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The Politics of Protection:

**Gender, Class, Skill and the
Ontario Factories' Act of 1884**

*by
Amanda Glasbeek Hon.B.A.
A thesis submitted to
the Faculty of Graduate Studies and Research
in partial fulfillment
of the requirements for the degree of
Master of Arts
in Sociology*

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OTTAWA, ONTARIO
March 30 1992
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The undersigned hereby recommend to
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acceptance of the thesis,

THE POLITICS OF PROTECTION: GENDER, CLASS, SKILL AND THE
ONTARIO FACTORIES' ACT OF 1884

submitted by
Amanda Glasbeek, Hon. B.A.
in partial fulfilment of the requirements for
the degree of Master of Arts

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May 25, 1992

Abstract

The Factories' Act, popularly known as "protective legislation", was a gender-specific piece of legislation. Instead of regulating the conditions of factory labour in general, the Ontario Factories' Act only specifically provided for women and children's labour conditions. There were no provisions made for adult male labour. This thesis addresses the processes and relations which gave rise to such a gendered outcome. Through an examination of the debates between and among classes, questions are asked concerning the gendering of struggles, and the gendered nature of class itself.

The "politics of protection" refers to both the points of conflict and points of consensus in the social construction and regulation of "women's work" in early industrial factories. Through the use of the analytical tools of masculinity, femininity and skill, it is possible to map out the ways in which gender informed the process of class definition and struggle and how class shaped the nature of gender relations, especially in terms of employment and familial relations. The intra-class, inter-gender and inter-class, intra-gender debates around the creation of a Factories' Act to meet working class women's perceived need for "protection" reveal that gender and class exist as simultaneous relations in a male dominated capitalist class society.

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Finally, I want to thank Phil, for his support, humour, interest, patience and for the capuccini. His love and friendship made the process a whole lot easier.

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List of Abbreviations

NCWC **National Council of Women of Canada**

NLR *New Left Review*

RCRLC *Royal Commission on the Relations of Labor and Capital*

SPE *Studies in Political Economy*

TLC **Trades and Labor Congress**

WCTU **Women's Christian Temperance Union**

Introduction

"The Politics of Protection"

The 1880s have been identified as the "indisputable" period of Canada's industrial revolution (Kealey and Palmer 1987:36). There was a significant rise in the number of manufacturing establishments, the value added to raw materials by manufacturing processes, and the proportion of industrial employment among the total labour force between 1871 and 1891. "Machinofacture" usurped household or craft style production. Urbanization and centralization of capital prevailed. The number of hands per mill, factory and workshop increased (Kealey and Palmer 1987:28-56). And, at the same time, female (and child¹) employment in factories became identified as either *the* social evil, indicative of social evil, or the cause of social evil.

The technological and social transformation that is commonly called industrialization created the need for social actors and subjects to renegotiate their sense of the world. Old customs and processes had to give way to the new social reality. The debate among men and women, unionists and middle and upper class reformers around the need for protection is indicative of much of this renegotiation process.

Factory and mill employment represented a microcosmic example of the rapid changes occurring in society. Factory reform captured the attention of those interested in effecting significant alterations to industrial development. Industrial employment was harsh and dangerous: death, dismemberment and debilitating illnesses were alarmingly common in early Ontario factories. Overcrowding, poor ventilation, unguarded machinery, long hours and inadequate wages were the norm. Young children, women and men stood for up to sixteen hours, sometimes in icy water, sometimes in suffocating heat, with no allowances for meals, and few "sanitary conveniences". Beatings, detentions, fines and firings were standard disciplinary procedures and strikes occurred often. Employment conditions were seemingly subject to arbitrary and individualistic decisions of employers. Moreover, it was legally and popularly held that an employment contract included the assumption of risk (Tucker 1984; 1988; 1990). In fact, the level of risk was often a measure in determining wage rates (RCRLC: "Ontario Evidence" in Kealey (ed) 1973:63-210).

Legislative regulation of these conditions was demanded by many quarters of late nineteenth century society. The Factories' Act was the first government response to these agitations for reform.

It should be noted that factory legislation was implemented at the provincial levels only - the Dominion Government had a hard time justifying any intervention into what it considered the free and private contract entered into by worker and employer in the market place. Thus, although the Ontario Factories' Act was voted into law in 1884, it was not proclaimed until 1886, and had no effect until 1888. Provincial legislators were simply not quite sure that they had the constitutional right to proceed (Blake 1886; Mowat 1890; Forsey 1947). Finally, in the absence of any response or action from the federal level, and on the insistence and continued agitation of the unions, Mowat finally proclaimed the Act, and inspectors were sent out in 1888, to produce their first reports in 1889 (TLC Proceedings 1886; *Sessional Papers* #39 1889).

What was this Factories' Act which was supposed to address the overtly brutal and ugly side of industrialization? Despite the many and obvious problems inherent in the new manufacturing process, the Factories' Act, both in design and implementation actually regulated very little of the employment contract in general. It was a gender-specific piece of legislation. Although the preamble read "[w]hereas special provision should be made for the safety, health and well-being of operatives employed in and about factories and like places within Ontario", in reality, the Act only specified the terms of female (and child) employment. The Act can be broken down into three parts: those sections which gave particular instructions about women's labour, those which generalized (arguably to the point of being too vague to be effective) occupational health and safety standards, and those concerned with the implementation of the Act through inspection and punishments for non-compliance. This thesis will address how, in the midst of concerns ranging from conservatism to radical demands, gender legislation came to be understood as "protective legislation" and further, will draw out observations relevant to overcoming the "woman question" which characterizes a great deal of Marxist and feminist analysis.

This is an important undertaking for socialist feminist theory and is consistent with recent scholarship which has been devoted to both "protective legislation" and the larger search for an historically and theoretically accurate explanatory framework for the relations of male dominated industrial capitalism². The "woman question" is predicated on the notion that capitalism *should* be a gender-neutral mode of production, calling upon *all* available labour power in the drive for capital accumulation. Over the course of the history of industrial capitalism, however, it has become overwhelmingly evident that women and men have not participated equally in productive and social

relations. Men are more likely than women to enter into life-long engagements in the wage relation. Women have yet to become thoroughly proletarianized, and have been more likely than men to engage in age- and marital status-specific relations to employment. More, women have been historically situated in the household performing unpaid reproductive, regenerative and privatized labour. Obviously, the logic of capitalism also has an impact on, or relationship to gender relations, and more specifically to a sexual division of labour. It is the debates concerning the nature of this relationship which is characterized as the "woman question".

Recently in feminist and marxist scholarship this relationship has been further complicated by complementary questions and analytical breakthroughs. Through examinations of the "protective legislation" era in Britain (and in some cases, the United States), theorists and historians have found that it is necessary to look to the actions of working class men to fully develop a holistic theory. That is, the evidence suggests that it is no accident that women did not have an equal relationship to the wage and to employment relations: working class men actively sought women's exclusion from the wage relation and collectively framed demands to ensure this eventuality. The "protective legislation era" — i.e. nineteenth century industrial capitalist societies typified by factory acts, the family wage notion and gender-specific exclusionary trade union policies — demonstrate that, as industrial capitalist classes articulated their concerns and at least cemented the productive and social relations which we know in our contemporary political economy, women were excluded from the same relations to employment *because they were women*. In traditional analyses, this has been explained away as "rational" on the basis that women in the workforce collectively posed a competitive threat to men, and that the rigours of domestic labour necessitated a full-time housekeeper and care-giver³. As an explanation, this is entirely unsatisfactory: it does not address basic questions. Why, for example, were women almost universally cheaper labour power than men? Why did unions refuse women as equal participants? Why, if women's cheaper labour is so economically viable for surplus extraction, have employers acquiesced in the face of union and political demands to marginalize and/or exclude women as workers? More specifically to this project, why is the Ontario Factories' Act of 1884 known as "protective legislation" when it was specifically women who were singled out for legislative protection? How did it come to be that women's factory labour represented a "problem" and the Factories' Act a "solution"? Who, or what, was and wasn't protected by "protective legislation"?

This thesis focusses on the ways in which gender relations informed the classed debates around the creation of a Factories' Act during Ontario's "industrial revolution". The processes and relations involved in this debate form "the politics of protection"⁴. Just as studies of British (and American) legislation have shown, the nineteenth century Ontario "politics of protection" indicate that the Factories' Act is neither just a class issue, nor just a gender issue. Intra- as well as inter-class struggles and alliances emerge within the various texts on women, factory employment, and protection: similarly inter- and intra-gender conflicts and consensuses materialize in the course of the debates. Organized working class men overtly expressed their antagonistic relationship to the "employing class", yet shared many sentiments with them on women's part in "the social evil". Middle class women shared with their male counterparts a paternalistic sense of women's need for protection, even as they attempted to intervene on behalf of their less fortunate sisters against the cruelty of exploitative and immoral men. In short, the "politics of protection" demonstrate the ways in which class was expressed in gender terms, and the ways in which gender identifications can be differentiated on the basis of class.

In order to understand these complexities, this thesis rejects the argument that capitalism is "sex-blind". An analysis of late nineteenth century Ontario seems to clearly indicate that gender is inseparable from class, and that class is inseparable from gender. To develop this theoretical analysis, it is necessary to reinstate both gender and class as dynamic *relations*, as opposed to static categories. Gender and class are seen as simultaneously occurring *organizing principles* of production: they are contemporaneous occurrences in all male dominated class societies, and take on specific temporal and spatial dynamics in different historical junctures. The "politics of protection" reveal both the implicit and explicit expressions of gender within distinct class concerns. This evidence serves as sufficient cause to question the validity of analyzing "gender ideology" as separate from, or in opposition to class relations. Rather, gender and class were mutually reinforcing in nineteenth century employment politics: they in fact appear as one continuous process of negotiation, mediation and identification. Gender ideology, then, is not used here as an analytical category (although it does appear as descriptive). This thesis works instead to build upon the particular social constructions of masculinity and femininity. In conjunction with these analytical categories, the social construction of skill will be utilized to demonstrate the materiality of gender-class relations, especially in terms of employment. Masculinity, femininity and skill are not merely notions, but in

fact find material expression in differing (i.e. gendered) relations to the workplace and household, and especially in the power and privilege involved in laying claims to employment, status and legitimacy. Chapter One will develop the theoretical position of a single process or — gender-class — account⁵ and elaborate on the ways in which the “new” analytical categories of masculinity, femininity and skill can help unpack the “politics of protection”. In the process of unpacking these relations, it will be found that “protective legislation” protected men’s claims to empowering employment relations — i.e. empowering in relation to women’s employment relations — at least as much as it provided specific “protective” provisions to women’s work environments.

Chapter Two provides a sketch of the political economy of the 1880s in terms of aggregate data on industrialization, women’s employment patterns, and union activity. Due to the nature of the thesis, which focusses on the “middle-range” level of analysis and therefore deals with unpacking the expressions, visions, and expectations of the political debate in order to map out the gendering of class interests, certain important elements are underplayed. Larger structural issues, such as the state, broad economic issues, and specific movements of employment opportunities are not fully incorporated into the analysis, but are left for further research. Similarly, in examining the working class, only those (mostly male) members who were already organized into unions are recorded in this historical account. This is another matter for further research: disaggregating the working class by region, ethnicity and trade would likely broaden and enhance the analysis made here. The evidence documented throughout the thesis serves as a starting point to indicate the need to expand upon this line of enquiry.

Also presented in Chapter Two is an introduction to the Factories’ Act of 1884. This thesis deals only with those provisions which impacted most directly upon the gendered relations of nineteenth century factory employment. This is not, however, the first research into the Ontario legislation, and Eric Tucker’s *Administering Danger in the Workplace* (1990) deals extensively with issues of the state and its ability to manage the legal and political needs of industrial capitalism. Because Tucker’s emphasis is occupational health and safety, however, he does not have the space to examine the specific relationships between men’s and women’s work, skill, and “protection”, even as he indicates the importance of such a task. This work, therefore, seeks to examine the Factories’ Act in this light, and in the new tradition of socialist feminist analysis.

Chapters Three and Four look to the issues of masculinity and femininity and of skill, respectively. The weight of the arguments around the “politics of protection” is found in these chapters. In

Chapter Three it will be demonstrated that shared and competing ideas on masculinity and femininity framed the political struggle for factory reform. Through this struggle, women were effectively defined out of the "normal" workforce and marginalized as wage earners. The social construction of women as "other" allowed unionized working class men to gain and/or enhance their access to employment, and thereby to the marketable skills which secured this privileged status. In Chapter Four, the varied articulations of the struggles over, and the protection found in skill will be examined.

It is important to note that the "politics of protection" involve the politics of struggle and consensus. That is, shared and competing ideas on masculinity and femininity and on skill, both across and between classes and across and between genders, created the specific climate for factory reform. Chapters Three and Four are therefore set up in such a way that these conflicts and alliances can be best demonstrated. Chapter Three will look at masculinity and femininity through the shared ideals across classes on gender, and the particular classed concerns on masculinity and femininity. Chapter Four develops the arguments around skill in the same way. It is felt that this method of comparison and juxtaposition best highlights the complexities of the "politics of protection". For example, unionists are clear on masculinity, but it is in middle class texts that constituent elements of femininity are more clearly defined. Moreover, no particular group monopolized any one particular concern; some issues were appropriated by one group from the next, and usually, issues such as morality and the ideal family are found conflated with economic rationales within the discourses between and among classes.

The intentions of the participants within factory reform debates remains an issue. To state that men deliberately set out to marginalize women, and/or that upper and middle class reformers purposefully excluded women from equal participation is considered here to be an oversimplification. Certainly within this thesis there is evidence which suggests such instrumentality. But the main thrust of the argument is that a variety of simultaneously occurring tangents, located both within and beyond the control of participants, provided the range of options available for factory legislation. That is, nineteenth century factory reform debates indicate the androcentric biases which shaped classed concerns, to the extent that class cannot be analyzed without looking to gender relations. Further, it is of the utmost importance that researchers and theoreticians avoid reproducing such biases in our analytical categorizations when trying to understand the various "contradictions" which make up the "woman question".

In the concluding Chapter — Chapter Five — issues for further research are raised. Certainly a gender-class analysis provides an opportunity to break down the relationship between deskilling and the feminization of the labour process. There are also implications for studies into the role of the state in implementing gendered legislation. Because my particular concern is on the debates around the perceived “problems” of, and “solutions” to female factory employment, the role of the state is largely overshadowed. Admittedly, the State used its power to define and manage the issues around female factory employment, the implications of which are worthy of research. Of particular concern to further research is the idea (presented here but not fully developed) of the state as organizing and managing social concerns, and categorizing the “problem” of female factory operatives into legal and administrative discourse. In so doing, it is suggested here, the state laid the framework for future interventions into women’s lives, especially (but not exclusively) in the form of welfare and, further, special provisions for women’s employment (such as Pay Equity). Certainly, the way in which the state legitimized androcentric concepts of employment rights, and acted upon them to the “satisfaction” (albeit in varying degrees) of its constituents (who were all male, with the exception of property-tied widows and “spinsters”) should be understood as a particular avenue of the state’s power to renegotiate and reconstitute gender relations in a male dominated class society.⁶ The gender-class analysis of the “politics of protection” begins the process in Ontario labour and women’s history whereby it will be possible to reinvestigate the multitude of dynamics which impact on the lives of classed and gendered actors.

Notes to Introduction

1. The Ontario Factories' Act of 1884 was also Canada's first child labour law, and a great deal of energy was expended on protecting children, especially from growing up stunted, deformed and incapable of becoming working adults. While much of the discussion around legislating children's labour inevitably drew in issues of women, this thesis will focus on the more direct impact, upon women's labour, and the specific gender-related debates which framed factory legislation. For a recent discussion of children and factory legislation, see Lorna Hurl "Overcoming the Inevitable: Restricting Child Factory Labour in Late Nineteenth Century Ontario" *Labour/Le Travail* 21 (Spring 1988):87-122.
2. The most recent debate concerning the "woman question" will be outlined in Chapter One. The socialist feminist arguments appeared in the pages of *Studies in Political Economy (SPE)* in 1982-83 and *New Left Review (NLR)* in 1984-85. Originating from critiques of Heidi Hartmann's "Capitalism, Patriarchy and Job Segregation by Sex" (Eisenstein, Z. (ed) *Capitalist Patriarchy and the Case for Socialist Feminism* New York: Monthly Review Press 1979:206-297), and Michelle Barrett's *Women's Oppression Today* (London 1980), feminists engaged in debate over the role of working class men and "protective legislation" in industrial capitalism. Among the debaters were: Pat and Hugh Armstrong "Beyond Sexless Class and Classless Sex: Towards Feminist Marxism" (*SPE* 10 (1982-83):7-43); Johanna Brenner and Maria Ramas "Rethinking Women's Oppression" (*NLR* 144 (1984):33-73); Michelle Barrett "Rethinking Women's Oppression: A Reply to Brenner and Ramas" (*NLR* 146 (1984):123-128); Jane Lewis "The Debate on Sex and Class" (*NLR* 149 (1985):108-120); Patricia Connelly "On Marxism and Feminism" (Hamilton and Barrett *The Politics of Diversity: Feminism, Marxism and Nationalism* Montreal: Book Centre 1986: 241-248 reprinted from *SPE* 12 (1983)); Pat and Hugh Armstrong "More on Marxism and Feminism: A Response to Patricia Connelly" (Hamilton and Barrett *Politics of Diversity: Feminism, Marxism and Nationalism* Montreal: Book Centre 1986: 249-254).
3. For an explication of this theoretical position, see Jane Humphries "Class Struggle and the Persistence of the Working Class Family" *Cambridge Journal of Economics* 1:3 (1977): 241-258, in which it is argued that the working class used the family as a buffer against the harsh realities of industrial capitalism. This argument is also put forth by Brenner and Ramas "Rethinking Women's Oppression" *NLR* 144 (1984):33-73. This theoretical position will be further discussed and critiqued in Chapter One.
4. Parr uses the phrase the "politics of protection" in *The Gender of Breadwinners: Women, Men, and Change in Two Industrial Towns 1880-1950* (1990), as a heading for Chapter Two. Parr's analysis and history is used extensively throughout this paper, and many of her observations are taken as strong indications of the necessity of finding a new explanatory framework. We likely use the term very similarly, but with different evidence and with a different historical focus.
5. The term "single process theory" originally appeared in Judy Low's "Not So Much a Factory, More a Form of Patriarchy: Gender and Class During Industrialization" (Gamarinkow, E et al. (eds) *Gender, Class and Work* London: Heinemann 1983: 28-45) as a description of the contemporaneous process of class and gender developments. To those concerned with the centrality of race/ethnicity in the class-gender system, I offer an apology and an explanation. Due to time and space constraints, I chose to focus specifically on the importance of gender in class identification, development and as a

relation of social organization. Yet, I accept all criticism that in limiting myself in this way, the analysis remains incomplete and perhaps will be interpreted as perpetuating racism in modern marxist theory. This, however, is not my intention, and certainly the project needs to be more fully researched in the future to assess racial/ethnic relations as they too occurred simultaneously in the class-gender process. In this vein, I offer the following four hypotheses: 1) that the notions of family economy and work identification would have to be modified in order to provide room for material and experiential variances according to race/ethnicity; 2) that skill could be kept as a key concept, extended beyond being a male-defined construct to include its inherent "whiteness" or "WASP-ishness" (in 1883 TLC proceedings, references are made to the male Chinese immigrants who were not "skilled" like their European counterparts); 3) that the text of racism would be classed, the middle-class being concerned with "good Anglo-Saxon progeny" (Sangster 1985:61), while the (male) working class maintained a defensive position against the "flooding of the labour market" (TLC proceedings 1883-1890); 4) that race/ethnicity would be gendered, since men and women, especially as immigrants, were concentrated into specific trades (such as Chinese men as railroad workers and European women as domestic servants). Therefore, the analysis found here, in which it is posited that class and gender are organizing principles within a specific mode of production would have to include the third social relation of race/ethnicity. For developed theoretical formulations on race, class and gender, see Roxanna Ng "Sexism, Racism and Canadian Nationalism" *Socialist Studies* 5: *Race, Class, Gender: Bonds and Barriers* (1989):10-25 and Angela Davis *Women, Race and Class* New York: Vintage 1983

6. For a contemporary example of the way in which the state and its agents do this, see Kinsman and Brock "Patriarchal Relations Ignored: A Critique of the Badgely Report on Sexual Offenses Against Children and Youth" *Canadian Criminology Forum* 8(1986):15-29; more generally, see Smith, D.E. *The Conceptual Practices of Power: A Feminist Sociology of Knowledge* Toronto: University of Toronto Press 1990

Chapter 1

Gender, Class and Protective Legislation: The Search for a Single Process Theory

The "woman question" is generally ignored in analyses of the class structure of society. This is so because, on the one hand, classes are generally defined by their relation to the means of production and, on the other hand, women are not supposed to have any unique relation to the means of production.

(Margaret Benson "The Political Economy of Women's Liberation" 1969
(reprinted Monthly Review December 1989:31))

Margaret Benson's 1969 attempt to address the "woman question" in Marxism was a pioneer venture for Western socialist feminists. Since then, feminist scholars have increasingly focussed on the particular dynamics of gender relations in class society. On the most basic level, it is overwhelmingly apparent that the existence of a system of male domination within or alongside capitalism begs closer examination of women's class location. Further, this examination must treat the oppression women experience as *women* on the same analytical level as the exploitation of women as members of a *class*.

This thesis attempts to contribute to the investigation of the "woman question" and draws upon two concurrent streams of theoretical and historical enquiry. First among these streams is the socialist feminist investigation into the relationship between class and gender and particularly those works which seek out an integrated or "single process" theory to account for women's particular oppression in an industrial class society. There are two levels to this form of analysis. At the abstract analytical level, questions are raised about previous marxist and/or feminist investigations; more concretely, these questions are directed to the historical evidence of nineteenth century industrial societies. This thesis reproduces this complementary duality. Therefore, because these works, cited here as the *SPE/NLR* debates, look to protective legislation in Britain and the United States, this thesis will "bring home" the analytical insights by testing them against the Ontario Factories' Act. Yet, while the contributors to the *SPE/NLR* debates raise some important theoretical questions in order to reassess women's class location, it will be argued here that the nature of the debate itself precluded the possibility of finding a totalizing theory to answer the "woman question". Further, the enormity of the task before the contributors resulted in a misleading set of questions of the historical evidence. An examination of the struggles around protective legislation cannot be expected to provide complete answers to the emergence of the "woman question"; it does, however, reflect a process

which may indicate the erroneous assumptions which gave rise to the "woman question" in the first place.

Therefore, the identifiable problems in the debates need not be seen as gaps, but as building blocks. Drawing upon recommendations and suggestions from the debaters themselves, this thesis incorporates the works of socialist feminist analyses which are outside the pages of *New Left Review* and *Studies in Political Economy*. These corresponding analyses form the second stream of enquiry which informs this particular examination of the Ontario Factories' Act of 1884. This chapter will assess the recent socialist feminist debate and demonstrate the ways in which new analytical categories, specifically masculinity, femininity and skill, can be utilized in the process of building an historically accurate explanatory framework capable of dealing with the "woman question".

Overcoming the "Enigma" of Women

At best, traditional marxist-informed political economies have utilized "sex blind" categories in assessing capitalist class relations (Armstrong and Armstrong 1982-83:7); at worst, marxism itself has been a sex-blind methodology. Socialist feminist scholars have concerned themselves with finding a "space" for women within a marxist paradigm. This has proven to be a difficult and contentious task. As Hartmann correctly points out, "[t]he woman question has never been the feminist question" (1981:3).

If the "feminist question" refers to women's relationship to men, and the "woman question" refers to women's relationship to an economic system, is it possible to find a synthesis which deals with both gender and class dynamics in a male dominated class society? This project — the search for a unified and totalizing theory — has been the focus of socialist feminist literature over the past decade. The unifying theory, referred to here as the single process theory (elaborated in the next section), can be distinguished in its emphasis and line of inquiry from its theoretical predecessor, the dual systems model¹. This section will outline the analytical characteristics which define the current search for a theory, especially in terms of the protective legislation era, and assess the importance of the individual contributions.

Heidi Hartmann, a dual systems theorist, attempted to tackle the "woman question" through an investigation of protective legislation in nineteenth century Britain and the United States. In her 1979 article "Capitalism, Patriarchy and Job Segregation by Sex" (in Eisenstein (ed) *Capitalist*

Patriarchy and the Case for Socialist Feminism New York: 1979:206-297). Hartmann critiqued both marxist and feminist analyses, and looked to working class men's union policies of gender exclusion which marginalized women's employment relations in industrial capitalist societies. Her explanatory framework ran as follows: capitalism and patriarchy exist as autonomous spheres of oppression which work, sometimes harmoniously and sometimes separately, to doubly subjugate women, and especially working class women. Turning to the historical evidence, Hartmann argued that exclusionary trade union policies and protective legislation had a two-fold or dichotomous nature, a result of both patriarchy and capitalism. Industrial capitalism displaced men and women from traditional economic pursuits, but not equally; similarly industrialization transformed the traditional male authority system of the household/production unit. As workers, men organized to reassert both economic and familial security by controlling women — i.e. excluding them from trade organizations and skill definitions and by seeking protective legislation for women only. Hartmann argued that while it was *capitalist relations* which organized the new class structure of workplace and household, it was *patriarchal relations* which informed men's struggle to control women. According to Hartmann, *working class men had a vested interest in women's subordination*, because only with a subjugated female working class could working class men ensure that women would provide free personal services in the household. As a result of patriarchal relations, working class men acted to exclude, rather than include women in labour actions and organizations.

Hartmann's historical analysis is not without merit. Her focus on organization and skill construction, as well as pointing out the intra-class, inter-gender struggles — i.e. that working class men and women may have different interests and experiences within capitalist relations — are important and valuable insights. However, because she situates herself in a dichotomous analysis of capitalist and patriarchal relations, her larger findings based on the historical evidence are subject to substantial critique. Foremost among these is a lack of attention to the processes involved in demystifying the specific relationship between capitalism and patriarchy, which leaves these distinct spheres with the appearance of working at cross purposes — i.e. the contradictions of the "woman question".

Pat and Hugh Armstrong responded to Hartmann's article in a way which reflected the shift of socialist feminist analysis away from dual spheres towards a unifying theory ("Beyond Sexless Class and Classless Sex: Towards Feminist Marxism" *SPE* 10 (1982-83):7-43). In response to Hartmann's

analysis of patriarchal relations, the Armstrongs rejected patriarchy as a transhistorical and therefore theoretically problematic term. Instead, they argued in favour of an integrated form of analysis which conceptualized patriarchy and capitalism — or gender and class relations — as the *same system*. In turning to nineteenth century society, however, the Armstrongs were less interested in sorting out a historically accurate theory as elaborating on how such a theory might work. They put forth the politics of biology to be analyzed as a marxist category which had yet to be adequately addressed. Theorizing on how this might be possible, the Armstrongs presented biology as a two-levelled category. Abstractly, they argued, biology should be seen as a *pre-requisite* component of the capitalist requirement of free wage labour, since the free wage labour relation itself requires some sort of separation between production and reproduction, and only women are biologically capable of reproducing. Therefore, *in the last instance*, the sexual division of labour is necessary, integral and pre-requisite to capitalist class relations. From here, concrete investigations need to occur about the way in which biology shapes and is shaped by other social relations (they give examples of differing historical struggles around birth control, voluntary motherhood, childcare, abortion, family size and the shifting values of all of these).

Significant developments in marxist feminist analysis are reflected in the Armstrong's work. The importance of expanding analytical categories to actually include women and the sexual division of labour, instead of merely adding women on to old categories is a significant advance in social feminist theorization. Questioning the validity of the assumption that capitalism is sex-blind in the first place is a tremendous undertaking and, as argued further on, is a task worth pursuing. However, the Armstrongs fall prey to their own warnings. While criticizing Hartmann's use of patriarchy as separate and distinct from capitalism on the basis that this confuses the process of social relations as they occur, they end up prioritizing capitalist class relations over gender dynamics. By arguing that the capitalist process of commodity production (including labour power) must have "pride of place" (p. 10) in any marxist feminist analysis, they cannot and do not address the importance of deconstructing the gendered class struggle which resulted in the historical and social devaluation of biological reproduction in class societies. Thus, Hartmann's important insights about working class men's role in women's marginalization from production relations are not addressed as they could be — i.e. in the context of an analysis which sees gender and class as products of the same system. Although the Armstrongs do warn against conceptualizing men's wage relation as a privilege in a

mode of production which forces the sale of labour power, they do not address Hartmann's analysis of why or how this wage relation came to be a position of relative power (i.e. in relation to a lack of or a hindered relation to the wage). Finally, as the Armstrongs acknowledge, politicizing biology can come dangerously close to biological determinism, and while they emphatically stress that this is not their intention, this is a much critiqued point (Lewis 1985). Brenner and Ramas similarly use biology as a theoretical starting point, and arguably blur the distinction so carefully set out by the Armstrongs.

Brenner and Ramas enter this debate from a different direction by offering a critique of Barrett's 1980 *Women's Oppression Today* ("Rethinking Women's Oppression" *NLR* 144 (1984):33-73). Two central themes emerge from Brenner and Ramas' article: first, a reassessment of the value of examining protective legislation politics; and second, a discussion of the politics of biology. Addressing themselves to Barrett's work, they question the impact of working class men's actions on the creation and institutionalization of the sexual division of labour. They rightly argue that working class men were not homogeneously arrayed against women: very few unions were strong enough to make their claims heard in nineteenth century politics and many examples of inclusion of women coexist with other male union policies of exclusion. They argue that emphasizing working class men's role is "inadequate, insufficient and plain inaccurate" (p.46). Instead, they argue, the focus should be on the politics and experiential exigencies of biology. Biological reproduction, with all its attendant social meanings of maternal responsibility for full time child care "posed a significant barrier to the full development" of women's proletarianization (p.48). Brenner and Ramas continue this line of argument by suggesting that the nuclear family/household system emerged as a rational survival strategy for the working class, whereby the full time labours required by housework and child care could be attended to, while other (male) members of the household could enter the wage relation in order to support the material needs of the household/family form. Following this logic, single women's labour was cheaper because women's work lives were determined by their future role as mothers and wives. Employment was therefore temporary for this sector of the working class. According to Brenner and Ramas, this process became self-reinforcing: if women earned less as single women, then leaving the workforce to become mothers was a more viable economic option than attempting to survive on women's wages.

There are an enormous number of problems with Brenner and Ramas' argumentation. It is unclear whether women earned less than men because they were (or became) mothers, or whether

women became full time, unpaid mothers because they earned lower wages. Instead of following the Armstrongs' lead of seeing gender and class relations as the same system and introducing biology in this light, they attempted to seek out a material and causal basis for women's oppression, and prioritized the "capitalist drive for profit" (p.62) — i.e. not gender interests — as the primary oppressing mechanism. That is, Brenner and Ramas have, in effect, reconstituted the dual spheres approach, lending primal causal agency to class over gender. Within this framework, and equally problematic, is their presentation of the household/family as an undifferentiated unit, as is the suggestion that working class men and women mutually created the family/household (which remained an undefined concept in their article). That is, there is no recognition of the relative power wielded by men and women *within* the family/household (or in the process of its emergence) arising out of differential authority structures based on gender. Again, women's gender oppression is subsumed to their class exploitation.

More specifically to this thesis, Brenner and Ramas' dismissal of the impact of protective legislation raises several important points. First among these is that not all working class men were in a position to, or acted to exclude women workers. Second, Brenner and Ramas indicate that more than mere "patriarchal interests" influenced the sexual division of labour and specifically cite collective class mediation of the harsh realities of industrial capitalism through the household/family form. But, there are also problems with their use of the historical evidence. In the first place, they warn against lumping all working class men together, but then assess women's interests on the basis of the conditions of married women with children. In reality, women in the labour force were mostly single. More specifically to this project, in the Ontario case, the question of married women's role almost never arose, with one nineteenth century women's organization stating that (fortunately) it was not an issue in Canada as it was in Britain (NCWC 1900:102). In the attempt to create a totalizing theory, this is an important distinction because it raises the hypothesis that male interests in women's work was not necessarily a statement on women's role in marriage, but likely more of a reflection on women and work generally. Finally, Brenner and Ramas dismiss the protective legislation era on the basis that findings from these political struggles are insufficient to argue that protective legislation "underlay the formation of the sexual division of labour in the nineteenth century" (p.47). Certainly this is true: the *formation* of the sexual division of labour lies outside this time period. But it remains valid to ask what role protective legislation politics played in legitimizing and concretizing

the sexual division of labour as "natural", and why these particular processes occurred to the exclusion of other possibilities.

Jane Lewis recognized this question in "The Debate on Sex and Class" (*NLR* 149 (1985):108-120) in which she synthesized the above debate. In recounting the analytical developments and reviewing the historical evidence, Lewis argued in favour of examining the politics of protective legislation and the nature of the class struggle around working class women's relationship to employment and the household. For Lewis, the central question had now become "the complex dynamic of the relationship between gender ideology and class" (p.108). New contradictions begin to appear alongside the "woman question", especially in terms of the role of working class men. Organized male workers are characterized by Lewis as being pulled in several directions at once: they are seen as having legitimate concerns over women's cheaper labour and lack of skill, but at the same time as "ambiguous" at best in terms of their treatment of women as equals (p.110). Lewis, therefore, resurrects the notion of "gender ideology" — i.e. shared social ideals on men and women — which informed working class men's decisions and which led employers to engage in discriminatory and seemingly "irrational" hiring practices (p.114). Lewis argued that the contradictions which form the "woman question" arose out of the cross-cutting of class interests and gender ideology. Finally, Lewis critiqued Brenner and Ramas for failing to disaggregate by gender the working class household form, and suggested furthering the analysis by analyzing class and gender as simultaneously occurring relations.

While Lewis' piece is largely a synthesis of previous works, it is possible here to critique "gender ideology" as the analytical equivalent to class. Gender ideology is a problematic term because it is too reminiscent of dual systems models, which saw patriarchy as ideological and class as material. Thus, even though Lewis suggests a single process theory, her account leaves little room for such an attempt. As long as gender is seen as an ideological opponent to the logic of capitalism, an integrative analysis remains unattainable.

There are a great many valuable insights and contributions to be learned from this debate, and a great many spaces upon which to build². Most specifically, issues around protective legislation require careful examination. It is evident from the debates that it would be unwise to look at the "politics of protection" as a creative force of the sexual division of labour in industrial capitalism. However, the range of issues which do emerge as part of the "politics of protection" would indicate

that the sexual division of labour was reconstituted in the process of defining legislative requirements for factory labour, and especially women's labour in factories. Similarly, the debates illustrate the problems which arise out of analyzing "gender ideology" as an explanatory and complementary sphere to class relations. Gender ideology obscures the simultaneity so often identified within the debates on class struggle and protective legislation. Despite efforts to find a non-dualistic explanation for the "politics of protection", all the contributors to the debate did eventually reproduce the dichotomy of class and gender which they were trying to overcome. Instead of finding a totalizing theory, the debaters expended most of their energies in attempting to reconcile what Parr calls sets of "galloping pairs" (Parr 1990:9). As indicated, but not completely accomplished in the pages of *New Left Review* and *Studies in Political Economy*, socialist feminist analysis needs to move beyond a presentation of working class women as situated between binary structural elements such as material/ideological determinants, employment/familial relations or work/women's work. A single process analysis is necessary to an understanding of the protective legislation era.

Building Toward a Single Process Approach

The "woman question" can be rephrased in such a way that it is not necessary to reconcile apparently contradictory trends in industrial capitalism. To present the capitalist class relations not as sex-blind, but as central to gender relations and to present gender relations not as outside class, but central to class relations must be the goal of a single process theory. To start, it must be made clear that men have not had a normal classed experience from which women have been excluded, but have had a *male experience*. This male experience can only exist if women have had a *female experience* in class society. Similarly, to rephrase another recurring dichotomy in past analyses, it is necessary to reevaluate the validity of counterposing such dynamics as "work" and "women's work"; to acknowledge that such distinctions occur — i.e. "women's work" must, by definition, be something other to ordinary (male) work — is to recognize that traditional analytical categories have had an androcentric base. (This does not mean that there is not a *descriptive* distinction, but that it is necessary to be more rigorous in the presentation of *analytical* categories.) An examination of protective legislation guides the analysis toward demystifying the centrality of gender in the very process of formulating such definitions, including, but not restricted to, the "woman question". The rejection of these "contradictory tendencies" necessitates an alternative framework: an interactive, or relational assessment of the simultaneous process of class-gender³ construction and development.

It is important to remain mindful of Brenner and Ramas' critique of any analysis of class in which classes are presented as static or homogeneous "groups" with automatically defined interests. Classes are dynamic and diverse, and engage in intra-as well as inter-class struggles and antagonisms. The working class, for example, is stratified on the basis of such elements as skill, level of organization and/or unionization and gender. This diversity creates variances, both materially and experientially. These differing social relations and experiences are constantly renegotiated and mediated by the people living within them.

It is of the utmost importance to reinstate class as a *relation* of production. That is, class is an *organizing principle* within the social relations of production: as such, it is temporally and spatially specific (Mackenzie 1986)⁴. Class is not unique to capitalism; it has been a relation in other modes of production, such as feudalism, or guild capitalism. It is the way in which class relations organize the social relations of any given mode of production, in accordance with the means of production, which makes it unique to any given society (in this case, early industrial capitalism in Ontario). Further, to assume that this relation is merely imposed upon those people living within it, that is, to "believe the wholeness of consciousness and experience" (Parr 1990:8) by denying human agency would be crudely oversimplistic. As an organizing principle, there is room within class relations to define the ways in which people, or specific groups of people may experience the nature of their class. Moreover, this may be done without fundamentally challenging the objective reality of class oppression. Rather, oppression may be mediated in a myriad of ways. It is significant that the working class and middle and upper classes of the 1880s proceeded to define themselves and mediate their class relations along gender lines.

Gender too must be understood as an organizing principle within social relations of production (Lown 1983; Acker 1988; Ng 1989; Parr 1990). As with class, gender is a social relation which predates capitalism. And, as with class, the specific nature of gender relations, although almost always a system of male domination, is particular to a given mode of production. An examination of the ways in which gender organized production within other productive modes, such as pre-industrial capitalism, can inform an account of the various forms of the articulations of the gender-class system. It is thereby possible to locate the historical significance of both gender and class in production. In all economic systems in which production was centred in or around the household, such as feudalism, guild capitalism, and subsistence agrarian production, the specific sexual division of labour, and

corresponding nature of male authority defined the labour process, production methods and rewards system involved (Lown, 1983; Middleton 1983; Hartmann 1979). Guild-style production provides an excellent opportunity to assess the gender-class relations — both paid and unpaid — of the labour process in order to illustrate the single rather than dichotomous process by which these relations occurred. Several single-process accounts, and even dual systems models focus upon guild capitalism in Britain in order to map out women's role in industrial transformation.

In guild capitalism, the household and the production unit were one and the same thing. Women and men entered into an (unequal) partnership through marriage and kinship ties to engage in economic activity. Women's work was *necessary* for production, even if it was only men who could lay claims to the status and power relationships involved in craft output. It was not "just" housework which occupied women. Women were unofficially recognized as "masters" in the labour process: they performed preparatory and finishing tasks, oversaw production, housed apprentices, performed book-keeping functions, and are even recorded as taking over the trade in lieu of a male master (Middleton 1983) — all this despite being barred from entry into most guilds, which controlled their numbers and trade on the basis of gender-exclusive policies (Middleton 1983; Hartmann 1979). Because production was not performed away from the household, a woman had access — at least informally — to the skills and labour process of their husband's (or father's) trade.

More than this, however, the way in which gender relations organized the household was the same as the way in which the labour process was articulated. *The sexual division of labour of the household was the labour process of the productive relations.* The relationship between men and women as household members and as producers "was both economic *and* familial" (Lown 1983:30). But, of course, the relationship was not equal. Only men could lay legitimate claims to authority and work-identity. The division of labour was based on gender: at once personally and politically, at once inside and outside the household form, at once classed and gendered. "[F]amilial relationships were...used as an organising principle of workplace relations" (Lown 1983:34).

If we understand this mechanism to be constant throughout class societies, then it is not necessary to ask of industrial capitalism *whether* gender relations are intrinsic to capitalist class relations, but rather *in what way* is the gender-class system articulated, especially when production no longer occurs in the household?

As a production system, industrial capitalism is unique in that it involves the conceptual and physical separation of household and workplace. This separation mystifies the theoretical and experi-

ential links between the “spheres”, with the privatized, unpaid work of the household and the public paid work world appearing as autonomous — and gendered — realities. Yet, women and men do not organize and mediate their lives independently of either of these spheres. Rather, women and men are both classed and gendered beings whose actions and consciousnesses are created by relations to and experiences in both locations. Thus, instead of dichotomizing the spheres of economic and social activity as traditional theorists have done, marxist feminists can look to the household and workplace as dynamic and interactive. This means it is necessary to re-examine the relationship between work and family and men and women within male dominated capitalist production. The single-process theory, which does not differentiate *causally* between the social relations of class and gender, and which does not subsume one to the other, opens up the space required to map out the links between male and female experiences and material interests.

Gender relations inform class relations at the same time as class shapes the nature of male domination (i.e. both within and between classes). If class and gender are conceptualized as organizing principles of the social relations of production, it becomes possible to achieve the stated goal of the *NLR/SPE* contributors: a more holistic, “non-sequential” understanding of the lived experiences of social agents and subjects. “We exist simultaneously, rather than sequentially, in the social relations of class and gender” (Parr 1990:8). The single process theory does not identify the relations of class and gender as autonomous, or dual spheres, and more importantly, does not reproduce traditional dichotomies in the analytical framework and categorization. Class and gender are not separate mechanisms of oppression which can work together to create “illogical” dynamics in a supposedly gender-blind process of accumulation. They represent a continuously interactive, contemporaneous process of class-gender social relations.

With a single process theory it is possible to conduct an examination of the relationship between the social construction of meanings, or “subjective” experience, and the “objective” oppressions of male dominated capitalist society. Building upon the Armstrongs’ analysis, this thesis similarly rejects “a false dichotomy between ideas and reality” (p.9). Indeed, the focus of the chapters to follow is the conscious construction of experience and realities, in order to unpack the gendering of “class interests”. For again, class and gender are not definitive structures, but are frameworks through which lived experiences can be mediated and acted upon. Certainly a class-gender system provides a context for hierarchy, a sexual division of labour and a system of domina-

tion/subordination. In essence, the class-gender process provides a range of possibilities for political choices within which social beings may act. And, of course, not all things are possible (Jenson 1989; Scott 1988).

Masculinity, Femininity and Skill

If the "grand level" of theory is directed toward an emphasis on the relational aspects of gender and class, then the analytical categories which emanate from the larger theory must be similarly directed. In translating the single process account into an historically accurate framework for late nineteenth century Ontario, I have found that the relational politics of masculinity/femininity and skill/unskilled framed the bulk of the articulated mediated experiences of the participants in 1880s debates on factory reform, "women's work", and employment and familial relations. That is, as industrial classes developed and engaged in a process of self-definition in reference to the conditions of factory employment, the articulated struggles and alliances were based on the socially constructed and experiential aspects of masculinity and femininity and of skill.

In her interpretive synthesis of the *SPE/NLR* debate, Patricia Connelly ("On Marxism and Feminism" in Barrett and Hamilton (eds) *The Politics of Diversity* Montreal: 1986:241-48) suggests that further studies into a single process account should "direct our focus to...the issue of the construction of femininity and masculinity" (p.248). These social constructs are more analytically useful to the kind of analysis presented here than either "patriarchy", which is transhistorical and which therefore obscures the specific nature of women's oppression in specific historical junctures, or "gender ideology" which, as in the *SPE/NLR* debates, is often used to denote a set of beliefs which are inconsistent with, or even in opposition to material class relations. Because this thesis rejects the duality that is implied (at least) by either patriarchy or gender ideology, the specific relations of masculinity and femininity are taken up in their stead. A complete discussion of the operationalization of these relations appears in Chapter Three. Here, it will suffice to reiterate the consistency of utilizing masculinity and femininity as an analytical categorization within a single process account. Just as (male/ordinary) work cannot exist without the existence of women's work, or (paid) employment relations cannot be conceptually differentiated as distinct unless in relation to (unpaid) familial relations, so too masculinity cannot be established unless there is a distinct femininity. Although the scope of this thesis prohibits the possibility of mapping out all the expressions of

masculinity and femininity in late nineteenth century Ontario, an examination of the ways in which these social constructions framed the gender-class debates around factory reform illuminate the possibility of bridging the analytical gaps between the lived experiences of men and women in their social and economic realities.

The social construction of skill is a more utilized category in marxist feminist tradition. It is invoked by Hartmann, Brenner and Ramas, Lewis, and Barrett, as well as framing the scope of other independent feminist historical and/or sociological accounts into women's class location (Gaskell 1986; Steedman 1986; Cockburn 1983; Parr 1988,1990; Tillotson 1990,1991). A full discussion of the specific politics of skill as they contributed to the larger "politics of protection" will be elaborated in Chapter Four. In the context of a single process account, and especially in reference to protective legislation, skill becomes an extremely important analytical category. Obviously, skill can only exist if someone or something is defined as less or un-skilled. Yet, of equal importance is the corresponding nature of skill in relation to the "woman question". On the one hand, women have not been fully proletarianized, but on the other, those women who do enter the wage relation are almost universally found in less skilled, or less valued sectors of the economy than men. This cannot be a mere coincidence. Thus, a socialist feminist analysis can either broaden the "woman question" to incorporate the specific nature of women's involvement in the wage relation or, alternatively, in questioning the validity of a sex-blind capitalism, ask not only how women experience their class and gender, but also how men's experiences are contingent upon those of women. To do this, in fact, is to turn the "woman question" on its head; that is, instead of asking why women have been excluded from the same productive and social relations which men have experienced, it is possible and valuable to ask how men have experienced women's class location.

Indeed, this question is the heart of the "politics of protection". In presenting this alternative to the "woman question", and by emphasizing a single process account and the specific relational aspects of masculinity, femininity and skill, this thesis can bypass the prioritizations of *either* class or gender which have characterized previous analyses of protective legislation. It is unnecessary and even misleading to attribute a causal agent to women's marginalization through middle and upper class (male and female) and working class agendas on protective legislation. Rather, through an understanding of the inter-related dynamics of masculinity, femininity and skill of 1880s Ontario, it is possible to map out the androcentrism inherent in class politics. Specifically, gender legislation as

reflected in the Ontario Factories' Act of 1884 was possible because the social definitions — both shared and contested — of employment and family/household, skill and masculinity and femininity were gendered themselves. The terrain of struggle was at once gendered and classed. An analysis of the politics of masculinity, femininity and skill — or the “politics of protection” — allows for the demystification of the links between gender and class, by illustrating the centrality of gender to class, and of class to gender. It is this demystification process which is the single process theory.

Notes to Chapter 1

1. Dual systems models are well known paradigms, forming the bulk of socialist feminist theory throughout the 1970s. As will be explained in the body of the paper, dual systems theories conceptualize capitalism and "patriarchy" as autonomous but symbiotic spheres of oppression, which operate in such a way that women, and particularly working class women are doubly oppressed, first by capitalism/class and secondly by "patriarchy". Heidi Hartmann's "The Marriage of Capitalism and Patriarchy" (in L. Sargent (ed) *Women and Revolution* London: Pluto Press 1981:2-41) is a good example of some of the arguments of dual systems theorists, although it should be noted that dual systems accounts represent a methodology, not a unified theoretical body. One of the most articulated and best known formulations to spring from dual systems was the domestic labour debate, which emphasized women's household labour, and which argued that its privatized and reproductive nature was in fact functional to capitalism. An excellent anthology of the domestic labour debate is found in Bonnie Fox (ed) *Hidden in the Household* Toronto: Women's Press 1980. For a critique of the way in which marxist categories, especially "value" and "reproduction" were used in the domestic labour debate, see Armstrong and Armstrong "Beyond Sexless Class and Classless Sex: Towards Feminist Marxism" (*SPE* 10 (1982-83):7-43). For a critique of dual systems models, including a complete literature review, see Iris Young "Socialist Feminism and the Limits of Dual Systems Theory" *Socialist Review* 10 (1980):169-188. To reiterate, although dual systems accounts did not represent a cohesive body of thought, in this theoretical discussion Hartmann's 1979 account "Capitalism, Patriarchy and Job Segregation by Sex" (in Eisenstein (ed) *Capitalist Patriarchy and the Case for Socialist Feminism* New York: Monthly Review Press 1979:206-297) will be invoked as characteristic of this mode. This is done for two reasons: 1) it initiated the *NLR/SPE* debates, since the Armstrongs responded to Hartmann's article; 2) Hartmann used protective legislation as her evidence, which not only influenced other debaters, but which provides the opportunity to assess the use of historical evidence with a particular eye to the subject matter utilized in this thesis.

2. There are three other articles which are officially part of the debate but which are not laid out here. Barrett's "Rethinking Women's Oppression" (*NLR* 146 (1984):123-128) is a defense and response to Brenner and Ramas' critique of *Women's Oppression Today*. It is not included here because the defense is not set out in such a way that contributes to the particular arguments in this thesis: Barrett largely succumbs to the dualism of gender ideology and class materialism as outlined in Lewis. Connelly's "On Marxism and Feminism" (Barrett and Hamilton (eds) *The Politics of Diversity* 1986:241-48) is a synthesis of the debate. Connelly stresses the importance of the contributions, and makes some suggestions which will be built upon later in this chapter. Pat and Hugh Armstrong responded to Connelly ("More on Marxism and Feminism: A Reply to Patricia Connelly" in Hamilton and Barret (eds) *The Politics of Diversity* 1986:249-254), but their contribution mainly serves to clarify their position outlined in "Beyond Sexless Class..." against Connelly's characterization of their arguments.

3. Class-gender and gender-class will be used coterminously throughout this work and are not intended to denote a primacy of one relation over the other. Single process analysis and gender-class (/class-gender) analysis will also be used coterminously.

4. Mackenzie uses this language to address the social significance of the physical environment in which social subjects and agents live, in order to underline the significance of feminist methodology in everyday life (Mackenzie, S. "Women's Responses to Economic Restructuring: Changing Gender, Changing Space" in Hamilton and Barrett (eds) *The Politics of Diversity* Montreal: 1986:81-100). I have taken the liberty of expanding on her ideas of time and space, bringing them into the theoretical realm of classed and gendered relations.

Chapter 2

An Introduction to 1880s Ontario: Employment, Women, Unions and the Factories' Act Response

Any attempt to specifically locate the movements of capital, the process of industrialization, and the employment opportunities for women within the 1880s will meet with formidable statistical obstacles. The *Royal Commission on the Relations of Labour and Capital (RCRLC)* of 1889 strongly recommended that some form of unified data gathering be implemented by the federal and provincial governments. Censuses of this period were, in fact, behind the times: this alone indicates how rapidly the social relations of production were changing. The Canadian census, published once a decade, focussed more on aggregate numbers with reference to output, trade surpluses, and rates of tariffs and seldomly disaggregated the figures. Those occupations classified as "industrial" changed constantly. "Hands employed" was rarely broken down systematically; there were occasional examinations by age, sex, or industry, but these seemed to be almost arbitrarily chosen categories, with little rigorous cross-referencing. Demographic tables were prognoses of future generations of Canadians, with emphases on numbers of "marriageable spinsters" (women over 15) and bachelors (men over 20), the number of potential soldiers, rates of fertility and infant mortality, and proportions of immigrants to "Canadians" (Census of Canada 1881;1891).

This chapter then, cannot provide any complete overview of 1880s Ontario. It does, however, provide a sketch of some important industrial and social developments of this period that are directly relevant to the project at hand. There are some very good statistical collections in both the primary and secondary source material. I have combined the findings of each with the aim of creating an overview of the political economy of the 1880s.

Aggregate Data

Between 1871 and 1891 Ontario unequivocally experienced the industrialization process. The number of manufacturing establishments increased by 68% — from 19,118 in 1871 to 32,151 in 1891 (Tucker 1990:14). The contribution of manufacturing to "value-added" rose from 19% of the GNP in 1870 to 23.5% in 1890 (Kealey and Palmer 1987:29). While the Canadian population grew by 25% between 1871 and 1891 (from 3,635,024 to 4,833,239), the number of factory operatives increased by 49% over the same period (from 187,942 to 370,556) (MacLean 1899-1900:173). The proportion of

workers per establishment rose (Tucker 1990:14) indicating the increasing size of factories and the corresponding centralization of capital investments. Large urban centres began to account for the lion's share of the new investments: Toronto and Hamilton each accounted for 20% of industrial employment in Southern Ontario, even though they only contained 6.5% of the region's population (Tucker 1990:14; Kealey and Palmer 1987:35). These criteria indicate that "the 1880s were an extremely significant moment in the historical rate of growth, surpassed only by the boom years of 1900-1910 and 1926-9" (Kealey and Palmer 1987:29).

Yet, if the economic indicators and aggregate data tell us the 1880s were a decisive period in general, they do not speak to the way in which this upheaval was experienced. Most importantly, this transformation was uneven in its development. As industrial capitalism came to the fore, it continued to coexist and compete with less mechanized, less centralized forms of production. Agriculture remained the primary economic pursuit of most Canadians (Census 1881;1891): in the context of the total labouring population of Ontario, manufacturing only claimed 23% in 1891 (an increase from 19% in 1871) (Tucker 1990:14-15). Most firms employed fewer than 10 "hands": in Ontario, "[o]nly cotton mills, with 160 workers per unit, and locomotive works, averaging 135 hands in each establishment, were of factory size" (Kealey and Palmer 1987:36). Mid-size factories, such as tobacco works, foundries, hosiery mills and printing offices, employed, on average, between 14 and 23 workers (Kealey and Palmer 1987:36). This becomes a very important factor when we begin to look at the Factories' Act, which originally specified that only those establishments with 20 or more workers would qualify under the provisions of the legislation. It is interesting to note that textile- and clothing-related industries, tobacco works and print shops — i.e those establishments which were most likely to employ a larger number of workers — were also those where women were most likely to be employed.

Industrial Occupations for Women

It is very difficult to gauge women's real contributions to the labour force, since many of their traditional pursuits were not counted in the various censuses. Housework, of course, was not categorized, nor was women's participation in agriculture and family production units. Piece work and homework were sometimes included, if they could be found; women's "informal" economic activities, like charring, laundry services and housing boarders were occasionally listed, sometimes as specific occupations, sometimes under the general rubric of "service occupations". The number of

industrial occupations open to women were, "by custom", extremely limited (NCWC 1900:36)¹.

There are general estimates and statistics about women's labour force participation which we can (and will) use, but we need to understand that they are incomplete, and that data collection is not genderless in its methodology.

In total, women constituted only 13.2% of the Ontario workforce in 1891 (Dubinsky 1985:20). Interestingly, however, women commanded a higher proportion of industrial employment relative to their total labour force participation than men: 35.7% of all women employed could be found in industry, compared to 20.1% of all gainfully employed men (Census of Canada 1891:383). This figure likely can be attributed to two trends: first, many of women's occupations were not counted in census figures, especially agriculture; and second, women's employment opportunities were more restricted than men's. Still, the industrial sector did not employ most working women. In 1891, 43.6% of all working women found employment in "personal service", a category which covered domestic servants, teachers and nurses, and likely charwomen, midwives, etc. (Cohen 1988:170). Manufacturing, however, was the second largest occupational category for women.

Women were not evenly distributed across the industrial labour force. Rather, they were concentrated in a relatively small range of employment. Table I indicates the industrial possibilities for women.

Table I

<i>Industry</i>	1871		1881		1891	
	<i>Females</i>	<i>%</i>	<i>Females</i>	<i>%</i>	<i>Females</i>	<i>%</i>
Tailor and clothiers	3,803	61	5,476	64	8,160	64
Dressmaking and millinery	2,023	95	4,574	98	10,438	98
Wool and cloth	1,535	42	2,441	47	2,963	50
Boots and shoes	704	11	589	10	410	10
Furriers and hatters	356	65	421	64	694	66
Cheese factories	332	37	287	18	175	9
Straw works	325	87	105	76	29	71
Cotton factories	303	61	1,094	56	1,230	49
Bookbinding	215	59	381	59	380	48
Tobacco working	176	25	244	21	216	38
Hosiery manufacturing	174	71	928	71	367	69
Fruit and vegetable canning	—		—		1,320	73

Source: Census 1871, iii, Tables 28-52; Census 1881, iii, Tables 29-54; Census 1891, iii, Table 1

In addition to their high concentration in a relatively few occupations, age was a large factor for women's employment opportunities. The Ontario Factories' Act was, among other things, Canada's first child labour law. Children were an essential part of the early Ontario manufacturing process. Men, however, remained in gainful employment — or at least were considered eligible for it — all their lives: women, for the most part, were expected to leave work upon marriage. One social commentator of the time announced that the "improving" relations between (male) employers and (female) employees "'results', says one manufacturer, 'in happy, healthy girls, who never want to leave us except to get married' " (NCWC 1900:104). In 1891 only 12.4% of workers over 10 years of age were women, as compared to 78.5% of men (Dubinsky 1985:20).

Contemporary observers generally considered that it was neither possible nor desirable that married women work in factories. After a Private Member's Bill in 1881 (presented by Dr. Bergin, Tory MP for Cornwall) recommending a Dominion Factory Act, a Commission was formed to investigate the need. The 1882 "Report on Mills and Factories" found and commented on the following evidence:

The number of married women having domestic cares are very few in the mills and factories, although, we are sorry to say, we found two or three instances in which the husband reversed the civilized custom by sending the wife and mother out to the factory while he attended to the cares of the home.

Other instances have come under our observation where the husband and father being delicate, the wife, with a moral heroism and courage, has gone to the factory to provide the daily bread for the family. In connection with this it may be mentioned that factory or mill hands can earn better wages than are usually paid for domestic service.

(Canadian Sessional Papers 1882 #42:4)

Studies of industrialization have found a pattern suggesting an inverse relationship between marriage rates and female employment: the lower the marriage rate, and/or the higher the age at which couples married, the greater the number and proportion of female workers (Gittens 1986:252-54; Cuthbert-Brandt 1985:166). Parr has also noted cases in textile towns, such as Paris, Ontario (Parr 1990) and the East Midlands area of England (Parr 1988) where women could in fact renegotiate the traditional marriage contract and sexual division of labour in the home if they had acquired sufficient industry skills to increase their bargaining power and worth in the workplace. (This will be returned to in chapters 3 and 4.) These instances, however, seem to have been the exception, rather than the rule. Between 1881 and 1886 marriage rates increased across Canada. In 1886, the total number of "marriageable males [were] in the proportion of 130 to every 100 females. In 1881

the marriageable males were in proportion of 162 to every 100 marriageable females, showing that the excess of bachelors is being steadily reduced" (Canada Statistical Record 1887:89). Of 309,474 wives in Ontario in 1881, 300,240 were over 21 years of age (Statistical Yearbook of Canada 1886:91). We can thus assume that a woman's labour force participation lasted until sometime in her early 20s, after which she almost invariably married, and would not, under normal conditions, continue factory employment.

This did not necessarily mean an end to her wage earning activities. Aside from the "hidden" economy of charring, childminding, taking in boarders, etc. women often maintained direct economic relationships to the factory labour process through homework, or contracted out piece work. Although this form of work never reached the same intensity in Ontario as it did in Britain or the United States, it was far from unknown. Because of its hidden nature, we may never know the full extent of its employment rates, but the 1882 Commission on Mills and Factories found enough evidence of these "private houses" to speak of them in their report.

Female labour is very extensively employed not only in mills and factories but also in private houses and what may be described as workshops, which are very difficult to find, sometimes being in the attic of a four-story building, at others in a low, damp basement where artificial light has to be used during the entire day, wholesale clothing establishments employing from one hundred to one thousand hands in this way.

(Canadian Sessional Papers 1882 #42:4)

The Commissioners found that of 12,735 adult (i.e. over 14) female "hands" in Canada, 324 were married. More, "[o]f the married females, only 52 are actually engaged at the factories, the rest take work home to their houses" (p.10). Mrs. Ellis, of the National Council of Women of Canada (NCWC) preferred to call this "outside" work rather than "sweating" reasoning that "the work is done at home by sewing women who, for family reasons, may find it more convenient to do so." For Mrs. Ellis, the difference between "sweating" and "outside" work rested on the basis that "the habit of using the work-rooms as living and sleeping rooms does not exist, though living and sleeping rooms are occasionally, in the stress of large orders, used as work-rooms" (NCWC 1900:105-6). The number of married women, along with their children and single women, so using their living and sleeping rooms is probably much higher than statistics indicate (Johnson and Johnson 1982:29-58).

Regardless of whether the work was done in the home or in the factory, mill or workshop, piece work was a characteristic part of both women and children's labour and the manufacturing process in general. The "Report on Mills and Factories" found that, after visiting 465 factories and

mills, and counting 43,511 "hands" in total, the following breakdown could be made: 19,131 worked "by the piece"; 19,635 worked by the day or week; 4,745 fell into the "unclassified" category (p.15). The report offered no breakdown of these differences by sex or age, but it is important to note that the number engaged in piece work outnumbered the total of all female and child labour combined (19,131 to 15,249) (p.10). Obviously, piecework was not the sole domain of women and children: many men worked by the piece and many women worked by the day or week.

Women and children, however, were more likely to be employed in piece work than men and, more importantly, more likely to receive much lower rates of pay (*RCRLC* 1889:42; *NCWC* 1900:102). A supplementary paper to the "Report on Mills and Factories" gave the following average wage rates for 1882:

1402 men with an average wage of \$8.00/week
 866 women with an average wage of \$3.50/week
 105 boys and girls .. with an average wage of \$2.00/week
 (Canadian Sessional Papers 1882 #83)

An 1891 study by Jean Thomas Scott compared women's take home pay with the male industrial average, and is presented here as Table II as it appeared in Dubinsky (1985 Table II-8:25)

Table II

<i>Trade</i>	<i>Women's Weekly Wage</i>	<i>Industrial Weekly Average</i>
Bookbinding	\$1.50 - 5.00	5.52
Boot and shoes operatives		
- stitching	7.00	
- lacing / buttoning	3.00	
Dressmakers		
- waist / skirt hands	5.00	
- forewoman	10.00	
Tailoresses	3.00 - 4.00	
Cigar factory operatives		
- stripping	2.50	
- 'booking'	4.00 - 5.00	
Cotton/ woolen/ knitting		
- operatives	2.00	
- weavers	3.50	
Domestics		
- 'light housework'	1.50	not available
- general servant (experienced)	3.00	
- cooks	4.00	

Source: Jean Thomas Scott, "The Condition of Female Labour" pp.19-22 in Dubinsky 1985:25.

The responsibility of reconciling household demands as well as earning money to either supplement or provide a family economy fell heavily upon women's shoulders. Age and marital status were specific, important factors which impacted on women's working lives. Generally, working class women in the 1880s engaged in a two-cycle approach to their complicated lives, working, often in factories, while single, and either leaving employment completely, or the rigours of factory discipline at least, upon marriage (Steedman 1986:156). Yet, despite their relatively short factory life-spans, it was precisely their presence here that caused great agitation among their male counterparts and middle class reformers. The demands of home- and child-care, their low wages, piece work and contracting out, the relative lack of women in unions and fears of transgressions of feminine morality were all cited as reasons to protect female factory operatives. Women working as teachers, nurses and servants fell outside of mainstream concerns; it was specifically factory employment that rallied their "protectors" to action. I will examine middle class concerns in chapters 3 and 4. First, I will look to unions, and specifically the Knights of Labor, to provide a backdrop for further discussion into the ways in which male workers both responded to the new working conditions of industrialization and to the "space" they provided for women.

Union Demands and Women

In looking at the organized working class, we cannot overestimate the influence and significance of the Noble and Holy Order of the Knights of Labor.² Unless otherwise noted, it is through the Knights of Labor that we get a picture of the "culture" of the 1880s working class (Kealey and Palmer 1987). Dubinsky introduces this union and social movement:

In Ontario, the Order attracted members in every city with a population of over 5,000. At least 21,800 workers — 18% of the labour force — joined the Knights in Ontario. In some towns the Order represented well over half the local labour force.

(Dubinsky 1985:1)

Kealey and Palmer feel that 18% is an underestimate, based as it is on static figures for the peak year of 1886 and, therefore, does not encompass the movements of people in and out of the Order both before and after that year (1987:65). Overall, 81% of all towns with a population of at least 3,000 (38 out of 47) had a Knights of Labor Local Assembly (LA). Toronto contained 23% of all Ontario Assemblies, and Hamilton 12%. These urban centres, along with Kingston, Ottawa and London,

housed 46% of the LAs in Ontario (Kealey and Palmer 1987:61). These cities also had a large proportion of the bigger industrial enterprises, particularly textile-related industries.

The growth and importance of the Knights has been well-documented elsewhere (Kealey and Palmer 1987; Dubinsky 1985). It is sufficient to note here that the Order dominated the 1880s union culture, and, more important to this paper, influenced the politics of employment, protection and gender.

The bulk of the evidence about working class sentiments on factory legislation and the need for employment reform presented in this thesis is gleaned from the Proceedings of the Trades and Labor Congresses (TLC), held in 1883, 1886, and successively thereafter on an annual basis. The TLC was dominated, if not run, by the Knights of Labor. Similarly, workers journals, like the Hamilton-based *Palladium of Labor* and the *Labor Union* of Toronto were Knights of Labor papers. (In 1883 the *Palladium* became the property of the TLC and its main voice.) The organized working class for the purposes of this paper is represented by the Knights of Labor.

This selectiveness has both disadvantages and advantages. To our disadvantage, the voices of the unorganized (male and female) and, to a large extent, of the unskilled working class become inaudible. Although it was a Knights of Labor policy to unite men and women, skilled and unskilled, of all ethnic backgrounds (except Chinese) (TLC Proceedings 1883-1890), the sentiments expressed are mainly indicative of the strongest sectors of the working class — white male skilled workers. Despite the efforts and attractions of the Knights of Labor, most workers were not members. And, although it was hoped that women would join, most did not. More, when they were unionized under the Knights' banner, their organizers and local or district representatives were usually male.

Yet it is the Order's unique policy on women that works to our advantage, for it is in the space between the theory that women should and could unionize and the reality which marginalized their inclusion that it is possible to sort out the "politics of protection". The Knights of Labor firmly believed in and attempted to act upon the premise of equality of the sexes. A plank of their constitution and a universal demand was "equal pay for equal work" (*Palladium, Labour Union*³). Similarly, the TLC had a standing resolution, unanimously passed every session which read:

That this Trades Congress do strongly recommend the organization of female labor wherever possible, to the end that better wages and shorter hours of labor be accorded them.

(TLC Proceedings 1883-1890)

The fact that the Order was the most empowered labour organization of the period under discussion makes their "enlightened" view on women a significant political fact.

Thus, a Knights of Labor member, writing in the *Canadian Labor Reformer* (Toronto) evinced surprise and annoyance when a woman wrote to the *Toronto Globe* to articulate her understanding of employment, and especially "short hours" reform.⁴ Her letter merits citing in detail.

I do not think eight hours work and ten hours pay is right to ask, or that it is reasonable to suppose employers will grant it. But ten hours work is altogether too much for girls, many of whom would be glad to improve themselves by music, study or something else, but are too tired at the end of the day to do anything at all. Their lives seem to be little else but a round of work, sleeping and eating....

Everywhere we notice men agitating for shorter hours, and yet their pay is double that which is allowed for female labour.

For myself, and others with whom I have spoken, we would like nine hours work and (I am speaking of day workers) ten hours pay.

For those who have piecework the prices would have to be raised, for the girls could not afford to earn less than at present. Still the girls in our shop would never be the first to agitate any change...and I don't think that the most alluring female Knights of Labor Union (is there such a thing as that Mr. Editor?) would ever tempt them to join;

(*Toronto Globe* Sat. May 29, 1886:12)

In response, the *Canadian Labor Reformer* editorialized that this woman obviously was uneducated on Knights of Labor activities, and hoped she would come to her senses (June 5 1886:1). The refusal to accept the possibility that this woman felt alienated from union "agitation" characterizes what Dubinsky calls the "modern chivalry" of the Knights. Certainly, the Order was unique and progressive in finding a "space" for women in their politics, but the inherent androcentrism of their idea of working class politics kept many working women out of the unions. This will be examined in the chapters which follow.

It is important to look at the various issues around which the Knights of Labor, through the Trades and Labor Congress, organized agitations, strikes and demands for reform. It is through the juxtaposition of these key demands with their policy on protective legislation and women's factory employment that we can find the clues to the schizophrenia of "modern chivalry".

Because of the general upheaval caused by industrial transformation, the organized working class found a great many issues which required their attention. There is no doubt that the articulate working class saw themselves as antagonists to the "employing class". Of momentous importance was the "short hours movement". Unsuccessful in mounting a decisive challenge to the long and arduous days of factory employment during the 1870s, the unions tried again with greater determina-

tion during the 1880s (Kealey and Palmer 1987:55,98; TLC Proceedings 1883-1890). Making eight or nine hours a day a legal day's work was the chief aim of a great deal of 1880s organizing. The Factories' Act offered the first legislative restrictions on the length of the working day. *But they only applied to women and children.* The contradictions inherent in this will be further explored in following chapters.

Other demands and resolutions of the TLC involved the monitoring of employment conditions, and the consolidation of collective units in order to counter the overly individualistic nature of early industrial capitalism. Organized labourers concentrated a great deal of attention on defining themselves and how they were to fit into rapidly modernizing social relations. They petitioned for a factory act, but this was only one of a myriad of struggles enjoined by a seemingly highly politicized industrial working class. As they fought for industrial standards (specifically a factory act, shorter hours, employer liability and occupational health and safety standards), they simultaneously organized around male suffrage, the right to freely unionize, a government currency, weekly wage payments, compulsory and technical education, and protection from immigrants entering the country on government assisted passages (TLC Proceedings 1883-1890). These demands were met with varying degrees of success. The Ontario Factories' Act of 1884 satisfied some of these demands for reform but, as we will now see, in a gender-specific way.

The Ontario Factories' Act, 1884

"An Act for the Protection of Persons employed in Factories" was passed by the Ontario legislature on March 25 1884 (S.O. 1884 c.39)⁵. Tucker (1990) has provided a thorough assessment of the administrative, legal and political aspects of the Act. Here, I am concerned with the social conditions which gave rise to "protection" for women and children to the relative exclusion of male workers, despite their persistent and multi-faceted demands. Only those aspects of the Act and of factory inspection reports which concern women's protection will receive detailed attention. This section will highlight the provisions relative to unpacking the process of the gendering of employment during the growth of industrial classes.

Sections 1 through 4 of the Factories' Act defined the terms used throughout the Act. According to s.2(1), a factory was "[a]ny premises, building, structure, room or place wherein, or within the precincts of which steam, water, or other mechanical power is used in the manufacturing process,

or any part thereof", including preparation and finishing work (s.2(1)(b)). Further to be included were any premises "wherein the employer of the persons working there has the right of access and control, and in which, or within the precincts of which, any manual labour is exercised by way of trade or for purposes of gain" in adapting, preparing, "ornamenting", or repairing any article for sale (s.2(1)(c)). On the face, these definitions appeared to include any workroom. But section 2(1)(c) contained some significant exceptions.

The most important exception was that, for the purposes of the Act, a factory had to employ more than 20 people. As noted earlier, few factories employed more than 10 people, and a mid-size establishment occupied 14 to 23 "hands". Automatically, the majority of workplaces were excluded.

If steam, water or other mechanical power was not used in production, and "where children, young girls or women are employed at home, that is to say in a private house, place or room, used as a dwelling...and wherein the only persons employed are members of the same family dwelling there", the Act did not apply (s.2(1)(c)). Despite the already noted direct relationship between "outside" work and the factory system, the Act also stated that "[a] part of a factory may for the purposes of this Act be taken to be separate factory: and a place used as a dwelling shall not be deemed to form part of the factory for the purposes of this Act" (2(1)(c)). This exception was apparently important enough to warrant a second mention, for further on in the Act, in section 21, it was stated that even if a dwelling "by reason of the work carried on there" could be considered a factory, many of the provisions of the Act would not apply. Regulations concerning cleanliness, "freedom from effluvia", overcrowding and ventilation, the allowances for meal breaks, the "affixing of any notice", and notice of accidents did *not* apply to family dwellings — or to "private houses" which did not employ women and children. Finally, if the space was used solely for the production of a "handicraft" (an undefined occupation), the premises would not count as a factory.⁶ As things stood in 1884, very few sites in which the manufacturing process took place could be legislatively considered a factory.

To the satisfaction of the unions, the term "employer" included the owner's "manager, superintendent, overseer or agent" or any other person who had charge of the factory and the labour process (s.2(3)). Children, young girls and women were also defined: a "child" was a boy or girl under 14; a "young girl" was between 14 and 17; a woman was 18 or over (s.2(5)(6)(7)). Presumably, after 14, a male child became a man, for there are no definitions for male workers over 14.⁷ Section 4 stated that, unless otherwise proved, any child, young girl or woman found in a factory,

"whether for wages or not", would come under the provisions outlined in the Act.⁸ Apprentices were also to be considered working "for hire".

Sections 5 through 10 outlined the conditions under which women, young girls and children could work — or more specifically, those under which they *could not* lawfully work. Sections 5 and 6 explained the spirit of these provisions.

It shall not be lawful to employ in a factory any child, young girl or woman, so that the health of such child, young girl or woman is likely to be permanently injured.

Section 5 outlined punishment for "permanent injury" which included a "gaol" term of not more than six months, or a fine of not more than one hundred dollars (plus costs of prosecution). Section 6(1) to 6(5) laid out some particular instances which would qualify as injurious. No boy under 12, and no girl under 14 could be employed *at all* (s.6(1)). Therefore, any conditions laid out for "children" in fact meant boys between 12 and 14, since girls, children until 14, were not to be in any factory in *any capacity*. Employers were expected to obtain written evidence of a child's age before hiring him (sic) to work (s.6(2)).

In the context of the "short hours movement", section 6(3) is of particular importance. Here it was stated that no child, young girl or woman was to work more than 10 hours per day, or more than 60 hours per week "unless a different apportionment of the hours of labour per day has been made for the sole purpose of giving a shorter day's work on Saturday". The "half-holiday" on Saturday had also been a particular concern of the Commissioners on mills and factories, and had been an issue of debate among unionists and employers. The arguments, summarized in the Commissioners' report, had concerned whether or not the time away from work would be used constructively by the labourers. Employers evidently felt that the time off would both interfere with productive output and be spent in "dissipation". (The fear of intemperance was wide-spread.⁹) The Trades Council held that such a holiday "tended to social comfort and self-respect". The Commissioners decided that the manufacturers were wrong in this instance:

...we are certain the artizans and workmen of Canada are as intelligent, industrious and sober a people as are to be found in any country....

Undoubtedly men having families find it very desirable to have a few hours at their command once a week in order to attend to sundry duties about their homes.

(Canadian Sessional Papers 1882 #42:5)

The gender-specificity of the assumed beneficiaries in this debate stands in marked contrast with the legislative result. The general paternalism evident in the arguments is reflected, in even greater intensity, in the 1884 Act. Men did not receive their "few hours...to attend to sundry duties" — women did.

Women, young girls and children were further to receive not less than one hour a day for meal breaks, "but such hour shall not be counted as part of the time herein limited as respects the employment of children, young girls and women" (s.6(4)). An inspector could force an employer to provide a separate "dining and eating room" so that meals would not be taken in the same room in which the manufacturing was carried out (s.6(5)).

Sections 7 and 8 referred to the kind of labour women, young girls, and children could not do. Children could not clean any machinery while in motion. A young girl or woman could not clean any part of the "mill-gearing" (which propelled the mechanized parts of the factory) while it was in motion. Children and young girls could not work between moving parts of any machinery. Finally women, young girls and children could not work before 6:00 in the morning, or after 9:00 in the evening. These provisions and the inspection reports were to be posted in the factory "in conspicuous places" (s.10).

There were, of course, allowable exceptions to these provisions, such exemptions to be made by the judgement of the inspectors. The inspectors had the important power of granting overtime permits to factories employing women, young girls and children (s.8). (Since the hours of male workers were not regulated, it was not necessary to monitor or "permit" overtime for men or factories where women and other "affected" workers were not employed.) Overtime was not to exceed 72 and a half hours in any given week, or 12 and a half hours per day, nor to be granted for more than 6 weeks per year. An employer could apply for an overtime permit if: an accident occurred which halted the machinery; the machinery stopped due to "any other occurrence beyond the control of the employer"; or "the customs or exigencies" of a trade required longer work days (s.8(1)(2)(3)). Feminized occupations like canning and dress-making had peak seasons which, according to employers, necessitated a 72 hour week (in canning especially, where limited means of preservation created an urgency). Factory inspectors rarely turned down requests for overtime permits. In the case of such exemptions, employers were expected to keep full and daily records of the extra hours, with the register accountable to the Lieutenant-Governor in Council (s.9).

One of the most notorious features of the Factories' Act, and the issue most discussed by middle class reformers, commissioners and factory inspectors was the provision made for separate toilet facilities for men and women (s.11(4)). I will return to this in Chapter Three which discusses middle class concerns around femininity and the way in which morality was used as a means of social control. Here, however, we should also recognize that, at face value, this must have been seen as a victory by the women who worked in the factories.

The sections outlined above stand, in their relative specificity, in contrast to the next set of provisions which were aimed at more general workplace reform. Sections 11, 12, 14, 15 and 16 provided only vague recommendations to ensure "the health of any person employed". Section 11 (1) and (2) stated that factories had to be kept free from effluvia, well-ventilated, and "not be so overcrowded...as to be injurious". No standards were offered to put these provisions into effect, but rather were left to the discretion of the inspectors. The "Report on Mills and Factories" had laid the framework for the preference for undefined regulations.

[What constitutes overcrowding] must be taken as an opinion formed from common-sense observations rather than by a scientific basis of how many cubic feet is necessary for each occupant of the room.

(*Canadian Sessional Papers* 1882 #42:7)

Because accidents were so common, provisions aimed at prevention were slightly more specific.¹⁰ All machinery, gears, shafts, belts, elevators, flumes, hoistways and so on were to be guarded (s.15). Fire extinguishers, fire doors, and escape routes were required in each factory (s.16). Notices of accidents and injuries causing death or more than 6 days of absence were to be reported to the inspectors (s.18,19). None of these provisions, however, were to apply to mechanics, artisans, or labourers "working only in repairing either the machinery in or any part of a factory" (s.23).

The rest of the Act dealt with the powers of the inspector, the most notable of which was that the employer need not be informed of the first visit (s.25). Inspectors could also elicit medical advice in enforcing these provisions (s.13).¹¹ In 1895, at the request of both labour and the NCWC, the first female factory inspector was appointed — Miss Margaret Carlyle — whose mandate it was to report solely on issues pertaining to female employment. As mentioned in the Introduction, it was a full two years before the Factories' Act of 1884 was proclaimed, with the first inspection reports appearing for the year 1888.

Finally, the Act was amended several times. In 1889, the number of employees requisite to define a factory was reduced to six. Workshops and other places not covered by the original Facto-

ries' Act were included in 1892 — except private dwellings. In 1895, the minimum age for boys allowed in factories was raised from 12 to 14. The 1895 amendment also authorized the appointment "from time to time" of female factory inspectors (R.S.O. 1889; 1892; 1895). Continued agitation on the part of the unions, and especially the Trades and Labor Congress is largely responsible for the amendments to the Act.

With this preliminary glance at 1880s Ontario and the Factories' Act, we can now move on to asking empirical and analytical questions of the "players" and the time. We need to note the gender-specificity of the provisions, and further to recognize what women were not protected from — specifically low wages, ghettoized employment, sexual discrimination, and homework. On the other hand, men were not protected from long hours, overtime, full-length Saturdays, and were not provided meal breaks. How then was this legislation understood as "protective"? What did the Act reflect or change? The questions raised by the Ontario Factories' Act of 1884 can guide us to an understanding of the contemporaneous process of gender-class relations.

Notes to Chapter 2

1. With the exception of mining, no occupations were *legally* barred to women. Husbands, however, retained the right to terminate their wives' employment contracts at will (NCWC 1900:36).
2. "Labor" was often spelled without a "u" in working class journals, and writings. The Knights of Labor were American in origin, so this may explain their spelling of the word. Nearly all working class uses exclude the "u". The middle class were seemingly more undecided, occasionally using the British spelling and alternatively the American. "Labor/labour" thus appears both ways in this paper, according to the context.
3. Every issue of these papers, and other Knights of Labor journals, contained the Knights' constitution.
4. "A Girl's Letter" appeared in a series of letters requested by the *Globe* on opinions on "The Labour Problem — Views from all Quarters". The letters ran for 3 Saturdays in May-June, 1886. Most were written by anti-union men.
5. Although the legal implications of this are beyond the scope of this thesis, it is worthwhile to note that women were not legally defined as "persons" until 1929.
6. Presumably a "handicraft" did not use steam, water or other mechanical power in the production process, and was therefore differentiated from a factory.
7. These age demarcations are in contrast to the Canada census definitions of marriageable men and women. For the purposes of marriage, a woman was considered eligible — a spinster — at the age of 15, while a man became a bachelor at 20.
8. Although section 3 placed the onus of knowing a child's age on the employer, factory inspectors, employers and reformers nearly always blamed the parents for allowing children to work illegally. The definition of a "parent" reflects this fault system: the legal custodian could be the biological parent, a guardian, or person with control over the child(ren). This last category was worded as the person "having direct benefit from the wages of a child or young girl" (s.2(8)). Factory inspectors in particular lamented the "cupidity and greed" of parents who wittingly lied about their children's ages, apparently in order to avoid work themselves ("Report of Factory Inspectors" 1889).
9. References to the intemperance movement appear throughout the work. One example of the anti-alcohol forces is the Women's Christian Temperance Union (WCTU), who also mobilized against women's factory labour.
10. This ended up being a double-edged sword for (male) workers, since now employers and factory inspectors could more easily blame individual workers for carelessness resulting in injury.
11. Inspector Rocque of the Eastern District made great use of this allowance, handing over the bulk of his reports to a medical officer, and providing little information, or recommendations himself.

Chapter 3

Masculinity and Femininity: Normalizing Male Employment Rights and Protecting Women

For both the organized working class and middle class reformers, women as factory workers were indicative of all that was wrong with the changing social relations: women were equated with "the social evil". What constituted the social evil and how it was to be countenanced was the basis of struggle. Yet, the fact that women working in factories was indeed a problem (or symbolic of a problem) was exactly that: a fact, not open to debate or question. The way in which the contestable and non-contestable issues unfolded during the debate over factory reform is an instructive lesson in the centrality of gender in the political, social and economic articulation of class development.

The "politics of protection" refers to this process of contestation and consensus. And as such, the "politics of protection" is gendered and classed: it is the terrain of struggle that occurs on intra- and inter-class and intra- and inter-gender levels. Masculinity and femininity can be used as more than descriptive categories which predict individual behaviours or a social environment characterized by "sexism". As analytical concepts, they speak to the ways in which men and women, both within and across classes, organize key issues and political choices in their struggles.

The actors involved in 1880s factory reform spoke through the text of gender, and specifically through masculinity and femininity. Through their attempts to mediate the conditions of industrial employment and social transformation, the politics of manhood and womanhood formed the framework of discussion. On one level, the distinction between masculine and feminine was not open to discussion, and men and women were defined in terms of their idealized functions. Men were associated with employment, "bread-winning", unions and politics: they were "natural" workers. Women, on the other hand, were "natural" mothers and wives, with primary responsibility to the family and household: their presence in factories was, by definition, "unnatural". There was a tacit understanding across classes that this sexual division of labour, and the gendering of roles and functions was proper, and whenever possible, the rule to follow. The logic of this assumption thus followed that, if women's factory labour was "unnatural", and if the division of labour based on gender was the departure point for debate (and therefore not a part of the debate) then women could be understood as their own "class" of labour, and be dealt with accordingly. This chapter will examine the various

articulations of this cross-class "gender-bond" (Stansell 1987:28) and the way in which both the debate around factory reform and the 1884 Factories' Act reflected this androcentrism.

But it is equally important to recognize that, if notions of masculinity and femininity, or gender roles, were shared at one level, there was also conflict over the specific constituent elements of manliness and womanliness. Further, exactly how to define the problem posed by women's factory employment, and then address it was a matter of great debate and struggle. Significantly, the texts on masculinity and femininity as they referred to the Factories' Act were classed. The middle class spoke through the text of morality, domesticity, femininity, sexuality and fertility. Unionists articulated their concerns through the texts of economic inequality, social injustice, masculinity and rights. Of course, no one class "owned" these texts, and very often the issues were conflated within the arguments between classes. Far from weakening the thesis of the gender-class process, however, these simultaneous articulations further demonstrate the way in which gender and class organized the "politics of protection".

Masculinity and Femininity

Because the physical attributes of men and women remain distinguishable across time, the social categories of "man" and "woman" have been constructed as opposing pairs: to be a man is, above all, not to be a woman. The translation of naturally different physical characteristics (biological sex) to "natural" social and cultural differences (gender), and the formation of a hierarchy based on these differences has itself appeared "natural". Yet, if we are to examine the significance of gender in class articulation and development, then we need to unpack the specific process by which this translation occurs.

The most mystifying feature of this process is indeed its apparent naturalness. Instead of beginning on this assumption, it would be helpful to look to the *relational* aspects of differentiation. Differentiation creates meaning (Scott 1988:60).

It is in analyzing the process of making meaning that gender becomes important. Concepts such as class are created through differentiation. Historically, gender has provided a way of articulating and naturalizing difference. If we look closely at the "languages of class" of the nineteenth century we find they are built with, in terms of, references to sexual difference. In these references, sexual difference is invoked as a "natural" phenomenon; as such it enjoys a privileged status, seemingly outside question or criticism....Gender becomes so implicated in concepts of class that there is no way to analyze one without the other.

(Scott 1988:60)¹

It is through the process of naturalizing difference, and on this basis creating meaning and an interpretive framework for action that physical man becomes synonymous with social masculinity, and woman with femininity.

Masculinity and femininity — and therefore men and women — are defined in relation to one another. The social category of “woman” is something *other to* that of “man” (Lerner 1986:76-88)². The properties, powers, status, and actions associated with masculinity do not exist in femininity; or, more precisely, there is a negative relation between these social constructions (Scott 1988:59). For example, employment was constituted in terms that were not used to define familial relations; familial relations were therefore outside of, and different to employment. Similarly, women’s work was that form of employment that was not done by men (who merely worked). In this light, the dichotomous analysis of dual spheres models can be seen to be based on an illusory distinction between the various binary pairs denoting household and paid employment. It is through the framework of analyzing these relations *as they define each other* that it becomes possible to examine the relational and inter-related aspects of the “dual spheres”. Masculinity only exists in relation to femininity, employment is defined in terms of differentiation from the household and work is established as different to, and therefore in relation to women’s work.

Women's “Class of Labor”

Nor is the present demand for the admission of women to new employment caused so much by a suddenly awakened sense of the injustice of the existing system as by the accumulation, in our great centres of population especially, of a large number of women unmarried and without sufficient means of subsistence; ...As we may hope that this evil is itself abnormal and temporary, it ought not too much to influence our views as to the usual and permanent occupations of women.

(A Bystander [Goldwyn Smith] 1872 in Cook and Mitchinson 1976:40)

...we must express our regret that there is any necessity for a girl or woman to seek employment in so many industries that should find work-people only among males. That so many girls are at workshops at labour that boys should be doing is proof that the social system is out of gear; that women work in the places that men should occupy is additional proof of this. The pity is that they should be compelled to earn a living by employments at all masculine, for the effect is bad on them and on men, for aside from the sentimental phase, such employments compete with men and reduce their wage earning to perhaps as great extent as the wages of the women amount to.

(*Labour Advocate* (Toronto) Jan. 2 1891:39)

The distinct class concerns of these arguments will be taken up below: first, however, I will look to the inherent “gender language” to assess (men’s view on) women’s relations to the new

employment opportunities of industrial capitalism. Above all, women's factory work was seen as an aberration (and an evil one at that). By definition, therefore, men were natural factory operatives (and women's aberrant behaviour could be righted). The identification of men with paid labour was not only considered normal and proper, but as far as the *Labour Advocate* was concerned, a *right*. It is also significant to note that women were perceived to be victims: women, deprived of "sufficient means of subsistence", were "compelled to earn a living" in arenas which should have been reserved exclusively for men. The "Armstrong Report" of the *Royal Commission on the Relations of Labor and Capital*³ offered the following as an explanation for this unfortunate hiccup in the otherwise encouraging industrial boom.

To arrive at the greatest results for the smallest expenditure the mills and factories are filled with women and children, to the practical exclusion of adult males. The reason for this is obvious. Females and children may be counted upon to work for small wages, to submit to petty and exasperating exactions, and to work uncomplainingly for long hours. These are the inducements to employ this class of labor and why it is being utilized so largely.
(RCRLC 1889 in Kealey 1973:42)

Asking *why* women would submit to such exploitative working conditions was not on the agenda for factory reform. It was an acknowledged and "obvious" fact. "Women's work" was being defined as different and other to the natural (adult male) order to the workforce.

It was exclusively men who were defined in terms of employment, and matters relating to employment. A woman writing to the *Labor Union* in 1883 made the links between manhood and union militancy:

My quarrel is not with the millionaires of this country, but with the laborers who will not think. They will not give their influence to papers that advocate their rights, nor vote for measures promising them amelioration....

"The public be damned", said Vanderbilt, and I say "Amen" to it. If it is necessary that it should be damned to undamn the laborers sense of manhood....
(*Labor Union* March 10 1883:4)

Note the exclusivity of the "language of class" used here. The *workingman* was synonymous to the working class/labourer. This was both literal and conceptual exclusivity: the working class was "male" and working class politics were "masculine". This woman's sense of the gender of struggles and political agents was not anomalous. The 1886 Trades and Labor Congress, immediately after carrying the resolution for the better organization of female labour, resolved:

That this Congress is in favour of and would recommend to all localities night schools as assemblies of male children of fourteen years and upwards, to be instructed in the principles of Labor progress and all questions necessary to enable them to take their place when of age in the Labor Party.
(TLC proceedings 1886; emphasis added)

Women, on the other hand, were defined in terms of the household and familial relations. "[T]he usual and permanent occupations for women" which Goldwyn Smith wished to see preserved were those of mothers, wives and daughters. As early as 1856, when Canadian women's participation in manufacturing and "machinofacture" was almost inconsequential (in comparison to the 1880s), one Rev. Sedgewick told a YMCA audience that women's work in factories was a trend not to be tolerated:

It is now time that woman's sphere in Christian society be defined and described....The sphere of woman is home and whatever is co-relative with home in the social economy.

(Rev. Sedgewick 1856 in Cook and Mitchinson 1976:19)4

In light of the fact that working class and agricultural women had always been economically active in a variety of ways, advocating the exclusive restriction of women to the "home" would have been a relatively difficult argument to maintain. To strongly endorse that women's primary and priority responsibilities should be directed toward the household, however, was a much more pervasive and persuasive argument. Factory employment was not to interfere with this process of identification and it was the possibility of this form of disruption that caused anxiety.

It is impossible...that women engaged in factories can be at all acquainted, or at any rate expert, in household duties....And yet, now-a-days, it is come to this, that even the women who have spent their teens in factories, when they become wives and mothers, are entirely ignorant of the art of housekeeping, and just because of this ignorance a vast, a very legion, of evils has sprung up in our social state, evils which are positively eradicating home, and the pleasures of home....

(Rev. Sedgewick 1856 in Cook and Mitchinson 1976:19)

Again, the presence of women in factories was equated with the invocation of unnamed evils which seemed poised to ruin society. Here the equation was somewhat more specified: the erosion of women's knowledge of the "art of housekeeping" *caused* evil. Society apparently hinged on women's identification and commitment to the family and household.

As a result of these definitions of masculinity and femininity, women, even when they worked, were not workers but were, at best, women who worked. Even when the Ontario Factories' Act was in place, which at least recognized (if not happily) women's presence in manufacturing, women were identified in terms of the family.

We have but to congratulate the [Ontario] government on this experiment [Factories' Act] by which it manifests all the interest it takes in the wives and daughters of workingmen and the protection it wishes to give them.
(MacLean 1899/1900:180; emphasis added)

If men were identified as workers, then employment became a masculine domain. By definition, the household became a feminine sphere. Just as male and female and masculinity and femininity were kept distinct, so too were their "natural" environments. Employment/masculinity/men were exclusive; household/femininity/women were exclusive. Women crossing over into men's masculine domain of employment was perceived as a transgression, not only on the part of individuals, but to the unquestionable organizing principle of masculinity and femininity. In this context, factory women were seen as "interlopers" requiring "humanitarian" aid (Strong-Boag 1980:7) — i.e. protective legislation.

"The girls themselves are not the best judges"

To both middle class and working class participants in the Factories' Act debate, women were seen to be in particular need of protection. It was generally agreed that women (and children) were less capable of fending for themselves than adult men (Tucker 1990:32) and required benevolent aid and guidance from both their male counterparts and the state. This was not merely a "male" position; middle class women shared this view. In her first Factory Report, Margaret Carlyle enthused over the sagacity of factory legislation for women. In finding that women were giving up their meal hours in order to secure the half-holiday on Saturdays, Carlyle felt compelled to intervene:

In this manner the girls themselves are not the best judges. There is nothing so efficient as good legislation. It is through this source that work has been made less burdensome for the labouring people. It is not only occupation that is needed for females³, but employment that is hedged around with wise laws, so that the least possible harm can follow.

(Report of Female Factory Inspector 1896)

Similarly, in 1899/1900, Annie MacLean, an American commentator, assessed the state of Canadian factory legislation. She called her article "Factory Legislation for Women in Canada" (*American Journal of Sociology* 5 1899/1900). This title contained a tautology. For MacLean, factory legislation was for women, and for women (and children) only. She began her article by stating that "when we consider that a large proportion of [factory] operatives are women, the importance of studying protective legislation becomes evident" (p.173). She concluded her assessment by admitting that

"[n]o country at any time has attempted to regulate the labor of adult men in factories, as protective legislation has always centered around the weaker classes — the women and children..."(p.180).

At no time did either Carlyle or MacLean feel it necessary to explain the assumed relationship between women as factory workers and protective legislation. Clearly they felt that their readers would make this leap of logic with them. For these women, and almost certainly their readers, female operatives were in need of legislative aid *because* they were women, not workers.

The specificity of the relationship between protective legislation and women workers was accepted by trade unionists as well. Despite wide-ranging demands for factory reform, "protection" through legislation was constructed as an issue pertaining solely to female (and child) labour. An extract from a speech given to the cigar-makers union by their president, which appeared in the *Hamilton Palladium*, illustrates this implicit connection.

The cigar trade has suffered and would continue to suffer from the employment of female and child labor, unless they [the unionists] devised means to prevent the injury. Women and children are preferred by large manufacturers having jobbing trade because they were [sic] cheap and submissive. They...should invoke legislative interference to prevent the employment of any child under fourteen years of age, and to prevent women and children from being employed more than eight hours a day.

(*Palladium* Sept. 23 1883)

Obviously, it was not the employers or their enterprises which suffered from female and child labour, but male workers, who were being denied access to jobs because women's (and children's) cheap labour made male employment less desirable. It was women, however, who should be "legislatively interfered" with.

For working class men there was more at stake than direct competition between men and women for a limited number of jobs. In fact, employment in manufacturing rose steadily during this time for both men and women. Further, men and women rarely held the same jobs. This theme is elaborated in the next chapter on skill; here, however, it is important to note that the *effect* of women's separate "class" of labour was that it could be established as different to men's work, and therefore isolated and legislated.

The fact that women were employed in factories, regardless of the "class" of the work, was an insult to the masculine identity. That characterization involved a man having a job and providing for a household:

For men, definitions of masculinity enter into the way work is personally experienced, as a life-long commitment and responsibility. In some respects work itself is made palatable only through the kinds of compensations masculinity can provide — the physical effort, the comradeship, the rewards of promotion. When work is unpalatable, it is often only his masculinity (his identification with the wage; “providing for the wife and kids”) that keeps a man at work day after day.

(Andrew Tolson *The Limits of Masculinity* in Cockburn 1983:133)

Women would never “catch up” numerically to men in the manufacturing sector, but the more women entered the labour force as factory operatives, the more society had to struggle to retain the distinctions between what was masculine and what constituted femininity. The “social evil” was invoked to describe the blurring of these properties; above all, masculinity and femininity had to be exclusive of each other. To understand how women’s encroachment into men’s “domain” was perceived as a threat and a call to action, we must now look to the classed articulations of how best to “protect” women, from what, and to what end.

“The Standard of Morality”

For the middle class — Women’s Christian Temperance Union (WCTU), National Council of the Women of Canada (NCWC), Commissioners, Factory Inspectors⁶ and independent reformers (both male and female) — the translation of the idealized concepts of masculinity and femininity into specific factory legislation was not a difficult one. These reform-minded groups and individuals never set out to protect women as workers — they were concerned with protecting femininity. If women’s presence in factories could not be halted entirely (often the preferred option), then the middle class could ensure that “women’s work” was molded to conform with their ideas on women’s place in the social order. The middle class social order was characterized by the notion of men and women as “helpmeets” in marital relations; men earned the wages while women, as long as they performed their “conjugal and maternal duties” (Rev. Sedgewick 1856 in Cook and Mitchinson 1976:19) were entitled to receive the benefits of the income. Within this model of the household (and for the middle class the household was the cornerstone of society to the extent that protecting the household was the protection of the nation) was a built-in power structure. Women were afforded only ethereal status, reified as mothers and wives, but denied the power conferred to men by virtue of the male right to earn. Correspondingly, the notion of protection was embedded in the (unequal) complementary roles of male and female: providing a protective environment was a constituent

element of masculinity, while receiving protection was definitively feminine. State protection through legislation was but a mere extension of this social order.

Thus, middle class expressions and commentaries on women's employment conditions — and, in fact, industrial employment relations in general — come to us as commentaries on femininity. More precisely, the reformers, Commissioners and Inspectors spoke almost exclusively through the texts of sexuality, domesticity, reified, but victimized, womanhood — in short, through the text of morality. They were concerned not so much with the economic or experiential aspects of factory labour as with the need to renegotiate industrial employment (at least insofar as female operatives were concerned) in order that it meet the strict and exclusive definition of femininity. Of course, in light of the relatively new (or newly acknowledged) phenomenon of factory women, that which constituted femininity had to be scrutinized and reconsidered so as to rationalize women's inclusion in industrialization (which to the more liberal-minded was inevitable); however it remained the responsibility of the state, the middle class and employers to redefine women's employment so that it fulfilled the standards of true womanhood. The apparent gap between these opposing realities constituted "the social evil": addressing the gap would re-instate the "whole moral relations of society" (Rev. Sedgewick 1856 in Cook and Mitchinson 1976:9).

Morality was contingent upon women's fulfillment of their domestic responsibilities. The close affinity to nature and to God was seen to exist in femininity, in exchange for the real and material rewards afforded to men. This relationship was perceived to be at once biological and social, and not to be interfered with by modernizing social relations:

It is granted that physiologically the framework of the female is more delicate and fragile than that of a man and it is granted too that her mental constitution has been cast in a finer mould, and the whole texture of the mechanism of her inner nature is everyway more susceptible and impressionable....The din and the whirl, the rumble and the roll, of the machinery [act] on their mental and moral nature so as to destroy, or all but destroy, that fineness of feeling and gentleness of behaviour which seem connatural to woman from the very fact of her sex....

(Rev. Sedgewick 1856 in Cook and Mitchinson 1976:17)

The destructive "din and whirl" of factory life could be borne by base and hardened men, but its effect on the reified woman was ruinous. The WCTU, in their monthly *Woman's Journal*, summed up women's importance in the partnership of men and women when they at once proudly proclaimed and warned that "[t]he standard of morality is in the keeping of our women" (*The Woman's Journal* Nov. 1885:1).

For the middle class, female factory operatives did more than merely put their own innate femaleness at risk. The NCWC offered an elaborate explanation of what happened when the protective environment of the "helpmeet" relationship and the household was usurped and subverted by female labour:

The employment of girl labour in offices, shops and factories deprives a girl of the refining and protective influence of homelife at a time when the character is being formed; it closes the door to occupation to many boys and not a few men (who should be the breadwinners) driving the cream of our youth from home or leaving them "loafing" during the most critical period of their moral growth — hence the increase in juvenile crime. It tends to rob both boys and men of that protective, chivalrous element which is one of the most desirable characteristics of the sex.

(NCWC 1898 in Cook and Mitchinson 1976:150)

The emphasis on morality and on the "characteristics" of the sexes is of particular importance. Women taking on employment in traditional male spheres was a threat to the more honourable properties of manhood. Significantly, the NCWC saw men's job loss not through the text of economic survival, but as a moral issue. That men may have been "robbed" of employment opportunities was not the key organizing concept for this spokeswoman (it was, of course, the issue for working class men); rather, loss of employment was only a stepping stone in the argument to get to the real issue: women's entry into paid labour. The moral fibre of society was being unravelled by the encroachment of women into the sphere of masculinity. Because women were denying protection and, therefore, femininity itself, men were being denied their right to be men.

Of course, working women had their defenders among the ranks of middle class reformers as well. Marjorie MacMurchy spoke to her contemporaries on behalf of gainfully employed working class women in an attempt to allay the pervasive moral panic:

Now, as to the supposed dangers of this women's movement towards employment. Does it make the girl think less of having a home of her own and of marriage? How little anyone knows of womanhood, who would suppose this. Women are profoundly, if inarticulately, loyal to the race⁷ and to the home....It would not be possible to think more highly of homelife than they do.

(MacMurchy *The Canadian Magazine* 1919:6)8

Since women did not earn a "living wage" and their labour was highly exploited, it is indeed likely that "homelife" was appealing (at least in the context of available options). Most unmarried women who worked did in fact live at home with their parents — Mrs. Ellis of the NCWC commenting that "[t]he employers prefer girls who do so, while the conditions of life in Canada tend to the preservation of a distinct homelife" (NCWC 1900:99) — generally quitting both factory and parents upon

marriage. Married women who worked did so because their husbands — un- or underemployed, injured, sick or dead — were unable to bring home a sufficient income to maintain a household; likely these women would have preferred not to have to go out to work, especially in the total absence of formally organized childcare. None of this, however, is even implied in MacMurphy's defence of the working woman. Instead, the message was couched in terms of assurance to middle class ideals. Working and familial relations may not have been seen as simultaneously compatible for women, but could be sustained in a life-cycle continuum. That is, the middle class was being assured that paid employment was not interfering with women's primary allegiance to the home.

If the middle class were loathe to see women working in factories, they were even more appalled by its likely effect on the relations of masculinity and femininity. It apparently never occurred to them to stop employers from hiring women (and for some, it was even too much to consider a complete halt to the employment of children⁹); it was generally understood that the competitiveness of the economy meant that if one employer hired women, then the rest were compelled to follow suit. Thus employers were never to blame (Blake 1886; *RCRLC* 1889; Reports of Factory Inspectors 1889;1890;1896; *NCWC* 1900)¹⁰. Not wanting to interfere with the economy, reform-minded members of the middle class set out to "elevate" the moral and physical environment which female factory operatives were "compelled" to join. Gender-specific legislation was therefore necessary, and in line with the middle class agenda — i.e. the middle class "politics of protection".

The role the Factory Inspectors saw themselves playing in this process is instructive on the middle class sentiments on "women's work". Interesting in itself is that, although the Factories' Act was designed to "protect" women, it was ten years before a female Inspector was appointed. Prior to Margaret Carlyle's appointment, the three male Inspectors — Robert Barber, James Brown and O. Rocque — claimed that, since no complaints were being made to them by the employees, obviously no real problems existed (Reports of Factory Inspectors 1889; 1890). However, in recognizing and welcoming Carlyle to their ranks, Inspector Brown of the Central District noted that "[t]he number of complaints received by her from females would indicate that the appointment of a female inspector had not come too soon" (Report of Factory Inspector 1896).

Carlyle's appointment was also timely for Barber, Brown and Rocque, coming as it did after the Amendments of 1889 (which redefined a factory as employing six or more "hands", tripling the number of establishments covered by the Inspectors (Report of Factory Inspectors 1890)), and 1892 and 1896 (which extended the Act to cover workshops and bakeries, respectively). Carlyle's sole

responsibility was to inspect and report on the conditions of female labour, although she was to cover *all* of the Ontario factories (the male Inspectors were divided into Western, Central and Eastern Districts, respectively). This had the effect of "freeing" the men to report on the occupational health and safety provisions of the Act¹¹. Thus, the gendered Act was gendered in its administration. Emphasizing this division, Inspector Rocque gave Carlyle a cool reception in his 1896 report, saying that her appointment would be "of much benefit to the employees, if the inspection is so made as to not clash with that of the male inspector."

Even before Carlyle's appointment, the way in which the (male) Inspectors dealt with the gender (and age) specific regulations of the Act were markedly different to their practices with reference to the more general health and safety provisions. In his first report, Inspector Barber described his methods:

Having gone over my whole district where I could learn that any factories existed, I proceeded in October to visit again those factories where females and children were employed.

(Report of Factory Inspectors 1889)

The gender-specificity of protection was not lost on Barber! In this first report, Barber exempted 127 employers from the enforcement of the Act, and Brown 73, on the basis of Section 21 of the Factories' Act (which nullified the legislation in establishments where children, young girls and women were not employed). (Rocque did not provide a detailed account of the factories in his District.) Some male employees were not well aware of section 21, or that much of the Factories' Act itself was really for the "benefit" of women only, forcing Brown to clarify the matter in his 1890 report:

Some complaints have been made regarding the hours of labor, where males only, over fourteen years are employed under the impression that the sixty hours limit applies to males as well as females. Such, however, is not the case.

(Report of Factory Inspectors 1890)

But even those sections which were aimed at protecting both male and female workers -- i.e. provisions aimed at cleanliness, ventilation and the prevention of accidents were interpreted by the Inspectors to be of particular pertinence to women. Section 21 exempted the owners of adult male-only workplaces from reporting accidents and Barber admitted to knowing of ten times the number of accidents than he was required to report (Report of Factory Inspectors 1889). Yet, for Barber, there was an aspect of occupational injury of even greater importance.

It is gratifying to note that only two accidents are known to have happened to females, of whom there are employed in my district no less than 5,814
(Report of Factory Inspectors 1889)

Similarly, the Inspectors were harsh on employers who did not implement fire escapes (as provided for in the Act), but especially so on those who did not consider routes “best suited for the use of females”. Inspector Brown felt that only iron balconies would meet this (unstated) requirement, and that ladders (commonly used) were not dysfunctional in and of themselves, but were problematic because they were “practically useless to females” (Report of Factory Inspectors 1889). His sympathy for women’s safety reflects the particular perception of women as incapable of acting on their own behalf, and the need for informed guidance and protection to overcome this inherent weakness.

The appointment of a Female Factory Inspector alleviated the (male) Inspectors’ burden of particularizing employment conditions and legislative provisions to answer to their shared ideas on the delicacy of womanhood. In fact, this was a task Carlyle took on with great enthusiasm. Taking many opportunities to editorialize on what she saw in factories and on her view of the world, Canada’s first Female Factory Inspector exemplifies the middle class sentiments of femininity and its place in industrializing society. Carlyle was a staunch defender of working class women but, as with MacMurchy, she defended not so much the women themselves as her idea of what women were:

A very large number of our factory girls are beautiful types of Christian devotion and fine womanly feeling. I am sure you will find as large a number of generous, self-sacrificing sisters and daughters among mill help as among any other class in the world.

(Report of Female Factory Inspector 1897)

Again, women were defined in terms of their familial status and, as such, were deemed to be morally sound.

Carlyle was the only Inspector actually concerned with the working conditions of the female operatives, commenting in her first three reports on the hardships women endured in factories. Typically, however, these concerns were tinged with the notion of women’s “delicate mechanisms” and innate weaknesses. Noting, for example, that factory operatives stood all day, Carlyle opined that “this fact has an unfavourable effect upon the health of women and girls” (Report of Female Factory Inspector 1897). Klein and Roberts have identified the “unfavourable effect” as the common nineteenth century belief that extended periods on their feet was damaging to women’s reproductive organs (1974:215). Consistent with the middle class agenda, Carlyle prioritized the protection of women as future mothers over addressing women’s immediate needs as workers.

It would be wrong to condemn Carlyle alone for "skirting" the issues of female employment in favour of promoting femininity: this was a trait she shared with her co-workers and contemporaries. All the Inspectors devoted the bulk of their reports on women's labour to the issue of "inadequate closet accommodation". More, this was the concern which united many middle class observers. "Closets" commanded their own section in both the "Report on Mills and Factories" and the Reports of the *Royal Commission on the Relations of Labor and Capital*. The "comingling of the sexes" — a euphemism for pre-marital sex — was feared and condemned; lack of separate toilet facilities crystallized the "problem" of female factory operatives as the breeding ground of immoral relations:

In public factories there is, to a great extent, the promiscuous mingling of the sexes. Now, though there were no other evils growing out of this fact, as alas! there is, and these neither few nor small, it leads to early, imprudent and improvident marriages.

(Rev. Sedgewick 1856 in Cook and Mitchinson 1976:19)

Factory Inspectors and Commissioners set about to correct these "evils" by attempting to raise the moral environment of the workplace — i.e by ensuring separate toilets.

The 1882 "Report on Mills and Factories" delicately but firmly reported that the lack of adequate closet accommodation demanded "the immediate attention of the authorities":

The evils arising from such inconveniences are not only superficial and temporary, but it is to be feared, are serious and permanent in their nature....We feel great reluctance in informing the Government of two or three cases coming under our notice, where girls or women were employed, of no provision whatever being made for closet accommodation....The pernicious tendency of this need not be enlarged on by us.

(Canadian Sessional Papers 1882 #42:8)

Interestingly, employers were taken to task for their failure to protect the morality of their female employees:

The above facts in relation to the imperfect sanitary arrangements cannot be too harshly commented on, and show a callous indifference on the part of the employer toward the physical and moral interests of those under his charge.

(Canadian Sessional Papers 1882 #42:8-9)

Commissioners and Factory Inspectors were reluctant to interfere with the commercial interests of employers, but were meticulous in their follow-up on "sanitary conveniences". Thus, the "Armstrong Report" of the *RCRLC* excused employers for employing women at cheap wages and for long hours, but could not resist making the following judgement:

...but when we find that in many cases the closet accommodation is lamentably insufficient, and that no attempt is made at separation of those conveniences, grave censure is merited. It has been sufficiently demonstrated that in some factories closets are used indiscriminately by the operatives of both sex, and where the employer is thus careless of the moral feelings of his operatives it should be the duty of the State to interfere and see that the proprieties of life are strictly observed.

(RCRLC 1889 in Kealey 1973:46)

As agents of the state, Factory Inspectors showed great zeal in ensuring that the "proprieties of life" were enforced. In his first report, Inspector Brown echoed the sentiments of the Commissioners.

Where I found closets used promiscuously, I have given instructions to set apart closets on alternate floors for the use of males and females respectively....It would appear that lack of closet accommodation is due more to thoughtlessness than anything else. It has, nevertheless, been the cause of much suffering and serious injury to the health of females concerned.

(Report of Factory Inspectors 1889:18)

Even Inspector Rocque, who seemed entirely unwilling to condemn employers for anything, had something to say on toilet facilities. In his first report Rocque found the factories in his district to be up to standard, a remarkable finding in light of the general furor around the need to reform factories, and in the context of the other Inspectors and the "Report on Mills and Factories" all of whom found sufficient cause for concern¹². Yet Rocque felt compelled to use his powers when toilets were at issue:

From my observations I have come to the conclusion that there was an absolute necessity for enforcing the Act in this respect; therefore, in all cases where I have found separate water closets existing in workrooms where females and children are employed having but one approach, I have ordered a change.

(Report of Factory Inspectors 1889:29)

In his typically conservative way, Rocque did not demand that establishments with only one closet build at least one more for the exclusive use of women (which was the obvious intention of the Commissioners and the Factories' Act itself), but only stipulated that already-existing facilities be better separated. In light of Rocque's opposition to any form of imposition on the employer, it is significant that even he could not avoid the "absolute necessity" of ensuring that women and men be separated as much as possible. In fact, it is arguable that for women the only beneficial effect of the Factories' Act, and definitely the only aspect which received concerted attention from the middle class, was that of separate toilet facilities. Thus, in 1898, Margaret Carlyle congratulated herself, her co-workers and the government on their success in bettering the lives of those under their discretion:

It is pleasing to know that sanitary regulations in factories and workshops are constantly improving, and no requirement of the law is more appreciated by most workers than in this respect.

(Report of Female Factory Inspector 1898)¹³

For the middle class, issues such as the “feminization” of parts of the labour process, low wages, the sexual division of labour, and the general conditions of industrial employment, even as they impacted upon women, were not open to discussion. The middle class sentiments on female factory labour were somewhat top-down: fuelled by the conviction that women’s labour in factories was anomalous, they were more concerned with changing women’s employment environment to meet their standards and ideas of femininity than with foregoing or changing femininity to meet the new relationship working class women had with paid labour. Working class women were seen to be passive, weak victims, with their idealized roles as mothers of the nation and keepers of morality in mortal danger of corruption and/or extinction. The looming “social evil” evoked images of women forsaking household and children, engaging in illicit (pre- or extra-marital) sex, and denying men their rightful place as protectors and providers. “The subversion of the natural law...cannot fail to have an injurious effect on social conditions, both physically and morally” (NCWC 1898 in Cook and Mitchinson 1976:150). In the name of protecting women, the middle class, as temperance workers, Council women, Commissioners, Factory Inspectors and crusading reformers, created the factory as a microcosm of the social world, and resurrected the physical and moral conditions requisite to their real objective — the protection of femininity.

“Aside from the sentimental phase”

For unionized working class men, the “problem” of female factory operatives was much more complex, and much more diverse. Morality was not a huge concern for these men (nor was it entirely absent); rather, the *right* of men to work, and the direct, or more often indirect competition they faced from women’s cheap and un- or less-skilled labour, created a contradiction which unions were forced to tackle. On the one hand, men were well aware of the economic necessity for women, especially as daughters and less frequently as wives and mothers, to work and supplement the household incomes; at the same time, the masculine bread-winner role and the “natural” life-long commitment men maintained to employment was threatened, and at odds with the presence of women performing men’s work in factories.

Unionized working class men were much less explicit than their middle class contemporaries in their texts on masculinity and femininity. More, it is likely that the working class participants in the Factories' Act debate were willing to mediate some of the constituent elements of gender roles. The hands-on knowledge that women's incomes had always been and continued to be vital to household survival must have lead to the realization that restrictive definitions were inoperable in daily life. Thus, although working class men lamented the social conditions which compelled women to seek "employments at all masculine", they did so for reasons that moved beyond "the sentimental phase". It was not employment by definition that was offensive to masculine identity, but those employments specifically associated with men. Further, it was the reduction in men's earning potential through competition with women which decided the issue.

Still, this left working class unionist with two potential directions for political struggle: 1) to equalize conditions of employment regardless of sex (and equal pay for equal work was a fundamental part of the Knights of Labor constitution); or 2) to improve the working conditions of men at the expense of women. The working class "politics of protection" may have paid lip service to the first direction, but the debates and resolutions which occurred at the annual Trades and Labor Congresses, as well as the opinions expressed outside these meetings in the workers' journals, strongly point to the choice to struggle for the male right to employment. Unionized working class men continued, rather than opposed, the androcentric division between masculinity and femininity, cleaving to the separation between "women's work" and their own unchallengeable right to earn a wage. The adherence to this definition of masculine identity characterized the political decisions organized working class men made in regard to factory reform. Thus, organized working class men may have been prepared to mediate familial relations in order to accommodate the need for women to work, but they were not prepared to legitimize women as workers. Male operatives struggled to ensure that the right to employment remained exclusively with men, so that female operatives remained outside of the working identity. Women worked because the *family/household* required it: men worked as a right of men and as a claim to masculinity.

Many of the middle class notions of women and work were shared in working class expressions — the lurking social evil, the victimized woman, and the denial of men's right to be men. But the difference of class resulted in a difference of emphasis, and of course, a different call to action:

Such is the grasping greed and insatiable avarice of the money worshippers of our day and generation that in almost all the manufacturing towns and cities of our country are to be found children of tender age, of both sexes, and women of delicate frame and constitution, employed in order to provide the means of subsistence, while stalwart, robust men, with willing hands, are driven to vagrancy and crime through lack of employment.

(*Labor Union* Feb. 10 1883:4)

The "social evil" was again evoked and related to women's denial of femininity by excluding men from their proper place on the shop floor and as providers for their families. And again, the immorality of this situation was clear — women's work was causing male crime. Femininity — "women of delicate frame and constitution" — was not compatible with industrial employment, and women were constituted as "unnatural" workers. But underlying this denunciation of women's lack of feminine propriety was a class concern. It was capitalists and capitalist greed which were truly at fault, and the "unnatural" competition for jobs between men and women was the real issue. It is clear that women represented a threat to male employment and wage earning potential — which were, in turn, constituting elements of masculinity. For organized male labour, the "problem" of female employment was very complicated indeed.

Working class men struggled very hard to come to grips with the complexities of women's labour. However, it would appear that they were doomed to fail to adequately redress the crisis. The very problematic envisioned and tackled by working class men was based on androcentric notions of work, family, masculinity and femininity. Within the confines of their own discursive texts, the question of women's industrial employment would remain unanswerable.

Working class men insisted on maintaining the distinction between the male right to work on the one hand and women's work on the other. Women were denied the right to legitimately identify as workers, even by their own fathers, brothers, husbands and co-workers. With this distinction firmly in place and used as a springboard rather than as a questionable reality, women's labour became deeply entrenched as other to male work, and thus eligible for different standards and different conditions. The Factories' Act was understood as "protective legislation" because of, not despite, the gender-specificity of its provisions. Unionized men regarded the Factories' Act as legislation for women, and fought simultaneously for similar protection for men.

It is through the working class struggle to achieve occupational health and safety legislation alongside the Factories' Act, and the contradiction between the "short hours movement" and the gender-specific hours regulations of protective legislation that it is possible to sort out the "schizo-

phrenia" of male-stream unions of the 1880s. The political choices made by the Trades and Labor Congress indicate the working class adherence to masculine identity, and the clear-cut separation made between work and women's work.

Exactly what the TLC originally expected and demanded from a Factories' Act is somewhat unclear. In 1882, the Trades Council met with the Commissioners on mills and factories to make several suggestions, including better sanitary conveniences, a nine hour work day for women and children "and not under any circumstances to exceed that amount", a "total prohibition" on children under twelve in factories, fire escapes, guards and protection on all pulleys, gears, shafts, etc., "periodical inspections" of boilers and engines, and the appointment of an Inspector who would publish quarterly public records (*Canadian Sessional Papers* 1882 #42:16). In 1883, a Dominion Factories' Bill was introduced (but never passed), which reflected the Commissioners' findings and recommendations, and similar to the Ontario Factories' Act of 1884. The TLC found this Bill unacceptable:

As it stands, the measure is entirely inadequate for the protection of factory employees....To represent such a bill as an efficient protection to factory workers is an insult to the intelligence of the working class. It is a fraud and a cheat intended to make a show of protecting the interests of the wage-workers while practically imposing no restriction upon the negligence, greed or recklessness of employers.

(*Palladium* April 19 1884:2)

Significantly, this denunciation was gender-neutral. What angered the Labor Congress was the "loophole" stipulating that only actual employers, but not their agents, would be liable under the proposed legislation. The TLC had also raised the age of children from 12 to 14 as the minimum age of employees, but the Dominion Bill proposed a ban only for children under 12. Finally, specific factories, such as bakeries, grist mills and printing offices were excluded from coverage. According to the TLC, these exceptions made the Bill "inoperative" (*Palladium* April 19 1884:2). These objections, however, did not stop the Congress from agreeing to support its enactment (TLC proceedings 1883).

The Ontario Factories' Act of 1884 addressed some of these problems. "Employer" was redefined to include anyone with control over the labour process; girls under 14 were not allowed in factories; and any manufacturing establishment with more than 20 workers and employing female and/or child labour came under the Act¹⁴. But it did not get proclaimed. By 1886, the Trades and Labor Congress pushed for the operationalization of the Ontario Factories' Act. It was resolved:

That, in the opinion of the Congress, nothing short of the proclamation by the Ontario Government of the Factories' Act will meet the requirements of the workingmen of Ontario.

(TLC proceedings 1886)¹⁴

It is likely that much of the reasoning behind endorsing the Factories' Act was based on the realization that, although not perfect, it was better to have some regulations in effect than none at all. Certainly, in 1883, in endorsing the flawed Dominion Bill, the Congress was using this reasoning. The delegates were fully aware of the limitations of the Bill, mourned the lack of "more stringent" regulations, suspected the Government of trying to "bamboozle the people", and warned that, without an Inspector who had the trust of the workers, no legislation could be effective. But, they argued, legislation was always open for amendments (TLC proceedings 1883).

Even given their doubts (and, perhaps, optimism in respect of being able to effect significant change to the Act), in accepting the legislation the TLC was accepting the demarcation of work from women's work. Ensuing discussions on factory reform took on their own dynamics which revolved around this demarcation. Regardless of whatever original intentions the unions may have had for an omnibus labour standards act, the Factories' Act became synonymous with the specific protection of the female (and child) "class of labor", while employer liability, occupational health and safety and the hours question became campaigns for male protection. Meanwhile, the TLC pushed for reforms within the Factories' Act to better protect women, and to protect more women.

Thus, while the original working class call for a Factories' Act was a call for "workers protection", this generic protection was not provided in the Ontario Act. Yet, the lack of effective protection did not seem to daunt the TLC in the drive for occupational health and safety. Instead, this form of protection was divorced from the Factories' Act and, for a short period of time, pursued on an industry-by-industry basis (especially in railroad work and the building and scaffolding trades). Yet, this too seemed to prove ineffective. By 1890, the TLC decided to move in a new direction, and one which illustrates the clear distinction made between "protective legislation" and male protection.

At the Sixth Annual Trades and Labor Congress two successive and juxtaposing motions were passed: the first was for a Dominion Factories' Act (to equalize provincial Acts) and the second was for Dominion and Provincial Employers' Liability Acts (TLC proceedings 1890:26). These two resolutions were gendered. The call for a national Factories' Act demanded that such an Act should include the "regulation of the hours of labor of females". The Employers' Liability Act, on the other hand, would "determine the extent to which a workman should be compensated by an employer for

injuries" (emphasis added). The compensation act, if passed as the TLC proposed, would have been much more workplace specific than either the Ontario Factories' Act or the proposed Dominion legislation. The TLC had significant cause for complaint. The Factory Inspectors were more concerned with the environment of female workers than with the conditions and hazards of work in general and especially that work done by men. Machinery was guarded, but conditions on its use did not apply to the men who worked on, by or with it. More often than not, it was the (male) workers who were blamed for carelessness resulting in injury, rather than the continually sped-up and often experimental mechanized labour process¹⁶. Other hazardous conditions, such as overcrowding, were similarly not receiving careful attention. In 1890, Inspector Barber confessed that "as the Act does not define what is overcrowding, nor fix any specific cubic space per person, it is rather difficult to deal with overcrowding" (Report of Factory Inspectors 1890:7). The Ontario Factories' Act was obviously not protecting men, a deficiency which led to the working class call for a specific Liability Act a mere four years after the operationalization of factory legislation.

Yet the actual Factories' Act was never called into question, despite its inherent failure to provide for the welfare of all factory workers. The TLC had complaints, but these were not geared to the lack of occupational health and safety. In 1888, there was a great deal of discussion as to whether the Factories' Act, *as administered*, was having any desirable effects. The bulk of complaints revolved around the lack of an adequate number of Inspectors and the friendliness evident between Inspectors and employers:

From experience, many members could not call to memory one instance where an inspector had passed through a factory without being "in tow" of the foreman or the proprietor who were always previously acquainted of the intended visit and consequently an employee was unable to make any grievance known where such existed without placing his or her situation in jeopardy.

(TLC proceedings 1888:14)¹⁷

Again, it is unclear how the TLC envisioned the intended role of the Factories' Act if only it was well administered. However, the result of this discussion was the unanimously passed resolution that a female inspector be appointed.

It is clear that at least one intended effect of the Factories' Act was the ostensible protection of women workers. That is not to say that men did not desire protection as well, but it is significant that it was expected that women would receive effective protection *within* the Factories' Act, while men would look *outside* the Act for their welfare. As with the middle class, the unions were denying

the connection between the new labour process of industrialization and the specific labour of women within that process. Moreover, they not only denied the connection but, by doing so, they helped reinforce the exploitative conditions of "women's work". And, as with the middle class, the unions were more concerned with the *fact* that women were doing the work and with the external properties of that work than with the *relations* which characterized women's factory experiences.

The particular focus of unions on "regulating the hours of females" through protective legislation while simultaneously debating amongst themselves as to how best to secure an eight hour day for men illuminates the way in which unions obscured the links between male and female experiences in "manufactories". Obtaining an eight hour day as "a legal day's work" was a recurring issue in the annual labour Congresses, but it was also a divisive one. The notion of an eight hour day was unanimously supported; at issue was the most effective strategy in attaining this goal. Some delegates were in favour of mass mobilized action, with every unionized worker promising simply not to work more than eight hours. Others felt that unions were not strong enough to survive this pledge, fearing "immoral rats" who would break their oath and, in effect, bust the union movement. These delegates were in favour of petitioning employers on an industry-by-industry basis, and pressuring the governments (provincial and federal) to pass their own eight hour legislation (TLC proceedings 1886-1890). By 1890 the debate raged on, with little momentum.

During the course of this debate, however, the Trades and Labor Congress welcomed the Factories' Act as a restriction on the hours of female (and child) labour. This "schizophrenia" can only be explained by understanding that women's work constituted something other to ordinary male labour. The eight hour day was a male issue, separate from the Factories' Act, an issue for women (although dealt with almost exclusively by men). The "hours question" reflected the centrality of gender in union discourse, even though this distinction was rarely explicitly mentioned. Rather, gender organized the issues and the language of debate and action.

Of course, for some working class men, this distinction was somewhat less monolithic and more ambiguous. In 1888, amidst the debate around the "Eight Hour Scheme", one Mr. A.W. Wright (Knights of Labor, Toronto) made a surprising plea:

...although favoring the eight-hour scheme,...he hoped the consideration would be extended to their wives, for the men were only half-baked reformers who would derive the benefit from such remedy without permitting the wives to share.

(TLC proceedings 1888:21)

It is unclear whether Mr. Wright meant wives as paid employees or as unpaid domestic labourers. Certainly this was the first petition in TLC proceedings which mentioned "wives" as opposed to "female operatives". Immediately, another Toronto delegate, Mr. O'Halloran, put his own spin on women's inclusion in the eight hour issue, "contending that by no other means could a man have an opportunity to make the acquaintance of his family" (TLC proceedings 1888:21).

Mr. O'Halloran may have been misinterpreting Mr. Wright's intentions. He certainly was putting forth an assumption which endorsed the "naturalness" of male paid workers and female domestic labourers. In case the ambiguity reflected in Mr. Wright's point of view be taken as a challenge to this principle, the TLC next passed a motion in favour of a Workshop Regulations Act to protect the labour of those involved in manufacturing but not officially employed in factories as defined by the Ontario Factories' Act:

...be it resolved that the Congress petition the Ontario Legislature to pass a Workshop Regulations Act, with strict provisions as to the sanitary condition of all workshops and dwellings in which any kind of labor (*except household*) is performed....

(TLC proceedings 1888:22 emphasis added)

Unlike the eight hour resolution which was debated and discussed at length in every TLC session, this resolution passed without discussion.

The TLC had long been petitioning for a Workshop Regulations Act which would monitor and standardize the "pernicious sweating system". Sometimes the reasons behind the calls for such regulation centred around the "social, physical and moral degradation to the employees" (generally women and young girls) (TLC proceedings 1883;1887;1888); at other times, the union delegates argued against the danger and "injustice" sweating presented to their trades, especially as tailors and shoemakers (TLC proceedings 1883;1890). The protection of men as workers occurred simultaneously with the protection of women as women.

From 1886 onward, the TLC expressed dissatisfaction with the definition of a "factory" in the Act as employing twenty or more people. The resolutions in favour of a Workshop Regulations Act were attempts to ensure the recognition of the links between the practice of contracting out parts of the manufacturing process and the actual factory labour process itself. The exemption clauses, such as sections 1(1) and 21, made it clear that the drafters of the Factories' Act were adamantly opposed to "protecting" the health and safety of these piece-workers:

Provided, that where not more than twenty persons are employed in any place coming within the foregoing definition of a factory, and that where children, young girls or women are employed at home, that is to say in a private house, place or room, used as a dwelling, wherein neither steam, water nor other mechanical power is used in aid of the manufacturing process carried on there, and wherein the only persons employed are members of the same family dwelling there, the provisions of this Act shall not apply.

(Statutes of Ontario c. 39 1884 s.1(1))

Despite working class efforts to secure legislative regulation for these workers, in excepting house-work from protection proposals, the male union representatives were making it quite clear that they accepted certain distinctions between forms of labour, and between the labourers themselves. The Factories' Act drew a strict line between work done in a factory and that done in a private dwelling, and the distinction was as much technologically based (use of steam, water or mechanical power in the production process was a defining criterion) as it was based on a conceptual differentiation between home and workplace. Working class men had real interests in, and knew better than to write off private dwellings with family-based labourers as "non-industrially" employed. But they still drew a firm line between "productive" or industrial, paid employment and "non- or reproductive" unpaid domestic labour. Significantly this distinction served male interests as workers and as men. Household labour was not work, and the women who performed it were not workers; therefore, they were not eligible for "protection".

Male-dominated unions shared with the middle class the constructions of masculinity and femininity, and through their actions and the focal points of their debates, worked to maintain these distinctions rather than challenge them. And, as with the middle class, the organized working class denied women the power and status that men could derive from gainful employment. Although identifying a different enemy — capitalist "greed and avarice" — the unions sought to redress the crisis of women working instead of the problems women faced when they worked. Ostensibly this appeared as protection and, for the working class, the regulation of women's hours was the most important issue. But, in the context of the other struggles enjoined by the TLC, this "protection" seems largely superficial and ineffective. Women were denied protection, this time by their male counterparts, from the sexual division of labour, wage disparities, and discriminatory job allocations. If women worked in the home, they were discounted as labourers; if they worked in the factories, they were defined as their own class of labour requiring specific protection. Most importantly, by constituting women as an isolated workforce, the working class unions were denying women the

opportunity to identify themselves as workers, and for the most part as unionists with the possibility of empowerment. "Women's work" was acted *against* by male-stream unions, in the name of protecting women. The next chapter will look to some of the specific ways that men, within the working class, were able to empower themselves through the "naturalization" of their right to work, while the middle class acted to reinforce women's disempowerment on this same basis. The gendered and classed "politics of protection" was very much rooted in the gendered and classed politics of skill.

Notes to Chapter 3

1. In this reference, the "languages of class" refers to the class texts of the Chartist movement (Scott 1988)
2. In her anthropological account, Lerner in fact argues that women were the first "other" in social relations, citing the fact that the first known slaves in recorded human history were women. Lerner convincingly argues that in order to enslave or to dominate, a society must be able to conceptualize human "others". "That experience, which was available to men prior to the invention of slavery, was the subordination of women of their own group. The oppression of women antedates slavery and makes it possible" (Lerner *The Creation of Patriarchy* New York: Oxford University Press 1986:77).
3. Two reports were offered by the *RCRLC*, reflecting internal divisions among the Commissioners. The "Freed Report", endorsed by the majority, was pro-Tory. The "Armstrong Report" was more sensitive to labour issues, Mr. Armstrong himself being a former Knight of Labor (Kealey 1973:xv-xx).
4. Rev. Sedgewick may well have been responding to the trends of female factory work already well entrenched and greatly discussed in Great Britain and the United States.
5. Carlyle believed firmly in working hard for one's keep in order that "human nature...not have the road of life made too easy" (Report of Female Factory Inspector 1896). However, she maintained that women's factory labour be kept distinct from men's, and in fact that it qualify as a separate realm of occupation.
6. The Trades and Labor Congress continually petitioned the government and passed resolutions demanding that factory inspectors be chosen from the ranks of labour. These attempts failed dismally. (TLC proceedings 1883-1890)
7. "Race" was a term used often in middle class texts; I have not given it the kind of attention it is probably worth but have found it to have multiple and confusing connotations. At times, it appears to be truly humanitarian, intended to mean the "human race", or at least the nation of Canada. However, it is not unreasonable to assume that this human race was racist, envisioned as white. Often, this Anglo-centrism was explicit. Race does play a significant part in the larger construction of the middle class' "social evil", but a relatively small one in the specific "social evil" around factory work (except in the general omission of the recognition of ethnic and cultural diversities which were, of course, also classed). For an expanded discussion on middle class constructions of "race", gender, class and the "social evil" see Valverde *The Age of Light, Soap and Water: Moral Reform in English Canada, 1885-1925* Toronto: McClelland and Stewart 1991.
8. Although 1919 is well beyond the time frame established in this paper, it is interesting and helpful to note that this debate did not begin and end in the 1880s, or with protective legislation. Given the influx of women into all forms of paid employment during the exodus of men during World War I, the debate was likely heightened to a feverish pitch when MacMurchy was writing. Thus, despite the date, this piece is felt to be relevant and written in the same spirit as those expressed during the first tide of female entry into industrial establishments.

9. In a federal election campaign speech in 1886, the Hon. Edward Blake (Liberal) told an audience of Knights of Labor that the Dominion government was "arrogating to themselves powers which did not belong to them" in considering factory legislation. To loud applause, he made clear his position on child labour:

I have a very strong belief that children ought largely to be kept out of factories....I do not propose indiscriminately to abolish all child labour in factories, but I think the employment should be guarded and checked....

(Blake 1886:354)

10. In fact, far from finding fault with the employers, Inspector Brown blamed women as consumers for the "evils" inflicted upon female operatives. In his report in 1898, he accusingly stated that legislation to shorten and regulate women's hours would not be necessary if only people would patronize the places which treated their female workers with respect. If the "desire for cheapness" overcame such considerations, the "evils" would continue. "The wives and mothers of the land are most to blame, in that they principally exercise the patronage which can remedy the evils" (Report of Factory Inspectors 1898).

11. These divisions — between protecting women's work and occupational health and safety provisions — already existed in the discourses about protective legislation, and will be discussed more fully in the working class section of this chapter. It is interesting to note here, however, the distinction made between the Report of Factory Inspectors, and those of the Female Factory Inspector. This distinction is consistent with the dichotomy of work and women's work.

12. For example, in this first report Rocque found his factories to be "generally clean and free from effluvia", the drains "in a proper condition", and "nowhere found any of the rooms crowded to such an extent that the occasional opening of doors and windows would not be sufficient to renew the air" (Report of Factory Inspectors 1889). Rocque's position may have been extreme, but he was not alone in his refusal to demand change and culpability on the part of employers. Between 1888 and 1900, a grand total of 35 charges of violations of the Factories' Act were brought to the courts, 29 of which concerned the provisions on female and child labour. 27 of these 29 charges were made by Inspector Brown (Tucker 1988:77-78).

13. Factory Inspectors were also appalled by the state of closets once they were provided by employers. This time, however, it was workers who were condemned for not being properly appreciative of the efforts being made on their behalf. Factory Inspectors noted that "dirty premises [showed] a lack of interest in the prosperity of the employer" and warned the employees that the benefit of the Factories' Act would only be received by those "who will throw no discouragements in the way of their employers" (Report of Factory Inspectors 1890).

14. This did not include bakeries, which were added in 1896. Workshops were also included in 1892, and shops were covered in the Shops Act of 1889.

15. This resolution was actually an amendment to the original motion which stated: "That in the event of the existing Factories' Act not being in the meantime proclaimed law, all labour organizations be recommended to petition the Provincial Legislature to order the present Factories' Act become law". The amended and passed resolution was much more vehement. Immediately upon resolving this motion, a deputation was sent to Mowat's office to investigate the reasons for delay. The Act was proclaimed later that year.

16. In his first report, Barber was forced to change his opinion on the cause of accidents "when informed of accidents occurring even to careful workmen" (Report of Factory Inspectors 1889). This did not cause him to investigate the labour process itself, and neither he nor the other Inspectors ever took this statement further.

17. In her study of women's responses to the *RCRLC*, Trofimenkoff (1980) found that the female interviewees were very reluctant to speak out against their employers, and for the most part restrained from criticism and complaint. A very general problem with the Royal Commission was that employers were often present at interviews, just as the TLC here claims they were during factory inspections. Even the fear of complaints getting back to employers, and the general suspicion that commissioners and inspectors were biased toward employers were likely large factors in employee reticence to probing questions.

Chapter 4

Skill: Empowering Male Employment Rights and Protecting Men

The way in which the middle and working classes used masculinity and femininity to organize the newly emerging relations of production into a self-fulfilling prescription was not uniform across industrializing Ontario. Nor was the construction of the conceptual dichotomy of household and workplace, and the naturalization of this gender dualism sufficient to minimize the general social upheaval and, for the working class, the deskilling process brought on by the massing of the labour force and the mechanization of "machinofacture". As closed craft shops were forced to give way to large-scale, capital-intensive production processes, society in general, and the working class in particular, had to struggle to redefine the structure of a market-driven hierarchy of ownership and labour, and of power and privilege. Fuelled by androcentric constructions of employment and familial relations and strengthened by the resolve to defend, rather than challenge, these relations the actors in 1880s factory reform debates struggled to reconstitute skill as a central component of men's right to work and the right to vest identity in that work. Gender organized the political struggle for skill. It is not a coincidence in male-dominated capitalist society that skilled labour is monopolized by men or, conversely, that women's work is un- or undervalued. The struggle to ensure the relationship between masculinity and skill was a large part of the Factories' Act debates, and adds a further dimension to the "politics of protection".

Like the relations of masculinity and femininity, the concept of skill was shared and contested, relational and dynamic, and gendered and classed. Skill emerged in 1880s debates as a material focus of gender and class constructions. If the middle class was explicit in formulating a "moral" agenda based on masculinity and femininity, the unionized working class implicitly evoked the concepts of masculinity and femininity as it collectively framed political objectives based on skill. Thus, although the middle class did manage to appropriate the language of skill in its attempts to reform not factories, but factory women, the text of skill was primarily the terrain of organized working class men. The way in which these men arrayed themselves against women, even as they proclaimed principles of "equal work for equal pay", and "the better organization of females", is illustrative of the centrality of gender within class articulations and of the political choices made by actors within a society characterized by the simultaneous organizing principles of class and gender.

Skill, as a socially constructed value attributed to certain forms of work (Gaskell 1986:363-65), was accepted by workers, employers, reformers and politicians as the natural selection mechanism of the labour force. As such, skill *in toto* was shared across classes; skill gave material expression to the relations of differentiation so necessary to a class society. Yet, as argued in the previous chapter, the process by which differentiation is made to appear natural rests securely in the "natural" social construction of gender. As masculinity and femininity are exclusive of, yet related to each other, so too are skill and lack of skill. "The political definition of skill, like class and gender, is always dynamic and relative. For every person or job that is defined as skilled, another must be defined as less skilled" (Cockburn 1983:132). The contests to achieve the status and power of skill arrayed working class men against each other, and against women. Within the accepted principle that skill would create a legitimate hierarchy within any given worksite or at any given time, the competition to hold the title of "skilled labourer" was fierce.

Consistently within these struggles, however, one thing remained clear: women's "otherness" in the labour process eliminated them from the competition to define and gain access to skill. "Women's work" was, by definition, unskilled. That is, the process by which skill was defined involved allocating *gendered* definitions to "*productive*" tasks and attributing value on the basis of this distribution of labour. In this way, skill (or at least the opportunity to achieve and/or define skill) became at once a *fraternity* and a market-driven or "natural" *protection*. Men, as rightful workers, were protected by the "natural" structural logic of the market; women, as a separate "class of labor", were excluded from this protection. "Protective legislation", or the Ontario Factories' Act of 1884 could thus be afforded to women as a substitute for the natural protective safeguards of the industrializing workforce.

The Fraternity of Skill

The "Industrial Revolution" is characterized as a period during which there was a massive introduction of technological innovation which, in turn, transformed productive output into efficient modernized mass production. Yet industrialization also involved "organizational innovations" through which the control and management over the labour process — and, therefore, over the labourers — was irrevocably transformed (Tucker 1991:25). As industrial development itself was unevenly experienced, both across and within industries, so too was the reorganization of the

workforce. The imposition of technology alone was not sufficient to advance this process: workers resisted and negotiated the terms of mechanized factory employment. The prior existence of craft shops in any given industry was often an instrumental factor in both the shape and success of this resistance (Parr 1990; 1988; Valverde 1988; Hartmann 1979).

The closed craft shop which preceded and then competed with "machinofacture" had employed a regulated and privileged artisan class. Both the regulation and privilege had revolved around gender-exclusivity: most crafts were formally male-only. Becoming a master meant becoming versed in a skilled trade, and the individualized style of the master's product was a benchmark of his ability (Middleton 1983; Parr 1990:123-164; Hartmann 1979:214-16). Crafts controlled their numbers through complex and ritualized apprenticeships (Cockburn 1983:17-19). Becoming a master meant being at once male and skilled — so much so that skill and masculinity were conflated as being one and the same thing. Similarly, physical effort became a part of the skill-masculinity equation (Parr 1990:129-31). Craft production had its own hierarchies and its own sets of inter-personal relations. By vesting masculinity in skill, output and effort, masters, as men, had respect and privilege. This could be uniformly exercised over women who, despite the ability to perform the work (Middleton 1983:21-23), could never be officially proclaimed part of the skilled fraternity. Crafts-men, however, also had authority over younger men, who were dependent upon them for their induction into the ranks of the craft and therefore manhood. Craft production was organized around the varied gender relations of dependency and around personal, paternalistic social relations of both home and workplace (Lown 1983:30).

Industrialization threatened to disrupt this form of organization and its inherent recognition of skill. Factory demands and employers, not crafts and masters, inducted new workers to the production process. Women were performing and being paid for work previously done by apprentices and craftsmen. Apprentices were becoming scarce as children entered the factories. Machines were performing the work of craftsmen and transforming the very labour process of production. All the emblems of masculinity — skill, authority and physical effort — were seemingly at odds with centralized and capital-intensive machinofacture. To those men who faced displacement, resistance was at once a fight for economic security and a battle for their very identity as men.

Specifically, it was the industrial capitalist relation of free wage labour which threatened to overturn the artisan hierarchy (Armstrong and Armstrong 1982-3). Hartmann's study of British

industrialization shows that women, precisely because they were not masters, journeymen or apprentices and therefore not bound to a trade or a shop, were the first to be recruited into the “manufactories”, and specifically into the textile mills. Yet, as centralized, mechanized production began to take hold and overrun the more traditional forms of production — crafts and cottage industries — men replaced women as the “natural” factory, or free wage labourer. This begs the question of how men were able to reassert their working identity and why employers chose to hire the “less free” male labourer over the non-bound female worker.

Of course, a large part of the answer to this question lies in the fact that women were not altogether “free” despite their exclusion from artisanal ties¹. Women were bound to the household and specifically to child-birth, lactation periods, and child-rearing (Armstrong and Armstrong 1982-3:38). Still, it is arguable that, as a production system, industrial capitalism is unique in its ability to make child-birth an absolute liability (Sen 1980; Armstrong and Armstrong 1982-3; Brenner and Ramas 1984). In a transformative socio-economic period, it is reasonable to suppose that many labour-market configurations could have been possible. Abstractly women could have become “natural” factory workers and child-bearing could have been incorporated into the workings of the factory system. In fact, in some places where women dominated the labour market, this configuration did occur.

Parr’s 1990 study of Paris Ontario in the late nineteenth century exposes a realized example of this industrial possibility. In the 1880s Paris, a textile town, offered few employment opportunities for men. Here, women often held life-long commitments to the factory. Because of the absence of men, women workers were afforded time for child-birth by the employer — Penman’s — and guaranteed re-entry upon their return. In turn, the women of Paris reorganized household relations so that child-care was always available. Women arriving in Paris (mostly from Great Britain) would often bring their children, while their husbands, if still alive (many British widows came to work at Penman’s), would seek employment in other towns. Typical household arrangements in Paris involved many women with their children sharing accommodations, paying board and receiving, in turn, child-care from either the home-owner, older girls not yet at Penman’s, or older women retired from Penman’s (pp.15-34). As the predominant free wage labourers, women were able to renegotiate both employment and household relations, to the extent that child-birth was not a personal liability and child-care was a communal relation, all at *no cost* to the employer.

Yet, if Paris offers a glimpse of what could have been possible in industrial capitalist relations, it stands out in history as an anomaly. To continue with Parr's analysis, it can be contrasted with Hanover Ontario, where the male artisan tradition was very strong and the craft-masculinity equation defined the transformation to industrial capitalism.

Hanover was a furniture-making town which offered few, if any, employment placements for women. The Knetchel Furniture Company originally existed as a craft shop, where the master craftsman, Daniel Knetchel, saw himself less as a boss, and more of "a craftsman among craftsmen who through common gender shared a set of Christian responsibilities" (Parr 1990:140). Yet, as the furniture craft gave way to economic pressures to become the furniture industry the "veil of craft fraternity began to tear" (p.142). Daniel Knetchel's position as master of the shop changed to that of owner, a transformation which shook up the traditional organization of class and gender for both owner and workman. Over three generations, from Daniel Knetchel, through J.S Knetchel to Karl Knetchel (and therefore three generations of labourers), this transformation was complete. However, not all craft traditions expired.

As the camaraderie, skill and authority system of the craft fraternity eroded, workmen in Hanover resisted the change. Having vested their masculinity in their skills as furniture makers, they were loathe to give this up. Thus, as technology and scientific management seeped into the furniture industry, men skilled in the trade refused to budge on issues of authority and control. Workers resisted deskilling by maintaining control over the essentially personal parts of the labour process such as apprenticeships, tools, new machinery, and to some extent, the final product, by continuing to insist on individualized ornamentations and product styles (pp.129-31). Finally, men retained their rights of authority and respectability by insisting on a male-only workplace. Collectively, they struggled for "breadwinner wages" and the right to the masculine identity of skill. "Each of these claims -- to wage work, to arbitrate quality, to defend territory -- had credibility and gained political force because it was a valued attribute of male gender identity, a masculine prerogative that transcended class difference" (Parr 1990:146).

Yet the reorganization of work from closed craft shop to mechanized, centralized factory did entail class differentiation among men, a differentiation that was manifest in gendered terms. Daniel Knetchel's son and grandson faced difficulties asserting themselves as men of authority, difficulties which Daniel never experienced even as he led the way to industrial transformation. As a fellow

craftsman, Daniel had been accorded respect and deference on the basis of his skill as a manual labourer. He was master of a trade which united all the men in their masculine virtues. His successors did not have this paternal identity. His son, and later his grandson, inherited ownership and management of the company *without* the manual skills required for traditional masculine authority. These men were forced to forge out a new sense of masculine identity which skirted around manual skill, an undertaking which met with limited success. Daniel's son J.S. Knetchel faced the greatest difficulties. In his attempts to place masculine virility outside manual labour, he was forced to turn squarely to engineers, managers and technology. These can all be characterized by their radical departure from craft tradition — at once impersonal and rooted in thought, rather than physical vigour and dexterity:

Under the new business regime, the owner's task was to choose other men — because they had competence superior to his own — to run the firm from which he would profit. In a perfect inversion of the old order of things, the new captain of industry was to be judged successful not by his capacity to work but by his capacity to secure leisure time for himself by hiring others....

The forming culture among the industrial elite was all the more threatening to the foundations of masculine identity because it confined bourgeois men to business roles which, in their privacy and mediated indiscretion, looked like women's parts.

(Parr 1990:155)

Not surprisingly, J.S. Knetchel's term as owner was marked by fierce resistance and collective action on the part of the newly distinguishable working class.

If owners were ready to pledge their masculine authority in the realm of the non-physical, working class men resolved to define themselves by their affinity to the manual process. It would not be until well into the twentieth century, with better technology and the increase in service occupations that working class men would seek skill definition in information and mental, rather than manual agility (Tillotson 1990; 1991; Cockburn 1983). The late nineteenth century organized, male working class carved out an identity for itself that was at once gendered and classed by insisting on the masculine virtues of skill as the criteria for self-definition as a man and as a worker. Before turning to the ways in which this was reflected in TLC proceedings, and especially in terms of factory legislation, it is important to note that an actual craft history was not always necessary to the skill-masculinity equation.

Valverde's 1988 study of "mule-spinners" in British textile mills forces an interesting challenge to the concrete tradition of crafts. In examining the construction of the job "mule-spinner" in

the 1840 clothing industry, Valverde has found that "mules" occupied a new job classification. That is, "mules" had no craft tradition. Yet, because this position was new, machine-intensive, and done by men, "mule-spinners" were able to construct a closed craft shop on their job definition which was at once skilled and masculine:

Whether [the mule-spinner union] saw the women workers as female and opposed their presence out of a desire to preserve male privilege or whether they saw them as un-skilled workers and harbingers of the decline of craft unions, is a rather futile question to ask. The point is that for the spinners masculinity and craft were completely intertwined.

(Valverde 1988:623)

Of note here is that "skill" largely rested in the exclusion of women, or conversely, that that exclusion was a part of the definition of skill. That is, "skilled labour" did not have to exist in any other concrete form than being a male-only calling.

Although the case of the Knetchel Furniture Company stands out as a fairly clear-cut example of the transition from craftsman to worker, Valverde's study shows that in fact (and perhaps because of cases like Knetchel) skill remained an undefined, and therefore redefinable concept. In another comparative analysis, Parr (1988) examined textile mills in Britain and Ontario in order to determine if there was any consistency in the labelling of skill. She found that there was none. Although the tasks, machinery and labour processes were essentially the same, the various jobs defined as male in Britain were just as easily defined as female in Ontario:²

Sexual division in the labour force is the sum of the sex-labelling of specific tasks. These labels on close inspection have shown so little continuity as to seem arbitrary. The same jobs have been assigned to different genders at different times in the same place and in different places at the same time.

(Parr 1988:511)

Here, Parr invokes "arbitrariness" as a component of skill labelling; this is not entirely accurate (as she goes on to demonstrate). Two things are now clear about the definition of skill: first, that "skill" should remain as a defining hierarchy of the workforce was a non-contestable issue; second, and consequently, the struggle to define and achieve *specific* skills was a particularized process of gender-class relations.

The rewards of skill (that is, in relation to lack of skill) were great, entailing power, authority, security and respectability. Working class men resisted the technological and organizational changes of industrialization in order to preserve what was seen as the inherent right of masculinity: to possess and protect — and therefore be protected by — skill:

Power may not simply come from skill but may also enable some workers to establish their skilled status, a status which strengthens further claims to income and other rewards. Skill, then, may not be simply a source of male workers' power, but may also be a label won in part on the grounds of masculine entitlement.

(Tillotson 1990:75 emphasis in original)

The Trades and Labor Congress of the 1880s and even the Knights of Labor, collectivized around this spirit of manhood. Despite the efforts of the Knights of Labor to include women workers (which were successful in small measures) and even the promise to unite skilled and non-skilled workers (note the implicit recognition of this "natural" hierarchy), in fact the "language of class" evident at TLC conferences indicates that the organized working class adhered to the skill-masculinity equation. Thus, even as they spoke of protecting women in factories, the unions sought their own protection in skill, and looked to factory legislation to reconstitute this form of male protection.

"For the Same Class of Work Properly Done"

There was the whole secret. The profession of the law had a strong union, and so had the medical profession, and they were well protected....[Unionists] should surround their callings with as much protection as possible. It was the old story, that wherever the working-men were concerned there had been no protection whatever.

(TLC proceedings 1889:12)

For the organized working class, "protection" had many meanings, of which the protection of women from "super-exploitative" conditions was only one. Working class men also sought protection for themselves through mechanisms that were, arguably, at odds with the interests of their female counterparts. Yet male protection was not at odds with the Factories' Act of 1884. In this way, the working class "politics of protection" was paradoxical.

In order to unpack this paradox it is important to ask not only how the working class resisted deskilling, which was perceived as emasculation and therefore the erosion of a protective identity but, additionally, how this resistance was received by employers. Male resistance did not fall on deaf ears: employers acceded to the male working class' insistence on the male right to work and to the masculine claim to skill. Yet, employers found themselves in a contradiction, indeed one which has continued to plague socialist-feminist theorists. If women were cheaper, more submissive and less likely to unionize, why were they not preferred labourers? Why were women only employed in "pockets" of industries and not uniformly across the board? If the "logic" of capitalism is "sex-blind", why did women not become thoroughly proletarianized?

As members of the upper class, employers must have shared concepts of masculinity and femininity and morality with their "reforming" counterparts. At the same time, however, they hired women to work in "unfeminine" and "amoral" environments. The *RCRLC* Commissioners were dismayed by this apparent hypocrisy, criticizing two employers for firing female piece-workers who had gone on strike to protest unfair prices, the holding back of wages, fines and overtime work without pay.³

Some among these directors are members of the Society for the Protection of Women and Children. What justification could they offer, should they learn that among the unfortunate whom they seek to succor are some of those who, by reason of their not being paid, have been driven from their boarding houses and rendered homeless?

("Freed Report" *RCRLC* 1889 in Kealey (ed) 1973:27)

Similarly, while employers may have shared attitudes about the "protection of women and children" with other members of their class, they unequivocally reported to the Commission that they would continue to hire women. "[Women are] more profitable to us, or we would not employ them" (*RCRLC* 1889 in Trofimenkoff 1977:76). Employers went on to explain that women remained profitable as long as they were docile, clean, quick, cheap, sober and replaceable (Trofimenkoff 1977:77).

In effect, this meant that women remained profitable if they remained segregated as an isolated "class of labor". It was in this process of marginalizing women's labour that working class men's resistance met employers' interests. While the social construction of exclusive masculine and feminine spheres defined the general organization of the new industrial labour process, it was not sufficient to concretize these preferred relations. Working class men organized to ensure that this marginalization became a material reality.

How, then, could unions justify a separate female "class of labor" alongside commitments to "equal pay for equal work"? Answer: "equal work" was not a realizable position for most female workers according to the definition put forth by the TLC. In late nineteenth century Ontario, skill was defined in terms of "productive output" (Tillotson 1991:108; Parr 1990:531). Due to both the constrictive definition of femininity and the material relations under which women laboured, female factory operatives could not attain the same levels of "output" as men. Those criteria which gave rise to the opportunity to obtain and/or define skill rested in the male-centred right and ability to work, such as the male life-long, instead of female life-cycle approach to employment (Steedman 1986; Cuthbert-Brandt 1985; Bradbury 1987). Women and men did not have the same relationships to

employment: women and men therefore did not perform the same "class of labor". For middle class organizations like the NCWC, this distinction was abundantly clear and just:

In the majority of the establishments where men and women are employed, the rate of wages paid to the women is lower, but this does not argue cheaper labour, but a different class of work, women generally not being thoroughly trained, nor able physically to do men's work.
(NCWC 1900:102)

For labour unions, however, this distinction required a carefully elaborated theory in order to bring women's "otherness" together with "equal pay". Of course, male unionists (and non-unionists) had just cause for complaint: female labour was cheaper, and weakened their bargaining power, especially in respect of earning a "living wage". Convinced that the right to a "living wage" rested in "learning a trade", delegates at the TLC Conferences sought to combat this threat by insisting that women be brought up to standard. The 1889 argument supporting this resolution merits citing in full:

Whereas, at present time, female labor is manipulated and used as a means of reducing the price of labor in general; and in trades where the female is so used to the detriment of the male labor, as exemplified particularly in the printing business, she is scarcely ever properly taught said trade, or given an opportunity to a fair rate of wages, being merely used for the time being as a lever to reduce the price of labor; and whereas if woman is to be recognized as a competition in the labor market, such competition should be on a fair basis, brought about by her going through the same routine of learning a trade as the male, and consequently getting the same rate of wages; therefore resolved, — That the Dominion Trades and Labor Congress strongly discountenances this evil, and requests that employers of labor be urged to pay the woman the same wages as the man for the same class of work properly done.
(TLC proceedings 1889:23)

No further discussion being necessary, this resolution was unanimously passed.

This was certainly a strong resolution, and showed both the real threat of competition and deskilling, and the understanding that fighting against this threat necessitated a pre-emptive move on the part of male unionists to encompass women in their ranks before they were forced to submit to the conditions and wages experienced by unskilled female labourers. At the same time, however, this petition was carefully worded to protect men's special status as skilled tradesmen. It was this status which was specifically in competition with "women's work". "Women's work" could only be afforded this masculine entitlement on the conditions that: 1) it be the same "class" of work; 2) it be "properly done"; 3) that women be "properly taught" a "trade" in the same manner and "routine" as men. These comparative criteria rendered the commitment to "equal pay" meaningless.

The resolution at the 1889 TLC conference demonstrates two connected streams occurring which, despite what were likely sincere and strongly felt commitments to the "opportunity" of equality, in fact reinforced gender inequality in the industrial workforce. First, in assuming that skill could be (or was already) defined, and therefore learned in concrete and static terms, unionists were obscuring the traditional exclusion of women from the construction of "skill", and the built-in gender and power inequities which emanated from "skill" — i.e. masculine entitlements. Second, unionists were obscuring the fact that "learning a trade" required exactly the kind of commitment to labour and employment relations which their adherence to the concepts of masculinity and femininity and workplace and household denied. The TLC commitment to eradicating unequal wage rates on the basis of skill was in sharp contrast to their support of the notion of women's "class of labor". Only when women were ghettoized in pockets, both within and across industries, were they profitable to employers; only when women were denied skill were they replaceable; only when women were bound to the home were they denied skill. By cleaving to *both* skill (and therefore equal pay for "the same class of work properly done") and masculinity, the organized working class could not hope to resolve the competitive threat of "women's work".

The ability to expend time in "learning a trade" was not a readily available option for most working class women. Women's "natural" commitment to the household and, therefore, their unnatural, or temporary commitment to paid labour was not compatible with the process or "routine" of learning a trade. The shared acceptance of this construction of masculinity and femininity across classes worked to women's disadvantage in terms of access to skill. Cuthbert-Brandt's 1985 study of Quebec cotton workers explores the impact of women's life-cycle approach to employment, and demonstrates its self-fulfilling dimension:

...companies regarded all women, regardless of their individual circumstances, as temporary workers and provided no occupational mobility for them.
(Cuthbert-Brandt 1985:168)

In textiles, men were encouraged to learn many facets of production in order to become "loom-fixers", a skilled job which often entailed the authority of foreman⁴. On the other hand, most female textile workers performed the same job throughout their industrial careers (Cuthbert-Brandt 1985; Steedman 1986). Masculinity and femininity in this way organized a distinction between "what men were allowed to know and what women were not" (Parr 1988:523). That is, gender divisions which favoured men's employment rights organized the ability to access skill.

The relationship between masculine and feminine entitlements and roles and the ability to claim skill was similarly apparent in other industries. Tillotson's 1991 examination of skill in the telegraph industry demonstrates the ways in which women were systematically excluded from the ranks of skill. Interestingly, telegraphy did not entail the clear-cut divisions of labour evident in the textile industries, and the work of the wire operators was actually genderless in its anonymity. Far from negating the masculinity-skill equation, however, owners and male telegraphers insisted on finding skill in men's work and therefore, by definition, finding its absence in women's work.

Again, the most important distinction between men's and women's work was marital status and terms of commitment: female telegraphers were single while most men were married; women were often seasonally employed, while men were more likely to be full-time, year-round workers. Yet, all workers on the wires were considered skilled relative to other workers, and telegraph operators were generally the highest paid members of the working class (p.108). Gender, then, operated in more subtle ways to determine the relative levels of skill attainable by men and women within this particular industry.

Importantly, skill was measured entirely by "productivity" or "output". The criterion of volume was considered to be an empirical reality and, therefore, an objective category by which to allocate skill and reward. What this obscures are the material and ideological determinants of "output". Managers and owners had the power to position employees on the wires, some of which carried more traffic than others. Women, as temporary and "unnatural" workers, were not seen fit to merit high volume positions (p.109). Further, while young boys were allowed to apprentice, young girls were not. Women, because they were women, were denied both the experience and the positions necessary to claim or enhance their productivity and, therefore, skill.

Male operators benefitted from women's life-cycle approach to employment, and from women's "otherness" through being awarded the opportunity of skill. To compound this gender selection, and to make it appear natural, men worked to enhance the definition of skill as an exclusively masculine trait. Tillotson documents the way in which men praised one another over the wires for speedy and easily comprehended messages: acclaim was delivered in gendered terms, such as calling a good operator Horatio, the archetypical male hero (p.116). Men also claimed that they could tell when they were receiving a message from a woman, because women apparently tapped differently, and more sloppily than men. Competent women were only seen as anomalies, a percep-

tion which strengthened the skill-masculinity equation: good female operators were "an affront to the normal order" (p.116).

By preserving this "normal order", the male workers were both protecting and seeking protection in the androcentric construction of skill, while at the same time defining it in what appeared to be gender-neutral terms. Within the telegraph industry, women were ghettoized into the lowest ranks, and therefore lowest paid positions in the operator hierarchy. This "ghettoization" was not isolated to telegraphy: it is this marginalization — the maintenance of a women's "class of labor" — which formed the last dimension in women's inability to lay claims to "equal work" and, therefore, "equal pay".

As outlined in chapter two, women were not employed evenly across industries, but were concentrated into particular segments, notably clothing, dress-making, wool and cloth, boots and shoes, hat-making, printing, tobacco, hosiery and canning (Cohen 1988:167). It is this concentration of women which indicates that industrial capitalism was anything but genderless in the accumulation drive. In 1931, a British economist commented on the paradox of the "woman question":

A good deal has been written about the inequality of wages for presumably the same work of the two sexes.... But the main question remains unanswered. How can female labour generally and permanently receive a lower wage than it is worth...? When it is said that it is unjust to pay female labour less than male, it is unclear why the employer who employs both kinds of labour together does not increasingly substitute the cheaper female labour for the dearer male labour. There you have the heart of the question. If the employer — and we must assume that he acts from the purely business point of view — does not do this, we must conclude that he puts a higher value on the male labour for some reason or other, in spite of the supposed equal work.

(Cassel *Theory of Social Economy* 314-15 in Florence 1931:21)

While Florence went on to explain that perhaps the gender-driven evaluation of labour was not a "purely business point of view", his insights are nonetheless instructive. It was, he maintained, the concentration of women into a small number of industries that gave rise to this paradox. More, it was the blanket assumption that all women were temporary workers without dependents and living at home, working to supplement the family economy rather than to provide a living wage, which allowed employers to engage in such discriminatory wage practices and which provided space for male unionists to bargain for a breadwinner pay-package. Women were more diverse than men, since men were more likely to be married, or "marriageable", while women worked for a variety of reasons: as daughters, sisters, wives, mothers, widows or spinsters. Men's bargaining position — that is, their

ability to engage in collective action to ensure a living wage — was much stronger than women's and obtained at women's expense. Florence even noted that "[m]ale labour is immobile enough, but female labour, owing to family ties and social conventions, is vastly more so" (28).

Florence's observations and sensitivities are impressive and hard to improve upon, but for one aspect: in light of the development of arguments around masculinity and masculine entitlements, I would argue that it was exactly the "business point of view" that strengthened employers' resolve to bargain with men at the expense of women. The shared construction of women's "class of labor" and the material manifestations of this marginalization through the particularized struggles around skill made it highly profitable to employers to have an isolated female workforce. This profitability moved beyond the general downward pressure exerted over all wages by the lowest wage.

Women were *only* profitable if they remained a separate workforce, identified with the household, and therefore engaging in a life-cycle employment pattern, and performing "unskilled" and ghettoized labour. In chapter three, the cigar-makers union was documented as being called upon to rally behind protective legislation in light of the increasing tendency of employers to hire the cheaper labour of women and children. By 1889, this trend was already being reversed:

In Toronto, there are very few women employed in cigar-making. The reason being that all the employees belong to a union which insists on all workers being paid alike and the employers prefer to employ men, because they are likely to remain longer in the business.

(Thomas 1889 in Cook and Mitchinson (eds) 1976:178)

It would appear that gendered employment patterns were created entirely from the "business point of view".

When masculinity and femininity and skill and employment were put forth alongside "equal pay for equal work", the results were contradictory. It was precisely because employment relations were gendered and women were concentrated into specific pockets of industry while at the same time defined by, and held responsible for familial relations, that women, even if they could demonstrate "the same class of work properly done" could not be hired as men's equals. Their labour conditions were contingent upon their gender, and therefore, men's work was contingent upon "women's work". The ideological aspects of the shared constructions of masculinity, femininity and skill could not be separated from their materiality. For all that the "politics of protection" might have meant, it did not entail women's protection from their own "class of labor".

The impact of masculinity and androcentric "protection" did not go entirely unnoticed by commentators of the times. Minnie Phelps emphatically addressed a readership on the merits of expanding women's industrial possibilities:

I do not plead the identity of the sexes. I plead their equality. I do not ask that women plead protection from these glaring evils. I do ask that woman may have a chance to protect herself by the same lines as the other fraction of the human whole — man — because there are about as many women as men who have to rely upon their own energies for bread....Again, woman's wages are cheaper, because she labors too much in a few occupations....Throw open the doors of every profession, trade and occupation, so that if one line becomes a "glut on the market", she may, like her brother, look elsewhere.

(Phelps 1890 in Cook and Mitchinson (eds) 1976:184 emphasis original)⁵

Here, we find a glimpse of what "protection" could have come to mean: women protecting themselves through independence rather than being subjects of protection and remaining dependent upon gendered employment ghettos. For this vision to have been accepted, however, unionists would have had to have been willing to relinquish their control over skill and the masculinity associated with employment. The working class "politics of protection" could not accommodate this possibility.

Protecting Men Through the Factories' Act

The gender-specific provisions of the Ontario Factories' Act of 1884 left men to the protection of the labour-market hierarchy. This meant, of course, that men did not receive the benefit of hours protection, overtime regulations, meal breaks, the half-holiday on Saturday, or safety conditions regulating the use of machinery (other than that there should be guards on moving equipment). If women and children were not present in a factory, most of the Act did not apply. Yet, in return, and especially for men who worked in factories employing women, there were some material benefits afforded by the lack of legislative "protection".

In general, the Factories' Act provided legislative endorsement of woman as "other" in the factory environment and, therefore, endorsed the sexual division of labour as natural. This definition empowered men in relation to women and their work. Through this reconstitution of male employment rights, the Factories' Act further weakened women's position in the factories and in the larger workforce.

By the time the Factory Inspectors produced their first reports, most women were already working an average of ten hours per day, and for the most part, less than sixty hours per week (Reports of Factory Inspectors 1889; RCRLC 1889 in Kealey (ed) 1973). That is, the Factories' Act did

not significantly change the average work week of the factory woman. However, the legislative conditions pertaining to women's hours did implicitly reinforce men's rights to employment and their ability to gain access to the already gendered criteria of skill. This was accomplished in two ways. The first has already been discussed; that is, the assumption that men could negotiate their own hours while women could not reflected the social view that women were victims and in dire need of external guidance. More, gender-specific hour legislation could only be considered protective if it was assumed that protection was lacking: in other words, the Factories' Act was based on the idea that women required special provisions because their labour existed *outside* of the self-regulating mechanisms of the free-market system. This reasoning lay behind the TLC's continued pressure for a female factory inspector, who would be able to recognize "intuitively" the kind of protection being a woman required, something a man would find it difficult, if not impossible, to determine:

The reform they [the TLC] advocated, however, in the appointment of female inspectors was one of the greatest moment to a very large segment of the wage-earning fraternity. There were many instances in which a woman among women would insist upon a closer observance of the law than would ever suggest itself to a man. She would intuitively know a good deal more about the system of female labor than a man could ever acquire, and from that knowledge would be in a position to make enquiries and obtain information which is now practically a closed book.

(TLC proceedings 1889:17)⁶

Women's need for "protection" existed outside men's experiences. This resolution (unanimously passed) did not refer to morals, but rather to the clandestine employment of children and young girls and the moving shops and fluctuating seasons which employers manipulated to avoid the provisions of the Act. It was this kind of gender-specific lack of protection which validated seeking state intervention into conditions of employment.

The second protection offered to men through the regulation of women's hours came through the more specific aspects, notably the banning of women from night shifts, and the curtailment and regulation of women's overtime hours. If women had been in a dubious bargaining position before the Act, these provisions left them even less room for empowerment through employment.

If we recall Parr's insight on the way in which gender relations structured access to knowledge about technology and machinery — "what men were allowed to know and what women were not" — and Tillotson's equation of skill with output, it is possible to see the larger disadvantage women faced by being forbidden to work after 9:00 p.m. or before 6:00 a.m.. (This restriction, of course, takes into account the immediate advantages of not having to perform night shifts, especially

for women with dependents or children in their care.) Masculinity was very much vested in issues of control and authority, and skill was entrenched in the manipulation and knowledge of tools. By legislating women's night hours, but not men's, the Factories' Act had the effect of reinforcing the male relationship to machinery and therefore skill, or "the social consensus that mechanical aptitude was masculine, with its accompanying implication that men appropriately controlled machines, and only 'lent' them to women" (Parr 1988:523). Men who worked in shifts around the clock were entitled to continual access to technological innovations, and therefore the increased productivity ratios which defined the skilled labourer. This position was secured by women's notable absence.

Before turning to overtime restrictions, it is worth noting here that the limitations placed on women's relationship to machinery through the hours' legislation were buttressed by the gender-specific provisions on access to mill-gears, shafts, gears, etc. According to the Factories' Act, women were not to clean, or be near any part of the mechanized technology when it was in motion. This too was not an insignificant gain. MacLean (1899/1900) wrote that in 1896, 174 accidents were reported in Ontario, only seven of which involved women, none of whose injuries were fatal (p.179). This fortunate fact, she explained, was "probably owing to the kind of work in which [women] are engaged. Women are not employed in work which would expose them to such danger" (p.177). Yet, while we cannot underestimate the immediate gain this represents, it is important to consider the larger implications of women's enforced alienation from the productive means. The virility seen to exist in men's relationship to machinery was simultaneously perceived as dangerous when possessed by women (Parr 1988:521). In the name of safeguarding women, the Factories' Act took away any rights women might have had, or come to have, to both know and use those "objective" tools which defined skill and power.

The provisions which defined how and when women could work overtime — i.e. more than the sixty hour week — had an immediate impact on women's employment. Due to the fluctuations and seasonal adjustments common in women's employment ghettos, overtime work had been an instrumental factor in the structure of female factory labour (Report of Factory Inspectors 1889:1890). Preventing employers from working women overtime, unless with a permit stipulating that such overtime not extend beyond six weeks in any given year, or twelve-and-a-half hours per day, or beyond seventy-two-and-a-half hours in a week, translated into a restriction on the flexibility employers depended upon so greatly where women workers were concerned. Overtime regulations simply made women's employment less desirable and less profitable. Employers, therefore, either

ignored this provision (TLC proceedings 1889:17), or turned to male workers to take on the shifts. By 1898, nine years after the first factory reports, the compounding effects of overtime restrictions and night shift regulations were being felt:

The very limited time allowed by law for overtime employment forced some employers to do their overtime work with males, and some worked night and day with a double staff, which is not contrary to the Factories' Act, so long as the week's work of sixty hours for females is not exceeded.
(Report of Factory Inspectors 1898)

Finally, the stipulation that boys under twelve and girls under fourteen not be allowed in factories *at all* was likely an impediment to those factory women who cared for dependent children. In the absence of childcare, and prior to compulsory education⁷, women often brought their young children to the factories with them, in order to provide some care while they worked. For many, and especially those in textiles, this practice was also used as a form of apprenticeship. Children would sit by their mothers, aunts or older siblings and learn their trade, in order to avoid the low wages and prolonged apprenticeships experienced by newly employed young persons. (Cuthbert-Brandt 1985:165). The ban on this form of childcare and apprenticeship, and the raising of the age at which young girls could begin their apprenticeships would have been a formidable obstacle to many women's access to the factory itself. This provision probably sent many women to sweat-shops, home contract work, or other sectors of the "hidden" economy.

In the absence of documented reactions from working women themselves, it is next to impossible to guess at how the Factories' Act was received by the ostensible beneficiaries of protection. Further, it would be unwise to judge too quickly on whether or not men really benefitted from gender-specific legislation. It is necessary, therefore, to briefly examine the reality of the protection offered to male workers through the provisions made to female factory operatives. Among socialist-feminist theorists, this is the cause of some debate.

There are two identifiable camps in the debate around men's gains through gender-specific legislation. Parr (1988) has argued that working class men only gained ethereal power through the gender-exclusivity of skill relationships. That is, men were allowed to feel pride in their workmanship and their skills — "gender pride" — while at the same time finding themselves stripped of the real authority of the traditional craft hierarchy, an authority transferred to the material power of ownership (p.529). Bradbury (1987), Sen (1980), and Lewis (1985) similarly warn against oversimplifying the distribution and effectiveness of protection. They argue that distinctions need to be

made between the "labour aristocracy" — organized, skilled, white male workers — and non-unionized unskilled labourers, both male and female. Bradbury argues against invoking "sexism" as an explanation of the perpetuation of the sexual division of labour, and further, to at least accept the sincerity of these more privileged workers in endorsing the essentially middle class ideal of the non-waged housewife as both a symbol of male virility and as a rational family survival strategy:

Skilled workers believed married women should work at home as home-makers, not simply in order to dominate them, which they could, but also because within the context of late nineteenth century and early twentieth century capitalism, such work was required to transform wages into sustenance and shelter.

(Bradbury 1987:36)

With these distinctions in mind — i.e. that skilled labourers were more privileged in terms of wages and bargaining power and therefore better protected than their non-skilled brothers — it is still possible to claim that all working class men did benefit through women's exclusion from the "normal" workforce. This essay has focussed primarily on the relational aspects of men's and women's work, and the ways in which these relations were transformed into legislation. Thus, although already-existing power differentials conferred relative amounts of protection to different parts of the male work force⁸, all working class men received at least nominal protection relative to all working class women (Gaskell 1986; Tillotson 1990;1991; Cockburn 1983; Scott 1988; Steedman 1986). Further, because all the elements discussed in this paper *only* exist as relational, then this relative power and protection must be understood as *real*. That is, all men were considered natural workers and therefore protected by the natural hierarchy of the labour market — even if this protection unevenly advantaged some men — while all women, because they were women, were seen to be in need of artificial, state-imposed protection. Hartmann (1979) has argued that protective legislation politics in and of themselves reflect the "otherness" of working class women's labour. "Protective legislation, rather than organization, was the preferred strategy only for women (p.228). That is, the male working class organized and agitated for change for themselves, and negotiated on behalf of women. Furthermore, this paper has argued that working class men looked outside the Ontario Factories' Act of 1884 for protection from longer hours, night shifts, overtime work and for occupational health and safety measures not because they were not protected, but because they were, by virtue of their normality as workers and subsequently the opportunity (at least) to gain access to skill. Women were deliberately and actively excluded from this definition of protection because, according to the working class "politics of protection", their exclusion was a constituent element of

male protection. Women and their work were therefore eligible for external, state-managed "protective legislation".

"To Acquire Skill in Womanly Pursuits"

Especially would a little practical training in domestic economy be useful to the girls of this [the working-] class. Most of them are destined to be wives and mothers, and the question whether the household shall live in pinching want or in comparative comfort often depends on the skill and thrift of the wife and mother.... The men have their engineering schools, their schools of practical science, their agricultural college and are soon to have a school for miners. Let us, as women, arise and assert our rights. We have a profession as grand and as important as any: we need training for it — and we shall have it.

(Helen Cameron Parker "Technical Schools for Women" 1893 in Cook and Mitchinson (eds) 1976:148-9)

While the notion of "learning a trade" through full-time, on-hand experience — i.e. apprenticeship toward a skill — and thus the rationalization of a labour hierarchy marked by wage, power, and status differentials was primarily the language of working class movements, it was not absent from middle class treatises on women's "proper sphere". It is important to note that this particular process of gender-class construction was not exclusively managed by working class politics. The nineteenth century middle class appropriated these same notions of training, experience, skill and reward in order to justify their ideals on woman's place in industrializing society. Significantly, however, and in line with their agenda on femininity, the rewards the middle class advocated as derivative of skill were more ethereal than those envisioned by their working class counterparts.

The middle class texts on skill touched on many of the issues raised by the organized working class: employment and household relations, the exclusivity of masculinity and femininity, the "unnatural" competition between men and women for jobs and the "natural", seemingly timeless hierarchy of skill. Yet, consistent with their agenda to reify femininity and therefore protect the moral relations of industrializing society, in talking about skill, the middle class forced a drastic shift in focus away from the factory, with an eye instead toward cultivating skill in the domestic arts. In the attempt to reconstitute femininity in opposition to factory labour, the middle class emphasis on the "womanly arts" was somewhat of a proactive strike: the goal was to lure women back into the household by emphasizing the specifically *skilled* status of homemaker. This dialogue is indicative of both the shared consensus on the importance and normalcy of skill, while at the same time demonstrating a classed distinction in the construction of gender. As with the working class, the middle class use of skill was the second dimension in the "politics of protection".

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According to middle class reformers, the "true" working class wife and mother would be an indispensable link in the wage-relation chain. She would not be idle, but thrifty; not delicate, but hardy⁹. She was to be responsible for the provision of the needs of the male worker, in order to ease his life after a hard day's work, and to guarantee his ability to return refreshed to the job. She would know how to spend and save money, and how to provide comforts on even the most meager budget. This working class female knowledge was identified as the most important buffer against poverty and despair:

Among the many reasons advanced by workers among the poor and wretched for the poverty and wretchedness so rife, is often repeated "the thriftlessness of woman". How can it be otherwise? The well-worn adage, "a wife can throw out of the window more than her husband can bring in at the door", is a positive fact.

(Parker 1893 in Cook and Mitchinson (eds) 1976:147)

It is worth noting that this view was adopted by male workers as well. In a submission to the *Toronto Globe* in 1886, a man signing himself "a workingman" provided his thoughts on "the labour problem":

The great trouble we have to do with is, after our money is earned, the way the poor miserable wretches of women waste it. They are trained up in idleness by their mothers so that the very thought of work makes them sick. They are ignorant of housekeeping and of homework so that the modern wife knows nothing of the responsible position in which she is placed....The man thinks his wages are not sufficient, but you cannot earn sufficient, and the only remedy is to get training schools to train girls to housekeeping.

(*Toronto Globe* Sat. May 29 1886:12)

This workingman hit the crux of the issue: if women were stubbornly denying their predestined calling by neglecting their household responsibilities, working in factories, and refusing to pass on vital knowledge to their daughters, then the middle class would step in to rectify the problem. Women would be trained as housekeepers. This would solve two pressing issues at once: gendered competition on the shop floor and the decaying household.

Yet, because both household and employment relations were changing so rapidly, and because technological innovations were behind much of the change, the middle class could not rely on merely social pressures to encourage women back into the home. If the "outside" world was increasingly enamoured with the "scientific process", then the household must be similarly imbued with scientific, quantitative qualities. Domestic arts would become "domestic science" (NCWC 1900:91-95). Thus, the NCWC encouraged other reform-minded organizations to support women in efforts to "acquire skill in womanly pursuits":

What we need in Canada to-day is skilled labour, and in order to secure greater opportunities for girls to acquire skills in the various womanly pursuits, an effort must be made to secure for them special technical education.

(NCWC 1898 in Cook and Mitchinson (eds) 1976:153)

The middle class vision of "skill" — or technical knowledge fitting for a woman — was a particularly narrow one. At least the working class texts on skill for wage workers held out the opportunity of material benefits and reward for those who were part of the fraternity. The middle class appropriation of experience and training did not usually entail monetary remuneration¹⁰. Rather, the rewards of domestic skills were an extension of the coveted "help-meet" relationship: women could be afforded only ethereal status as unpaid — but skilled — domestic labourers. As "good wives", they would instead receive the "protection" of their wage-earning complements.

In another departure from the working class construction of skill, the middle class were not so much convinced that women's factory labour acted as a mechanism toward deskilling and lower wages, but instead that women were (inappropriately) entering the waged labour market because their skills as domestic labourers were undervalued and undefined. It was this logic which led to the emphasis on education. The fact that girls and young women were not receiving skills training in household science was identified as a cause of women's transgression to factory work:

Boys and girls are being educated on the same lines without any consideration of the special aptitude or future life of the pupil, hence girls are crowding boys and men out of the common pursuits, leaving the distinctly womanly occupations to the illiterate and untrained.

(NCWC 1898 in Cook and Mitchinson (eds) 1976:151)

Even further, women's "crowding out" of boys and men from "their" occupations was not only an indictment of femininity but an affront to masculinity:

Woman has had, from creation, distinctly defined duties, and until the power of education and influence is brought to bear upon these duties, and she has demonstrated her ability to do her own work well, she has no right to infringe upon man's prerogative.

(NCWC 1898 in Cook and Mitchinson (eds) 1976:150)

Yet, if working class women, and especially young working class girls who were distracted from learning household skills by the temptations of paid factory labour, were the *subjects* of middle class texts on skill, the real weight of the argument was directed toward other middle class women. There is no evidence of a drive to actually change household duties, but rather a concentrated effort to alter the social value of these labours as rewarding in and of themselves. This could be done by simply calling the work "skilled". Middle class women, therefore, "owed it to humanity" to train

young female domestic servants in their own households the value and practicality of learning this "trade". In effect, middle class women were being called upon to apprentice working class girls to the elevated status of wife and mother (NCWC 1898 in Cook and Mitchinson (eds) 1976:152).

The "First Training School for Girls" was established in Toronto by the Women's Christian Temperance Union (WCTU) in October 1891 (*Toronto Mail and Empire* 1933). In a pamphlet put out by the WCTU, entitled "Girls' Industrial Institute; Outlines of a Plan for the Protection and Improvement of Young Women employed in Factories and Shops and for the Training of Young Girls for Domestic Service" (1891), middle class women beseeched the financial and moral support of their contemporaries in rescuing young women from "the street or ... questionable places of amusement". Here the concept of training for domestic science was put into practice. The WCTU first laid out the severity of the social problems before them, as embodied in their young female clients:

Having had no opportunity of learning housework or sewing many of them are totally unfit to keep house, and it is well known that uncomfortable homes are a fruitful source of misery and vice.

Therefore, the Relief House would offer classes in dress-making, sewing and cooking. Here was reform work indeed:

The ladies of the Relief Society...have tried to get young girls to go to service, but find that if children are allowed to lead a vagrant life until ten years of age they dislike restraint or regular employment, and nothing can be done with them. It is very sad to see so many little girls growing up without any opportunity for learning housework, sewing etc., as they invariably drift into vicious habits.¹¹

Yet, even in this appeal to the emotions and sentiments of the middle class, it was clear that the reform work was not completely altruistically motivated:

Capable girls of suitable ages...will be trained for servants and thus the neglected suffering little girls of our city will become useful citizens, and householders will be provided with trained servants.

The tone of the WCTU pamphlet was representative of the middle class attitudes on "womanly skills". Deprived of such skills, young working class girls were lured to factories, "questionable amusements", and misery. The distinction between these "vices" was blurry at best: non-household employment and depravity seemingly went hand-in-hand. The strength of the family rested on the qualities of womanhood and the "natural" feminine performance of household labour. If a woman was true to this "divine" calling, the home would be a sanctuary of all that was good and wholesome.

It was, therefore, women who should be provided for — protected — in order that they could provide for society. Middle class women were convinced that this protection lay in the protection *from* the factory through protection *in* trained domestic service.

The language of skill known to the middle class was radically different from that evoked by the male working class. Notions of “equal pay” and the “same class of labor” are noticeably absent from middle class texts. While working class men gained a real power from skill thorough monopolizing its definition as masculine, the middle class held out only status without material reward to the women who might seek “protection” in womanly skills. Yet, the classed versions of skill were closely related. Like the working class, the middle class were accepting the perception that being a woman meant being alien to factory skills, the natural protection of the industrializing workforce. By definition, then, women faced evils alien to working class men — evils which required State legislation as a remedy. Womanly skills lay outside the factory and working class women were encouraged to seek their protection in the non-industrial sphere. Women’s “natural” protection was constructed in such a way that it could correlate to — but not be the same as - that offered to men. Not surprisingly, then, the Factories’ Act did not apply to domestic servants, even though it was the single largest occupational category for women (Cohen 1988:168). In practising this “womanly pursuit”, these servant women were already protected by their femininity.

The specific middle class construction of skill fit in neatly with the larger middle class agenda on factory reform. Here, too, the middle class could take strength from working class texts on skill. Because working class men insisted on the masculinity of skilled factory labour, the middle class were able to fill the obvious void by resurrecting a “new” category of skill that was uniquely feminine. Just as femininity was incompatible with paid factory employment, so too were the feminine skills defined in their differentiation from the masculine domain of employment skills. Because skill could confer status — but not necessarily a status rooted in materiality — women could claim skill *as long as they did not engage in factory labour*.

The middle class and working class uses of skill created the discursive terrain for the legal and administrative constitution of women as “other” through the Factories’ Act. In all that the participants in factory reform debates were saying about protecting women and naturalizing skills, they were not providing space for women to find protection through skill at the worksite in the same way that men could. Through the construction of skill, both as a shared and contested terrain, women

once again could not find their experiences as factory workers conceptually or materially compatible with their experiences as women. The working class and middle class "politics of protection" as reflected in the Ontario Factories' Act of 1884 did not leave room for the "protected" to resolve this incompatibility.

Notes to Chapter 4

1. Also important to this transformation was the increased displacement of all workers, male and female, from traditional economic pursuits, especially agriculture. See Marjorie Griffith Cohen's *Women's Work, Markets and Economic Development in Nineteenth Century Ontario* (Toronto: University of Toronto Press 1988) for an historical account of this process and the gendered impact this development had on men, women and families. In this paper, however, the focus is on the apparent contradictions between women's cheap labour and their marginalization as workers. This section therefore looks to the nature of some of the competitions women and men engaged in for employment and "skill" and the conscious construction of a gender division in industrial employment and familial relations. That is, if industrialization displaced men and women, how did women's labour become so quickly defined as cheaper?
2. The Ontario example was, of course, Paris, the difference engendered by the sex of the available labour supply.
3. An incident which proves that women workers were not always as "submissive" as history and theory have made them out to be.
4. During the industrialization of the clothing industry, the position of "loom-fixer" was all-important. The centralization of the manufacture of clothing was uneven largely because consumers were not prepared to give up home production, nor were they ready to accept the idea of mass-produced "off-the-rack" outerwear (this was especially true of the more well-to-do consumer). The "loom-fixer" was responsible for changing the setting of the machinery to accommodate different styles and patterns of the product. Since "over-production" of any given piece of clothing would have been unacceptable to purchasers, "loom-fixers" were kept very busy (Parr 1988).
5. Phelps also endorsed woman's suffrage as a necessary step in the self-protection of factory women.
6. This resolution was tabled by a female delegate, Emma Witt, who was the only woman documented as being present at this conference. Also within the petition was the reiterated position that the female factory inspector be chosen from the ranks of, or at least with the approval of labour organizations.
7. Compulsory education for children was an idea that emerged simultaneously with the Factories' Act. The TLC originally recommended that children not be allowed to work in factories unless they had attended six weeks of school per year (Report on Mills and Factories 1883; TLC proceedings 1883). This idea was often bantered around by both middle class and working class participants. Some middle class ideas on education will be discussed in the latter part of this chapter. Although little has been found about reactions to compulsory schooling in Ontario, British evidence suggests that working class women resisted this idea as an imposition on the families' wage earning potential (even after child labour laws were passed) as well as an interference in the household division of labour. After compulsory schooling laws were passed in Britain, many working class women defied the law by keeping young girls out of school so that they could care for the house and children while the elder women worked (Lewis 1986:109-111).

8. This essay cannot explore the relationship between men in 1880's Ontario. For an expanded discussion of the male-male dimensions of protection and skill see Cynthia Cockburn *Brothers: Male Dominance and Technological Change* London: Pluto Press 1983
9. Working class women may have been too delicate for the factory, but they remained hardy enough for the labours of the home, *as long as they did not expend energies in paid labour*. The RCRLC found that factory labour was dangerous to the future generations of Canadians: "...medical testimony proves conclusively that girls, when approaching womanhood, cannot be employed at severe or long-continued work without serious danger to their health, and the evil effects may follow them throughout their lives" (in Kealey (ed)1973:36). Intellectual pursuits were similarly condemned for women, again based on the fear that "mental overwork means physical wreck" (Parker 1893 in Cook and Mitchinson (eds) 1976:146). If only limited energies were available to women, they should not be wasted outside the home, but should be spent acquiring knowledge of the household arts.
10. Skill did apply to domestic servants, who received payment for household labour. Raising the pay of these women, however, did not appear to be on the middle class agenda.
11. These are likely many of the same women who railed against the cruelty of child factory labour, and who praised the Factories' Act stipulations in respect of the employment of children and young girls.

Conclusion

The "Politics of Protection" and the "Woman Question": Lessons and Implications for Socialist Feminist Analysis

Nineteenth century debates on factory reform reveal that "protection" had not one, but many meanings. On the surface, working class women were legislatively "protected" from overwork, hazardous machinery, unhealthy environments and the potential of a compromised morality through shared toilet facilities. However, because the Ontario Factories' Act of 1884 did not address issues of discriminatory wage scales, job allocations or occupational mobility mechanisms, in effect working class men's already-established privileged status within the workforce (in comparison to women's labour force relations) were protected from the challenges women's labour collectively posed. If for working class women the greatest impediment to equality in labour force participation was the sexual division of labour — manifest in gendered relations to employment and familial relations and gendered relations within employment and familial relations — then "protective legislation" offered no protection to working class women at all. The sexual division of labour was a departure point for debates around the creation of the Ontario Factories' Act of 1884, and not a part of the debate itself. How can we make sense of these varied levels of meaning in a theoretically and analytically useful way?

The Ontario case can contribute to a clarification of issues raised in the *SPE/NLR* debates. First and foremost, the single process analysis utilized here can shift the focus away from the contradictions inherent in the recurring "woman question" in socialist feminist analyses. Dual spheres analyses of women and employment — whether intended, as in Hartmann (1979) or implied (Armstrong and Armstrong 1982-83; Brenner and Ramas 1984; Lewis 1985) — have tended to see the distinction between being a worker and being a woman as an inevitable result of the "marriage" of patriarchy and capitalism, or the cross-cutting of "gender ideology" and class. Emanating from this distinction, women have remained as "other" in paid labour and/or family economy analyses. This has resulted in the analytical perception that men have had a normal, or gender-neutral experience as classed actors in a capitalist society, while gender has had a specific impact upon women to exclude them from this standard experience. From here, debates have raged as to the effect, nature, and cause of women's experiences under patriarchy/gender determinants as compared to men's experiences under capitalism.

The "politics of protection" demonstrates that none of these assumptions holds true under investigation. In 1880s Ontario, gendered legislation was possible because employment itself was gendered. Thus, the Ontario Factories' Act of 1884 is neither just a class issue, nor just a gender issue. Women and men experienced gender relations as well as, and at the same time as they experienced their class. Thus, men have not had a normal experience in industrial capitalism, but have had a *male* experience. This male experience can only exist if women have had a female experience. Capitalist productive relations are not sex-blind, although in "the final analysis" they *could* have been (a moot point, at best): the "politics of protection" demonstrate the significance of gender relations, gender constructions, and gendered experiences within class debates and actions for change.

It is the specific analytical categorization of masculinity and femininity which creates the space necessary to demystify the centrality of gender in the creation and politicization of "class interests". Unlike an overarching "gender ideology" analysis, an investigation through the particularized politics of masculinity and femininity allows for the deconstruction of how "normal" and "other" are created in historical junctures. Importantly, this means that it is possible to avoid the mistakes of past analyses, especially in terms of situating women and/or gender relations outside of, or as "other" to class mechanisms. The 1880s "politics of protection" illuminate one way in which the relations of both class and gender were articulated and defended. In all that the participants in factory reform debates were saying about class, struggle, employment and the household, they were saying something too about gender. Conversely, in all that was expressed as a statement on gender, unionists and reformers were expressing agendas and interests which were distinctly classed.

Therefore, even as organized working class men and middle class reformers struggled against and with one another to definitively identify women's place in industrializing relations, they simultaneously organized their respective class concerns around androcentric notions of masculinity/femininity, skill, and employment and familial relations. That is, what was noticeably omitted from the protective legislation agenda was the possibility that women could be women and workers. In fact, the "politics of protection" and the Ontario Factories' Act itself found political strength in denying this possibility. The recognition of the processes and relations inherent to this construction of reality will aid future socialist feminist analyses in avoiding the reproduction of the categories which situate women as *either* women *or* workers.

This knowledge can help further research redress the "woman question". The recognition of the androcentrism of class should be sufficient evidence to question the validity of conceptualizing

capitalism as "sex-blind" or women's oppression as a theoretically contradictory trend within productive and social relations. In 1880s Ontario, the sexual division of labour did not lie outside class relations, but was central to the very definition and development of class and class developments.

Theorizing gender-class as a single process of simultaneous relations can lead to reinvestigations and reevaluations of women's class history and men's gender-specific experiences. For example, Ruth Roach Pierson has reexamined the creation of unemployment insurance in Canada in order to deconstruct the gendered design, implementation and motivations behind this ostensibly classed legislation ("Gender and the Unemployment Insurance Debates in Canada, 1934-1940" *Labour/Le Travail* 25 (Spring 1990):77-103). Other possible research ventures could include modern-day Pay Equity legislation. How similar is today's pay equity to that put forth by the TLC in 1889? Does the principle of "equal pay for *work of equal value*", as opposed to "equal pay for *equal work*" significantly change the political terrain and the possibility of eradicating female ghettos of employment?

Here the politics of skill as a gender-class construct would be of utmost importance. The relationship between the feminization of the labour process and the deskilling process requires extensive research. Of course, this has long been a matter of socialist feminist analysis (Hartmann 1979; Deechey 1987; Jenson, Hagen and Reddy (eds) 1988; Warskett 1989). But thorough investigations of the politics, history and shifting nature of skill, and especially the recognition of its androcentric elements and the corresponding construction of a women's "class of labor", would be of significant value in assessing women and work, as well as women's work, both historically and in contemporary society.

A socialist feminist/single process analysis of skill can also help sort out some of the basic points of contention raised in the *SPE/NLR* debate. In their attempt to move towards an analysis which presented gender and class as the same system, the Armstrongs made a very important suggestion:

...we have been looking at women's work upside down. Instead of seeing women's domestic work as substituting for the wage, we should be seeing the wage as what becomes necessary when, like men, they have no alternative means of providing for their own means.

(*SPE* 1982-83:26)

This alternative emphasis can lead analyses away from trying to explain women's absence from or limited participation in the paid workforce and stress instead women's (and therefore men's) class

relations in a way that situates women's economic activities in a positive and central light. However, the Armstrongs offer no supporting analysis to explain how women's economic activities outside the workforce became devalued and invisible. Further, the Armstrongs shy away from analyzing the role played by working class men in this process and how and why these gender-class politics occurred.

It is in Hartmann's (1979) work that this facet of women's labour and class history is best put forward. Hartmann argues that capitalist productive relations propped up and lent legitimacy and domination to men's economic activities over those of women. However, Hartmann attributes this process to patriarchal relations working in accordance with those of capitalism. In this formulation, the particularized struggles which characterized and defined this process get lost under the all-explaining patriarchy.

Thus, an analysis of skill must be situated in a single-process theory in which it is possible to shed light on shifting power relations and power definitions. In this way it is possible to examine how working class men came to monopolize skill in such a way that women by definition could not possess it. It was not necessarily the job, or the arena of activity which decided what would be called "skilled", but largely a matter of who was performing the labour, and how that labour was empowered by and at the same time empowering to those who held the title. This process in itself was also classed, such that an occupational hierarchy (which was also gendered) defined (and was defined by) the class structure of productive relations. This gender-class element of skill requires specific and disaggregated study in order to fully map out its varying dimensions and shifting locations.

Finally, it is imperative that socialist feminist analyses continue to focus on the conceptualization of employment and household as relational concepts, instead of distinct spheres, in order to unpack the dynamics of male-dominated capitalist class society. Analyzing class and gender (and race/ethnicity) as simultaneous organizing principles will advance this process. As long as we continue to make theoretical and analytical distinctions between "work" and "women's work", or paid labour and the household, without recognizing the inter-related dynamics which create such distinctions, we will be left with the paradox of the "woman question". This particular examination of 1880s "politics of protection" in Ontario would seem to indicate that the apparently "contradictory trends" of gender and class relations which make up the "woman question" were in fact not contradictory at all. Gender and class were not only complementary factors in protective legislation de-

bates, they were simultaneously occurring. It would appear that an historically accurate gender-class theorization of women, men, and class is both possible and desirable.

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