

THE UNIVERSITY OF MANITOBA

PRODUCTION AND REPRODUCTION:

AN ANALYSIS OF WOMEN'S WORK IN CANADA

by

MARJORIE NOGIEC

A THESIS

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES IN  
PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF  
MASTER OF ARTS

DEPARTMENT OF SOCIOLOGY

WINNIPEG, MANITOBA

AUGUST 1979

Table of Contents

|   |     |
|---|-----|
| List of Tables .....                                    | i   |
| List of Graphs .....                                    | ii  |
| 1. The Problem .....                                    | 1   |
| 2. Review of Literature .....                           | 7   |
| 3. Methodology .....                                    | 27  |
| 4. Analysis of Data: Hypotheses #1 and #2 .....         | 42  |
| 5. Analysis of Data: Legislation .....                  | 83  |
| 6. Analysis of Data: Changes in Reproductive Work ..... | 153 |
| 7. Summary and Conclusions .....                        | 169 |
| 8. Suggestions for Further Research .....               | 192 |
| Notes .....   | 194 |
| References .....  | 203 |

List of Tables

|  |    |
|--|----|
| 1. Total Population, Labour Force, Female Labour Force, and Women as a Percentage of the Labour Force, Canada, Census Years 1901 to 1971 .....   | 43 |
| 2. Male and Female Labour Force Participation Rates, 14 Years of Age and Over, Canada, 1901, 1911, 1921, and 1931 to 1971 .....  | 44 |
| 3. Percentage Distribution of Women in the Labour Force by Major Occupational Group, Canada, Census Years 1901 to 1971 .....   | 46 |
| 4. Percentage Distribution of Men in the Labour Force by Major Occupational Group, Canada, Census Years 1901 to 1971 .....   | 47 |
| 5. Women as a Percentage of All Workers in Major Occupational Groups, Women as a Percentage of the Labour Force, and Over-/Under-Representation Margins, Canada, Census Years 1901 to 1971 .....   | 53 |
| 6. Number of Women Employed in Transportation and Communication, Number of Women Employed as Telephone Operators, and Percentage of Women in Transportation and Communication who are Telephone Operators, Canada, Census Years 1911 to 1971 .....   | 55 |
| 7. Number of Women Employed in the Major Group Professional, Number of Women Employed as School Teachers and Nurses, Percentage of Women in Professional who are School Teachers, Percentage of Women in Professional who are Nurses, and Percentage of Women who are School Teachers or Nurses, Canada, Census Years 1911 to 1971 ..... | 57 |
| 8. Participation Rates of Married Women and the Percentage Distribution of Women in the Female Paid Labour Force by Marital Status, Canada, Census Years 1931 to 1971, and 1974 ..   | 64 |
| 9. Marital Fertility Rate and Participation Rate of Married Women, Canada, Census Years 1931 to 1971, and 1972 .....   | 65 |
| 10. Male Population by Age, Canada, 1931, 1941, and 1951 (excluding Newfoundland) .....  | 74 |

List of Graphs

1. General Fertility Rate, Labour Force Participation Rates for Women 14 Years of Age and Over, and Ages 14 to 44, and Unemployment Rates for Women 14 Years of Age and Over, and Ages 14 to 44, Canada, 1931 to 1974 ..... 63
2. General Fertility Rate, Labour Force Participation Rate for Males 14 Years of Age and Over, Unemployment Rate for Males 14 Years of Age and Over, and the Five Year Moving Average of the Unemployment Rates for Males 14 Years and Over, Canada, 1931 to 1974 ..... 72
3. Trends in Annual Rates of Accession to the Labour Force per thousand Males by Age, Canada, 1931, 1961, and 1971 ..... 76
4. Trends in Annual Rates of Retirement from the Labour Force per thousand Males by Age, Canada, 1931 to 1971 ..... 78
5. Rates of Labour Force Participation, Males 14 Years of Age and Over, and 25 to 44 Years of Age, Canada, 1953 to 1974 ..... 79
6. Age-specific Fertility Rates, Canada, Census and Half-Census Years 1921 to 1971, and 1974 ..... 163

## Chapter 1 - The Problem

To Marx, Engels, and the socialist writers who followed them, equality for men, as well as for women, would come only after the capitalist mode of production was replaced by another more responsive to the needs of all people. The inequality of women relative to men was seen as an integral component of capitalism.

Recently, writers such as Sheila Rowbotham (1974) and Hilda Scott (1975) have examined the position of women in some of the socialist countries. They found that the change from a capitalist to a socialist mode of production did not fundamentally alter the inferior position of women. Women in socialist countries, like women in capitalist countries, were still held responsible for most work in the family (sphere of reproduction), and received comparatively low wages in the labour force (sphere of production). The conclusion of these and other writers has been that while women's inequality has been incorporated into the structure of capitalism, it pre-dates, and will presumably post-date, capitalism. This is because women's position is seen as primarily determined by their relationship to the sphere of reproduction, while men's is determined by their relationship to the sphere of production. Thus, equality for women is dependent upon a change in the sphere of reproduction.

While analyses exist that deal with women's relationship to reproduction, as well as their relationship to production, no attention has been given to an analysis of the inter-relation between women's work in both spheres. It is the contention of this thesis that there is a systematic relationship between the work that women perform in each

sphere, and that women's work in capitalist society cannot be adequately analysed by considering their work in each sphere separately. Thus, the first purpose of this thesis is to establish this relationship. Its elucidation can best be accomplished by employing the reserve army theory as developed by Marx. However, because in its existing form the theory is concerned only with work in the sphere of production, it is necessary to expand this framework to include reproduction in order to develop an accurate picture of the totality of women's work.

The expansion of Marx's reserve army theory into a framework that integrates reproductive and productive work will enable an examination of whether women's relationship to work in either sphere has altered over time. Therefore, the second purpose of this thesis is to establish whether women's relationship to work in the sphere of production and/or reproduction has changed during this century.

The accomplishment of these two purposes is fraught with a number of problems. As is often the case when dealing with a theoretical perspective which is not part of mainstream social science, the nature of official statistics (which are used exclusively in this thesis) does not coincide with the categories and concepts of the theory. Thus, measurement may at times be circumscribed or indirect. This problem afflicts one of the central variables utilized in the thesis: reproductive work.

The term reproductive work includes a multitude of tasks ranging from childbearing and nurturance to housework. In, short, it refers to all labour performed by women which has as its aim the birth,

nurturance, and socialization of children, or the reproduction of the husband's labour power by the performance of household tasks and other means. However, because this labour is not recognized as productive - or even as work - it is not part of national accounting; no "statistic" exists that measures the total amount of reproductive work performed.

Only one type of reproductive work is counted - childbearing - and it has been necessary to adopt this truncated measure as the operational definition of reproductive work. Once reproductive work is quantified, it is possible to set about examining the relationship between the reproductive and productive work performed by women. Fortunately the latter is more or less satisfactorily measured and published in the Census and the Labour Force Survey. The relationship will be examined in two major ways: first, by comparing the relative amounts of women performing work in each sphere, and assessing the dependence of the rate of participation in one sphere upon the rate of participation in the other, and second, by assessing how the conditions of work in one sphere (restriction or encouragement of access, as well as other factors) affect the performance of work in the other.

Thus, the first purpose of the thesis will be accomplished by examining data in two analysis sections, the first consisting of the testing of a number of hypotheses. The investigation of these hypotheses is expected to establish that work in the paid labour force has been dominated by males throughout this century, that the number of women performing work in each sphere is related to the number performing work in the other, and that the amount of reproductive work

performed is related to the available surplus of male labour. The second analysis section will be an analysis of legislation which has regulated women's work in each sphere.

The data presented in these two sections should be sufficient to allow an assessment to be made as to whether women's relationship to work in the sphere of production has changed during this century. However, in order to fully accomplish the second purpose of the thesis it is necessary to include a third analysis chapter containing a further examination of reproductive work. This section will be an evaluation of changes that have occurred in the sphere of reproduction, and will include such areas as the increased efficiency of childbearing through technological advance, and the effect of urbanization on the nature of reproductive work. In each case, official statistics will be presented which document changes.

By utilizing Marx's reserve army theory it will be possible to understand the relevance of the findings of the analysis sections, and to form a clear picture of the conditions of, and relationship between, women's work in both the spheres of production and reproduction. The reserve army theory elucidates the necessary organization of work within capitalism; it illustrates that capitalism requires a surplus labouring population in order to ensure a ready supply of workers to meet increased needs in one area of production without causing disruption in others. This surplus labouring population or reserve army of labour also serves to depress wages of employed workers in the labour force by maintaining a supply of workers which exceeds demands. Thus, the reserve army of labour must be maintained at a level sufficient to

serve these purposes, without being so large as to engender serious problems (eg. drain on resources or widespread and extreme dissatisfaction). Although Marx neglected reproductive labour, and therefore the special relationship of women to both productive and reproductive work, in his formulation of this theory, the basic framework can be expanded to include these factors. This will result in a more fully developed reserve army theory which includes both reproductive and productive work, and provides a useful and versatile framework that elucidates the organization of all labour within capitalism.

Very briefly, the expanded reserve army theory will take the following form. There are three reserve armies: because of the sex-typed nature of the paid labour force, there is a reserve army to meet the needs of the male labour force (male productive reserve army) and a reserve army to meet the needs of the female productive labour force (female productive reserve army); there is also a reserve army of reproductive workers to meet the needs of the reproductive labour force (female reproductive reserve army). While men are either part of the paid labour force or the male reserve army, women may be part of the paid labour force, the reproductive labour force, or either of the female reserve armies. Moreover, women in the paid labour force may be called upon to leave productive employment in order to perform reproductive work, and women in the reproductive labour force may be called upon to enter the paid labour force. Thus, women in the paid labour force may be part of the reproductive reserve army, and women in the reproductive labour force may be part of the reserve army for the female occupations

in the paid labour force. The necessary level of childbearing is a function of the need for workers, and thus the size of the reserve armies. For example, if there is a consistently high demand for workers in the male labour force, and the male reserve army is small, the level of childbearing must be increased in order to meet this need.

As the analysis progresses, the intricacies of the expanded reserve army theory will become clear, as will its strengths and weaknesses. The framework should be valid in explaining the organization of labour in Western capitalist countries in general, although because all data presented is for Canada only, such an assumption would need to be tested using data from other countries in order to be considered valid.

One omission in this thesis is the area of immigration/emigration. Obviously these processes have an effect upon the supply of workers, but because of the complexity of assessing the effects of these factors, they have not been dealt with here. Nevertheless, the processes of immigration and emigration could be easily incorporated into the framework, and they present no apparent problem in this expansion of Marx's reserve army theory.

## Chapter 2 - Review of Literature

In that no analysis exists that integrates women's work in both the spheres of production and reproduction, it is first necessary to review material that deals with each area separately, so that the major conclusions of writers in each area can be integrated into a more holistic framework. The literature reviewed in this chapter is therefore divided into two sections: (1) reserve army literature that analyses women's relationship to the sphere of production, and (2) literature which primarily deals with women's work in the sphere of reproduction. In the conclusion of this chapter, the way in which the two types of analyses can be integrated will be shown, and the hypotheses to be investigated, and two other types of analysis necessary to test and elucidate the inter-relation between women's work in the spheres of reproduction and production will be stated.

### 1. The Reserve Army of Labour

Marx, in Volume I of Capital (The General Law of Capitalist Accumulation), was the first to analyse the organization of labour in capitalist society. Specifically, he believed that a reserve army of labour or surplus population of workers was the result of the increasing development of the capitalist economic system, as well as a necessary condition of its continued existence.

But if a surplus labouring population is a necessary product of accumulation or of the development of wealth on a capitalist basis, this surplus-population

becomes...a condition of existence of the capitalist mode of production. It forms a disposable reserve army, that belongs to capital...it creates, for the changing needs of the self-expression of capital, a mass of human material always ready for exploitation ...the mass of social wealth, overflowing with the advance of accumulation, and transformable into additional capital, thrusts itself frantically into old branches of production, whose market suddenly expands, or into newly formed branches... . In all such cases, there must be the possibility of throwing great masses of men suddenly on the decisive points without injury to the scale of production in other spheres. Over-population supplies these masses. (Marx,1974:632)

Marx noted that the surplus population or reserve army always exists in three forms: the floating (found in the centres of modern industry - in manufacturing, etc... - where labourers are sometimes attracted to the market when old industries expand and new industries are formed, and sometimes expelled as industries become more mechanized or contract), the latent (found increasingly as agriculture becomes mechanized), and the stagnant (those workers who are extremely irregularly employed) or the sphere of pauperism (those able to work but unable to find work - "orphans and pauper children" - and those unable to work because of old age, disability, etc...). Therefore, all workers who are only partially employed or wholly unemployed belong to the reserve army (Marx,1974:641-642).

The reserve army of labour is produced and maintained in two ways. First, by the increase of a population by reproduction or childbearing, and second, by the capitalist mode of production itself. The latter produces and increases the size of the reserve army of labour in two major ways: (1) as production develops it becomes increasingly more

mechanized and thus needs fewer workers, and (2) economic contractions cause a decline in certain industries which reduces the demand for labour in these industries, and thus increases the overall supply of available labour.

The emphasis in Marx's work was on the maintenance of the reserve army of labour by the capitalist mode of production. He did not analyse the relationship between reproduction and the reserve army of labour, and thus neglected the role of women, both as reproductive workers in the maintenance of the reserve army, and as productive workers. He saw women's relationship to work in the sphere of production as identical to men's, and viewed the industrial reserve army as undifferentiated by sex.

Marx's theory of the reserve army of labour is a useful generalized framework for explaining the organization of labour within capitalism. However, by failing to consider the implications of women's role as reproductive workers in producing and maintaining the reserve army of labour, and the effect that this must have on women's relationship to productive work, Marx's reserve army theory remains incomplete.

A number of subsequent writers (1) nonetheless adopted Marx's view that women's relationship to the sphere of production is the same as men's, and that the reserve army of labour is undifferentiated by sex. Like Marx, they also neglect to fully analyse the work women perform in the sphere of reproduction. Writers such as Dixon (1965) and Benston (1969) examined women's wageless work in the home, and generally low paid employment in the labour force, and concluded that women's primary role

in capitalism is that of a reserve army of cheap labour for the paid labour force.

Women tend to be brought into the market when: (1) there is a demand for greater masses of labour power; (2) demands for cheap labour power, which can be met by women's undervalued wages or women's part-time work; (women are forced out of the labour market in periods of glut on the market because they be reabsorbed into the wife-role in the nuclear family). In effect, the nuclear family and the wife-role serve to disguise massive unemployment in the female labour force. (Dixon, 1975:65-66)

This perspective is a mechanistic application of Marx's reserve army theory to the paid labour force activity of women and their work in the home; an attempt to fit women into the reserve army theory as it exists, rather than to develop a more accurate analysis of women's work in both spheres. In addition, these writers have typically failed to prove their claims that women serve merely as a reserve army of cheap labour for the paid labour force, by examining labour force data.

Recently, this traditional application of reserve army theory to the paid labour force activity of women has been questioned by writers such as Ruth Milkman, Al Szymanski, and Harry Braverman. Although the method of analysing the paid labour force activity of American women during this century varied somewhat among these writers, all three concluded that women could not simply be classified as a reserve army of cheap labour for the paid labour force. Rather, they found that women in the American paid labour force were a small, stable, and steadily increasing proportion of all workers (Milkman, 1976:89-90; Szymanski, 1976:38-43; Braverman, 1974:384-386).

All three writers found that occupations in the American paid labour force were in the past, and continued to be, sex-typed into male or female occupations. Milkman, Szymanski, and Braverman all concluded that occupational sex-typing was the most important factor in explaining the different patterns of male and female labour force participation; that the increasing labour force participation of American women in recent years is the result of higher demands for labour in the female occupations, not of women being utilized as an undifferentiated reserve army of labour for all occupations in the labour force (Milkman, 1976: 88-90; Szymanski, 1976: 44-46; Braverman, 1974: 381, 385).

Both Milkman and Szymanski showed that women were not drawn into the labour force in increasing numbers during periods of economic expansion or expelled during periods of economic contraction (Milkman, 1976: 85-90; Szymanski, 1976: 40-42). (2) Milkman further illustrated that at no time between 1930 and 1973 were women drawn into male occupations, nor were women expelled from the paid labour force during periods when male occupations contracted, such as during the 1930's (Milkman, 1976: 85-90).

All of these writers noted that women in the home were meeting the increased needs for labour in the expanding female occupations in the post-war period (Milkman, 1976: 89-90; Szymanski, 1976: 37-43; Braverman, 1974: 385). However, in concluding that because of the sex-typing of occupations women did not serve as part of an undifferentiated reserve army, Milkman and Szymanski ignored the possibility that women in the home may serve as a reserve army for women in the labour force;

that is, that the reserve army, like the occupations in the paid labour force, may be sex-typed. Braverman did state that women in the home were members of the industrial reserve army for the female occupations in the labour force, but he did not consider them a separate reserve army (Braverman, 1974:385,386). While he extended reserve army theory to take into account the sex-typed nature of occupations in the labour force, he drew no further conclusions. Thus, like Milkman and Szymanski, Braverman did not feel that women's relationship to the sphere of production was different from men's.

As in Marx's original analysis, none of these writers made any attempt to examine women's reproductive work in the home. This work relates not only to the reserve army, but also to women's relationship to production. Since it is women who contribute to the maintenance of the industrial reserve army of labour in their capacity as reproductive workers (as Marx noted), and who may also be workers in the paid labour force, their relationship to production is necessarily different from that of men. Therefore, in order to present a more accurate picture of women's relationship to production and reproduction, it is first necessary to examine their work in the sphere of reproduction.

## 2. Women as Reproductive Workers

The development of capitalism destroyed the feudal system and created a separation between work (for which a wage was received) and home, but retained the patriarchal authority and control of women by men. Significantly, this continuation of patriarchal authority was

extended, so that women were under male control both in the home - as they had been previously - and in the new sphere of productive activity. (3)

While legislative changes in the twentieth century (divorce, property laws, etc...) have lessened the direct and legal control of women by men in their roles as husbands or fathers, there are major areas which have changed little during the past few centuries. Most important is the patriarchal belief that women must be the producers and socializers of children - unwaged workers in the home. Because capitalism defines work as something for which a wage is received, wives doing housework, taking care of children, and performing other household tasks, are not considered to be engaging in "real work", in that it takes place outside of the trade and market place. Thus, the distinction is made between productive and non-productive work. In Woman's Estate (1973) Juliet Mitchell addressed this point.

The division between the roles of man and wife is not simply a "division of labour", it is the denigration of the one job to service and the elevation of the other to "production". A division - like all divisions - predicated on inequality. (Mitchell, 1973:140)

Benston, Eisenstein, Rowbotham, Clark, Mitchell, and Lange all utilize a Marxist-feminist approach to analyse women's position in capitalism: Marxist in using the materialist conception of history, but feminist in further developing this method by examining the differences between the positions of women and men in capitalism. All of these writers focus upon women's reproductive work, and argue that, contrary

to the traditional Marxist view, women are primarily determined by their relationship to the sphere of reproduction, rather than to production. (4)

All of these writers challenged the existing conception of reproductive work in some way. All argued that the present sexual division of labour, in which women perform virtually all reproductive work, is not the result of any "natural order", but of coercion. Citing anthropological evidence from such authorities as Claude Levi-Strauss (Mitchell, 1973:115) and Margaret Mead (Mitchell, 1973:115), Mitchell asserted that just because women are able to bear children it does not follow that the entire task of nurturing and socializing these children must also be theirs; childbearing is a biological necessity, all other reproductive work is assigned to women by the socially based sexual division of labour (Mitchell, 1973:115-119). Similarly, Clark stated that:

...the reproductive function is not simply the creation and birth of a new individual. Creation and birth are but the first steps in the process. It is the whole process from conception through birth and subsequent development to a state of more or less independence that constitutes the reproductive process. The fact that women carry and give birth to the child is merely a differentiation of function, but does not make the whole process their single-handed function or responsibility. The view that it does, or that it should, is itself a product of the ideology of male supremacy and has no basis in fact or justification in logic. (Clark, 1976:53-54)

Thus, women's capacity to give birth does not mean that the full range of reproductive work is the natural province of women, nor should women be socially defined as solely reproductive workers.

In The Political Economy of Women's Liberation (1969), Benston argued that the existing sexual division of labour was beneficial to capitalism. She stated that although the sphere of production had been altered in the change from feudalism to capitalism, the sphere of reproduction remained unchanged, because it was economically advantageous to capitalism to keep women responsible for work in the home. She further noted that household labour (which includes child care) constitutes a large amount of socially necessary production, but that capitalism depicts this labour as marginal to the total economy. Acknowledgement of its true value would presumably focus attention on the wagelessness of women who perform household labour.

The problem is not simply one of getting women into existing industrial production but the more complex one of converting private production of household work into public production. (Benston, 1969:17)

Women in the home maintain and reproduce the labour power of the male at no direct cost to capital. They provide domestic services to the male worker; they produce the new generation of workers and perform a crucial function in socializing these children in such a way as to make them efficient and productive workers when they reach adulthood. (5)

Domestic labour, even today, is enormous if quantified in terms of productive labour. It has been calculated in Sweden, that 2,340 million hours a year are spent by women as compared with 1,290 million hours in industry. The Chase Manhattan Bank estimated a woman's overall working week averaged 99.6 hours. (Mitchell, 1973:102)

Similarly, The Royal Commission on the Status of Women in Canada stated

that the work of housewives would have amounted to 11% of the Gross National Product had it been included in the calculations. In 1968, this would have been approximately eight billion dollars (Report of the Royal Commission on the Status of Women in Canada, 1970:32).

Capitalism also benefits from the patriarchal division of labour in the home in other ways. Women bear the responsibility for emotionally and sexually maintaining their husbands. The family is supposed to provide a haven where the male worker can escape the impersonal forces of the economy (Milkman, 1976:73). Furthermore, by placing the burden of supporting a family on the male worker, the family as an economic unit is a valuable stabilizing force in capitalist society (Benston, 1969:20). This responsibility minimizes the male married worker's ability to withhold his labour; it reduces his flexibility in changing jobs, and makes the prospect of a long strike, for example, more threatening.

Clearly it is to capitalism's advantage to maintain the patriarchal division of labour. However, there is some disagreement among analysts as to how this has been accomplished. All of the writers discussed in this section agree that women have been forced to perform unpaid reproductive work; that women's relationship to the sphere of reproduction is coercive in nature. Mitchell and Clark concentrated on the importance of ideology in forcing women to perform reproductive work. According to Mitchell, it was not woman's lesser capacity for demanding physical work that removed her from the sphere of paid production, but her social weakness.

Women have been forced to do "women's work". Of course,

this force may not be actualized as direct aggression ... . A further point is that coercion implies a different relationship from coercer to coerced than does exploitation. It is political rather than economic... . This is pre-eminently woman's condition. For far from woman's physical weakness removing her from productive work, her social weakness has in these cases evidently made her the major slave of it... . Industrial labour and automated technology both promised the pre-conditions for women's liberation alongside man's - but no more than the pre-conditions. It is only too obvious that the advent of industrialization has not so far freed women in this sense, either in the West or in the East... .

Physical deficiency is not now, anymore than in the past, a sufficient explanation of woman's relegation to inferior status. Coercion has been ameliorated to an ideology shared by both sexes. (Mitchell, 1973:103-105)

For Clark, the subordinate position of women is the result of male control over both production and reproduction. She placed a great deal of emphasis upon the importance of ideology in maintaining male supremacy. She stated that once the ownership of both the means of production and reproduction "became necessary" (6), the control of both was seized by males.

Politics and its derivative structures are the formalized attempt by men to retain exclusive control over the means and products of both production and reproduction. Thus, it became necessary to justify individual ownership of both the products and means of production and the products and means of reproduction. The first laid the basis for a class society and the latter for a sexist society. (Clark, 1976:65)

The entire framework of ideology is therefore seen by Clark as the primary mechanism for maintaining male supremacy; for confining women to unwaged work in the sphere of reproduction, which this same ideology

defines as non-work. In fact, the strength of this ideology is such, that these assumptions appear to be part of the natural organization of society (Clark,1976:49).

While Benston, Eisenstein, Rowbotham, and Lange certainly believe that ideology has been, and continues to be, an important method of maintaining the patriarchal division of labour, and thus the subordination of women, they emphasize another factor which, while it is related to ideology, must be given special attention. Benston, Mitchell, and Rowbotham noted that the wagelessness of women's work in the home has allowed them to be utilized as a source of cheap labour in the paid labour force. (7) Early industrialization was structured to include the cheaper labour of women and children because, as Marx explained, with increased mechanization capital could employ unskilled women and children at a lower wage than men, thereby increasing profits (Marx,1974: 635). However, this practice was curtailed by legislation.

Protective legislation for women and children was enacted at the end of the nineteenth century in Canada. Although some observers saw it as an advance towards ameliorating the oppression of all workers, other analysts viewed this legislation differently. First, protective legislation for women transferred the sexual division of labour into the paid labour force by defining what was "women's work", and thus what would be poorly paid. Second, by regulating type of work, hours, and locations at which women could work, protective legislation limited the labour force participation of women, and therefore the competition between male and female workers. Furthermore, it can be argued that protective

legislation for women was not primarily aimed at lessening the exploitation of women engaged in paid employment, but at the protection of women as mothers or reproductive workers (Klein and Roberts, 1974:215).

(8)

The transference of the familial division of labour into the paid labour force has served to segregate women into occupations such as service or clerical work, where duties parallel housework (eg. the service occupations of maids, cooks, and cleaners, and clerical jobs such as secretary and "girl Friday") (Benston, 1969:23; Rowbotham, 1974:87-90). Even within these generally poorly paid occupational groups, women typically receive lower salaries than males. (9)

Women have therefore been kept responsible for work in the home, and are given few alternatives in the paid labour force where they are segregated into a few low paid and menial jobs (Rowbotham, 1974:81-115; Eisenstein, 1977:13-14). Eisenstein and Mitchell concluded that women's fundamental oppression in capitalist society is their relegation to work in the sphere of reproduction, which limits the amount of time they can spend working in the sphere of production.

Lange sees the position of women in the paid labour force as an important factor in the continuing subjection of women to "a form of compulsive labour" in the sphere of reproduction. Although the sanctions compelling women to engage in reproductive labour have varied throughout history, in capitalist society the most important sanction is seen by Lange to be women's inferior access, compared to men, to paid productive work, rather than the sexist ideology which arises out of the different

relations of women and men to reproductive work (Lange,1976:141).

When women are needed for production, they are temporarily offered a better bargain or more incentive of some kind for doing productive work. This happened, for example, during World War II. While they do function as a reserve pool of labour, this is not the most basic explanation of their status. The reproductive needs of society may never sink below a certain minimum, and someone must perform the reproductive work... . The reproductive needs of society do change, after all, so that advances made by women on the basis of a temporarily lower demand for reproductive labour, in relation to the demand for productive labour, are superficial, so long as their relation to the mode of reproduction remains the same. The subjection of women to compulsive reproductive labour is largely supported by their inferior access to productive work. Their subjection, per se, however, does not consist in this inferior access, but in the necessity for reproductive work, and the existing mode of doing it is exploitive to women. (Lange,1976:141)

Thus, the feminist and Marxist-feminist writers provide important insight into women's relationship to reproductive work, in illustrating that the performance of all reproductive work is not the natural function of women. They show that women's work in the sphere of reproduction is forced, and reveal the essential nature of this labour. They describe how it is devalued to the status of non-work.

The nature and conditions of reproductive work are precisely what the reserve army theorists ignore. All of the reserve army theorists take women's performance of reproductive work as a given; as part of the natural organization of society. By not regarding reproductive work as work, they ignore the essential inter-relation between women's work in both spheres. In showing that reproductive work is forced labour, the feminist writers thus point out that it is subject to

manipulation and regulation, as is work in the paid labour force. Moreover, Lange suggested that by restricting women's access to the paid labour force, capitalism was able to keep most women performing reproductive work. This not only shows the relationship between women's work in the two spheres, but also suggests how work in one sphere may be regulated by the conditions of work in the other.

There is, however, one weakness which characterizes the analyses of all of the feminist writers to a greater or lesser extent: they have failed to fully analyse women's relationship to the sphere of production.

#### Conclusion: Synthesis of the Two Review of Literature Sections

In order to provide an analysis of women's work in both the spheres of production and reproduction, the basic framework of Marx's reserve army theory can be employed, although it needs modification and expansion in a number of areas.

The first step in the development of this analysis is to assess the division of labour between the sexes in the Canadian paid labour force: this will be done by the investigation of a hypothesis. Specifically, hypothesis #1 is: the Canadian paid labour force is sex-typed. The examination of the data for this hypothesis is expected to demonstrate that work in the paid labour force is dominated by men, and that women are confined to work in only a few occupational groups.

If occupations in the Canadian paid labour force are found to be sex-typed, it should also be possible to show that the reserve army for the paid labour force is sex-typed. Occupational sex-typing means that

men and women do not have an equal likelihood or opportunity of being employed in a given occupation. At its most basic, the reserve army of labour must be a surplus of employable workers. If women do not have equal access to employment in specific occupations (whether by legal restriction, socialization, or other means), they cannot perform the functions of a reserve army, or be included in a reserve army for these occupations. Obviously the same holds true for men. As a result, there must exist separate reserve armies which provide a pool of employable surplus labour corresponding to the sex-typed occupational structure. For example, women in the home may be expected to function as a reserve army of labour, but only for those occupational categories where women are employed. (10) Conceptually, one can posit a singular reserve army for the paid labour force, which is made up of both male and female reserve armies. Non-sex-typed occupations would be expected to draw equally from either reserve army.

Reproductive work, like work in the sphere of production, is necessary for the continuation of every society. Within capitalism, the sphere of production initially and continually requires a labouring population, both for work in the paid labour force, and for the reserve army for the paid labour force. In addition to this, a reproductive labour force to meet these needs must also be maintained.

The demand for reproductive work is not static; depletion of a population would require a higher level of childbearing and other reproductive work, and over-population a decrease in childbearing and other reproductive work. Therefore, the level of reproductive work being

performed must be regulated. In order to accommodate the changing needs of capitalist society, there must be a surplus population of reproductive workers who can be called upon to engage in reproductive work whenever the current level must be increased; that is, there must be a reserve army of reproductive workers. Like the reserve army for the paid labour force, the reproductive reserve army can be expected to be large when the reproductive needs of society are low, and small when they are high.

While males are either part of the full-time employed paid labour force, or members of the reserve army of labour for the paid labour force, women can be members of either (1) the full-time employed paid labour force, (2) the full-time reproductive labour force, or (3) members of either the productive or reproductive reserve armies. The female productive labour force consists of all women who are employed full-time in the paid labour force. Women engaged only part-time in the paid labour force, and all other fully unemployed women (such as full-time reproductive workers) are members of the reserve army of labour for the female occupations in the labour force. The reproductive labour force is made up of all women who are engaged in full-time reproductive work; and the reproductive reserve army consists of all women not engaged in full-time reproductive work, but who could potentially perform reproductive work (childbearing, etc...). Hypothesis #2 is made up of four sub-hypotheses which deal with the relationship between the female productive reserve army, the female reproductive reserve army, and the male productive reserve army.

Clearly, the reproductive reserve army includes women who work in

the paid labour force, while the productive reserve army for the female occupations in the paid labour force includes women who are part of the reproductive labour force. Therefore, there should be a relationship between women's paid labour force participation and the level of reproductive work. When a high level of reproductive work is necessary, some of the women engaged in paid labour force activity (members of the reproductive reserve army) should be drawn into the reproductive labour force, causing a decline in the female labour force participation rate. A decline in the reproductive needs of society should thus show an increase in the female paid labour force participation rate.

The first two sub-hypotheses in hypothesis #2 test the proposition that the level of women's work in the paid labour force is related to the level of their unpaid reproductive work in the home. Hypothesis #2a. is: the participation rate of women in the paid labour force is negatively related to the general fertility rate. The examination of the data presented in this hypothesis should establish that women in the two female labour forces function as a reserve army of labour for each other. The general fertility rate is utilized as a measure of reproductive work.

Hypothesis #2b. is: the unemployment rate of women is positively related to the general fertility rate. This hypothesis is based on the assumption that women are expelled from the paid labour force whenever the need for reproductive work increases. The female unemployment rate is used as a symptom of this expulsion, based on the belief that the expulsion must entail a reduction in paid employment opportunities for

women.

The investigation of data for hypotheses #2c. and #2d. tests the proposition that the size of the male reserve army is related to the amount of reproductive work performed by women. In that male labour dominates the sphere of paid productive work, the male reserve army must be maintained at a level adequate to meet the changing needs of production. When the male reserve army is small, a high level of reproduction should be necessary; when it is large, the level of reproduction will be decreased.

The two hypotheses employ different measures of the male reserve army. Hypothesis #2c. is: the participation rate of men in the paid labour force is positively related to the general fertility rate (a high participation rate indicates a small male reserve army). Hypothesis #2d. is: the unemployment rate of men is negatively related to the general fertility rate.

As was discussed previously, a number of feminist writers suggested that women's confinement to work primarily in the sphere of reproduction is the result of coercion. This coercion may take different forms. Lange pointed out that one major way in which women have been forced to perform reproductive work in capitalist society, has been by restricting their access to work in the sphere of production. In the third analysis section of this thesis, legislation which has forced women to perform reproductive work will be examined. This section will include both paid labour force legislation which has limited women's opportunities in the paid labour force, and legislation concerning birth control

and abortion, which has affected women's ability to regulate their fertility. Legislation concerning the funding of day care centres is also included, because the lack of adequate and affordable day care for children severely restricts the level of women's labour force participation.

Finally, an analysis chapter will be included which documents the changes that have occurred in the sphere of reproduction during this century. This section is expected to show that changes in the sphere of reproduction itself will also affect the size of the reproductive labour force and the reproductive reserve army. For example, since the turn of the century there has been a steady improvement in medicine and health which has enabled women to have children with much less danger, both to themselves and to the child. Thus, childbearing has become more efficient. The situation can be likened to the increased mechanization which has taken place in the sphere of production. Technological advancement has enabled reproductive work to become more efficient, and hence less "labour-intensive". That is, the same, or even an increased level of childbearing can be maintained by a decreasing number of women. Thus, a change in the size of the reproductive labour force and the reproductive reserve army may not be due solely to changes in the sphere of production, but may be a result of the changes which have also occurred in the sphere of reproduction.

## Chapter 3 - Methodology

### 1. Unit of Analysis

The unit of analysis for hypotheses #1 and #2 is Canada. The Yukon and Northwest Territories are excluded from all data, as is Newfoundland prior to 1949.

In the section dealing with legislation, each province is discussed separately in cases where a legislative area falls under provincial jurisdiction. Federal laws are included when they apply to all provinces, to the Public Service of Canada, or to Crown Corporations and other undertakings under Federal jurisdiction. The Yukon and Northwest Territories are excluded, as is Newfoundland before 1949; beginning in 1949, Newfoundland is included.

The last analysis chapter, which deals with changes in reproductive work, examines Canada as a whole. As in other sections, Newfoundland is included from 1949 onward.

### 2. Time Framework

The overall time period chosen for this thesis is from 1900 to 1974, a period long enough to reveal major trends in the data. However, it was only possible to obtain data for this entire period in the legislation analysis section; in all other sections the time framework is the maximum period between the years 1900 and 1974 for which data is available. The following time frameworks were utilized for the three other analysis sections.

Hypothesis #1 is tested utilizing data for each Census year from 1901 to 1971. In hypothesis #2, data is provided for two different time periods: yearly from 1931 to 1974 for general fertility, unemployment, and labour force participation rates, and yearly from 1953 to 1974 for the age-specific rates.

The time periods for data utilized in the analysis section which deals with changes in reproductive work also vary considerably. In each case data is provided for the maximum number of years, beginning in 1901, for which it is available. Thus, the data presented in this chapter is for five different time periods: Census years from 1901 to 1971; Census years from 1921 to 1971, and 1974; Census years from 1931 to 1971; Census and half Census years 1921 to 1971, and 1974; and yearly from 1921 to 1974.

### 3. Data Sources

All data contained in this study is taken from official government sources. This includes publications of Statistics Canada such as the Census, figures published by individual Government departments, publications prepared for the Federal Government by individuals (eg. Buckley and Urquhart), and Provincial Government departmental publications.

The operational definitions of all variables, with the exception of sex-typing, the industrial reserve army, and the reproductive reserve army, are necessarily those of the data gathering agencies. The measurement of each variable except the three mentioned, is therefore the measurement used by the data source.

#### 4. Operational Definitions and Measurement of Variables

The operational definitions and measurement of all the variables employed in the thesis will be discussed separately, according to the analysis section in which they appear.

##### Hypotheses #1 and #2

In hypothesis #1 the variables are: the paid labour force, the major occupational groups contained in the paid labour force, the labour force participation rates of men and women, sex-typing, and the industrial reserve army. Operational definitions of all the variables except sex-typing and the industrial reserve army are those of Statistics Canada.

First, the Census definition of the paid labour force includes two basic groups of workers: the employed and the unemployed. The employed labour force includes all non-institutionalized civilians fifteen years of age and over, who worked for pay, or performed unpaid work in a family business or farm, for more than twenty hours during the week prior to enumeration. Also included are people who were temporarily absent from their jobs because of illness, strike, vacation, etc..., as long as they were not looking for work.

The unemployed labour force consists of all non-institutionalized civilians fifteen years of age and over, who were not working, but were looking for work, or were on temporary lay-off, or would have been looking for work except that they believed that no suitable work was available in the community, or were temporarily ill, during the week prior to enumeration.

All other persons fifteen years of age and over are classified as not in the labour force. These include students, retired persons, housewives, seasonal workers in an off-season who are not looking for work, people who cannot work because of long-term mental or physical disability, and inmates of institutions.

There is one major problem in utilizing the Census operational definition of the paid labour force. This definition includes a number of people who, according to Marx's definition of the industrial reserve army, should not be counted as part of the labour force. Specifically, the part-time employed, and those persons who meet the government criteria of unemployment, should be included in the reserve army, along with those not in the labour force. The reserve army should consist of all persons of legal working age, not employed full-time in the paid labour force. Thus, in relation to the industrial reserve army, the Census definition over-estimates the size of the paid labour force, and under-estimates the size of the reserve army.

The Census major occupational groups contain occupations which are classified under one title, based upon either the kind of process performed and the material worked upon, or the working environment of occupations, or the training and skill, or tools and equipment used in the occupations. A major occupational group is the group title for a number of separate occupations that are similar in one or more of the ways listed above.

The classification of major occupational groups used in the investigation of hypothesis #1 has been taken from an adjusted table

published by Statistics Canada for the Census years 1901 to 1961. This table ensures that despite the changes in occupational categories made in various Census years (the movement of an occupation from one major group to another, etc...), the classifications are comparable. The adjustment has been made so that all Census years coincide with the 1951 Census occupational classifications.

No table is yet available which furnishes adjusted figures for 1971. Therefore all 1971 figures have been calculated to conform with the 1901 to 1961 figures. Statistics Canada has not published a guide which lists the changes in the occupations classified under each major occupational group, so that while every effort has been made to ensure comparability, it is possible that some errors have been made.

Two data sources are used for the male and female participation rates used in hypothesis #1. Annual rates are available only from 1931 onward, from the Labour Force Survey Division of Statistics Canada. Figures for the years 1901, 1911, and 1921 are from the Census. Both sources of the male and female participation rates define the participation rate as the percentage that the labour force forms of the population fourteen years of age and over.

In the study of labour, sex-typing is commonly defined as occupational segregation by sex. Occupations with an historically consistent pattern of employing workers of one sex are referred to as being traditionally male or female. Two measures are used to evaluate the degree of sex-typing in the Canadian labour force: the percentage distribution of workers by sex in the major occupational groups; and the relative

number of men and women in major occupational groups, which may be expressed as women (or men) as a percentage of all workers.

Of the two measures, the percentage distribution of workers by sex in the major occupational groups is the easiest to deal with. It shows the degree of concentration of females and males in each major group. Thus, if one finds that a large percentage of the total number of employed women or men are concentrated in a few occupational groups, and that the areas of concentration are different for each sex, this can be taken as evidence of sex-typing. That is, although one expects that both male and female workers will not be evenly dispersed throughout all occupations, equality (in this case lack of sex-typing) would mean similar distributions for both sexes.

In dealing with women as a percentage of all workers in major occupational groups, it is possible to employ an over-/under-representation model, such as is commonly used in the study of ethnic stratification. Using this framework, sex-typing is shown by either an over- or under-representation of women relative to the percentage they make up of the total labour force, in each major occupational group. The criterion on which this decision is made must of course be adjusted for each year, in accordance with the percentage of women in the paid labour force. A margin of 5%, plus or minus, for each year, will be employed as the dividing point for sex-typed and non-sex-typed occupational groups. For example, in 1971, 34.3% of the total paid labour force consisted of women. Adding the 5% margin, if women comprised from 29.3% to 39.3% of the workers in each occupational group, no sex-typing would exist. If

women made up more than this percentage of the workers in an occupational group, they would be over-represented and the occupational group would be sex-typed; less than this limit would be under-representation, and again the occupational group would be sex-typed.

Also, because each major occupational group is made up of sub-groups (occupations), sex-typing may exist within the sub-groups, but be masked by the generality of the major group. For example, women may appear to be equally represented in a major group such as Professional, but be concentrated into a few occupations within this group such as nurses and school teachers, whereas men may be evenly distributed throughout many different occupations. If one examined only the major occupational group, sex-typing might go unnoticed, or be severely underestimated. To avoid this, two major occupational groups will be broken down into the principal sub-occupations where women are employed. The criteria for establishing sex-typing in the sub-groups is the same as in the major groups; judgements are made on the basis of the concentration of women within the occupations. It will not be possible to provide a breakdown of each major occupational group into comparable sub-groups for each year, because of the changes in Census classifications, and the large number of sub-groups contained in most major occupational groups.

At the conclusion of the investigation of hypothesis #1, one characteristic of the reserve army for the paid labour force - sex-typing - will be discussed. For the purpose of this discussion, the reserve army of labour for the paid labour force will be defined in accordance with the work of Marx. Therefore, the reserve army of labour for the paid

labour force is defined as all people of legal working age who are not employed full-time in the paid labour force. This includes part-time workers in the labour force, the unemployed (whether seeking work or not), students, retired persons, women who work in the home, etc... .

All four sub-hypotheses of hypothesis #2 utilize the general fertility rate as a measure of reproductive work. The general fertility rate is defined by the Department of Vital Statistics, Statistics Canada, as the birth rate per thousand women (excluding stillbirths) aged fifteen to forty-nine. Since 1944, illegitimate births have been included; prior to 1944 the rate was made up of legitimate births only.

In dealing with reproductive work in the review of literature, material was discussed which defined this work as including not only childbearing, but also the maintenance, nurturance, and socialization of the child to a state of independence, as well as housework, and the maintenance and reproduction of the labour power of the husband. No statistical measure is published in Canada (or in any other country) that includes all these factors; only childbearing is measured. Furthermore, unlike the participation and unemployment rates which count the number of people in the labour force, the general fertility rate is, in a sense, a "performance measure" of the "rate of childbearing" of reproductive workers, rather than a count of the number of women performing this work.

Despite these problems, there is no better measure of reproductive work available. Therefore, for the purpose of this hypothesis, reproductive work must be operationally defined as the general fertility

rate. This measure will give a very good indication of the number of women engaged in childbearing for each of the years examined in this study. It will exclude those women engaged in reproductive work other than childbearing, and thus, as a measure of reproductive work it will tend toward under-estimation, and may tend to reduce the strength of any relationship with other variables.

Hypotheses #2a. and #2c. utilize the male and female participation rates respectively. Data is from the Labour Force Survey Division of Statistics Canada, and both rates are identically defined. For each sex, the definition is, the percentage that the paid labour force forms of the population fourteen years of age and over. These measures are problematic in the investigation of both hypotheses.

The female participation rate is compared to the general fertility rate in hypothesis #2a.. As well as being a measure of the number of women engaged in paid labour, the participation rate of women is used as a measure of the reproductive reserve army. In that reproductive work has been defined as the general fertility rate, which is the birth rate per thousand women aged fifteen to forty-nine, the reproductive reserve army would ideally be defined in the same terms, as women between the ages of fifteen and forty-nine. However, the closest age-specific participation rate available is for women aged fourteen to forty-four years. This is roughly comparable, and any error will be in the direction of under- rather than over-estimation. Unfortunately, this age specific participation rate is available for the years 1953 to 1974 only. As a result, the participation rate for women aged fourteen years and over, which is available from 1931 to 1974, is also given. Within the

participation rate of women aged fourteen years and over, women aged fourteen to forty-four comprise the largest age group. Also, female labour force participation is lower in the over forty-five age groups. Thus, it is expected that any difference between the two female participation rates will be in magnitude, rather than in direction. Since the rates can be compared for the years 1953 to 1974, this assumption can be evaluated.

The reproductive reserve army is defined as all women of childbearing age who are not engaged in full-time reproductive work. The only statistical measure of the reproductive reserve army is the female paid labour force participation rate. In order to measure the reproductive reserve army over a long period of time, the participation rate of women aged fourteen and over must be employed. This rate includes women who are not of childbearing age, as well as women who are not employed but actively seeking paid employment and women who work part-time in the labour force, who may be engaged in full-time reproductive work. In this sense the participation rate of women aged fourteen years and over, over-estimates the size of the reproductive reserve army. However, the reproductive reserve army also includes women of childbearing age who are not counted in the female participation rate, such as students. The participation rate of women aged fourteen and over, in this sense, under-estimates the size of the reproductive reserve army.

Nevertheless, the participation rate of women aged fourteen years and over is the only measure of the reproductive reserve army available for the years 1931 to 1974. From 1953 to 1974 the participation rate for

women aged fourteen to forty-four years will be presented as well. By comparing this rate to the fourteen years and over rate, any significant differences between the two rates will be evident. Rates for the years 1931 to 1972 are yearly averages from the Labour Force Survey Division of Statistics Canada. Figures for 1973 and 1974 have been calculated from the monthly unadjusted participation rates published by the Labour Force Survey Division. Participation rates for women aged fourteen to forty-four years (1953 to 1974) are also calculated from unadjusted monthly figures published by the Labour Force Survey Division.

An additional problem associated with hypothesis #2a, is that there may be some amount of overlap between the activities measured by the general fertility rate and the female participation rate. Within a year a woman could give birth and participate in the paid labour force, and thus appear in both rates in one year. Unfortunately, there is no way of measuring the frequency of this occurrence.

Hypothesis #2c. employs the male participation rate as a measure of the utilization and size of the male reserve army for the paid labour force. Specifically, the male reserve army is said to be small when male labour force participation is high, and large when it is low. The male reserve army for the paid labour force can thus be operationally defined as all males not participating in the labour force. The problem which arises is that the Statistics Canada definition of the labour force includes males who, according to Marx's definition, should be considered part of the reserve army; ie. part-time workers in the labour force, and the "short-term" unemployed. No data is available which

would correct this problem, but any error resulting from the use of the male participation rate will be in the direction of under-estimation of the size of the male reserve army. The data source for the male participation rate is the Labour Force Survey Division of Statistics Canada. Figures for the years 1931 to 1972 are yearly averages; figures for 1973 and 1974 have been calculated from the monthly unadjusted participation rates.

Hypotheses #2b. and #2d. both employ unemployment rates, although the former employs the female, and the latter the male. Statistics Canada defines the unemployment rate as the percentage of the paid labour force which is unemployed, but looking for work. The problems associated with this measure are different for each hypothesis.

The female unemployment rate will be used in the investigation of hypothesis #2b. as an indication of the expulsion of women from, or attraction to, the paid labour force. It is assumed that when women are expelled from the paid labour force, unemployment will be higher, as a result of the reduced job opportunities for women who attempt to remain in the labour force. The unemployment rate of women does not measure the number of women who pass directly from the productive labour force to the reproductive labour force, nor does it measure women who are seeking paid employment but not registered as unemployed. Therefore, at best, the female unemployment rate can be seen only as a symptom of women's expulsion from the paid labour force. As in the participation rates used in hypothesis #2a., unemployment rates will be given for women aged fourteen years and over for the years 1931 to 1974, and for women aged fourteen

to forty-four for the years from 1953 to 1974. The reason for this is the same as was given for the use of the two female participation rates in hypothesis #2a.. Figures for the fourteen years and over rate for the entire 1931 to 1974 period are based on Labour Force Survey data. However, figures for 1931 to 1945 have been calculated from Labour Force Survey data and presented in Historical Statistics of Canada (1965) by Buckley and Urquhart, and data for the years 1946 to 1953 have been calculated from Labour Force Survey figures by Sylvia Ostry, and published in Unemployment in Canada (1968). Data for the years 1954 to 1974 is taken from the Labour Force Survey. The unemployment rate for women aged fourteen to forty-four years for the years 1953 to 1974, is calculated from monthly unadjusted rates published by the Labour Force Survey Division of Statistics Canada.

The unemployment rate of males is used in hypothesis #2d. as a measure of the size of the male reserve army for the paid labour force. As such, it is quite problematic. This rate does not include significant portions of the male reserve army: unemployed males not registered as actively seeking employment, welfare recipients, retired males, part-time workers in the labour force, and students. Clearly, the male unemployment rate severely under-estimates the size of the male reserve army. Data sources for the male unemployment rates (fourteen years of age and over) are the same as for the female unemployment rates (fourteen years of age and over) for the years 1931 to 1974, previously mentioned.

The data for each sub-hypothesis in hypothesis #2 will be presented

in the form of two line graphs. The relationship between the two variables of each sub-hypothesis will be assessed by visual inspection, and the analysis will deal with correlations of direction, not with questions of magnitude.

The final two analysis sections of the thesis do not contain specific hypotheses. The first section is an historical analysis of laws which have regulated women's work in the spheres of production and reproduction from 1900 to 1974. The areas of legislation examined are: paid labour force legislation which specifically relates to working women, legislation concerning birth control and abortion, and legislation and government funding policies of day care centres for children.

In all cases, the content of these laws, as well as the time that they were enacted, are discussed in relation to their effect on women's work in both production and reproduction. Obviously, the enactment of a law does not always mean that it will be enforced. Unfortunately, no data is available which would allow an assessment of the degree of enforcement of these laws.

The last analysis section is an examination of some of the major changes which have affected work in the sphere of reproduction in this century. A number of areas are covered, and in each case data is presented which documents changes throughout the twentieth century. Data is provided for the maximum number of years available between 1900 and 1974 in each case. All data and operational definitions are taken from Statistics Canada. The areas documented and precise data sources are:

- a) the percentage of the Canadian population residing in rural and urban areas, Census years 1901 to 1971; Census Division, Statistics Canada.

- b) life expectancy of males and females, Census years 1931 to 1971; Department of Vital Statistics.
- c) death rates for both sexes, for all ages per thousand population, Census years 1921 to 1971, and 1974; Department of Vital Statistics.
- d) stillbirths per thousand live births, 1921 to 1974; Department of Vital Statistics.
- e) maternal death rates per ten thousand live births, 1921 to 1974; Department of Vital Statistics.
- f) infant death rates per thousand live births, 1921 to 1974; Department of Vital Statistics.
- g) total fertility rates, 1921 to 1974; Department of Vital Statistics.  
(The total fertility rate shows the number of children born per woman over her childbearing years. It is an inferential measure, calculated by summing the yearly age-specific fertility rates.)
- h) age-specific fertility rates, Census and half Census years, 1921 to 1971, and 1974; Department of Vital Statistics. Seven age-specific fertility rates will be given: fifteen to nineteen years, twenty to twenty-four years, twenty-five to twenty-nine, thirty to thirty-four, thirty-five to thirty-nine, forty to forty-four, and forty-five to forty-nine years.

Chapter 4 - Analysis of Data: Hypotheses #1 and #2Hypothesis #1 - The Canadian Paid Labour Force is Sex-typed

Table #1, on page 43, shows that the size of the Canadian paid labour force has increased during this century. Most significant is the change in the number of women who work in the labour force. In 1901, women comprised only 13.3% of the total paid labour force; by 1971 they made up 34.3%.

Similarly, the participation rates of Canadian men and women, as shown in Table #2 (page 44), illustrate the changing nature of the paid labour force. The male participation rate exhibits a trend of decline during the seventy year period. From 1911 to 1935 the rate of male labour force participation remained between 89 and 90, but since 1935 it steadily declined to its 1971 level of 78.7.

Conversely, female participation in the paid labour force has been characterized by an upward trend. In 1901 the female participation rate was 16.1. By 1931 it had risen to 23.4, and it continued to increase until 1945 when it reached 33.2. From 1946 to 1954 the rate declined, fluctuating between 23 and 24, and it was not until 1956 that it again began to steadily increase, reaching 37 by 1971.

Thus, while the male participation rate has declined since 1901, the female rate has increased. One would expect, if the paid labour force was not sex-typed, that as women increased their labour force participation, they would increase their numbers in all occupations at a similar rate. Two measures will be used here to evaluate the degree of

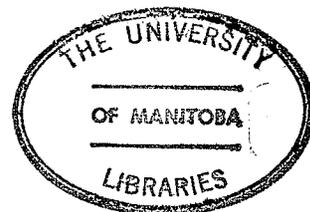


Table #1

Total Population, Labour Force, Female Labour Force, and Women as a Percentage of the Labour Force, Canada, Census Years 1901 to 1971

| <u>Year</u> | <u>Total Population</u> | <u>Labour Force</u> | <u>Female Labour Force</u> | <u>Women as a Percentage of the Labour Force</u> |
|-------------|-------------------------|---------------------|----------------------------|--|
| 1901        | 5,344,096               | 1,782,832*          | 237,949                    | 13.3   |
| 1911        | 7,191,624               | 2,698,481**         | 357,044                    | 13.2   |
| 1921        | 8,775,164               | 3,143,603           | 485,140                    | 15.4   |
| 1931        | 10,363,240              | 3,908,117           | 663,329                    | 17.0   |
| 1941        | 11,489,713              | 4,183,557           | 831,129                    | 19.9   |
| 1951        | 13,984,329              | 5,276,639           | 1,162,232                  | 22.0   |
| 1961        | 18,200,621              | 6,458,156           | 1,763,862                  | 27.3   |
| 1971        | 21,515,120              | 8,688,480           | 2,990,165                  | 34.3   |

\* Labour force figures for 1901 are for persons 10 years of age and over.

\*\* Labour force figures for 1911 to 1971 are for persons 15 years of age and over.

Sources: 1901 - Census of Canada, 1941, Volume II, Table I:2

1911 to 1971 - Census of Canada, 1971, Volume III, Table I:1-1, 1-2

Table #2

Male and Female Labour Force Participation Rates, 14 Years  
of Age and Over, Canada, 1901, 1911, 1921, and 1931 to 1971

| Year | Male<br>Participation<br>Rate | Female<br>Participation<br>Rate |
|------|-------------------------------|---------------------------------|
| 1901 | 87.8                          | 16.1                            |
| 1911 | 90.6                          | 18.6                            |
| 1921 | 89.8                          | 19.9                            |
| 1931 | 90.1                          | 23.4                            |
| 1932 | 89.8                          | 23.5                            |
| 1933 | 89.6                          | 23.6                            |
| 1934 | 89.3                          | 23.7                            |
| 1935 | 89.0                          | 23.9                            |
| 1936 | 88.7                          | 24.0                            |
| 1937 | 88.5                          | 24.2                            |
| 1938 | 88.2                          | 24.3                            |
| 1939 | 87.9                          | 24.4                            |
| 1940 | 87.4                          | 24.5                            |
| 1941 | 86.5                          | 24.7                            |
| 1942 | 87.3                          | 26.8                            |
| 1943 | 85.7                          | 33.3                            |
| 1944 | 84.5                          | 33.5                            |
| 1945 | 82.2                          | 33.2                            |
| 1946 | 85.4                          | 25.3                            |
| 1947 | 85.2                          | 24.4                            |
| 1948 | 85.6                          | 24.2                            |
| 1949 | 85.4                          | 24.2                            |
| 1950 | 84.2                          | 23.7                            |
| 1951 | 83.9                          | 24.2                            |
| 1952 | 83.6                          | 24.1                            |
| 1953 | 83.9                          | 23.8                            |
| 1954 | 83.5                          | 23.6                            |
| 1955 | 82.8                          | 24.3                            |
| 1956 | 83.2                          | 25.1                            |
| 1957 | 83.3                          | 26.2                            |
| 1958 | 82.7                          | 26.6                            |
| 1959 | 81.9                          | 26.9                            |
| 1960 | 81.6                          | 27.9                            |
| 1961 | 80.7                          | 29.1                            |
| 1962 | 80.7                          | 29.9                            |
| 1963 | 80.0                          | 29.8                            |
| 1964 | 79.7                          | 30.9                            |
| 1965 | 79.8                          | 32.1                            |
| 1966 | 79.2                          | 33.2                            |
| 1967 | 79.3                          | 34.5                            |
| 1968 | 79.8                          | 35.1                            |
| 1969 | 79.3                          | 36.1                            |
| 1970 | 79.2                          | 36.9                            |
| 1971 | 78.7                          | 37.0                            |

Sources: 1901, 1911, and 1921 - Denton and Ostry, Historical  
Estimates of the Canadian Labour Force, Ottawa,  
1967, Tables 3 and 10: 22 and 29

1931 to 1971 - Women's Bureau, Women in the Labour  
Force, 1973, Table 86: 227

sex-typing in the paid labour force: the percentage distribution of workers by sex in the major occupational groups; and the relative numbers of men and women in the major occupational groups, which is expressed as women as a percentage of all workers.

The first measure will reveal the degree of concentration of men and women in the major occupational groups of the labour force. If no sex-typing exists, the distributions for male and female workers should be similar.

The second measure takes the different sizes of the male and female labour forces into account. If the labour force is not sex-typed, the percentage of women in each major occupational group should correspond to the percentage of women in the labour force as a whole. A criteria of 5 percent, plus or minus, will be employed in evaluating occupational sex-typing. Thus, sex-typing will exist whenever the percentage of women in a major occupational group is greater (plus 5 percent) or less (minus 5 percent) than the percentage that women comprise of all workers in the paid labour force in each Census year.

Tables #3 and #4, on pages 46 and 47, illustrate the changing concentration of men and women among the major occupational groups of the paid labour force. The occupational groups which have employed the smallest percentage of women during the 1901 to 1971 period are: Fishing, Hunting, and Trapping; Logging; Mining and Quarrying; and Construction. For the entire seventy year period the percentage of women employed in these occupational groups was miniscule, all four accounting for less than 1% of the total female paid labour force.

Table #3

Percentage Distribution of Women in the Labour Force by Major Occupational Group,  
Canada, Census Years 1901 to 1971

| Major Occupational Group          | 1901* | 1911** | 1921  | 1931 | 1941  | 1951  | 1961  | 1971*** |
|-----------------------------------|-------|--------|-------|------|-------|-------|-------|---------|
| Managerial                        | 1.2   | 1.6    | 2.0   | 1.6  | 2.0   | 3.0   | 3.0   | 2.0     |
| Professional                      | 14.7  | 12.7   | 19.0  | 17.8 | 15.7  | 14.4  | 15.5  | 15.0    |
| Clerical                          | 5.3   | 9.4    | 18.7  | 17.7 | 18.3  | 27.5  | 28.6  | 30.6    |
| Agricultural                      | 3.8   | 4.4    | 3.7   | 3.6  | 2.3   | 2.8   | 4.3   | 3.7     |
| Fishing, Hunting,<br>& Trapping   | .01   | .07    | .01   | .1   | .04   | .02   | .02   | .02     |
| Logging                           | —     | —      | —     | —    | —     | <.005 | .01   | .05     |
| Mining &<br>Quarrying             | <.005 | <.005  | <.005 | —    | <.005 | <.005 | <.005 | .01     |
| Manufacturing<br>& Mechanical     | 29.6  | 26.3   | 17.8  | 12.7 | 15.4  | 14.6  | 9.9   | 8.7     |
| Construction                      | .01   | .01    | .02   | .01  | .04   | .08   | .05   | .1      |
| Transportation<br>& Communication | .5    | 1.5    | 3.0   | 2.4  | 1.7   | 2.9   | 2.2   | 1.5     |
| Commercial<br>& Financial         | 2.4   | 6.9    | 8.9   | 9.1  | 9.6   | 10.5  | 10.2  | 8.5     |
| Service                           | 42.0  | 37.2   | 26.8  | 33.9 | 34.3  | 21.2  | 22.6  | 14.7    |
| Personal Service                  | 42.0  | 37.1   | 25.8  | 33.8 | 34.2  | 21.0  | 22.0  | 14.3    |
| Labourers                         | .5    | .1     | .1    | 1.8  | 1.4   | 1.8   | 1.2   | 1.8     |

\* Labour force figures for 1901 are for women ten years of age and over.

\*\* Labour force figures for 1911 to 1971 are for women fifteen years of age and over.

\*\*\* Column totals may not add up to 100% due to the exclusion of occupations "not stated" and "not elsewhere classified".

Sources: 1901 to 1961 - Census of Canada, 1961, Volume III, Tables 3 and 3a: 3-1, 3-2, 3A-1.  
1971 - Census of Canada, Volume III, Table 2: 2-1 to 2-19

Table #4

Percentage Distribution of Men in the Labour Force by Major Occupational Group,  
Canada, Census Years 1901 to 1971

| Major Occupational Group          | 1901* | 1911** | 1921 | 1931 | 1941 | 1951 | 1961 | 1971*** |
|-----------------------------------|-------|--------|------|------|------|------|------|---------|
| Managerial                        | 4.8   | 5.2    | 8.2  | 6.4  | 6.2  | 8.7  | 9.6  | 5.5     |
| Professional                      | 3.1   | 2.4    | 3.0  | 3.7  | 4.5  | 5.3  | 7.7  | 9.5     |
| Clerical                          | 2.9   | 3.0    | 4.7  | 4.4  | 4.5  | 5.9  | 6.7  | 7.2     |
| Agricultural                      | 45.9  | 39.0   | 37.9 | 33.7 | 31.5 | 19.3 | 12.2 | 7.1     |
| Fishing, Hunting,<br>& Trapping   | 1.8   | 1.5    | 1.1  | 1.5  | 1.5  | 1.3  | .8   | .5      |
| Logging                           | 1.0   | 1.8    | 1.4  | 1.3  | 2.4  | 2.5  | 1.7  | 1.2     |
| Mining &<br>Quarrying             | 1.8   | 2.6    | 1.7  | 1.8  | 2.1  | 1.6  | 1.4  | 1.0     |
| Manufacturing<br>& Mechanical     | 13.8  | 11.7   | 10.3 | 11.3 | 16.2 | 17.9 | 18.4 | 17.9    |
| Construction                      | 5.4   | 5.5    | 5.5  | 5.7  | 5.8  | 7.0  | 7.1  | 8.5     |
| Transportation<br>& Communication | 5.0   | 6.3    | 5.9  | 7.0  | 7.5  | 9.2  | 9.8  | 8.2     |
| Commercial<br>& Financial         | 3.3   | 4.4    | 5.2  | 5.7  | 5.2  | 5.2  | 6.7  | 10.0    |
| Service                           | 3.0   | 3.1    | 3.5  | 4.2  | 4.6  | 6.6  | 8.5  | 9.3     |
| Personal Service                  | 2.6   | 2.8    | 2.2  | 3.0  | 3.2  | 3.3  | 4.2  | 5.6     |
| Labourers                         | 8.0   | 13.7   | 11.4 | 13.2 | 7.6  | 8.0  | 6.9  | 5.5     |

\* Labour force figures for 1901 are for men ten years of age and over.

\*\* Labour force figures for 1911 to 1971 are for men fifteen years of age and over.

\*\*\* Column totals may not add up to 100% due to the exclusion of occupations "not stated" and "not elsewhere classified".

Sources: 1901 to 1961 - Census of Canada, 1961, Volume III, Tables 3 and 3a: 3-1, 3-2, 3A-1  
1971 - Census of Canada, 1971, Volume III, Table 2: 2-1 to 2-19

The occupational groups of Labourers, Agricultural, Transportation and Communication, and Managerial have also contained only a small percentage of the total number of working women. Transportation and Communication, and Labourers each contained .5% of the female labour force in 1901. This had only increased to 1.5% in the former, and 1.8% in the latter, by 1971. The percentage of women working in managerial and agricultural occupations has remained reasonably constant; 1.2% and 3.8% respectively in 1901, and 2% and 3.7% in 1971.

Any discussion of the number of women employed in agricultural occupations becomes problematic because, although in theory women married to farmers, who engage in work on these farms, have been included in the Census category of "Unpaid Farm Labourers" since 1931, it is difficult to know how Census enumerators decided whether the wife of a farmer was a housewife (and thus not counted as a member of the labour force) or an unpaid agricultural labourer. As was noted in a publication of the Women's Bureau:

Unpaid work carried on in the household remains outside national accounting, with the sole exception of work performed towards the operation of a family farm or business. To determine what activities of farm wives fall under this heading calls for a more than ordinary amount of discernment on the part of census interviewers, and it is entirely possible that improved enumeration over the years may account for some part of the apparent movement of women into agricultural work. (Women's Bureau, 1968:39)

In 1901, 91.6% of the female paid labour force was found in the major occupational groups of Professional, Clerical, Manufacturing and Mechanical, and Service. By 1971, 77.5% of all working women were still

found in these four major groups, plus Commercial and Financial. In each Census year, these were the only occupational groups that contained 5% or more of the total female paid labour force. (1)

Viewed separately, these five categories exhibit somewhat different historical patterns. The percentage of women in professional occupations has remained virtually the same (14.7% in 1901, 15% in 1971) throughout the entire period. In the manufacturing and mechanical category, the percentage of women has decreased from 29.6% in 1901, to 8.7% in 1971. Commercial and Financial has shown an increase, rising from 2.4% in 1901, to 8.5% in 1971.

The most significant change in the employment pattern of Canadian women is reflected in the categories of Clerical and Service. Whereas in 1901, 42% of all working women were employed in service occupations - the occupational category which contained the highest percentage of women - and Clerical accounted for only 5.3%, by 1971, clerical occupations contained the largest percentage of women workers (30.6%), while the service occupations accounted for only 14.7%. It should be noted that throughout this period, women in the major group Service have been concentrated in the sub-category of Personal Service, which, with a few minor exceptions, accounts for all but the Protective Service occupations of Police Officer, Fireman, etc... .

We have seen that although women's paid labour force participation has doubled since the turn of the century, women workers remain concentrated in only a few major occupational groups. If one looks at the percentage distribution of male workers shown in Table #4, (page 47), one

sees that the male pattern is quite different. As with the female paid labour force, only a small percentage of males have ever been employed in the major groups of Fishing, Hunting, and Trapping; Logging; and Mining and Quarrying (4.6% of the total male labour force was found in these three groups in 1901, and 2.7% in 1971). With the exception of these three categories, however, males are more evenly distributed throughout all categories than are women. In fact, in the years from 1901 to 1971 males have become increasingly more evenly distributed throughout all categories. This is in sharp contrast to the pattern of women workers.

In 1901, six major occupational groups each contained 5% or more of the total male labour force; all six accounted for 82.9%. These six groups were: Managerial, Agricultural, Manufacturing and Mechanical, Construction, Transportation and Communication, and Labourers. By 1971 the percentage of males in each major occupational group had become more equal. Eleven categories contained 5% or more of the total male labour force, and the largest, Manufacturing and Mechanical, accounted for only 17.9%. This is markedly different from the pattern in the female labour force, where 91.6% of all women workers were found in four groups in 1901, and 77.5% in five groups in 1971.

The most dramatic decrease in the percentage of males employed in a major occupational group has occurred in the agricultural occupations. In 1901, 45.9% of all males in the labour force were found in this group; by 1971 this had dropped to only 7.1%. (2)

The percentage of males employed as labourers has also decreased,

from 8% in 1901, to 5.5% in 1971. All other major occupational groups, except for Fishing, Hunting, and Trapping, and Mining and Quarrying, show an increase. In Managerial, the percentage has increased from 4.8 to 5.5; in Professional from 3.1 to 9.5; in Clerical from 2.9 to 7.2; in Construction from 5.4 to 8.5; 13.8 to 17.9 in Manufacturing and Mechanical; and from 5.0 to 8.2 in Transportation and Communication.

The percentage of males in both Commercial and Financial, and Service, has tripled since 1901. The former has risen from 3.3% to 10%, and the latter from 3% to 9.3%, from 1901 to 1971. Within the Service category, the percentage of males in Personal Service has increased from a negligible 2.6% in 1901, to 5.6% in 1971. Thus, most of the increase in the percentage of males in Service is due to an increase in the protective service occupations.

Comparing the percentage distributions of males and females in the paid labour force, it is clear that the two have exhibited different patterns during the period under investigation. While women remain concentrated in only five of the major occupational groups (all other groups contain less than 5% of the female labour force), males have progressively become more evenly distributed throughout all major occupational groups, excluding Fishing, Hunting, and Trapping; Logging; and Mining and Quarrying, which have never offered more than negligible employment.

In 1971, 60% of the total female paid labour force was found in only three major occupational groups: 30.6% in Clerical, 15% in Professional, and 14.7% in Service (primarily in personal service occupations such as cooks, cleaners, etc...). For males, the largest single major

occupational group was Manufacturing and Mechanical at 17.9% in 1971, and it took six major groups to account for 60% of the total male labour force. Clearly, women's pattern of paid labour force employment is one of unchanging concentration in a few major occupational groups, while males exhibited a pattern of increasingly even distribution. Sex-typing of the occupations in the paid labour force is thus indicated.

Table #5 on page 53 gives the percentage that women formed of all workers in each major occupational group from 1901 to 1971. It also shows whether women were under- or over-represented in each group.

Basically, this measure of sex-typing shows that all of the major occupational groups in the Canadian paid labour force contained either an under- or over-representation of women during most of the 1901 to 1971 period. Only two occupational groups had an equal representation of women workers for some portion of the seventy year span. These were the groups of Manufacturing and Mechanical for the 1931, 1941, and 1951 Census years, and Commercial and Financial for 1901 and 1971. (3)

Occupations in which women have been under-represented for the entire seventy year period are: Managerial; Agricultural; Transportation and Communication; Construction; Labourers; Fishing, Hunting, and Trapping; Logging; and Mining and Quarrying. These major occupational groups can be classified as male occupations. In addition to these, during the 1961 and 1971 Census years, women have been under-represented in the Manufacturing and Mechanical category.

As would be expected from the data presented in tables #3 and #4, women comprised the smallest percentage of all workers in the major

Table #5

Women as a Percentage of all Workers in Major Occupational Groups, Women as a Percentage of the Labour Force, and Over-/Under-Representation Margins, Canada, Census Years 1901 to 1971

| Major Occupational Group*                 | 1901**            | 1911***           | 1921               | 1931               | 1941               | 1951               | 1961               | 1971               |
|---|-------------------|-------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Managerial                                | 3.6 -             | 4.5 -             | 4.3 -              | 4.8 -              | 7.2 -              | 8.9 -              | 10.3 -             | 15.7 -             |
| Professional                              | 42.5 +            | 44.6 +            | 54.1 +             | 49.5 +             | 46.1 +             | 43.5 +             | 43.2 +             | 45.3 +             |
| Clerical                                  | 22.1 +            | 32.6 +            | 41.8 +             | 45.2 +             | 50.1 +             | 56.7 +             | 61.5 +             | 68.8 +             |
| Agricultural                              | 1.2 -             | 1.7 -             | 1.7 -              | 2.1 -              | 1.7 -              | 3.9 -              | 11.7 -             | 21.0 -             |
| Fishing, Hunting,<br>& Trapping           | .09 -             | .8 -              | .2 -               | 1.0 -              | .6 -               | .5 -               | 1.1 -              | 1.9 -              |
| Logging                                   | 0 -               | 0 -               | 0 -                | 0 -                | 0 -                | .02 -              | .2 -               | 2.1 -              |
| Mining &<br>Quarrying                     | .007 -            | .005 -            | .002 -             | 0 -                | .02 -              | .03 -              | .03 -              | .6 -               |
| Manufacturing<br>& Mechanical             | 24.8 +            | 25.5 +            | 24.0 +             | 18.7               | 19.0               | 18.7               | 16.8 -             | 20.2 -             |
| Construction                              | .03 -             | .03 -             | .05 -              | .03 -              | .2 -               | .3 -               | .2 -               | .9 -               |
| Transportation<br>& Communication         | 1.4 -             | 3.5 -             | 8.4 -              | 6.5 -              | 5.3 -              | 8.2 -              | 7.9 -              | 8.8 -              |
| Commercial<br>& Financial                 | 10.4              | 19.1 +            | 23.0 +             | 23.1 +             | 29.4 +             | 35.2 +             | 36.7 +             | 30.4               |
| Service<br>Personal Service               | 68.7 +<br>71.7 +  | 64.8 +<br>66.8 +  | 58.6 +<br>68.7 +   | 62.1 +<br>69.5 +   | 65.0 +<br>72.8 +   | 47.8 +<br>64.1 +   | 50.0 +<br>66.4 +   | 42.2 +<br>52.1 +   |
| Labourers                                 | .9 -              | .07 -             | .2 -               | 2.6 -              | 4.4 -              | 5.9 -              | 6.1 -              | 14.5 -             |
| All Occupations                           | 13.3              | 13.2              | 15.4               | 17.0               | 19.9               | 22.0               | 27.3               | 34.3               |
| Over-/Under-<br>Representation<br>Margins | 8.3<br>to<br>18.3 | 8.2<br>to<br>18.2 | 10.4<br>to<br>20.4 | 12.0<br>to<br>22.0 | 14.9<br>to<br>24.9 | 17.0<br>to<br>27.0 | 22.3<br>to<br>32.3 | 29.3<br>to<br>39.5 |

\* + means that women are over-represented, - means that women are under-represented.

\*\* Labour force figures for 1901 are for persons ten years of age and over.

\*\*\* Labour force figures for 1911 to 1971 are for persons fifteen years of age and over.

Sources: 1901 to 1961 - Census of Canada, 1961, Volume III, Tables 3 and 3a: 3-1, 3.2, 3A-1  
1971 - Census of Canada, 1971, Volume III, Table 2: 2-1 to 2-19

groups of Construction; Mining and Quarrying; Fishing, Hunting, and Trapping; and Logging. The largest of these groups contained only 2.1% women in 1971. In the Labourers, Transportation and Communication, Agricultural, and Managerial groups, women have also made up only a small percentage of the total workers, although all four groups have exhibited a slight increase in female workers from 1901 to 1971.

Earlier, it was noted that in some cases the generality of the major occupational groups may obscure further sex-typing within the categories. Table #6, on page 55, shows how, in the major group Transportation and Communication in which women have always been under-represented, they have been confined to primarily one occupation. From 1911 to 1971 (data for 1901 is unavailable) women in Transportation and Communication have worked mainly as telephone operators. Until 1971, almost 90% of the women in this major group in each Census year were telephone operators. Although this dropped to 67.5% in 1971, it is still a large percentage of the total women in the group.

Women have been continually over-represented in three major occupational groups from 1901 to 1971. These are: Professional, Clerical, and Service (particularly Personal Service). In addition to this, women were over-represented in Manufacturing and Mechanical in 1901, 1911, and 1921, and in Commercial and Financial from 1911 to 1961, inclusive.

In 1901, women accounted for 42.5% of all professional workers, and by 1921 this had risen to 54.1%. The percentage dropped slightly in each of the years from 1931 to 1961, but by 1971 it had again climbed slightly to 45.3%. Certainly the pattern over the seventy year period

Table #6

Number of Women Employed in Transportation and Communication, Number of Women Employed as Telephone Operators, and Percentage of Women in Transportation and Communication who are Telephone Operators, Canada, Census Years 1911 to 1971

| Year      | Number of Women Employed in Transportation & Communication* | Number of Women who are Telephone Operators | % of Women in Transportation & Communication who are Telephone Operators |
|-----------|---|---|--|
| 1911**    | 5,537   | 5,114***                                    | 92.4   |
| 1921      | 14,679  | 12,827                                      | 87.4   |
| 1931      | 17,235  | 14,373                                      | 83.4   |
| 1941****  | 13,825  | 12,313                                      | 89.1   |
| 1951      | 33,690  | 29,587                                      | 87.8   |
| 1961***** | 37,968  | 33,706                                      | 88.8   |
| 1971      | 45,085  | 30,445                                      | 67.5   |

\* In order to ensure comparability, figures for most years have been adjusted correspond with 1951 classifications of occupations within this Census category.

\*\* Figures for 1911, 1921, and 1931 are for women ten years of age and over.

\*\*\* Figures for 1911 include telegraph operators.

\*\*\*\* Figures for 1941 and 1951 are for women fourteen years of age and over.

\*\*\*\*\* Figures for 1961 and 1971 are for women fifteen years of age and over.

Sources: 1911 - Census of Canada, 1911, Volume VI, Table IV: 48, 50  
 1921 - Census of Canada, 1921, Volume IV, Table 2: 24, 28  
 1931 - Census of Canada, 1931, Volume VII, Table 40: 68, 70  
 1941 - Census of Canada, 1941, Volume VI, Table 6: 94  
 1951 - Census of Canada, 1951, Volume IV, Table 4: 4-7, 4-9  
 1961 - Census of Canada, 1961, Volume III, Part 1, Table 6: 6-6, 6-8  
 1971 - Census of Canada, 1971, Volume III, Part 2, Table 2: 2-5

is one of a stable over-representation of women in the professions.

Table #7, on page 57, illustrates that women have not been evenly distributed throughout all professional occupations, but have typically been concentrated into two. In 1911, 85% of all women employed in the professions were either school teachers (73.2%) or nurses (11.8%). By 1971 this had changed somewhat, although these two occupations still accounted for 75% of all women in the major group Professional. Thus, although women have been over-represented in Professional for the entire 1901 to 1971 period, within the major group they have been overwhelmingly segregated into two occupations.

The clerical occupations have been characterized by a steady increase in the percentage of women employed. In 1901 only 22.1% of all clerical workers were women; by 1971 women accounted for 68.8% of all clerical workers. When Table #5 (page 53) is examined in conjunction with Table #3 (page 46), it becomes clear that the largest portion of the increasing number of women entering the paid labour force during this century have gone into clerical work.

In the major group Service, the percentage of women workers has decreased from 68.7% in 1901, to 42.2% in 1971. Personal Service has been listed as a separate occupational group from 1901 to 1971 in Table #5, and this is where the majority of women in service occupations have been employed (Personal Service occupations include domestic servants, waitresses, cooks, etc...). The decline in the percentage of women in Personal Service has not been quite as marked as in Service as a whole. In 1901, 71.1% of the Personal Service workers were women; in 1971 they accounted

Table #7

Number of Women Employed in the Major Group Professional, Number of Women Employed as School Teachers and Nurses, Percentage of Women in Professional who are School Teachers, Percentage of Women in Professional who are Nurses, and Percentage of Women who are School Teachers or Nurses, Canada, Census Years 1911 to 1971

| Year     | Number of Women in Professional* | Number of Teachers | Number of Nurses | Percent Teachers | Percent Nurses | Percent Teachers & Nurses |
|----------|----------------------------------|--------------------|------------------|------------------|----------------|---------------------------|
| 1911**   | 46,518                           | 34,063             | 5,476            | 73.2             | 11.8           | 85.0                      |
| 1921     | 80,632                           | 49,795             | 21,162           | 61.8             | 26.2           | 88.0                      |
| 1931     | 117,790                          | 64,709             | 31,898           | 54.9             | 27.1           | 82.0                      |
| 1941***  | 89,348                           | 53,127             | 26,386           | 59.5             | 29.5           | 89.0                      |
| 1951     | 165,945                          | 74,319             | 49,851           | 44.8             | 30.0           | 74.8                      |
| 1961**** | 272,333                          | 118,807            | 82,012           | 43.6             | 30.1           | 73.7                      |
| 1971     | 444,055                          | 206,410            | 126,665          | 46.5             | 28.5           | 75.0                      |

\* In order to ensure comparability, figures for most years have been adjusted to correspond with 1951 Census classifications of occupations within this category.

\*\* Figures for 1911, 1921, and 1931 are for women ten years of age and over.

\*\*\* Figures for 1941 and 1951 are for women fourteen years of age and over.

\*\*\*\* Figures for 1961 and 1971 are for women fifteen years of age and over.

Sources: 1911 - Census of Canada, 1911, Volume VI, Table IV: 44  
 1921 - Census of Canada, 1921, Volume IV, Table 2: 32  
 1931 - Census of Canada, 1931, Volume VII, Table 40: 72  
 1941 - Census of Canada, 1941, Volume VI, Table 6, 96  
 1951 - Census of Canada, 1951, Volume IV, Table 4: 4-1  
 1961 - Census of Canada, 1961, Volume III, Part 1, Table 6: 6-2, 6-4  
 1971 - Census of Canada, 1971, Volume III, Part 2, Table 2: 2-1, 2-3

for 52.1%.

Of all the major occupational groups, only Commercial and Financial displays equal representation of female workers in 1971. However, for most of the period under investigation (1911 to 1961) women were over-represented in this occupational group. Therefore it is not possible to say whether the 1971 figure represents a trend toward equalization, or is merely a minor variation.

The results of this second measure of sex-typing concur with the first. In both cases the data shows that the labour force is sex-typed. The majority of the major occupational groups have consistently shown a pattern of under-representation of women from 1901 to 1971. These occupational groups can be characterized as male occupations, and are the major groups of Managerial; Agricultural; Construction; Fishing, Hunting, and Trapping; Logging; Mining and Quarrying; Transportation and Communication; and Labourers. For the 1961 and 1971 Census years women have also been under-represented in the group Manufacturing and Mechanical.

Women in the Canadian paid labour force have also been confined to only a few occupational groups during the seventy year period under examination. Women have consistently been over-represented in the Professional, Clerical, and Service (especially Personal Service) occupational groups. From 1911 to 1961 women were also over-represented in the Commercial and Financial group, and from 1901 to 1921 in Manufacturing and Mechanical.

Only two occupational groups exhibited a lack of sex-typing for some portion of the 1901 to 1971 period. These were the manufacturing and

mechanical occupations from 1931 to 1951, and Commercial and Financial in 1901 and 1971. Therefore, a relatively unchanging pattern of sex-typing characterizes the occupations within the Canadian paid labour force. The examination of occupations in which women are concentrated within the major groups of Transportation and Communication, and Professional, has shown that sex-typing operates inside the major groups as well.

The data presented in the testing of this hypothesis has also shown that although paid labour force activity has been, and continues to be, dominated by males, women are a small, stable, and increasing portion of the paid labour force. The increase in women's labour force participation during this century has not, however, meant a decrease in the sex-typing of the labour force, only that more women are now employed in the female occupations.

As mentioned in the review of literature, the occupational sex-typing of the labour force necessitates a modification of Marx's reserve army theory. The reserve army of labour for the paid labour force performs three essential functions: (1) it provides an available pool of labour which can be utilized according to the needs of production, such as in a new or expanding area of production, without having to draw upon the labour power of employed workers, and thus disrupt production in other areas; (2) it helps to keep the wages of employed workers to a minimum by increasing the competition between workers for employment; and (3) members of the reserve army can be brought in to replace, for example, striking workers, at the lowest possible wage.

Thus, within Marx's theory, the functions and characteristics of the reserve army of labour are determined by the needs of production; by the needs of occupations in the paid labour force. Members of the reserve army must be able to serve these needs. This means that, at its most basic level, the reserve army must be a pool of employable labour which can be drawn into the labour force as necessary.

The sex-typed nature of the paid labour force means that men and women do not have an equal chance of being employed in a given occupation. When additional labour is required in one of the male occupations, it is predominantly male labour which is drawn into the labour force to fulfil this need; the same holds true for the female occupations, where an increased demand for labour results in more women being drawn into the labour force. Therefore, males who are not employed full-time in the labour force do not function as a reserve army of labour for the female occupations, nor do females for the male occupations. Instead of one reserve army for the paid labour force there are two: a male reserve army for the male occupations in the labour force, and a female reserve army for the female occupations. In other words, the reserve army, like the labour force, is sex-typed.

### Hypothesis #2

The investigation of hypothesis #1 established that the major occupational groups in the paid labour force are sex-typed. It was further argued that because of this, there are both female and male reserve armies. However, because women are the sex that produces children, and

because our society views the care and socialization of children, as well as other types of reproductive work, as "women's work", the classification of women as being either part of the employed labour force, or members of the reserve army of labour for the female occupations in the labour force, is inadequate. The results of hypothesis #1 show that even though women's labour force participation has increased significantly during this century, the majority of women are still engaged in unpaid reproductive work. Therefore, women may be either members of the paid labour force, or the reserve army for the paid labour force, or the unpaid reproductive labour force.

The investigation of hypothesis #2 should establish a relationship between women's work in the paid labour force and their unpaid reproductive work in the home. Hypotheses #2a. and #2b. both suggest that women in the home function as a reserve army of labour for the female occupations in the paid labour force, and that women of childbearing age in the paid labour force function as a reproductive reserve army of labour. The examination of hypotheses #2c. and #2d. is expected to establish that the level of reproductive work that women engage in is related to the size of the male reserve army.

Hypothesis #2a. - The Participation Rate of Women in the Paid Labour Force is Negatively Related to the General Fertility Rate

In this hypothesis the participation rate of women aged fourteen years and over (1931 to 1974) and the participation rate of women aged fourteen to forty-four (1953 to 1974) are compared to the general fertility

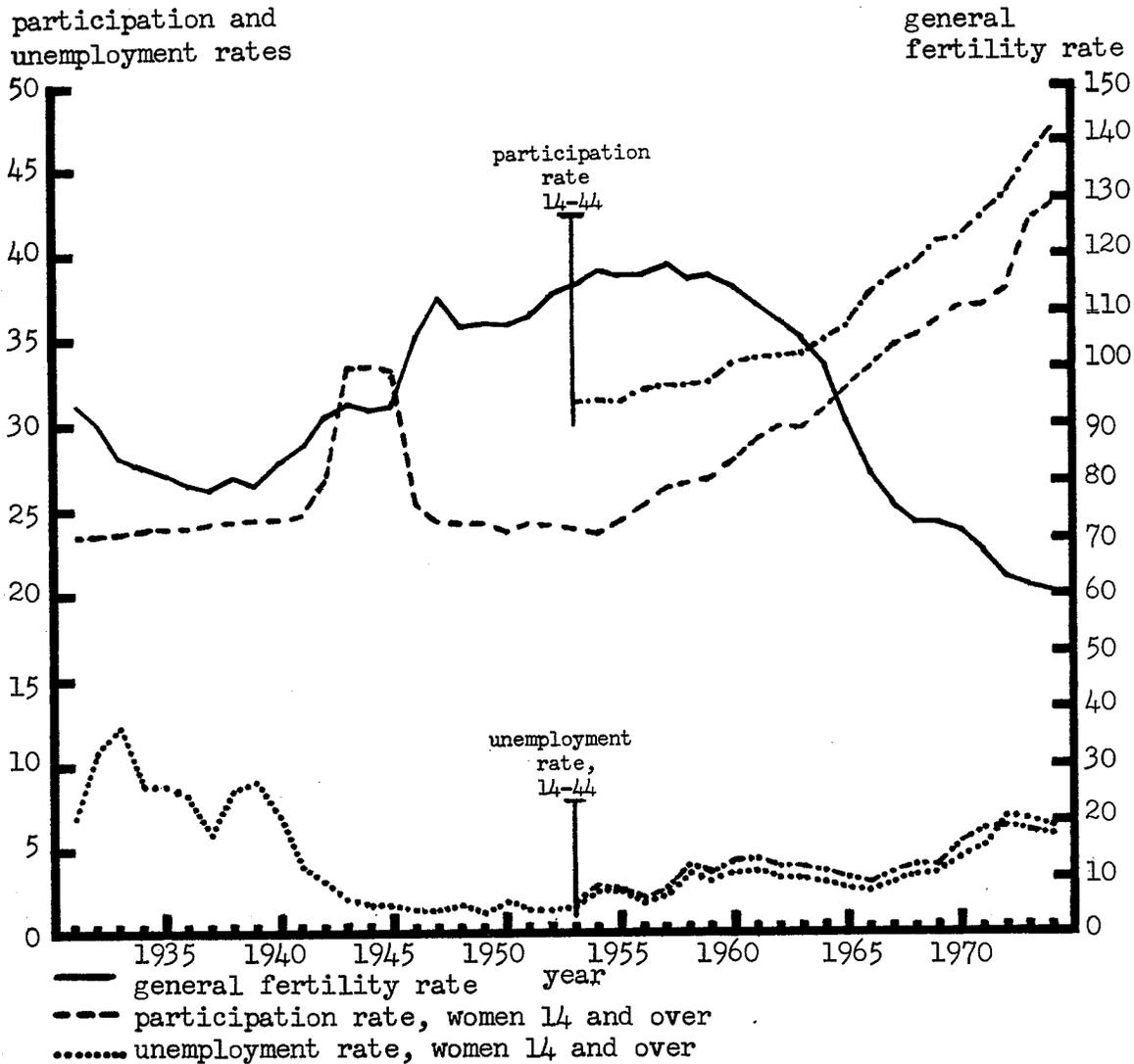
rate (1931 to 1974). Graph #1 on page 63 shows that in general, the predicted relationship between the two variables is substantiated. With the exception of the mid-war years (1940 to 1943) the overall pattern is negative, only occasionally punctuated by reversals of a one or two year duration to a positive relationship. In fact, since 1967 both female participation rates have risen to an all-time high for the periods under investigation, while the general fertility rate has decreased to an all-time low.

The increase in the female participation rates has been largely due to the increased participation of married women in the paid labour force. As Table #8, on page 64, shows, the participation rate of married women has risen from 3.5 in 1931, to 36.7 in 1974. Similarly, in 1931 married women accounted for only 10.1% of the female paid labour force; in 1974 they accounted for 57.1%.

The increase in the participation rate of married women in the paid labour force corresponds with a sharp drop in the marital fertility rate. Table #9 on page 65 shows that the marital fertility rate declined even more dramatically during the years 1931 to 1972, than the general fertility rate shown in Graph #1. In 1931 the marital fertility rate was 160.9; it had declined to 149.3 by 1941, but by 1951 had increased to 158.9. Although the marital fertility rate was still 152.9 in 1961, by 1972 it had declined to 88.7. These changes illustrate the utilization of women both as productive and reproductive workers, and that women in the home serve as a reserve army of labour for the female occupations in the paid labour force, and women in the paid labour force serve as a

Graph #1

General Fertility Rate, Labour Force Participation Rates for Women 14 Years of Age and Over, and Ages 14 to 44, and Unemployment Rates for Women 14 Years of Age and Over, and Ages 14 to 44, Canada, 1931 - 1974



Sources: Fertility Rates - Statistics Canada, Vital Statistics, Births, Volume I, Ottawa, 1976, Table 6: 10  
 Participation Rates, 14 years and over, 1931-1972 - Women's Bureau, Dept. of Labour, Women in the Labour Force (1973 edition), Ottawa, 1974, Table 86: 227; 1973-1974 and ages 14-44 for 1953-1974 - Statistics Canada, Labour Force Survey Division, Historical Labour Force Statistics, Ottawa, 1974: 302, 304, and 310  
 Unemployment Rates, 14 years and over, 1931-1945 - Buckley and Urquhart, Historical Statistics of Canada, Macmillan Co. Ltd., 1965, Series C56-69:62; 1946-1953 - Ostry, Unemployment in Canada, Ottawa, 1968, Table 2: 6; 1954-1974 and ages 14-44 for 1953-1974 - Statistics Canada, Labour Force Survey Division, Historical Labour Force Statistics, Ottawa, 1974: 248, 250, & 254

Table #8

Participation Rates of Married Women and the Percentage Distribution of Women in the Female Paid Labour Force by Marital Status, Canada, Census Years 1931 to 1971, and 1974

| Year    | Participation Rate<br>of Married Women | Marital Status of Female Workers* |           |         |
|---------|--|-----------------------------------|-----------|---------|
|         |  | % Single                          | % Married | % Other |
| 1931**  | 3.5                                    | 80.7                              | 10.1      | 9.3     |
| 1941*** | 4.5                                    | 80.0                              | 12.7      | 7.3     |
| 1951    | 11.2                                   | 62.1                              | 30.0      | 7.9     |
| 1961    | 20.8                                   | 42.5                              | 47.3      | 10.2    |
| 1971    | 33.0                                   | 34.4                              | 56.7      | 9.0     |
| 1974    | 36.7                                   | 33.8                              | 57.1      | 9.1     |

\* For 1941 and 1951 separated women are included with married women, while for 1931, 1961, 1971, and 1974 separated women are included in Other, along with widows and divorced women.

\*\* Figures for 1931 are for women fifteen years of age and over.

\*\*\* Figures for 1941, 1951, 1961, 1971, and 1974 are for women fourteen years of age and over.

Sources: 1931 - Census of Canada, 1931, Volume VII, Table 26: 37  
 1941 to 1971 - Armstrong and Armstrong, The Segregated Participation of Women in the Canadian Labour Force, 1941-1971, Canadian Review of Sociology and Anthropology, November, 1975, Table 7  
 1974 - Labour Canada, Women's Bureau, Women in the Labour Force, 1975, Tables 14 and 15: 29 and 31

Table #9

Marital Fertility Rate and Participation Rate of Married Women,  
Canada, Census Years 1931 to 1971, and 1972

| <u>Year</u> | <u>Marital Fertility<br/>Rate*</u> | <u>Participation Rate<br/>of Married Women**</u> |
|-------------|------------------------------------|--|
| 1931***     | 160.9                              | 3.5  |
| 1941        | 149.3                              | 4.5  |
| 1951        | 158.9                              | 11.2   |
| 1961        | 152.9                              | 20.8   |
| 1971        | 94.0                               | 33.0   |
| 1972        | 88.7                               | 33.9   |

\* Marital fertility is for women aged 15 to 49.

\*\* Figures are for married women 14 years of age and over for the years 1941 to 1972.

\*\*\* Figures for 1931 are for married women 15 years of age and over.

Sources: Statistics Canada, Department of Vital Statistics, Births, Volume I, 1976, Table 7: 21

Participation Rates:

1931 - Census of Canada, 1931, Volume VII, Table 26: 37

1941 to 1971 - Armstrong and Armstrong, The Segregated Participation of Women in the Canadian Labour Force, 1941-1971, Canadian Review of Sociology and Anthropology, November, 1975, Table 7

1972 - Labour Canada, Women's Bureau, Women in the Labour Force, 1973, Table 14: 29

reserve army for the reproductive labour force in the home.

The only problematic period in relation to this hypothesis are the years from 1939 to 1945, the duration of World War II. In the early years of the war both the general fertility rate and the participation rate for women fourteen years of age and over increased, but this positive relationship is the result of several factors unique to the war.

Women were drawn into the labour force in greater numbers than ever before during World War II. These women worked primarily in the war industries, where labour was in especially short supply. In order to facilitate this recruitment of women, the Federal government enacted a number of pieces of legislation. For example, the Order-in-Council #6242, of July 20, 1942, provided financial support for day-care centres; the Order-in-Council #5963, of July 10, 1942, was issued to ensure that the principle of equal pay for equal work was adhered to; and the Income War Tax Act of July, 1942, allowed husbands to claim the full married status tax exemption regardless of their wives employment income.

Unwilling to upset the traditional family during the war, government initially actively recruited only single women, and married women without children, to fill the labour shortages in the paid labour force. By the middle of 1943, however, labour shortages in service occupations (caused by women leaving service jobs to work in the higher paid war industries), as well as in war industries, made it necessary for government and private industry to begin recruiting married women with children. (4) Interestingly, during the years 1943 to 1945, when all women regardless of marital status were encouraged to work in the paid labour force, the

general fertility rate levelled off.

At the end of the war, the war industry jobs in which many women had been employed, disappeared, as did the legislated benefits for working women which had been granted during the war. These factors resulted in a sharp decline in the labour force participation rate of women, which negatively correlates with a steep rise in the general fertility rate.

Clearly, the war years are atypical in relation to the rest of the 1931 to 1974 period. Women were actively recruited into the paid labour force and given legislative benefits, because of wartime labour shortages. Furthermore, many women were employed in war industries, and these jobs ended with the war. Because of these factors, I believe that the hypothesis can be accepted without any major reservations, despite the ambiguity of the findings for this short wartime period.

The rest of the years under examination show an overall trend which certainly supports the hypothesized negative relationship between women's labour force participation rate and the general fertility rate. The level of reproductive work, as measured in this hypothesis by the general fertility rate, declines when the participation rate of women in the labour force increases, and the general fertility rate increases when female participation in the labour force declines. In other words, when the need for workers in the female occupations in the labour force increases, women in the home are drawn into these occupations; when a higher level of childbearing is needed, women who work in the paid labour force are drawn into the sphere of reproduction. Thus, women in the

home serve as a reserve army of labour for the female occupations in the paid labour force, and women in the labour force (of childbearing age) serve as a reserve army for the reproductive labour force in the home.

Hypothesis #2b. - The Unemployment Rate of Women is Positively Related to the General Fertility Rate

In the investigation of this hypothesis the unemployment rate of women fourteen years of age and over, for the years 1931 to 1974, and the unemployment rate of women aged fourteen to forty-four years, from 1953 to 1974, are examined in conjunction with the general fertility rate. The examination of the data for this hypothesis tests the proposition that women of childbearing age who work in the paid labour force are members of the reproductive reserve army of labour, and that some portion of these women are expelled from the paid labour force whenever the need for an increased level of childbearing arises. The female unemployment rate is taken as symptomatic of this expulsion, on the assumption that a higher rate of female unemployment will be the result of reduced opportunities for employment in the female occupations in the labour force.

Contrary to the hypothesized positive relationship, Graph #1 (page 63) shows a predominantly negative relationship between the two variables. I would suggest that the assumption that the female unemployment rate would be symptomatic of the expulsion of women from the labour force is false, for the following reasons.

- 1) The female unemployment rate is a measure of the number of women who are not currently employed in the paid labour force, but are registered as actively seeking employment. As such, it does not measure the number of women who leave their paid employment, for whatever reasons, and do not seek further employment. Therefore, women who pass directly from work in the paid labour force to work in the home are not counted in the unemployment rate. In addition to this, the unemployment rate does not count women who are seeking employment in the paid labour force, but who are not registered as unemployed.
- 2) Since 1971, women receiving maternity benefits under the Unemployment Insurance program, would appear in the unemployment rate. Potentially, they could also be counted in the general fertility rate in the same year. While the counting of women in both rates in one year would only affect the last four years of the data used in the testing of this hypothesis, it may have further confused the relationship between the two variables.
- 3) The testing of hypothesis #1 has shown that the sex-typing of occupations in the paid labour force, and the small number of occupations in which women are predominantly employed relative to men, has changed little throughout the 1901 to 1971 period. At the same time, women's paid labour force participation has almost doubled. Therefore, it seems possible that the increase in the female unemployment rate after World War II is to some extent a result of the increased labour force participation of women, without a corresponding decrease in the sex-typing of the occupations in the labour force.

If only a small number of women are needed to perform a small number of jobs, as was the case in the early part of this century in Canada, this limited opportunity may have discouraged women from entering the paid labour force, and kept the number of women registered as unemployed low. When the female occupations in the labour force began to increase their demands for labour, as happened in the clerical occupations, this may have encouraged many more women to enter the paid labour force than in the past. If this rate of entrance exceeded the amount of jobs available, the female employment rate would increase solely as a result of the increased size of the female labour force. This contention seems to be supported by the fact that since World War II the female unemployment rate has risen along with the female participation rate (see Graph #1, page 63).

The female unemployment rate can perhaps most accurately be considered as the active unemployed; women temporarily out of work but seeking jobs. Thus it represents part of the female productive reserve army for the female occupations in the labour force. To some extent its size seems to be determined by the size of the female paid labour force. Thus, the assumption that the female unemployment rate would be symptomatic of the expulsion of women from the labour force to increase the size of the reproductive labour force is probably false. Hypothesis #2b. must therefore be rejected.

Hypothesis #2c. - The Participation Rate of Men in the Paid Labour Force is Positively Related to the General Fertility Rate.

The examination of hypothesis #1 showed that paid labour force activity in Canada has been in the past, and continues to be, dominated by men. This being the case, it is necessary for Canadian capitalist society to maintain a relatively large male reserve army of labour. One of the means of maintaining the reserve army of labour is by the production of children. The investigation of this hypothesis tests the proposition that the level of childbearing performed by women is related to the size of the male reserve army. The male participation rate gives an indication of the relative size of the male reserve army; if the male participation rate is high, the reserve army is small, and vice versa. A small male reserve army of labour should therefore be offset by a high general fertility rate, while a large male reserve army should result in a lower level of child production.

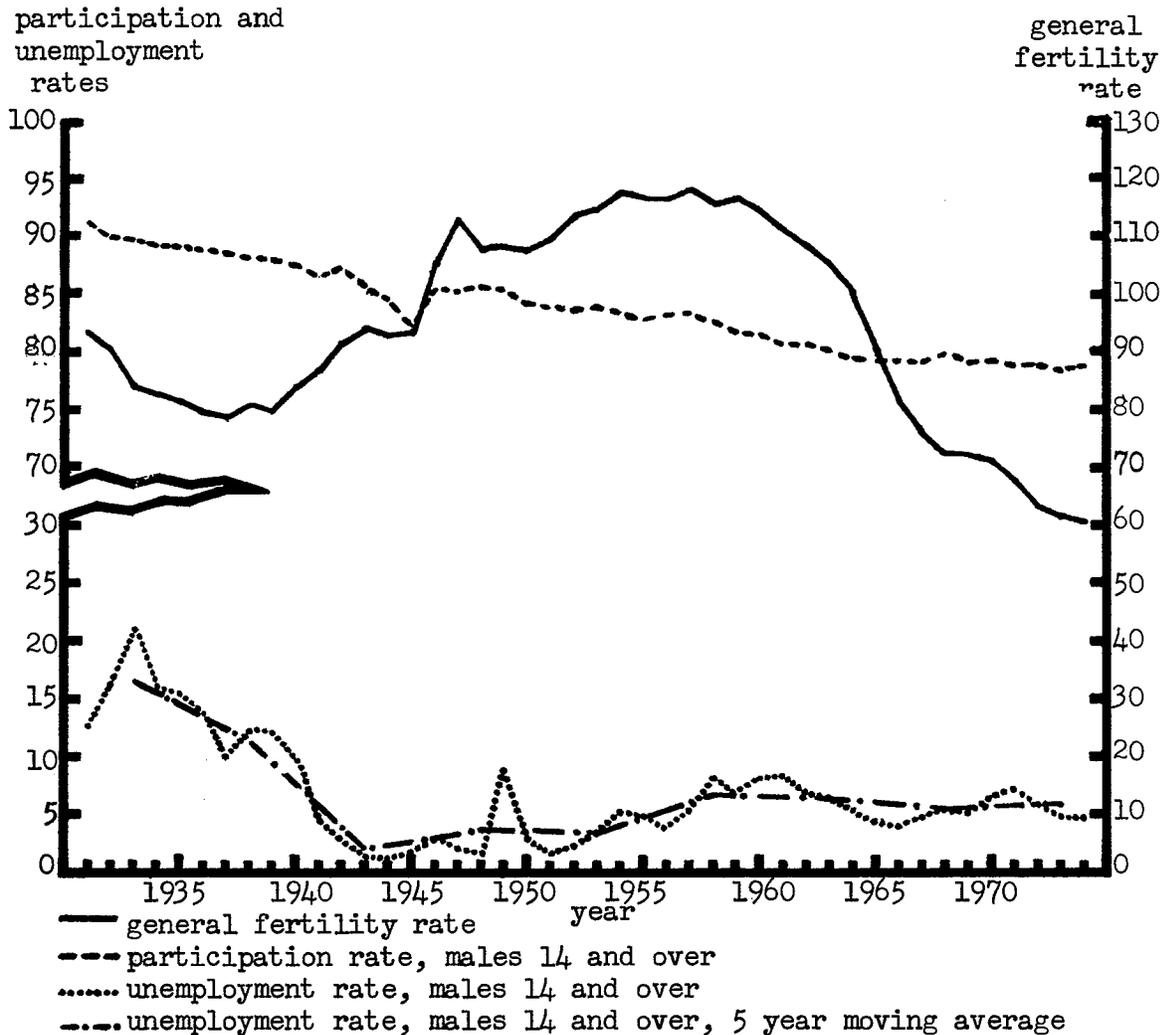
Graph #2, on page 72, shows the general fertility rate and the male participation rate for the years 1931 to 1974. The predicted relationship between the two variables was found to exist for the years 1931 to 1939, and 1957 to 1974. The years between these two periods do not show the expected positive relationship.

During the years 1940 to 1945 the male participation rate declined from its pre-war level of 88.2 in 1938, and 87.9 in 1939, to a low of 82.2 in 1945. In 1946 the male participation rate increased slightly to 85.4. From 1946 to 1956 the male participation rate fluctuated around the 1946 level, and then began to duplicate the steady downward trend which characterizes the rate for the rest of the 1931 to 1974 period.

The general fertility rate climbed slightly in the early part of

Graph #2

General Fertility Rate, Labour Force Participation Rate for Males 14 Years of Age and Over, Unemployment Rate for Males 14 Years of Age and Over, and the Five Year Moving Average of the Unemployment Rates for Males 14 Years of Age and Over, Canada, 1931 - 1974



Sources: Fertility Rates - Statistics Canada, Vital Statistics, Births, Volume I, Ottawa, 1976, Table 6: 10  
Participation Rates, 1931-1972 - Women's Bureau, Dept. of Labour, Women in the Labour Force (1973 edition), Ottawa, 1974, Table 86:227; 1973 and 1974 - Statistics Canada, Labour Force Survey Division, Historical Labour Force Statistics, Ottawa, 1974: 288  
Unemployment Rates, 1931-1945 - Buckley and Urquhart, Historical Statistics of Canada, Macmillan Company Ltd., 1965, Series C56-69:62; 1946-1953 - Ostry, Unemployment in Canada, Ottawa, 1968, Table 2: 6; 1954-1974 - Statistics Canada, Labour Force Survey Division, Historical Labour Force Statistics, Ottawa, 1974: 240

the war, and held level in the years 1943 to 1945. From 1945 onward, the steady upward trend which continued through the 1950's, began.

Therefore, rather than exhibiting the hypothesized positive relationship during the years 1940 to 1956, the two variables exhibited an ambiguous relationship from 1940 to 1945, which changed to a predominantly negative relationship from 1946 to 1956, when they returned to a positive relationship once again. This variation from the predicted relationship can be explained by several war-related problems in the data.

First of all, the decline in male participation in the labour force which occurred from 1940 to 1945 is misleading. The participation rate used in Graph #2 is for the civilian labour force only; it does not include men in the Armed Forces. If a male participation rate which included Armed Forces personnel was available, this rate would rise until 1945, in positive relation to the general fertility rate.

Secondly, a great many Canadian men were killed during World War II, although the total male population for the Census years 1941 and 1951 does show a general increase. Official figures list Canadian losses in "killed" (5) as 37,476 (Uralanis, 1971:135), but there is reason to believe that this figure is an underestimate. Table #10 on page 74 lists the absolute size of a cohort of males for the Census years 1931, 1941, and 1951.

In 1931 the Canadian population of males aged fourteen to twenty-four (6) was 1,086,000. By 1941 the cohort twenty-five to thirty-four years of age shows a drop of 175,000. In 1951 the cohort thirty-five to forty-four years shows a population of 917,000 (the slight rise

Table #10

Male Population by Age, Canada, 1931, 1941, and 1951  
(excluding Newfoundland)

| <u>Year</u> | <u>Age Group</u> | <u>Population</u><br><u>'000</u> |
|-------------|------------------|----------------------------------|
| 1931        | 14-24            | <u>1,086</u>                     |
|             | 25-34            | <u>771</u>                       |
|             | 35-64            | 1,633                            |
|             | 65 & over        | 285                              |
| 1941        | 14-24            | 1,185                            |
|             | 25-34            | <u>911</u>                       |
|             | 35-64            | 1,864                            |
|             | 65 & over        | 378                              |
| 1951        | 14-24            | 1,030                            |
|             | 25-34            | 1,028                            |
|             | 35-44            | <u>917</u>                       |
|             | 45-64            | 1,238                            |
|             | 65 & over        | 522                              |

Source: Denton and Ostry, Historical Estimates of the Canadian Labour Force, Ottawa, 1967, Tables 4, 5, and 6: 23, 24, and 25

presumably due to immigration). Similarly, the population for the age group fourteen to twenty-four was 1,185,000 in 1941. By 1951 the age group twenty-five to thirty-four shows only 1,028,000. These figures suggest that the loss of young Canadian males during World War II was in excess of the official casualty figures.

Thus, although the total male participation rate for the years immediately after World War II shows a decline, which implies a surplus of male labour, the number of males killed during the war had actually created a shortage of young males. The dramatic increase in the general fertility rate immediately following the war reflects the need to replace these men.

As noted earlier, the rate of male participation in the paid labour force exhibits a steady trend of decline throughout the 1931 to 1974 period. This of course also means a steady increase in the male reserve army. Most analysts give three reasons for this trend. (7)

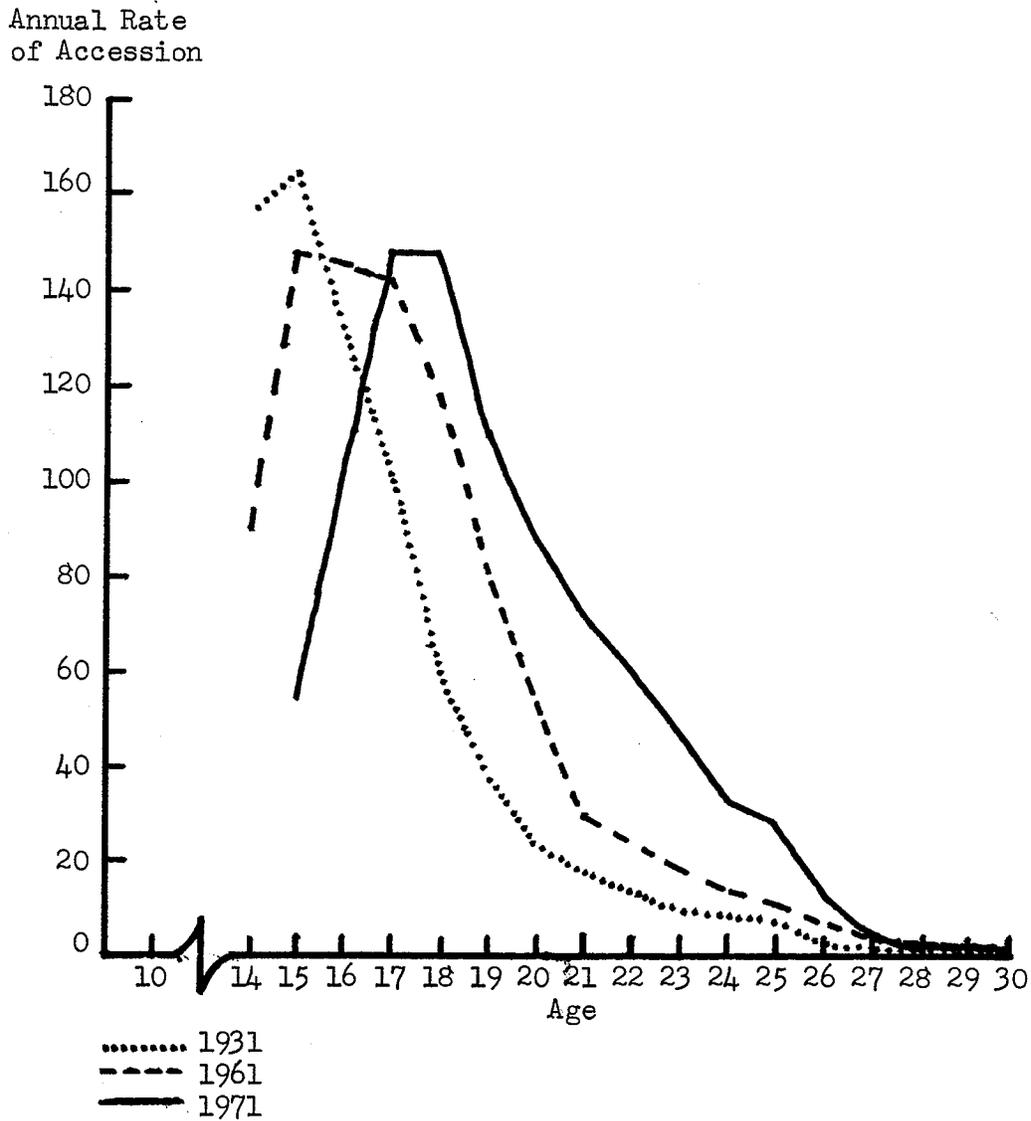
First, the male occupations (see hypothesis #1) in the labour force have been subject to a general reduction in their demand for labour throughout this century, primarily due to increased mechanization.

The second reason given for the declining male participation rate is that during this century males have tended to enter the paid labour force at an increasingly greater age. Graph #3, on page 76, illustrates this trend. Most analysts believe that this is the result of an increase in the average years of education of males throughout this century.

Third, during the period under investigation males have tended to

Graph #3

Trends in Annual Rates of Accession to the Labour Force  
per thousand Males by Age, Canada, 1931, 1961, and 1971



Source: Gnanasekaran, K.S. & Montigny, G., Working Life Tables for Males in Canada and Provinces, Statistics Canada, 1971, Chart 2.4:22

retire from paid labour force activity at a progressively younger age. Graph #4 on page 78 shows the annual rates of retirement from the labour force by age.

Graph #5 (page 79) shows the participation rate for males aged twenty-five to forty-four years, from 1953 to 1974. During this time the participation rate for males in this age group can be seen to have remained steadily high, and not subject to the same downward trend as the participation rate for males fourteen years of age and over. The decline in this latter rate is thus mainly the result of decreased rates of labour force participation for males under twenty-five years of age, and over forty-four years of age.

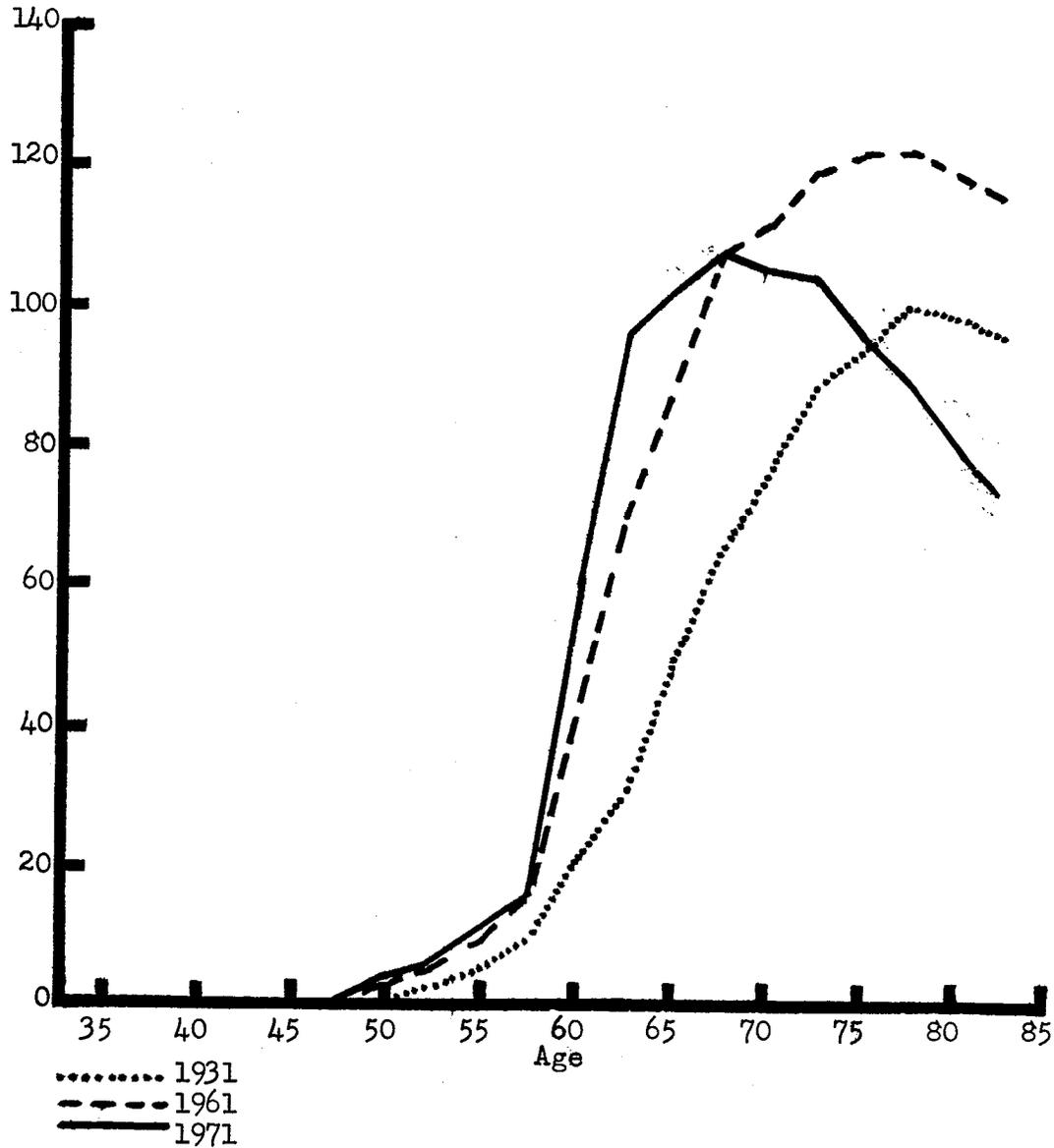
On the basis of the data presented here, the hypothesized relationship was found to be accurate for the years 1931 to 1939 and 1957 to 1974. Although the predicted relationship was not found in the data for the years 1940 to 1956, this is almost certainly due to inaccuracies in the data because of World War II, particularly the exclusion of those males serving in the Armed Forces from the participation rate.

Nonetheless, because of the ambiguity of the relationship between the two variables during these years, the hypothesis cannot be accepted for the entire period without reservation, although certainly for most of the years under investigation it is clear that as the size of the male reserve army increases, the level of childbearing decreases. In fact, in recent years both the general fertility rate and the male participation rate have descended to their lowest levels ever.

Graph #4

Trends in Annual Rates of Retirement from the Labour Force  
per thousand Males, by Age, Canada, 1931 - 1971

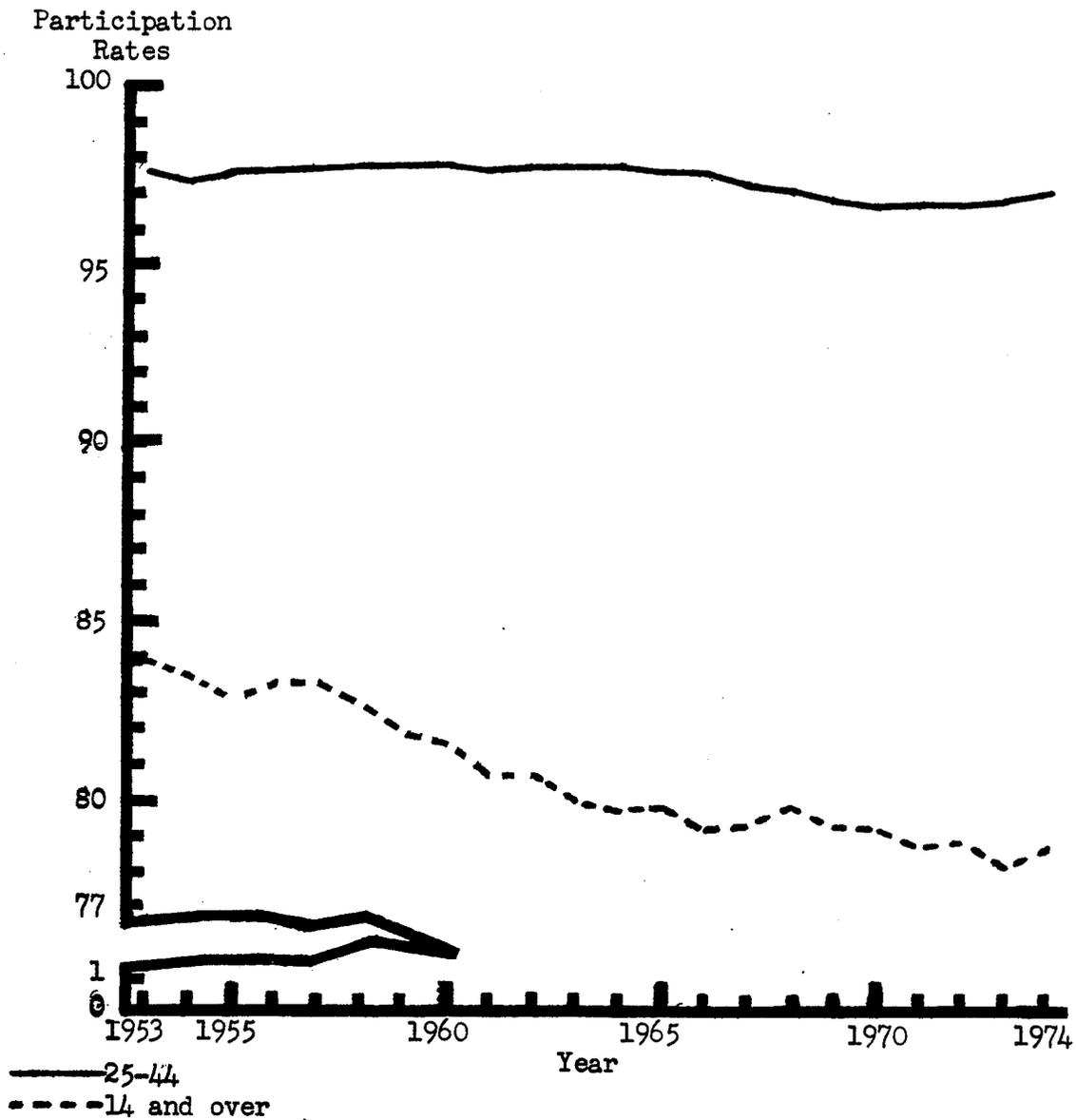
Annual Rate  
of Retirement



Source: Gnanaserkaran, K.S. & Montigny, G., Working Life Tables for  
Males in Canada and Provinces, Statistics Canada, 1971,  
Chart 2.5

Graph #5

Rates of Labour Force Participation, Males 14 Years of Age and Over,  
and 25-44 Years of Age, Canada, 1953-1974



Source: Statistics Canada, Labour Force Survey Division, Historical Labour Force Statistics, Ottawa, 1975:288,296

Hypothesis #2d. - The Unemployment Rate of Men is Negatively Related to the General Fertility Rate.

In hypothesis #2c. the male participation rate was used as an indicator of the size of the male reserve army. This hypothesis uses the male unemployment rate as a second measure of the size of the male reserve army. As in hypothesis #2c., the predicted relationship in this hypothesis between the size of the male reserve army and the level of childbearing is negative.

Graph #2 (page 72) shows the general fertility rate and the male unemployment rate, as well as the five year moving average of the latter, for the years 1931 to 1974. The data shows that the relationship between the two variables is ambiguous, rather than negative as predicted. However, there is reason to believe that this ambiguity may be the result of the inadequacy of the unemployment rate as a measure of the male reserve army. (8)

As was noted in Chapter 3, the unemployment rate does not measure all the components of the reserve army. It does not include members of the reserve army such as males who work only part-time in the labour force, welfare recipients, unemployed males not seeking employment, students, and males who have retired from paid labour force activity. Only those males registered as unemployed and seeking employment are counted in the male unemployment rate. Furthermore, the data presented in Graphs #3 and #4 showing annual rates of accession to, and retirement from, the paid labour force, suggests that the portion of the male reserve army that is measured by the male unemployment rate is very small. Therefore, it

is probable that the ambiguous relationship which characterizes the data presented in this hypothesis is the result of the male unemployment rate's severe under-estimation of the size of the male reserve army. Nevertheless, in that these factors cannot be measured or controlled for, hypothesis #2d. must be rejected.

Conclusions: Hypotheses #1 and #2

On the basis of the data presented in hypotheses #1 and #2, it can be concluded that there are three reserve armies of labour: a male reserve army for the male occupations in the labour force, a female reserve army for the female occupations in the paid labour force, and a reproductive reserve army for the reproductive labour force. The investigation of hypothesis #2a. showed that the level of childbearing is negatively related to the participation rate of women in the paid labour force. This illustrates that women in the home serve as part of the reserve army for the female occupations in the paid labour force, and that women in the paid labour force, if of childbearing age, serve as part of the reproductive reserve army for the reproductive labour force. The examination of the data presented in hypothesis #2c. revealed that the level of child production that women engage in is related to the size of the male reserve army. When the male reserve army was small, the level of childbearing was seen to be high, and when the size of the male reserve army increased, the rate of childbearing decreased. Therefore, hypotheses #2a. and #2c. accurately predicted the relationship between their respective variables for most of the period under investigation, although

the relationship predicted by hypothesis #2a. was not supported by the data for the years 1939 to 1945, and hypothesis #2c. was found to be inaccurate for some of the period from 1940 to 1956. In both cases this was attributed to the atypical effects of World War II.

The hypothesized relationships predicted by hypotheses #2b. and #2d. were not supported by the data. While this was partially the result of measurement problems, both hypotheses were found to be based upon false assumptions concerning the relationship between the variables investigated.

Chapter 5 - Analysis of Data: Legislation

The investigation of hypothesis #1 established that the Canadian paid labour force has exhibited a marked pattern of sex-typing throughout this century. Most women have been segregated into a few low paid occupational groups, and paid labour force activity has been consistently dominated by males. Most women have engaged in unpaid reproductive work for a substantial period of their lives.

The examination of hypothesis #2 revealed a number of other significant aspects of the relationship between women's work in both the spheres of production and reproduction. It was shown that the level of unpaid reproductive work that women perform was related to the size of the male reserve army, and it was argued that this is because of the necessity of maintaining an adequate male reserve army. In addition, it was demonstrated that the level of reproductive work performed is negatively related to women's paid labour force participation. The significance of this is clear if one remembers the suggestion of Lange, and other feminist writers discussed in the review of literature, that women are forced to perform reproductive work, and that to a large extent this has been accomplished by restricting their access to the paid labour force. Furthermore, one of the conclusions of hypothesis #1 was that the paid labour force activity of women has been restricted by the sex-typing of occupations.

There are of course other means by which the paid labour force participation of women, and the level of reproductive work they perform

are regulated. The following section is an analysis of some of the ways in which legislation has been used to regulate women's work in both the spheres of production and reproduction. The general areas of legislation to be dealt with are: paid labour force legislation which specifically relates to working women, birth control and abortion legislation, and legislation concerning government funding of day care centres for children. (1) The section is intended to illustrate how these types of legislation have regulated the levels of paid labour force participation and reproductive work performed by women.

The chapter is not a history of labour legislation, or of legislation concerning women; it deals only with those areas directly related to this thesis. For example, marriage laws have contributed to the regulation of women's reproductive work and paid labour force activity during this century, but a discussion of this legislation is not included here. The enactment and enforcement of marriage law falls under provincial jurisdiction, and because of this, an assessment of this legislation would have to be lengthy if it was to be properly documented. While this area of law is certainly important in any discussion of women's work, I have chosen to concentrate on labour legislation, and legislation which relates directly to the definition of reproductive work that had to be adopted in the first analysis section (childbearing).

In The Report of the Royal Commission on the Status of Women in Canada (1970), the importance of "family laws" was succinctly and accurately described. The Report noted that the financial support of children is the duty of both parents within the family unit; in the case of a

childless marriage, the husband is responsible for the financial support of his wife. Functionally identical legislation is in effect in all federal and provincial jurisdictions. Federally, section 186, 1(a) and (b) of the Criminal Code states that,

every Canadian parent is liable for the support of his children, and every husband for the support of his wife. Non-support is a criminal offence sanctioned by way of fine, imprisonment, or both.  
(Report of the Royal Commission on the Status of Women in Canada, 1970:247)

Similarly, the Report found that nine of the ten provinces enforced laws which clearly state that it is the husband's legal responsibility to support his wife during their marriage (Report of the Royal Commission on the Status of Women in Canada, 1970:247-248). The only exceptions were found in Alberta and the Yukon Territory, where maintenance obligations were reciprocal between husband and wife (Report of the Royal Commission on the Status of Women in Canada, 1970:247).

Therefore, in almost all Canadian jurisdictions marriage laws are based on the premise that marriage is an economic alternative for work in the paid labour force for women. Women working in the sphere of reproduction are placed in a position of financial dependence on their husbands, for only through them do they receive payment for reproductive work.

The laws examined in this section were enacted during the period 1900 to 1974. There is both a quantitative and qualitative difference between the pre- and post-1950 legislation. Thus, the material is divided into two sections by time period: 1900 to 1950, and 1951 to 1974.

Within these two periods the legislation is further divided into sections by legislative type, including both Federal and Provincial laws. (2)

In the first period, paid labour force legislation specifically concerning women which was enacted during the first half of this century is examined. These laws can be categorized as "Protective Legislation" - legislation ostensibly aimed at limiting the exploitation of female workers (and children). These laws take a number of forms such as factory Acts, which limited the hours of employment, minimum age of employment, etc..., for women and children; laws which prohibited the employment of women in certain industries such as mining Acts; minimum wage Acts for women; maternity protection; and hours of work Acts for women and children. A second legislative area examined in the first segment of this chapter deals with birth control, abortion, and funding of day care centres.

The amount of legislation enacted during the 1951 to 1974 period was much greater. In addition to the types of legislation already mentioned, another major type of paid labour force law concerning women was enacted. This can be characterized as "Anti-Discrimination Legislation" and includes two different types of acts: laws which prohibit pay discrimination on the basis of sex (equal pay Acts) and laws which prohibit discrimination in all phases of paid employment on a number of grounds including sex and marital status (fair employment or human rights Acts).

The analysis of the two time periods will show that in the first half of the century paid labour force legislation specifically relating

to working women was enacted under the guise of protective legislation. However, it restricted the employment of women and increased the sex-typing of occupations because it made women's labour less competitive than male labour. In addition to this, the illegality of the sale of contraceptives, and of abortion, as well as the absence of day care for children, served to further restrict the long-term paid labour force participation of most women.

Beginning in the 1950's this active legal restriction of Canadian women's paid labour force activity began to lessen with the enactment of anti-discrimination legislation. Nonetheless, rather than altering the sex-typed nature of the paid labour force, this legislation served only to increase the labour force participation of women within the female occupations.

Also during the 1951 to 1974 period, the means by which women could control their fertility became more readily available as the sale of contraceptives was legalized, and, to a very limited extent, as a result of the amendment to the abortion law. Government also began funding day care centres, although again the improvement was minimal. However, these changes in the sphere of reproduction did enhance women's ability to engage in long-term, continuous paid labour force activity.

#### I. Legislation: 1900 to 1950

##### A) Protective Legislation

Protective legislation in Canada began in the factory laws of 1884 and 1885 in Ontario and Quebec, which were designed to protect women

and children employed in factories. These Acts laid down provisions pertaining to health and safety, including the restriction of working hours. They did not specify minimum wage rates for men, women, or children. These early factory laws laid the foundation for subsequent Acts in other provinces.

British Columbia, Manitoba, Saskatchewan, New Brunswick, and Nova Scotia all passed factory Acts in the early 1900's. Like the Ontario and Quebec Acts, they established minimum ages for the employment of children, regulated the hours of employment for women and children, and set standards for their health and safety (Labour Gazette, 1950:9).

All the provincial factory Acts placed some restriction on the employment of women for night work, and no province permitted women to begin factory work until at least 6 a.m. (Dept. of Labour, 1924:73). The first factory laws of Saskatchewan, New Brunswick, and Nova Scotia established a 14 year minimum age for employment; in British Columbia it was 14 for boys and 15 for girls. The working hours limits set in New Brunswick and Nova Scotia were the same as those in the earlier Ontario and Quebec Acts - 10 hours per day and 60 hours per week with provisions for longer hours in special cases. In British Columbia women and girls over 15 were forbidden to work more than 8 hours per day or 48 hours per week. These same limits were set in Manitoba for women and girls over 16, but a 1904 amendment changed these standards to 9 and 54 hours respectively. Similarly, the first Saskatchewan factory Act set 8 hours per day and 45 hours per week as the limits for female workers, but a 1911 amendment changed these hours to 9 and 54 (Labour Gazette, 1950:9-10).

These factory Acts also required factory owners to maintain certain standards of safety. Workplaces had to be kept in sanitary condition and provide adequate lighting, heating, and ventilation, with no overcrowding of workers. Regulations concerning elevator inspection, fire protection, and the reporting of accidents were contained as well, and the Acts stipulated the appointment of factory inspectors to enforce these regulations (Labour Gazette, 1950:9-10).

Similar to the factory Acts in their regulation of employment, laws governing the employment of women and children in shops and mines were passed in the early 1900's. In fact, some provinces had Acts regulating the employment of women and children in mines during the mid-1800's. Both existing and new legislation of the early 1900's set minimum ages of employment and maximum hours of work for boys. All mining Acts prohibited the employment of women for any underground work (Labour Gazette, 1950:11; Dept. of Labour, 1924:73).

Work in shops was much less stringently regulated than factory work. There was no minimum age for employment in shops, and, while maximum working hours were restricted, the limits were very high. In 1900 British Columbia passed an Act prohibiting the employment of children under the age of 16 in shops for more than 11 hours per day (13 on Saturday) or  $66\frac{1}{2}$  hours per week. At the same time girls under 16 and boys under 14 could not be employed in shops for more than 12 hours per day (14 hours on Saturday) and 74 hours per week, in Ontario and Manitoba. In Nova Scotia the limit was 72 hours per week, but an Act passed in 1909 fixed the maximum working hours for girls under 16 and boys under 14

at 8 per day and 4 on Saturday (Labour Gazette,1950:10-11).

In 1926 Alberta revised its factory Act, setting 9 hours per day and 54 hours per week as the maximums for work in factories, shops, and offices, by both men and women. The Quebec Industrial and Commercial Establishments Act was amended in 1930 and made 55 hours the weekly maximum for women, and boys under 18, in all factories.

The depression of the 1930's brought a drastic reduction in working conditions for both women and men. Factory laws were frequently broken and this provided the impetus for a Parliamentary investigation in 1934. This investigation, which was known as the Price Spreads Inquiry, reported on the working conditions in the labour force. Regarding those areas of employment governed by factory Acts, the Report had this to say:

In (Ontario and Quebec) indeed by permission in special circumstances workers may be given the privilege of working 72 hours per week. Although these laws are relics of the dark ages of industrialism and permit longer hours than any modern standard would sanction, they are often violated with impunity or at the cost of a small fine. These laws do not apply to homeworkers (piece-workers) whose wage rates encourage even longer hours than those above. (Report of the Royal Commission on Price Spreads (1935) quoted in Ramkhalawansingh,1974:299)

Following the publication of this report a number of provinces amended their Acts concerning work in factories and shops so that homework was included. For example, Ontario amended its Factory, Shop, and Office Building Act in 1936 in an attempt to "control effectively a problem of long standing which has grown worse during the depression - the problem of homework" (Labour Gazette,1950:34). (3) This amendment required permits to be given for homework throughout the entire province, for both

the homeworkers and the employers. Before issuing a permit the inspector had to be satisfied as to the health of the worker and the sanitary conditions of the work premises (Labour Gazette,1950:34-35).

British Columbia's factory Act was also amended in 1936. Like Ontario, B.C. required employers and homeworkers to obtain permits. Similar legislation was passed in Alberta and Manitoba; in all other provinces homework was subject to minimum wage Act provisions (Labour Gazette,1950:34-35).

By 1950 all provinces except Prince Edward Island and Newfoundland had factory Acts, and all but P.E.I. (which had no mining industry) had mines Acts which restricted the employment of boys, and prohibited all females from working underground. The enactment of these factory, shop, and office building Acts undoubtedly lessened the exploitation of children. For women workers the case is not so clear cut. These Acts initially applied only to women and children, and placed restrictions upon the hours of work for which they could be employed, as well as the type of work they could perform (eg. mining). It was not until much later that similar restrictions were placed upon male labour.

By placing limits on the hours and type of employment women could engage in, women's paid labour was rendered less competitive relative to male labour. This served to further decrease women's paid employment opportunities and contributed to increasing the sex-typing of occupations in the paid labour force ( see hypothesis #1 ). Furthermore, for many years this type of "protective legislation" did not apply to two occupational groups in which many women were employed - domestic work and homework.

## B) Minimum Wage Acts

Minimum wage legislation initially applied only to women in the paid labour force. The first Acts were passed in Manitoba and British Columbia in 1918, and by 1920 Saskatchewan, Ontario, Quebec, and Nova Scotia had passed similar legislation. In each of these provinces a board was established to examine the existing wage rates in specific fields of employment, and to recommend minimum wage rates for women. These first minimum wage Acts applied to female workers in shops, factories, offices, hotels and restaurants, laundries, and places of amusement. Significantly, none of the Acts set a minimum wage for domestic servants, an area where many women were employed, or for farm workers. In Quebec and Ontario the legislation dealt only with wages. In the other four provinces minimum wage boards set up to administer these laws had the additional power to regulate hours and conditions of work (Labour Gazette, 1950:13). Thus in these four provinces the minimum wage Acts for women began to replace factory Acts.

New minimum wage Acts for working women were passed in Alberta in 1922 and in Nova Scotia in 1924 (the Nova Scotia Act replaced the 1920 legislation which had never come into effect). Both Acts provided for the establishment of minimum wage boards. In 1925 British Columbia passed the first Canadian minimum wage Act which included male workers in its provisions. This Act, like the others that followed in each province in subsequent years, set a higher minimum wage rate for men than for women (Labour Gazette, 1950:21-22).

During the 1930's wage rates dropped drastically. The Price Spreads

Inquiry examined wage levels and found that in many cases minimum wage laws were not enforced.

The Commission inquired into a wide range of industries and occupations and found frequent and continuous violations of the law. Startling examples of excessively low wages and oppressively long hours were cited. (Labour Gazette,1950:32)

The Report went on to recommend the adoption of minimum wage laws for men in all provinces, and a better mechanism for enforcing these laws for both men and women (Labour Gazette,1950:32).

In the following years Manitoba and Saskatchewan (1934), Alberta (1936), and Ontario and Quebec (1937) established minimum wage rates for male workers. Each province set a male minimum wage rate which was higher than the minimum wage rate for women. (4) At the same time Ontario and British Columbia extended the jurisdiction of their minimum wage Acts in 1936, to include homeworkers, as did New Brunswick in its new minimum wage legislation of the same year. By 1936 homework was subject to minimum wage Act provisions in all provinces except Prince Edward Island, which did not put any minimum wage legislation into effect until the 1960's (Labour Gazette,1950:34-35).

As of 1950 all provinces except P.E.I. had enacted minimum wage legislation. The Acts of Ontario, Nova Scotia, and Newfoundland applied to women only. In all other provinces minimum wage Acts applied to both men and women, and each specified a lower rate for women. All these Acts excluded domestic servants and farm labourers, and each province's minimum wage rates were different. (5)

Women were paid much lower wage rates than males in the labour force

before the enactment of minimum wage legislation for women (6), and the establishment of female minimum wage rates is often portrayed as a response to this. However, when these Acts were extended to include male workers, who were given a higher minimum wage rate than women, the principle of lower wage rates for women became law.

C) Federal Government Legislation Concerning Working Women

Immediately after the First World War action was taken to limit the employment of women in the Public Service of Canada. In 1918 a civil service Act gave the Civil Service Commission the explicit authority to limit competitions for jobs on the basis of sex. In 1921 married women were barred from Public Service employment unless they were self-supporting, or there were no qualified male applicants for the position in question (Office of Equal Opportunities for Women, Public Service Canada, 1973:1).

Although women had certainly been discriminated against in employment by the Federal government prior to this time, these Acts represent the first passage of this discriminatory policy into law. During the First World War the position of working women had improved somewhat, and an Order-in-Council calling for equal pay for women was passed in 1918, although it did not survive the war. The Federal government's discriminatory legislation came only after World War I, when the demand for female labour had dropped.

Similarly, the necessity of drawing upon female labour during the Second World War forced the Federal government to take a number of steps to encourage female participation in Public Service employment, and in

the paid labour force in general. An Order-in-Council (#5963), the War-time Wages Control Order of July 10, 1942, was issued, which demanded adherence to the principle of equal pay for equal work in all occupations in the paid labour force. The Federal government also relaxed its restrictions on the hiring of married women for Public Service employment. In order to assist women with children in engaging in paid labour force activity, the Federal government also provided financial support for day care centres. (7)

However, these benefits for working women remained in force only for the duration of the war. Also, the Re-Instatement in Civil Employment Act of 1942 required employers to ensure the re-instatement of employees who left jobs to join the Armed Forces (Labour Gazette, 1950:39). While this legislation obviously benefited wartime recruits, it guaranteed that women who were drawn into typically male jobs in non-war industries would be expelled at the end of the war.

In 1947 Public Service restrictions on the employment of married women were re-introduced. For many years hence:

married women could be retained or hired only under special circumstances and even then their salaries and advancement opportunities were limited. (Office of Equal Opportunities for Women, Public Service Canada, 1973:1)

At the same time the Civil Service Commission re-established its practice of legally restricting the employment of all women.

Throughout the 1900 to 1950 period the employment of women, and especially married women, by the Federal government was subject to legal restrictions. The wartime experience is highly instructive because it

shows the dramatic effect that can be achieved by the removal of discriminatory practices against women in the paid labour force (as well, of course, as the effect of wartime propaganda). The large increase in female participation in the paid labour force during World War II was achieved, to a great extent, by the alleviation of discrimination against women, and by the institution of positive measures such as equal pay legislation and the funding of day care centres for children.

D) Maternity Protection Acts

From 1900 to 1950 only British Columbia offered any form of maternity protection for working women. B.C. passed its legislation in 1921. The Act, modelled on the recommendations of the International Labour Organization's Conventions of 1919 (8) regarding the employment of women before and after childbirth, forbade the employment of a woman in any commercial or industrial undertaking during the 6 weeks immediately preceding and the 6 weeks immediately following her confinement. The Act stipulated that no woman could be dismissed from her job for taking this maternity leave, provided that she supplied a medical certificate (Labour Gazette, 1950:20). In all provinces but British Columbia working women who became pregnant had no protection against dismissal from their jobs. Obviously this made continuous paid labour force participation difficult for many women.

E) Legislation Concerning Birth Control, Abortion, and the Funding of Day Care Centres

Women had no protection against unwanted pregnancy during the first half of this century. Under a Federal law passed in 1892 the sale and advertisement of contraceptives, and the dissemination of information concerning birth control methods, was subject to prosecution under the Criminal Code. The enforcement of this law was not usually stringent, but in no way could it be said that birth control devices or information were freely available.

Since its (the Act prohibiting the sale and advertisement of contraceptives and the dissemination of birth control information) introduction in 1892, few attempts were made to enforce the ban... . One birth control device (condom) has always been sold openly as a prophylactic against venereal disease. (9) (Report of the Royal Commission on the Status of Women in Canada, 1970: 277)

Nevertheless, the law did provide for quite a severe penalty.

Everyone is guilty of an indictable offence and liable to two years' imprisonment who knowingly, without lawful justification or excuse - offers to sell, advertises, publishes an advertisement of, or has for sale or disposal any means or instructions or any medicine, drug or article intended or represented as a means of preventing conception or of causing abortion or miscarriage; or advertises or publishes an advertisement of any means, instruction, medicine, drug or article for restoring sexual virility or curing venereal disease or diseases of the generative organs. (Dept. of Labour, 1924:15)

The Canadian Criminal Code also contained specific laws against abortion: against attempts to procure a miscarriage of any woman; against any woman who attempts to cause herself to miscarry or allows anyone else to cause her to have a miscarriage. The maximum sentence for any of these offences was life imprisonment (Dept. of Labour, 1924:14).

In addition to these factors which made it difficult for women to control their fertility, paid labour force activity was also problematic for women with children. Neither the Federal or Provincial governments supported or established day care centres for pre-school aged children. Nor did they concern themselves with the partial care (lunch time, after school hours, and school holidays) necessary to working mothers of school aged children, or women with children who wished to engage in paid labour force activity. The only exception to this was the Federal government's funding of day care centres during World War II, mentioned previously. This plan was terminated in 1946.

Non-government sponsored day care centres were quite rare. In the major cities of Montreal, Toronto, and Ottawa a few charitable organizations operated small day care centres (the first was established in Montreal in 1888; Toronto's first was in 1890; and Ottawa's in the early 1900's). The boards of these centres viewed them as charitable work to help the very poor (Women's Bureau, Manitoba Department of Labour, 1974: 26). A few private day care centres did exist throughout the provinces, but the cost was such that they were beyond the reach of all but "well-to-do-women". Thus, from 1900 to 1950 day care for pre-school age children was negligible. For young children in school no additional care was available. Most women with children who worked in the paid labour force were left to make whatever arrangements they could with relatives, neighbours, or paid babysitters.

The need for day care centres for the children of working women was made more acute by the enactment of labour legislation which forbade the employment of children until a certain age and restricted the types of

employment children could perform. These Acts were first passed in the early 1900's in a number of provinces, but it was not until the 1940's that all provinces possessed labour legislation that set a minimum age for employment.

In 1944 British Columbia passed the Control of Employment of Children Act which forbade the employment of children under 15 years of age in a number of industries, except with a permit from the Minister of Labour. Prince Edward Island passed an Act in 1945 which prohibited the employment of children under 15 in mines or factories, in transport, or in construction. Saskatchewan raised the minimum age for factory employment to 16 in 1946, and New Brunswick followed suit in 1947. Other provinces varied between 14 and 16 in their minimum ages for employment.

In each province these minimum age of employment Acts coincided with compulsory school attendance laws which further limited the paid employment of children. Compulsory education Acts were first enacted between 1910 and 1920 in a number of provinces, although initially the age at which children could leave school was quite low. By 1914 all provinces except Quebec and Manitoba had enacted compulsory school attendance laws for the primary grades. Manitoba followed in 1916, enforcing school attendance for children between the ages of 7 and 14. Most provinces continued to raise their minimum age for leaving school until the 1940's, when they reached present levels. Quebec did not pass a compulsory school attendance Act until 1943 (Wilson, Stamp, & Audet, 1970:278,327,341).

The compulsory education Acts were further supported by the Federal Family Allowance Act.

Another indirect means of ensuring school attendance and preventing employment during school hours has been the payment of monthly allowances under the Family Allowance Act of 1944 to all children in Canada under 16. The Act provides that payment ceases where a child over six and fit to attend school, fails to attend. (Labour Gazette, 1950:43)

The illegality of contraceptives, and abortions for unwanted pregnancies, and the unavailability of relatively inexpensive and adequate day care for children, made it very difficult for women to engage in long-term continuous paid labour force activity during the first half of this century. Also, laws prohibiting the employment of children increased the burden of child care. While it is true that compulsory education did take children out of the home by requiring them to attend school, school hours and holidays usually did not coincide with the hours women worked in the paid labour force. Working women with school age children still had to arrange for the care of their children during before- and after-school hours, lunch hours, and school holidays. The low wages typically paid to female workers, and the cost of day care for their children, often made women's work in the paid labour force uneconomical.

#### Summary and Conclusions, 1900 to 1950

The preceding analysis has shown that the major function of protective labour legislation was to keep most women out of the paid labour force and to restrict the employment opportunities of the women who did work in the labour force by increasing the degree of sex-typing. Obviously it would not have been possible, or desirable, to close the paid labour force to women entirely. A certain amount of women were always necessary to

work in the low paid female occupations. Of course, many women had no choice but to earn their own living; both single women with no other means of support, and married women whose husband's income was not sufficient to support the family unit, were obliged to work whatever the conditions of employment.

It should be noted that it was women's groups - both labour and suffrage organizations - and to some extent male trade unions, who pressed for the enactment of protective legislation for women and children. In Beseiged Innocence: The "Problem" and Problems of Working Women - Toronto, 1896-1914 (1974), Klein and Roberts pointed out that the motives of these various support groups were often different.

The National Council of Women, an organization of influential and wealthy women concerned with social issues, early espoused the cause of the working girl. This was consistent with its self-definition as Canada's "national mother" - a role that suited their assumption of the responsibility for guardianship for all those who, in their eyes, needed protection, ...

The major focus of their concern was the woman as a future mother - the sacrifice of whose health would degrade the community - not as a worker. Their obsession with separate lavatories, considered one of the key goals of factory inspection, demonstrates their focus of issues pertaining to the maintenance of purity, modesty and other necessary qualities of wifely and motherly virtue. (Klein & Roberts, 1974:214-215)

Klein and Roberts also examined the trade unionist position.

Nevertheless, the trade unionists' definition of the problems of women workers was dominated by their acceptance of the traditional moralistic definition of women's place. ...

The pressures to affirm the traditional view of women were reinforced when they fused with the narrow craft consciousness permeating large segments of the union movement. The craft organizations' central thesis

of restricting entrance into the trade as a means of preventing competition and ensuing (sic) lower wages, influenced the attitudes of significant layers of the trade union movement towards the entrance of women into the work force. One labour organization suggested, "we think that women should not be allowed to work in the foundries, as it has a tendency to degrade them, to lower the wages of men and to keep a number of young men out of work." Both the foundry workers themselves and the Trades and Labour Congress of Canada favoured "abolition of child labour by children under 14 years of age, and of female labour in all branches of industrial life, such as mines, work-shops, factories, etc."...

The slogan "woman's place is in the house" legitimized their appeal for her exclusion from the workplace - a beneficial measure, in their minds, in order to reduce competition among labourers. (Klein & Roberts, 1974:219-220)

Ceta Ramkhalawansingh discussed the differences of opinion between women in labour organizations, and women in suffrage organizations, on the subject of protective legislation. She argued that the "middle-class suffrage groups" were against most protective legislation for women because they believed that it segregated female labour and prevented women from working in many occupations. Trade union women argued that female labour was already isolated from males in the paid labour force, and thus "more vulnerable to exploitation". Therefore women in trade unions believed protective legislation to be a "desperately needed reform" (Ramkhalawansingh, 1974:301).

Ramkhalawansingh agreed with Klein and Roberts that while protective legislation may have been well intentioned, its effectiveness was severely limited precisely because it applied to women (and children) only. They felt that restricting the hours that women could work made their labour less competitive, and in some industries where work was seasonal (eg. the garment industry), compounded existing problems. If women were

prevented from working over-time, they were less able to support themselves by their savings during periods of unemployment (Klein & Roberts, 1974:216). Protective legislation thus exacerbated many existing problems because it made women's labour less competitive relative to male labour, although certainly it did alleviate some abuses, especially in the areas of health and safety.

Another fundamental weakness was that the legislation did not apply to farm workers, domestic servants and garment piece-workers, that is, to a third of the paid female working population. Legislation designed to protect the female worker happened to exclude the very areas where there was a high concentration of female labour. (Ramkhalawansingh, 1974:300)

We have also seen that the minimum wage Acts, which originated as protective legislation for women, were transformed to a form of legislated inequality. The establishment of higher minimum wage rates for males than for females, severely questions the idea that this legislation was aimed at protecting women in the paid labour force.

The Federal government made no pretence of attempting to protect women in the Public Service. Not only did they have a hiring policy which discriminated against women, but, except when the two World Wars made it necessary, they refused to employ married women.

Thus, the labour legislation from 1900 to 1950 cannot by any means be seen as protective. Rather, the period saw women's inequality in the paid labour force pass from custom to law under the guise of protection. Women were further segregated into a few low paid occupational groups, and generally discouraged from entering the paid labour force or remaining in it for a long period of time. Perhaps the most obvious example of

this intent is the omission of the one type of legislation which would have been most beneficial in allowing women to freely engage in paid labour force activity - maternity protection Acts. British Columbia was the only province which had in force a maternity protection Act that guaranteed 12 weeks of leave without permanent loss of employment.

Furthermore, because contraceptives and abortion were illegal pregnancy was often difficult to avoid. If a woman became pregnant, the lack of maternity leave legislation which guaranteed job security, and the absence of day care facilities, generally forced a lengthy and often permanent withdrawal from the labour force. This problem was compounded by protective labour legislation that restricted the paid labour force activity of children, and compulsory education legislation. Obviously these Acts were beneficial to children, but they served to further prevent women from full-time paid labour force participation.

The effect of all this legislation was to confine most women, for a major part of their lives if not the whole of them, to performing unpaid reproductive work which was legally, socially, and ideologically relegated to the private sphere of the family.

## II. Legislation: 1951 to 1974

### A) Protective Legislation

Protective legislation continued to be enacted during the period from 1951 to 1974. In a number of provinces and in the Federal government (10) existing legislation which restricted the hours of work for women was amended to include male workers, who had previously been

allowed to work longer hours. Acts were also passed which further limited women's employment at night and in mines, and upgraded health and safety standards for workplaces. Legislation governing the minimum ages for leaving school, and for entering the paid labour force, as well as laws governing permissible places of work for children, continued to be updated.

The Saskatchewan Labour Standards Act of 1967 (further regulations passed in 1972), the Manitoba Employment Standards Act of 1970 (under regulations passed in 1971), the Ontario Standards Act of 1970, and the Quebec Industrial and Commercial Establishments Act of 1964, are all Acts which concern women working at night. In Manitoba and Ontario the Acts specify that where the work period of a female employee begins or ends between the hours of 12 a.m. and 6 a.m., the employer is required to provide her with adequate and free transportation to or from her place of residence (Dept. of Labour, 1975:46-47). Saskatchewan's Act applies to women who finish work between the hours of 12:30 a.m. and 7 a.m. . If women are employed by hotels, restaurants, educational institutions, hospitals, or nursing homes, the employer must provide free transportation to the employee's home (Dept. of Labour, 1975:47).

The Quebec Act applies only to "industrial establishments". Women are generally prohibited from working at night, except under certain conditions. If an employer can justify "special circumstances" the Minister of Labour may grant a permit (after consulting with the trade union) which allows the woman to begin work between 11 p.m. and midnight, for up to one year. This work is subject to a number of provisions, most notably that the employer must provide transportation to the worker's residence

at his or her own expense, if work terminates before 7 a.m. (Dept. of Labour, 1975:46). No other jurisdictions in Canada have legislation that stipulates the types of restrictions placed on night work for women that these four provinces have in force.

Between the years 1951 and 1974 some changes were made to statutes governing the employment of women for underground mine work. The Federal Act (Canada Labour Code, 1966-1967) which applies to mines under Federal jurisdiction states that:

No female person may be employed on underground work in any mine except when holding a position of management and not engaged in manual work: in health and welfare services; in the course of studies for a period of training; or occasionally to enter the underground parts of a mine for purposes of a non-manual occupation. (Women's Bureau, Dept. of Labour, 1973:22)

In British Columbia (Mines Regulation Act of 1967 and Coal Mines Regulation Act of 1969) women are prohibited from working underground in a mine unless approval has been obtained from the Chief Inspector of Mines, Department of Mines and Petroleum Resources. The Alberta Coal Mines Regulation Act of 1970 states that no woman can be employed in a mine (underground or above ground) except "in the performance of clerical work or of domestic duties in a hotel, boarding house or residence operated in connection with the mine" (Women's Bureau, Dept. of Labour, 1973:22). Similarly, in Saskatchewan (1965 Mines Regulation Act) women are prohibited from working in a mine except in a clerical, domestic, or technical capacity (Women's Bureau, Dept. of Labour, 1973:22).

The Ontario Mining Act of 1970 allows the employment of women

underground in mines only if they are employed in non-manual occupations, if they spend some time underground because it is related to a course of studies, or if they are employed in health and welfare services. Quebec, like the B.C., Ontario, and Federal Acts, permits women to engage in surface work but prohibits underground employment. The only exception in the Quebec Mining Act of 1965 is women who are geologists or engineers (Women's Bureau, Dept. of Labour, 1973:23).

Finally, the Nova Scotia Metalliferous Mines and Quarries Act (1967) prohibits the employment of women in mines,

except on the surface in a technical, clerical or domestic capacity or such other capacity as requires the exercise of normal feminine skill or dexterity but does not involve strenuous physical effort. (Women's Bureau, Dept. of Labour, 1973:23)

Other protective legislation for working women enacted during this time dealt with the areas of health and safety. Such things as provisions for seats for women workers in shops and factories, requirements for restrooms with cots and chairs, or Acts which require matrons or female supervisors where large numbers of women are employed were passed in a number of provinces (Women's Bureau, Dept. of Labour, 1975:25-26).

The legislation reviewed here illustrates the continued restriction of women's place of work and hours of work to a greater extent than that of males in the paid labour force. Despite the fact that the maximum working hours for males were changed so that they became the same as for female workers, the paid labour of women remained less competitive relative to male labour.

B) Minimum Wage Acts

The Provincial minimum wage Acts were also subject to a number of changes during the 1951 to 1974 period. Changes throughout the 1950's were relatively minor. By 1960 three provinces had minimum wage Acts that applied to women only (Nova Scotia, New Brunswick, and Ontario), and four provinces had Acts which applied to both men and women, but stipulated a higher rate for males (Alberta, Newfoundland, British Columbia, and Saskatchewan). Manitoba was the only province which had one minimum wage rate for men and women, although minimum wage rates differed between urban and rural areas. The Quebec minimum wage board still set different minimum wage rates for each industry and area, although they were attempting to decrease the number of minimum wage orders in effect and introduce a standardized rate. The official position of the board was to establish identical rates for male and female workers, but owing to the complexity of their system and the number of rates orders in effect, it is not possible to say with any certainty whether this was the case (11) (Dept. of Labour, 1963a.:3-9).

Immediately following the equalization of male and female minimum wage rates in Manitoba (1960), a number of provinces made similar amendments to their minimum wage Acts. In 1961 the Alberta Board of Industrial Relations removed the \$2.00 a week differential between the minimum wage rates for males and females (Dept. of Labour, 1962:2). Saskatchewan, which since 1960 had specified one minimum wage rate for men and women except in the manufacturing industry, removed this exception in 1962 (Dept. of Labour, 1963:2). In 1963 Ontario changed its existing minimum

wage legislation. The amendment extended coverage to males as well as females and set the same rate for both (Dept. of Labour, 1964:19).

Prince Edward Island had passed minimum wage legislation in 1959, but it did not come into effect until 1962, and then only for female restaurant workers in Charlottetown and Summerside (Dept. of Labour, 1963:14-15). The P.E.I. male minimum wage Act of 1960 was first applied in 1963, and a minimum wage was set for males in most occupations throughout the province. In the same year an order was issued in P.E.I. establishing a minimum wage rate for all female laundry workers (excluding office staff) in the province (Dept. of Labour, 1964:7-8). It was not until 1968 that a province wide minimum wage was established for women, but it was set at a lower rate than for males (Dept. of Labour, 1969:10).

British Columbia, which, like Quebec, had originally set separate minimum wage orders for a number of industries and occupations, began to consolidate its orders in 1967. By the end of the decade the province had progressed in this program, and for the first time fixed one minimum wage rate for men and women in factories, and in the fresh fruit and vegetable processing industry (Dept. of Labour, 1971:37).

In 1972 Newfoundland and Nova Scotia abolished the sex differential in their provincial minimum wage rates (Dept. of Labour, 1974:15). On July 1, 1974 the last province which maintained higher minimum wage rates for men than for women - Prince Edward Island - brought identical rates into force for both sexes (Dept. of Labour, 1974:15).

Another area of change in minimum wage legislation during the years 1951 to 1974, was the inclusion of workers under minimum wage laws - in two provinces - who had previously been omitted. At the beginning of

the period all provinces excluded domestic servants and farm labourers, and most provinces excluded some other occupations from the provisions of their minimum wage Acts (12). Newfoundland was the first province to bring farm labourers under the jurisdiction of minimum wage legislation, in 1970 (Dept. of Labour, 1971:36). In 1974 they extended minimum wage coverage to domestic servants in private homes (Dept. of Labour, 1975:18) as Prince Edward Island had done in 1973 (Dept. of Labour, 1974:15). At the end of the period under investigation these two remained the only provinces to have included domestic servants in private homes in their minimum wage legislation, and Newfoundland was the only province to include farm labourers.

During this century minimum wage legislation has taken three distinct forms. The initial enactment of this type of legislation in the 1920's set rates for women only, and served to make their labour less competitive than male labour. The dramatic decrease in wages during the depression resulted in minimum wage rates being set for male labour, the second form of minimum wage legislation. Minimum wage rates for males were higher than for females in all provinces which covered both men and women in their minimum wage Acts. During this time the inequality of female labour was thus supported by law. Beginning in the 1960's the provinces began to equalize male and female rates, but it was not until 1974 that minimum wage rates were equal for both sexes throughout Canada.

### C) Maternity Protection Acts

In 1964, forty-three years after the passage of the British Columbia Maternity Protection Act, a second province - New Brunswick - passed

similar legislation. Ontario followed in 1970 with provisions embodied in its Women's Equal Opportunity Act, but this legislation was repealed in 1972, and maternity leave provisions were incorporated into the Ontario Employment Standards Act.(13) Also in 1972, the Manitoba Employment Standards Act (1970) was amended to provide maternity leave for non-civil service employees. In the same year Nova Scotia enacted its first maternity leave provisions, and Saskatchewan followed suit in 1973. (14)

All of the maternity leave Acts are designed to guarantee a specific period in which a woman may leave her employment in order to have a child, without losing her job. This period of time varies slightly from province to province, ranging from a minimum of 12 weeks in New Brunswick to a maximum of 18 in Saskatchewan. In British Columbia, Manitoba, and New Brunswick an additional time is specified, over and above the normal maternity leave, during which the employee is protected from dismissal. Thus in New Brunswick, for example, although the period of maternity leave is 12 weeks, a woman may take up to 16 weeks and still retain her job. (15)

In all provinces women are prohibited from working until 6 weeks after delivery, although Saskatchewan, Ontario, and Nova Scotia allow them to resume work at an earlier date upon presentation of a medical certificate of fitness. The maternity leave Acts of Saskatchewan, Manitoba, and Nova Scotia require that the woman must have worked for the same employer for at least 12 months in order to be eligible for maternity leave. Ontario has the same provision but specifies "twelve months and eleven weeks immediately preceding the estimated day of her delivery." (Women's Bureau, Dept. of Labour, 1975:18)

Four provinces have included regulations in their Acts which refer to the conditions of reinstatement of employees returning from maternity leave. In Saskatchewan a woman returning from maternity leave "must be reinstated under similar terms and conditions in which she was formerly employed." (Women's Bureau, Dept. of Labour, 1975:18) Manitoba simply requires reinstatement. Under the Ontario Act a woman's employer must reinstate her "in her former position or a comparable position at at least the same wages and with no loss of seniority or benefits accrued to the commencement of her leave of absence." (Women's Bureau, Dept. of Labour, 1975:18) The Nova Scotia Act stipulates that "the employee must be reinstated with no loss of seniority or benefits accrued to the commencement of the maternity leave." (Women's Bureau, Dept. of Labour, 1975:19)

The maternity protection provisions of all six provinces apply to employers with one or more employee (Dept. of Labour, 1975:105). However, these Acts do not apply to employees under Federal jurisdiction (employees of Crown corporations, etc., and the Federal Public Service), or to Provincial civil servants in British Columbia, Manitoba, and New Brunswick.

The first maternity leave Act for civil service employees was passed in British Columbia in 1960, and allowed for a maximum leave of absence of 6 months (Women's Bureau, Dept. of Labour, 1975:20). Manitoba added maternity leave provisions to its Civil Service Act in 1968. The regulations provided for 2 months of leave prior to the estimated date of confinement and 2 months following, with a further provision that leave might be extended for medical reasons, or on the recommendation of the "employing authority" (Women's Bureau, Dept. of Labour, 1975:20).

The New Brunswick Minimum Employment Standards Act, which since 1964 has contained maternity leave arrangements for employees in the province, excludes civil servants. No maternity leave Act had been passed by 1974 which dealt with these workers. On the other hand, Alberta, Quebec, and Prince Edward Island have maternity leave Acts for civil servants only. Prince Edward Island has allowed maternity leave for civil servants since 1964. The Act gives employees 60 days prior to the date of delivery and 60 days following; this was amended in 1972 to a leave of 4 consecutive months (letter received from Prince Edward Island Civil Service Commission, October 14, 1977).

Under the provisions of an Order-in-Council in 1973, Alberta included maternity leave for provincial civil servants for a period not exceeding 6 months (Women's Bureau, Dept. of Labour, 1975:20). Regulations made pursuant to the Quebec Civil Service Act in 1968 state that:

with respect of leave of absence, including maternity leave, civil servants come under the terms and conditions appearing in the collective agreement to which each employee is subject. (Women's Bureau, Dept. of Labour, 1975:21)

In the Federal Public Service maternity leave has existed in some form since 1958, but there have been a number of changes in its organization. The first maternity leave regulations for Public Service employees came into effect in 1958, and allowed a leave of absence of unspecified length for married women only. It was obtainable only on permission from the deputy head of the employee's department. By 1962 maternity leave had become an entitlement for both married and single women. This Act (Financial Administration Act), which provided for 2 months pre-natal and 6

months post-natal leave, remained in effect for employees not subject to similar provisions contained in collective bargaining agreements (Judek, 1962:66; Report of the Royal Commission on the Status of Women in Canada, 1970:111). When maternity leave ends the Act stipulates that the woman be reinstated in her old job or in another of appropriate nature and level (Archibald, 1970:125).

Finally, maternity leave has been provided for employees of establishments under Federal jurisdiction since 1971. Under amendments to the Canada Labour Code, employees of at least 12 months are entitled to 17 weeks of maternity leave, beginning no earlier than 11 weeks before delivery and ending no later than 17 weeks after. An employee may not be dismissed or laid off solely because of pregnancy (Women's Bureau, Dept. of Labour, 1975:17).

Therefore by 1974 women workers were entitled to maternity leave by a number of different pieces of legislation. In five provinces - British Columbia, Saskatchewan, Manitoba, Ontario, and Nova Scotia - all working women employed by either the civil service or private industry were entitled to maternity leave. Three provinces - Quebec, Alberta, and Prince Edward Island - guaranteed this protection for provincial civil servants only, and one province - New Brunswick - provided maternity leave for only non-civil service employees. Newfoundland remained the only province without any type of maternity protection Act by 1974. In addition to this, both Federal Public Service employees, and employees in Crown corporations and other undertakings under Federal jurisdiction were guaranteed maternity leave. (16)

All of these Acts guarantee that a woman may take maternity leave without losing her job; they do not provide for the payment of salary during this time. The only legislation in Canada which deals with the payment of maternity benefits is the Unemployment Insurance Act. Since 1971 this statute has allowed the payment of unemployment insurance benefits for a period of 15 weeks during confinement (17) (Women's Bureau, Dept. of Labour, 1975:17). Eligibility is dependent upon whether or not the woman was working, or receiving unemployment insurance benefits, during the week when pregnancy occurred. No benefits are paid to women not employed or receiving unemployment insurance benefits at the time of conception (Unemployment Insurance of Canada pamphlet on maternity benefits, 1976:1).

Thus, even though the number of maternity leave Acts had dramatically increased throughout the 1960's and early 1970's, protection was still inadequate in five provinces. Four provinces possessed legislation which covered only some female workers in the paid labour force, and one province - Newfoundland - did not possess any maternity protection legislation. Furthermore, compensation for loss of wages during maternity leave has only been available since 1971.

The importance of maternity leave legislation, especially paid maternity leave, cannot be overstressed. The absence of maternity leave is a very direct discouragement of continuous female labour force participation. Indeed, given the necessity of a population to replace itself, maternity leave for working women should be a basic right, not a privilege. It must be remembered, however, that without readily available and affordable day care facilities, the benefit of maternity leave

legislation is severely reduced for the vast majority of working women.

D) Equal Pay Legislation

We have already seen how the principle of equal pay for equal work regardless of sex, was put into law during wartime by the Federal government. These equal pay Acts, which were designed to encourage much needed female participation in the paid labour force, were removed at the end of both World War I and World War II. In the period 1951 to 1974 equal pay legislation began to re-emerge on both the Federal and Provincial levels.

In 1951 Ontario passed the Female Employees Fair Remuneration Act, which came into effect on January 1, 1952. For the first time in Canadian history, the principle of equal pay for equal work was embodied in provincial labour legislation. Saskatchewan passed similar legislation in 1952; British Columbia in 1953; Manitoba, Nova Scotia, and the Federal government (for Crown corporations and other undertakings under Federal jurisdiction excluding employees of the Public Service of Canada) in 1956; Alberta in 1957; Prince Edward Island in 1959; New Brunswick in 1961; Quebec in 1964; and Newfoundland in 1969.

These equal pay Acts varied somewhat from province to province. The Ontario, B.C., Nova Scotia, P.E.I., New Brunswick, and Newfoundland Acts prohibited an employer from employing a female at a lower rate of pay than a male "for the same work done in the same establishment." (Dept. of Labour, 1963a.:30-31; Women's Bureau, Dept. of Labour, 1973:12-13) In Saskatchewan employers were required to pay female employees the same rate as male employees for "work of comparable character done in the

same establishment." (Dept. of Labour, 1963a.:31) The terms used in the Manitoba, Alberta, and Federal government Acts were "identical or substantially identical work." (Dept. of Labour, 1963a.:31) Equal pay regulations in Quebec are part of the provincial fair employment Act. (18)

The Quebec fair employment practices law forbids discrimination in employment on the basis of sex, thus prohibiting, inter alia, discrimination in rates of pay solely on the grounds of sex. (Dept. of Labour, 1972:24)

All of the equal pay Acts dealt exclusively with rate of pay discrimination on the basis of sex - disparity of pay based on any other factor (eg. race) was not covered.

Provincially, the equal pay laws apply to virtually all types of employment, except in Alberta and Quebec. The Alberta Act exempted the employers of farm labourers and domestic servants. The Quebec law made a number of exceptions, and did not apply to supervisors and managers, employees of non-profit organizations (whether operated for philanthropic, educational, religious, social or charitable objects, or for the welfare of religious or ethnic groups), or undertakings employing fewer than five workers (Women's Bureau, Dept. of Labour, 1973:9-10).

Initially equal pay laws in many provinces were not applicable to provincial civil service employees. In each case civil service employees were governed by separate provincial civil service labour legislation. However, by 1974 all provinces except British Columbia had equal pay Acts which included civil service employees.

The Federal Act applied only to employees of Crown corporations and other Federal undertakings who were not classified as Civil Servants,

and therefore not governed by Acts of the Public Service Commission. No equal pay legislation which applied to Federal Public Service employees was passed by 1974. The Federal government argued that such legislation was unnecessary because:

Rates of pay of classified public servants are set by classification, according to the type of work performed, without any distinction based on sex. (Dept. of Labour, 1975:32)

The provisions governing the enforcement of these equal pay Acts changed over the years in many cases. Until 1969, enforcement in all provinces was based upon informal methods of investigation and conciliation by the provincial Departments of Labour. Investigations were initiated only upon receiving a complaint from an employee. Only New Brunswick's Act made provisions for the establishment of a board or commission of one or more persons to investigate a charge of unequal wages, in the event that the initial inquiry did not settle the matter to the mutual satisfaction of both parties (Dept. of Labour, 1975:33).

When Newfoundland passed its equal pay legislation in 1969 it included this principle, and one other which was unique at the time. The Newfoundland Act gave the provincial Minister responsible for its enforcement the right to "appoint a commission when he deems it desirable to have an inquiry made into any matter within the purview of the Act." (Dept. of Labour, 1975:33) Thus in Newfoundland, an investigation of an industry or employer could be instituted without the receipt of a specific complaint. In every other Canadian jurisdiction at this time action was taken only upon the receipt of individual complaints.

Over the next two years three other jurisdictions altered the enforcement provisions of their Acts to permit investigation in the absence of an individual complaint. The Federal government, Ontario, and Nova Scotia transferred their equal pay legislation to their respective labour codes. (19) These transfers allowed for the enforcement of equal pay regulations by the regular inspection of the field staff of the Ontario, Nova Scotia, and Federal Departments of Labour. In each case labour inspectors could take action against infractions of the law which they discovered in the course of their duties.

On the other hand, Prince Edward Island, British Columbia, and Alberta incorporated their equal pay legislation into their human rights codes (Individuals' Rights Law in Alberta). These changes took place in 1968 in P.E.I., 1969 in B.C., and 1972 in Alberta.

By 1974 every jurisdiction except New Brunswick and Quebec had included provisions in their equal pay Acts which made it an offence for employers to dismiss or otherwise discriminate against employees, because they had filed a complaint or given evidence to the provincial investigative boards concerning a matter within the purview of the Acts (Dept. of Labour, 1975:36; Dept. of Labour, 1970:77).

Thus by the end of the period under investigation, equal pay legislation was in effect in all Canadian provinces and in Crown corporations and other undertakings under Federal jurisdiction. Although some groups of workers were excluded in some provinces (eg. those in managerial occupations in Quebec), the only major groups not covered by equal pay legislation were Public Service employees in the Federal government, and

civil service employees in British Columbia. All of the equal pay Acts made it clear that for a charge to be considered valid, the discrepancy in pay must be based entirely on sex. An employer who can establish a difference in seniority, type of work, location of work, qualifications of employees, or any other grounds considered reasonable, is exempt from penalty. In all Acts provision is made for prosecution in the courts as a final resort in settling a case, and failures to comply with the Acts are punishable by the payment of fines. Nevertheless, the Report of the Royal Commission on the Status of Women in Canada (1970) noted that:

most of the penalties for breaking the law are so low that the employer is often financially further ahead if he pays an occasional fine and goes on breaking the law. (Report of the Royal Commission on the Status of Women in Canada, 1970:76)

Equal pay legislation is a problematic area because of both the wording of the Acts and their enforcement. To begin with, these laws deal only with one aspect of women's inequality in the paid labour force. The fact that the Canadian paid labour force is sex-typed means that in most cases women are unlikely to obtain employment in the same occupations as men. Equal pay laws can only be effective if employment opportunities are equal. Without some form of legislation which prohibits discrimination on the grounds of sex in all matters and conditions of employment, equal pay Acts are relatively meaningless. As we shall see in the next section, fair employment Acts have only been in force in most Canadian jurisdictions from the late 1960's or early 1970's.

Second, the provisions of all the equal pay Acts make it difficult to establish when the law has been violated. Pay differences for two

employees performing the same job can be rationalized on numerous grounds, such as seniority, qualifications, place of work, etc.. .

Third, only in Ontario, Nova Scotia, and the Federal government are employers regularly checked for violations of the laws. In all other jurisdictions an employee who feels (s)he is discriminated against must file a complaint before any action will be taken. Despite the guarantees contained in every equal pay Act (except those of New Brunswick and Quebec) against dismissal or other discrimination of an employee who has filed a complaint under the Act, it seems likely that many employees would be apprehensive about filing a complaint. Also, in order to file a complaint under these laws, an employee must be aware of the pay levels of his or her fellow employees.

E) Fair Employment Practices Acts/Human Rights Acts

Fair employment practices Acts were first passed in the 1950's. These Acts stipulated that race, creed, colour, nationality, ancestry or place of origin, could not be used as determining factors in the hiring, firing, promotion, or conditions of work of employees. These laws also applied to admissions to trade unions. None of these Acts prohibited discrimination on the basis of sex or marital status (Dept. of Labour, 1963a.:27-28). Ontario passed the first Act of this kind in 1951; Manitoba and the Federal government (for Crown corporations and other Federal undertakings, excluding the Public Service of Canada) followed in 1953; Nova Scotia, New Brunswick, and British Columbia in 1955; and Saskatchewan in 1956.

Although not a fair employment practices Act, another important piece of legislation was passed by the Federal government in the 1950's. In 1955 the Public Service of Canada removed the regulations against the employment of married women (Office of Equal Opportunities for Women, Public Service Canada, 1973:1). However, it wasn't until 1967 that the Public Service Pensions Act "replaced the section of the civil service Act which required married women to retire upon marriage." (Photostated fact sheet received upon request from the Public Service Commission of Canada)

Quebec was the first province to enact legislation which forbade discrimination in employment on the grounds of sex in their Employment Discrimination Act of 1964. This Act made it illegal for an employer to discriminate in conditions of employment on the basis of sex, "except where based on the inherent requirements of the job." (Women's Bureau, Dept. of Labour, 1973:9) The Quebec Act defined discrimination as:

any distinction, exclusion or preference made on the basis of race, colour, sex, religion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation. (Dept. of Labour, 1970: 76)

In 1969 British Columbia consolidated its Fair Employment Practices Act, Fair Accommodation Practices Act, and Equal Pay Act into one Human Rights Act, and established a Commission to enforce the new Act. This new legislation included prohibitions against discrimination in terms and conditions of employment, including advertising employment opportunities, and in trade union membership, on the grounds of sex.

Discrimination because of a person's sex, where based on a "bona fide occupational qualification" did not constitute a failure to comply with the Act. Investigations were instituted only upon receipt of a written complaint, and it was forbidden to discharge or otherwise discriminate against a complainant, or person testifying in proceedings under the Act, because of this action (Dept. of Labour, 1970:20). In 1973 British Columbia amended this Act to include prohibitions against discrimination in advertising in connection with employment opportunities, in terms and conditions of employment, or in trade union membership, because of marital status or age (Women's Bureau, Dept. of Labour, 1973:8).

Also in 1969, Newfoundland enacted its first anti-discrimination legislation in the form of a human rights code which dealt with employment, equal pay, public accommodation, rental practices, advertising, and trade union membership. The legislation prohibited discrimination on the grounds of race, colour, religious creed or religion, ethnic, national, or social origin, political opinion, and sex. In addition, Newfoundland forbade discrimination in employment and trade union membership because of age, for persons between the ages of 45 and 60. However, although passed in 1969, Newfoundland's Human Rights Code did not come into force until March 3, 1971. In 1974 the Act was amended to include marital status as one of the prohibited grounds for discrimination in all of the areas covered by the Act (Women's Bureau, Dept. of Labour, 1975:12).

The 1970 Manitoba Human Rights Act prohibited discrimination in employment and trade union membership on the grounds of religion, national origin, race, colour, and sex. It prohibited discrimination "in

membership of trade unions, employers' associations and other occupational groups on grounds of marital status." (Dept. of Labour, 1971:78) The Act did not differ fundamentally in its provisions from that of British Columbia. In 1974 this Act was replaced by a new Human Rights Act, which included marital status and age as forbidden grounds of discrimination in employment, and every other circumstance covered by the Act (Women's Bureau, Dept. of Labour, 1975:10).

Unlike other provinces, Ontario passed separate legislation dealing with discrimination on the basis of sex and marital status in 1970 (Women's Equal Opportunity Act), rather than amending its existing Fair Employment Practices Act to include these provisions. The 1970 Act forbade discrimination because of sex and marital status in job recruitment, training, hiring, transfer, promotion, or dismissal, "unless the work in question cannot reasonably be performed by a person because of sex and marital status." (Dept. of Labour, 1971:11) This Act was repealed in 1971, when all its provisions (except maternity leave) were transferred to the Ontario Human Rights Code (proclaimed June 30, 1972), and enforcement became the province of the Human Rights Commission. The only area where this legislation differed significantly from that of the other provinces, was in dealing with job related superannuation, pension, or insurance plans. Although the Act contained provisions which prohibited discrimination on grounds of sex or marital status in the operation of these plans, as of 1974 this part of the Act had not been proclaimed to be in force (Women's Bureau, Dept. of Labour, 1971:119-120; Women's Bureau, Dept. of Labour, 1975:10-11).

In 1972 Saskatchewan and Nova Scotia amended their anti-discrimination legislation (Fair Employment Practices Act and Human Rights Act respectively) to include prohibitions against discrimination based on sex regarding terms and conditions of employment as well as the advertisement of employment opportunities. Neither Act contained any significant differences from the legislation of other provinces (Women's Bureau, Dept. of Labour, 1975:10-11).

Alberta replaced its Human Rights Act with The Individuals' Rights Protection Act in 1972. The new Act forbade discrimination in terms and conditions of employment and advertising related to employment, on the grounds of age, sex, and marital status, as well as race, creed, colour, and national origin, which were part of the previous Act (Women's Bureau, Dept. of Labour, 1975:10). Amendments to the New Brunswick Human Rights Act, also made in 1973, included provisions regarding age, sex, and marital status, identical to those of Alberta (Women's Bureau, Dept. of Labour, 1975:11).

There were two pieces of Federal legislation passed during this period which addressed the problem of sex discrimination. The first was passed in 1971, and was contained in Part VII of the Unemployment Insurance Act. It pertained to the maintenance of a National Employment Service. It prohibited discrimination on the basis of sex and marital status in the referral of workers seeking employment. The regulation contained the familiar exemption for "specification or preference" based on a bona fide occupational qualification (Women's Bureau, Dept. of Labour, 1975:9).

The only other Federal law (20) passed prior to 1974 which prohibited

sex discrimination in employment was the 1973 Fair Wages and Hours of Work Act. The Act stipulated that:

all government construction contracts must include a provision prohibiting the contractor from discriminating in hiring and in conditions of employment on grounds of age, sex and marital status as well as race, colour, religion and national origin. (Women's Bureau, Dept. of Labour, 1975:9)

Thus by 1974, all provinces except Prince Edward Island had enacted fair employment legislation which prohibited discrimination in matters of employment on the basis of sex. All provinces except Saskatchewan, Quebec, and Nova Scotia also prohibited discrimination in the conditions and terms of employment on the basis of marital status. In every province but British Columbia legislation applied to employees both in the civil service and in private industry.

All provinces except Manitoba and Nova Scotia excluded domestic servants in private homes from the provisions of their fair employment Acts, but in Nova Scotia domestic servants had to be employed and living in a single family home for their employers to be exempt (Dept. of Labour, 1971:79). All of the Acts excluded non-profit charitable, philanthropic, religious, and other similar organizations, but the degree of exemption varied. For example, in Manitoba and Ontario nationality, race, creed, and colour (and in Manitoba sex) had to be a reasonable occupational qualification in order for the exemption to exist. Furthermore, all provinces except Manitoba and Nova Scotia allow specifications or preferences based on "bona fide occupational qualifications" in terms and conditions of employment (Dept. of Labour, 1971:78-87). All of the

provincial Acts made it illegal for employers to require job applicants to furnish information on the prohibited grounds specified in each Act (Dept. of Labour, 1971:80).

Generally, the enforcement of fair employment practices Acts followed the same pattern employed in policing equal pay laws. Although in some cases special exceptions did exist, actions in virtually every instance, in all provinces, were initiated by an aggrieved party filing a written complaint. All provinces appointed officers, usually part of the provincial Human Rights Commission, to investigate reported cases of violation (Dept. of Labour, 1971:82).

On the surface, these recent fair employment practices Acts would appear to be a form of labour legislation directly aimed at altering the sex-typed nature of occupations in the Canadian paid labour force. However, there are a number of problems with the Acts. To begin with, these Acts are effective only in conjunction with equal pay Acts. Just as equal pay legislation is only meaningful when women are given equal opportunities in all terms and conditions of employment, the greater equality in the paid labour force promised by fair employment practices Acts means little without the guarantee of equal pay. We have already seen the problems in the enforcement of the equal pay laws, and for the most part these criticisms apply to the enforcement of fair employment practices Acts.

The major weakness of fair employment practices/human rights Acts is that violations of the laws must be reported by individuals. This creates difficulties in most of the terms and conditions of employment

covered by the Acts. In the case of hiring, for example, a job applicant is not privy to the decision making process of the employer, or even aware of the qualifications of other applicants. Therefore, (s)he is not in a position to judge whether sex and/or marital status (or any other factor covered by the Act) have influenced the decision of the employer.

Similarly, in cases of promotion or salary, an individual must have knowledge of the qualifications, work history, and pay levels of fellow employees in order to be aware of discrimination in employment. Also, as was discussed in dealing with equal pay laws, individuals may be hesitant about lodging complaints of discrimination because of possible reprisals by their employer or fellow employees.

In placing the responsibility for policing these Acts on the individual, the potential effectiveness of this legislation is rendered negligible. Without an independent investigative body to ensure the enforcement of these Acts in each jurisdiction, even the intent of these laws is questionable. Rather than being aimed at altering the sex-typed nature of the Canadian paid labour force, it seems that the Acts have been passed to pacify working women - to give the appearance of women's equality in the paid labour force - and to encourage their paid labour force activity in the low paid female occupations.

F) Legislation Concerning Birth Control, Abortion, and the Funding of Day Care Centres

As previously mentioned, before 1951 the paid labour force participation of women was made difficult not only by labour legislation - or

the lack of it - but also by the unavailability of effective means of birth control (both the sale and advertisement of contraceptives were illegal, as was abortion) and the lack of adequate and affordable day care for children. When women's labour force participation began to be encouraged in recent years, by the enactment of labour legislation which gave women some greater degree of equality than in the past, changes were also made in the laws governing birth control, abortion, and day care. These laws were designed to further facilitate an increase in the paid labour force activity of women, as well as to reduce the level of childbearing.

On August 18, 1969, an Act amending section 150(2)(c) of the Criminal Code came into force, making the sale and advertisement of contraceptives, and the dissemination of information concerning birth control methods, legal in Canada for the first time (Report of the Royal Commission on the Status of Women in Canada, 1970:277). (21) After the passage of this law the Federal government announced, in 1970, "a program of public information, training and research in birth control." (Advisory Council on the Status of Women, March 1975:4) (22) The result of this was the creation of the Family Planning Division of Health and Welfare Canada in 1972. The Division was to provide a "centre of responsibility" for Federal activities in this area. It offered four principal services: free distribution of family planning information; consultation to provincial, municipal, and other agencies working in this field; training of Health and Welfare and Education personnel who require knowledge of family planning for their jobs; and the channeling of Federal

funds in the area of birth control, in the form of the Family Grant Program which awards grants to private family planning organizations (Advisory Council on the Status of Women, March 1975:4-6).

Also in 1972, the Bureau of Medical Devices, Health and Welfare Canada, was established. According to provisions included under the Federal Food and Drug Act, the Bureau is responsible for the study of birth control devices in order to ensure their safety and effectiveness before they are available for sale in Canada. This organization also regulates the advertising of birth control products to make sure that such advertising conforms to the advertising regulations of the Food and Drug Act (Advisory Council on the Status of Women, March 1975:8). (23) Oral contraceptives, spermicides, and IUD's come under the regulation of the Federal Bureau of Drugs, Health Protection Branch, Health and Welfare Canada. No manufacturer can perform clinical tests on humans, or market any of these items, without this bureau's approval.

In addition to funds administered by the Family Grants Program, the Federal government also funds research in the area of birth control through other organizations. The National Welfare Grants Program began in 1962 to assist provincial and municipal welfare departments, welfare organizations, and voluntary agencies "to develop and implement innovative activities" such as manpower training, youth counselling and services, etc... . Since 1969 the Program has funded family planning and birth control projects (Advisory Council on the Status of Women, March 1975:10-11).

The Medical Research Council supports and promotes research in the

health sciences, including research into conception control and human sexuality. Of the three Federal funding agencies (Family Planning Division, National Welfare Grants Program, and the Medical Research Council) this is the only one which funds medical research concerning birth control. However, a study done by the Advisory Council on the Status of Women revealed that while for the three budgetary years from 1971 to 1974 the Medical Research Council's total yearly budget was \$40 million, only a minimal amount was spent on conception control and human sexuality. In 1971-1972 eight grants totalling \$165,742 were given for research in these areas; in 1972-1973 eleven grants totalling \$272,891; and in 1973-1974 thirteen grants totalling \$330,475 (Advisory Council on the Status of Women, March 1975:12).

There are a number of additional problems in the family planning field in Canada. To begin with, there are simply not enough agencies or clinics throughout the country which dispense birth control information and services.

In 1969, the RCSW (Royal Commission on the Status of Women) counted 38 clinics in Canada dispensing birth control information and services - 7 family planning clinics under the Family Planning Federation of Canada, 8 public health clinics and 23 hospital clinics. In 1972, two separate reports from Health and Welfare Canada reported two different estimates: the first stated there were 109 clinics in Canada, and the second that there were 87. ...

An obvious fact about the estimates above is that the facilities in Canada are insufficient. A study in Britain found that a ratio of one clinic to 55,000 population was inadequate. If a ratio of one to 30,000 population was made the goal in Canada, some 700 clinics would be required for the entire country. This estimate was made in a survey by the Family Planning Federation...(Advisory Council on the Status of Women,

March 1975:20)

The methods of birth control themselves are not without problems. For example, while the contraceptive pill is one of the most effective means of controlling conception, dangerous side-effects are frequently reported (Report of the Royal Commission on the Status of Women in Canada, 1970:276). Another example of the need for better standards and regulation of birth control devices is illustrated by the case of the Dalkon shield. Despite the fact that the Bureau of Medical Devices is supposed to monitor birth control devices for safety,

the government did not remove the Dalkon shield from the market. This particular brand of I.U.D. was considered by the manufacturers to have such serious side-effects that it was voluntarily withdrawn from the market by the manufacturer. (Advisory Council on the Status of Women, March 1975:7)

Similarly, the Bureau of Medical Devices tests condoms, but as of 1974 had established no quality standards (Advisory Council on the Status of Women, March 1975:7).

Nonetheless, the recent legalization of contraceptive devices, products, and information, as well as the development of the contraceptive pill, certainly have made it possible for women to control their fertility to a much greater extent than ever before.

In the same year that the sale of contraceptives was legalized in Canada (1969) the Canadian Criminal Code (section 237(4)) was amended so that,

a qualified medical practitioner in an accredited or

approved hospital may procure a miscarriage if the hospital's therapeutic committee, by a majority of its members, has certified in writing that the continuation of the pregnancy would endanger the life or health of the woman. (Report of the Royal Commission on the Status of Women in Canada, 1970:283)

The Royal Commission on the Status of Women in Canada noted that this amendment has not served to make it easier for many women to obtain a therapeutic abortion than in the past, or reduced the number of illegal abortions and the consequent maternal deaths and injuries that follow the improper medical practices used in many illegal abortions. Rather, the Report made this observation:

The principal benefactor of this law is the medical profession which will know exactly under what conditions a therapeutic abortion can be performed and criminal responsibility avoided. It can even be argued, and illustrated by the experience of other countries, that a therapeutic abortion committee has the effect of reducing the number of therapeutic abortions performed by a hospital. ...

Requiring the approval of a hospital therapeutic abortion committee has the effect of limiting the possibility of obtaining legal abortion. Approval is not easily obtained and involves delay. For many women in remote areas there is no nearby hospital, accredited, approved, (24) or otherwise. Under the present law, they cannot get legal abortions unless the life of the mother is endangered. (25) (Report of the Royal Commission on the Status of Women in Canada, 1970:284)

In January, 1977, the Committee on the Operation of the Abortion Law, which had been appointed on September 29, 1975, submitted its report. In their judgement the abortion law was "not working equitably"; they found the standards of the law unclear and access to abortion unequal. They felt that this had resulted in "a continuous exodus" of

Canadian women to the United States in order to obtain abortions, and unnecessary delays for women seeking abortions in Canada (Report of the Committee on the Operation of the Abortion Law, 1977:17). The Committee discovered that not only were the explicit terms of the abortion law unknown to the vast majority of the Canadian public and women seeking abortions, but also to the medical profession and to hospital boards.

A large number of physicians attributed to the Abortion Law a specific length of gestation when the procedure should be done when none is indicated in its terms. Some of the hospital administrators and most of the members of hospital boards whom the Committee met on its visits to hospitals across Canada did not have a first hand knowledge of the law, but acted in accord with what they felt it stipulated.

On the basis of their interpretation of the Abortion Law, most hospitals doing this procedure had developed a number of preconditions to be met by patients prior to their applications being reviewed by therapeutic abortion committees. These committees in turn relied upon an assortment of guidelines which were used in the review of abortion applications. One hospital committee might approve all such applications, while often in the same city another hospital committee on essentially the same stated grounds would turn down virtually all submissions. In each case the decision was based on various definitions of health and what was seen to constitute danger to a woman's health. While these different procedures may have well served institutional purposes, their consequences for women seeking induced abortion meant that some, as it were by the luck of the draw, had their applications speedily reviewed, while others who were in similar circumstances experienced considerable delay or had their applications rejected. (Report of the Committee on the Operation of the Abortion Law, 1977:20-21)

The only criterion for the assessment of a request for therapeutic abortion contained in the law is whether the continuation of pregnancy would be likely to endanger the applicant's health or life (the Act states: "the continuation of the pregnancy of such female person would

or would be likely to endanger her life or health" (Report of the Committee on the Operation of the Abortion Law, 1977:472)). The interpretation of this requirement is left entirely to members of a hospital therapeutic abortion committee. If one considers the range of interpretation possible with each component of the wording of the law (1. "would" or "would be likely"; 2. "endanger"; 3. "life"; and 4. "health"), it is easy to see how much variation is possible (Report of the Committee on the Operation of the Abortion Law, 1977:251).

The Abortion Law also does not set any limit or length of gestation within which an abortion may be performed (Report of the Committee on the Operation of the Abortion Law, 1977:214), and neither rape nor incest are mentioned in the law as being grounds for the termination of a pregnancy (Report of the Committee in the Operation of the Abortion Law, 1977:253). Thus hospital abortion committees are left to make their own judgments on these and many other points.

In many cases women are required to obtain their husband's consent in order for an abortion to be performed, although no such stipulation is made in the abortion law. The Committee on the Operation of the Abortion Law found that this consent was required by all of the hospital therapeutic abortion committees in five provinces: Manitoba, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland. In the remainder of the provinces that have therapeutic abortion committees in hospitals, the Committee found that the proportion of hospitals that required the husband's consent prior to the performance of an abortion was: 70.5% in Alberta and British Columbia, 68.5% in Quebec, 55.8% in Ontario, and 50% in Saskatchewan. Some hospitals still required

the husband's consent even if the woman was separated or divorced, and a few required the consent of the male by whom the woman had become pregnant whether the woman seeking the abortion was married or had never been married (Report of the Committee on the Operation of the Abortion Law, 1977:239-240).

Despite the many problems associated with the abortion law, the Committee did find that the number of deaths of women resulting from attempted self-induced or criminal abortions had declined. The Committee's figures showed that while these deaths averaged 12.3 per 100,000 women each year between 1958 and 1969, this rate declined to 1.8 deaths annually from 1970 to 1974 (Report of the Committee on the Operation of the Abortion Law, 1977:66). (26)

Notwithstanding the 1969 amendment to the abortion law, women cannot be said to have anything even approaching complete control over their bodies. In Canada, the decision of whether to terminate a pregnancy is still controlled by the state, via the hospital therapeutic abortion committees. At best, women suffer needless trauma waiting for the decisions of hospital abortion committees. A lethal side-effect of this situation is that no matter how small the rate may appear, women still die from complications resulting from self-induced or illegal abortions. However, the amendment to the abortion law, coupled with the legalization of the sale and advertisement of birth control materials and information, has certainly allowed women to extend their control over their fertility to a greater extent than in the past.

Like the forms of legislation already discussed in this section,

governmental involvement in day care is of recent date. It wasn't until 1966 that the Federal government instituted the Canada Assistance Plan under which funds were provided on a 50/50 cost sharing basis with the provincial governments, for child care services.

The administration of child care programs comes under provincial jurisdiction, as does the licensing and regulation of these programs. Thus, the number of day care centres, as well as the standards governing them, vary considerably from province to province. Due to uncertainty as to where the jurisdiction for child care lies within provincial government, a number of departments (Health and Welfare, Education, etc...) are typically involved in each province. All provinces do, however, operate under the Canada Assistance Plan.

Costs are shared by the Federal and Provincial governments in most cases, with fees charged to the parents on a sliding scale based on their ability to pay. These fees meet only a part of the operating costs. Centres are operating under auspices of local government, social agencies, private and commercial organizations. (Women's Bureau, Manitoba Dept. of Labour, 1974:27)

Reviewing the situation of child care in 1969, the Royal Commission on the Status of Women in Canada found that few provinces were taking advantage of the Plan. The Report stated that this was because the Federal financial assistance to day care centres throughout Canada was limited to a fifty percent share of the operating costs only, which excluded the cost of establishing the facility. In fact, by January 31, 1969, only Alberta and Ontario had filed claims under the Canada Assistance Plan (Report of the Royal Commission on the Status of Women in Canada,

1970:269).

In November 1972 the Canada Assistance Plan regulations were amended to allow for more Federal support of day care expenditures in the provinces. The amendments expanded the Federal shareable costs to include all operating costs (including rent or depreciation of facilities, maintenance, supplies, food, salaries, and staff training) and in some cases equipment costs. Federal support was also made available to family day care services (day care services provided in private homes, subject to supervision by a government or authorized private agency) (Dept. of Labour, 1972a.:34).

The National Day Care Information Centre was started in 1972 by the Federal Department of Health and Welfare to provide information concerning all aspects of the day care field. Their activities include publishing a quarterly news letter with information on current developments in day care in Canada and abroad (Dept. of Labour, 1972a.:34).

Also, 1973 amendments to the Federal National Housing Act, Central Mortgage and Housing Corporation, contained provisions by which Federal funds may be made available to day care centres. Funding may be given either for housing projects financed under the act, or for day care facilities on a neighbourhood related basis in "seriously deteriorated neighbourhoods" which are designated for funding under the Neighbourhood Improvement Program (Dept. of Labour, 1972a.:35).

Another form of government involvement in day care is contained in the Federal Income Tax Act. Since 1972, the cost of caring for children has been allowed as an income tax deduction for working mothers. (27)

Among other things this law shows clearly that reproductive work is considered the natural province of women, for,

only where the father is the only parent of the family, or where the mother is unable to care for her children because of mental or physical infirmity or confinement may the father deduct child care expenses from his income. (Dept. of Labour, 1972a.:36)

Like most tax deductions or exemptions in Canada, the child care deduction gives the greater benefit to persons with higher incomes, and lesser benefits to persons with low incomes (National Council of Welfare, November 1976:19-20). Given the fact that the majority of women earn considerably less than males in the labour force, the potential benefit of this exemption is reduced, and of course being able to deduct child care expenses from your income is of little use if your salary doesn't allow you to afford child care. Also, in order to qualify for this tax exemption receipts must be furnished. Since the location, cost, etc..., of private or subsidized public day care makes it unobtainable for many women, they are often forced to rely on private baby sitters. However, baby sitters may not wish to furnish receipts for the money they receive, because this would require them to declare it as income (Women's Bureau, Manitoba Dept. of Labour, 1974:31).

The major problem of day care in Canada is still the scarcity of government or community funded centres. Since 1971, the Canada Assistance Plan Directorate of the Department of Health and Welfare has conducted a yearly national day care survey. Listed below are the changes found in the 1971, 1973, and 1974 studies.

- 1) From 1971 to 1973 the number of day care centres increased from 682 to 971 (42.37%), and the number of children in day care increased from 17,391 to 26,811 (54.17%). From 1973 to 1974 the number of centres increased by 557 to 1,578 (57.36%), and the number of children in these centres increased by 28,370 to 55,181 (105.81%). It must be remembered that these figures represent all day care centres, including commercial and family centres, as well as public, community, and co-operative centres. It should further be underlined that in 1971 there were an estimated 1,380,000 children aged fourteen years and under who had working mothers; the 17,391 children enrolled in day care centres accounted for only  $1\frac{1}{4}\%$  of this figure. Similarly, the number of children under fourteen years of age with working mothers was estimated at 1,537,000 in 1973. Thus, while the number of children in day care centres increased by 54.17% from 1971 to 1973, this represented an increase of only  $\frac{1}{2}\%$  of the number of children with working mothers, in day care. In 1974 the number under the age of fifteen (28) with working mothers was estimated at 2,220,000. The 105.81% increase in children enrolled in day care centres from 1973 to 1974 represented only about a  $\frac{3}{4}\%$  increase (from 1.75% to 2.51%) of children under the age of fifteen, with working mothers, enrolled in day care (Health and Welfare Canada, 1974:2-3). (29)
- 2) All three studies (1971, 1973, and 1974) noted that there continues to be a shortage of day care services for the young school age child (eg. lunch and after school programs) (Health and Welfare Canada, 1973:5; Health and Welfare Canada, 1974:5-6).

- 3) The other age group of children most lacking in day care services are those under the age of three. Less than 17% of the children in day care centres in 1973 were under the age of three. It was estimated that there were 239,000 children of working mothers in this age group, and that less than 2% of these children were receiving day care services in 1973. The Report on the Status of Day Care in Canada (1973) made this additional comment.

The data gathered in the study did not lend itself to further statistical break-down by age groups. However, it is known that a large number of day care centres serving children under the age of three will not serve children under the age of two. The percentage of spaces available to the under 2's would be extremely low. (Health and Welfare Canada, 1973:4)

By 1974 services to all age groups had expanded, especially for children under three and over six years of age. The majority of day care services available for the under three group, however, were reserved for children between the ages of eighteen months and three years. There was still little service available for infants under eighteen months. The 1974 Report estimated that there were 345,000 children under the age of three with working mothers, but only 3.29% of these children were in recognized day care centres, compared to a little less than 2% in 1973 (Health and Welfare Canada, 1974:5).

- 4) There are three basic types of day care programs: the full day care program, the lunch and after school program, and the family day care program. (30) In 1971, 16,131 children were in full day care, and 1,260 were in lunch and after school programs, throughout Canada

(family day care centres are not included on the 1971 figures). By 1973 this had increased to 25,268 children in full day care, 1,543 in lunch and after school programs, and 1,562 in family day care centres. In 1974 the figures were 57,833, 3,163, and 4,185 respectively. Family day care had increased from 1973 to 1974 by 167.92%, compared to 104.99% for lunch and after school programs, and 89.30% for full day care programs (Health and Welfare Canada, 1974:6). The National Day Care Information Centre offered the following analysis of this development.

The reason for the growth rate of Family Day Care Programs is not completely clear. It is obvious that many parents prefer a family setting to a group setting for their children. However, it is also true that in provinces where day care is rapidly expanding, community facilities that are appropriate for use as day care centres are quickly utilized and there is a time lag before new facilities can be constructed. Consequently, families may be turning to family day care homes out of necessity rather than choice.

Another factor that may help to explain the growth of family day care is the controversy in the day care field concerning the suitability of group care for the under two's. An additional argument advanced for family day care is that it provides a less expensive service. However, this has been countered by the observation that if family day care mothers were to receive reasonable compensation and appropriate support systems needed to adequately supervise and strengthen the family day care homes, the cost of family day care homes and day care centres would not be that dissimilar. (Health and Welfare Canada, 1974:7)

- 5) There are four basic types of day care centres: public centres which are government funded; community board centres which are non-profit and have a board of directors from the community, the majority of whom do not have children enrolled in the centre; non-profit parent

co-operatives with a plurality of parents on the board of directors; and commercial day care centres which are operated on a profit making basis.

In 1968, commercial day care centres accounted for 75% of all day care centres in Canada; in 1973 they accounted for 47.68%, and in 1974 for 44.93%. Public sponsored day care centres increased from 5% of all centres in 1968, to 9.6% in 1973, but dropped to 6.7% in 1974. Community board centres made up 12% of all centres in 1968, 38.83% in 1973, and 36.74% in 1974. In 1968 no parent co-operative day care centres were listed (31), but in 1973 they accounted for 4.43% of all day care centres, and by 1974 the figure more than doubled to reach 11.63% (1968 and 1973 figures from Health and Welfare Canada, 1973:6; 1974 figures from Health and Welfare Canada, 1974:8).

Two things are clear from the preceding discussion: 1) there is a general shortage of affordable and accessible day care in Canada, and 2) even though commercial day care accounted for a lower percentage of the total available day care in 1974 than it did in 1968, it still comprised almost half. According to the Report on the Status of Day Care in Canada (1974), commercial day care centres "increase the availability of services to the middle and upper income groups". (Health and Welfare Canada, 1974:8) They cannot realistically be seen as serving the needs of the majority of Canada's working mothers, especially single (separated, divorced, widowed, or unmarried) mothers.

Summary, 1951 to 1974

From 1951 to 1974 a number of pieces of labour legislation were passed which lessened the restrictions on women's labour force participation. The most important type of legislation in this regard is maternity protection. Although British Columbia passed the first maternity protection Act in 1921, it wasn't until 1964 that a second Act of this type was passed by another province. By 1974 all working women (whether employed by provincial governments or private industry) in British Columbia, Saskatchewan, Manitoba, Ontario, and Nova Scotia were entitled to maternity leave. In Alberta, Quebec, and Prince Edward Island, maternity leave was guaranteed for provincial civil servants only, and in New Brunswick for only non-civil service employees. Federal employees in both the Public Service and other undertakings under Federal jurisdiction were also guaranteed maternity leave. Only Newfoundland had passed no maternity protection Act. In addition, working women have been able to draw Unemployment Insurance benefits during their period of maternity leave since 1971.

The enactment of this type of legislation has enabled women to have children and still continue their paid labour force activity. However, until maternity leave is available to all working women in Canada, as well as affordable day care, women's paid labour force activity still remains restricted relative to that of men.

Before 1960, minimum wage rates were higher for men than for women in all provinces, but by 1974 the rates for both sexes had been equalized throughout Canada. This legislation served, albeit to a limited

extent, to reduce the active discouragement of women's paid labour force participation.

The years from 1951 to 1974 also saw the passage of two forms of anti-discrimination legislation: equal pay Acts, and fair employment practices or human rights Acts. Equal pay Acts, which prohibited discrimination on the basis of sex in rates of pay for the same work, first began to be passed in the 1950's, and were law in seven provinces and the Federal government (for Crown corporations and other undertakings under Federal jurisdiction) by 1959. The remaining three provinces - New Brunswick, Quebec, and Newfoundland - enacted equal pay laws in 1961, 1964, and 1969, respectively. The effectiveness of equal pay laws is minimal because they do not deal with lessening the sex-typing of occupations in the paid labour force. As was seen in the investigation of hypothesis #1, women and men work primarily in different occupations, and women are confined to those that are low paid. Thus, in order for equal pay laws to be effective, women must first be given the opportunity to be employed in all occupations.

Fair employment practices or human rights Acts were first enacted in the 1950's, but did not prohibit discrimination in terms and conditions of employment on the grounds of sex and marital status; they dealt only with race, creed, national origin, etc. . The first Act prohibiting discrimination in employment on the basis of sex was not passed until 1964, and only two other provinces had passed this type of legislation by 1970. Between 1970 and 1974 all provinces and the Federal government (for Federal government construction contracts only)

passed fair employment practices or human rights Acts which forbade discrimination in employment on the basis of sex. All provinces except Saskatchewan, Quebec, and Nova Scotia also prohibited discrimination on the basis of marital status.

The main problem with fair employment practices/human rights Acts is in the area of enforcement. In every jurisdiction the responsibility for policing these Acts is placed upon the individual worker. This system ensures that the Acts will not alter the sex-typing of occupations in the labour force. Also, these Acts can be effective only if they are enforced in conjunction with equal pay Acts. Given the problems in enforcement of both types of legislation, their benefits are negligible. Thus, these laws appear to be primarily a means of pacifying women in the paid labour force by giving the illusion of equality for both sexes.

Finally, there were some changes in protective legislation during the 1951 to 1974 period. However, the only move towards equality between men and women in this area was the equalization of maximum working hours for both sexes. As of 1974, women's paid labour force activity was still restricted in a number of areas; they were prohibited from working underground in mines throughout Canada, and restrictions upon their employment at night remained in force in many jurisdictions. These laws help to maintain the sex-typing of occupations in the paid labour force by prohibiting women's employment in certain industries, and by keeping their labour less competitive, relative to males', in others.

The labour force legislation enacted during this period served a different function than the legislation of the first fifty years of

this century. During the years 1900 to 1950 the labour force participation of women was actively discouraged, except for during the two World Wars. Only a small percentage of women were allowed to engage in paid labour force activity, and only in a few low paid occupations. The labour force legislation passed from 1951 to 1974, especially during the latter part of this period, was designed to facilitate the entrance of greater numbers of women into the female occupations of the paid labour force; it was not intended to decrease the sex-typing of the labour force. As was shown by the data presented in the examination of hypothesis #1, women's labour force participation has increased dramatically since the 1950's, but the sex-typing of occupations has remained constant. Women's paid labour force activity is still restricted and regulated to a much greater degree than men's.

The section dealing with birth control, abortion, and day care legislation, illustrated the major changes that have taken place in each of these areas from 1951 to 1974. Of the material covered, the change in the law concerning the sale, advertisement, and dissemination of information about contraceptives is the most dramatic. While some contraceptives had been available in Canada before 1969 (for the prevention of disease), the significance of the 1969 legislation should not be under-estimated. Prior to 1969 the sale and advertisement of contraceptives, as well as the dissemination of birth control information, was illegal. Although it is true that individuals were rarely charged under this law, it is undeniable that the law kept public knowledge of birth control at a very low level. Most people's knowledge of contraceptives

was negligible, at best confined to an awareness of the few, generally unreliable devices available (eg. the condom) and such ineffective methods as coitus interruptus and the rhythm method. Thus, before 1969, the majority of women had little choice but to perform reproductive work for at least some portion of their lives. With the legalization of birth control methods and devices, Canadian women were legally allowed to control their fertility for the first time.

The amendment to the section of the Criminal Code dealing with abortion was also passed in 1969. This law does not give women complete control over whether or not a pregnancy will be terminated; that decision rests in the hands of the hospital therapeutic abortion committees. Moreover, the law is grossly inadequate because of the vagueness of its terms. This has resulted in a wide range of interpretation by hospital therapeutic abortion committees, and consequently, unequal access to therapeutic abortion for women throughout Canada. However, despite these factors the 1969 amendment to the abortion law has made it possible for a number of women to terminate unwanted pregnancies.

1969 also saw changes in legislation relating to government funding of day care centres, and the status of day care costs as a tax deduction for working mothers. Certainly this has resulted in a considerable increase in the amount of day care centres, compared to the years before government involvement, and has facilitated the increased paid labour force participation of women with children, but the amount of adequate and affordable day care for children is still insufficient to meet the needs of Canada's working mothers.

Conclusions, 1900 to 1974

The preceding analysis has shown the role of legislation in the regulation of women's work in both the spheres of production and reproduction. For a period corresponding to roughly the first sixty years of this century, the demand for a high level of child production required the maintenance of a large reproductive labour force. This was accomplished, to a large extent, by the use of legislation; both labour force legislation, and legislation relating to reproductive work.

For most of this century Canadian women have been denied effective control of their persons in both the spheres of production and reproduction. All but a small percentage of women were kept out of the paid labour force. Those few who were in the labour force were confined to the low paid female occupations by "protective" legislation, and by the absence of any labour legislation giving them a measure of equality of opportunity relative to men. They were also denied control over their fertility, in any realistic sense, by the illegality of birth control information and devices, and of abortion. If they gave birth to children, they were unable to secure adequate day care. By these legislative means most women were compelled to perform unpaid reproductive work. Generally unable to secure paid employment which would offer them the same degree of independence that men possessed (however little that was), women were forced, by lack of alternatives, into marriage. Having taken this step, their lack of control over the reproductive functions of their own bodies, and their inability to lessen the burden of reproductive work (which begins rather than ends with childbirth), guaranteed the

existence of the majority of women as unpaid reproductive workers. For women with children who had to engage in paid employment for economic reasons, the burden of reproductive work was not lessened, but only added to the burden of their paid productive work.

The need for a high level of child production, and thus a large reproductive labour force, began to wane in the late 1950's. By this time the abnormally high fertility rates which had existed since the end of World War II had replaced the wartime population losses. In addition to this, the need for a large male labour force had declined. It therefore became imperative to reduce the level of childbearing.

In the review of literature it was noted that one of the major ways that women have been forced to perform reproductive work was by restricting their access to the paid labour force. This argument was substantiated by the data presented in the investigation of hypothesis #2a., which showed a negative relationship between the general fertility rate and the paid labour force participation rate of women. Clearly, if women's access to the paid labour force is increased, the level of childbearing will decline. Thus, when it became necessary to reduce the level of child production, legislation was passed that encouraged women's labour force participation - that gave women an alternative to unpaid reproductive work. The labour force legislation enacted from the 1950's to 1974 is one of two types of legislation that has been used to reduce the level of childbearing and the size of the reproductive labour force. This labour legislation was not intended to lessen the sex-typing of the occupations in the labour force and give women equality of opportunity;

it was designed only to increase women's participation in the female occupations in the paid labour force.

The second form of legislation which served to decrease the level of childbearing and the size of the reproductive labour force dealt directly with reproductive work. The removal of the prohibitions against the sale, advertisement, and dissemination of information concerning methods of birthcontrol enabled women to control their fertility to a much greater extent than ever before. This has resulted in a decline in the level of child production. The 1969 amendment to the abortion law has also contributed to this decline, although to a lesser extent. These laws, in addition to maternity leave legislation, have allowed women to minimize the disruption of their paid labour force activity caused by childbearing, or to avoid pregnancy altogether.

The increased availability of day care for children has further enhanced the ability of some women to participate in the paid labour force on a long term basis. However, government's limited activity in funding day care centres illustrates that reproductive work is still considered the responsibility of individual families - women's responsibility.

The legislative changes that have occurred from 1951 to 1974 in both production and reproduction have only lessened women's oppression in each sphere. They have not fundamentally altered women's relationship to work in the sphere of production (inequality of access and opportunity) or to work in the sphere of reproduction, where women are still forced to perform most reproductive work. The legislation of recent

years is primarily the result of the need to reduce the level of child-bearing; it cannot be seen as a real advance in women's equality.

Chapter 6 - Analysis of Data: Changes in Reproductive Work

In the preceding analysis sections we have seen how a large reproductive labour force has been maintained throughout most of this century by restricting women's access to work in the sphere of production (by the sex-typing of occupations in the paid labour force and labour force legislation), and by the illegality of birth control and abortion. During the past two decades the size of the reproductive labour force and the level of child production has been allowed to decline, while women's paid labour force participation has been encouraged. It has been argued that one of the reasons that the level of childbearing, and the size of the reproductive labour force, have been allowed to decline, is the increased size of the male reserve army. In this section other factors which have resulted in a reduced need for a high level of childbearing, and a large reproductive labour force, will be documented. The section will show that a change in the size of the reproductive labour force and the reproductive reserve army may not be due solely to changes in the sphere of production, but may also be a result of changes in the sphere of reproduction. However, it is first necessary to discuss one major change that has taken place in production.

The development of technology in the sphere of production, especially over the last hundred years, has led to a steady decrease in the demand for farm labour. At the same time, the process of centralization of capital has reduced the number of small, owner-operated farms. In a country as dependent upon agriculture as Canada these processes have led to dramatic changes in population.

From 1901 to 1971 there has been a steady increase in the population of urban centres, and a corresponding decrease in rural population; the process of urbanization. In 1901, 34.9% of Canada's population lived in urban areas; by 1931 this portion had risen to 52.5%, and in 1941 it was 55.7%. In 1971, 76.1% of Canada's total population lived in urban centres (Statistics Canada, April 1976:44). (1) Thus, over the seventy year period the urban/rural distribution of Canada's population had almost exactly reversed. (2) Moreover, among the two Census categories of rural population (farm and non-farm) (3), it is the farm population which has been most depleted since 1931 (Statistics Canada, April 1976: 42).

Urbanization involves much more than simply a shift in the population base. It allows the expansion of capital into new areas of production, including the production of many goods and services formerly produced in the home, primarily by women. These areas include: food processing and the manufacture of clothing, as well as the production of "labour saving devices" such as vacuum cleaners, washing machines, and clothes dryers. In addition to this, many functions which women used to perform within the family were undertaken by private or public institutions (eg, the education of children, care of the aged, and the treatment of illness) (Report of the Royal Commission on the Status of Women in Canada, 1970:9). This same process also occurred in the United States, as Braverman noted.

This conquest of the labor processes formerly carried on by farm families, or in homes of every variety, naturally gave fresh energy to capital by increasing the scope of

its operations and the size of the "labor force" subjected to its exploitation. The workers for the new processing and manufacturing industries were drawn from the previous sites of these labor processes: from the farms and from the homes...

The manner in which this transition was accomplished includes a host of interrelated factors, not one of which can be separated from the others. In the first place, the tighter packing of urbanization destroys the conditions under which it is possible to carry on the old life. The urban rings close around the worker, and around the farmer driven from the land, and confine them within circumstances that preclude the former self-provisioning practices of the home. At the same time, the income offered by the job makes available the wherewithall to purchase the means of subsistence from industry, and thus, except in times of unemployment, the constraint of necessity which compelled home crafts is much weakened. Often, home labor is rendered uneconomic as compared with wage labor by the cheapening of manufactured goods, and this, together with all the other pressures bearing on the working-class family, helps to drive the woman out of the home and into industry. ...

But the industrialization of food and other elementary home provisions is only the first step in a process which eventually leads to the dependence of all social life, and indeed of all the interrelatedness of humankind, upon the marketplace. ... Thus the population no longer relies upon social organization in the form of family, friends, neighbours, community, elders, children, but with few exceptions must go to market and only to market, not only for food, clothing, and shelter, but also for recreation, amusement, security, for the care of the young, the old, the sick, the handicapped. (Braverman, 1974:275-276)

The consequences of urbanization, and the increasing destruction of home production, were entirely different for working-class families, than for middle- and upper-class families. For most working-class families the cost of urban living (rent, food, clothing, etc...) was much higher than when they were able to produce many of these items rather than purchase them. In order to secure the continued existence of their families, many working-class women were compelled to enter into paid

labour force activity. As was noted earlier, however, women were primarily channeled into low paid occupations which tended to resemble the work they previously performed in the home (domestic work, garment making, etc...). As a result, for working-class women urbanization often meant that in addition to performing virtually all reproductive work in the home, they now needed to engage in paid labour force activity as well.

For middle-class women the situation was much different. The expansion of capitalist production into areas of goods and services formerly produced by women in the home reduced the amount of time that these women had to spend on certain types of reproductive work. Able to afford the mass produced commodities, labour-saving devices, and services (store bought clothing and processed food, appliances such as washing machines and vacuum cleaners, and laundry and other domestic services, etc...), the burden of reproductive work for middle-class women was reduced. At the same time compulsory education laws decreased the amount of time spent in caring for children. These changes should have resulted in an increased amount of leisure time for middle-class women, or enabled them to participate in the paid labour force. However, labour force legislation and the sex-typing of occupations in the paid labour force ensured that, with few exceptions, they could only obtain low paid "women's work" which, in the absence of the financial pressure experienced by working-class women, made unpaid reproductive work a more attractive alternative. Moreover, the free time that should have been created by the reduction of some reproductive work, was to be taken up by the creation of a new type of reproductive work.

Beginning in the 1920's, the principles of the scientific management movement of Frederick Winslow Taylor, which had peaked in the United States before World War I, were applied to housework and to the raising of children. The primary exponents of this school were the mass circulation magazines, which, as Mary Vipond observed in The Image of Women in Mass Circulation Magazines in the 1920's (1977), "were written by and for the middle class." Vipond examined both the editorial and advertising content of the major magazines of the period, and noted their focus on,

...the home as a business and on the homemaker as a professional. The "modern" housewife, they insisted, was "scientific" and "efficient"; she was an "engineer", a "manager", a "domestic supervisor"; when she shopped she became a "purchasing agent"; her kitchen was her "plant" and her utensils were her "tools". Repeatedly it was stressed that a man and wife had a "business partnership" - he managed the office, she the home. (Vipond, 1977:120)

The raising of children was also subject to the tenets of this movement. Motherhood came to be regarded as a "science"; something that required education and preparation like any other profession. It became a full-time job. These ideas were actively fostered by the media, the Church, and educational institutions.

Whatever the reasons for its success, public education stimulated the idea, paradoxically, that mothers belonged at home to give the children a hearty breakfast and see that they looked respectable when they went off to learn how to be upwardly mobile. Over time the birth rate fell, the school year lengthened, and the required years of attendance increased. But the mothers' free time did not increase because a rapidly rising standard of living meant that the children had to be better dressed and odor-

free in order to keep up with other children. Instead of producing goods, mothers spent more time chasing dirt. Mothers with very high aspirations for their children had to haul them to the right museums and expose them to symphony concerts, lest they be flummoxed by a question on Renoir or Beethoven when they took their college entrance examinations. By the middle of the twentieth century, women's investment in their children's human capital seemed so natural that most people forgot it was a comparatively recent development. Forgotten too, was the fact that this particular brand of motherhood was, first, a product of women's exclusion from the productive work force; and, second, an ideal that could be only very imperfectly realized by most women in most families. For most working class families of America - in the present era or in the recent past - have had to rely on the wife's working outside the home for at least some period during the marriage. (Huber, 1976:377)

This view of women's work in the home was to remain dominant until the late 1950's, when, in the face of a reduced need for a high level of childbearing, it began to decline. As previously mentioned, one factor which caused this reduced need for childbearing was the increasing size of the male reserve army of labour. A second factor resulted from the development of medical knowledge and technology during the twentieth century.

There have been considerable improvements in the general health of the population during this century. This is attributable to better living conditions and diet, as well as many other factors. (4) Along with such advances as the increased life expectancy of men and women, the production of children has become a much more efficient process; there has been a considerable reduction in the rates of maternal deaths, stillbirths, and infant deaths.

The death rate for persons of both sexes and all ages in Canada, per thousand population, was 10.6 in 1921. In the following decades it exhibited a pattern of almost constant decline; 10.1 in 1931, 10.0 in 1941, 9.0 in 1951, 7.7 in 1961, 7.3 in 1971, and 7.4 in 1974 (Statistics Canada, 1976a.:22).

There has also been a corresponding increase in life expectancy. In 1931 newborn males had an average life expectancy of 60 years; by 1971 the average was 69.3 years. For females born in 1931 the average life expectancy was 62.1 years; this rose to 76.4 years by 1971 (Statistics Canada, 1976a.:3-4).

In addition, there has been a significant decline in stillbirths (5), maternal deaths, and infant deaths. The decline in the rate of stillbirths is particularly interesting because if it is examined in conjunction with the general fertility rate during the 1921 to 1971 period, a more accurate picture of the decline in childbearing emerges.

The ratio of stillbirths per thousand live births in Canada was 34.8 in 1921. This ratio was 31.5 in 1931, and had dropped to 26.9 by 1941. In 1951, 1961, 1971, and 1974, the ratios were 18.4, 12.7, 9.4, and 7.5, respectively (Statistics Canada, 1976a.:182). Thus in a little more than fifty years, the ratio of stillbirths had declined to just under one-fifth of its former level. The implication of this decline in regard to the general fertility rate, which excludes stillbirths, is that the number of women becoming pregnant has declined even more than the general fertility rate would suggest. (6) That is, because of the drop in the rate of stillbirths, it would take less women to produce the same

number of children in the 1970's, than it would have in the 1930's; less pregnancies are necessary to produce the same general fertility rate. For example, if one combines the general fertility rate (107.9) with the rate of stillbirths (34.8) for 1921, one sees that approximately 142.7 pregnancies per thousand women aged fifteen to forty-nine were needed to produce the general fertility rate. In 1974 the general fertility rate was 60.6 and the ratio of stillbirths was 7.5. Thus, the number of pregnancies per thousand women aged fifteen to forty-nine needed to produce the 1974 general fertility rate was 68.1. (7)

Maternal death rates (rate per ten thousand live births) have declined even more dramatically from 1921 to 1974. In 1921 the maternal death rate was 47.5, and the rate continued to increase during the 1920's, reaching a high of 57.6 in 1930. By 1931 the maternal death rate had declined to 50.8, but between the years 1932 and 1936 it fluctuated between 49.7 (1933) and 56.2 (1936). The rate did not begin to exhibit a steady decline until after 1937; in 1937, 1941, and 1945 the rates were 48.6, 36.4, and 23.0, respectively. This downward trend continued, and the rate dropped to 18.1 in 1946, and 10.7 in 1951. In the following years the maternal death rate plummeted, reaching 4.6 in 1961, 1.8 in 1971, and finally, 1 maternal death per ten thousand live births in 1974 (Statistics Canada, 1976a.:185).

Similarly, infant death rates (deaths of children under one year of age per one thousand live births) have dropped sharply during this century. In 1921 the rate of infant deaths was 102.1; until 1930 the rate remained in the high 90's, only dropping to 90.6 in 1930. From 1931 to

1974 the infant death exhibited a fairly steady pattern of decline; it was 86.0 in 1931, 61.1 in 1941, 38.5 in 1951, 27.2 in 1961, 17.5 in 1971, and 15.0 in 1974 (Statistics Canada, 1976a.:110).

The data presented on stillbirths, and maternal and infant deaths, illustrates the vastly increased efficiency of childbearing which has taken place during the twentieth century. (8) Quite simply, less women can now produce more children, and these children have a much better chance of surviving to adulthood. When this is viewed in conjunction with the declining death rate for Canadians of all ages, and the longer average life expectancies, the implication is clear: the birth rate now necessary to maintain the supply of workers for the paid labour force, and for the reproductive labour force - and to keep the reserve armies large - is much lower than in the past. In addition to this, the need for male labour has been greatly reduced during this century, because of the mechanization of male occupations. Thus, because of the increased efficiency of reproductive work, and the decline in the demand for males in the paid labour force, a smaller reproductive labour force is now sufficient to perform the necessary reproductive work.

The decline in the need for a large reproductive labour force has resulted in two important changes in the childbearing patterns of Canadian women: (1) each woman in Canada bears less children over her lifetime in the 1970's, than at any period in the past; and (2) women are completing their childbearing at a much earlier age than they did previously.

The total fertility rate shows the number of children born per

woman. (9) In 1921 the total fertility rate in Canada was 3.536. By 1927,

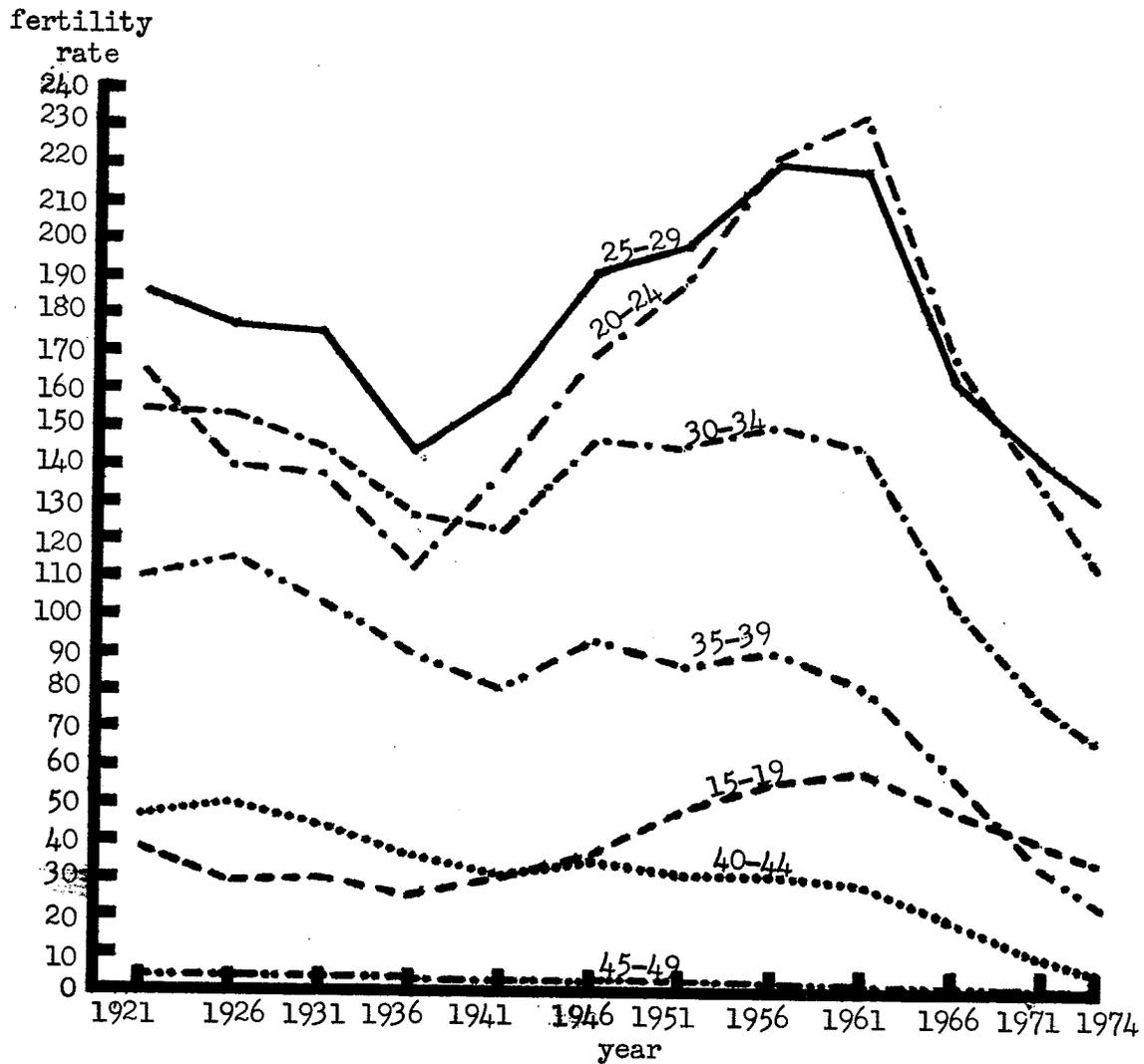
the total fertility rate for Canada was about 3.3; that is to say, a cohort of women subject to the 1927 age-specific fertility rates throughout their childbearing years would have 3.3 children per woman if there were no deaths in the cohort. (Statistics Canada, April 1976:15)

Over the next ten years the total fertility rate declined steadily, until it reached 2.6 children per woman in 1937. Starting in 1938, the rate exhibited a pattern of almost steady increase, and reached the highest point of the entire 1921 to 1974 period in 1959, when the total fertility rate was 3.935. From 1960 to 1974 the total fertility rate continually decreased. In 1967 the rate dropped below 2.6, the lowest point previously recorded since 1921, and by 1974 the rate had further declined to 1.875 (Statistics Canada, 1976:10). (10)

The data presented in hypothesis #2 illustrated the decline in the general fertility rate which began in the late 1950's. However, the fall in fertility rates has been more pronounced in some age groups than in others. Graph #6, on page 163, shows the fertility rates for women from fifteen to forty-nine years of age, broken down into five year age groups, for each Census and half Census year from 1921 to 1971, and 1974. The rates for all age groups show general trends of decline from 1921 to 1936. After this period the directions of the younger and older age groups begin to separate. Beginning in 1936, the two groups 20 to 24 years of age, and 25 to 29, start a steep climb which continues until the late 1950's. The fertility rates for both age groups are of far greater magnitude than the other age groups during this period, and

Graph #6

Age-specific Fertility Rates, Canada, Census and Half-Census  
Years 1921 to 1971, and 1974



Source: Statistics Canada, Dept. of Vital Statistics, Births,  
Volume I, June 1976

clearly show the "baby boom". A slight rise is evident in the rates of the 30 to 34, and 35 to 39 age groups, but it begins later (after 1941) and ends earlier (after 1956), than in the two younger age groups. Both the 30 to 34, and the 35 to 39 fertility rates show a much greater decline from their levels in the 1920's to their levels in the 1970's, than the two groups from age 20 to 29. Furthermore, the gap between the two 30 to 39 age groups, and the two 20 to 29 age groups, steadily increases in magnitude from the 1930's onward. Obviously the two 30 to 39 age groups have performed relatively less of the childbearing from this time onward. This is especially evident during the baby boom of the 1950's, when their levels rise only slightly.

The case of the two oldest groups (age 40 to 44, and 45 to 49) is more strongly accentuated. Both exhibit a continual decline in fertility rates for virtually the entire period, as less and less of the women in these age groups give birth to children.

The final group of women (age 15 to 19) have had a fertility rate similar to the 20 to 24, and 25 to 29 age groups in direction, but of much lower magnitude, both in absolute terms, and in the degree of fluctuation. Women aged 15 to 19 appear to be a stable part of the total number of women engaged in childbearing at any time, but the relative magnitude of this group's rate, while remaining fairly constant in much of the 1921 to 1974, does not keep pace with either the peaks or the low points of the dominant childbearing age groups (20 to 24 years, and 25 to 29).

In general, one may say that women over thirty have comprised an

increasingly smaller portion of the total number of childbearing women since the 1930's. This is especially true for women over forty years of age. The Royal Commission on the Status of Women in Canada made the following observation:

...(In the earlier part of the century) a Canadian woman usually spent most of her adult life bearing and looking after six or seven children. Today, the average is three children and she lives to about the age of 76. Furthermore, there is a noticeable trend in recent years for couples to have their families soon after marriage. The average married woman gives birth to her last baby around the age of 30 and is only about 35 by the time the child starts school. This means she can look ahead to at least another 20 or 30 years of active life, during which the care of the family and a home, usually smaller than in the past, is unlikely to take up the greatest part of her time. (Report of the Royal Commission on the Status of Women in Canada, 1970:227)

#### Summary and Conclusions: Changes in Reproductive Work

In this section we have seen how the expansion of capitalist production has transformed many types of reproductive work from the area of family production to that of consumption. This has lessened the amount of time necessary to perform many reproductive tasks. At the same time childbearing has become much more efficient. A number of factors resulted in drastically reduced rates of infant and maternal deaths, and stillbirths. These factors led to a considerable reduction in the amount of time women spend in producing and raising children, and a reduction in the fertility rates of some age groups.

The largest decline in fertility rates has been for women over forty years of age, who now form only a negligible part of the total

reproductive labour force. The fertility rates of women between the ages of thirty and forty also declined, although not as drastically as the fertility rates of women over forty. The majority of childbearing is now performed by women between the ages of twenty and thirty. Moreover, the number of children born to each of these women has declined. In recent years most Canadian women have completed their childbearing by the age of thirty, having had 2 or 3 children.

The increased rationalization of childbearing and other reproductive work during this century, should have given women in the home more free time. Nevertheless, this was not the case. To begin with, because birth control and abortion were illegal in Canada until 1969, most women had little choice but to perform some amount of childbearing and other reproductive work. In addition to this, when many household goods and services formerly produced in the home were taken into the sphere of capitalist production and sold as commodities, the cost of maintaining a family was increased. In most working-class families this meant that wives were forced to participate in the paid labour force for at least some part of their lives. These women were easily accommodated in the female occupations - primarily service and clerical - which were steadily expanding and thus in need of labour. Because birth control was illegal, and maternity leave laws and day care centres were virtually nonexistent, working-class women tended to have intermittent patterns of paid labour force activity. However, the nature of work in the female occupations - simple, routine, quickly learned, and in many cases similar to the reproductive work women performed in the home - allowed

women to easily obtain paid employment, and to be just as easily replaced.

Middle-class women were not usually forced to work in the paid labour force, but they too were prevented from realizing the potential increase in free time made possible by the increasing efficiency of reproductive work. Beginning in the 1920's, propaganda which sought to transform motherhood into a career by applying the principles of the scientific management movement to reproductive work, was disseminated through the media. Thus, although the burden of many types of reproductive work was lessened by technology, the "proper" socialization of children and the efficient management of the home took up the slack.

By the late 1950's the reduced need for males in the paid labour force, and the improved efficiency of childbearing (as well as the reduction in the death rates for all ages and increased life expectancy), had created a situation where the rate of childbearing had to be significantly reduced in order to avoid the production of an overly large surplus population. Just as the development of technology in the sphere of production had greatly increased the surplus of male productive workers, the increased rationalization of work in the sphere of reproduction had enlarged the surplus of reproductive workers. In Chapter 5 we saw that one major way by which the level of childbearing, and thus the size of the reproductive labour force, was reduced, was by the enactment of legislation that encouraged women's paid labour force participation, and gave them some control over their fertility. This legislation, enacted from the 1950's to the early 1970's, included maternity leave Acts, equalization of minimum wages for men and women, and anti-

discrimination legislation such as equal pay laws. The paid labour force participation of women was also encouraged by government funding of day care centres, and by allowing day care expenditures as a tax deduction for working mothers. Women's control over their fertility was increased by the legalization of the sale of contraceptives, and the dissemination of information concerning birth control. A 1969 amendment to the abortion law also extended women's control over their childbearing, although to a lesser extent.

Thus, this section documented how the change from the large reproductive labour force and high level of childbearing which characterized the years from the beginning of the century until approximately 1960, to the much smaller reproductive labour force, and lower levels of recent years, was necessitated not only by changes in the sphere of production (declining need for male labour), but also by changes in the sphere of reproduction itself (increased efficiency of reproductive work, especially childbearing).

Chapter 7 - Summary and ConclusionsSummary

This thesis has shown the changing relationship between the work women perform in the home and the work they perform in the paid labour force within capitalist society. In order to integrate these two areas analytically, Marx's theory of the reserve army of industrial labour was employed. However, in its existing form the theory did not take women's unpaid reproductive work into account; it dealt only with work in the sphere of production. It was therefore necessary to expand the reserve army theory.

In the first analysis section two hypotheses were investigated in order to reveal the relationship between work in the sphere of production and work in the sphere of reproduction. The examination of the first hypothesis was expected to establish the existence of separate male and female productive reserve armies. It thus introduced the concept of availability into the reserve army theory. It was reasoned that only those workers who might be expected to obtain paid employment in a given occupation could be considered as being part of a reserve army of labour for this occupation. The investigation of the second hypothesis was expected to establish the existence of the reproductive reserve army of labour by showing the inter-relation between the utilization of women as productive and reproductive workers.

In the examination of the first hypothesis the sex-typed nature of occupations in the Canadian paid labour force was analysed. Two

measures of sex-typing were employed. Both measures showed that the paid labour force has exhibited an historically consistent pattern of occupational segregation by sex throughout the entire 1901 to 1971 period. In the conclusion of hypothesis #1 it was argued that because of the demonstrated sex-typing of occupations in the labour force, the productive reserve army was sex-typed. The data presented in this section established that women were not drawn into the paid labour force at the same rate as men, nor were they drawn into the same occupations. Thus, only the pool of available labour that, because of sex-typing, could be employed in a particular occupation, would serve as the reserve army for that occupation.

The data presented in evaluating hypothesis #1 illustrated that while men dominate work in the paid labour force, women have been, and continue to be, restricted to employment in only a few major occupational groups (Clerical, Service, Professional, and Commercial and Financial). As many analysts have noted, most of the occupations in which women are concentrated involve duties that resemble the reproductive work women perform in the home; obvious examples are Service occupations such as cleaners, cooks, and maids, and the Professional occupations of school teachers and nurses. Also like reproductive work, the occupations that typically employ women are very poorly paid.

The lower rates of pay that women receive in the labour force have been the subject of considerable discussion. It is well known that not only are the female occupations lower paid than male occupations, but that women receive lower wages than males when employed in either male

or female occupations. (1) Rationales for this practice suggest various causes, such as lower average education of women, less unionization, and that women are "less committed" to permanent labour force activity than men. (2) Similarly, it is often argued that women are willing to work for lower rates of pay because they do not have to support families.

Most of these arguments are based on the assumption that women are primarily reproductive workers; that paid labour force activity is secondary to their careers as wives and mothers. These arguments are simply attempts to justify the discrimination that women encounter in the paid labour force. Working women are segregated into low paying occupations where the duties resemble the tasks they perform in the home. They are poorly paid because they are performing "women's work". If a woman should manage to obtain employment in a male dominated field she is still paid less because she is a woman, and women's labour, whether performed in the home or in the labour force, is of less value than male labour.

Thus, the sex-typing of occupations in the Canadian paid labour force, and the attendant lower rates of pay, serve to discourage and limit women's access to work in the paid labour force. The nature of the skills required for most of the occupations where women are employed lend themselves to intermittent participation; they allow women to move in and out of the labour force according to the demands of their reproductive work.

The analysis of the relation of males to the paid labour force is relatively straightforward. Males of legal working age are either part

of the full-time employed labour force, or, if they are only employed part-time or totally unemployed, are part of the productive reserve army of labour. Groups such as students and retired males are considered to be part of the productive reserve army, although they may not be officially classified as unemployed. In dealing with women this relatively simple classification does not apply, because they are the sex that produces children. Women may be either productive or reproductive workers, and the performance of work in one sphere does not preclude women from working in the other. They may be full-time reproductive or productive workers, and at the same time be part-time workers in the other sphere. For women there are both productive and reproductive labour forces, and consequently, a reserve army of labour for each. The relationship between the productive and reproductive labour forces and reserve armies was examined in hypothesis #2.

The four hypotheses that make up hypothesis #2 can be divided into two groups. The investigation of hypotheses #2a. and #2b. was expected to reveal the relationship between women's work in the paid labour force, and their unpaid reproductive work in the home. The examination of hypotheses #2c. and #2d. was expected to show how the level of reproductive work that women engage in is determined, in part, by the size of the male reserve army. (3)

In the investigation of hypothesis #2a. the labour force participation rates of women aged fourteen years and over, and fourteen to forty-four years, were examined in conjunction with the general fertility rate. The predicted negative relationship was found to exist between the general fertility rate and both participation rates. This illustrated that

there are significant movements of women from work in the sphere of production to work in the sphere of reproduction, and vice versa, according to the needs of Canadian society. For example, the data presented in this hypothesis revealed that women were drawn into the paid labour force during World War II when additional labour was needed, while in the post-war period they were forced out of the paid labour force, or prevented from entering it, so that they would engage in child production at the level necessary to replace wartime population losses. Therefore, women in the home, or all women not engaged in full-time productive work, serve as a reserve army of labour for the female occupations in the paid labour force. Women of childbearing age who are employed full-time in the paid labour force, serve as a reserve army for the reproductive labour force.

This raises an additional point. It appears that an increase in women's labour force participation results in a reduction in the level of childbearing. In the analysis of hypothesis #1 it was noted that the sex-typing of occupations in the paid labour force limits women's paid labour force participation. Clearly, women's access to work in the labour force has been, and continues to be, restricted, in order to keep them performing unpaid reproductive work. Furthermore, the negative relationship found between the two variables investigated in hypothesis #2a., suggests that this long-term restriction of women's paid labour force activity would maintain an artificially high level of child production.

The relationship between the female unemployment rate and the general fertility rate was examined in hypothesis #2b.. It was hoped that

the female unemployment rate would reflect the movement of women from the sphere of production to the sphere of reproduction. The hypothesized relationship was predicated on the belief that the unemployment rate would show the expulsion of women from the paid labour force when the need for reproductive workers increased; that it would be symptomatic of this expulsion. However, this was not the case, and, when tested, the hypothesized relationship was not found.

Hypothesis #2c. suggested a positive relationship between the male labour force participation rate and the general fertility rate. The examination of hypothesis #1 had illustrated that paid labour force activity is dominated by males. In that males are the principal source of paid labour it is crucial that an adequate male reserve army be maintained. Hypothesis #2c. was formulated on the assumption that a high level of male labour force participation (which means a small male reserve army of labour ) would be offset by a high general fertility rate in order to increase the size of the male reserve army, and vice versa. This hypothesized relationship was found to exist for most of the period under investigation (1931 to 1939, and 1957 to 1974), and the variation during the war and immediate post-war period (4) was attributed to the atypical effects of World War II.

The data showing the male participation rates presented in hypothesis #2c. revealed that male labour force participation has exhibited a steady trend of decline during the entire 1931 to 1974 period. Three reasons for this were discussed: (1) the increased mechanization in the male occupations, (2) the tendency of males to stay in school longer, and (3) to retire at an earlier age. The effect of these changes has been to

increase the size of the male reserve army. The declining general fertility rates of the 1960's and early 1970's illustrate the reduction in childbearing resulting from the increasing surplus of male workers.

In the examination of hypothesis #2d., the male unemployment rate (both yearly, and calculated as a five year moving average) was compared to the general fertility rate. The hypothesized negative relationship was not confirmed by the data, possibly because of the inadequacy of the male unemployment rate as a measure of the size of the male reserve army of labour.

The second analysis section was an investigation of legislation which has regulated women's work in both the spheres of production and reproduction during this century. The legislation discussed included paid labour force legislation that relates specifically to working women, and legislative changes and policies concerning birth control, abortion, and government funding of day care centres for children. A number of conclusions were drawn.

First, it was argued that the legislation passed during the first fifty years of this century was designed to keep most women out of the paid labour force, and to force them to perform reproductive work. Women's paid labour force participation was restricted by protective labour legislation, which further increased the existing uncompetitiveness of women's labour, and the sex-typing of occupations. The illegality of birth control devices and information, and abortion, as well as the lack of affordable day care centres for children, made it very difficult for women to prevent pregnancy and avoid being reproductive workers for most of their lives.

By the late 1950's, the need for a high level of child production, and thus a large reproductive labour force, began to wane. From the 1950's to the early 1970's, legislation - both labour force legislation and legislation concerning reproductive work - was enacted for the purpose of reducing the level of childbearing. Women began to be encouraged to enter into paid labour force activity by such means as maternity leave laws, equalization of minimum wages for men and women, and anti-discrimination legislation. This labour force legislation was intended to increase women's participation in the female occupations of the labour force; it was not designed to increase women's equality of opportunity in the paid labour force by eradicating the sex-typing of occupations, or the lower wages paid to women workers.

In 1969 the prohibitions against the sale and advertisement of birth control devices, and the dissemination of birth control information, were removed. At the same time Canada's abortion law was amended to allow women to obtain abortions on the approval of a hospital therapeutic abortion committee. Finally, in the late 1960's government began to fund day care centres, and to offer a tax exemption for the day care costs of working mothers. Therefore, for the first time in Canadian history women were given some measure of control over their fertility, as well as some assistance in the care of their children. These laws served to reduce the level of childbearing, and to enhance women's ability to engage in long-term paid labour force activity. Nevertheless, it was noted that these recent legislative changes did not fundamentally alter women's forced relationship to the sphere of reproduction; they only served to reduce the level of reproductive work, primarily

childbearing.

The third analysis section documented some of the major changes that have taken place in reproductive work during this century. It was shown that through the process of urbanization, capitalist production expanded into many areas and types of work formerly performed in the home. These areas included: food processing and the manufacture of clothing, as well as the production of labour-saving devices such as washing machines and vacuum cleaners. Also, many of the functions that women had traditionally performed within the family were taken over by private or public institutions (eg. the education of children, care of the aged, and the treatment of illness). These developments increased the costs of maintaining a family, and compelled most urban working-class women to engage in paid labour force activity for at least some portion of their married lives.

Middle-class women were also prevented from realizing the potential decrease in reproductive work promised by the development of technology. Although they were not forced into the paid labour force because of economic need, the application of the principles of the scientific management movement to reproductive work created a new emphasis on the "proper" socialization of children and the efficient management of the home. This new form of reproductive work absorbed whatever free time middle-class women would have gained from the advancement of technology and capitalist production in the area of reproductive work.

During the twentieth century the efficiency of childbearing was also increased. Between 1921 and 1974 the rates of stillbirths, and infant and maternal deaths, declined dramatically. This led not only to a

decrease in the general fertility rate, but also to an even more marked reduction in the fertility rates for women over forty years of age, and to a lesser extent, for women between the ages of thirty and forty. By the 1970's, the average Canadian woman was having less children in her lifetime than ever before, and had completed her childbearing by the time she was thirty, a much younger age than in the past. Other changes during the twentieth century were a significant decline in the death rates for Canadians of all ages, and a steady increase in life expectancy.

It was argued that the increased efficiency of child production, the decreased death rates, and the increased life expectancy for Canadians of both sexes, coupled with the declining need for males in the paid labour force, had, by the late 1950's, created a situation where the levels of childbearing threatened to produce an overly large surplus of both productive and reproductive workers. Thus it became imperative to reduce the rate of child production. In order to decrease the size of the reproductive labour force, legislation was passed which encouraged the labour force participation of women, and offered them legal control over their fertility. Therefore, in the last analysis section it was shown that the change from a large reproductive labour force of the first half of this century, to the much smaller one of recent years, was due not only to changes in the sphere of production (declining need for male labour) but also to changes in the sphere of reproduction itself (increased efficiency of reproductive work, especially childbearing).

### Conclusions

Neither the functions of the industrial reserve army of labour, as formulated by Marx, nor the need for its existence have been in question in this thesis. Rather, it is the characteristics of the reserve army of labour, especially concerning the role of women in capitalist society, that are being re-formulated.

In the investigation of the hypotheses we have seen that, while males in Canadian society are primarily engaged in paid work in the labour force, only a small, albeit increasing proportion of women participate in the paid labour force. Capitalism has maintained the patriarchal division of labour between the sexes by keeping women responsible for unpaid reproductive work. This division of labour has been transferred to the paid labour force by the segregation of women into a few poorly paid occupational groups. Paid labour force activity has been established as the province of men, and unpaid reproductive work as that of women; the work necessary for the continuation of society is, for the most part, divided upon sexual lines. Nevertheless, for women, work in both spheres is inter-connected, an area which has been unexplored in most previous analyses.

This inter-connection can be elucidated by employing the basic framework of the reserve army of labour. Like work in the sphere of production, work in the sphere of reproduction is essential to the continuation of society; to the maintenance of the prevailing system of economic organization. For the paid labour force, the productive or industrial reserve army of labour ensures that a pool of surplus labour exists, and

is available when the demand for labour increases. It further serves to depress wage levels of employed workers. For these same reasons a reserve army exists for the reproductive labour force. The data presented in this thesis has shown the utilization of the reproductive reserve army in times of increased need, but, because of the large surplus of reproductive workers which have been available throughout this century, the second function of a reserve army of labour is more difficult to illustrate. However, if one remembers the times when there was a shortage of reproductive workers, such as during the early settlement of Canada, when various financial inducements were offered to women to come to Canada for the purpose of engaging in reproductive work, it is clear that "wages", whatever form they may take, do rise if there is a shortage of reproductive workers. The relationship is further obscured by the existing organization of reproductive work. Capitalism has kept reproductive work in the private sphere of individual families. Reproductive work has been portrayed as a duty, a service, the result of the "natural order of things". While childbirth itself is a natural function of the female body, the rate at which this work has been carried on, and the relegation of virtually all the tasks of reproductive work to women, have been imposed by capitalism. This organization has resulted in the bulk of the financial burden of reproductive work being placed upon the individual family. As such women receive payment for reproductive work only indirectly, through their husbands.

In addition to the reproductive reserve army there are two productive reserve armies, differentiated because of the sex-typed nature of

occupations in the paid labour force. Males are either part of the full-time employed paid labour force or are members of the reserve army for the male occupations in the labour force, but because women are employed as both productive and reproductive workers, their categorization is more complex. All women not engaged full-time in paid labour force activity are members of the reserve army for the female occupations in the labour force. This includes all full-time female reproductive workers in the home, women employed part-time in the paid labour force, and groups such as students and retired women. All women not engaged full-time in reproductive work, capable of performing this work, are members of the reserve army of reproductive workers. The reproductive reserve army includes women engaged in full-time employment in the paid labour force, temporarily unemployed and part-time employed women in the paid labour force who are not engaged in full-time reproductive work and are of childbearing age, as well as students, etc... . Therefore, women can be at the same time: (1) full-time workers in the paid labour force and members of the reproductive reserve army, or (2) full-time reproductive workers and members of the female productive reserve army, or (3) members of both the female productive reserve army and the reproductive reserve army (eg. students of childbearing age or women who perform both productive and reproductive work part-time).

The male reserve army of labour is maintained in four major ways. First, the need for an educated male work force keeps young males in educational institutions for a number of years before they permanently enter the paid labour force. The length of this period of education has

increased considerably during this century. Second, the uneven development of industries and occupations within the paid labour force, and the increased mechanization that has taken place within many male occupational groups, "frees" varying amounts of male workers from their full-time employment. Although there are fluctuations within this process, as well as increased demands in some male occupational groups, the general trend over this century has been one of declining demand for male labour. Thus, the size of the male reserve army is increased by the addition of males who are expelled from one industry, whether due to economic contraction within the industry or increased mechanization, and are unable to find new employment in another.

Third, the male reserve army is maintained by the retirement of male workers, whether forced or voluntary, from the labour force. Over this century males have tended to retire from the paid labour force at an increasingly younger age. The fourth way in which the male reserve army is maintained, and certainly the most significant way in the long run, is by the reproduction of human beings; the production of new male workers. (5) Ideally the rate of child production should be adequate to supply the needs of the labour force, including the maintenance of a sufficiently large reserve army, without producing a surplus population so large as to become a burden. In that the production of children includes the birth of both males and females, the reproductive labour force and reserve army, as well as the female productive labour force and reserve army, are also maintained. Thus, the level of child production must be regulated, and this regulation involves both increase and

decrease.

Like the male reserve army of labour, both female reserve armies increase or decrease according to the needs of the paid labour force. To begin with, by maintaining the patriarchal division of labour capitalism has kept women responsible for performing reproductive work. In the paid labour force the sex-typing of occupations limited the labour force participation of women by confining them to a few low paid occupations. Protective legislation, and the absence of laws which guaranteed them equality of pay or opportunity in the paid labour force, further restricted women. These factors, in conjunction with the prohibition of the sale of birth control devices or information, and the absence of day care centres for children, ensured that most women had little alternative to spending most of their lives as unpaid reproductive workers.

This of course provided an immense pool of available labour for the female occupations in the paid labour force (a large female productive reserve army), as well as a large reproductive labour force. (6) The relatively small amount of women who worked in the paid labour force served, and continue to serve, as a reserve army of reproductive workers. In the early part of this century the demand for male labour and the inefficiency of child production meant that the vast majority of women were needed for childbearing and other reproductive work. However, as the needs of capitalism changed over the years the deployment of women in the reproductive labour force, and in the paid labour force, was altered accordingly.

Earlier in this century work in the paid labour force was performed primarily by males, and the male participation rate was high. At the

same time the rates of stillbirths and infant deaths, as well as maternal deaths and deaths within the general population, were high. The great demand for male labour created a commensurate demand for child production in order to maintain the supply of male labour and keep the male reserve army at an adequate size. This demand was further inflated by the low life expectancies, and the need to maintain a large reproductive work force. In order to ensure that the necessary reproductive work was performed (for childbearing entails a great deal of other reproductive work) most women were excluded from participation in the paid labour force. This exclusion was accomplished by the sex-typing of occupations in the labour force, which segregated women into a few poorly paid occupations, and by protective legislation which further increased this segregation, and made women's labour even less competitive with male labour than it already was.

Additional means of maintaining the high level of child production and a large reproductive labour force were the prohibitions against the sale and advertisement of birth control devices and the dissemination of birth control information, and abortion. The almost complete absence of affordable child care facilities meant that most women were forced to continue to perform unpaid reproductive work long after the birth of children. By these means Canadian women were forced to produce children at a very high rate, and to perform virtually all other reproductive work.

The conditions which had demanded a large reproductive labour force and a high level of reproductive work in the early part of this century,

changed gradually throughout the period. Like most other Western countries, Canadian industry became increasingly mechanized throughout the nineteenth hundreds. Mechanization was most evident in those areas which employed almost exclusively male labour, such as farming and heavy manufacturing. While new areas of capitalist production developed at the same time, and others expanded, they were not able to absorb all of the males freed from other occupational groups. In fact, the industries and occupations that had experienced the greatest expansion were those such as service and clerical, which predominantly used the cheaper labour of women. During this time reproductive work was also becoming steadily more mechanized and efficient, and less labour intensive.

Before the full effect of these changes was felt however, Canada's involvement in World War II altered the situation. The war made high labour force participation by women essential. Virtually all available male labour was absorbed by the Armed Forces and industry; there was an acute shortage of male labour for the labour force. To answer this need women were drawn into the labour force, especially into wartime industries, in greater numbers than ever before. The government did not rely solely upon patriotic duty to draw women into the paid labour force - they employed positive legislative inducements. Parliament quickly endorsed the principle of equal pay for equal work, began funding day care centres, and offered a number of income tax benefits to married working women. The female labour force participation rate rose accordingly. Just as legislative restriction had prevented most women's labour force participation when they were needed as reproductive workers, the lessening of

these restrictions stimulated a rapid influx of females into the paid labour force when they were needed as productive workers.

The losses of young males during World War II renewed the need for a high level of child production to replenish the male labour force and reserve army. In order to meet this need it was necessary to expell a large number of women from the paid labour force. This was accomplished in part by the closing down of many wartime industries in which numerous women were employed, but to ensure that enough women to perform the necessary reproductive work left the paid labour force, government removed all the wartime legislative benefits for working women. By the early 1950's women's participation in the labour force had reached its lowest level since 1931, while fertility rates soared. Thus, the war showed the utilization of the female productive reserve army when women were drawn into the paid labour force. While these women were engaged in labour force activity they were part of the reproductive reserve army, and at the end of the war most of these women were forced back into reproductive work.

By about 1960 the required level of child production began to decline. This was the result of four major factors. First, fertility rates in the 1950's reached their highest levels of the entire 1931 to 1974 period, and the replacement of male workers lost in the war was, if not complete, certainly well advanced. Since child production results in roughly equal numbers of males and females being born, an immense supply of female workers (both productive and reproductive) was also produced. Second, the effects of the increasing mechanization of male

occupations which had not been evident during the war, began again to manifest themselves in a declining male labour force participation rate and an increasing male reserve army. This coincided with a tendency for males to enter the paid labour force at an older age (having spent more years in school than in the past), and retire at a younger age. This of course added to the size of the male reserve army.

A third reason for the decline in the need for a high level of child production was its increased efficiency. Reduced stillbirth and infant death rates greatly increased the number of children who survive to adulthood, and the decline in maternal deaths reduced the depletion of the reproductive labour force. Fourth, the reduced death rate in the general population, and the increased life expectancy, meant that the adult labour forces suffered much less depletion than in the past.

Therefore by the end of the 1950's, Canada possessed a female population many times larger than was necessary, or would be necessary in the foreseeable future, to maintain the necessary level of child production and other reproductive work. Not only had childbearing become more efficient, so had all reproductive work. Capitalist production had continued its expansion into the field of reproductive work, and more and more devices, products, and services became available to lessen its burden. At the same time the education and socialization of children, and the care of the sick and the elderly were increasingly performed by private and public institutions. This expansion of capitalism into areas of reproductive work which had previously been performed by women in the home coincided with an increased demand for workers in the female

occupations of the paid labour force.

In order to meet the changed needs of Canadian society it was necessary to employ some mechanism to reduce the level of child production. Sociology has given considerable attention to the role of such agents of socialization as the Church, educational institutions, the family, and the media, in instilling the attitudes, norms, values, and beliefs necessary for the continued and smooth operation of society. Certainly these institutions played, and continue to play, a role in the regulation of reproductive work, but I believe that this thesis has illustrated more direct and concrete methods by which the size of the reproductive labour force and the rate of childbearing are controlled. By regulating the level of female paid labour force participation, and the availability of birth control information and devices, the size of the reproductive reserve army and the rate of childbearing are manipulated.

Since the late 1950's the paid labour force participation of women has been deliberately and steadily encouraged by the passage of legislation. In the paid labour force, laws have been enacted which promise women equal pay relative to males, equal minimum wage rates, and equality of opportunity in hiring and employment. By 1974 equal pay and minimum wage laws had been passed in all Canadian jurisdictions, and fair employment practices/human rights Acts which applied to women existed in most. In the mid 1950's the Federal government lifted its ban on the employment of married women in the Public Service. Maternity leave, one of the most effective means of encouraging the paid labour force participation of married women, was guaranteed by law in almost

all Canadian jurisdictions by 1974. Moreover, since 1971, working women were eligible to receive maternity benefits from the Unemployment Insurance Commission for a period of time before and after confinement.

Women's entry into the paid labour force, and their ability to remain in it for an extended period of time, has also been facilitated by government funding of day care centres. This began in 1969, and by the early 1970's began to make adequate and affordable child care more readily available than at any time in the past. Nevertheless, the number of day care facilities is still insufficient to meet the needs of all working mothers in Canada.

Also in 1969, the sale and advertisement of contraceptive devices and the dissemination of birth control information became legal in Canada for the first time. While it is well known that some birth control devices were available before 1969, the passage of this law certainly enabled women to obtain contraceptives more easily, and undoubtedly increased public awareness of birth control methods. Thus, since 1969 women have been able to control their pattern of childbearing to a degree hitherto unknown.

Finally, a 1969 amendment to the Criminal Code legalized abortion in cases where a woman's health or life was threatened by the continuation of a pregnancy. The lack of specificity which characterizes this law has caused a great many unnecessary problems for women seeking abortion, but it cannot be denied that the amendment has made abortion more readily available than in the past.

These legislative measures, which have been enacted to increase

women's paid labour force participation, have, to a large extent, been the result of Canadian capitalism's need to reduce the size of the reproductive labour force and decrease the level of child production. By offering women alternatives to spending most of their lives as reproductive workers, fertility rates have been dramatically reduced. As we have seen in the examination of the hypotheses, the paid labour force participation of women has climbed steadily throughout the 1960's, reaching an all time high in the 1970's, while the general fertility rate has declined over the same period, descending to an all time low in 1974.

What we have witnessed over the past twenty years is the development of a major change in the relative utilization of women as productive and reproductive workers. Since approximately 1960 the female productive reserve army has been increasingly drawn into the paid labour force where women were easily accommodated in the expanding female occupations. This increased utilization of the female productive reserve army has resulted in a decrease in the size of the reproductive labour force, and an increase in the reproductive reserve army.

However, these changes have not fundamentally altered women's relationship to work in either the sphere of production or reproduction; only the size of the female productive and reproductive labour forces and reserve armies have been changed. In the sphere of production women are still denied equality of access and opportunity to work in the paid labour force, and remain confined to a few poorly paid occupational groups. In the sphere of reproduction, although women have gained some

control over their fertility, they are still forced to perform virtually all reproductive work.

Chapter 8 - Suggestions for Further Research

A number of problems were encountered in the execution of this thesis. Most important was the absence of any official figures which measured either reproductive work or the reproductive labour force, or the productive reserve armies. I would suggest that the absence of the former is a result of the way reproductive work is regarded in our society. Reproductive work is considered to be within the private sphere of individual families, and women performing this work for no pay is portrayed as part of the natural organization of society. In fact, reproductive work is usually not even considered to be work. Because it is unpaid, reproductive work is not taken into account in, for example, the calculation of Canada's Gross National Product. Therefore, reproductive work is not included in national accounting, and no data is available which measures the size of the reproductive labour force or the amount of reproductive work that is performed. Certainly, any research which would rectify this problem would be of immeasurable value, although the scope of such a project might be beyond the resources of all but government.

The problems associated with the measurement of the productive reserve armies are the result of the utilization of Marx's theory of the industrial reserve army. While I believe that this framework provides an accurate analysis of the organization of productive work in capitalist society, the reserve army concept transcends the narrow definition of unemployment used in the calculation of unemployment rates. Moreover, the Statistics Canada unemployment rate appears to be designed more to

under-estimate the number of unemployed, than to provide an accurate count.

One area of neglect in this thesis has been a discussion of the ways in which the productive and reproductive labour forces and reserve armies are maintained by the importation of foreign labour. Certainly, both immigration and emigration have an effect upon the number of productive and reproductive workers, but a discussion of this was omitted because of the difficulty of assessing the contributions of these processes. It was felt that the discussion of such material warrants far more attention than it would have been possible to give in the framework of this thesis. Therefore, I would suggest that further research concerning immigration and emigration in relation to the maintenance of the productive and reproductive labour forces and reserve armies would be valuable.

More generally, research examining the position of women in Canadian society is essential. However, this research must recognize that women's lives and problems are not the same as men's. All too often researchers have attempted to force women into analytical frameworks developed by men for the analysis of male problems; of the material conditions which affect men in society. The usual result of this type of research has been the portrayal of women as inferior and insignificant; as a type of deviant male.

NotesChapter 2 - Review of Literature

1. See, for example, Margaret Benston, The Political Economy of Women's Liberation, 1969; Juliet Mitchell, Woman's Estate, 1973; and Sheila Rowbotham, Woman's Consciousness, Man's World, 1974.
2. In examining the paid labour force activity of American women during World War II, Milkman did find that women served as a reserve army of labour, but not for peace-time or permanent male occupations. Instead of replacing males in the labour force, women were employed in the temporary "war jobs" in industries which produced military equipment and other war-related items, so that when the war ended, so did these jobs (Milkman, 1976:85-89).
3. For a discussion of this see, for example, Elizabeth Gould Davis, The First Sex, Penguin, 1973:303-326, or Rowbotham, op. cit.:117-119.
4. For a discussion of the inadequacy of Marx's analysis of women in capitalist society, see Eisenstein, 1977:3-8; Mitchell, 1973:76-80, 91-96; Clark, 1976:55-65; and Lange, 1976:132-135.
5. For a discussion of these and other related points see, for example, Ellen Malos, Housework and the Politics of Women's Liberation, Socialist Review, Volume 8, #1, 1978:50; Mitchell, 1973:99-122; and Rowbotham, op. cit.:61, 67-80.
6. Clark stated: "...it seems likely that it was the emergence of private property which gave rise to the need to ensure certainty of paternity in order to ensure certainty of inheritance." (Clark, 1976:63)
7. This is discussed by these writers as being separate from women in the home serving as a reserve army of cheap labour.
8. Similarly, while protective legislation for children was presumably motivated by humanitarian interests, it coincided with capitalism's need for a more highly educated work force, which could be gained through compulsory education.
9. In 1972, men earned 56.6% more than women in clerical occupations, and 156.6% more in service occupations (Women's Bureau, Labour Canada, Women in the Labour Force: Facts and Figures, 1975:70).
10. Obviously there are gradations within this framework, depending on the degree of sex-typing present in each occupational group. Similarly, any occupational category which does not exhibit sex-typing,

that is, in which males and females are equally employed, will transcend the concept of sex-typed reserve armies.

#### Chapter 4 - Analysis of Data: Hypotheses #1 and #2

1. The 1971 figures may in fact under-estimate the concentration of women, because the percentage of women listed as not stating an occupation is much larger (approximately 12%) than in previous Census years, where Not Stated was typically less than 5%.
2. For an analysis of the decline in farm labour during the twentieth century see, for example, Frank T. Denton, The Growth of Manpower in Canada, Ottawa, 1970, or Braverman, 1974.
3. An error in the calculation of the percentage of women in Commercial and Financial may be present in the 1971 data because of the new occupational breakdown used for this Census year.
4. For an analysis of women's wartime employment in Canada see, Ruth Pierson, Women's Emancipation and the Recruitment of Women into the Labour Force in World War II, in The Neglected Majority, Trofimenkoff & Prentice eds., McClelland and Stewart, 1977:125-145.
5. "Killed" includes "all who died from wounds or by accident." (Urlanis, 1971:135)
6. The 1931 category includes one more year than the following two. Assuming an equal distribution throughout the age group, one would expect an over-estimation of approximately 90,000 relative to the two later years.
7. See, for example, Gnanasekaran, K.S. & Montigny, G., Working Life Tables for Males in Canada and Provinces, Statistics Canada, 1971, or Dymond, W.R., Economic Causes and Consequences of the Traditional Division of Labour between Men and Women, Labour Canada, 1964.
8. Government unemployment figures are notorious for under-estimating the size of the reserve armies of labour for the paid labour force. For a discussion of this see, for example, Robinson, H.L., A Second Majority, The Hidden Unemployed, Canadian Forum, October 1977, or Braverman, 1974:386-401.

#### Chapter 5 - Analysis of Data: Legislation

1. The concentration on these four areas of legislation is not meant to imply that women possess equality with males in all other aspects of life in Canada. For example, in the early twentieth century Canadian women could not vote or hold public office, either Federally

or Provincially. Furthermore, their inequality was supported by the British North America Act, in which women were considered persons "in matters of pains and penalties (but not) in matters of rights and privileges". (Eve Zaremba, Privilege of Sex, A Century of Canadian Women, Eve Zaremba ed., House of Anansi Press Ltd., 1974:129)

2. According to the British North America Act, legislation concerning work in the paid labour force may be enacted either by the Parliament of Canada or Provincial Legislatures. Specifically, the Federal government may enact laws concerning trade and commerce, shipping and navigation, fisheries, unemployment insurance, the criminal law, naturalization and aliens, inter-provincial or international transportation and communication industries, and local undertakings and works declared by the Parliament of Canada to be for the general advantage of Canada, or two or more provinces. Parliament may also enact laws "for the peace, order and good government of Canada in relation to all matters not coming within the class of subjects assigned exclusively to the provinces". (Labour Gazette, 1950:24)  
The Provincial Legislatures have exclusive power in relation to civil and property rights within the province, municipal institutions, most local undertakings, and protective labour legislation. As well, the provinces have the responsibility for the regulation and inspection of mines, factories, shops, and other workplaces; laws concerning child labour; wages and hours; licensing of workmen; workmen's compensation; and labour relations in undertakings not subject to Federal jurisdiction. Education, including vocational education, is also controlled by the provinces (Labour Gazette, 1950:34-35).
3. Although any child or woman employed in homework was nominally protected under the Ontario Factories Act of 1889, inspectors reported that "sweatshop-conditions" prevailed. In 1919 an attempt was made to control the condition of homework in Ontario by requiring a permit for all such work in cities with a population of 50,000 or more. However, the Price Spreads Commission reported that the appalling conditions still existed (Labour Gazette, 1950:34).
4. Some previous action had been taken by several provinces to prevent the hiring of males at a lower rate than the female minimum wage rate. In 1926 Alberta included this stipulation in its factory Act, and in 1934, B.C., Ontario, and Quebec adopted similar provisions in amendments to their female minimum wage Acts (Labour Gazette, 1950:44).
5. In the year immediately following Newfoundland's confederation as a province of Canada (March 31, 1949), seven labour Acts were passed in the new province. Of these, only the minimum wage Act applied exclusively to working women (Labour Gazette, 1950:44).
6. In Women During the Great War, Ceta Ramkhalawansingh provides data

which shows that, prior to 1914, women received only an average of 65% of the wages paid to men in the labour force (Ramkhalawansingh, 1974:279).

7. This was contrary to the experience of World War I. Ramkhalawansingh stated: "...apparently the labour shortage was not serious enough to warrant the large scale employment of married women". (Ramkhalawansingh;1974:290)
8. In 1919 the International Labour Organization was founded in an attempt to formulate and promote the adoption of international labour standards. For a brief discussion of this organization and its policies see, for example, The Labour Gazette, Fifty Years of Labour Legislation in Canada, 1950, or Women's Bureau, Dept. of Labour, The Law Relating to Working Women, 1973.
9. The unreliability of the condom is notorious. According to the Royal Commission on the Status of Women, 14 out of every 100 women using this method of birth control became pregnant in one year (Report of the Royal Commission on the Status of Women in Canada, 1970: 276).
10. For employees of Crown corporations and other undertakings under Federal labour jurisdiction, hours of work are regulated by the Canada Labour Code, Part III, Division I. Five provinces have Acts of general application regulating working hours: the British Columbia Hours of Work Act, the Alberta Labour Act, Part III, Division I, the Saskatchewan Labour Standards Act, Part II, the Manitoba Employment Standards Act, Part III, and the Ontario Employment Standards Act, Part III. For a further discussion of Federal and Provincial hours of work limitations see, for example, Dept. of Labour, Labour Standards in Canada 1974, Ottawa, 1975.
11. Data provided in the Report of the Royal Commission on the Status of Women in Canada suggests that male and female minimum wage rates may have differed. The Report cited the predominant ranges (minimum to maximum) of hourly wages, for October 1967, in two segments of the Quebec garment industry. In each case the minimums were lower for women than for men (Report of the Royal Commission on the Status of Women in Canada, 1970:74).
12. Typical exclusions are: registered apprentices, supervisory and managerial personnel, certain categories of salesmen and employed students, and members and students of professions (Dept. of Labour, 1975:18).
13. British Columbia is the only province which has a separate maternity leave Act. In other jurisdictions maternity leave regulations were incorporated into other labour legislation. Nova Scotia's maternity leave provisions are contained in the provincial Labour Standards

Code (Sections 56 and 57), and Saskatchewan's in the Labour Standards Act, Part VA. In Manitoba and Ontario maternity leave is now included in their respective Employment Standards Acts (Section 34.1 in Manitoba and Part XI in Ontario), while in New Brunswick they are in Sections 11 to 13 of the Minimum Employment Standards Act (Dept. of Labour, 1975:102). In addition to these, provisions for Public Service employees have been incorporated into the Federal Public Service Act, and in some provinces, provisions for provincial civil servants are contained in their Civil Service Acts. Also, the Canada Labour Code (Part III, Division VI) contains provisions for employees of Crown corporations and other Federal undertakings.

14. All information on maternity leave Acts is taken from, Women's Bureau, Dept. of Labour, The Law Relating to Working Women, 1973:14-16, and the same publication for 1975, pages 17-19, unless otherwise stated.
15. In British Columbia the periods are 6 weeks prior to, and following, the date of delivery, with a maximum of 16; for Manitoba, 11 weeks prior and 6 weeks after the date of delivery, and the latter may be extended to a maximum of 10 weeks (Women's Bureau, Dept. of Labour, 1975:17-18).
16. For a more detailed discussion of Canadian maternity leave Acts see, Advisory Council on the Status of Women, Maternity Leave and Benefits - A Study of Federal Laws and Recent Amendments Concerning Job Security for Pregnant Women and their Entitlement to Maternity Benefits, Ottawa, May 1976.
17. Since its initial enactment, the Unemployment Insurance Commission has made changes in its regulations governing eligibility and payment. I do not intend to present a chronology of these changes here, as they do not fundamentally affect the payment of maternity benefits.
18. Only New Brunswick and Manitoba have separate equal pay Acts (the Female Employees' Fair Remuneration Act, and the Equal Pay Act, respectively). Equal pay provisions are contained in the labour codes in four jurisdictions: the Canada Labour Code, Part III, Division II.I (for employees of Crown corporations and other Federal undertakings), the Saskatchewan Labour Standards Act, Part V, the Ontario Employment Standards Act, Part IX, and the Nova Scotia Labour Standards Code, Sections 55 to 57. Four provinces have equal pay provisions within their human rights legislation: the Human Rights Code of British Columbia, the Alberta Individual's Rights Protection Act, the Newfoundland Human Rights Code, and the Prince Edward Island Human Rights Code. Quebec is the only province where regulations governing the payment of equal wages for male and female employees are contained in equal employment legislation (the Employment Discrimination Act).

19. In Ontario, the Female Employees Fair Remuneration Act (1951) became part of the Employment Standards Act in 1970. Nova Scotia, which had previously incorporated its 1956 equal pay legislation into its Human Rights Act in 1963, returned it to the area of labour legislation in the 1969 Nova Scotia Equal Pay Act. In 1971, the Federal Act (Female Employees' Equal Pay Act of 1956) became part of the Canada Labour Code.
20. The Federal government did not pass legislation prohibiting discrimination on the basis of sex and marital status, which applied to employment in the Public Service until 1975 (Women's Bureau, Dept. of Labour, 1975:9).
21. One form of birth control has never been illegal in Canada: "No law in Canada expressly prohibits the physician from sterilizing an individual on request for contraceptive purposes only and there is no case law to that effect in Canada". (Report of the Royal Commission on the Status of Women in Canada, 1970:280)
22. Provincial involvement in birth control varies so widely, and information on it is so difficult to obtain, that it is not feasible to include it here.
23. According to this Act, the advertisement of contraceptive pills and I.U.D.'s is an offence, except in medical journals, because they are prescription drugs and devices.
24. Only accredited or approved hospitals are allowed to perform abortions. According to the abortion law an "accredited hospital" means a hospital accredited by the Canada Council on Hospital Accreditation in which diagnostic services, as well as surgical, obstetrical, and medical treatment are provided. An "approved hospital" is a hospital approved by a provincial Minister of Health to perform abortions (Report of the Committee on the Operation of the Abortion Law, 1977:86-87).
25. The Report of the Royal Commission on the Status of Women in Canada noted that while it is common knowledge that illegal abortions are performed in Canada, there is no way of discovering with what frequency. Estimates range from 30,000 to 300,000 a year (Report of the Royal Commission on the Status of Women in Canada, 1970:284).
26. There is no way of determining what part of this decline is due to the amendment to the abortion law, and what part to other factors (eg. changes or errors in data gathering, legalization of abortion on demand in the United States).
27. The cost of caring for children under the age of fourteen is deductible. The cost of caring for children over fourteen is deductible if, at any time during the year, they are dependent because of

- physical or mental infirmity (Dept. of Labour, 1972a.:36).
28. Figures for 1971 and 1973, and 1974 are from different studies using different age criteria (fourteen years old for the former and fifteen for the latter) and are thus not strictly comparable.
  29. The number of children in day care includes both full day care programs and lunch and after school programs.
  30. A family day care is "a program involving the selection and supervision by a government or authorized private agency of private families who give care to children during the day". (Health and Welfare Canada, 1974:2)
  31. Eight percent of all day care centres in Canada were categorized as "other" in 1968. This classification does not appear in later reports by the National Day Care Information Centre. In that no figure is given for parent co-operative centres in 1968, they presumably accounted for some portion of the "other" category.

#### Chapter 6 - Analysis of Data: Changes in Reproductive Work

1. Prior to 1961 an urban centre was defined in the Census as a centre of population, such as incorporated cities, towns, and villages, regardless of size. However, the rapid growth of suburban areas outside city boundaries made this definition obsolete. In 1961 the Census definition was changed to include both size and density. An urban population was defined as a population in incorporated or unincorporated centres with a population of more than 1,000, and a population density of at least 1,000 persons per square mile. This definition includes the built-up fringes of incorporated cities, towns, and villages which correspond to the size and density requirements. All other populations are classified as rural (Statistics Canada, April 1976:41).
2. Canada is one of the world's most urbanized countries. The proportion of the population in Canada classified as urban in 1971 was 76.1%. On a global scale, this is the tenth highest recorded, for countries with a total population of at least two million (Statistics Canada, April 1976:41).
3. Beginning in 1931 the rural population was divided into two categories: rural farm and rural non-farm. A farm is defined as an agricultural holding of one or more acres with sales of agricultural products of at least \$50.00 a year. All persons living on such holdings in rural areas are classified as "rural farm" regardless of their occupation; all others living in rural areas are "rural non-farm" (Statistics Canada, April 1976:41).

4. It is not my intention here to provide an analysis of the inter-relation between public health, advances in medicine, etc..., and life expectancy, death rates, and the rates of stillbirth.
5. Stillbirth: "the birth of a foetus, after at least 28 weeks' pregnancy, which, after complete separation from the mother, does not show any sign of life". (Statistics Canada, 1976:vii) In the early 1960's this definition was revised so that stillbirths were counted if they occurred any time after 20 weeks pregnancy. However, the figures given here are all based upon 28 or more weeks of gestation (Statistics Canada, 1976,viii).
6. The general fertility rate (births per 1,000 women aged 15 to 49 years) was 107.9 in 1921, 93.6 in 1931, and 86.6 in 1941. The rate increased to 109.2 in 1951, and 111.5 in 1961, but declined to 67.7 in 1971, and 60.6 in 1974 (Statistics Canada, 1974:10).
7. This of course ignores the effects of multiple births, miscarriages prior to 28 weeks, and abortions.
8. There are of course other factors which have contributed to the increased efficiency of childbearing (eg. improved pre-natal and infant nutrition).
9. The total fertility rate is an inferential measure, calculated by summing the yearly age-specific fertility rates.
10. The cohort completed fertility rate is another measure which estimates the number of children born to each woman over her lifetime. Cohort rates show changes of the same direction as total fertility rates, but these changes tend to be of smaller magnitude. The trends indicated by both measures are identical. "The examination of period (total) fertility rates since 1959 and the rates for the cohorts born in the 1940's, indicates a considerable reduction in family size...". (Statistics Canada, April 1976:19)

#### Chapter 7 - Summary and Conclusions

1. This fact is well documented. For example, in Women in the Labour Force, Facts and Figures, 1976, (1977), the average earnings of full-time (50 to 52 weeks per year) male and female workers in five occupational groups were compared for the years 1969 and 1974. The groups examined were: Managerial, Professional, Clerical, Commercial and Financial (Sales), and Service.

In 1969 male workers earned significantly more than women in all categories. In managerial occupations males earned 106.3% more than women, and in professional they earned 80.7% more. In clerical and commercial and financial occupations males earned 55.1% and 166.6% respectively, more than women. Males earned 125.7% more than women

in service occupations.

The 1974 figures showed a slight decrease, but the level of disparity was still high. Men earned 86.5% more than women in managerial occupations and 64.1% more in professional occupations. In clerical occupations they earned 54.5% more, in commercial and financial 114.0% more, and in service 113.4% more (Rights in Employment, Labour Canada, Women in the Labour Force, Facts and Figures, 1976, Part II Earnings of Women and Men, Ottawa, 1977:31).

2. Sylvia Ostry dealt with this issue in The Female Worker in Canada (1968). She found that even after "accounting for" distributional (due to differing occupational deployment of the male and female labour forces) and qualitative differences (eg. education, training, work experience, extent of absenteeism, and turnover), fairly sizeable gaps between males and females remained, which could only be explained by discrimination in pay based on sex (Sylvia Ostry, The Female Worker in Canada, Ottawa, 1968:39-45).

For further discussion of these points see, for example, The Report of the Royal Commission on the Status of Women in Canada, 1970:56-60, or Women's Bureau, Dept. of Labour, Implications of Traditional Divisions between Men's Work and Women's Work in our Society, Ottawa, 1964.

3. While for men it was assumed that their participation in the paid labour force was dependent upon the needs of the male occupations in the labour force, it was believed that women's primary function was that of unpaid reproductive workers, so that their participation in the paid labour force was dependent upon the demands for male labour, or the size of the male reserve army, and that the demand for the cheaper labour of women in the paid labour force was secondary.
4. It must be remembered that the process of de-mobilization continued for a few years after the declaration of peace. Therefore, the civilian labour force did not return to normal until the end of the 1940's.
5. One other way in which the male reserve army is maintained is by the importation of foreign labour - immigration. Because of the complexity of this area, especially when dealing with net gains because of losses due to emigration, a discussion of this factor was not included here.
6. As in the maintenance of the male reserve army, immigration also plays some part in maintaining the two female labour forces and reserve armies, and emigration in their depletion.

References

- Advisory Council on the Status of Women, Background Notes on Family Planning, and Conception and Birth Control, prepared by Mary Pearson, Advisory Council on the Status of Women, March 1975
- Armstrong, Hugh & Armstrong, Pat, The Segregated Participation of Women in the Canadian Labour Force, 1941-71, Canadian Review of Sociology and Anthropology, November 1975:370-384
- Archibald, Kathleen, Sex in the Public Service, A Report to the Public Service Commission of Canada, Ottawa, 1970
- Benston, Margaret, The Political Economy of Women's Liberation, Monthly Review, September 1969:13-27
- Braverman, Harry, Labour and Monopoly Capital, Monthly Review Press, 1974
- Buckley, K.A.H. & Urquhart, M.C., Historical Statistics of Canada, The MacMillan Company of Canada Ltd., 1965
- Carmody, Cathy, (Staff Relations Officer, Civil Service Commission, Government of Prince Edward Island), letter received concerning maternity leave laws in P.E.I., October 14, 1977
- Clark, Lorene, The Rights of Women: The Theory and Practice of the Ideology of Male Supremacy, published in Contemporary Issues in Political Philosophy, Shea & King-Farlow eds., Science History Publications, 1976:49-65
- Department of Labour, Legal Status of Women in Canada, Ottawa, 1924
- Department of Labour, Legislation Branch, Provincial Labour Standards, December 1961, Ottawa, 1962
- \_\_\_\_\_, Provincial Labour Standards, December 1962, Ottawa, 1963
- \_\_\_\_\_, Labour Legislation in the Past Decade, A Review of Developments in Canadian Labour Legislation in the 1951-1960 Period, Ottawa, 1963(a.)
- \_\_\_\_\_, Provincial Labour Standards, December 1963, Ottawa, 1964
- \_\_\_\_\_, Provincial Labour Standards, December 1968, Ottawa, 1969

- \_\_\_\_\_, Labour Standards in Canada,  
December 1969, Ottawa, 1970
- \_\_\_\_\_, Labour Standards in Canada,  
December 1970, Ottawa, 1971
- \_\_\_\_\_, Labour Standards in Canada,  
December 1971, Ottawa, 1972
- Department of Labour, Status of Women in Canada 1973, Ottawa, 1972 (a.)
- Department of Labour, Legislation Branch, Labour Standards in Canada,  
December 1973, Ottawa, 1974
- Department of Labour, Legislative Research, Labour Standards in Canada,  
December 1974, Ottawa, 1975
- Dixon, Marlene, Women's Liberation: Opening Chapter Two, Canadian Dimen-  
sion, June 1975
- Eisenstein, Zillah, Constructing a Theory of Capitalist Patriarchy and  
Socialist Feminism, The Insurgent Sociologist, Summer 1977:3-17
- Health and Welfare Canada, National Day Care Information Centre, Canada  
Assistance Plan Directorate, Status of Day Care in Canada, Ottawa, 1973
- \_\_\_\_\_, Status of Day Care in Canada, Ottawa, 1974
- Huber, Joan, Toward a Sociotechnological Theory of the Women's Movement,  
Social Problems, April 1976:373-388
- Judek, Stanislaw, Women in the Public Service, Their Utilization and  
Employment, Department of Labour, Ottawa, 1968
- Klein, Alice & Roberts, Wayne, Beseiged Innocence: The "Problem" and  
Problems of Working Women - Toronto 1896-1914, published in Women at  
Work, Ontario, 1850-1930, Acton, Goldsmith, & Shepard eds., Canadian  
Women's Educational Press, 1974:211-259
- Labour Gazette, Legislation Branch, Department of Labour, Fiftieth An-  
niversary Edition, Fifty Years of Labour Legislation in Canada, pre-  
pared by Lorentsen, Edith & Woolner, Evelyn, Ottawa, 1950
- Lange, Lynda, Reproduction in Democratic Theory, published in Contem-  
porary Issues in Political Philosophy, Shea & King-Farlow eds., Science  
History Publications, 1976:131-146
- Marx, Karl, Capital, Volume I, International Publishers, 1974

Milkman, Ruth, Women's Work and Economic Crisis: Some Lessons of the Great Depression, Review of Radical Political Economics, Spring 1976: 73-97

Mitchell, Juliet, Woman's Estate, Penguin, 1973

National Council of Welfare, The Hidden Welfare System, National Council of Welfare, November 1976

\_\_\_\_\_, The Working Poor, National Council of Welfare, June 1977

Ostry, Sylvia, Unemployment in Canada, Ottawa, 1968

Office of Equal Opportunities for Women, Public Service Commission of Canada, The Employment of Women in the Public Service of Canada, Mandate for Change, Office of Equal Opportunities for Women, Public Service Commission of Canada, 1973

Ramkhalawansingh, Ceta, Women During the Great War, published in Women at Work, Ontario, 1850-1930, Acton, Goldsmith, & Shepard eds., Canadian Women's Educational Press, 1974:261-307

Report of the Committee on the Operation of the Abortion Law, Ottawa, 1977

Report of the Royal Commission on the Status of Women in Canada, Ottawa, 1970

Rowbotham, Sheila, Woman's Consciousness, Man's World, Penguin, 1974

\_\_\_\_\_, Women, Resistance, and Revolution, Penguin, 1974 (a.)

Scott, Hilda, Does Socialism Liberate Women?, Beacon Press, 1974

Statistics Canada, Department of Vital Statistics, Births, 1974, Volume I, Ottawa, 1976

\_\_\_\_\_, Births, 1974, Volume III, Ottawa, 1976 (a.)

Statistics Canada, 1971 Census of Canada, Profile Studies, Population Growth in Canada, Ottawa, April 1976

Szymanski, Al, The Socialization of Women's Oppression: A Marxist Theory of the Changing Position of Women in Advanced Capitalist Society, The Insurgent Sociologist, Winter 1976:31-58

Unemployment Insurance Canada, Maternity, 1976

Urlanis, B., Wars and Population, Progress Publishers, 1971

Vipond, Mary, The Image of Women in Mass Circulation Magazines in the 1920's, published in The Neglected Majority: Essays in Canadian Women's History, Trofimenkoff & Prentice eds., McClelland and Stewart Ltd., 1977:116-124

Wilson, Donald J., Stamp, Robert, M., & Audet, Louis-Philippe eds., Canadian Education: A History, Prentice-Hall of Canada Ltd., 1970

Women's Bureau, Department of Labour, Women at Work in Canada, 1964, Ottawa, 1968

\_\_\_\_\_, Women in the Labour Force, 1971, Facts and Figures, Ottawa, 1971

\_\_\_\_\_, The Law Relating to Working Women, December 1973, Women's Bureau, Department of Labour, 1973

\_\_\_\_\_, The Law Relating to Working Women, September 1975, Women's Bureau, Department of Labour, 1975

Women's Bureau, Manitoba Department of Labour, Mothers in the Labour Force, Their Child Care Arrangements, Women's Bureau, Manitoba Department of Labour, 1974