been dubbed "Little Canada." French Canadians had been moving there since the 1860s in order to find work in the local textile mills, shoe shops, and in other sectors.⁸ Even Donnell appears to have employed a Franco-American assistant, perhaps as a liaison with the local community.⁹ Moreover, the Francophone communities on both sides of the international boundary maintained close familial and fraternal links. Could rumours of abortion clinics in Lewiston have reached Francophone girls and women back in Canada? Today, Lewiston celebrates its Franco-American heritage and its historical links with French-speaking Canada. Did this history include a shadier role as a centre for illegal abortions in early twentieth century French North America?

Within weeks of her death, Mabel Dumont's body was buried in the general cemetery of the village of Clair, in Madawaska County, New Brunswick. Why and how her body ended up in Clair is uncertain, but it seems most likely that it was because she was either from the village or the surrounding area. This raises another question: Did Dumont's proximity to the border factor into her decision to travel to the US for an abortion? Again, the possibility that the US could have been perceived as more tolerant of abortions – a 'safe haven' for desperate girls and women confronted with an unwanted pregnancy and a deeply Catholic society in Canada – comes to the fore.

⁵ US National Library of Medicine, FDA Notices, case no. 16394, case title "Misbranding of Donnell's Indian vegetable oil. U. S. v. 37 Bottles of Donnell's Indian Vegetable Oil. Default decree of condemnation, forfeiture, and destruction," notice issued December 1929. (<http://archive.nlm.nih.gov/fdanj/handle/123456789/52318>) (accessed 30 October 2014). Given the number of old bottles that are available for sale online, Donnell's product must have been fairly popular.

⁶ PANB, RS9, box 72, file 31 July 1928. L.P.D. Tilley to J.B.M. Baxter, 18 July 1928.

⁷ See <http://www.library.umaine.edu/govdoc/Census%20Population%201790%202000.pdf>.

⁸ See <http://www.franco-center.org/about-the-franco-center/mission-history/>
⁹ See *Fitchburg Sentinel*, 13 June 1921.

¹⁰ PANB, RS9, box 72, file 31 July 1928. Laura Dumont Sirois to L.P.D. Tilley, 5 July 1928.

¹¹ PANB, RS9, box 72, file 31 July 1928. L.P.D. Tilley to J.B.M. Baxter, 18 July 1928.

¹² PANB, RS9, box 72, file 31 July 1928. H.L. Abramson to L.P.D. Tilley, 10 July 1928.

What is almost certain is that Mabel Dumont was Francophone and Catholic. (In addition to her last name, Mabel's sister's written English strongly suggests that French was the two siblings' first language, and virtually all Francophones from 1920s rural New Brunswick were Catholic.) This raises another series of questions. If Mabel Dumont was Catholic, then why was she buried in the "general Cemetery," as her sister reported? Did the Church know what had happened? Had Mabel Dumont been excommunicated in death for having solicited a "criminal operation"? Was it so common for girls or single young women to return from Lewiston in a casket that the cause of death could be assumed to have been a botched abortion?

Mabel Dumont's sister, Laura Dumont Sirois, apparently thought so. Laura, who lived with her husband George Sirois in Charny, Quebec, just outside of Quebec City, did not appear to have learned of her sister's death until about a month after it happened. On 5 July 1928, still reeling from the loss, she wrote to New Brunswick's Acting Attorney General L.P.D. Tilley to ask for an autopsy.

Dear Sir,

There is a big doubt on my part to believe (sic) that my late Sister Mabel Dumont who died at Lewiston Me. on May 28th has been the results of, a criminal operation performed by Dr. C.K. Donnell of Lewiston Me. I am hereby asking you ... to have the body disinterred (sic) for a very keen autopsy. My Late Sister was buried in Clairs (sic) Mad. Co. in the general Cemetery.¹⁰

Tilley took action "as soon as the complaint was entered by Mr. George Sirois" himself, writing to the Attorney of the State of Maine, who passed along Tilley's letter to the local district attorney in Lewiston. The district attorney informed Tilley that "the doctor complained of had already been reported for similar offences," and also asked that an autopsy be performed and that a full report be sent as proof.¹¹ In New Brunswick, meanwhile, things moved quickly. Tilley met with Dr. H.L. Abramson, the New Brunswick Department of Health Director of Laboratories, to discuss the necessary "procedure for obtaining organs to prove pregnancy." Abramson recommended "that the uterus be completely removed and put in a container holding ten per cent formalin," and to send the "specimen" to his lab at the General Public Hospital in Saint John, so that he could examine it there.¹² Tilley arranged with local Clair doctor P.C. Laporte to oversee the disinterment of the body, and for George Sirois to travel to Clair to confirm that it was, indeed, the late Mabel Dumont. George Sirois arrived at three o'clock in the morning on Sunday, July 15th, and identified the body, after which Dr. Laporte "took off the uterus and following instructions sent it this morning [July 16th] to Bureau of Laboratories at General Hospital at St John." Laporte forwarded Tilley a bill of \$25 for his troubles. (In order to secure payment for Laporte's bill, Tilley had to take the matter up with his provincial cabinet colleagues, which explains why the related documents ended up in the Executive Council fonds at the Provincial Archives of New Brunswick. The payment was ultimately approved.) Laporte also took care to mention to Tilley that, "In case of criminal procedure I would not like to be called as witness, but will

The tragedy of Mabel Dumont raises one overriding question: How many other girls and women died at the hands of C.K. Donnell, of other unscrupulous abortion practitioners, or by their own hand as a result of the criminalization of choice?

furnished (sic) affidavits of my doings in that case.”¹³ Within two days, Abramson had received the “specimen,” performed his examination and completed his report. Tilley, writing directly to New Brunswick Premier J.B.M. Baxter, did not mention the specifics of the results, but did state that “I thought it wise to have Dr. Abramson’s report in this matter in case the State of Maine took action and wanted the best expert evidence given with reference to the case.”¹⁴ Sadly, Laura Dumont Sirois’s initial suspicions about her sister’s fate had proved accurate.

The New Brunswick government’s handling of the Dumont case allows for a number of observations about prevailing societal values at the time. First, the swift action that was taken strongly suggests that the government considered the illegal abortion and the death of Mabel Dumont to be a serious crime and a tragedy. But what comes across in the correspondence is that it was the hypothetical termination of a pregnancy that constituted the basis for the crime, more so than the very real death of a young woman. Indeed, the former was considered so abhorrent that, despite allowing themselves to go into the macabre details of arranging Mabel Dumont’s autopsy, the correspondents could not bring themselves to refer directly to the abortion in question beyond thinly veiled references to a “criminal operation.” What also comes across is the controlling role of men in what was fundamentally a women’s issue. The victim, Mabel Dumont, was a woman, and the perpetrator, C.K. Donnell, was a man. The victim’s first intervenor, Laura Dumont Sirois, was a woman, but the powers that be deemed it necessary for Laura’s husband George to make a formal complaint before they could proceed with the investigation. They also called upon George, and not Laura, Mabel’s blood relation, to identify the body. Finally, every official involved in the investigation, from the premier down to the gravedigger, was also a man. At no point was this dichotomy questioned.

There is another elephant in the room. How did Laura know that Mabel had an abortion? Did she travel with Mabel to Lewiston to provide moral support? This seems unlikely, given that she lived in a different town, given her own apparent views on abortion, and given the fact that more than an entire month had passed after Mabel’s death in Lewiston before Laura wrote to Tilley from her home in Charny, Quebec. Did Mabel tell her sister that she was pregnant, or that she planned on travelling to Lewiston to visit the ‘doctor’ C.K. Donnell for an abortion? Perhaps. Still, the real possibility that her sister might attempt to dissuade her from such a course of action could very well have convinced Mabel to keep Laura in the dark, and suffer in silence. Moreover, it is equally plausible that Laura could have deduced Mabel’s fate from the simple fact that she had returned dead from Lewiston.

The one person who truly had no say in the investigation was Mabel Dumont herself. Who was she? A cursory search of online birth, baptismal and death records from Quebec and New

Brunswick yielded no results. What can be said with confidence is that she was a single young woman, and most likely a Francophone Catholic from Madawaska County in New Brunswick. That her sister, Laura, could read and write in English reasonably well suggests that she had access to a decent level of education, relative to the times. Laura’s marriage to a man who worked for a successful meat packing company, and who had access to that company’s letterhead,¹⁵ also suggests that Laura, and perhaps Mabel, may have belonged to the middling class, as does the fact that young Mabel somehow managed to raise the funds necessary to travel to Lewiston and pay for an expensive abortion. At the very least, it can be said that Mabel Dumont was determined to end an unwanted pregnancy that might otherwise derail whatever plans she had made for her own future, and this at a time when doing so meant real risk to her personal reputation and to her very life.

Taken as a whole, the tragedy of Mabel Dumont raises one final and overriding question: How many more ‘Mabel Dumonts’ died in Lewiston? How many other girls and women died at the hands of C.K. Donnell, at the hands of other unscrupulous abortion practitioners, or by their own hand as a result of the criminalization of choice? It is impossible to say. Given that it was in the interest of both ‘doctor’ and patient to conduct their business anonymously, documentary evidence of illegal abortions from this period is scarce. Still, the available evidence suggests that people knew far more about illegal abortions than they let on. Sadly, the taboos and the ‘cone of silence’ surrounding reproductive health contributed to the needless deaths of countless girls and women.

When the Canadian government finally began examining the question in detail in the 1960s, it found that, between 1960 and 1966, 150 *reported* deaths could be linked to abortion attempts. In 1966 alone, over 45,000 women were hospitalized in Canada “after having tried to terminate a pregnancy, making it the primary cause of hospitalization for Canadian women that year.”¹⁶ Mercifully, reproductive rights for Canadian women have come a long way since then. But in some parts of the country, including in New Brunswick, where Mabel Dumont was finally laid to rest, girls and women continue to be the victims of draconian policies and legislation that has restricted access to publicly-funded and safe abortions.¹⁷

Robert Talbot
English-Language Secretary

¹³ PANB, RS9, box 72, file 31 July 1928. C.P. Laporte to L.P.D. Tilley, 16 July 1928.

¹⁴ PANB, RS9, box 72, file 31 July 1928. L.P.D. Tilley to J.B.M. Baxter, 18 July 1928.

¹⁵ See PANB, RS9, box 72, file 31 July 1928, Laura Dumont Sirois to L.P.D. Tilley, 5 July 1928; and same file, L.P.D. Tilley to J.B.M. Baxter, 18 July 1928.

¹⁶ Canadians for Choice and Fédération du Québec pour le planning des naissances, *Focus on Abortion Services in Quebec* (CFC & FQPN, 2010), p.12. http://www.canadiansforchoice.ca/quebec_report.pdf.

¹⁷ Keith Doucette, “New Brunswick Abortion Decision to Keep Locations Secret Attracts Criticism,” *The Huffington Post*, 3 February 2015 http://www.huffingtonpost.ca/2015/02/03/new-brunswick-abortion_n_6607014.html (accessed 15 February 2015).